



# Journal of the Senate

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## CALL TO ORDER

The Senate was called to order by President Negron at 3:00 p.m. A quorum present—36:

Mr. President	Flores	Rader
Baxley	Gainer	Rodriguez
Bean	Galvano	Rouson
Benacquisto	Gibson	Simmons
Book	Grimsley	Simpson
Bracy	Hukill	Stargel
Bradley	Hutson	Steube
Brandes	Lee	Stewart
Braynon	Mayfield	Taddeo
Broxson	Passidomo	Thurston
Campbell	Perry	Torres
Farmer	Powell	Young

Excused: Senators Garcia and Montford

## PRAYER

The following prayer was offered by Deacon Wallace Brown, Pilgrim Rest Missionary Baptist Church, Havana, a long-time employee of the Office of the Senate Sergeant at Arms:

Our Father and Creator, we come to say thank you for all of your help through this world and through this life. Through prayer, we can reach out to you for ourselves and for our loved ones and even for people we do not know. Through you, our knowledge of you is more clear. Forgive us for our wrongdoings and make us ready to forgive others. Save us from temptation and from falling into sinful ways. You rule over all things. Your power supplies all of our needs. Glory to your holy name.

Bless our great state and bless our world and all of the beautiful things in it. Bless our legislators and keep their minds sharp as they take on all of the state's tough problems. Keep your loving hands around them every day. We pray this prayer in your name. Amen.

## PLEDGE

Senate Pages, Ariel Cruz of Live Oak; Elena Miralles of Tallahassee; and Vontris Pierre of Bristol, led the Senate in the Pledge of Allegiance to the flag of the United States of America.

## DOCTOR OF THE DAY

The President recognized Dr. Michelle Brandhorst of Pensacola, sponsored by Senator Broxson, as the doctor of the day. Dr. Brandhorst specializes in family medicine.

## ADOPTION OF RESOLUTIONS

At the request of Senator Gibson—

By Senator Gibson—

**SR 94**—A resolution remembering the life and legacy of William D. Brinton.

WHEREAS, William D. Brinton was born in Kansas City, Missouri, and moved to Jacksonville in 1959, where he graduated from Robert E. Lee High School, and

WHEREAS, William D. Brinton earned his bachelor's degree from the University of Virginia and his law degree from the University of Florida, and

WHEREAS, William D. Brinton interned in the summer of 1976 with the law firm Freeman, Richardson, Watson, Slade, McCarthy & Kelly, P.A., and became a partner of the firm in 1977, and

WHEREAS, William D. Brinton co-founded Citizens Against Proliferation of Signs in 1987 and Citizens for Tree Preservation, which later merged to become Scenic Jacksonville, and

WHEREAS, in 1989, William D. Brinton formed Allen, Brinton, Simmons & McCarthy, P.A., where he became known as an expert in the areas of complex First Amendment issues, land use litigation involving billboards and sign regulation, preservation of scenic landscapes, and commercial and construction litigation, and

WHEREAS, in 2000, William D. Brinton became a shareholder of the prominent law firm Rogers Towers, P.A., and

WHEREAS, William D. Brinton was recognized in Jacksonville and nationally as an expert on city charter amendments through citizen petitions and referendums, and he spearheaded successful efforts to limit and gradually reduce the number of off-site billboards, impose term limits on the election of Jacksonville City Council members, and require preservation mitigation for the removal of protected trees, and

WHEREAS, William D. Brinton's court admissions included the United States District Courts for the Northern, Middle, and Southern Districts of Florida and the Western District of Tennessee; all 13 United States Circuit Courts of Appeal, including the District of Columbia Circuit; the Federal Circuit Court and the Supreme Court of the United States, and

WHEREAS, William D. Brinton was an active and effective member and leader of numerous civic organizations, including Leadership Jacksonville; the Jacksonville Community Council, Inc.; the Jacksonville Bar Association; City Beautiful Jax; the Jacksonville Landscape Commission; and Scenic America, and

WHEREAS, William D. Brinton was the founder, a board member, and the counsel of Scenic Jacksonville, and he founded three Friends of

the Library organizations for the Murray Hill, Brentwood, and Dallas Graham branches, and

WHEREAS, William D. Brinton received numerous recognitions and awards, including Lawyer of the Year in 1995 from the *Financial News and Daily Record*; the International Municipal Lawyers Association’s Amicus Service Award in 2015 and 2017; the Milestone Award for Citizen Advocacy from the Jacksonville Community Council, Inc.; the Prize for Civic Engagement Award from the Community Foundation for Northeast Florida; the Keep Jacksonville Beautiful-Jake Godbold Award; the 2014 Mayor’s Environmental Award; Scenic America’s Distinguished Advocacy Award for Scenic Beauty and Law; and the Cynthia Pratt McLaughlin Medal for environmental protection from The Garden Club of America, among others, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That the members of the Senate express sympathy on the passing of William D. Brinton, a stalwart leader devoted to his community and his nation.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the family of William D. Brinton as a tangible token of the sentiments of the Florida Senate.

—was introduced, read, and adopted by publication.

At the request of Senator Gibson—

By Senators Gibson and Torres—

**SR 754**—A resolution recognizing November 2018 as “Diabetes Awareness Month” in Florida.

WHEREAS, diabetes is a chronic disease in which the body does not properly produce or use the hormone insulin, which regulates blood sugar, and

WHEREAS, more than 30 million Americans, or 1 out of every 10 Americans, including approximately 2.8 million Floridians, have diabetes, and

WHEREAS, type 2 diabetes is the disease’s most common form, representing an estimated 90 to 95 percent of all diagnosed adult diabetes cases in the United States, and

WHEREAS, diabetes is the leading cause of blindness, kidney failure, amputations, stroke, and heart disease, claiming the life of one American every 3 minutes, and

WHEREAS, people with diabetes are twice as likely to suffer a heart attack or stroke at a young age, and

WHEREAS, having diabetes is associated with substantially higher lifetime medical expenditures despite being associated with reduced life expectancy, costing the American public \$245 billion annually, and

WHEREAS, increased public education and awareness about the risks of diabetes can effectively improve outcomes and reduce the financial burden of the disease, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That November 2018 is recognized as “Diabetes Awareness Month” in Florida.

BE IT FURTHER RESOLVED that state agencies, public health authorities, health care providers, employers, insurers, and other health care stakeholders are encouraged to promote education and awareness of diabetes, risk factors associated with the disease, and opportunities to promote better health for the individuals and populations at risk of being diagnosed with the disease.

—was introduced, read, and adopted by publication.

**BILLS ON THIRD READING**

On motion by Senator Bean, by unanimous consent—

**CS for HB 41**—A bill to be entitled An act relating to pregnancy support and wellness services; creating s. 381.96, F.S.; providing definitions; requiring the Department of Health to contract with a not-for-profit statewide alliance of organizations to provide pregnancy support and wellness services through subcontractors; providing duties of the department; providing contract requirements; requiring the contractor to spend a specified percentage of funds on direct client services; requiring the contractor to annually monitor subcontractors; providing for subcontractor background screenings under certain circumstances; specifying the entities eligible for a subcontract; requiring services to be provided in a noncoercive manner and forbidding inclusion of religious content; providing an effective date.

—was taken up out of order and read the third time by title.

Pursuant to Rule 7.1, there being no objection, consideration of the following late-filed amendment was allowed:

Senator Gibson moved the following amendment which failed to receive the required two-thirds vote:

**Amendment 1 (894162) (with title amendment)**—Delete lines 97-98 and insert:  
*must be provided in a noncoercive manner and may not include any religious content.*

(5) **DISCLAIMER.**—*Advertising and marketing materials for services provided pursuant to this section, including, but not limited to, billboards, must be reviewed and approved by the department before display or distribution, if state funds are used in the production of the materials, to ensure that the materials are medically accurate and do not include religious content. Such materials must include the words “Florida Pregnancy Care Network, Inc.” and the following disclaimer: “Approved by the Florida Department of Health.”*

And the title is amended as follows:

Delete line 17 and insert: forbidding inclusion of religious content; requiring advertising and marketing materials to be reviewed and approved by the department before display or distribution under certain circumstances; requiring advertising and marketing materials to include a specified disclaimer; providing

**SENATOR BENACQUISTO PRESIDING**

**THE PRESIDENT PRESIDING**

On motion by Senator Bean, **CS for HB 41** was passed and certified to the House. The vote on passage was:

Yeas—21

Mr. President	Gainer	Passidomo
Baxley	Galvano	Perry
Bean	Grimsley	Simmons
Benacquisto	Hukill	Simpson
Bradley	Hutson	Stargel
Broxson	Lee	Steube
Flores	Mayfield	Young

Nays—12

Book	Gibson	Rouson
Bracy	Powell	Stewart
Braynon	Rader	Thurston
Farmer	Rodriguez	Torres

Vote after roll call:

Yea—Brandes

**SB 2500**—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2018, and ending June 30, 2019, and supplemental appropriations for the period ending June 30, 2018, to pay salaries and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing effective dates.

—as amended February 7, was read the third time by title.

Pending further consideration of **SB 2500**, as amended—

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

**FIRST READING**

The Honorable Joe Negron, President

I am directed to inform the Senate that the House has passed HB 5001, and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

*Portia Palmer, Clerk*

By Appropriations Committee and Representative(s) Trujillo—

**HB 5001**—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2018, and ending June 30, 2019, and supplemental appropriations for the period ending June 30, 2018, to pay salaries, and other expenses, capital outlay— buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing effective dates.

—was referred to the Committee on Appropriations.

Pursuant to Rule 3.11(3), there being no objection, **HB 5001** was withdrawn from the Committee on Appropriations.

On motion by Senator Bradley, by two-thirds vote—

**HB 5001**—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2018, and ending June 30, 2019, and supplemental appropriations for the period ending June 30, 2018, to pay salaries, and other expenses, capital outlay— buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing effective dates.

—a companion measure, was substituted for **SB 2500**, as amended, and by two-thirds vote, read the second time by title.

Senator Bradley moved the following amendment which was adopted:

**Amendment 1 (139720)**—Delete everything after the enacting clause and insert:

Pursuant to Rule 7.6, **Amendment 1 (139720)** constituted an entirely new bill and was not published in the Journal.

On motion by Senator Bradley, by two-thirds vote, **HB 5001**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Flores	Rader
Baxley	Gainer	Rouson
Bean	Galvano	Simmons
Benacquisto	Gibson	Simpson
Book	Grimsley	Stargel
Bracy	Hukill	Steube
Bradley	Lee	Stewart
Brandes	Mayfield	Taddeo
Braynon	Passidomo	Thurston
Broxson	Perry	Torres
Farmer	Powell	Young

Nays—1

Rodriguez

Vote after roll call:

Yea—Campbell, Hutson

**DISCLOSURE**

Pursuant to Senate Rule 1.39, I am disclosing that certain provisions in **SB 2500** provide a special private gain or loss to a principal by whom I or my spouse, parent, or child is retained or employed. The nature of the interest and the persons or entities involved are specified below.

I am employed as a Relationship Development Director at Shand’s Hospital Jacksonville. Because Shand’s Hospital Jacksonville may receive funds under proviso in **SB 2500** that may constitute a private gain or loss to that entity, I am disclosing these facts as required by Senate Rule 1.39.

As established by Senate Rule 1.20, I must vote on this matter.

*Senator Aaron Bean, 4th District*

**MOTIONS**

On motion by Senator Bradley, the Senate, having refused to pass **HB 5001** as passed by the House, acceded to the request for a conference committee.

On motion by Senator Bradley, by two-thirds vote, **HB 5001** was ordered immediately certified to the House.

**SB 2502**—A bill to be entitled An act implementing the 2018-2019 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program; providing that funds for instructional materials must be released and expended as required in specified proviso language; amending s. 1002.333, F.S.; specifying that certain schools of hope are eligible to receive hope supplemental service allocation funds; specifying required duties of the State Board of Education for the 2017-2018 fiscal year; providing for the future expiration and reversion of specified statutory text; amending s. 1011.62, F.S.; creating the hope supplemental services allocation; providing the purpose of the allocation; specifying the services that may be funded by the allocation; requiring a plan for implementation to be developed and submitted to the appropriate governing body before distribution of the allocation; providing requirements for implementation plans; requiring approved plans to be submitted to the Commissioner of Education by a specified date; providing for the allocation of funds for the 2018-2019 fiscal year; creating the mental health assistance allocation; providing the purpose of the allocation; providing for the annual allocation of such funds on a specified basis; prohibiting the use of allocated funds to supplant funds provided from other operating funds, to increase salaries, or to provide bonuses; providing requirements for school districts and charter schools; providing that required plans must include certain elements; requiring school districts to annually submit approved plans to the commissioner by a specified date; creating the funding compression allocation; providing the purpose of the allocation; authorizing funding for the annual allocation for specified purposes; providing the calculation for the allocation; amending s. 1012.731, F.S.; deleting Florida Best and Brightest Teacher Scholarship Program scholarship awards authorized for the 2018-2019 school year; incorporating by reference certain calculations of the Medicaid Disproportionate Share Hospital program; authorizing the Agency for Health Care Administration, in consultation with the Department of Health, to submit a budget amendment to realign funding for a component of the Children’s Medical Services program; specifying requirements for such realignment; authorizing the agency to request nonoperating budget authority for transferring certain federal funds to the department; specifying criteria to be used by the Agency for Persons with Disabilities in the event that an allocation algorithm and methodology for the iBudget system is no longer in effect; providing for the implementation of any new iBudget allocation algorithm and methodology; authorizing increased funding for an iBudget under certain circumstances; amending s. 409.908, F.S.; revising parameters relating to the prospective payment methodology for the reimbursement of Medicaid providers to be implemented for rate-setting purposes; requiring the agency to establish prospective

payment reimbursement rates for nursing home services as provided in this act and in the General Appropriations Act; providing for the future expiration and reversion of specified statutory text; requiring the Agency for Health Care Administration to seek authorization from the federal Centers for Medicare and Medicaid Services to modify the period of retroactive Medicaid eligibility in a manner that ensures that the modification becomes effective by a certain date; amending s. 409.911, F.S.; updating the average of audited disproportionate share data for purposes of calculating disproportionate share payments; extending for 1 fiscal year the requirement that the Agency for Health Care Administration distribute moneys to hospitals that provide a disproportionate share of Medicaid or charity care services as set forth in the General Appropriations Act; amending s. 409.9113, F.S.; extending for 1 fiscal year the requirement that the Agency for Health Care Administration make disproportionate share payments to teaching hospitals as set forth in the General Appropriations Act; amending s. 409.9119, F.S.; extending for 1 fiscal year the requirement that the Agency for Health Care Administration make disproportionate share payments to certain specialty hospitals for children as set forth in the General Appropriations Act; amending s. 216.262, F.S.; extending for 1 fiscal year the authority of the Department of Corrections to submit a budget amendment for additional positions and appropriations under certain circumstances; amending s. 215.18, F.S.; extending for 1 fiscal year the authority, and related repayment requirements, for temporary trust fund loans to the state court system which are sufficient to meet the system's appropriation; authorizing the Department of Corrections to submit certain budget amendments to transfer funds into the Inmate Health Services category; providing that such transfers are subject to notice, review, and objection procedures; requiring the Department of Juvenile Justice to review county juvenile detention payments to ensure that counties fulfill specified financial responsibilities; requiring amounts owed by a county for such financial responsibilities to be deducted from certain county funds; requiring the Department of Revenue to transfer withheld funds to a specified trust fund; requiring the Department of Revenue to ensure that such reductions in amounts distributed do not reduce distributions below amounts necessary for certain payments due on bonds and to comply with bond covenants; requiring the Department of Revenue to notify the Department of Juvenile Justice if bond payment requirements require a reduction in deductions for amounts owed by a county; prohibiting the Department of Juvenile Justice from providing to certain nonfiscally constrained counties reimbursements or credits against identified juvenile detention center costs under specified circumstances; prohibiting a nonfiscally constrained county from applying, deducting, or receiving such reimbursements or credits; amending s. 27.5304, F.S.; extending for 1 fiscal year certain limitations on compensation for private court-appointed counsel; amending s. 1011.80, F.S.; providing that state funds provided for postsecondary workforce program operations may be used for inmate education if specifically appropriated for such purpose; authorizing a Supreme Court Justice to designate an alternate facility as his or her official headquarters for purposes of travel reimbursement; specifying which expenses may be reimbursed to a justice; requiring the Chief Justice to coordinate with an affected justice and other appropriate officials with respect to implementation; providing for construction; prohibiting the Supreme Court from using state funds to lease space in an alternate facility for use as a justice's official headquarters; requiring the Department of Management Services to use tenant broker services to renegotiate or reprocur certain private lease agreements for office or storage space; requiring the Department of Management Services to provide a report to the Executive Office of the Governor and the Legislature by a specified date; specifying the amount of the transaction fee to be collected for use of the state's online procurement system; prohibiting an agency from transferring funds from a data processing category to another category that is not a data processing category; authorizing the Executive Office of the Governor to transfer funds appropriated in certain appropriation categories between departments for specified purposes; requiring the Department of Financial Services to replace specified components of the Florida Accounting Information Resource Subsystem (FLAIR) and the Cash Management Subsystem (CMS); specifying certain actions to be taken by the Department of Financial Services regarding FLAIR and CMS replacement; providing for the composition of an executive steering committee to oversee FLAIR and CMS replacement; prescribing duties and responsibilities of the executive steering committee; amending s. 282.0051, F.S.; revising the powers, duties, and functions of the Agency for State Technology with respect to the operational management and oversight of the state data center; providing for the future expiration and reversion of speci-

fied statutory text; amending s. 216.181, F.S.; extending for 1 fiscal year the authority for the Legislative Budget Commission to increase amounts appropriated to the Fish and Wildlife Conservation Commission or the Department of Environmental Protection for certain fixed capital outlay projects from specified sources; amending s. 215.18, F.S.; extending for 1 fiscal year the authority of the Governor, if there is a specified deficiency in a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission, to transfer funds from other trust funds in the State Treasury as a temporary loan to such trust fund; providing procedures for the repayment of the temporary loan; amending s. 375.041, F.S.; specifying that certain funds for projects dedicated to restoring Lake Apopka shall be appropriated as provided under the General Appropriations Act; reenacting s. 373.470(6)(a), F.S., relating to Everglades restoration; providing for the future expiration and reversion of specified statutory text; amending s. 216.181, F.S.; extending for 1 fiscal year the authority of the Legislative Budget Commission to increase amounts appropriated to the Department of Environmental Protection for fixed capital outlay projects using specified funds; specifying additional information to be included in budget amendments for projects requiring additional funding; requiring the Department of Environmental Protection to transfer a designated proportionate share of the revenues deposited in the Land Acquisition Trust Fund within the department to land acquisition trust funds in the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission, according to specified parameters and calculations; defining the term "department"; requiring the Department of Environmental Protection to retain a proportionate share of revenues; specifying a limit on distributions; requiring the Department of Environmental Protection to make transfers to land acquisition trust funds; specifying the method of determining transfer amounts; authorizing the Department of Environmental Protection to advance funds from its land acquisition trust fund to the Fish and Wildlife Conservation Commission's land acquisition trust fund for specified purposes; requiring the Department of Environmental Protection to prorate amounts transferred to the Fish and Wildlife Conservation Commission; requiring the Department of Environmental Protection to distribute moneys transferred from the Land Acquisition Trust Fund into the Florida Forever Trust Fund in accordance with a specified distribution formula; amending s. 375.075, F.S.; requiring that a minimum amount of funds for the Florida Recreation Development Assistance Program be used for projects that provide recreational enhancements and opportunities for children; requiring the Department of Environmental Protection to award grants by a specified date; providing limitations with respect to the number of grant applications a local government may submit and the maximum project grant amount; specifying requirements for the selection criteria used by the department; amending s. 376.3071, F.S.; allocating a specified sum from the Inland Protection Trust Fund for the payment of repair, replacement, and preventative measure costs for storage tanks, piping, or system components; requiring an owner or operator to submit an application to the department to receive funding; prescribing requirements for such application; specifying requirements, restrictions, and limitations regarding applications and payments; prohibiting payments for specified expenses; providing construction; requiring the department to ensure that petroleum storage systems approved after a specified date meet certain standards; amending s. 295.23, F.S.; transferring duties relating to the administration of the veterans research and marketing campaign from the Florida Tourism Industry Marketing Corporation to Florida Is For Veterans, Inc.; revising the annual appropriation for the veterans research and marketing campaign; amending s. 295.21, F.S.; revising the duties of Florida Is For Veterans, Inc., regarding the veterans research and marketing campaign to conform to changes made by the act; providing for the future expiration and reversion of specified statutory text; amending s. 427.013, F.S.; extending for 1 fiscal year a requirement that the Commission for the Transportation Disadvantaged allocate and award appropriated funds for specified purposes; amending s. 321.04, F.S.; extending for 1 fiscal year provisions requiring the Department of Highway Safety and Motor Vehicles to assign the patrol officer assigned to the Office of the Governor to the Lieutenant Governor and to assign a patrol officer to a Cabinet member under certain circumstances; amending s. 339.135, F.S.; extending for 1 fiscal year provisions authorizing the Department of Transportation to realign budget authority to carry out the department's work program; amending s. 216.292, F.S.; extending for 1 fiscal year a provision that requires a review of certain transfers of appropriations to ensure compliance

with ch. 216, F.S., and that such transfers are not contrary to legislative policy and intent; amending s. 112.24, F.S.; extending for 1 fiscal year the authorization, subject to specified requirements, for the assignment of an employee of a state agency under an employee interchange agreement; providing that the annual salaries of the members of the Legislature shall be maintained at a specified level; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds; providing for the future expiration and reversion of specified statutory text; prohibiting state agencies from entering into contracts containing certain nondisclosure agreements; providing conditions under which the veto of certain appropriations or proviso language in the General Appropriations Act voids language that implements such appropriations; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing severability; providing effective dates.

—as amended February 7, was read the third time by title.

On motion by Senator Bradley, further consideration of **SB 2502** was deferred.

**SB 2504**—A bill to be entitled An act relating to state employees; providing for the resolution of collective bargaining issues at impasse between the state and certified bargaining units of state employees; providing an effective date.

—was read the third time by title.

On motion by Senator Bradley, further consideration of **SB 2504** was deferred.

**SB 7014**—A bill to be entitled An act relating to state-administered retirement systems; amending s. 121.71, F.S.; revising required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System; providing a declaration of important state interest; providing an effective date.

—was read the third time by title.

On motion by Senator Baxley, further consideration of **SB 7014** was deferred.

## SPECIAL ORDER CALENDAR

**CS for SB 276**—A bill to be entitled An act relating to voter registration list maintenance; amending s. 98.075, F.S.; authorizing the Department of State to become a member of a nongovernmental entity to verify voter registration information; establishing requirements for such memberships; requiring the Department of Highway Safety and Motor Vehicles to provide specified information to the Department of State; establishing reporting requirements; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 276**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 85** was withdrawn from the Committees on Ethics and Elections; Appropriations; and Rules.

On motion by Senator Hutson—

**CS for HB 85**—A bill to be entitled An act relating to voter registration list maintenance; amending s. 98.075, F.S.; authorizing the Department of State to become a member of a nongovernmental entity to verify voter registration information; establishing requirements for such membership; requiring the Department of Highway Safety and Motor Vehicles to provide specified information to the Department of State; establishing reporting requirements; providing an effective date.

—a companion measure, was substituted for **CS for SB 276** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 85** was placed on the calendar of Bills on Third Reading.

On motion by Senator Braynon—

**SB 800**—A bill to be entitled An act relating to infectious disease elimination pilot programs; providing a short title; amending s. 381.0038, F.S.; authorizing the Department of Health to establish sterile needle and syringe exchange pilot programs upon request from eligible entities, rather than a single program established in Miami-Dade County; specifying who may be designated to operate a program; providing for the expiration of all pilot programs; providing for severability; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 800** was placed on the calendar of Bills on Third Reading.

**SB 314**—A bill to be entitled An act relating to mortgage brokering; amending s. 494.00115, F.S.; providing an exemption from regulation under parts I and II of ch. 494, F.S., for certain securities dealers, investment advisers, and associated persons; providing requirements for certain solicitations and referrals; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 314**, pursuant to Rule 3.11(3), there being no objection, **HB 193** was withdrawn from the Committees on Regulated Industries; Banking and Insurance; and Rules.

On motion by Senator Baxley—

**HB 193**—A bill to be entitled An act relating to mortgage brokering; amending s. 494.00115, F.S.; providing an exemption from regulation under parts I and II of ch. 494, F.S., for certain securities dealers, investment advisors, and associated persons; providing requirements for certain solicitations and referrals; providing an effective date.

—a companion measure, was substituted for **SB 314** and read the second time by title.

Pursuant to Rule 4.19, **HB 193** was placed on the calendar of Bills on Third Reading.

On motion by Senator Young—

**CS for CS for SB 510**—A bill to be entitled An act relating to reporting of adverse incidents in planned out-of-hospital births; creating s. 456.0495, F.S.; defining the term “adverse incident”; requiring licensed physicians, certified nurse midwives, and licensed midwives to report an adverse incident and a medical summary of events to the Department of Health within a specified timeframe; requiring the department to review adverse incident reports and determine if conduct occurred that is subject to disciplinary action; requiring the appropriate regulatory board or the department to take disciplinary action under certain circumstances; requiring the department to adopt rules; requiring the department to develop a form to be used for the reporting of adverse incidents; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 510** was placed on the calendar of Bills on Third Reading.

On motion by Senator Steube—

**SB 162**—A bill to be entitled An act relating to the payment of health care claims; amending s. 627.6131, F.S.; prohibiting a health insurer from retroactively denying a claim under specified circumstances; providing applicability; amending s. 641.3155, F.S.; prohibiting a health maintenance organization from retroactively denying a claim under specified circumstances; providing applicability; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 162** was placed on the calendar of Bills on Third Reading.

**SB 494**—A bill to be entitled An act relating to linear facilities; amending s. 163.3221, F.S.; revising the definition of the term “development” to exclude work by certain utility providers on utility infrastructure on certain rights-of-way or corridors; revising the definition to exclude the creation or termination of distribution and transmission corridors; amending s. 380.04, F.S.; revising the definition of the term “development” to exclude work by certain utility providers on utility infrastructure on certain rights-of-way or corridors; revising the definition to exclude the creation or termination of distribution and transmission corridors; amending s. 403.511, F.S.; requiring the consideration of a certain variance standard when including conditions for the certification of an electrical power plant; clarifying that the Public Service Commission has exclusive jurisdiction to require underground transmission lines; amending s. 403.531, F.S.; requiring the consideration of a certain variance standard when including conditions for the certification of a proposed transmission line corridor; clarifying that the Public Service Commission has exclusive jurisdiction to require underground transmission lines; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 494**, pursuant to Rule 3.11(3), there being no objection, **HB 405** was withdrawn from the Committees on Communications, Energy, and Public Utilities; and Community Affairs.

On motion by Senator Lee—

**HB 405**—A bill to be entitled An act relating to linear facilities; amending s. 163.3221, F.S.; revising the definition of the term “development” to exclude work by certain utility providers on utility infrastructure on certain rights-of-way or corridors; revising the definition to exclude the creation or termination of distribution and transmission corridors; amending s. 380.04, F.S.; revising the definition of the term “development” to exclude work by certain utility providers on utility infrastructure on certain rights-of-way or corridors; revising the definition to exclude the creation or termination of distribution and transmission corridors; amending s. 403.511, F.S.; requiring the consideration of a certain variance standard when including conditions for the certification of an electrical power plant; clarifying that the Public Service Commission has exclusive jurisdiction to require underground transmission lines; amending s. 403.531, F.S.; requiring the consideration of a certain variance standard when including conditions for the certification of a proposed transmission line corridor; clarifying that the Public Service Commission has exclusive jurisdiction to require underground transmission lines; providing an effective date.

—a companion measure, was substituted for **SB 494** and read the second time by title.

Pursuant to Rule 4.19, **HB 405** was placed on the calendar of Bills on Third Reading.

On motion by Senator Baxley—

**CS for SB 1048**—A bill to be entitled An act relating to firearms; amending s. 790.06, F.S.; authorizing a church, a synagogue, or other religious institution to allow a concealed weapons or concealed firearms licensee to carry a concealed handgun in certain established physical places of worship under certain circumstances; providing applicability; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1048** was placed on the calendar of Bills on Third Reading.

**CS for SB 278**—A bill to be entitled An act relating to public records; amending s. 98.075, F.S.; providing an exemption from public records requirements for certain information received by the Department of State from another state or the District of Columbia which is confidential or exempt pursuant to the laws of that jurisdiction; providing

for the release of such information to specified persons; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 278**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 87** was withdrawn from the Committees on Ethics and Elections; Governmental Oversight and Accountability; and Rules.

On motion by Senator Hutson—

**CS for HB 87**—A bill to be entitled An act relating to public records; amending s. 98.075, F.S.; providing an exemption from public records requirements for certain information received by the Department of State from another state or the District of Columbia which is confidential or exempt pursuant to the laws of that jurisdiction; providing for release of such information to specified persons; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

—a companion measure, was substituted for **CS for SB 278** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 87** was placed on the calendar of Bills on Third Reading.

**SR 550**—A resolution supporting an extension of the current moratorium on drilling in the Gulf of Mexico east of the Military Mission Line.

WHEREAS, the Florida Legislature represents the military bases and personnel that maintain, manage, and use the Gulf of Mexico Range Complex (GOMEX Range Complex) which provides for the common defense of this state and the nation, and

WHEREAS, defense is the State of Florida’s fourth largest industry, accounting for more than 775,000 jobs, \$80 billion in economic impact, and 65 percent of the regional economy of Northwest Florida, and

WHEREAS, testing and training activities conducted from Florida’s air and sea bases are considerably dependent on unconstrained access to the Eastern Gulf of Mexico airspace and seaspace, and

WHEREAS, the GOMEX Range Complex is a unique national resource, and

WHEREAS, the range is larger than all other training ranges inside the continental United States combined, stretching from the Florida Panhandle south to Key West and encompassing the Eastern Gulf of Mexico, and

WHEREAS, surrounding the GOMEX Range Complex are numerous United States Department of Defense installations, ranges, and airspaces, which make the complex unique, and

WHEREAS, originally a place to practice air-to-air engagements and air-to-surface bombing and strafing, the GOMEX Range Complex has served the nation for over 60 years, and

WHEREAS, after World War II, the GOMEX Range Complex was used to test surface-to-air rockets against drones and, with the advent of fifth-generation aircraft at Tyndall and Eglin Air Force Bases, has been used extensively to test future weapons systems, and

WHEREAS, the military missions require day and night access to the airspace, from the surface up to 60,000 feet, for high-speed flying and maneuvering, as well as day and night access to the seaspace, from the sea surface to the subsurface areas, for use by ships and submarines, and

WHEREAS, the military uses live ammunition and missiles against remotely piloted full-scale targets and drones, resulting in large debris fields of dangerous objects, and

WHEREAS, for well over a decade and through two presidential administrations, the United States Department of Defense policy has been to keep the Eastern Gulf of Mexico free from obstruction, and

WHEREAS, oil exploration and offshore platforms placed in the Eastern Gulf of Mexico could jeopardize military missions and severely reduce the state’s appeal in keeping military installations, and

WHEREAS, without access to airspace in order to test modern and emerging weapons systems and train the aircrews that support such systems, Florida would lose its primary reason for hosting the GOMEX Range Complex, and

WHEREAS, the Gulf of Mexico Energy Security Act (GOMESA) of 2006 restricts oil and gas leasing in all areas east of the Military Mission Line established at 86°41’ W. longitude and bans oil and gas leasing within 125 miles of the Florida coastline in the Eastern Planning Area and in a portion of the Central Planning Area until 2022, and

WHEREAS, attempts to reduce restrictions on oil and gas exploration and production arose in 2013 and 2015, when the members of the United States Senate and the United States House of Representatives developed and introduced bills to change GOMESA without addressing the military need to maintain the GOMEX Range Complex, and

WHEREAS, in 2013, the Offshore Energy and Jobs Act was introduced by United States Representative Doc Hastings of Washington to propose changes in oil and gas drilling and exploration locations, and

WHEREAS, the Offshore Energy and Jobs Act of 2015 was introduced by United States Senator Bill Cassidy of Louisiana, to increase oil and gas exploration and production, most notably through reducing the exclusion area east of the Military Mission Line from 125 miles to 50 miles offshore and through shortening the time limit of the moratorium from 2022 to 2017, but the bill ultimately did not advance past committee, and GOMESA remained intact for the time being, and

WHEREAS, the United States Secretary of Defense, the Chief of Staff of the United States Air Force, and fifteen members of the United States Congress from Florida have written letters requesting an extension to the moratorium, which is essential for developing and sustaining the military’s future capabilities and for guaranteeing long-term capabilities for future test missions that may enable new technologies such as hypersonic fifth-generation fighters, advanced subsurface weapons systems, and other projects that require enlarged testing and training footprints well beyond 2022, and

WHEREAS, without the certainty of an extension to the moratorium, investment in upgrades in telemetry, tracking, and other important improvements are at risk, and

WHEREAS, in March 2017, twenty local county commissions, chambers of commerce, local economic development councils, and military affairs committees drafted resolutions in support of the moratorium and submitted them to the Florida Legislature, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That the State of Florida must maintain a united front in supporting an extension of the current moratorium on drilling in the Gulf of Mexico east of the Military Mission Line.

BE IT FURTHER RESOLVED that to allow drilling east of the Military Mission Line would mean loss of range areas and possible relocation of aircraft and bases to other unrestricted range areas.

BE IT FURTHER RESOLVED that the Florida Senate supports an indefinite extension of the restriction, specified in the Gulf of Mexico Energy Security Act of 2006, oil and gas leasing in all areas east of the Military Mission Line established at 86°41’ W. longitude and indefinite extension of the Act’s ban oil and gas leasing within 125 miles of the Florida coastline in the Eastern Planning Area and in a portion of the Central Planning Area.

—was read the second time by title. On motion by Senator Broxson, **SR 550** was adopted.

**CO-INTRODUCERS**

All Senators voting yea, not previously shown as co-introducers, were recorded as co-introducers of **SR 550**.

Yeas—24

Mr. President	Flores	Perry
Baxley	Galvano	Rader
Benacquisto	Gibson	Rodriguez
Book	Grimsley	Simmons
Bracy	Hukill	Simpson
Bradley	Lee	Stewart
Brandes	Mayfield	Thurston
Campbell	Passidomo	Torres

On motion by Senator Brandes—

**SB 660**—A bill to be entitled An act relating to the Florida Insurance Code exemption for nonprofit religious organizations; amending s. 624.1265, F.S.; revising criteria under which a nonprofit religious organization that facilitates the sharing of contributions among its participants for financial or medical needs is exempt from requirements of the code; revising construction; revising requirements for a notice provided by the organization; providing an effective date.

—was read the second time by title.

Pursuant to Rule 7.1, there being no objection, consideration of the following late-filed amendment was allowed:

Senator Brandes moved the following amendment which was adopted:

**Amendment 1 (394130) (with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Section 624.1265, Florida Statutes, is amended to read:

624.1265 Nonprofit religious organization exemption; authority; notice.—

(1) A nonprofit religious organization is not subject to the requirements of the Florida Insurance Code if the nonprofit religious organization:

(a) Qualifies under Title 26, s. 501 of the Internal Revenue Code of 1986, as amended;

(b) Limits its participants to those members who share a common set of ethical or religious beliefs of the same religion;

(c) Acts as a facilitator among an organizational clearinghouse for information between participants who have financial, physical, or medical needs to assist those with financial, physical, or medical needs in accordance with criteria established by the nonprofit religious organization and participants who have the ability to pay for the benefit of those participants who have financial, physical, or medical needs;

(d) Provides for the financial or medical needs of a participant through contributions from other participants, or through payments directly from one participant to another participant; and

(e) Provides amounts that participants may contribute, with no assumption of risk and no promise to pay:

1. Among the participants; or
2. By the nonprofit religious organization to the participants;

(f) Provides a monthly accounting to the participants of the total dollar amount of qualified needs actually shared in the previous month

in accordance with criteria established by the nonprofit religious organization; and

(g) Conducts an annual audit that is performed by an independent certified public accounting firm in accordance with generally accepted accounting principles and that is made available to the public by providing a copy upon request or by posting on the nonprofit religious organization's website ~~suggests amounts that participants may voluntarily give with no assumption of risk or promise to pay among the participants or between the participants.~~

(2) This section does not prevent:

(a) ~~The organization described in subsection (1) from establishing qualifications of participation relating to the health of a prospective participant, does not prevent~~ A participant from limiting the financial or medical needs that may be eligible for payment; ~~or, and does not prevent~~

(b) The nonprofit religious organization from canceling the membership of a participant when such participant indicates his or her unwillingness to participate by failing to meet the conditions of membership ~~make a payment to another participant~~ for a period in excess of 60 days.

(3) ~~The nonprofit religious organization described in subsection (1) shall provide a written disclaimer on or accompanying all applications and guideline materials distributed by or on behalf of the nonprofit religious organization. The disclaimer must read in substance: "Notice: The organization facilitating the sharing of medical expenses is not an insurance company, and neither its guidelines nor its plan of operation is an insurance policy. Membership is not offered through an insurance company, and the organization is not subject to the regulatory requirements or consumer protections of the Florida Insurance Code. Whether anyone chooses to assist you with your medical bills will be totally voluntary because no other participant is compelled by law to contribute toward your medical bills. As such, participation in the organization or a subscription to any of its documents should never be considered to be insurance. Regardless of whether you receive any payments for medical expenses or whether this organization continues to operate, you are always personally responsible for the payment of your own medical bills." each prospective participant in the organizational clearinghouse written notice that the organization is not an insurance company, that membership is not offered through an insurance company, and that the organization is not subject to the regulatory requirements or consumer protections of the Florida Insurance Code.~~

Section 2. This act shall take effect July 1, 2018.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the Florida Insurance Code exemption for nonprofit religious organizations; amending s. 624.1265, F.S.; revising criteria under which a nonprofit religious organization that facilitates the sharing of contributions among its participants for financial, physical, or medical needs is exempt from requirements of the code; revising construction; revising requirements for a notice provided by the organization; providing an effective date.

Pursuant to Rule 4.19, **SB 660**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

**CS for SB 152**—A bill to be entitled An act relating to the sale of firearms; amending s. 790.065, F.S.; requiring Department of Law Enforcement procedures to allow the payment or transmittal of processing fees for criminal history checks of potential firearms buyers by electronic means; providing that criminal history check requests by licensed importers, manufacturers, and dealers to the department may be made by electronic means; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 152**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 55** was withdrawn from the Committees on Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

On motion by Senator Steube—

**CS for HB 55**—A bill to be entitled An act relating to the sale of firearms; amending s. 790.065, F.S.; requiring Department of Law Enforcement procedures to allow the payment or transmittal of processing fees for criminal history checks of potential firearms buyers by electronic means; providing that criminal history check requests by licensed importers, manufacturers, and dealers to the department may be made by electronic means; providing an effective date.

—a companion measure, was substituted for **CS for SB 152** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 55** was placed on the calendar of Bills on Third Reading.

## BILLS ON THIRD READING, continued

The Senate resumed consideration of—

**SB 2502**—A bill to be entitled An act implementing the 2018-2019 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program; providing that funds for instructional materials must be released and expended as required in specified proviso language; amending s. 1002.333, F.S.; specifying that certain schools of hope are eligible to receive hope supplemental service allocation funds; specifying required duties of the State Board of Education for the 2017-2018 fiscal year; providing for the future expiration and reversion of specified statutory text; amending s. 1011.62, F.S.; creating the hope supplemental services allocation; providing the purpose of the allocation; specifying the services that may be funded by the allocation; requiring a plan for implementation to be developed and submitted to the appropriate governing body before distribution of the allocation; providing requirements for implementation plans; requiring approved plans to be submitted to the Commissioner of Education by a specified date; providing for the allocation of funds for the 2018-2019 fiscal year; creating the mental health assistance allocation; providing the purpose of the allocation; providing for the annual allocation of such funds on a specified basis; prohibiting the use of allocated funds to supplant funds provided from other operating funds, to increase salaries, or to provide bonuses; providing requirements for school districts and charter schools; providing that required plans must include certain elements; requiring school districts to annually submit approved plans to the commissioner by a specified date; creating the funding compression allocation; providing the purpose of the allocation; authorizing funding for the annual allocation for specified purposes; providing the calculation for the allocation; amending s. 1012.731, F.S.; deleting Florida Best and Brightest Teacher Scholarship Program scholarship awards authorized for the 2018-2019 school year; incorporating by reference certain calculations of the Medicaid Disproportionate Share Hospital program; authorizing the Agency for Health Care Administration, in consultation with the Department of Health, to submit a budget amendment to realign funding for a component of the Children's Medical Services program; specifying requirements for such realignment; authorizing the agency to request nonoperating budget authority for transferring certain federal funds to the department; specifying criteria to be used by the Agency for Persons with Disabilities in the event that an allocation algorithm and methodology for the iBudget system is no longer in effect; providing for the implementation of any new iBudget allocation algorithm and methodology; authorizing increased funding for an iBudget under certain circumstances; amending s. 409.908, F.S.; revising parameters relating to the prospective payment methodology for the reimbursement of Medicaid providers to be implemented for rate-setting purposes; requiring the agency to establish prospective payment reimbursement rates for nursing home services as provided in this act and in the General Appropriations Act; providing for the future expiration and reversion of specified statutory text; requiring the Agency for Health Care Administration to seek authorization from the



federal Centers for Medicare and Medicaid Services to modify the period of retroactive Medicaid eligibility in a manner that ensures that the modification becomes effective by a certain date; amending s. 409.911, F.S.; updating the average of audited disproportionate share data for purposes of calculating disproportionate share payments; extending for 1 fiscal year the requirement that the Agency for Health Care Administration distribute moneys to hospitals that provide a disproportionate share of Medicaid or charity care services as set forth in the General Appropriations Act; amending s. 409.9113, F.S.; extending for 1 fiscal year the requirement that the Agency for Health Care Administration make disproportionate share payments to teaching hospitals as set forth in the General Appropriations Act; amending s. 409.9119, F.S.; extending for 1 fiscal year the requirement that the Agency for Health Care Administration make disproportionate share payments to certain specialty hospitals for children as set forth in the General Appropriations Act; amending s. 216.262, F.S.; extending for 1 fiscal year the authority of the Department of Corrections to submit a budget amendment for additional positions and appropriations under certain circumstances; amending s. 215.18, F.S.; extending for 1 fiscal year the authority, and related repayment requirements, for temporary trust fund loans to the state court system which are sufficient to meet the system's appropriation; authorizing the Department of Corrections to submit certain budget amendments to transfer funds into the Inmate Health Services category; providing that such transfers are subject to notice, review, and objection procedures; requiring the Department of Juvenile Justice to review county juvenile detention payments to ensure that counties fulfill specified financial responsibilities; requiring amounts owed by a county for such financial responsibilities to be deducted from certain county funds; requiring the Department of Revenue to transfer withheld funds to a specified trust fund; requiring the Department of Revenue to ensure that such reductions in amounts distributed do not reduce distributions below amounts necessary for certain payments due on bonds and to comply with bond covenants; requiring the Department of Revenue to notify the Department of Juvenile Justice if bond payment requirements require a reduction in deductions for amounts owed by a county; prohibiting the Department of Juvenile Justice from providing to certain nonfiscally constrained counties reimbursements or credits against identified juvenile detention center costs under specified circumstances; prohibiting a nonfiscally constrained county from applying, deducting, or receiving such reimbursements or credits; amending s. 27.5304, F.S.; extending for 1 fiscal year certain limitations on compensation for private court-appointed counsel; amending s. 1011.80, F.S.; providing that state funds provided for postsecondary workforce program operations may be used for inmate education if specifically appropriated for such purpose; authorizing a Supreme Court Justice to designate an alternate facility as his or her official headquarters for purposes of travel reimbursement; specifying which expenses may be reimbursed to a justice; requiring the Chief Justice to coordinate with an affected justice and other appropriate officials with respect to implementation; providing for construction; prohibiting the Supreme Court from using state funds to lease space in an alternate facility for use as a justice's official headquarters; requiring the Department of Management Services to use tenant broker services to renegotiate or reprocure certain private lease agreements for office or storage space; requiring the Department of Management Services to provide a report to the Executive Office of the Governor and the Legislature by a specified date; specifying the amount of the transaction fee to be collected for use of the state's online procurement system; prohibiting an agency from transferring funds from a data processing category to another category that is not a data processing category; authorizing the Executive Office of the Governor to transfer funds appropriated in certain appropriation categories between departments for specified purposes; requiring the Department of Financial Services to replace specified components of the Florida Accounting Information Resource Subsystem (FLAIR) and the Cash Management Subsystem (CMS); specifying certain actions to be taken by the Department of Financial Services regarding FLAIR and CMS replacement; providing for the composition of an executive steering committee to oversee FLAIR and CMS replacement; prescribing duties and responsibilities of the executive steering committee; amending s. 282.0051, F.S.; revising the powers, duties, and functions of the Agency for State Technology with respect to the operational management and oversight of the state data center; providing for the future expiration and reversion of speci-

fied statutory text; amending s. 216.181, F.S.; extending for 1 fiscal year the authority for the Legislative Budget Commission to increase amounts appropriated to the Fish and Wildlife Conservation Commission or the Department of Environmental Protection for certain fixed capital outlay projects from specified sources; amending s. 215.18, F.S.; extending for 1 fiscal year the authority of the Governor, if there is a specified deficiency in a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission, to transfer funds from other trust funds in the State Treasury as a temporary loan to such trust fund; providing procedures for the repayment of the temporary loan; amending s. 375.041, F.S.; specifying that certain funds for projects dedicated to restoring Lake Apopka shall be appropriated as provided under the General Appropriations Act; reenacting s. 373.470(6)(a), F.S., relating to Everglades restoration; providing for the future expiration and reversion of specified statutory text; amending s. 216.181, F.S.; extending for 1 fiscal year the authority of the Legislative Budget Commission to increase amounts appropriated to the Department of Environmental Protection for fixed capital outlay projects using specified funds; specifying additional information to be included in budget amendments for projects requiring additional funding; requiring the Department of Environmental Protection to transfer a designated proportionate share of the revenues deposited in the Land Acquisition Trust Fund within the department to land acquisition trust funds in the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission, according to specified parameters and calculations; defining the term "department"; requiring the Department of Environmental Protection to retain a proportionate share of revenues; specifying a limit on distributions; requiring the Department of Environmental Protection to make transfers to land acquisition trust funds; specifying the method of determining transfer amounts; authorizing the Department of Environmental Protection to advance funds from its land acquisition trust fund to the Fish and Wildlife Conservation Commission's land acquisition trust fund for specified purposes; requiring the Department of Environmental Protection to prorate amounts transferred to the Fish and Wildlife Conservation Commission; requiring the Department of Environmental Protection to distribute moneys transferred from the Land Acquisition Trust Fund into the Florida Forever Trust Fund in accordance with a specified distribution formula; amending s. 375.075, F.S.; requiring that a minimum amount of funds for the Florida Recreation Development Assistance Program be used for projects that provide recreational enhancements and opportunities for children; requiring the Department of Environmental Protection to award grants by a specified date; providing limitations with respect to the number of grant applications a local government may submit and the maximum project grant amount; specifying requirements for the selection criteria used by the department; amending s. 376.3071, F.S.; allocating a specified sum from the Inland Protection Trust Fund for the payment of repair, replacement, and preventative measure costs for storage tanks, piping, or system components; requiring an owner or operator to submit an application to the department to receive funding; prescribing requirements for such application; specifying requirements, restrictions, and limitations regarding applications and payments; prohibiting payments for specified expenses; providing construction; requiring the department to ensure that petroleum storage systems approved after a specified date meet certain standards; amending s. 295.23, F.S.; transferring duties relating to the administration of the veterans research and marketing campaign from the Florida Tourism Industry Marketing Corporation to Florida Is For Veterans, Inc.; revising the annual appropriation for the veterans research and marketing campaign; amending s. 295.21, F.S.; revising the duties of Florida Is For Veterans, Inc., regarding the veterans research and marketing campaign to conform to changes made by the act; providing for the future expiration and reversion of specified statutory text; amending s. 427.013, F.S.; extending for 1 fiscal year a requirement that the Commission for the Transportation Disadvantaged allocate and award appropriated funds for specified purposes; amending s. 321.04, F.S.; extending for 1 fiscal year provisions requiring the Department of Highway Safety and Motor Vehicles to assign the patrol officer assigned to the Office of the Governor to the Lieutenant Governor and to assign a patrol officer to a Cabinet member under certain circumstances; amending s. 339.135, F.S.; extending for 1 fiscal year

provisions authorizing the Department of Transportation to realign budget authority to carry out the department's work program; amending s. 216.292, F.S.; extending for 1 fiscal year a provision that requires a review of certain transfers of appropriations to ensure compliance with ch. 216, F.S., and that such transfers are not contrary to legislative policy and intent; amending s. 112.24, F.S.; extending for 1 fiscal year the authorization, subject to specified requirements, for the assignment of an employee of a state agency under an employee interchange agreement; providing that the annual salaries of the members of the Legislature shall be maintained at a specified level; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds; providing for the future expiration and reversion of specified statutory text; prohibiting state agencies from entering into contracts containing certain nondisclosure agreements; providing conditions under which the veto of certain appropriations or proviso language in the General Appropriations Act voids language that implements such appropriations; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing severability; providing effective dates.

—which was previously considered this day and amended February 7.

Pending further consideration of **SB 2502**, as amended—

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

### FIRST READING

The Honorable Joe Negron, President

I am directed to inform the Senate that the House has passed HB 5003, and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

*Portia Palmer, Clerk*

By Appropriations Committee and Representative(s) Trujillo—

**HB 5003**—A bill to be entitled An act implementing the 2018-2019 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program; providing that funds for instructional materials must be released and expended as required in specified proviso language; amending s. 1008.46, F.S.; providing the date by which the Board of Governors must submit its annual accountability report for the 2018-2019 fiscal year; reenacting s. 1009.986(4)(b), F.S., relating to the Florida ABLE program; extending by 1 fiscal year provisions regarding the participation agreement for the program; providing for the future expiration and reversion of specified statutory text; incorporating by reference certain calculations of the Medicaid Disproportionate Share Hospital and Hospital Reimbursement programs; authorizing the Agency for Health Care Administration, in consultation with the Department of Health, to submit a budget amendment to realign funding for a component of the Children's Medical Services program to reflect actual enrollment changes; specifying requirements for such realignment; authorizing the agency to request nonoperating budget authority for transferring certain federal funds to the Department of Health; specifying criteria to be used by the Agency for Persons with Disabilities in the event that the rule which adopted an allocation algorithm and methodology for the iBudget system is no longer in effect; authorizing funding allocated for the algorithm may be increased under certain circumstances; amending s. 893.055, F.S.; prohibiting the Attorney General and the Department of Health from using certain settlement agreement funds to administer the prescription drug monitoring program; amending s. 409.911, F.S.; extending for 1 fiscal year the requirement that the Agency for Health Care Administration distribute moneys to hospitals that provide a disproportionate share of Medicaid or charity care services as provided in the General Appropriations Act; amending s. 409.9113, F.S.; extending for 1 fiscal year the requirement that the Agency for Health Care Administration make disproportionate share payments to teaching hospitals as provided in the General Appropriations Act; authorizing the Agency of Health Care Administration to submit a budget amendment to realign funding within the Medicaid program appropriation categories; specifying the time period within which such budget amendment must be submitted; amending s. 409.9119, F.S.; extending for 1 fiscal year the requirement that the

Agency for Health Care Administration make disproportionate share payments to certain specialty hospitals for children; amending s. 216.262, F.S.; extending for 1 fiscal year the authority of the Department of Corrections to submit a budget amendment for additional positions and appropriations under certain circumstances; amending s. 215.18, F.S.; extending for 1 fiscal year the authority and related repayment requirements for temporary trust fund loans to the state court system which are sufficient to meet the system's appropriation; authorizing the Department of Corrections to submit certain budget amendments to transfer funds into the Inmate Health Services category; providing that such transfers are subject to notice, review, and objection procedures; requiring the Department of Juvenile Justice to review county juvenile detention payments to determine whether the county has met specified financial responsibilities; requiring amounts owed by the county for such financial responsibilities to be deducted from certain county funds; requiring the Department of Revenue to transfer withheld funds to a specified trust fund; requiring the Department of Revenue to ensure that such reductions in amounts distributed do not reduce distributions below amounts necessary for certain payments due on bonds and comply with bond covenants; requiring the Department of Revenue to notify the Department of Juvenile Justice if bond payment requirements require a reduction in deductions for amounts owed by a county; prohibiting the Department of Juvenile Justice from providing to certain nonfiscally constrained counties reimbursements or credits against identified juvenile detention center costs under specified circumstances; prohibiting a nonfiscally constrained county from applying, deducting, or receiving such reimbursements or credits; amending s. 27.5304, F.S.; establishing certain limitations on compensation for private court-appointed counsel for the 2018-2019 fiscal year; specifying that the clerks of the circuit court are responsible for certain costs related to jurors that exceed funding provided in the General Appropriations Act; amending ss. 318.18 and 817.568, F.S.; redirecting revenues from the Public Defenders Revenue Trust Fund to the Indigent Criminal Defense Trust Fund; transferring all current balances in the Public Defenders Revenue Trust Fund to the Indigent Criminal Defense Trust Fund; requiring the Department of Management Services to use tenant broker services to renegotiate or reprocure certain private lease agreements for office or storage space; requiring the Department of Management Services to provide a report to the Governor and Legislature by a specified date; specifying the amount of the transaction fee to be collected for use of the online procurement system; prohibiting an agency from transferring funds from a data processing category to another category that is not a data processing category; authorizing the Executive Office of the Governor to transfer funds appropriated for data processing assessment between departments for a specified purpose; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management insurance and for human resources services; requiring the Department of Financial Services to replace specified components of the Florida Accounting Information Resource Subsystem (FLAIR) and the Cash Management Subsystem (CMS); specifying certain actions to be taken by the Department of Financial Services regarding FLAIR and CMS replacement; providing for the composition of an executive steering committee to oversee FLAIR and CMS replacement; prescribing duties and responsibilities of the executive steering committee; requiring executive branch state agencies and the judicial branch to collaborate with the Executive Office of the Governor regarding the statewide travel management system and to use such system; amending s. 216.181, F.S.; extending for 1 fiscal year the authority for the Legislative Budget Commission to increase amounts appropriated to the Fish and Wildlife Conservation Commission or the Department of Environmental Protection for certain fixed capital outlay projects from specified sources; amending s. 215.18, F.S.; extending for 1 fiscal year the authority of the Governor, if there is a specified temporary deficiency in a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission, to transfer funds from other trust funds in the State Treasury as a temporary loan to such trust fund; providing time periods for the repayment of a temporary loan; requiring the Department of Environmental Protection to transfer designated proportions of the revenues deposited in the Land Acquisition Trust Fund within the department to land acquisition trust funds in the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission according to specified parameters and calculations; requiring the Department of Environmental Protection to retain a proportionate share of revenues;

specifying a limit on distributions; requiring the Department of Environmental Protection to make transfers to land acquisition trust funds; specifying the method of determining transfer amounts; authorizing the Department of Environmental Protection to advance funds from its land acquisition trust fund to the Fish and Wildlife Conservation Commission's land acquisition trust fund for specified purposes; requiring the Department of Environmental Protection to prorate amounts transferred to the Fish and Wildlife Conservation Commission; amending s. 375.041, F.S.; specifying that certain funds for projects dedicated to restoring Lake Apopka shall be appropriated as provided in the General Appropriations Act; reenacting s. 373.470, F.S.; relating to distribution of funds to the South Florida Water Management District from the Department of Environmental Protection's land acquisition trust fund which must be equally matched by cumulative district contributions for certain Everglades restoration efforts; providing for the future expiration and reversion of specified statutory text; amending s. 216.181, F.S.; authorizing the Legislative Budget Commission to increase amounts appropriated to the Department of Environmental Protection for fixed capital outlay projects using specified funds; specifying additional information to be included in budget amendments for projects requiring additional funding; amending s. 259.105, F.S.; revising distributions from the Florida Forever Trust Fund; amending s. 420.9079, F.S.; authorizing funds in the Local Government Housing Trust Fund to be used as provided in the General Appropriations Act; amending s. 420.0005, F.S.; authorizing certain funds related to state housing to be used as provided in the General Appropriations Act; providing for future expiration; creating the Hurricane Housing Recovery Program to provide funds for certain affordable housing recovery efforts; requiring the Florida Housing Finance Corporation to administer the program and allocate resources to local governments that meet certain criteria; specifying requirements for receiving and using funds; requiring participating local governments to submit a report; creating the Rental Recovery Loan Program to provide funds for additional rental housing due specified impacts; providing rationale for program; authorizing the Florida Housing Finance Corporation to adopt emergency rules; providing that the adoption of emergency rules meets certain criteria related to public health, safety, and welfare; provides for future expiration; amending s. 321.04, F.S.; requiring the Department of Highway Safety and Motor Vehicles to assign the patrol officer assigned to the Office of the Governor to the Lieutenant Governor for the 2018-2019 fiscal year; amending s. 216.292, F.S.; specifying that the required review ensures that certain transfers of appropriations comply with ch. 216, F.S., maximize use of available and appropriate trust funds, and are not contrary to legislative policy and intent; prohibiting a state agency from initiating a competitive solicitation for a product or service under certain circumstances; providing an exception; amending s. 112.24, F.S.; extending for 1 fiscal year the authorization, subject to specified requirements, for the assignment of an employee of a state agency under an employee interchange agreement; providing that the annual salaries of the members of the Legislature shall be maintained at a specified level; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds; providing for the future expiration and reversion of statutory text; limiting the use of travel funds to activities that are critical to an agency's mission; providing exceptions; placing a monetary cap on lodging expenses for state employee travel to certain meetings organized or sponsored by a state agency or the judicial branch; authorizing employees to expend their own funds for lodging expenses in excess of the monetary caps; prohibiting state agencies from entering into contracts containing certain nondisclosure agreements; amending s. 5 of ch. 2017-88, Laws of Florida; requiring the Department of Management Services to develop and establish specified premiums for the different health insurance plan options; requiring that a proposed rate plan be submitted to the Legislature by a specified date; specifying notice, review, and objection requirements; providing conditions under which the veto of certain appropriations or proviso language in the General Appropriations Act voids language that implements such appropriation; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing severability; providing an effective date.

—was referred to the Committee on Appropriations.

Pursuant to Rule 3.11(3), there being no objection, **HB 5003** was withdrawn from the Committee on Appropriations.

On motion by Senator Bradley, by two-thirds vote—

**HB 5003**—A bill to be entitled An act implementing the 2018-2019 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program; providing that funds for instructional materials must be released and expended as required in specified proviso language; amending s. 1008.46, F.S.; providing the date by which the Board of Governors must submit its annual accountability report for the 2018-2019 fiscal year; reenacting s. 1009.986(4)(b), F.S., relating to the Florida ABLE program; extending by 1 fiscal year provisions regarding the participation agreement for the program; providing for the future expiration and reversion of specified statutory text; incorporating by reference certain calculations of the Medicaid Disproportionate Share Hospital and Hospital Reimbursement programs; authorizing the Agency for Health Care Administration, in consultation with the Department of Health, to submit a budget amendment to realign funding for a component of the Children's Medical Services program to reflect actual enrollment changes; specifying requirements for such realignment; authorizing the agency to request nonoperating budget authority for transferring certain federal funds to the Department of Health; specifying criteria to be used by the Agency for Persons with Disabilities in the event that the rule which adopted an allocation algorithm and methodology for the iBudget system is no longer in effect; authorizing funding allocated for the algorithm may be increased under certain circumstances; amending s. 893.055, F.S.; prohibiting the Attorney General and the Department of Health from using certain settlement agreement funds to administer the prescription drug monitoring program; amending s. 409.911, F.S.; extending for 1 fiscal year the requirement that the Agency for Health Care Administration distribute moneys to hospitals that provide a disproportionate share of Medicaid or charity care services as provided in the General Appropriations Act; amending s. 409.9113, F.S.; extending for 1 fiscal year the requirement that the Agency for Health Care Administration make disproportionate share payments to teaching hospitals as provided in the General Appropriations Act; authorizing the Agency of Health Care Administration to submit a budget amendment to realign funding within the Medicaid program appropriation categories; specifying the time period within which such budget amendment must be submitted; amending s. 409.9119, F.S.; extending for 1 fiscal year the requirement that the Agency for Health Care Administration make disproportionate share payments to certain specialty hospitals for children; amending s. 216.262, F.S.; extending for 1 fiscal year the authority of the Department of Corrections to submit a budget amendment for additional positions and appropriations under certain circumstances; amending s. 215.18, F.S.; extending for 1 fiscal year the authority and related repayment requirements for temporary trust fund loans to the state court system which are sufficient to meet the system's appropriation; authorizing the Department of Corrections to submit certain budget amendments to transfer funds into the Inmate Health Services category; providing that such transfers are subject to notice, review, and objection procedures; requiring the Department of Juvenile Justice to review county juvenile detention payments to determine whether the county has met specified financial responsibilities; requiring amounts owed by the county for such financial responsibilities to be deducted from certain county funds; requiring the Department of Revenue to transfer withheld funds to a specified trust fund; requiring the Department of Revenue to ensure that such reductions in amounts distributed do not reduce distributions below amounts necessary for certain payments due on bonds and comply with bond covenants; requiring the Department of Revenue to notify the Department of Juvenile Justice if bond payment requirements require a reduction in deductions for amounts owed by a county; prohibiting the Department of Juvenile Justice from providing to certain nonfiscally constrained counties reimbursements or credits against identified juvenile detention center costs under specified circumstances; prohibiting a nonfiscally constrained county from applying, deducting, or receiving such reimbursements or credits; amending s. 27.5304, F.S.; establishing certain limitations on compensation for private court-appointed counsel for the 2018-2019 fiscal year; specifying that the clerks of the circuit court are responsible for certain costs related to jurors that exceed funding provided in the General Appropriations Act; amending ss. 318.18 and 817.568, F.S.; redirecting revenues from the Public Defenders Revenue Trust Fund to the Indigent Criminal Defense Trust Fund; transferring all current balances in the Public Defenders Revenue Trust Fund to the Indigent Criminal Defense Trust Fund; requiring the Department of Management Services to use tenant broker services to renegotiate or procure certain private lease agreements for office or storage space; requiring the Department of Management Services to provide a report

to the Governor and Legislature by a specified date; specifying the amount of the transaction fee to be collected for use of the online procurement system; prohibiting an agency from transferring funds from a data processing category to another category that is not a data processing category; authorizing the Executive Office of the Governor to transfer funds appropriated for data processing assessment between departments for a specified purpose; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management insurance and for human resources services; requiring the Department of Financial Services to replace specified components of the Florida Accounting Information Resource Subsystem (FLAIR) and the Cash Management Subsystem (CMS); specifying certain actions to be taken by the Department of Financial Services regarding FLAIR and CMS replacement; providing for the composition of an executive steering committee to oversee FLAIR and CMS replacement; prescribing duties and responsibilities of the executive steering committee; requiring executive branch state agencies and the judicial branch to collaborate with the Executive Office of the Governor regarding the statewide travel management system and to use such system; amending s. 216.181, F.S.; extending for 1 fiscal year the authority for the Legislative Budget Commission to increase amounts appropriated to the Fish and Wildlife Conservation Commission or the Department of Environmental Protection for certain fixed capital outlay projects from specified sources; amending s. 215.18, F.S.; extending for 1 fiscal year the authority of the Governor, if there is a specified temporary deficiency in a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission, to transfer funds from other trust funds in the State Treasury as a temporary loan to such trust fund; providing time periods for the repayment of a temporary loan; requiring the Department of Environmental Protection to transfer designated proportions of the revenues deposited in the Land Acquisition Trust Fund within the department to land acquisition trust funds in the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission according to specified parameters and calculations; requiring the Department of Environmental Protection to retain a proportionate share of revenues; specifying a limit on distributions; requiring the Department of Environmental Protection to make transfers to land acquisition trust funds; specifying the method of determining transfer amounts; authorizing the Department of Environmental Protection to advance funds from its land acquisition trust fund to the Fish and Wildlife Conservation Commission's land acquisition trust fund for specified purposes; requiring the Department of Environmental Protection to prorate amounts transferred to the Fish and Wildlife Conservation Commission; amending s. 375.041, F.S.; specifying that certain funds for projects dedicated to restoring Lake Apopka shall be appropriated as provided in the General Appropriations Act; reenacting s. 373.470, F.S.; relating to distribution of funds to the South Florida Water Management District from the Department of Environmental Protection's land acquisition trust fund which must be equally matched by cumulative district contributions for certain Everglades restoration efforts; providing for the future expiration and reversion of specified statutory text; amending s. 216.181, F.S.; authorizing the Legislative Budget Commission to increase amounts appropriated to the Department of Environmental Protection for fixed capital outlay projects using specified funds; specifying additional information to be included in budget amendments for projects requiring additional funding; amending s. 259.105, F.S.; revising distributions from the Florida Forever Trust Fund; amending s. 420.9079, F.S.; authorizing funds in the Local Government Housing Trust Fund to be used as provided in the General Appropriations Act; amending s. 420.0005, F.S.; authorizing certain funds related to state housing to be used as provided in the General Appropriations Act; providing for future expiration; creating the Hurricane Housing Recovery Program to provide funds for certain affordable housing recovery efforts; requiring the Florida Housing Finance Corporation to administer the program and allocate resources to local governments that meet certain criteria; specifying requirements for receiving and using funds; requiring participating local governments to submit a report; creating the Rental Recovery Loan Program to provide funds for additional rental housing due specified impacts; providing rationale for program; authorizing the Florida Housing Finance Corporation to adopt emergency rules; providing that the adoption of emergency rules meets certain criteria related to public health, safety, and welfare; provides for future expiration; amending s. 321.04, F.S.; requiring the Department of Highway Safety and Motor Vehicles to

assign the patrol officer assigned to the Office of the Governor to the Lieutenant Governor for the 2018-2019 fiscal year; amending s. 216.292, F.S.; specifying that the required review ensures that certain transfers of appropriations comply with ch. 216, F.S., maximize use of available and appropriate trust funds, and are not contrary to legislative policy and intent; prohibiting a state agency from initiating a competitive solicitation for a product or service under certain circumstances; providing an exception; amending s. 112.24, F.S.; extending for 1 fiscal year the authorization, subject to specified requirements, for the assignment of an employee of a state agency under an employee interchange agreement; providing that the annual salaries of the members of the Legislature shall be maintained at a specified level; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds; providing for the future expiration and reversion of statutory text; limiting the use of travel funds to activities that are critical to an agency's mission; providing exceptions; placing a monetary cap on lodging expenses for state employee travel to certain meetings organized or sponsored by a state agency or the judicial branch; authorizing employees to expend their own funds for lodging expenses in excess of the monetary caps; prohibiting state agencies from entering into contracts containing certain nondisclosure agreements; amending s. 5 of ch. 2017-88, Laws of Florida; requiring the Department of Management Services to develop and establish specified premiums for the different health insurance plan options; requiring that a proposed rate plan be submitted to the Legislature by a specified date; specifying notice, review, and objection requirements; providing conditions under which the veto of certain appropriations or proviso language in the General Appropriations Act voids language that implements such appropriation; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing severability; providing an effective date.

—a companion measure, was substituted for **SB 2502**, as amended, and by two-thirds vote, read the second time by title.

Senator Bradley moved the following amendment which was adopted:

**Amendment 1 (888200) (with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. *It is the intent of the Legislature that the implementing and administering provisions of this act apply to the General Appropriations Act for the 2018-2019 fiscal year.*

Section 2. *In order to implement Specific Appropriations 6, 7, 8, 92, and 93 of the 2018-2019 General Appropriations Act, the calculations of the Florida Education Finance Program for the 2018-2019 fiscal year included in the document titled "Public School Funding: The Florida Education Finance Program," dated February 1, 2018, and filed with the Secretary of the Senate, are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with the requirements of state law, in making appropriations for the Florida Education Finance Program. This section expires July 1, 2019.*

Section 3. *In order to implement Specific Appropriations 6 and 92 of the 2018-2019 General Appropriations Act, and notwithstanding ss. 1002.20, 1003.02, 1006.28-1006.42, 1011.62(6)(b)5., and 1011.67, Florida Statutes, relating to the expenditure of funds provided for instructional materials, for the 2018-2019 fiscal year, funds provided for instructional materials shall be released and expended as required in the proviso language for Specific Appropriation 92 of the 2018-2019 General Appropriations Act. This section expires July 1, 2019.*

Section 4. *In order to implement Specific Appropriations 6 and 92 of the 2018-2019 General Appropriations Act, paragraphs (b) and (c) of subsection (10) of section 1002.333, Florida Statutes, are amended to read:*

1002.333 Persistently low-performing schools.—

(10) **SCHOOLS OF HOPE PROGRAM.**—The Schools of Hope Program is created within the Department of Education.

(b) A traditional public school that is required to submit a plan for implementation pursuant to s. 1008.33(4) is eligible to receive *funding for services authorized up to \$2,000 per full-time equivalent student from the hope supplemental services allocation established under s. 1011.62(16) Schools of Hope Program based upon the strength of the*

~~school's plan for implementation and its focus on evidence-based interventions that lead to student success by providing wrap-around services that leverage community assets, improve school and community collaboration, and develop family and community partnerships. Wrap-around services include, but are not limited to, tutorial and after-school programs, student counseling, nutrition education, parental counseling, and adult education. Plans for implementation may also include models that develop a culture of attending college, high academic expectations, character development, dress codes, and an extended school day and school year. At a minimum, a plan for implementation must:~~

- ~~1. Establish wrap-around services that develop family and community partnerships.~~
- ~~2. Establish clearly defined and measurable high academic and character standards.~~
- ~~3. Increase parental involvement and engagement in the child's education.~~
- ~~4. Describe how the school district will identify, recruit, retain, and reward instructional personnel. The state board may waive the requirements of s. 1012.22(1)(c)5., and suspend the requirements of s. 1012.34, to facilitate implementation of the plan.~~
- ~~5. Identify a knowledge-rich curriculum that the school will use that focuses on developing a student's background knowledge.~~
- ~~6. Provide professional development that focuses on academic rigor, direct instruction, and creating high academic and character standards.~~

(c) *For the 2017-2018 fiscal year, the state board shall:*

1. Provide awards for up to 25 schools and prioritize awards for implementation plans ~~submitted pursuant to paragraph (b)~~ that are based on whole school transformation and that are developed in consultation with the school's principal.
2. Annually report on the implementation of this subsection in the report required by s. 1008.345(5), and provide summarized academic performance reports of each traditional public school receiving funds.

Section 5. *The amendments made by this act to s. 1002.333(10)(b)-(c), Florida Statutes, expire July 1, 2019, and the text of those paragraphs shall revert to that in existence on June 30, 2018, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 6. In order to implement Specific Appropriations 6 and 92 of the 2018-2019 General Appropriations Act, present subsections (16) and (17) of section 1011.62, Florida Statutes, are renumbered as subsections (19) and (20), respectively, new subsections (16) and (17) and subsection (18) are added to that section, and paragraph (a) of subsection (4) and subsection (14) of that section are amended, to read:

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

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

(a) *Estimated taxable value calculations.—*

1.a. Not later than 2 working days before July 19, the Department of Revenue shall certify to the Commissioner of Education its most recent estimate of the taxable value for school purposes in each school district and the total for all school districts in the state for the current calendar year based on the latest available data obtained from the local property

appraisers. The value certified shall be the taxable value for school purposes for that year, and no further adjustments shall be made, except those made pursuant to paragraphs (c) and (d), or an assessment roll change required by final judicial decisions as specified in paragraph (19)(b) ~~(16)(b)~~. Not later than July 19, the Commissioner of Education shall compute a millage rate, rounded to the next highest one one-thousandth of a mill, which, when applied to 96 percent of the estimated state total taxable value for school purposes, would generate the prescribed aggregate required local effort for that year for all districts. The Commissioner of Education shall certify to each district school board the millage rate, computed as prescribed in this subparagraph, as the minimum millage rate necessary to provide the district required local effort for that year.

b. The General Appropriations Act shall direct the computation of the statewide adjusted aggregate amount for required local effort for all school districts collectively from ad valorem taxes to ensure that no school district's revenue from required local effort millage will produce more than 90 percent of the district's total Florida Education Finance Program calculation as calculated and adopted by the Legislature, and the adjustment of the required local effort millage rate of each district that produces more than 90 percent of its total Florida Education Finance Program entitlement to a level that will produce only 90 percent of its total Florida Education Finance Program entitlement in the July calculation.

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

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

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

(14) QUALITY ASSURANCE GUARANTEE.—The Legislature may annually in the General Appropriations Act determine a percentage increase in funds per K-12 unweighted FTE as a minimum guarantee to each school district. The guarantee shall be calculated from prior year base funding per unweighted FTE student which shall include the adjusted FTE dollars as provided in subsection (19) ~~(16)~~, quality guarantee funds, and actual nonvoted discretionary local effort from taxes. From the base funding per unweighted FTE, the increase shall be calculated for the current year. The current year funds from which the guarantee shall be determined shall include the adjusted FTE dollars as provided in subsection (19) ~~(16)~~ and potential nonvoted discretionary local effort from taxes. A comparison of current year funds per unweighted FTE to prior year funds per unweighted FTE shall be computed. For those school districts which have less than the legislatively assigned percentage increase, funds shall be provided to guarantee the assigned percentage increase in funds per unweighted FTE student. Should appropriated funds be less than the sum of this calculated amount for all districts, the commissioner shall prorate each district's allocation. This provision shall be implemented to the extent specifically funded.

(16) HOPE SUPPLEMENTAL SERVICES ALLOCATION.—*The hope supplemental services allocation is created to provide district-managed turnaround schools, as required under s. 1008.33(4)(a), and charter schools authorized under s. 1008.33(4)(b), with funds to offer services designed to improve the overall academic and community welfare of the schools' students and their families.*

(a) *Services funded by the allocation may include, but are not limited to, tutorial and after-school programs, student counseling, nutrition education, and parental counseling. In addition, services may also include models that develop a culture that encourages students to complete high school and to attend college or career training, set high academic expectations, inspire character development, and include an extended school day and school year.*

(b) *Prior to distribution of the allocation, a school district, for a district turnaround school, or the charter school governing board for a charter school, as applicable, shall develop and submit a plan for im-*

plementation to its respective governing body for approval no later than August 1 of the fiscal year.

(c) At a minimum, the plans required under paragraph (b) must:

1. Establish comprehensive support services that develop family and community partnerships;
2. Establish clearly defined and measurable high academic and character standards;
3. Increase parental involvement and engagement in the child's education;
4. Describe how instructional personnel will be identified, recruited, retained, and rewarded;
5. Provide professional development that focuses on academic rigor, direct instruction, and creating high academic and character standards; and
6. Provide focused instruction to improve student academic proficiency, which may include additional instruction time beyond the normal school day or school year.

(d) Each school district and hope operator shall submit approved plans to the commissioner by September 1 of each fiscal year.

(e) For the 2018-2019 fiscal year, a school that is selected to receive funding in the 2017-2018 fiscal year pursuant to s. 1002.333(10)(c) shall receive \$2,000 per FTE. A district-managed turnaround school required under s. 1008.33(4)(a) and a charter school authorized under s. 1008.33(4)(b) are eligible for the remaining funds based on the school's unweighted FTE, up to \$2,000 per FTE or as provided in the General Appropriations Act.

This subsection expires July 1, 2019.

(17) **MENTAL HEALTH ASSISTANCE ALLOCATION.**—The mental health assistance allocation is created to provide supplemental funding to assist school districts in establishing or expanding comprehensive school-based mental health programs that increase awareness of mental health issues among children and school-age youth; train educators and other school staff in detecting and responding to mental health issues; and connect children, youth, and families who may experience behavioral health issues with appropriate services. These funds may be allocated annually in the General Appropriations Act to each eligible school district and developmental research school based on each entity's proportionate share of Florida Education Finance Program base funding. The district funding allocation must include a minimum amount as specified in the General Appropriations Act. Upon submission and approval of a plan that includes the elements specified in paragraph (b), charter schools are also entitled to a proportionate share of district funding for this program. The allocated funds may not supplant funds that are provided for this purpose from other operating funds and may not be used to increase salaries or provide bonuses.

(a) Prior to distribution of the allocation:

1. The district must annually develop and submit a detailed plan outlining the local program and planned expenditures to the district school board for approval.
2. A charter school must annually develop and submit a detailed plan outlining the local program and planned expenditures of the funds in the plan to its governing body for approval. After the plan is approved by the governing body, it must be provided to its school district for submission to the commissioner.

(b) The plans required under paragraph (a) must include, at a minimum, all of the following elements:

1. A collaborative effort or partnership between the school district and at least one local community program or agency involved in mental health to provide or to improve prevention, diagnosis, and treatment services for students;
2. Programs to assist students in dealing with bullying, trauma, and violence;

3. Strategies or programs to reduce the likelihood of at-risk students developing social, emotional, or behavioral health problems or substance use disorders;

4. Strategies to improve the early identification of social, emotional, or behavioral problems or substance use disorders and to improve the provision of early intervention services;

5. Strategies to enhance the availability of school-based crisis intervention services and appropriate referrals for students in need of mental health services; and

6. Training opportunities for school personnel in the techniques and supports needed to identify students who have trauma histories and who have or are at risk of having a mental illness, and in the use of referral mechanisms that effectively link such students to appropriate treatment and intervention services in the school and in the community.

(c) The districts shall submit approved plans to the commissioner by August 1 of each fiscal year.

This subsection expires July 1, 2019.

(18) **FUNDING COMPRESSION ALLOCATION.**—The Legislature may provide an annual funding compression allocation in the General Appropriations Act. The allocation is created to provide additional funding to school districts and developmental research schools whose total funds per FTE in the prior year were less than the statewide average. Using the most recent prior year FEFP calculation for each eligible school district, the total funds per FTE shall be subtracted from the state average funds per FTE, not including any adjustments made pursuant to paragraph (19)(b). The resulting funds per FTE difference, or a portion thereof, as designated in the General Appropriations Act, shall then be multiplied by the school district's total unweighted FTE to provide the allocation. If the calculated funds are greater than the amount included in the General Appropriations Act, they must be prorated to the appropriation amount based on each participating school district's share. This subsection expires July 1, 2019.

Section 7. In order to implement Specific Appropriations 6 and 92 of the 2018-2019 General Appropriations Act, paragraph (c) of subsection (3) of section 1012.731, Florida Statutes, is amended to read:

1012.731 The Florida Best and Brightest Teacher Scholarship Program.—

(3)

(c) Notwithstanding the requirements of this subsection, for the 2017-2018, ~~2018-2019~~, and 2019-2020 school years, any classroom teacher who:

1. Was evaluated as highly effective pursuant to s. 1012.34 in the school year immediately preceding the year in which the scholarship will be awarded shall receive a scholarship of \$1200, including a classroom teacher who received an award pursuant to paragraph (a).

2. Was evaluated as effective pursuant to s. 1012.34 in the school year immediately preceding the year in which the scholarship will be awarded a scholarship of up to \$800. If the number of eligible classroom teachers under this subparagraph exceeds the total allocation, the department shall prorate the per-teacher scholarship amount.

This paragraph expires July 1, 2020.

Section 8. In order to implement Specific Appropriation 200 of the 2018-2019 General Appropriations Act, the calculations for the Medicaid Disproportionate Share Hospital program for the 2018-2019 fiscal year contained in the document titled "Medicaid Hospital Funding Program," dated January 26, 2018, and filed with the Secretary of the Senate, are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with the requirements of state law, in making appropriations for the Medicaid Disproportionate Share Hospital program. This section expires July 1, 2019.

Section 9. In order to implement Specific Appropriations 193 through 220 and 524 of the 2018-2019 General Appropriations Act, and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the Agency for Health Care Administration, in consultation with the Department of

Health, may submit a budget amendment, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes, to realign funding within and between agencies based on implementation of the Managed Medical Assistance component of the Statewide Medicaid Managed Care program for the Children’s Medical Services program of the Department of Health. The funding realignment shall reflect the actual enrollment changes due to the transfer of beneficiaries from fee-for-service to the capitated Children’s Medical Services Network. The Agency for Health Care Administration may submit a request for non-operating budget authority to transfer the federal funds to the Department of Health pursuant to s. 216.181(12), Florida Statutes. This section expires July 1, 2019.

Section 10. In order to implement Specific Appropriation 242 of the 2018-2019 General Appropriations Act:

(1) If during the 2018-2019 fiscal year, the Agency for Persons with Disabilities ceases to have an allocation algorithm and methodology adopted by valid rule pursuant to s. 393.0662, Florida Statutes, the agency shall use the following until it adopts a new allocation algorithm and methodology:

(a) Each client’s iBudget in effect as of the date the agency ceases to have an allocation algorithm and methodology adopted by valid rule pursuant to s. 393.0662, Florida Statutes, shall remain at that funding level.

(b) The Agency for Persons with Disabilities shall determine the iBudget for a client newly enrolled in the home and community-based services waiver program using the same allocation algorithm and methodology used for the iBudgets determined between January 1, 2017, and December 31, 2017.

(2) After a new allocation algorithm and methodology is adopted by final rule, a client’s new iBudget shall be determined based on the new allocation algorithm and methodology and shall take effect as of the client’s next support plan update.

(3) Funding allocated under subsections (1) and (2) may be increased pursuant to s. 393.0662(1)(b), Florida Statutes, or as necessary to comply with federal regulations.

(4) This section expires July 1, 2019.

Section 11. Effective October 1, 2018, in order to implement Specific Appropriations 217 and 218 of the 2018-2019 General Appropriations Act, section 8 of chapter 2017-129, Laws of Florida, is amended to read:

Section 8. Effective October 1, 2018, subsection (2) of section 409.908, Florida Statutes, is amended to read:

409.908 Reimbursement of Medicaid providers.—Subject to specific appropriations, the agency shall reimburse Medicaid providers, in accordance with state and federal law, according to methodologies set forth in the rules of the agency and in policy manuals and handbooks incorporated by reference therein. These methodologies may include fee schedules, reimbursement methods based on cost reporting, negotiated fees, competitive bidding pursuant to s. 287.057, and other mechanisms the agency considers efficient and effective for purchasing services or goods on behalf of recipients. If a provider is reimbursed based on cost reporting and submits a cost report late and that cost report would have been used to set a lower reimbursement rate for a rate semester, then the provider’s rate for that semester shall be retroactively calculated using the new cost report, and full payment at the recalculated rate shall be effected retroactively. Medicare-granted extensions for filing cost reports, if applicable, shall also apply to Medicaid cost reports. Payment for Medicaid compensable services made on behalf of Medicaid eligible persons is subject to the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216. Further, nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act, provided the adjustment is consistent with legislative intent.

(2)(a)1. Reimbursement to nursing homes licensed under part II of chapter 400 and state-owned-and-operated intermediate care facilities for the developmentally disabled licensed under part VIII of chapter 400 must be made prospectively.

2. Unless otherwise limited or directed in the General Appropriations Act, reimbursement to hospitals licensed under part I of chapter 395 for the provision of swing-bed nursing home services must be made on the basis of the average statewide nursing home payment, and reimbursement to a hospital licensed under part I of chapter 395 for the provision of skilled nursing services must be made on the basis of the average nursing home payment for those services in the county in which the hospital is located. When a hospital is located in a county that does not have any community nursing homes, reimbursement shall be determined by averaging the nursing home payments in counties that surround the county in which the hospital is located. Reimbursement to hospitals, including Medicaid payment of Medicare copayments, for skilled nursing services shall be limited to 30 days, unless a prior authorization has been obtained from the agency. Medicaid reimbursement may be extended by the agency beyond 30 days, and approval must be based upon verification by the patient’s physician that the patient requires short-term rehabilitative and recuperative services only, in which case an extension of no more than 15 days may be approved. Reimbursement to a hospital licensed under part I of chapter 395 for the temporary provision of skilled nursing services to nursing home residents who have been displaced as the result of a natural disaster or other emergency may not exceed the average county nursing home payment for those services in the county in which the hospital is located and is limited to the period of time which the agency considers necessary for continued placement of the nursing home residents in the hospital.

(b) Subject to any limitations or directions in the General Appropriations Act, the agency shall establish and implement a state Title XIX Long-Term Care Reimbursement Plan for nursing home care in order to provide care and services in conformance with the applicable state and federal laws, rules, regulations, and quality and safety standards and to ensure that individuals eligible for medical assistance have reasonable geographic access to such care.

1. The agency shall amend the long-term care reimbursement plan and cost reporting system to create direct care and indirect care sub-components of the patient care component of the per diem rate. These two subcomponents together shall equal the patient care component of the per diem rate. Separate prices shall be calculated for each patient care subcomponent, initially based on the September 2016 rate setting cost reports and subsequently based on the most recently audited cost report used during a rebasing year. The direct care subcomponent of the per diem rate for any providers still being reimbursed on a cost basis shall be limited by the cost-based class ceiling, and the indirect care subcomponent may be limited by the lower of the cost-based class ceiling, the target rate class ceiling, or the individual provider target. The ceilings and targets apply only to providers being reimbursed on a cost-based system. Effective October 1, 2018, a prospective payment methodology shall be implemented for rate setting purposes with the following parameters:

- a. Peer Groups, including:
  - (I) North-SMMC Regions 1-9, less Palm Beach and Okeechobee Counties; and
  - (II) South-SMMC Regions 10-11, plus Palm Beach and Okeechobee Counties.
- b. Percentage of Median Costs based on the cost reports used for September 2016 rate setting:
  - (I) Direct Care Costs . . . . . 105 ~~100~~ percent.
  - (II) Indirect Care Costs . . . . . 92 percent.
  - (III) Operating Costs . . . . . 86 percent.
- c. Floors:
  - (I) Direct Care Component . . . . . 95 percent.
  - (II) Indirect Care Component . . . . . 92.5 percent.

- (III) Operating Component . . . . . None.
- d. Pass-through Payments . . . Real Estate and Personal Property Taxes and Property Insurance.
- e. Quality Incentive Program Payment Pool . . . 7.5 6 percent of September 2016 non-property related payments of included facilities.
- f. Quality Score Threshold to Quality for Quality Incentive Payment . . . . . 20th percentile of included facilities.
- g. Fair Rental Value System Payment Parameters:
  - (I) Building Value per Square Foot based on 2018 RS Means.
  - (II) Land Valuation . . . . . 10 percent of Gross Building value.
  - (III) Facility Square Footage . . . . . Actual Square Footage.
  - (IV) Moveable Equipment Allowance . . . . . \$8,000 per bed.
  - (V) Obsolescence Factor . . . . . 1.5 percent.
  - (VI) Fair Rental Rate of Return . . . . . 8 percent.
  - (VII) Minimum Occupancy . . . . . 90 percent.
  - (VIII) Maximum Facility Age . . . . . 40 years.
  - (IX) Minimum Square Footage per Bed . . . . . 350.
  - (X) Maximum Square Footage for Bed . . . . . 500.
  - (XI) Minimum Cost of a renovation/replacements . . . \$500 per bed.
- h. Ventilator Supplemental payment of \$200 per Medicaid day of 40,000 ventilator Medicaid days per fiscal year.

2. The direct care subcomponent shall include salaries and benefits of direct care staff providing nursing services including registered nurses, licensed practical nurses, and certified nursing assistants who deliver care directly to residents in the nursing home facility, allowable therapy costs, and dietary costs. This excludes nursing administration, staff development, the staffing coordinator, and the administrative portion of the minimum data set and care plan coordinators. The direct care subcomponent also includes medically necessary dental care, vision care, hearing care, and podiatric care.

3. All other patient care costs shall be included in the indirect care cost subcomponent of the patient care per diem rate, including complex medical equipment, medical supplies, and other allowable ancillary costs. Costs may not be allocated directly or indirectly to the direct care subcomponent from a home office or management company.

4. On July 1 of each year, the agency shall report to the Legislature direct and indirect care costs, including average direct and indirect care costs per resident per facility and direct care and indirect care salaries and benefits per category of staff member per facility.

5. Every fourth year, the agency shall rebase nursing home prospective payment rates to reflect changes in cost based on the most recently audited cost report for each participating provider.

6. A direct care supplemental payment may be made to providers whose direct care hours per patient day are above the 80th percentile and who provide Medicaid services to a larger percentage of Medicaid patients than the state average.

7. For the period beginning on October 1, 2018, and ending on September 30, 2021, the agency shall reimburse providers the greater of their September 2016 cost-based rate or their prospective payment rate. Effective October 1, 2021, the agency shall reimburse providers the greater of 95 percent of their cost-based rate or their rebased prospective payment rate, using the most recently audited cost report for each facility. This subparagraph shall expire September 30, 2023.

8. Pediatric, Florida Department of Veterans Affairs, and government-owned facilities are exempt from the pricing model established in this subsection and shall remain on a cost-based prospective payment system. Effective October 1, 2018, the agency shall set rates for all

facilities remaining on a cost-based prospective payment system using each facility's most recently audited cost report, eliminating retroactive settlements.

It is the intent of the Legislature that the reimbursement plan achieve the goal of providing access to health care for nursing home residents who require large amounts of care while encouraging diversion services as an alternative to nursing home care for residents who can be served within the community. The agency shall base the establishment of any maximum rate of payment, whether overall or component, on the available moneys as provided for in the General Appropriations Act. The agency may base the maximum rate of payment on the results of scientifically valid analysis and conclusions derived from objective statistical data pertinent to the particular maximum rate of payment.

Section 12. Effective October 1, 2018, in order to implement Specific Appropriations 217 and 218 of the 2018-2019 General Appropriations Act, subsection (23) of section 409.908, Florida Statutes, is amended to read:

409.908 Reimbursement of Medicaid providers.—Subject to specific appropriations, the agency shall reimburse Medicaid providers, in accordance with state and federal law, according to methodologies set forth in the rules of the agency and in policy manuals and handbooks incorporated by reference therein. These methodologies may include fee schedules, reimbursement methods based on cost reporting, negotiated fees, competitive bidding pursuant to s. 287.057, and other mechanisms the agency considers efficient and effective for purchasing services or goods on behalf of recipients. If a provider is reimbursed based on cost reporting and submits a cost report late and that cost report would have been used to set a lower reimbursement rate for a rate semester, then the provider's rate for that semester shall be retroactively calculated using the new cost report, and full payment at the recalculated rate shall be effected retroactively. Medicare-granted extensions for filing cost reports, if applicable, shall also apply to Medicaid cost reports. Payment for Medicaid compensable services made on behalf of Medicaid eligible persons is subject to the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216. Further, nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act, provided the adjustment is consistent with legislative intent.

(23)(a) The agency shall establish rates at a level that ensures no increase in statewide expenditures resulting from a change in unit costs for county health departments effective July 1, 2011. Reimbursement rates shall be as provided in the General Appropriations Act.

(b)1. Base rate reimbursement for inpatient services under a diagnosis-related group payment methodology shall be provided in the General Appropriations Act.

2.(e) Base rate reimbursement for outpatient services under an enhanced ambulatory payment group methodology shall be provided in the General Appropriations Act.

3. *Prospective payment system reimbursement for nursing home services shall be as provided in subsection (2) and in the General Appropriations Act*

- ~~(d) This subsection applies to the following provider types:~~
  - 1. ~~Nursing homes.~~
  - 2. ~~County health departments.~~

~~(e) The agency shall apply the effect of this subsection to the reimbursement rates for nursing home diversion programs.~~

Section 13. *The amendments made by this act to ss. 409.908(2) and (23), Florida Statutes, expire July 1, 2019, and the text of those subsections shall revert to that in existence on October 1, 2018, not including any amendments made by this act, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*



Section 14. *Effective upon this act becoming a law, in order to implement Specific Appropriations 199, 203, 204, 206, 208, and 217 of the 2018-2019 General Appropriations Act, the Agency for Health Care Administration shall seek authorization from the federal Centers for Medicare and Medicaid Services to modify the period of retroactive Medicaid eligibility from 90 days to 30 days in a manner that ensures that the modification becomes effective on July 1, 2018.*

Section 15. In order to implement Specific Appropriation 200 of the 2018-2019 General Appropriations Act, subsections (2) and (10) of section 409.911, Florida Statutes, are amended to read:

409.911 Disproportionate share program.—Subject to specific allocations established within the General Appropriations Act and any limitations established pursuant to chapter 216, the agency shall distribute, pursuant to this section, moneys to hospitals providing a disproportionate share of Medicaid or charity care services by making quarterly Medicaid payments as required. Notwithstanding the provisions of s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for hospitals serving a disproportionate share of low-income patients.

(2) The Agency for Health Care Administration shall use the following actual audited data to determine the Medicaid days and charity care to be used in calculating the disproportionate share payment:

(a) The average of the 2010, 2011, and 2012 ~~2009, 2010, and 2011~~ audited disproportionate share data to determine each hospital's Medicaid days and charity care for the 2018-2019 ~~2017-2018~~ state fiscal year.

(b) If the Agency for Health Care Administration does not have the prescribed 3 years of audited disproportionate share data as noted in paragraph (a) for a hospital, the agency shall use the average of the years of the audited disproportionate share data as noted in paragraph (a) which is available.

(c) In accordance with s. 1923(b) of the Social Security Act, a hospital with a Medicaid inpatient utilization rate greater than one standard deviation above the statewide mean or a hospital with a low-income utilization rate of 25 percent or greater shall qualify for reimbursement.

(10) Notwithstanding any provision of this section to the contrary, for the 2018-2019 ~~2017-2018~~ state fiscal year, the agency shall distribute moneys to hospitals providing a disproportionate share of Medicaid or charity care services as provided in the 2018-2019 ~~2017-2018~~ General Appropriations Act. This subsection expires July 1, 2019 ~~2018~~.

Section 16. In order to implement Specific Appropriation 200 of the 2018-2019 General Appropriations Act, subsection (3) of section 409.9113, Florida Statutes, is amended to read:

409.9113 Disproportionate share program for teaching hospitals.—In addition to the payments made under s. 409.911, the agency shall make disproportionate share payments to teaching hospitals, as defined in s. 408.07, for their increased costs associated with medical education programs and for tertiary health care services provided to the indigent. This system of payments must conform to federal requirements and distribute funds in each fiscal year for which an appropriation is made by making quarterly Medicaid payments. Notwithstanding s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for hospitals serving a disproportionate share of low-income patients. The agency shall distribute the moneys provided in the General Appropriations Act to statutorily defined teaching hospitals and family practice teaching hospitals, as defined in s. 395.805, pursuant to this section. The funds provided for statutorily defined teaching hospitals shall be distributed as provided in the General Appropriations Act. The funds provided for family practice teaching hospitals shall be distributed equally among family practice teaching hospitals.

(3) Notwithstanding any provision of this section to the contrary, for the 2018-2019 ~~2017-2018~~ state fiscal year, the agency shall make disproportionate share payments to teaching hospitals, as defined in s. 408.07, as provided in the 2018-2019 ~~2017-2018~~ General Appropriations Act. This subsection expires July 1, 2019 ~~2018~~.

Section 17. In order to implement Specific Appropriation 200 of the 2018-2019 General Appropriations Act, subsection (4) of section 409.9119, Florida Statutes, is amended to read:

409.9119 Disproportionate share program for specialty hospitals for children.—In addition to the payments made under s. 409.911, the Agency for Health Care Administration shall develop and implement a system under which disproportionate share payments are made to those hospitals that are separately licensed by the state as specialty hospitals for children, have a federal Centers for Medicare and Medicaid Services certification number in the 3300-3399 range, have Medicaid days that exceed 55 percent of their total days and Medicare days that are less than 5 percent of their total days, and were licensed on January 1, 2013, as specialty hospitals for children. This system of payments must conform to federal requirements and must distribute funds in each fiscal year for which an appropriation is made by making quarterly Medicaid payments. Notwithstanding s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for hospitals that serve a disproportionate share of low-income patients. The agency may make disproportionate share payments to specialty hospitals for children as provided for in the General Appropriations Act.

(4) Notwithstanding any provision of this section to the contrary, for the 2018-2019 ~~2017-2018~~ state fiscal year, for hospitals achieving full compliance under subsection (3), the agency shall make disproportionate share payments to specialty hospitals for children as provided in the 2018-2019 ~~2017-2018~~ General Appropriations Act. This subsection expires July 1, 2019 ~~2018~~.

Section 18. In order to implement Specific Appropriations 583 through 692 and 711 through 745 of the 2018-2019 General Appropriations Act, subsection (4) of section 216.262, Florida Statutes, is amended to read:

216.262 Authorized positions.—

(4) Notwithstanding the provisions of this chapter relating to increasing the number of authorized positions, and for the 2018-2019 ~~2017-2018~~ fiscal year only, if the actual inmate population of the Department of Corrections exceeds the inmate population projections of the December 20, 2017 ~~February 23, 2017~~, Criminal Justice Estimating Conference by 1 percent for 2 consecutive months or 2 percent for any month, the Executive Office of the Governor, with the approval of the Legislative Budget Commission, shall immediately notify the Criminal Justice Estimating Conference, which shall convene as soon as possible to revise the estimates. The Department of Corrections may then submit a budget amendment requesting the establishment of positions in excess of the number authorized by the Legislature and additional appropriations from unallocated general revenue sufficient to provide for essential staff, fixed capital improvements, and other resources to provide classification, security, food services, health services, and other variable expenses within the institutions to accommodate the estimated increase in the inmate population. All actions taken pursuant to this subsection are subject to review and approval by the Legislative Budget Commission. This subsection expires July 1, 2019 ~~2018~~.

Section 19. In order to implement Specific Appropriations 3127 through 3194 of the 2018-2019 General Appropriations Act, subsection (2) of section 215.18, Florida Statutes, is amended to read:

215.18 Transfers between funds; limitation.—

(2) The Chief Justice of the Supreme Court may receive one or more trust fund loans to ensure that the state court system has funds sufficient to meet its appropriations in the 2018-2019 ~~2017-2018~~ General Appropriations Act. If the Chief Justice accesses the loan, he or she must notify the Governor and the chairs of the legislative appropriations committees in writing. The loan must come from other funds in the State Treasury which are for the time being or otherwise in excess of the amounts necessary to meet the just requirements of such last-mentioned funds. The Governor shall order the transfer of funds within 5 days after the written notification from the Chief Justice. If the Governor does not order the transfer, the Chief Financial Officer shall transfer the requested funds. The loan of funds from which any money is temporarily transferred must be repaid by the end of the 2018-2019 ~~2017-2018~~ fiscal year. This subsection expires July 1, 2019 ~~2018~~.

Section 20. *In order to implement Specific Appropriation 716 of the 2018-2019 General Appropriations Act, and notwithstanding s. 216.292, Florida Statutes, the Department of Corrections is authorized to submit budget amendments to transfer funds from categories within the department other than fixed capital outlay categories into the Inmate Health Services category in order to continue the current level of care in the provision of health services. Such transfers are subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes. This section expires July 1, 2019.*

Section 21. (1) *In order to implement Specific Appropriations 1104 through 1114 of the 2018-2019 General Appropriations Act, the Department of Juvenile Justice must review county juvenile detention payments to ensure that counties fulfill their financial responsibilities required in s. 985.6865, Florida Statutes. If the Department of Juvenile Justice determines that a county has not met its obligations, the department must direct the Department of Revenue to deduct the amount owed to the Department of Juvenile Justice from the funds provided to the county under s. 218.23, Florida Statutes. The Department of Revenue shall transfer the funds withheld to the Shared County/State Juvenile Detention Trust Fund.*

(2) *As an assurance to holders of bonds issued by counties before July 1, 2018, for which distributions made pursuant to s. 218.23, Florida Statutes, are pledged, or bonds issued to refund such bonds which mature no later than the bonds they refunded and which result in a reduction of debt service payable in each fiscal year, the amount available for distribution to a county shall remain as provided by law and continue to be subject to any lien or claim on behalf of the bondholders. The Department of Revenue must ensure, based on information provided by an affected county, that any reduction in amounts distributed pursuant to subsection (1) does not reduce the amount of distribution to a county below the amount necessary for the timely payment of principal and interest when due on the bonds and the amount necessary to comply with any covenant under the bond resolution or other documents relating to the issuance of the bonds. If a reduction to a county's monthly distribution must be decreased in order to comply with this subsection, the Department of Revenue must notify the Department of Juvenile Justice of the amount of the decrease, and the Department of Juvenile Justice must send a bill for payment of such amount to the affected county.*

(3) *This section expires July 1, 2019.*

Section 22. *In order to implement Specific Appropriations 1104 through 1114 of the 2018-2019 General Appropriations Act, the Department of Juvenile Justice may not provide, make, pay, or deduct, and a nonfiscally constrained county may not apply, deduct, or receive any reimbursement or any credit for any previous overpayment of juvenile detention care costs related to or for any previous state fiscal year, against the juvenile detention care costs due from the nonfiscally constrained county in the 2018-2019 fiscal year pursuant to s. 985.686, Florida Statutes, or any other law. This section expires July 1, 2019.*

Section 23. *In order to implement Specific Appropriation 772 of the 2018-2019 General Appropriations Act, subsection (13) of section 27.5304, Florida Statutes, is amended to read:*

27.5304 Private court-appointed counsel; compensation; notice.—

(13) *Notwithstanding the limitation set forth in subsection (5) and for the 2018-2019 ~~2017-2018~~ fiscal year only, the compensation for representation in a criminal proceeding may not exceed the following:*

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

(b) *For noncapital, nonlife felonies represented at the trial level: \$15,000.*

(c) *For life felonies represented at the trial level: \$15,000.*

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

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

⊕ *This subsection expires July 1, 2019 ~~2018~~.*

Section 24. *In order to implement Specific Appropriation 732 of the 2018-2019 General Appropriations Act, paragraph (b) of subsection (7) of section 1011.80, Florida Statutes, is amended to read:*

1011.80 Funds for operation of workforce education programs.—

(7)

(b) *State funds provided for the operation of postsecondary workforce programs may not be expended for the education of state or federal inmates, except to the extent that such funds are specifically appropriated for such purpose in the 2018-2019 General Appropriations Act.*

Section 25. *In order to implement Specific Appropriation 3129 of the 2018-2019 General Appropriations Act, and notwithstanding s. 112.061(4), Florida Statutes:*

(1)(a) *A Supreme Court justice who permanently resides outside Leon County may, if he or she so requests, have a district court of appeal courthouse, a county courthouse, or other appropriate facility in his or her district of residence designated as his or her official headquarters for purposes of s. 112.061, Florida Statutes. This official headquarters may serve only as the justice's private chambers.*

(b) *A justice for whom an official headquarters is designated in his or her district of residence under this subsection is eligible for subsistence at a rate to be established by the Chief Justice for each day or partial day that the justice is at the headquarters of the Supreme Court to conduct court business. In addition to the subsistence allowance, a justice is eligible for reimbursement for transportation expenses as provided in s. 112.061(7), Florida Statutes, for travel between the justice's official headquarters and the headquarters of the Supreme Court to conduct court business.*

(c) *Payment of subsistence and reimbursement for transportation expenses relating to travel between a justice's official headquarters and the headquarters of the Supreme Court shall be made to the extent appropriated funds are available, as determined by the Chief Justice.*

(2) *The Chief Justice shall coordinate with each affected justice and other state and local officials as necessary to implement paragraph (1)(a).*

(3)(a) *This section does not require a county to provide space in a county courthouse for a justice. A county may enter into an agreement with the Supreme Court governing the use of space in a county courthouse.*

(b) *The Supreme Court may not use state funds to lease space in a district court of appeal courthouse, a county courthouse, or another facility to allow a justice to establish an official headquarters pursuant to subsection (1).*

(4) *This section expires July 1, 2019.*

Section 26. *In order to implement appropriations used to pay existing lease contracts for private lease space in excess of 2,000 square feet in the 2018-2019 General Appropriations Act, the Department of Management Services, with the cooperation of the agencies having the existing lease contracts for office or storage space, shall use tenant broker services to renegotiate or reprocure all private lease agreements for office or storage space expiring between July 1, 2019, and June 30, 2021, in order to reduce costs in future years. The department shall incorporate this initiative into its 2018 master leasing report required under s. 255.249(7), Florida Statutes, and may use tenant broker services to explore the possibilities of collocating office or storage space, to review the space needs of each agency, and to review the length and terms of potential renewals or renegotiations. The department shall provide a report to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives by November 1, 2018, which lists each lease contract for private office or storage space, the status of renegotiations, and the savings achieved. This section expires July 1, 2019.*

Section 27. *In order to implement Specific Appropriations 2758 through 2770 of the 2018-2019 General Appropriations Act, and notwithstanding rule 60A-1.031, Florida Administrative Code, the transaction fee collected for use of the online procurement system, authorized in ss. 287.042(1)(h)1. and 287.057(22)(c), Florida Statutes, is seven-*

tenths of 1 percent for the 2018-2019 fiscal year only. This section expires July 1, 2019.

Section 28. In order to implement appropriations authorized in the 2018-2019 General Appropriations Act for data center services, and notwithstanding s. 216.292(2)(a), Florida Statutes, an agency may not transfer funds from a data processing category to a category other than another data processing category. This section expires July 1, 2019.

Section 29. In order to implement the appropriation of funds in the appropriation category "Data Processing Assessment-Agency for State Technology" in the 2018-2019 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in that category between departments in order to align the budget authority granted based on the estimated billing cycle and methodology used by the Agency for State Technology for data processing services provided. This section expires July 1, 2019.

Section 30. In order to implement the appropriation of funds in the appropriation category "Special Categories-Risk Management Insurance" in the 2018-2019 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in that category between departments in order to align the budget authority granted with the premiums paid by each department for risk management insurance. This section expires July 1, 2019.

Section 31. In order to implement the appropriation of funds in the appropriation category "Special Categories-Transfer to Department of Management Services-Human Resources Services Purchased per Statewide Contract" in the 2018-2019 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in that category between departments in order to align the budget authority granted with the assessments that must be paid by each agency to the Department of Management Services for human resource management services. This section expires July 1, 2019.

Section 32. In order to implement Specific Appropriation 2333 of the 2018-2019 General Appropriations Act:

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

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

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

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

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

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

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

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

2. A representative of the Division of Treasury of the Department of Financial Services, appointed by the Chief Financial Officer.

3. A representative of the Division of Information Systems of the Department of Financial Services, appointed by the Chief Financial Officer.

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

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

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

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

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

(3) The Chief Financial Officer or the executive sponsor of the project shall serve as chair of the executive steering committee, and the committee shall take action by a vote of at least eight affirmative votes with the Chief Financial Officer or the executive sponsor of the project voting on the prevailing side. A quorum of the executive steering committee consists of at least 10 members.

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

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

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

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

(d) Approve all major project deliverables.

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

(5) This section expires July 1, 2019.

Section 33. In order to implement Specific Appropriation 2908 of the 2018-2019 General Appropriations Act, paragraph (b) of subsection (11) of section 282.0051, Florida Statutes, is amended to read:

282.0051 Agency for State Technology; powers, duties, and functions.—The Agency for State Technology shall have the following powers, duties, and functions:

(11) Provide operational management and oversight of the state data center established pursuant to s. 282.201, which includes:

(b) Procuring budget support and customer billing services from the department to develop and implement ~~Developing and implementing~~ cost-recovery mechanisms that recover the full direct and indirect cost of services through charges to applicable customer entities. Such cost-recovery mechanisms must comply with applicable state and federal regulations concerning distribution and use of funds and must ensure

that, for any fiscal year, no service or customer entity subsidizes another service or customer entity.

Section 34. *The amendment made by this act to s. 282.0051(11)(b), Florida Statutes, expires July 1, 2019, and the text of that paragraph shall revert to that in existence on June 30, 2018, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 35. In order to implement Specific Appropriations 1591, 1592, and 1593 of the 2018-2019 General Appropriations Act, paragraph (d) of subsection (11) of section 216.181, Florida Statutes, is amended to read:

216.181 Approved budgets for operations and fixed capital outlay.—

(11)

(d) Notwithstanding paragraph (b) and paragraph (2)(b), and for the 2018-2019 ~~2017-2018~~ fiscal year only, the Legislative Budget Commission may increase the amounts appropriated to the Fish and Wildlife Conservation Commission or the Department of Environmental Protection for fixed capital outlay projects, including additional fixed capital outlay projects, using funds provided to the state from the Gulf Environmental Benefit Fund administered by the National Fish and Wildlife Foundation; funds provided to the state from the Gulf Coast Restoration Trust Fund related to the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast Act of 2012 (RESTORE Act); or funds provided by the British Petroleum Corporation (BP) for natural resource damage assessment restoration projects. Concurrent with submission of an amendment to the Legislative Budget Commission pursuant to this paragraph, any project that carries a continuing commitment for future appropriations by the Legislature must be specifically identified, together with the projected amount of the future commitment associated with the project and the fiscal years in which the commitment is expected to commence. This paragraph expires July 1, 2019 ~~2018~~.

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

Section 36. In order to implement specific appropriations from the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, and the Fish and Wildlife Conservation Commission, which are contained in the 2018-2019 General Appropriations Act, subsection (3) of section 215.18, Florida Statutes, is amended to read:

215.18 Transfers between funds; limitation.—

(3) Notwithstanding subsection (1) and only with respect to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission, whenever there is a deficiency in a land acquisition trust fund which would render that trust fund temporarily insufficient to meet its just requirements, including the timely payment of appropriations from that trust fund, and other trust funds in the State Treasury have moneys that are for the time being or otherwise in excess of the amounts necessary to meet the just requirements, including appropriated obligations, of those other trust funds, the Governor may order a temporary transfer of moneys from one or more of the other trust funds to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission. Any action proposed pursuant to this subsection is subject to the notice, review, and objection procedures of s. 216.177, and the Governor shall provide notice of such action at least 7 days before the effective date of the transfer of trust funds, except that during July 2018 ~~2017~~, notice of such action shall be provided at least 3 days before the effective date of a transfer unless such 3-day notice is waived by the chair and vice-chair of the Legislative Budget Commission. Any transfer of trust funds to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission must be repaid to the

trust funds from which the moneys were loaned by the end of the 2018-2019 ~~2017-2018~~ fiscal year. The Legislature has determined that the repayment of the other trust fund moneys temporarily loaned to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission pursuant to this subsection is an allowable use of the moneys in a land acquisition trust fund because the moneys from other trust funds temporarily loaned to a land acquisition trust fund shall be expended solely and exclusively in accordance with s. 28, Art. X of the State Constitution. This subsection expires July 1, 2019 ~~2018~~.

Section 37. In order to implement Section 63 of the 2018-2019 General Appropriations Act, paragraph (b) of subsection (3) of section 375.041, Florida Statutes, is amended to read:

375.041 Land Acquisition Trust Fund.—

(3) Funds distributed into the Land Acquisition Trust Fund pursuant to s. 201.15 shall be applied:

(b) Of the funds remaining after the payments required under paragraph (a), but before funds may be appropriated, pledged, or dedicated for other uses:

1. A minimum of the lesser of 25 percent or \$200 million shall be appropriated annually for Everglades projects that implement the Comprehensive Everglades Restoration Plan as set forth in s. 373.470, including the Central Everglades Planning Project subject to Congressional authorization; the Long-Term Plan as defined in s. 373.4592(2); and the Northern Everglades and Estuaries Protection Program as set forth in s. 373.4595. From these funds, \$32 million shall be distributed each fiscal year through the 2023-2024 fiscal year to the South Florida Water Management District for the Long-Term Plan as defined in s. 373.4592(2). After deducting the \$32 million distributed under this subparagraph, from the funds remaining, a minimum of the lesser of 76.5 percent or \$100 million shall be appropriated each fiscal year through the 2025-2026 fiscal year for the planning, design, engineering, and construction of the Comprehensive Everglades Restoration Plan as set forth in s. 373.470, including the Central Everglades Planning Project, the Everglades Agricultural Area Storage Reservoir Project, the Lake Okeechobee Watershed Project, the C-43 West Basin Storage Reservoir Project, the Indian River Lagoon-South Project, the Western Everglades Restoration Project, and the Picayune Strand Restoration Project. The Department of Environmental Protection and the South Florida Water Management District shall give preference to those Everglades restoration projects that reduce harmful discharges of water from Lake Okeechobee to the St. Lucie or Caloosahatchee estuaries in a timely manner. For the purpose of performing the calculation provided in this subparagraph, the amount of debt service paid pursuant to paragraph (a) for bonds issued after July 1, 2016, for the purposes set forth under paragraph (b) shall be added to the amount remaining after the payments required under paragraph (a). The amount of the distribution calculated shall then be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2016, for the purposes set forth under this subparagraph.

2. A minimum of the lesser of 7.6 percent or \$50 million shall be appropriated annually for spring restoration, protection, and management projects. For the purpose of performing the calculation provided in this subparagraph, the amount of debt service paid pursuant to paragraph (a) for bonds issued after July 1, 2016, for the purposes set forth under paragraph (b) shall be added to the amount remaining after the payments required under paragraph (a). The amount of the distribution calculated shall then be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2016, for the purposes set forth under this subparagraph.

3. The sum of \$5 million shall be appropriated annually each fiscal year through the 2025-2026 fiscal year to the St. Johns River Water Management District for projects dedicated to the restoration of Lake Apopka. This distribution shall be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2016, for the purposes set forth in this subparagraph.

4. The sum of \$64 million is appropriated and shall be transferred to the Everglades Trust Fund for the 2018-2019 fiscal year, and each fiscal year thereafter, for the EAA reservoir project pursuant to s. 373.4598.

Any funds remaining in any fiscal year shall be made available only for Phase II of the C-51 reservoir project or projects identified in subparagraph 1. and must be used in accordance with laws relating to such projects. Any funds made available for such purposes in a fiscal year are in addition to the amount appropriated under subparagraph 1. This distribution shall be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2017, for the purposes set forth in this subparagraph.

5. Notwithstanding subparagraph 3., for the 2018-2019 ~~2017-2018~~ fiscal year, funds shall be appropriated as provided in the General Appropriations Act. This subparagraph expires July 1, 2019 ~~2018~~.

Section 38. In order to implement Specific Appropriation 1581 of the 2018-2019 General Appropriations Act, and notwithstanding the expiration date contained in section 39 of chapter 2017-71, Laws of Florida, paragraph (a) of subsection (6) of section 373.470, Florida Statutes, is reenacted to read:

373.470 Everglades restoration.—

(6) DISTRIBUTIONS FROM SAVE OUR EVERGLADES TRUST FUND.—

(a) Except as provided in paragraphs (d) and (e) and for funds appropriated for debt service, the department shall distribute funds in the Save Our Everglades Trust Fund to the district in accordance with a legislative appropriation and s. 373.026(8)(b). Distribution of funds to the district from the Save Our Everglades Trust Fund or the Land Acquisition Trust Fund shall be equally matched by the cumulative contributions from the district by fiscal year 2019-2020 by providing funding or credits toward project components. The dollar value of in-kind project design and construction work by the district in furtherance of the comprehensive plan and existing interest in public lands needed for a project component are credits towards the district's contributions.

Section 39. *The amendment to s. 373.470(6)(a), Florida Statutes, as carried forward by this act from chapter 2017-71, Laws of Florida, expires July 1, 2019, and the text of that paragraph shall revert to that in existence on June 30, 2017, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 40. In order to implement Specific Appropriation 1719 of the 2018-2019 General Appropriations Act, paragraph (e) of subsection (11) of section 216.181, Florida Statutes, is amended to read:

216.181 Approved budgets for operations and fixed capital outlay.—

(11)

(e) Notwithstanding paragraph (b) and paragraph (2)(b), and for the 2018-2019 ~~2017-2018~~ fiscal year only, the Legislative Budget Commission may increase the amounts appropriated to the Department of Environmental Protection for fixed capital outlay projects using funds provided to the state from the environmental mitigation trust administered by a trustee designated by the United States District Court for the Northern District of California for eligible mitigation actions and mitigation action expenditures described in the partial consent decree entered into between the United States of America and Volkswagen relating to violations of the Clean Air Act. Concurrent with submission of an amendment to the Legislative Budget Commission pursuant to this paragraph, any project that carries a continuing commitment for future appropriations by the Legislature must be specifically identified, together with the projected amount of the future commitment associated with the project and the fiscal years in which the commitment is expected to commence. This paragraph expires July 1, 2019 ~~2018~~.

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

Section 41. (1) *In order to implement specific appropriations from the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, and the Fish and Wildlife Conservation Commission, which are contained in the 2018-2019 General Appropriations Act, the Department of Environmental Protection shall transfer revenues from the Land Acquisition Trust Fund within the department to the land*

*acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission, as provided in this section. As used in this section, the term "department" means the Department of Environmental Protection.*

(2) *After subtracting any required debt service payments, the proportionate share of revenues to be transferred to each land acquisition trust fund shall be calculated by dividing the appropriations from each of the land acquisition trust funds for the fiscal year by the total appropriations from the Land Acquisition Trust Fund within the department and the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission for the fiscal year. The department shall transfer the proportionate share of the revenues in the Land Acquisition Trust Fund within the department on a monthly basis to the appropriate land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission and shall retain its proportionate share of the revenues in the Land Acquisition Trust Fund within the department. Total distributions to a land acquisition trust fund within the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission may not exceed the total appropriations from such trust fund for the fiscal year.*

(3) *In addition, the department shall transfer from the Land Acquisition Trust Fund to land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission amounts equal to the difference between the amounts appropriated in chapter 2017-70, Laws of Florida, to the department's Land Acquisition Trust Fund and the other land acquisition trust funds, and the amounts actually transferred between those trust funds during the 2017-2018 fiscal year.*

(4) *The department may advance funds from the beginning unobligated fund balance in the Land Acquisition Trust Fund to the Land Acquisition Trust Fund within the Fish and Wildlife Conservation Commission needed for cash flow purposes based on a detailed expenditure plan. The department shall prorate amounts transferred quarterly to the Fish and Wildlife Conservation Commission to recoup the amount of funds advanced by June 30, 2019.*

(5) *This section expires July 1, 2019.*

Section 42. *In order to implement Specific Appropriations 1393A, 1393B, 1549, 1549A, 1549B, 1550A, 1681A, 1681B, 1686A, and 1802A of the 2018-2019 General Appropriations Act, the Department of Environmental Protection shall distribute any moneys transferred from the Land Acquisition Trust Fund into the Florida Forever Trust Fund using the distribution formula specified in s. 259.105(3), Florida Statutes. This section expires July 1, 2019.*

Section 43. In order to implement Specific Appropriation 1686A of the 2018-2019 General Appropriations Act, subsection (5) is added to section 375.075, Florida Statutes, to read:

375.075 Outdoor recreation; financial assistance to local governments.—

(5)(a) *For the 2018-2019 fiscal year:*

1. *Notwithstanding any other provision of this section, \$4 million of funds for projects must be used exclusively for projects that provide recreational enhancements and opportunities for children. The department shall conduct a separate grant application process exclusively for such projects. The department shall establish the schedule for the grant application process for projects that provide publicly available recreational enhancements and opportunities for children and shall award the grants for such projects by December 31, 2018, and each year thereafter.*

2. *Notwithstanding subsection (3), a local government may submit up to three grant applications for projects if at least one of those projects provides recreational enhancements and opportunities for children. The maximum project grant for each project application that provides recreational enhancements and opportunities for children may not exceed*

\$250,000 in state funds, which the local government must match on a dollar-for-dollar basis.

(b) The selection criteria used by the department for grant applications submitted pursuant to this subsection must give priority to projects geared toward children under the age of 12, but which also provide educational opportunities and have established safety standards. The department shall give the highest priority to those project applications that further demonstrate they will serve the needs of children with unique abilities and will be accessible and usable to those with physical and developmental disabilities. All projects must be required to have playground equipment and lighting that is adequate for evening use.

(c) The playground equipment should be designed in a manner to serve children under the age of 12 with unique abilities, including those with physical and developmental disabilities. The criteria must also establish a minimum lot size for such project.

(d) This subsection expires July 1, 2019.

Section 44. In order to implement Specific Appropriation 1660 of the 2018-2019 General Appropriations Act, paragraph (r) is added to subsection (4) of section 376.3071, Florida Statutes, to read:

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

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

(r) Notwithstanding paragraph (j), \$10 million is allocated for the 2018-2019 fiscal year for the payment of the repair or the replacement of, or other preventative measures for, storage tanks, piping, or system components. Such costs may include equipment, preventive measures, excavation, electrical work, site restoration, and maintenance protocols. Owners or operators may submit an application for funding on forms developed by the department.

1. The application must include:

a. An affidavit by a petroleum storage system specialty contractor and supporting documentation demonstrating that the storage tank system may have been damaged or is subject to damage by incompatibility with fuel blended with ethanol or biodiesel;

b. A proposed scope of work and cost; and

c. For proposals to replace tanks or piping, a statement from a certified public accountant which indicates the depreciated value of the equipment. The depreciated value is the maximum allowable replacement cost. Tanks and piping that are 20 years old or older are deemed to have no replacement value.

2. The department must review the application for completeness, accuracy, and reasonableness of costs and scope of work. Upon approval of an application, the department must issue a purchase order to the applicant. The department may not issue a purchase order unless funds remain for the current fiscal year. The purchase order must include a deductible of 25 percent of the total cost. Except for preventative maintenance contracts, the specified work must be substantially completed within 180 days after the date of issuance of the purchase order.

3. Applications shall be funded on a first-come, first-served basis. Except for preventative maintenance contracts, the specified work must be substantially completed within 180 days after the date of issuance of the purchase order. After such time, the purchase order is void. An owner or operator may not cancel a preventative maintenance contract without cause. Following submission of proof to the department that the approved scope of work; or, in the case of preventative maintenance contracts, the first service event is complete; the applicant may request payment. A petroleum storage system owner or operator may not receive more than \$200,000 per fiscal year for any single facility or \$500,000 per fiscal year for all the facilities it owns or operates.

4. Owners or operators who have incurred costs for repair, replacement, or other preventative measures as described in this paragraph

from July 1, 2015, through June 30, 2018, may apply to request payment for such costs from the department using the procedure specified in this paragraph. The department may not disburse payments for approved applications for such work until all purchase orders for previously approved applications submitted after July 1, 2018, have been paid and funds remain available for the fiscal year. Such payment is subject to a deductible of 25 percent of the approved cost.

5. Payment may not be provided for:

a. Any costs for which an application for repair, replacement, or preventative measures is not approved in accordance with this paragraph;

b. Proposal costs or costs related to preparation of the application and required documentation;

c. Costs associated with the services of a certified public accountant;

d. Costs associated with storage tanks, piping, or ancillary equipment that has been previously repaired or replaced with funds that have been paid pursuant to this section;

e. Facilities that are not in compliance with department storage tank rules, until the facility has been brought into compliance with such rules; or

f. Costs associated with damage to petroleum storage systems caused in whole or in part by causes other than the storage of fuels blended with ethanol or biodiesel.

6. This paragraph does not affect the obligations of facility owners or operators or petroleum storage system owners or operators to timely comply with department rules regarding the maintenance, replacement, and repair of petroleum storage systems in order to prevent a release or discharge of pollutants. This paragraph does not prevent the department from issuing a purchase order in accordance with this paragraph based on grounds that work had commenced before the issuance of the purchase order.

7. The department shall ensure that petroleum storage systems approved after July 1, 2018, meet applicable standards for compatibility for ethanol blends, biodiesel blends, and other alternative fuels that are likely to be installed in such systems.

8. This paragraph expires July 1, 2019.

The issuance of a site rehabilitation completion order pursuant to subsection (5) or paragraph (12)(b) for contamination eligible for programs funded by this section does not alter the project's eligibility for state-funded remediation if the department determines that site conditions are not protective of human health under actual or proposed circumstances of exposure under subsection (5). The Inland Protection Trust Fund may be used only to fund the activities in ss. 376.30-376.317 except ss. 376.3078 and 376.3079. Amounts on deposit in the fund in each fiscal year must first be applied or allocated for the payment of amounts payable by the department pursuant to paragraph (n) under a service contract entered into by the department pursuant to s. 376.3075 and appropriated in each year by the Legislature before making or providing for other disbursements from the fund. This subsection does not authorize the use of the fund for cleanup of contamination caused primarily by a discharge of solvents as defined in s. 206.9925(6), or polychlorinated biphenyls when their presence causes them to be hazardous wastes, except solvent contamination which is the result of chemical or physical breakdown of petroleum products and is otherwise eligible. Facilities used primarily for the storage of motor or diesel fuels as defined in ss. 206.01 and 206.86 are not excluded from eligibility pursuant to this section.

Section 45. In order to implement Specific Appropriation 582 of the 2018-2019 General Appropriations Act, section 295.23, Florida Statutes, is amended to read:

295.23 Veterans research and marketing campaign.—

(1) Florida Is For Veterans, Inc., may request the Florida Tourism Industry Marketing Corporation for assistance in the following research and marketing activities ~~shall~~:

(a) ~~Provide input to Florida Is For Veterans, Inc., on~~ Research to identify the target market and the educational and employment needs of those in the target market.

(b) *Development and administration of* ~~Develop and conduct~~ a marketing campaign to encourage retired and recently separated military personnel to remain in the state or to make the state their permanent residence.

(c) *Development of* ~~Develop~~ a process for the dissemination of information to the target market and targeting that information to the interests and needs of veterans of all ages to facilitate veterans' knowledge of and access to benefits.

~~(2) The Florida Tourism Industry Marketing Corporation shall seek advice from Florida Is For Veterans, Inc., on the scope, process, and focus of the marketing campaign. Input must be received before invitations to bid, requests for proposals, or invitations to negotiate for contracted services are advertised. Florida Is For Veterans, Inc., shall be kept informed at each stage of the marketing campaign and may provide recommendations to the Florida Tourism Industry Marketing Corporation to ensure that the effort effectively reaches veterans.~~

~~(2)(3) For the purposes of this section, Florida Is For Veterans, Inc., the Florida Tourism Industry Marketing Corporation shall expend the amount appropriated in the General Appropriations Act \$1 million annually on marketing the state to veterans as a permanent home and on information dissemination to improve veterans' knowledge of and access to benefits through a combination of existing funds appropriated to the Florida Tourism Industry Marketing Corporation by the Legislature and private funds.~~

Section 46. In order to implement Specific Appropriation 582 of the 2018-2019 General Appropriations Act, paragraphs (a) and (b) of subsection (3) of section 295.21, Florida Statutes, are amended to read:

295.21 Florida Is For Veterans, Inc.—

(3) DUTIES.—The corporation shall:

(a) Conduct research to identify the target market and the educational and employment needs of those in the target market. The corporation shall contract with at least one entity pursuant to the competitive bidding requirements in s. 287.057 and the provisions of s. 295.187 to perform the research. Such entity must have experience conducting market research on the veteran demographic. The corporation ~~may shall~~ seek input from the Florida Tourism Industry Marketing Corporation on the scope, process, and focus of such research.

(b) *Develop and implement a marketing campaign for* ~~Advise the Florida Tourism Industry Marketing Corporation, pursuant to s. 295.23, on:~~

~~1.~~ the target market as identified in paragraph (a). *The*

~~2.~~ *Development and implementation of* a marketing campaign *must* ~~to~~ encourage members of the target market to remain in the state or to make the state their permanent residence. *The corporation must establish*

~~3.~~ methods for disseminating information to the target market that relates to the interests and needs of veterans of all ages and facilitates veterans' knowledge of and access to benefits. *The corporation may request assistance from the Florida Tourism Industry Marketing Corporation pursuant to s. 295.23.*

Section 47. *The amendments made by this act to ss. 295.21 and 295.23, Florida Statutes, expire July 1, 2019, and the text of those sections shall revert to that in existence on June 30, 2018, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 48. In order to implement Specific Appropriation 1855 of the 2018-2019 General Appropriations Act, subsection (30) of section 427.013, Florida Statutes, is amended to read:

427.013 The Commission for the Transportation Disadvantaged; purpose and responsibilities.—The purpose of the commission is to accomplish the coordination of transportation services provided to the transportation disadvantaged. The goal of this coordination is to assure the cost-effective provision of transportation by qualified community transportation coordinators or transportation operators for the transportation disadvantaged without any bias or presumption in favor of multioperator systems or not-for-profit transportation operators over single operator systems or for-profit transportation operators. In carrying out this purpose, the commission shall:

(30) For the 2018-2019 ~~2017-2018~~ fiscal year and notwithstanding any other provision of this section:

(a) Allocate, from funds provided in the General Appropriations Act, to community transportation coordinators who *operate in counties that are not direct recipients of* ~~do not receive~~ Urbanized Area Formula funds pursuant to 49 U.S.C. s. 5307 to provide transportation services for persons with disabilities, older adults, and low-income persons so they may access health care, employment, education, and other life-sustaining activities. Funds allocated for this purpose shall be distributed among community transportation coordinators based upon the Transportation Disadvantaged Trip and Equipment allocation methodology established by the commission.

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

1. Enhance access to health care, shopping, education, employment, public services, and recreation;
2. Assist in the development, improvement, and use of transportation systems in nonurbanized areas;
3. Promote the efficient coordination of services;
4. Support inner-city bus transportation; and
5. Encourage private transportation providers to participate.

(c) This subsection expires July 1, 2019 ~~2018~~.

Section 49. In order to implement Specific Appropriation 2296 of the 2018-2019 General Appropriations Act, subsections (3) and (5) of section 321.04, Florida Statutes, are amended to read:

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

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

(b) For the 2018-2019 ~~2017-2018~~ fiscal year only, the patrol officer shall be assigned to the Lieutenant Governor. This paragraph expires July 1, 2019 ~~2018~~.

(5) For the 2018-2019 ~~2017-2018~~ fiscal year only, the assignment of a patrol officer by the department shall include a Cabinet member specified in s. 4, Art. IV of the State Constitution if deemed appropriate by the department or in response to a threat and upon written request of such Cabinet member. This subsection expires July 1, 2019 ~~2018~~.

Section 50. In order to implement Specific Appropriations 1856 through 1869, 1875 through 1878, 1891 through 1910, and 1948 through 1959 of the 2018-2019 General Appropriations Act, paragraphs (d), (e), and (f) of subsection (5) of section 339.135, Florida Statutes, are amended to read:

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

## (5) ADOPTION OF THE WORK PROGRAM.—

(d) It is the intent of the Legislature that the department maintain fiscal solvency and make prudent use of all available fiscal resources to minimize any project, or a phase thereof, from being deferred within the work program. It is further the intent of the Legislature that the department, to the maximum extent feasible, reduce financial projects not programmed for contract letting as identified with a work program contract class code 8 and the box code RV to add projects to the *2018-2019* ~~2017-2018~~ work program which are identified by a specific appropriation in the *2018-2019* ~~2017-2018~~ General Appropriations Act. This paragraph expires July 1, *2019* ~~2018~~.

(e) For the *2018-2019* ~~2017-2018~~ fiscal year only, the department is authorized to realign budget authority among appropriation categories to support the implementation of the *2018-2019* ~~2017-2018~~ General Appropriations Act. The notice, review, and objection procedures under s. 216.177 apply only when projects, or a phase thereof, are not deferred or deleted from the work program. The request to realign budget authority among work program categories must be supported by documented production and financial goals within the parameters of finance, available cash, and total authorized budget. This paragraph expires July 1, *2019* ~~2018~~.

(f) For the *2018-2019* ~~2017-2018~~ fiscal year only, if the department submits a work program amendment to realign work program categories to the *2018-2019* ~~2017-2018~~ General Appropriations Act that defers or deletes any project, or a phase thereof, the work program amendment is subject to approval by the Legislative Budget Commission. The department shall provide to the Legislative Budget Commission the documents specified in subparagraphs 1.-8. when submitting the department's work program amendment to request approval to realign the work program appropriation categories to the *2018-2019* ~~2017-2018~~ General Appropriations Act. In addition, any work program amendment submitted to the Legislative Budget Commission which results in a reduced project commitment level for the *2018-2019* ~~2017-2018~~ fiscal year must include the following documents:

1. A proposed finance plan, as balanced to the requested work program amendment to realign the work program categories to the *2018-2019* ~~2017-2018~~ General Appropriations Act, or any other amendments that reduce work program commitments;
2. A proposed cash forecast, as balanced to the requested work program amendment to realign the work program categories to the *2018-2019* ~~2017-2018~~ General Appropriations Act, or any other amendments that reduce work program commitments;
3. An adopted finance plan, as of July 1, *2018* ~~2017~~;
4. An adopted cash forecast, as of July 1, *2018* ~~2017~~;
5. A complete list of projects, or phases thereof, deferred or deleted from the impact of the projects identified by a specific appropriation in the *2018-2019* ~~2017-2018~~ General Appropriations Act for the *2018-2019* ~~2017-2018~~ through *2022-2023* ~~2021-2022~~ work program;
6. The department's methodology for identifying projects, or phases thereof, for deferral or deletion for the *2018-2019* ~~2017-2018~~ through *2022-2023* ~~2021-2022~~ work program;
7. A letter of concurrence or nonconcurrence from the affected metropolitan planning organization or, for nonmetropolitan areas, the board of county commissioners with impacted project selections; and
8. A complete list of financial projects not programmed for contract letting as identified with a work program contract class code 8 and the box code RV included in fiscal years *2018-2019* ~~2017-2018~~ through *2022-2023* ~~2021-2022~~, as of July 1, *2018* ~~2017~~.

This paragraph expires July 1, *2019* ~~2018~~.

Section 51. In order to implement the salaries and benefits, expenses, other personal services, contracted services, special categories, and operating capital outlay categories of the *2018-2019* General Appropriations Act, paragraph (a) of subsection (2) of section 216.292, Florida Statutes, is amended to read:

216.292 Appropriations nontransferable; exceptions.—

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

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

1. Between categories of appropriations within a budget entity, if no category of appropriation is increased or decreased by more than 5 percent of the original approved budget or \$250,000, whichever is greater, by all action taken under this subsection.
2. Between budget entities within identical categories of appropriations, if no category of appropriation is increased or decreased by more than 5 percent of the original approved budget or \$250,000, whichever is greater, by all action taken under this subsection.
3. Any agency exceeding salary rate established pursuant to s. 216.181(8) on June 30th of any fiscal year shall not be authorized to make transfers pursuant to subparagraphs 1. and 2. in the subsequent fiscal year.
4. Notice of proposed transfers under subparagraphs 1. and 2. shall be provided to the Executive Office of the Governor and the chairs of the legislative appropriations committees at least 3 days prior to agency implementation in order to provide an opportunity for review. The review shall be limited to ensuring that the transfer is in compliance with the requirements of this paragraph.
5. For the *2018-2019* ~~2017-2018~~ fiscal year, the review shall ensure that transfers proposed pursuant to this paragraph comply with this chapter and are not contrary to legislative policy and intent. This subparagraph expires July 1, *2019* ~~2018~~.

Section 52. In order to implement the salaries and benefits, expenses, other personal services, contracted services, special categories, and operating capital outlay categories of the *2018-2019* General Appropriations Act, subsection (6) of section 112.24, Florida Statutes, is amended to read:

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

(6) For the *2018-2019* ~~2017-2018~~ fiscal year only, the assignment of an employee of a state agency as provided in this section may be made if recommended by the Governor or Chief Justice, as appropriate, and approved by the chairs of the legislative appropriations committees. Such actions shall be deemed approved if neither chair provides written notice of objection within 14 days after receiving notice of the action pursuant to s. 216.177. This subsection expires July 1, *2019* ~~2018~~.

Section 53. In order to implement *Specific Appropriations 2670 and 2671 of the 2018-2019 General Appropriations Act*, and notwithstanding



s. 11.13(1), Florida Statutes, the authorized salaries for members of the Legislature for the 2018-2019 fiscal year shall be set at the same level in effect on July 1, 2010. This section expires July 1, 2019.

Section 54. In order to implement the transfer of funds to the General Revenue Fund from trust funds for the 2018-2019 General Appropriations Act, paragraph (b) of subsection (2) of section 215.32, Florida Statutes, is reenacted to read:

215.32 State funds; segregation.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 55. *The amendment to s. 215.32(2)(b), Florida Statutes, as carried forward by this act from chapter 2011-47, Laws of Florida, expires July 1, 2019, and the text of that paragraph shall revert to that in existence on June 30, 2011, except that any amendments to such text enacted other than by this act and chapter 2011-47, Laws of Florida, shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 56. *In order to implement the appropriation of funds in the special categories, contracted services, and expenses categories of the 2018-2019 General Appropriations Act, a state agency may not enter into a contract containing a nondisclosure clause that prohibits the contractor from disclosing information relevant to the performance of the contract to members or staff of the Senate or the House of Representatives. This section expires July 1, 2019.*

Section 57. *Any section of this act which implements a specific appropriation or specifically identified proviso language in the 2018-2019 General Appropriations Act is void if the specific appropriation or specifically identified proviso language is vetoed. Any section of this act which implements more than one specific appropriation or more than one portion of specifically identified proviso language in the 2018-2019 General Appropriations Act is void if all the specific appropriations or portions of specifically identified proviso language are vetoed.*

Section 58. *If any other act passed during the 2018 Regular Session of the Legislature contains a provision that is substantively the same as a provision in this act, but that removes or is otherwise not subject to the future repeal applied to such provision by this act, the Legislature intends that the provision in the other act takes precedence and continues to operate, notwithstanding the future repeal provided by this act.*

Section 59. *If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.*

Section 60. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2018; or, if this act fails to become a law until after that date, it shall take effect upon becoming a law and shall operate retroactively to July 1, 2018.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act implementing the 2018-2019 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program; providing that funds for instructional materials must be released and expended as required in specified proviso language; amending s. 1002.333, F.S.; specifying that certain schools of hope are eligible to receive hope supplemental service allocation funds; specifying required duties of the State Board of Education for the 2017-2018 fiscal year; providing for the future expiration and reversion of specified statutory text; amending s. 1011.62, F.S.; creating the hope supplemental services allocation; providing the purpose of the allocation; specifying the services that may be

funded by the allocation; requiring a plan for implementation to be developed and submitted to the appropriate governing body before distribution of the allocation; providing requirements for implementation plans; requiring approved plans to be submitted to the Commissioner of Education by a specified date; providing for the allocation of funds for the 2018-2019 fiscal year; creating the mental health assistance allocation; providing the purpose of the allocation; providing for the annual allocation of such funds on a specified basis; prohibiting the use of allocated funds to supplant funds provided from other operating funds, to increase salaries, or to provide bonuses; providing requirements for school districts and charter schools; providing that required plans must include certain elements; requiring school districts to annually submit approved plans to the commissioner by a specified date; creating the funding compression allocation; providing the purpose of the allocation; authorizing funding for the annual allocation for specified purposes; providing the calculation for the allocation; amending s. 1012.731, F.S.; deleting Florida Best and Brightest Teacher Scholarship Program scholarship awards authorized for the 2018-2019 school year; incorporating by reference certain calculations of the Medicaid Disproportionate Share Hospital program; authorizing the Agency for Health Care Administration, in consultation with the Department of Health, to submit a budget amendment to realign funding for a component of the Children's Medical Services program; specifying requirements for such realignment; authorizing the agency to request non-operating budget authority for transferring certain federal funds to the department; specifying criteria to be used by the Agency for Persons with Disabilities in the event that an allocation algorithm and methodology for the iBudget system is no longer in effect; providing for the implementation of any new iBudget allocation algorithm and methodology; authorizing increased funding for an iBudget under certain circumstances; amending s. 409.908, F.S.; revising parameters relating to the prospective payment methodology for the reimbursement of Medicaid providers to be implemented for rate-setting purposes; requiring the agency to establish prospective payment reimbursement rates for nursing home services as provided in this act and in the General Appropriations Act; providing for the future expiration and reversion of specified statutory text; requiring the Agency for Health Care Administration to seek authorization from the federal Centers for Medicare and Medicaid Services to modify the period of retroactive Medicaid eligibility in a manner that ensures that the modification becomes effective by a certain date; amending s. 409.911, F.S.; updating the average of audited disproportionate share data for purposes of calculating disproportionate share payments; extending for 1 fiscal year the requirement that the Agency for Health Care Administration distribute moneys to hospitals that provide a disproportionate share of Medicaid or charity care services as set forth in the General Appropriations Act; amending s. 409.9113, F.S.; extending for 1 fiscal year the requirement that the Agency for Health Care Administration make disproportionate share payments to teaching hospitals as set forth in the General Appropriations Act; amending s. 409.9119, F.S.; extending for 1 fiscal year the requirement that the Agency for Health Care Administration make disproportionate share payments to certain specialty hospitals for children as set forth in the General Appropriations Act; amending s. 216.262, F.S.; extending for 1 fiscal year the authority of the Department of Corrections to submit a budget amendment for additional positions and appropriations under certain circumstances; amending s. 215.18, F.S.; extending for 1 fiscal year the authority, and related repayment requirements, for temporary trust fund loans to the state court system which are sufficient to meet the system's appropriation; authorizing the Department of Corrections to submit certain budget amendments to transfer funds into the Inmate Health Services category; providing that such transfers are subject to notice, review, and objection procedures; requiring the Department of Juvenile Justice to review county juvenile detention payments to ensure that counties fulfill specified financial responsibilities; requiring amounts owed by a county for such financial responsibilities to be deducted from certain county funds; requiring the Department of Revenue to transfer withheld funds to a specified trust fund; requiring the Department of Revenue to ensure that such reductions in amounts distributed do not reduce distributions below amounts necessary for certain payments due on bonds and to comply with bond covenants; requiring the Department of Revenue to notify the Department of Juvenile Justice if bond payment requirements require a reduction in deductions for amounts owed by a county; prohibiting the Department of Juvenile Justice from providing to certain nonfiscally constrained counties reimbursements or credits against identified juvenile detention center costs under specified circumstances; prohibiting a nonfiscally constrained county from ap-

plying, deducting, or receiving such reimbursements or credits; amending s. 27.5304, F.S.; extending for 1 fiscal year certain limitations on compensation for private court-appointed counsel; amending s. 1011.80, F.S.; providing that state funds provided for postsecondary workforce program operations may be used for inmate education if specifically appropriated for such purpose; authorizing a Supreme Court Justice to designate an alternate facility as his or her official headquarters for purposes of travel reimbursement; specifying which expenses may be reimbursed to a justice; requiring the Chief Justice to coordinate with an affected justice and other appropriate officials with respect to implementation; providing for construction; prohibiting the Supreme Court from using state funds to lease space in an alternate facility for use as a justice's official headquarters; requiring the Department of Management Services to use tenant broker services to renegotiate or reprocure certain private lease agreements for office or storage space; requiring the Department of Management Services to provide a report to the Executive Office of the Governor and the Legislature by a specified date; specifying the amount of the transaction fee to be collected for use of the state's online procurement system; prohibiting an agency from transferring funds from a data processing category to another category that is not a data processing category; authorizing the Executive Office of the Governor to transfer funds appropriated in certain appropriation categories between departments for specified purposes; requiring the Department of Financial Services to replace specified components of the Florida Accounting Information Resource Subsystem (FLAIR) and the Cash Management Subsystem (CMS); specifying certain actions to be taken by the Department of Financial Services regarding FLAIR and CMS replacement; providing for the composition of an executive steering committee to oversee FLAIR and CMS replacement; prescribing duties and responsibilities of the executive steering committee; amending s. 282.0051, F.S.; revising the powers, duties, and functions of the Agency for State Technology with respect to the operational management and oversight of the state data center; providing for the future expiration and reversion of specified statutory text; amending s. 216.181, F.S.; extending for 1 fiscal year the authority for the Legislative Budget Commission to increase amounts appropriated to the Fish and Wildlife Conservation Commission or the Department of Environmental Protection for certain fixed capital outlay projects from specified sources; amending s. 215.18, F.S.; extending for 1 fiscal year the authority of the Governor, if there is a specified deficiency in a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission, to transfer funds from other trust funds in the State Treasury as a temporary loan to such trust fund; providing procedures for the repayment of the temporary loan; amending s. 375.041, F.S.; specifying that certain funds for projects dedicated to restoring Lake Apopka shall be appropriated as provided under the General Appropriations Act; reenacting s. 373.470(6)(a), F.S., relating to Everglades restoration; providing for the future expiration and reversion of specified statutory text; amending s. 216.181, F.S.; extending for 1 fiscal year the authority of the Legislative Budget Commission to increase amounts appropriated to the Department of Environmental Protection for fixed capital outlay projects using specified funds; specifying additional information to be included in budget amendments for projects requiring additional funding; requiring the Department of Environmental Protection to transfer a designated proportionate share of the revenues deposited in the Land Acquisition Trust Fund within the department to land acquisition trust funds in the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission, according to specified parameters and calculations; defining the term "department"; requiring the Department of Environmental Protection to retain a proportionate share of revenues; specifying a limit on distributions; requiring the Department of Environmental Protection to make transfers to land acquisition trust funds; specifying the method of determining transfer amounts; authorizing the Department of Environmental Protection to advance funds from its land acquisition trust fund to the Fish and Wildlife Conservation Commission's land acquisition trust fund for specified purposes; requiring the Department of Environmental Protection to prorate amounts transferred to the Fish and Wildlife Conservation Commission; requiring the Department of Environmental Protection to distribute moneys transferred from the Land Acquisition Trust Fund into the Florida Forever Trust Fund in accordance with a specified distribution formula; amending s. 375.075, F.S.; requiring that a minimum amount of funds for the Florida Recreation Development Assistance Program be used for projects that provide recreational en-

hancements and opportunities for children; requiring the Department of Environmental Protection to award grants by a specified date; providing limitations with respect to the number of grant applications a local government may submit and the maximum project grant amount; specifying requirements for the selection criteria used by the department; amending s. 376.3071, F.S.; allocating a specified sum from the Inland Protection Trust Fund for the payment of repair, replacement, and preventative measure costs for storage tanks, piping, or system components; requiring an owner or operator to submit an application to the department to receive funding; prescribing requirements for such application; specifying requirements, restrictions, and limitations regarding applications and payments; prohibiting payments for specified expenses; providing construction; requiring the department to ensure that petroleum storage systems approved after a specified date meet certain standards; amending s. 295.23, F.S.; transferring duties relating to the administration of the veterans research and marketing campaign from the Florida Tourism Industry Marketing Corporation to Florida Is For Veterans, Inc.; revising the annual appropriation for the veterans research and marketing campaign; amending s. 295.21, F.S.; revising the duties of Florida Is For Veterans, Inc., regarding the veterans research and marketing campaign to conform to changes made by the act; providing for the future expiration and reversion of specified statutory text; amending s. 427.013, F.S.; extending for 1 fiscal year a requirement that the Commission for the Transportation Disadvantaged allocate and award appropriated funds for specified purposes; amending s. 321.04, F.S.; extending for 1 fiscal year provisions requiring the Department of Highway Safety and Motor Vehicles to assign the patrol officer assigned to the Office of the Governor to the Lieutenant Governor and to assign a patrol officer to a Cabinet member under certain circumstances; amending s. 339.135, F.S.; extending for 1 fiscal year provisions authorizing the Department of Transportation to realign budget authority to carry out the department's work program; amending s. 216.292, F.S.; extending for 1 fiscal year a provision that requires a review of certain transfers of appropriations to ensure compliance with ch. 216, F.S., and that such transfers are not contrary to legislative policy and intent; amending s. 112.24, F.S.; extending for 1 fiscal year the authorization, subject to specified requirements, for the assignment of an employee of a state agency under an employee interchange agreement; providing that the annual salaries of the members of the Legislature shall be maintained at a specified level; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds; providing for the future expiration and reversion of specified statutory text; prohibiting state agencies from entering into contracts containing certain nondisclosure agreements; providing conditions under which the veto of certain appropriations or proviso language in the General Appropriations Act voids language that implements such appropriations; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing severability; providing effective dates.

On motion by Senator Bradley, by two-thirds vote, **HB 5003**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Flores	Powell
Baxley	Gainer	Rader
Benacquisto	Galvano	Rouson
Book	Gibson	Simmons
Bracy	Grimsley	Simpson
Bradley	Hukill	Stargel
Brandes	Hutson	Steube
Braynon	Lee	Stewart
Broxson	Mayfield	Taddeo
Campbell	Passidomo	Thurston
Farmer	Perry	Torres

Nays—1

Rodriguez

MOTIONS

On motion by Senator Bradley, the Senate, having refused to pass **HB 5003** as passed by the House, acceded to the request for a conference committee.

On motion by Senator Bradley, by two-thirds vote, **HB 5003** was ordered immediately certified to the House.

The Senate resumed consideration of—

**SB 2504**—A bill to be entitled An act relating to state employees; providing for the resolution of collective bargaining issues at impasse between the state and certified bargaining units of state employees; providing an effective date.

—which was previously considered this day.

Pending further consideration of **SB 2504**—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Joe Negron, President

I am directed to inform the Senate that the House has passed **HB 5005**, and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Portia Palmer, Clerk

By Appropriations Committee and Representative(s) Trujillo—

**HB 5005**—A bill to be entitled An act relating to collective bargaining; providing for the resolution of collective bargaining issues at impasse between the State of Florida and certified bargaining units for state employees pursuant to specified instructions; providing an effective date.

—was referred to the Committee on Appropriations.

Pursuant to Rule 3.11(3), there being no objection, **HB 5005** was withdrawn from the Committee on Appropriations.

On motion by Senator Bradley, by two-thirds vote—

**HB 5005**—A bill to be entitled An act relating to collective bargaining; providing for the resolution of collective bargaining issues at impasse between the State of Florida and certified bargaining units for state employees pursuant to specified instructions; providing an effective date.

—a companion measure, was substituted for **SB 2504**, and by two-thirds vote, read the second time by title.

Senator Bradley moved the following amendment which was adopted:

**Amendment 1 (926324) (with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. *All collective bargaining issues for which negotiations have reached an impasse for the 2018-2019 fiscal year between the state and the legal representatives of the certified bargaining units for state employees shall be resolved pursuant to the instructions provided in the General Appropriations Act and the relevant provisions of any legislation enacted to implement the General Appropriations Act for the 2018-2019 fiscal year.*

Section 2. This act shall take effect July 1, 2018.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to state employees; providing for the resolution of collective bargaining issues at impasse between the state and certified bargaining units of state employees; providing an effective date.

On motion by Senator Bradley, by two-thirds vote, **HB 5005**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Flores	Rader
Baxley	Gainer	Rodriguez
Benacquisto	Galvano	Rouson
Book	Gibson	Simmons
Bracy	Grimsley	Simpson
Bradley	Hukill	Stargel
Brandes	Lee	Steube
Braynon	Mayfield	Stewart
Broxson	Passidomo	Taddeo
Campbell	Perry	Thurston
Farmer	Powell	Torres

Nays—None

Vote after roll call:

Yea—Hutson

**MOTIONS**

On motion by Senator Bradley, the Senate, having refused to pass **HB 5005** as passed by the House, acceded to the request for a conference committee.

On motion by Senator Bradley, by two-thirds vote, **HB 5005** was ordered immediately certified to the House.

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The Senate resumed consideration of—

**SB 7014**—A bill to be entitled An act relating to state-administered retirement systems; amending s. 121.71, F.S.; revising required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System; providing a declaration of important state interest; providing an effective date.

—which was previously considered this day.

Pending further consideration of **SB 7014**—

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES****FIRST READING**

The Honorable Joe Negron, President

I am directed to inform the Senate that the House has passed **HB 5007**, and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

*Portia Palmer, Clerk*

By Appropriations Committee and Representative(s) Trujillo—

**HB 5007**—A bill to be entitled An act relating to state-administered retirement systems; amending s. 121.71, F.S.; revising required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System; providing a declaration of important state interest; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Appropriations.

Pursuant to Rule 3.11(3), there being no objection, **HB 5007** was withdrawn from the Committees on Governmental Oversight and Accountability; and Appropriations.

On motion by Senator Baxley, by two-thirds vote—

**HB 5007**—A bill to be entitled An act relating to state-administered retirement systems; amending s. 121.71, F.S.; revising required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System; providing a declaration of important state interest; providing an effective date.

—a companion measure, was substituted for **SB 7014**, and by two-thirds vote, read the second time by title.

On motion by Senator Baxley, by two-thirds vote, **HB 5007** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—32

Mr. President	Gainer	Rodriguez
Baxley	Galvano	Rouson
Benacquisto	Gibson	Simmons
Book	Grimsley	Simpson
Bracy	Hukill	Stargel
Bradley	Lee	Steube
Brandes	Mayfield	Stewart
Braynon	Passidomo	Taddeo
Broxson	Perry	Thurston
Farmer	Powell	Torres
Flores	Rader	

Nays—None

Vote after roll call:

Yea—Hutson

**MOTIONS**

On motion by Senator Baxley, by two-thirds vote, **HB 5007** was ordered immediately certified to the House.

**MOMENT OF SILENCE**

At the request of the President, the Senate observed a moment of silence to honor Senator Broxson's father-in-law, Adam Bernhardt, who passed away last week.

**REPORTS OF COMMITTEES**

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Thursday, February 8, 2018: CS for SB 276, SB 800, SB 314, CS for CS for SB 510, SB 162, SB 494, CS for SB 1048, CS for SB 278, SR 550, SB 660.

Respectfully submitted,  
*Lizbeth Benacquisto*, Rules Chair  
*Wilton Simpson*, Majority Leader  
*Oscar Braynon II*, Minority Leader

The Special Master on Claim Bills recommends the following pass: SB 28

**The bill was referred to the Committee on Judiciary under the original reference.**

The Committee on Regulated Industries recommends the following pass: CS for SB 746; CS for SB 1252

**The bills were referred to the Committee on Rules under the original reference.**

The Committee on Rules recommends the following pass: CS for SB 298; CS for SB 386; CS for SB 416; SB 478; CS for SB 514; CS for SB 562; SB 670; CS for SB 876; CS for SB 906; SM 940

**The bills were placed on the Calendar.**

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: CS for SB 1292

**The bill with committee substitute attached was referred to the Committee on Appropriations under the original reference.**

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The Committee on Criminal Justice recommends a committee substitute for the following: SB 1222

**The bill with committee substitute attached was referred to the Appropriations Subcommittee on Criminal and Civil Justice under the original reference.**

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The Committee on Banking and Insurance recommends a committee substitute for the following: SB 784

**The bill with committee substitute attached was referred to the Appropriations Subcommittee on General Government under the original reference.**

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The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1422

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 1360

**The bills with committee substitute attached contained in the foregoing reports were referred to the Appropriations Subcommittee on Health and Human Services under the original reference.**

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The Committee on Transportation recommends committee substitutes for the following: SB 182; SB 1608

**The bills with committee substitute attached were referred to the Appropriations Subcommittee on Transportation, Tourism, and Economic Development under the original reference.**

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The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1304

**The bill with committee substitute attached was referred to the Committee on Community Affairs under the original reference.**

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The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1106

**The bill with committee substitute attached was referred to the Committee on Health Policy under the original reference.**

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The Committee on Criminal Justice recommends a committee substitute for the following: SB 1256

**The bill with committee substitute attached was referred to the Committee on Judiciary under the original reference.**

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The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1126

The Committee on Judiciary recommends a committee substitute for the following: SB 1482

**The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Rules under the original reference.**

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The Committee on Rules recommends a committee substitute for the following: CS for SB 1598

**The bill with committee substitute attached was placed on the Calendar.**

## REPORTS OF SUBCOMMITTEES

The Appropriations Subcommittee on Pre-K - 12 Education recommends the following pass: SB 856; SB 996; CS for SB 1090; SB 1286; SB 1306; SB 1532

The Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends the following pass: SB 504; CS for SB 632; SB 752; SB 1248

**The bills contained in the foregoing reports were referred to the Committee on Appropriations under the original reference.**

## INTRODUCTION AND REFERENCE OF BILLS

### FIRST READING

By Senator Montford—

**SB 1920**—A bill to be entitled An act relating to public records; amending s. 328.80, F.S.; providing an exemption for electronic mail addresses of vessel registrants collected by the Department of Highway Safety and Motor Vehicles; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Rules.

## COMMITTEE SUBSTITUTES

### FIRST READING

By the Committee on Transportation; and Senator Rodriguez—

**CS for SB 182**—A bill to be entitled An act relating to the Small Business Road Construction Mitigation Grant Program; creating s. 339.28154, F.S.; providing legislative findings; requiring the Department of Transportation to create a Small Business Road Construction Mitigation Grant Program; defining the terms “construction mitigation zone” and “qualified business”; requiring the department to disburse grants to qualified businesses for the purpose of maintaining the businesses during a road construction project; limiting the amount of each grant; providing application and eligibility requirements; requiring the Department of Economic Opportunity to provide assistance under certain circumstances; providing for prioritization of awards; providing that any grant awarded offsets any civil damages against the Department of Transportation; requiring the Department of Transportation to submit a certain report to the Legislature and initiate rulemaking by specified dates; providing an effective date.

By the Committee on Banking and Insurance; and Senator Brandes—

**CS for SB 784**—A bill to be entitled An act relating to insurance; amending s. 625.151, F.S.; providing that certain securities valuation limitations do not apply to certain stock of certain foreign insurers' subsidiary corporations or related entities; amending s. 625.325, F.S.; providing that certain provisions relating to insurer investments in subsidiaries and related corporations do not apply to foreign insurers under certain circumstances; amending s. 626.221, F.S.; revising professional designations that exempt all-lines adjuster license applicants from an examination requirement; amending s. 626.914, F.S.; revising the definition of the term “diligent effort” to decrease the dwelling replacement cost threshold of a residential structure to which a different diligent effort requirement under the Surplus Lines Law applies; repealing s. 626.918(2)(a), F.S., relating to a certain condition before an unauthorized insurer may be or become an eligible surplus lines insurer; amending s. 626.932, F.S.; reducing the tax on surplus lines insurance; deleting a limitation on the tax rate for certain surplus lines policies; amending s. 626.9651, F.S.; revising federal standards applicable to Department of Financial Services and Financial Services Commission rules governing the use of consumer nonpublic personal financial and health information; amending s. 627.416, F.S.; authorizing insurers to issue policies that are not executed by certain authorized

persons; amending s. 627.43141, F.S.; specifying that a written notice of a change in policy terms must summarize the change; amending s. 627.7015, F.S.; authorizing a third party, as assignee of the policy benefits, to request mediation for disputed property insurance claims; providing that insurers are not required to participate in such mediations; making technical changes; amending s. 627.728, F.S.; adding certain proofs of mailing that an insurer may use to provide certain notices relating to cancellation and nonrenewals of policies to certain insureds; amending s. 627.756, F.S.; providing that certain attorney fee provisions apply to suits brought by contractors against surety insurers under payment or performance bonds for building or construction contracts; providing that contractors are deemed to be insureds or beneficiaries for the purposes of such provisions; providing applicability; amending s. 628.4615, F.S.; revising the definition of the term “specialty insurer” to include viatical settlement providers; providing that a person may rebut a presumption of control by filing a specified disclaimer with the Office of Insurance Regulation; providing an alternative to a form prescribed by the commission; providing construction; conforming cross-references; amending s. 628.8015, F.S.; deleting a condition that certain filings and documents relating to insurer own-risk and solvency assessments and corporate governance annual disclosures must be obtained from the office to be inadmissible in evidence in private civil actions; amending s. 629.401, F.S.; revising unearned premium reserve requirements for insurance exchanges regulated by the office; defining the term “net written premiums”; amending s. 634.121, F.S.; revising requirements and procedures for the delivery of motor vehicle service agreements and certain forms by motor vehicle service agreement companies to agreement holders; defining terms; specifying requirements if a motor vehicle service agreement company elects to post service agreements on its website in lieu of mailing or delivering to agreement holders; amending s. 641.3107, F.S.; revising requirements and procedures for the delivery of health maintenance contracts and certain documents by health maintenance organizations to subscribers; defining terms; specifying requirements if a health maintenance organization elects to post health maintenance contracts on its website in lieu of mailing or delivering to subscribers or certain persons; providing an effective date.

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By the Committee on Banking and Insurance; and Senator Bean—

**CS for SB 1106**—A bill to be entitled An act relating to genetic information used for insurance; amending s. 627.4301, F.S.; defining terms; prohibiting life insurers and long-term care insurers, except under certain circumstances, from canceling, limiting, or denying coverage, or establishing differentials in premium rates, based on genetic information; prohibiting such insurers from certain actions relating to genetic information for any insurance purpose; revising a prohibition on the use of genetic test results by health insurers; revising and providing applicability; providing an effective date.

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By the Committee on Banking and Insurance; and Senator Brandes—

**CS for SB 1126**—A bill to be entitled An act relating to the licensure of check cashers; amending s. 560.304, F.S.; providing an exemption from licensure under part III of ch. 560, F.S., for persons authorized by the Office of Financial Regulation to cash, subject to certain limitations, certain payment instruments within a specified aggregate face value range; requiring the office to authorize the person to cash such instruments without such licensure if specified conditions are met; authorizing the Financial Services Commission to adopt rules; providing an effective date.

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By the Committee on Criminal Justice; and Senator Brandes—

**CS for SB 1222**—A bill to be entitled An act relating to sentencing; creating s. 948.0121, F.S.; providing definitions; creating a probationary split sentence for substance use and mental health offenders in accordance with s. 948.012, F.S.; authorizing the court to sentence an offender to the probationary split sentence; providing that an eligible offender must be a nonviolent offender; defining the term “nonviolent offender”; providing sentencing requirements for the probationary split sentence; providing an exception to the court’s order of a probationary split sentence; authorizing the sentencing court to have the Department of Corrections conduct a presentence investigation report in accordance with s. 921.231, F.S., for the purpose of providing the court with ap-

propriate information to determine the type of probation most appropriate for the offender; requiring the department to perform specified duties; requiring the department to provide written notification to specified parties upon the offender’s admission into the in-prison treatment program; providing that the department may find that an offender is not eligible to participate in the in-prison treatment program under certain circumstances; requiring written notification from the department to the specified parties if an offender is terminated from or prevented from entering the in-prison treatment program; providing that an offender is transitioned to probation upon the completion of his or her imprisonment; requiring an offender to comply with specified terms of drug offender or mental health probation; requiring the offender to pay specified costs associated with his or her probation; providing that a certain violation may result in revocation of probation by the court and imposition of any sentence under the law; providing for credit for time served for a sentence that is revoked; requiring the department to develop a computerized system to track certain data; requiring the department, on a certain date and annually thereafter, to submit an annual report to the Governor and the Legislature; requiring the department to adopt rules; providing an effective date.

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By the Committee on Criminal Justice; and Senator Brandes—

**CS for SB 1256**—A bill to be entitled An act relating to the search of the content, information, and communications of cellular phones, portable electronic communication devices, and microphone-enabled household devices; amending s. 934.01, F.S.; revising and providing legislative findings; amending s. 934.02, F.S.; redefining the term “oral communication”; defining the terms “microphone-enabled household device” and “portable electronic communication device”; amending s. 934.21, F.S.; providing criminal penalties for the intentional and unlawful accessing without authorization of certain devices and obtaining wire, oral, or electronic communications stored within those devices; conforming cross-references; amending s. 934.42, F.S.; authorizing an investigative or law enforcement officer to apply to a judge of competent jurisdiction for a warrant, rather than an order, authorizing the acquisition of cellular-site location data, precise global positioning satellite location data, or historical global positioning satellite location data; requiring an application for a warrant to include a statement of a reasonable period of time that a mobile tracking device may be used, not to exceed a specified limit; authorizing a court to grant extensions not individually exceeding a specified limit, for good cause; deleting a provision requiring a certification to be included in the application for an order; requiring the warrant to command the officer to complete an installation authorized by the warrant within a certain timeframe; providing requirements for the return of the warrant to the judge and service of a copy of the warrant on the person who was tracked or whose property was tracked; authorizing a court to delay the notice requirement for a certain time upon request by the law enforcement agency; requiring that the standards established by Florida courts for the installation, use, or monitoring of mobile tracking devices apply to the installation, use, or monitoring of certain devices; redefining the term “tracking device”; authorizing any investigative or law enforcement officer who is specially designated by certain persons and who makes specified determinations to install or use a mobile tracking device under certain circumstances; providing requirements for the installation and use of the mobile tracking devices; providing criminal penalties; providing an effective date.

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By the Committees on Children, Families, and Elder Affairs; and Banking and Insurance; and Senator Stargel—

**CS for CS for SB 1292**—A bill to be entitled An act relating to the Department of Financial Services; amending s. 17.64, F.S.; providing that electronic images of warrants, vouchers, or checks in the Division of Treasury are deemed to be original records; revising the applicable medium, from film or print to electronic, in provisions relating to copies and reproductions of records and documents of the division; amending s. 20.121, F.S.; renaming the Bureau of Fire and Arson Investigations within the Division of Investigative and Forensic Services as the Bureau of Fire, Arson, and Explosives Investigations; creating the Bureau of Insurance Fraud and the Bureau of Workers’ Compensation Fraud within the division; amending s. 39.6035, F.S.; requiring child transition plans to address financial literacy by providing specified information; amending s. 218.32, F.S.; providing legislative intent relating to

the creation of the Florida Open Financial Statement System; authorizing the Chief Financial Officer to consult with certain stakeholders for input on the design and implementation of the system; specifying requirements and procedures for the Chief Financial Officer in selecting and recruiting contractors for certain purposes; requiring the Chief Financial Officer to require completion of all work by a specified date; providing that if the Chief Financial Officer deems work products adequate, all local governmental financial statements pertaining to fiscal years ending on or after a specified date must meet certain requirements; providing construction; providing an appropriation; amending s. 284.40, F.S.; authorizing the department to disclose certain personal identifying information of injured or deceased employees which is exempt from disclosure under the Workers' Compensation Law to department-contracted vendors for certain purposes; amending s. 284.50, F.S.; requiring safety coordinators of state governmental departments to complete, within a certain timeframe, safety coordinator training offered by the department; requiring certain agencies to report certain return-to-work information to the department; requiring agencies to provide certain risk management program information to the Division of Risk Management for certain purposes; specifying requirements for agencies in reviewing and responding to certain information and communications provided by the division; amending s. 409.1451, F.S.; conforming a provision to changes made by the act; amending s. 414.411, F.S.; replacing the Department of Economic Opportunity with the Department of Education in a list of entities to which a public assistance recipient may be required to provide written consent for certain investigative inquiries and to which the department must report investigation results; amending s. 497.168, F.S.; providing an exemption from specified application fees for members and certain veterans of the United States Armed Forces; amending s. 624.317, F.S.; authorizing the department to conduct investigations of any, rather than specified, agents subject to its jurisdiction; amending s. 624.34, F.S.; conforming a provision to changes made by the act; amending s. 624.4073, F.S.; prohibiting certain officers or directors of insolvent insurers from having direct or indirect control over certain selection or appointment of officers or directors, except under certain circumstances; amending ss. 624.4094, 624.501, 624.509, and 625.071, F.S.; conforming provisions to changes made by the act; amending s. 626.112, F.S.; requiring a managing general agent to hold a currently effective producer license rather than a managing general agent license; amending s. 626.171, F.S.; deleting applicability of licensing provisions as to managing general agents; making a technical change; amending s. 626.202, F.S.; providing that certain applicants are not required to resubmit fingerprints to the department under certain circumstances; authorizing the department to require these applicants to file fingerprints under certain circumstances; providing an exemption from fingerprinting requirements for members and certain veterans of the United States Armed Forces; requiring such members and veterans to provide certain documentation of good standing or honorable discharge; amending s. 626.207, F.S.; conforming a provision to changes made by the act; amending s. 626.221, F.S.; adding a designation that exempts applicants for licensure as an all-lines adjuster from an examination requirement; amending s. 626.451, F.S.; deleting a requirement for law enforcement agencies and state attorney's offices to notify the department or the Office of Insurance Regulation of certain felony dispositions; deleting a requirement for the state attorney to provide the department or office a certified copy of an information or indictment against a managing general agent; conforming a provision to changes made by the act; amending s. 626.521, F.S.; revising requirements for credit and character reports secured and kept by insurers or employers appointing certain insurance representatives; providing applicability; amending s. 626.731, F.S.; deleting a certain qualification for licensure as a general lines agent; amending s. 626.7351, F.S.; revising a qualification for licensure as a customer representative; amending s. 626.744, F.S.; conforming a provision to changes made by the act; amending s. 626.745, F.S.; revising conditions under which service representatives and managing general agents may engage in certain activities; amending ss. 626.7451 and 626.7455, F.S.; conforming provisions to changes made by the act; amending s. 626.752, F.S.; revising a requirement for the Brokering Agent's Register maintained by brokering agents; revising the limit on certain personal lines risks an insurer may receive from an agent within a specified timeframe before the insurer must comply with certain reporting requirements for that agent; amending s. 626.793, F.S.; revising the limit on certain risks that certain insurers may receive from a life agent within a specified timeframe before the insurer must comply with certain reporting requirements for that agent; amending s. 626.837, F.S.; revising the limit on certain risks

that certain insurers may receive from a health agent within a specified timeframe before the insurer must comply with certain reporting requirements for that agent; amending s. 626.8732, F.S.; deleting a requirement for a licensed nonresident public adjuster to submit a certain annual affidavit to the department; amending s. 626.8734, F.S.; deleting a requirement for a nonresident independent adjuster to submit a certain annual affidavit to the department; amending s. 626.88, F.S.; conforming a provision to changes made by the act; amending s. 626.927, F.S.; revising conditions under which an individual may be licensed as a surplus lines agent solely for the purpose of placing certain coverages with surplus lines insurers; amending s. 626.930, F.S.; revising a requirement relating to the location of a surplus lines agent's surplus lines business records; amending s. 626.9892, F.S.; authorizing the department to pay up a specified amount of rewards under the Anti-Fraud Reward Program for information leading to the arrest and conviction of persons guilty of arson; amending s. 633.302, F.S.; revising the term duration of certain members of the Florida Fire Safety Board; amending s. 633.304, F.S.; revising circumstances under which an inactive fire equipment dealer license is void; specifying the timeframe when an inactive license must be reactivated; specifying that permittees performing certain work on fire equipment may be contracted rather than employed; revising a requirement for a certain proof-of-insurance form to be provided by the insurer rather than the State Fire Marshal; amending s. 633.314, F.S.; requiring that serial numbers be permanently affixed, rather than permanently stamped, on certain plates of fire extinguishers; amending s. 633.318, F.S.; revising a requirement for a certain proof-of-insurance form to be provided by the insurer rather than the State Fire Marshal; amending s. 633.408, F.S.; specifying firefighter certification requirements for certain individuals employed in administrative and command positions of a fire service provider; specifying conditions for an individual to retain a Special Certificate of Compliance; amending s. 633.416, F.S.; authorizing fire service providers to employ honorably discharged veterans who received Florida-equivalent training; requiring the Division of State Fire Marshal to verify the equivalency of such training before the individual begins employment; requiring such individual to obtain a Firefighter Certificate of Compliance within a specified timeframe; making a technical change; amending s. 633.444, F.S.; deleting a requirement for the Division of State Fire Marshal to develop a staffing and funding formula for the Florida State Fire College; amending s. 648.27, F.S.; revising conditions under which a managing general agent must also be licensed as a bail bond agent; conforming a provision to changes made by the act; amending s. 648.34, F.S.; providing that certain individuals applying for bail bond agent licensure are not required to resubmit fingerprints to the department under certain circumstances; authorizing the department to require such individuals to file fingerprints under certain circumstances; reenacting s. 626.8734(1)(b), F.S., relating to nonresident all-lines adjuster license qualifications, to incorporate the amendment made to s. 626.221, F.S., in a reference thereto; providing an appropriation; providing an effective date.

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By the Committee on Banking and Insurance; and Senator Young—

**CS for SB 1304**—A bill to be entitled An act relating to bicycle sharing; creating s. 341.851, F.S.; providing legislative intent; defining terms; authorizing a bicycle sharing company to allow a minor to operate a bicycle reserved by a user if accompanied by a user; requiring such a minor operator who is under a specified age to wear a helmet; providing insurance requirements for a bicycle sharing company; authorizing a local governmental entity to annually require a bicycle sharing company to provide proof of insurance; authorizing the local governmental entity to issue a fine no greater than a specified amount and to order the bicycle sharing company to cease and desist from operating within the local governmental entity's jurisdiction until any such fine is paid and proof of such insurance is provided, if the company does not provide proof of such insurance; providing requirements for bicycles made available for reservation by a bicycle sharing company; providing company responsibilities; authorizing a local governmental entity to issue a bicycle sharing company certain fines and fees and to impose other penalties under certain circumstances; prohibiting a local governmental entity, under certain circumstances, from taking any action or adopting any local ordinance, policy, or regulation that is designed to limit or prevent a bicycle sharing company or any company engaged in the rental of bicycles from operating within its jurisdiction; providing construction; providing an effective date.

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By the Committee on Children, Families, and Elder Affairs; and Senator Broxson—

**CS for SB 1360**—A bill to be entitled An act relating to child welfare; amending s. 39.0138, F.S.; requiring the Department of Children and Families to establish rules for granting exemptions from criminal history and certain other records checks required for persons being considered for placement of a child; requiring level 1 screening for persons granted such exemption; prohibiting placement of a child with persons convicted of a certain felony; amending s. 402.305, F.S.; revising minimum requirements for child care personnel related to screening and fingerprinting; amending s. 409.175, F.S.; defining the term “severe disability” and providing an exemption from fingerprint requirements for adult household members with severe disabilities; amending s. 409.991, F.S.; revising the equity allocation formula for community-based care lead agencies; amending s. 435.07, F.S.; revising the offenses that disqualify certain child care personnel from specified employment; amending ss. 402.30501, 1002.59, 1002.55, and 1002.57, F.S.; conforming cross-references; providing an effective date.

By the Committee on Banking and Insurance; and Senator Rouson—

**CS for SB 1422**—A bill to be entitled An act relating to insurance coverage parity for mental health and substance use disorders; amending s. 409.967, F.S.; requiring contracts between the Agency for Health Care Administration and certain managed care plans to require the plans to submit a specified annual report to the agency relating to parity between mental health and substance use disorder benefits and medical and surgical benefits; amending s. 627.6675, F.S.; conforming a provision to changes made by the act; transferring, renumbering, and amending s. 627.668, F.S.; deleting certain provisions that require insurers, health maintenance organizations, and nonprofit hospital and medical service plan organizations transacting group health insurance or providing prepaid health care to offer specified optional coverage for mental and nervous disorders; requiring such entities transacting individual or group health insurance or providing prepaid health care to comply with specified provisions prohibiting the imposition of less favorable benefit limitations on mental health and substance use disorder benefits than on medical and surgical benefits; revising the standard for defining substance use disorders; requiring such entities to submit a specified annual report relating to parity between such benefits to the Office of Insurance Regulation; requiring the office to implement and enforce specified federal provisions, guidance, and regulations; specifying actions the office must take relating to such implementation and enforcement; requiring the office to issue a specified annual report to the Legislature; repealing s. 627.669, F.S., relating to optional coverage required for substance abuse impaired persons; providing an effective date.

By the Committee on Judiciary; and Senator Young—

**CS for SB 1482**—A bill to be entitled An act relating to motor vehicles and railroad trains; amending s. 316.003, F.S.; revising the definition of the term “railroad train”; amending s. 316.068, F.S.; requiring that, in the event of a crash involving a railroad train, the collection of certain information be at the discretion of the law enforcement officer having jurisdiction to investigate the crash; specifying that certain persons are not considered passengers for the purpose of making crash reports; providing an effective date.

By the Committees on Rules; and Judiciary; and Senator Passidomo—

**CS for CS for SB 1598**—A bill to be entitled An act relating to deployed parent custody and visitation; repealing s. 61.13002, F.S., relating to temporary time-sharing modification and child support modification due to military service; creating part IV of ch. 61, F.S., entitled “Uniform Deployed Parents Custody and Visitation Act”; providing definitions; providing remedies for noncompliance; authorizing a court to issue certain custodial orders only under certain jurisdiction; providing notice requirements; providing requirements for proceeding for custodial responsibility of a child of a servicemember; providing requirements for agreement forms, termination, modification, power of attorney, and filing; providing requirements for temporary orders of custodial responsibility; authorizing electronic testimony in a proceed-

ing for temporary custody; providing for the effect of any prior judicial order or agreement; authorizing a court to grant caretaking authority or limited contact to a nonparent under certain conditions; providing for the termination of a grant of authority; providing requirements for an order of temporary custody; authorizing a court to enter a temporary order for child support under certain circumstances; authorizing a court to modify or terminate a temporary grant of custodial responsibility; providing procedures for termination of a temporary custodial responsibility agreement; providing for visitation; providing construction; providing applicability; providing an effective date.

By the Committee on Transportation; and Senator Grimsley—

**CS for SB 1608**—A bill to be entitled An act relating to agricultural recovery; providing a short title; amending s. 193.461, F.S.; specifying the methodology for the assessment of certain structures in horticultural production; specifying, subject to certain conditions, that land classified as agricultural remains classified as such for a specified period if such lands are damaged by certain natural disasters and agricultural production is halted or reduced; amending s. 212.08, F.S.; creating a new exemption from sales, rental, use, consumption, distribution, and storage tax for specified materials and labor costs; providing for retroactive application; specifying the requirements for obtaining a refund on taxes paid; specifying a deadline for submissions for such refunds; specifying that possession of a written certification of a purchaser’s entitlement to the exemption by a seller, lessor, or other dealer relieves him or her from the obligation of collecting the tax on nontaxable amounts; requiring the department to look solely to the purchaser for the recovery of certain taxes; creating s. 252.3569, F.S.; requiring the Florida Comprehensive Emergency Management Plan to allow the Department of Agriculture and Consumer Services to create the State Agricultural Response Team; specifying requirements, responsibilities, and duties of the team; amending s. 316.565, F.S.; authorizing the Department of Transportation to waive certain weight load restrictions and permit verifications for the transport of agricultural products from fields or packinghouses to public transportation facilities after certain natural disasters; authorizing the extension of such waivers for certain purposes; authorizing the department to issue or accept electronic verification of permits during specified periods; requiring the department to designate certain routes and render assistance in moving agricultural products under such circumstances; requiring the Department of Highway Safety and Motor Vehicles to consult with certain entities in implementing specified emergency provisions; creating s. 604.71, F.S.; requiring the Department of Transportation to create and administer a program to install directional signs to assist visitors in locating certain agritourism facilities; specifying requirements for the placement of signs; specifying qualifications for the program; requiring the department to adopt rules and coordinate with the Department of Agriculture and Consumer Services in administering the program; providing a directive to the Division of Law Revision and Information; providing an effective date.

## REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Banking and Insurance; and Senator Brandes—

**CS for SB 784**—A bill to be entitled An act relating to insurance; amending s. 625.151, F.S.; providing that certain securities valuation limitations do not apply to certain stock of certain foreign insurers’ subsidiary corporations or related entities; amending s. 625.325, F.S.; providing that certain provisions relating to insurer investments in subsidiaries and related corporations do not apply to foreign insurers under certain circumstances; amending s. 626.221, F.S.; revising professional designations that exempt all-lines adjuster license applicants from an examination requirement; amending s. 626.914, F.S.; revising the definition of the term “diligent effort” to decrease the dwelling replacement cost threshold of a residential structure to which a different diligent effort requirement under the Surplus Lines Law applies; repealing s. 626.918(2)(a), F.S., relating to a certain condition before an unauthorized insurer may be or become an eligible surplus lines insurer; amending s. 626.932, F.S.; reducing the tax on surplus lines insurance; deleting a limitation on the tax rate for certain surplus lines policies; amending s. 626.9651, F.S.; revising federal standards applicable to Department of Financial Services and Financial Services Commission rules governing the use of consumer nonpublic personal fi-



nancial and health information; amending s. 627.416, F.S.; authorizing insurers to issue policies that are not executed by certain authorized persons; amending s. 627.43141, F.S.; specifying that a written notice of a change in policy terms must summarize the change; amending s. 627.7015, F.S.; authorizing a third party, as assignee of the policy benefits, to request mediation for disputed property insurance claims; providing that insurers are not required to participate in such mediations; making technical changes; amending s. 627.728, F.S.; adding certain proofs of mailing that an insurer may use to provide certain notices relating to cancellation and nonrenewals of policies to certain insureds; amending s. 627.756, F.S.; providing that certain attorney fee provisions apply to suits brought by contractors against surety insurers under payment or performance bonds for building or construction contracts; providing that contractors are deemed to be insureds or beneficiaries for the purposes of such provisions; providing applicability; amending s. 628.4615, F.S.; revising the definition of the term “specialty insurer” to include viatical settlement providers; providing that a person may rebut a presumption of control by filing a specified disclaimer with the Office of Insurance Regulation; providing an alternative to a form prescribed by the commission; providing construction; conforming cross-references; amending s. 628.8015, F.S.; deleting a condition that certain filings and documents relating to insurer own-risk and solvency assessments and corporate governance annual disclosures must be obtained from the office to be inadmissible in evidence in private civil actions; amending s. 629.401, F.S.; revising unearned premium reserve requirements for insurance exchanges regulated by the office; defining the term “net written premiums”; amending s. 634.121, F.S.; revising requirements and procedures for the delivery of motor vehicle service agreements and certain forms by motor vehicle service agreement companies to agreement holders; defining terms; specifying requirements if a motor vehicle service agreement company elects to post service agreements on its website in lieu of mailing or delivering to agreement holders; amending s. 641.3107, F.S.; revising requirements and procedures for the delivery of health maintenance contracts and certain documents by health maintenance organizations to subscribers; defining terms; specifying requirements if a health maintenance organization elects to post health maintenance contracts on its website in lieu of mailing or delivering to subscribers or certain persons; providing an effective date.

—was referred to the Committees on Judiciary; Appropriations Subcommittee on General Government; and Appropriations.

By the Committee on Community Affairs; and Senator Baxley—

**CS for SB 964**—A bill to be entitled An act relating to voting systems; amending s. 97.021, F.S.; defining the term “automatic tabulating equipment” for purposes of the Florida Election Code; revising the definition of the term “marksense ballots” for purposes of the Florida Election Code; amending s. 101.151, F.S.; providing applicability of specified ballot requirements to a voter interface device; amending ss. 101.5603 and 101.56075, F.S.; conforming provisions to changes made by the act; amending s. 101.5614, F.S.; revising procedures governing the canvassing of returns to specify usage of a voting system’s automatic tabulating equipment; amending s. 102.141, F.S.; providing that ballots processed through automatic tabulating equipment in a recount do not need to be reprocessed in certain circumstances; amending s. 102.166, F.S.; specifying the manner by which a manual recount may be conducted; revising requirements for hardware or software used in a manual recount; authorizing overvotes and undervotes to be identified and sorted physically or digitally in a manual recount; revising minimum requirements for Department of State rules to require procedures regarding the certification and use of automatic tabulating equipment for manual recounts; providing an effective date.

—was referred to the Committees on Ethics and Elections; and Rules.

By the Committee on Commerce and Tourism; and Senators Brandes, Hutson, and Perry—

**CS for SB 1114**—A bill to be entitled An act relating to professional regulation; amending s. 120.565, F.S.; authorizing a person to seek a declaratory statement from an agency as to the effect of the person’s criminal background on his or her eligibility for certain licenses, re-

gistrations, or certificates; specifying that a person may seek a declaratory statement before meeting any prerequisites for the license, registration, or certification; requiring that an agency’s conclusion in the declaratory statement contain certain statements; providing that the agency’s conclusion is binding except under certain circumstances; requiring a person seeking a declaratory statement to submit certain items to the agency and pay certain fees and costs; providing requirements for the processing of the fingerprints; requiring the petitioner to pay the actual cost of processing the fingerprints; amending s. 326.004, F.S.; deleting the requirement for a yacht broker to maintain a separate license for each branch office; deleting the requirement for the Division of Florida Condominiums, Timeshares, and Mobile Homes to establish a fee; amending s. 447.02, F.S.; conforming provisions; repealing s. 447.04, F.S., relating to licensure and permit requirements for business agents; repealing s. 447.041, F.S., relating to hearings for persons or labor organizations denied licensure as a business agent; repealing s. 447.045, F.S., relating to confidential information obtained during the application process; repealing s. 447.06, F.S., relating to required registration of labor organizations; amending s. 447.09, F.S.; deleting certain prohibited actions relating to the right of franchise of a member of a labor organization; repealing s. 447.12, F.S., relating to registration fees; repealing s. 447.16, F.S., relating to applicability; amending s. 447.305, F.S.; deleting a provision that requires notification of registrations and renewals to the Department of Business and Professional Regulation; amending s. 455.213, F.S.; conforming a cross-reference; requiring the board to use a specified process for the review of an applicant’s criminal record to determine the applicant’s eligibility for certain licenses; prohibiting the conviction of a crime before a specified date from being grounds for the denial of certain licenses; defining the term “conviction”; authorizing a person to apply for a license before his or her lawful release from confinement or supervision; prohibiting additional fees for an applicant confined or under supervision; prohibiting the board from basing a denial of a license application solely on the applicant’s current confinement or supervision; authorizing the board to stay the issuance of an approved license under certain circumstances; requiring the board to verify an applicant’s release with the Department of Corrections; providing requirements for the appearance of certain applicants at certain meetings; requiring the board to adopt rules specifying how certain crimes affect an applicant’s eligibility for licensure; amending s. 464.203, F.S.; prohibiting the conviction of a crime before a specified date from being grounds for the denial of a certification under certain circumstances; prohibiting the conviction of a crime before a specified date from being grounds for the failure of a background screening; defining the term “conviction”; authorizing a person to apply for certification before his or her lawful release from confinement or supervision; prohibiting additional fees for an applicant confined or under supervision; prohibiting the board from basing the denial of a certification solely on the applicant’s current confinement or supervision; authorizing the board to stay the issuance of an approved certificate under certain circumstances; requiring the board to verify an applicant’s release with the Department of Corrections; providing requirements for the appearance of certain applicants at certain meetings; requiring the board to adopt rules specifying how certain crimes may affect an applicant’s eligibility for certification; amending s. 400.211, F.S.; conforming a cross-reference; amending s. 469.006, F.S.; revising licensure requirements for asbestos abatement consulting or contracting as a partnership, corporation, business trust, or other legal entity; amending s. 469.009, F.S.; conforming provisions; amending s. 476.034, F.S.; defining the terms “restricted barber” and “restricted barbering”; amending s. 476.114, F.S.; providing requirements for licensure by examination as a restricted barber; amending s. 476.144, F.S.; requiring the department to license an applicant who the board certifies is qualified to practice restricted barbering; amending s. 477.013, F.S.; revising and providing definitions; repealing s. 477.0132, F.S., relating to registration for hair braiding, hair wrapping, and body wrapping; amending s. 477.0135, F.S.; providing that licensure or registration is not required for persons whose occupation or practice is confined solely to hair braiding, hair wrapping, body wrapping, nail polishing, and make-up application; amending s. 477.019, F.S.; conforming provisions; amending s. 477.0201, F.S.; providing requirements for registration as a nail specialist, facial specialist, or full specialist; amending ss. 477.026, 477.0265, and 477.029, F.S.; conforming provisions; amending s. 481.203, F.S.; revising a definition; amending s. 481.219, F.S.; revising the process by which a business organization obtains the requisite license to perform architectural services or interior design; requiring that a licensee or an applicant apply to qualify a business organization to practice architecture or interior design; pro-

viding application requirements; authorizing the Board of Architecture and Interior Design to deny an application under certain circumstances; providing notice requirements; prohibiting a business organization from engaging in certain practices until it is qualified by a qualifying agent; authorizing the executive director or the chair of the board to authorize a temporary qualifying agent for a specified timeframe under certain circumstances; requiring the board to allow an applicant to qualify one or more business organizations or to operate using a fictitious name under certain circumstances; deleting a requirement for the administration of disciplinary action against a corporation, limited liability company, or partnership; conforming provisions to changes made by the act; amending s. 481.221, F.S.; requiring a business organization to include the license number of a certain registered architect or interior designer in any advertising; providing an exception; conforming provisions to changes made by the act; amending s. 481.229, F.S.; conforming provisions to changes made by the act; amending s. 481.303, F.S.; revising definitions; amending ss. 481.311 and 481.317, F.S.; conforming provisions; amending s. 481.319, F.S.; deleting the requirement for a certificate of authorization; authorizing landscape architects to practice through a corporation or partnership; amending s. 481.321, F.S.; revising requirements related to the display of a certificate number; amending s. 481.329, F.S.; conforming a cross-reference; amending s. 287.055, F.S.; conforming a provision; amending s. 548.003, F.S.; deleting the requirement that the Florida State Boxing Commission adopt rules relating to a knockdown timekeeper; amending s. 548.017, F.S.; deleting the licensure requirement for a timekeeper or announcer; providing an effective date.

—was referred to the Committees on Appropriations; and Rules.

By the Committee on Transportation; and Senator Grimsley—

**CS for SB 1608**—A bill to be entitled An act relating to agricultural recovery; providing a short title; amending s. 193.461, F.S.; specifying the methodology for the assessment of certain structures in horticultural production; specifying, subject to certain conditions, that land classified as agricultural remains classified as such for a specified period if such lands are damaged by certain natural disasters and agricultural production is halted or reduced; amending s. 212.08, F.S.; creating a new exemption from sales, rental, use, consumption, distribution, and storage tax for specified materials and labor costs; providing for retroactive application; specifying the requirements for obtaining a refund on taxes paid; specifying a deadline for submissions for such refunds; specifying that possession of a written certification of a purchaser's entitlement to the exemption by a seller, lessor, or other dealer relieves him or her from the obligation of collecting the tax on nontaxable amounts; requiring the department to look solely to the purchaser for the recovery of certain taxes; creating s. 252.3569, F.S.; requiring the Florida Comprehensive Emergency Management Plan to allow the Department of Agriculture and Consumer Services to create the State Agricultural Response Team; specifying requirements, responsibilities, and duties of the team; amending s. 316.565, F.S.; authorizing the Department of Transportation to waive certain weight load restrictions and permit verifications for the transport of agricultural products from fields or packinghouses to public transportation facilities after certain natural disasters; authorizing the extension of such waivers for certain purposes; authorizing the department to issue or accept electronic verification of permits during specified periods; requiring the department to designate certain routes and render assistance in moving agricultural products under such circumstances; requiring the Department of Highway Safety and Motor Vehicles to consult with certain entities in implementing specified emergency provisions; creating s. 604.71, F.S.; requiring the Department of Transportation to create and administer a program to install directional signs to assist visitors in locating certain agritourism facilities; specifying requirements for the placement of signs; specifying qualifications for the program; requiring the department to adopt rules and coordinate with the Department of Agriculture and Consumer Services in administering the program; providing a directive to the Division of Law Revision and Information; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on Finance and Tax; and Appropriations.

## EXECUTIVE BUSINESS

### EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

The Secretary of State has certified that pursuant to the provisions of section 114.05, Florida Statutes, certificates subject to confirmation by the Senate have been prepared for the following:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Florida Commission on Community Service	
Appointees: Davis, John F., Orlando	09/14/2020
Spann, Judi S., Jacksonville Beach	09/14/2019
Syed, Sabeen Perwaiz, Jacksonville	09/14/2018
Board of Trustees of Florida State College at Jacksonville	
Appointee: Majdanics, Thomas J., Jacksonville	05/31/2021
Board of Trustees of Seminole State College	
Appointee: Lockhart, Amy L., Sanford	05/31/2021
Board of Hearing Aid Specialists	
Appointee: Hollern, Thomas M., Tallahassee	10/31/2021
Florida Real Estate Commission	
Appointee: Sanchez, Guy, Jr., Windermere	10/31/2021

### Referred to the Committee on Ethics and Elections.

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees, Florida Atlantic University	
Appointee: Levine, Bradley M., Boca Raton	01/26/2023

### Referred to the Committees on Education; and Ethics and Elections.

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

### FIRST READING

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 75 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Representative(s) Ponder, Clemons, Drake, Fine, Fischer, Harrell, Silvers, Slosberg, White—

**HB 75**—A bill to be entitled An act relating to postsecondary fee waivers; amending s. 1009.26, F.S.; authorizing a Florida College System institution to waive any portion of certain postsecondary fees for active duty members of the Armed Forces of the United States using military tuition assistance; requiring each institution to report to the State Board of Education the number and value of fee waivers granted annually; providing an effective date.

—was referred to the Committees on Military and Veterans Affairs, Space, and Domestic Security; Appropriations Subcommittee on Higher Education; and Appropriations.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 83, as amended, and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Government Accountability Committee, Oversight, Transparency & Administration Subcommittee and Representative(s) Spano—

**CS for CS for HB 83**—A bill to be entitled An act relating to agency rulemaking; amending s. 120.54, F.S.; requiring certain notices to include an agency website address for a specified purpose; requiring an agency to prepare a statement of estimated regulatory costs before adopting or amending any rule other than an emergency rule; requiring an agency to prepare a statement of estimated regulatory costs before repealing a rule in certain circumstances; requiring that certain rule repeals be considered presumptively correct by the Administrative Procedures Committee or in certain proceedings; conforming provisions to changes made by the act; amending s. 120.541, F.S.; conforming provisions to changes made by the act; requiring the Department of State to include on the Florida Administrative Register website the agency website addresses where statements of estimated regulatory costs can be viewed in their entirety; requiring certain agencies to provide such addresses and revision notices to the department for publication in the Florida Administrative Register; amending ss. 120.55 and 120.56, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

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The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 119 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Representative(s) Pigman—

**HB 119**—A bill to be entitled An act relating to adult cardiovascular services; amending s. 408.0361, F.S.; establishing criteria that must be included by the Agency for Health Care Administration in rules relating to the licensure of certain hospitals performing percutaneous coronary intervention procedures; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; Appropriations; and Rules.

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The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 135, as amended, and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Transportation & Infrastructure Subcommittee and Representative(s) Ausley, Ahern, Stevenson, Willhite—

**CS for HB 135**—A bill to be entitled An act relating to motor vehicle registration applications; amending s. 320.02, F.S.; requiring the application for motor vehicle registration to include language indicating an applicant is deaf or hard of hearing; requiring such information to be included in certain databases; providing for distribution of a voluntary contribution to Preserve Vision Florida; amending s. 320.27, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

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The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 281, as amended, and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Representative(s) Williams, Daniels, Albritton, Gonzalez, Harrell, Jenne, Killebrew—

**HB 281**—A bill to be entitled An act relating to incarcerated parents; creating s. 39.6021, F.S.; requiring the Department of Children and Families to obtain specified information from a facility where a parent is incarcerated under certain circumstances; providing an exception; requiring that a parent who is incarcerated be included in case planning and provided with a copy of the case plan; providing requirements for case plans; specifying that the incarcerated parent is responsible for complying with facility procedures and policies to access services or maintain contact with his or her children as provided in the case plan; requiring the parties to the case plan to move to amend the case plan if a parent becomes incarcerated after a case plan has been developed and the parent's incarceration has an impact on permanency for the child; requiring that the case plan include certain information if the incarcerated parent is released before it expires; requiring the department to include certain information in the case plan if the incarcerated parent does not participate in its preparation; providing construction; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and Rules.

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The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 283 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Representative(s) Raschein—

**HB 283**—A bill to be entitled An act relating to cardiac programs; amending s. 408.0361, F.S.; granting an exception from volume requirements for diagnostic cardiac catheterization procedures and ischemic heart disease diagnoses for certain hospitals providing adult cardiovascular services; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

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The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 313 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Health Quality Subcommittee and Representative(s) Grant, M.—

**CS for HB 313**—A bill to be entitled An act relating to access to health care practitioner services; amending s. 456.013, F.S.; exempting physicians who provide a certain number of hours of pro bono services from continuing education requirements; amending s. 458.310, F.S.; revising the eligibility criteria for a restricted license; prohibiting licensure if a restricted licensee breaches the terms of an employment contract; creating s. 458.3105, F.S.; establishing a registration program for volunteer retired physicians; providing eligibility criteria for such registration; requiring biennial registration renewal; requiring the Department of Health to waive certain fees; authorizing the Board of Medicine to deny, revoke, or impose restrictions or conditions on a registration for certain violations; amending s. 458.311, F.S.; revising the physician licensure criteria applicable to Canadian applicants; amending s. 458.319, F.S.; requiring the department to waive a physician's license renewal fee under certain circumstances; deleting an obsolete date; creating s. 459.00751, F.S.; providing legislative intent; authorizing the Board of Osteopathic Medicine to issue a restricted license to qualified applicants; providing eligibility criteria for such license; prohibiting licensure if a restricted licensee breaches the terms of an employment contract; creating s. 459.00752, F.S.; establishing a registration program for volunteer retired osteopathic physicians; providing eligibility criteria for such registration; requiring biennial registration renewal; requiring the Department of Health to waive certain fees; authorizing the Board of Osteopathic Medicine to deny, revoke, or impose restrictions or conditions on a registration for certain violations;

amending s. 459.008, F.S.; requiring the department to waive an osteopathic physician's license renewal fee under certain circumstances; deleting an obsolete date; amending s. 766.1115, F.S.; revising the definition of the term "low-income" for purposes of the Access to Health Care Act; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

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The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 317 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Government Accountability Committee, Local, Federal & Veterans Affairs Subcommittee and Representative(s) Ingolia—

**CS for CS for HB 317**—A bill to be entitled An act relating to local tax referenda; amending s. 212.055, F.S.; providing that a referendum to adopt or amend a local discretionary sales surtax must be held at a general election; providing an effective date.

—was referred to the Committees on Community Affairs; Appropriations Subcommittee on Finance and Tax; Appropriations; and Rules.

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The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 429 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Health & Human Services Committee, Health Quality Subcommittee and Representative(s) Pigman—

**CS for CS for HB 429**—A bill to be entitled An act relating to donation and transfer of human tissue; amending s. 381.0041, F.S.; requiring the Department of Health to develop and publish on its website an educational pamphlet relating to certain tissue transplants; requiring the educational pamphlet to include specified information relating to the risks and benefits of human cell, tissue, and cellular and tissue-based product transplants; providing an effective date.

—was referred to the Committees on Health Policy; Judiciary; and Rules.

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The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 513 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Representative(s) Rommel—

**HB 513**—A bill to be entitled An act relating to distributing pharmaceutical drugs and devices; amending s. 465.027, F.S.; revising an exception to pharmacy regulations for certain manufacturers and distributors of dialysis drugs or supplies; providing an effective date.

—was referred to the Committees on Health Policy; Regulated Industries; and Rules.

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The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 529 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Commerce Committee and Representative(s) Diaz, M.—

**CS for HB 529**—A bill to be entitled An act relating to the Florida Fire Prevention Code; amending s. 633.202, F.S.; requiring that door-step refuse and recycling collection containers be allowed in exit access corridors of certain apartment occupancies under certain circumstances; authorizing authorities having jurisdiction to approve certain alternative containers and storage arrangements; requiring such authorities to allow apartment occupancies a phase-in period until a specified date to comply; providing for future repeal; providing an effective date.

—was referred to the Committees on Banking and Insurance; Regulated Industries; and Rules.

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The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 533 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Insurance & Banking Subcommittee and Representative(s) Hager, Stark—

**CS for HB 533**—A bill to be entitled An act relating to unfair insurance trade practices; amending s. 626.9541, F.S.; authorizing property and casualty insurers to refuse to insure or continue to insure an applicant or insured for failing to purchase certain noninsurance motor vehicle services; providing an effective date.

—was referred to the Committees on Banking and Insurance; Commerce and Tourism; and Rules.

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The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 539 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Careers & Competition Subcommittee and Representative(s) Cortes, B.—

**CS for HB 539**—A bill to be entitled An act relating to alarm confirmation; amending s. 489.529, F.S.; revising requirements for alarm confirmation to include additional methods by which an alarm monitoring company may confirm a residential or commercial intrusion/burglary alarm signal and to require that two attempts be made to confirm an alarm signal; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; and Rules.

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The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 545 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Representative(s) Fine, Moskowitz, Daniels, Drake, Edwards-Walpole, Fant, Fischer, Hager, Ponder, Rommel, Silvers, Slosberg, Spano, Stark, Stevenson, White, Yarborough—

**HB 545**—A bill to be entitled An act relating to the prohibition against contracting with scrutinized companies; amending s. 287.135, F.S.; prohibiting a company that is on the Scrutinized Companies that Boycott Israel List or that is engaged in a boycott of Israel from bidding on, submitting a proposal for, or entering into or renewing a contract with an agency or local governmental entity for goods or services of any amount; providing exceptions; requiring such contracts entered into or renewed on or after July 1, 2018, to include a provision authorizing termination in specified circumstances; requiring a company to provide a specified certification before submitting a bid or proposal for or en-

tering into or renewing such contracts; providing for preemption of agency or local governmental entity ordinances and rules involving such contracts; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Appropriations Subcommittee on General Government; and Appropriations.

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The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 599 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Representative(s) Altman—

**HB 599**—A bill to be entitled An act relating to lis pendens; amending s. 48.23, F.S.; providing that a person who acquires for a value a lien on property during the course of specified legal actions takes such lien free of claims in certain circumstances; specifying the effect of a valid, recorded notice of lis pendens in certain circumstances involving a judicial sale; providing applicability; providing an effective date.

—was referred to the Committees on Judiciary; Commerce and Tourism; and Rules.

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The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 619 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Post-Secondary Education Subcommittee and Representative(s) Nuñez, Raschein—

**CS for HB 619**—A bill to be entitled An act relating to the renaming of Florida College System institutions; amending s. 1000.21, F.S.; changing the name of "Florida Keys Community College" to "The College of the Florida Keys"; changing the name of "North Florida Community College" to "North Florida College"; providing an effective date.

—was referred to the Committees on Education; Appropriations; and Rules.

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The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 651 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Representative(s) Yarborough—

**HB 651**—A bill to be entitled An act relating to state employment; repealing s. 110.181, F.S., relating to Florida State Employees' Charitable Campaign; creating s. 110.182, F.S.; prohibiting an organization, entity, or person from intentionally soliciting state employees for fundraising or business purposes within specified areas during specified times; providing exceptions; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Appropriations Subcommittee on General Government; and Appropriations.

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The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 721 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Health & Human Services Committee and Representative(s) Silvers—

**CS for HB 721**—A bill to be entitled An act relating to mental health and substance abuse services; amending s. 397.321, F.S.; deleting a requirement that the Department of Children and Families develop a certification process by rule for community substance abuse prevention coalitions; amending ss. 916.13 and 916.15, F.S.; requiring the department to request medical information from jails pertaining to certain defendants within a specified timeframe; requiring jails to provide such information to the department within a specified timeframe; requiring the continued administration of psychotropic medication to certain defendants upon their discharge and transfer to jails under certain conditions; specifying that final authority regarding the administration of such medication rests with the jail physician; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Appropriations Subcommittee on Health and Human Services; and Appropriations.

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The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 973 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Representative(s) Daniels, Plasencia—

**HB 973**—A bill to be entitled An act relating to performance of physician assistants and advanced registered nurse practitioners; amending ss. 458.347 and 459.022, F.S.; authorizing a physician assistant to sign, certify, stamp, verify, or endorse a document that requires the signature, certification, stamp, verification, or endorsement of a physician; providing an exception; amending s. 464.012, F.S.; authorizing an advanced registered nurse practitioner to sign, certify, stamp, verify, or endorse a document that requires the signature, certification, stamp, verification, or endorsement of a physician within the framework of an established protocol and under supervision; providing an exception; providing an effective date.

—was referred to the Committees on Health Policy; Judiciary; and Rules.

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The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 6003, as amended, and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Representative(s) White—

**HB 6003**—A bill to be entitled An act relating to the Participant Local Government Advisory Council; amending s. 218.409, F.S.; abolishing the Participant Local Government Advisory Council; amending ss. 218.421 and 218.422, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Community Affairs; Appropriations Subcommittee on General Government; and Appropriations.

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The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 6009 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Representative(s) Geller, Davis, Jenne—

**HB 6009**—A bill to be entitled An act relating to write-in candidates; repealing s. 99.0615, F.S., relating to write-in candidate residency requirements; providing an effective date.

—was referred to the Committees on Ethics and Elections; Community Affairs; and Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 6013 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Representative(s) Byrd, Fischer, Clemons, Fant—

**HB 6013**—A bill to be entitled An act relating to return of property; amending s. 933.14, F.S.; deleting a provision requiring a court to order the return of a pistol or firearm when the pistol or firearm is taken by an officer with a search warrant or without a search warrant upon viewing a breach of the peace; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 7029 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Oversight, Transparency & Administration Subcommittee and Representative(s) Edwards-Walpole, White—

**HB 7029**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 943.0583, F.S., which provides an exemption from public record requirements for certain criminal history records ordered expunged that are retained by the Department of Law Enforcement; removing the scheduled repeal of the exemption; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 7031 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Oversight, Transparency & Administration Subcommittee and Representative(s) Burgess—

**HB 7031**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 286.01141, F.S., which provides an exemption from public meeting requirements for certain portions of meetings by a duly constituted criminal justice commission; removing the scheduled repeal of the exemption; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 7033 by the required constitutional three-fifths vote of the membership and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Transportation & Tourism Appropriations Subcommittee and Representative(s) Ingram—

**HB 7033**—A bill to be entitled An act relating to trust funds; re-creating the Land Acquisition Trust Fund within the Department of State without modification; amending s. 20.106, F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 7035 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Natural Resources & Public Lands Subcommittee and Representative(s) McClain—

**HB 7035**—A bill to be entitled An act relating to ratification of St. Johns River Water Management District rules; ratifying a specified rule relating to implementation of the water management district's prevention strategy to address the Silver Springs minimum flows and water levels, for the sole and exclusive purpose of satisfying any condition on effectiveness pursuant to s. 120.541(3), F.S., which requires ratification of any rule meeting any specified thresholds for likely adverse impact or increase in regulatory costs; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; and Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 7045 and requests the concurrence of the Senate.

*Portia Palmer, Clerk*

By Rules & Policy Committee and Representative(s) Nuñez—

**HB 7045**—A bill to be entitled An act relating to the Legislature; fixing the date for convening the 2020 Regular Session of the Legislature; providing an effective date.

—was referred to the Committee on Rules.

## CORRECTION AND APPROVAL OF JOURNAL

The Journal of February 7 was corrected and approved.

## CO-INTRODUCERS

Senators Brandes—SB 190, CS for SB's 1400 and 1640; Campbell—SB 486, CS for SB 852; Perry—SB 138, CS for CS for SB 664, SB 764, CS for SB 1206, CS for SB 1392; Powell—CS for SB 614, CS for SB 1494, SR 1904; Rouson—SB 486; Taddeo—CS for SB 614; Torres—SM 882

## ADJOURNMENT

On motion by Senator Benacquisto, the Senate adjourned at 5:09 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Wednesday, February 14 or upon call of the President.

# JOURNAL OF THE SENATE

## Daily Numeric Index for

February 8, 2018

PA — Proposal Action  
PF — Proposal Failed  
PP — Proposal Passed  
CO — Co-Introducers  
CR — Committee Report

CS — Committee Substitute, First Reading  
FR — First Reading  
MO — Motion  
RC — Reference Change

SB 28	(CR) 336	SB 1304	(CR) 337
SR 94	(FR) 309	SB 1306	(CR) 337
SB 138	(CO) 346	CS/SB 1360	(CS) 340
CS/SB 152	(BA) 316	SB 1360	(CR) 337
SB 162	(BA) 313, (BA) 314, (CR) 336	CS/SB 1392	(CO) 346
CS/SB 182	(CS) 337	CS/SB's 1400 and 1640	(CO) 346
SB 182	(CR) 337	CS/SB 1422	(CS) 340
SB 190	(CO) 346	SB 1422	(CR) 337
CS/SB 276	(BA) 313, (CR) 336	CS/SB 1482	(CS) 340
CS/SB 278	(BA) 314, (CR) 336	SB 1482	(CR) 337
CS/SB 298	(CR) 336	CS/SB 1494	(CO) 346
SB 314	(BA) 313, (CR) 336	SB 1532	(CR) 337
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