

THE FLORIDA SENATE  
2016 SUMMARY OF LEGISLATION PASSED  
**Committee on Appropriations**

**CS/SB 1322 — Juvenile Detention Costs**

by Appropriations Committee and Senator Latvala

This bill creates s. 985.6585, F.S., relating to payment for the costs of juvenile detention care that is provided by the Department of Juvenile Justice (DJJ). The bill revises the method for calculating the share of detention care costs that must be paid by each county that is not a fiscally constrained county and that does not provide its own detention care for juveniles. The new method applies to any county that: (1) dismisses all actions against the state that are related to detention costs; and (2) releases and waives any existing or future claim arising from detention cost share prior to Fiscal Year 2016-2017. Any county that does not fulfill the conditions will be billed according to the existing method set out in s. 985.686, F.S.

The share of detention costs for each county that meets the conditions of the new statute will be based on the percentage of detention days used for that county's juveniles in the most recently completed 12-month period compared to detention days used for all counties that are not fiscally constrained during the same period. For Fiscal Year 2016-2017, each such county's payment will be calculated by multiplying the county's percentage of detention day use by \$42.5 million. For Fiscal Year 2017-2018 and thereafter, each such county's payment will be calculated by multiplying the county's percentage of detention day use by 50 percent of total detention care costs in the prior fiscal year for all counties that are not a fiscally constrained county. The DJJ is responsible for paying the remainder of detention costs.

The bill includes an appropriation of \$7.3 million in recurring funds and \$3.5 million in nonrecurring funds from the General Revenue Fund for Fiscal Year 2016-2017. This appropriation is a supplement to funds appropriated to the DJJ in the 2016-2017 General Appropriations Act for the purpose of paying the state's share of costs for juvenile detention.

If approved by the Governor, the majority of the bill's provisions take effect upon becoming law. By exception, the appropriation takes effect July 1, 2016.

*Vote: Senate 38-0; House 117-0*

THE FLORIDA SENATE  
2016 SUMMARY OF LEGISLATION PASSED  
**Committee on Appropriations**

**HB 5001 — General Appropriations Act**

by Appropriations Committee and Rep. Corcoran (SB 2500 by Appropriations Committee)

The General Appropriations Act for Fiscal Year 2016-2017 provides for a total budget of \$82.3 billion, including:

- General revenue (GR): \$30.3 billion
- Trust funds (TF): \$52.1 billion
- Full time equivalent positions (FTE): 113,416.32

**Reserves**

Total: \$3 billion

- Working Capital Fund - \$1.0 billion
- Budget Stabilization Fund - \$1.4 billion
- Lawton Chiles Endowment Fund - \$568 million

**Major Issues**

***Education Capital Outlay***

- Total: \$693.5 million [\$678.5 million PECO TF; \$15 million GR]
  - Public School Repairs and Maintenance - \$75 million
  - Charter School Repairs and Maintenance - \$75 million
  - Developmental Research Schools - \$5.3 million
  - Public School Special Facilities - \$75.4 million
  - Florida College System Repairs and Maintenance - \$36.2 million
  - Florida College System Projects - \$176 million
  - State University System Repairs and Maintenance - \$61.8 million
  - State University System Projects - \$168.5 million
  - School for the Deaf and Blind Critical Repairs and Maintenance - \$9.1 million
  - Public Broadcasting - Health and Safety Issues - \$3.1 million
  - Vocational-Technical Colleges - 3.8 million
  - Osceola County Schools - \$4 million
  - Division of Blind Services - \$310,000
- In addition: \$35 million in authorization for SUS Capital Improvement Student Fee Projects

***Florida Retirement System***

- FRS Normal Costs, Unfunded Actuarial Liability, and an Administrative and Educational Fee Adjustment - Total \$52.4 million [\$46.6 million GR; \$5.8 million TF]
  - State Agencies - \$4.1 million GR; \$5.8 million TF
  - School Boards K-12 - \$34.6 million GR
  - State Universities - \$4.9 million GR

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- Community Colleges - \$3.0 million GR
- State Group Health Insurance - Total \$95.1 million [\$55.5 million GR; \$39.6 million TF]
- Pay Issues - Total \$6.5 million [\$2.5 million GR; \$4.0 million TF]
  - Department of Agriculture Firefighter Salary Increase - \$2.4 million GR
  - Crime Lab Salary Adjustments - \$3.96 million TF
  - Military Affairs Pay Adjustments - \$0.11 million GR

### ***Information Technology***

Total - \$12.4 million [\$9.4 million GR; \$3.0 million TF]

### ***Domestic Security***

Total - \$30.8 million TF

### ***State Match for Federally Declared Disasters***

Total - \$23.1 million GR

### **Education Appropriations**

Total Appropriations: \$19.8 billion [\$15.5 billion GR; \$4.3 billion TF][\[1\]](#)

Total Funding - Including Local Revenues: \$31.8 billion [\$19.8 billion state funds; \$12 billion local][\[2\]](#)

### **Major Issues**

#### ***Early Learning Services***

Total: \$1.05 billion [\$557.7 million GR; \$477.1 million TF]

- Voluntary Prekindergarten Program - \$395.2 million GR; including additional \$5.9 million for 2,223 students and BSA funding maintained
- School Readiness Program - \$570.8 million [\$137.1 million GR; \$433.7 million TF]

#### ***Public Schools/K12 FEFP***

Total Funding: \$20.2 billion [\$11.3 billion state funds; \$8.9 billion local]

- FEFP Total Funds Increase is \$458 million or 2.33%
- FEFP Increase in Total Funds per Student is \$71, a 1.00% increase
- Enrollment Workload Increase of \$143 million state funds for additional 35,494 students
- Property Tax Millage Reduction of .29 mills [Property Tax Relief of \$428 million]
- Federally Connected Student Supplement - \$12.1 million

- ESE Guaranteed Allocation - additional \$96 million to return to pre-recession funding level
- Supplemental Academic Instruction for Extended Day Program for Intensive Reading for 300 Elementary Schools and Workload - additional \$61 million
- Digital Classrooms increase of \$20 million for a total of \$80 million

#### ***Public Schools/K12 Non-FEFP***

- Mentoring Programs - \$15.2 million GR
- Educator Professional Liability Insurance [\$2 million coverage] - \$1.2 million GR
- Teacher and Administrator Professional Development programs - \$9.3 million GR
- Best and Brightest Teacher Scholarship Program - \$49 million GR
- School District Matching Grants for school district foundations - \$4.5 million GR
- Exceptional Education Program funds - \$6.7 million [\$4.3 million GR; \$2.3 million TF]
- Florida School for the Deaf & Blind - \$50.2 million [\$45.7 million GR; \$4.5 million TF]

#### ***District Workforce***

Total: \$535.3 million [\$286.4 million GR; \$202.2 million TF; \$46.7 million tuition/fees]

- Workforce Development - \$365 million [\$276.5 million GR, \$88.5 million TF]
- CAPE Incentive Funds for Industry Certifications in Targeted Occupational Areas, including Health Science and Information Technology - \$4.5 million GR

#### ***Florida College System***

Total: \$2.4 billion [\$966.2 million GR; \$273.8 million TF; \$1.2 billion tuition/fees]

- Designation of Distinguished Colleges \$2 million GR
- Performance Based Funding - \$60 million GR
  - \$30 million State Investment [GR]
  - \$30 million Institutional Investment
    - Reprioritization from the base of each institution
- CAPE Incentive Funds for Industry Certifications in Targeted Occupational Areas, including Health Science and Information Technology - \$10 million GR
- Funding Model Equity - additional funds - \$10 million
- Compression Funding - additional funds - \$12.5 million

#### ***State University System***

Total: \$4.7 billion [\$2.5 billion GR; \$322.7 million TF; \$2.0 billion tuition/fees]

- Performance Based Funding - \$500 million
  - \$225 million State Investment [GR]
  - \$275 million Institutional Investment
    - Reprioritized from the base of each institution
- Johnson Matching Gift Program - \$1.2 million GR (\$465,000 Increase)

- Additional Funds for Preeminent and Emerging Preeminent State Universities - \$36.9 million GR

### ***Private Colleges***

Total: \$156.8 million GR

- Florida Resident Access Grant - Maintains current student award amount of \$3,000
- ABLE Grant - Maintains current student award amount of \$1,500
- Historically Black Colleges and Universities Funding Increase [\$800,000 GR]

### ***Student Financial Aid***

Total: \$408 million [\$109.4 million GR, \$298.6 million TF]

- Bright Futures - Workload Decrease - \$22.5 million TF
- Florida National Merit Scholar Incentive Program - Workload Increase - \$4.5 million
- Children/Spouses of Deceased or Disabled Veterans Workload Increase - \$1.7 million
- Need-based educational benefits to pay living expenses during semester breaks for active duty and honorably discharged members of the Armed Forces - \$1 million

### ***Vocational Rehabilitation***

Total: \$216.6 million [\$49 million GR, \$167.6 million TF]

- Adults with Disabilities funding - \$5.4 million

## **Health and Human Services Appropriations**

Total Budget: \$34,313.9 million [\$9,490.8 million GR; \$24,823 million TF]; 31,772.57 positions

## **Major Issues**

### ***Agency for Health Care Administration***

- Total: \$26,599.7 million [\$6,545 million GR; \$20,054.7 million TF]; 1,546 positions
- Hospital Rate Adjustors: Diagnosis Related Groups (DRG) - \$67.7 million GR; \$105.9 million TF
- Florida KidCare Coverage for Lawfully Residing Children - \$28.8 million TF
- Medicaid Charter School Reimbursement - \$4.0 million GR; \$6.3 million TF
- Medicaid Homeless Mental Health Transitional Housing - \$4.0 million GR; \$6.3 million TF
- Medicaid Long Term Care Waiver Wait List (will serve approximately 570 individuals) - \$3.2 million GR; \$5.0 million TF
- Physician Supplemental Payments - \$204.0 million TF
- Neonatal Intensive Care Unit (NICU/ Pediatric Intensive Care Unit (PICU) - \$3.0 million GR; \$4.7 million TF

- Intermediate Care Facilities for the Developmentally Disabled (ICF/DD) Rate Increase - \$4.0 million GR; \$6.3 million TF
- Rate Increase for Private Duty Nursing Services - \$3.0 million GR; \$4.7 million TF
- Funding for Children's Specialty Hospitals - \$7.3 million GR
- Florida Medicaid Management Information System - \$8.7 million TF
- Legal Representation - \$3.2 million TF
- Advanced Data Analytics and Detection Services - \$3.0 million TF
- Rural Inpatient Hospital Reimbursement Adjustment - \$.9 million GR; \$1.5 million TF
- Reductions Based on Historical Reversions - (\$2.2) million TF
- Contract Savings - (\$.3) million GR; (\$1.8) million TF
- Management Efficiencies - (\$.5) million TF; (19) positions

### ***Agency for Persons with Disabilities***

Total: \$1,310.1 million [\$550.0 million GR; \$760.2 million TF]; 2,711.50 positions

- Service Provider Rate Increases - \$24.08 million GR, \$37.7 million TF:
  - Service Provider Rate Increase to Address Federal Fair Labor Standards Act - \$14.4 million GR; \$22.5 million TF
  - Residential Habilitation Provider Rate Increase - \$4.2 million GR; \$6.6 million TF
  - Adult Day Training Provider Rate Increase - \$2.7 million GR; \$4.3 million TF
  - Personal Supports Provider Rate Increase - \$2.7 million GR; \$4.2 million TF
- Transition Waitlist Individuals to the iBudget Waiver (will serve approximately 1,350 individuals) - \$14.2 million GR; \$22.2 million TF
- Transition Waitlist Individuals with Phelan-McDermid Syndrome - \$1 million GR; \$1.6 million TF
- Rish Park and Developmental Disability Centers Fixed Capital Repairs - \$2.8 million GR
- Additional Funding for 30 Staff at Regional Offices - \$1.3 million GR; \$1.3 million TF
- Client Data Management System - \$1.9 million TF
- Centers for Medicare and Medicaid Rule Implementation - \$.4 million GR; \$.5 million TF
- Pre-Admission Screening and Resident Review and Utilization Review - \$.2 million GR; \$.4 million TF
- Support for Behavioral Analysis Services - \$.5 million GR, \$.5 million TF
- Supported Employment Services for Waitlist Individuals - \$.5 million GR

### ***Department of Children and Families***

Total: \$3,090.4 million [\$1,715.3 million GR; \$1,375.1 million TF]; 11,909.5 positions

- CBC Core Services Funding - \$7.5 million GR; \$15.4 million TF
- Mental Health and Substance Abuse Services - \$20.5 million TF
- Grant Program for Central Receiving Systems - \$10 million GR
- Community Teams Providing Mental Health and Substance Abuse Services - \$9.8 million GR

- Maintenance Adoption Subsidies - \$.3 million GR; \$6.4 million TF
- Expansion of the Criminal Justice, Mental Health and Substance Abuse Reinvestment Grant Program - \$6 million GR
- CBC Risk Pool - \$5 million GR
- Additional Staff at the State Mental Health Facilities - \$1.4 million GR; \$3.1 million TF
- State Mental Health Facilities Additional Forensic Beds - \$3.8 million GR
- Community Forensic Beds - \$3.5 million GR
- Transition Vouchers for Individuals With Behavioral Health Conditions - \$3.5 million GR
- Child Welfare Training - \$3.1 million TF
- State Employee and CBC Adoption Incentive Awards - \$3 million GR
- Healthy Families Expansion - \$.5 million GR; \$1.5 million TF
- Challenge Grant Program for Homeless Assistance - \$1.2 million TF
- Homeless Coalitions - \$1 million GR
- Maintenance and Repair of State Facilities - \$2 million TF
- Surveillance System for State Mental Health Facilities - \$1.6 million GR
- Automated Medication Dispensing System for State Mental Health Facilities - \$1.5 million TF
- Enhancements to FSN application - \$2.1 million GR; \$4.6 million TF

### ***Department of Elder Affairs***

Total: \$311.3 million [\$134.7 million GR; \$176.6 million TF]; 433.5 positions

- Program of All Inclusive Care for the Elderly (PACE) Expansion - \$4.2 million GR; \$6.5 million TF; 394 additional slots
- Serve Additional Clients in the Community Care for the Elderly (CCE) Program (will serve approximately 324 individuals) - \$2.0 million GR
- Alzheimer's Disease Initiative - Frail Elders Waiting for Services (will serve approximately 133 individuals) - \$1.6 million GR
- Aging Resource Centers - \$.7 million GR; \$.7 million TF
- Information and Registration Tracking System - \$.1 million GR; \$.1 TF

### ***Department of Health***

Total: \$ 2,896.8 million [\$536.1 million GR; \$2,360.7 million TF]; 14,065.57 positions

- Child Nutrition Program - \$34.3 million TF
- Federally Qualified Health Centers - \$18.3 million GR
- Women, Infant and Children (WIC) Program - \$13.4 million TF
- Continuing Disability Review - \$12.1 million TF
- Free and Charitable Clinics - \$10.0 million GR
- Disability Determination - \$9.8 million TF
- County Health Departments and State Laboratories Fixed Capital Repairs - \$7.9 million TF

- Sanford-Burnham Research Institute - \$1.1 million GR; \$4.5 million TF
- Funding for Safety Net Program - Children's Medical Services Network - \$5.0 million GR
- Poison Control Centers - \$3.7 million GR
- Pharmaceuticals for the Department of Corrections - \$3.2 million TF
- Information Technology - Addressing Security Risks and Disaster Recovery Services - \$2.3 million GR
- Funding for Alzheimer's Research - \$2.0 million GR
- Pregnancy Support Services - Wellness Services - \$2 million GR
- HIV/AIDS Research at NIH-Designated Centers - \$1.0 million GR
- Reduce Waitlist for Brain and Spinal Cord Injury Program Medicaid Waiver - \$.4 million GR; \$.6 million TF
- Cancer Registry Enhancements - \$.7 million GR
- Nurse-Family Partnership Implementation - \$.7 million GR
- Epilepsy Services Program - \$.6 million GR
- Statewide Marketing Campaign for the Developmental Disabilities Information Clearinghouse - Bright Expectations - \$.3 million GR
- Management & Efficiency - (\$.5) million GR; (\$15.0) million TF; (517.0) positions

### ***Department of Veterans Affairs***

Total: \$105.6 million [\$9.8 million GR; \$95.8 million TF]; 1,106.5 positions

- Continue Construction of the Seventh State Veterans' Nursing Home - \$6.8 million TF
- Maintenance and Repair for State Veterans' Nursing Homes - \$2 million TF
- Florida is For Veterans Training Grants - \$1.5 million GR
- Replacement of Office and Medical Equipment in State Veteran Nursing Homes - \$1.1 million TF

### **Criminal and Civil Justice Appropriations**

Total Budget: \$4.974.6 billion [\$4.084.1 billion GR; \$890.5 million TF]; 45,608.50 FTE

### **Major Issues**

- Department of Corrections redirection of funds to address operational deficiencies - \$50.2 million
- State Court Revenue Trust Fund revenue shortfall - \$8.5 million in recurring GR
- Construction of the Third and Fourth District Court of Appeal (DCA) courthouses - \$14.0 million

### ***Attorney General/ Legal Affairs***

Total: \$308.6 million [\$53.3 million GR; \$255.3 million TF]; 1,390.50 FTE

- Criminal appeals workload - \$.6 million GR



- Agency information governance for E-Discovery - \$.5 million GR
- Medicaid Fraud Control Unit - Civil Enforcement - \$4.0 million TF
- Implement the Federal Victims Assistance and Compensation (VOCA) Grants - \$95.2 million TF
- Statewide Network of Commercially Sexually Exploited Children (CSEC) Program - The Children's Campaign - \$.5 million GR / \$2.6 million TF

### ***Department of Corrections***

Total: \$2.40 billion [\$2.33 billion GR; \$71.8 million TF]; 24,107.00 FTE

- Reduce overtime and fill vacant positions - \$12.2 million GR
- Health Services funding for increased costs - \$15 million GR
- Motor vehicles - \$3.3 million GR
- Reentry programs - \$5.3 million GR
- Residential substance abuse treatment services - \$.9 million GR
- Fixed capital outlay for repair and maintenance of DOC facilities - \$17.0 million GR

### ***Florida Department of Law Enforcement (FDLE)***

Total: \$293.1 million [\$114.4 million GR; \$178.7 million TF]; 1,830.00 FTE

- Forensic Services enhancements - \$3.8 million TF
- Increase investigative staffing for officer involved shooting and use of force investigations - \$1.7 million
- Fixed capital outlay for new Pensacola Regional Operations Center - \$3 million GR
- Replacement of crime scene vans - \$.7 million TF
- Sexual assault kit backlog reduction plan - \$2.3 million GR
- Increase Domestic Security Grants Trust Fund authority - \$3.9 million TF
- Increase Grants and Trust Fund authority - \$2.6 million TF
- Capitol security upgrades - \$.2 million TF
- Critical information systems upgrades - \$1.7 million TF
- Computerized Criminal History (CCH) system replacement - \$3.2 million TF
- Libra System Software/CCH system upgrade - \$1.6 million TF
- Automated Training Management System update - \$1.5 million TF

### ***Department of Juvenile Justice***

Total: \$545.8 million [\$395.7 million GR; \$150.1 million TF]; 3,269.50 FTE

- PACE Centers for Girls - \$2.4 million GR
- Children-In-Need-of-Services/Family-In-Need-of-Services (CINS/FINS) - \$1.5 million GR
- Fixed capital outlay for repair and maintenance of department-owned facilities - \$6.2 million GR
- Staff to youth ratio increase in contracted residential programs - \$1.9 million GR

- Information technology infrastructure replacement - \$.7 million GR

***Supreme Court***

Total: \$34.1 million [\$18.1 million GR; \$16.0 million TF]; 287.50 FTE

- Operational support for the Supreme Court - 6 FTE and \$.7 million GR
- Interior space refurbishing - \$.2 million GR

***District Courts of Appeal***

Total: \$60.8 million [\$46.8 million GR; \$14.0 million TF]; 445.00 FTE

- Construction of the 4th DCA courthouse - \$7.5 million GR
- Completion of construction of the 3rd DCA courthouse - \$6.5 million GR

***Trial Courts***

Total: \$425.5 million [\$365.0 million GR; \$60.5 million TF]; 3,598.00 FTE

- Address revenue shortfalls in the State Court Revenue Trust Fund - \$8.5 million GR
- Naltrexone injections to treat opioid- and alcohol-addicted offenders - \$2.0 million GR

***Justice Administrative Commission***

Total: \$107.9 million [\$106.6 million GR; \$1.3 million TF]; 99.00 FTE

- Increase flat fee rates for court-appointed attorneys - \$2.9 million GR
- Increased due process funding for court-appointed attorneys - \$3.4 million GR

***Guardian ad Litem***

Total: \$46.4 million [\$46.1 million GR; \$0.3 million TF]; 740.00 FTE

- Increase staffing to represent children in in-home care - 25.5 FTE and \$1.4 million GR
- Increase staffing to represent children in out-of-home care - 19 FTE and \$1.1 million GR

***State Attorneys***

Total: \$442.3 million [\$341.2 million GR; \$101.1 million TF]; 6,131.50 FTE

- State Attorney workload - 42.25 FTEs and \$2.3 million GR / \$889K in TF

***Public Defenders***

Total: \$222.9 million [\$182.8 million GR; \$40.1 million TF]; 2,863.50 FTE

- Public Defender workload - 56.5 FTEs and \$3.6 million GR / \$2.4 million in TF

***Capital Collateral Regional Counsels***

Total: \$10.4 million [\$9.8 million GR; \$0.6 million TF]; 92.00 FTE

- Capital Collateral Regional Counsel (CCRC) - North Office workload - 4 FTEs and \$.4 million GR

### ***Regional Conflict Counsel***

Total: \$43.1 million [\$42.6 million GR; \$0.6 million TF]; 431.00 FTE

- Regional Conflict Counsel workload - 6 FTE and \$.5 million GR

### ***Clerks of the Court***

- Address clerk revenue deficits - \$12.9 million nonrecurring GR for CFY 2015-16 and \$11.7 million in recurring GR to compensate clerks for juror costs

## **Transportation, Tourism, and Economic Development Appropriations**

Total Budget: \$12.9 billion [\$180.4 million GR; \$12.7 billion TF]; 13,351.5 positions

### **Major Issues**

- Transportation Work Program - \$9.8 billion TF
- Affordable Housing Programs - \$200.1 million TF
- Economic Development Incentive Programs, Projects and Initiatives - \$52.4 million (TF & GR)
- Economic Development Partners - \$129.2 million TF
- Library Grants and Initiatives - \$27.3 million GR
- Cultural and Museum Grants and Initiatives - \$47.1 million (TF & GR)
- Historic Preservation Grants and Initiatives - \$19.4 million (TF & GR)
- Motorist Modernization Project and Enterprise Data Infrastructure - \$15.3 million TF
- National Guard Tuition Assistance - \$3.5 million GR

### ***Department of Economic Opportunity***

Total: \$1.11 billion [\$33.4 million GR; \$1.08 billion TF]; 1,537.5 positions

- Economic Development Incentive Programs, Projects and Initiatives - \$52.4 million [\$12.7 million GR; \$39.7 million TF] includes:
  - Economic Development Toolkit Payments - \$18 million TF
- Economic Development Partners - \$129.2 million [\$9 million GR; \$120.2 million TF] includes:
  - Enterprise Florida (EFI) - \$23.5 million [\$2.5 million GR; \$21 million TF]
  - VISIT Florida - \$76 million [\$2 million GR; \$74 million TF]
  - Florida Sports Foundation - \$4.7 million TF
  - Space Florida - \$19.5 million TF [\$12.5 million recurring; \$7 million nonrecurring]
  - Institute for the Commercialization of Public Research - \$5.5 million [\$4.5 million GR; \$1 million TF]

- Workforce Development Programs, Projects, and Initiatives - \$19 million [\$1 million GR; \$18 million TF] includes:
  - Quick Response Training Program - \$12.1 million TF
  - Workforce Development Projects and Initiatives - \$6.9 million [\$1 million GR; \$5.9 million TF]
- Affordable Housing Programs - \$200.1 million TF:
  - SHIP - \$135.5 million TF (allocated to local governments), includes:
    - More flexibility in the SHIP program regarding rent subsidies and rental assistance
    - \$5.2 million allocated for homeless Challenge Grants
  - State Housing Programs - \$64.6 million TF includes:
    - At least 50 percent for the SAIL Program
    - \$10 million for competitive grant program for housing developments designed for persons with developmental disabilities
    - \$20 million for workforce housing to serve low-income persons and certain households in the Florida Keys
- Housing and Community Development Programs, Projects, and Initiatives - \$33.2 million [\$10.3 million GR; \$22.9 million TF] includes:
  - Housing and Community Development Projects and Initiatives - \$31.9 million [\$10.3 million GR; \$21.6 million TF]
  - Technical and Planning Assistance and Competitive Florida Partnership Program - \$1.3 million TF

### ***Department of State***

Total: \$150.1 million [\$113.0 million GR; \$37.1 million TF]; 411 positions

- State Aid to Libraries - \$22.3 million GR
- Libraries - \$5 million GR
  - Library Construction Grant Ranked List - \$2 million (fully funds list - 4 projects)
  - Library Construction Projects - \$1 million
  - Library Cooperatives - \$2 million recurring
- Cultural & Museum Program Support Grants - \$22.6 million [\$18.6 million GR; \$4 million TF]
  - Ranked List - \$19 million (funds distributed proportionally to 413 projects)
  - Cultural and Museum Projects - \$3.6 million
- Cultural Facilities Grants - \$22.3 million GR
  - Ranked List - \$11.9 million (fully funds list - 37 projects)
  - Cultural Facilities Projects - \$10.4 million
- Culture Builds Florida Grants - \$1.7 million GR (fully funds list - 80 projects)
- Cultural Endowment Grants - \$.5 million GR (fully funds list - 2 projects)
- Historic Small Matching Grants - \$1.8 million [TF and GR] (fully funds list - 54 projects)
- Historic Facilities Grants - \$17.6 million
  - Ranked List - \$10.8 million TF (funds 37 of 50 projects on list)
  - Historic Preservation Projects - \$6.8 million GR

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- County Elections Assistance - \$3 million TF

### ***Department of Transportation***

Total: \$10.8 billion [\$2.7 million GR; \$10.8 billion TF]; 6,379 positions

- Transportation Work Program - \$9.8 billion TF:
  - Highway and Bridge Construction - \$5.1 billion
  - Resurfacing and Maintenance - \$1.1 billion
  - Design and Engineering - \$782.8 million
  - Right of Way Land Acquisition - \$602 million
  - Public Transit Development Grants - \$546.3 million
  - Rail Development Grants - \$304.2 million
  - County Transportation Programs:
    - Small County Road Assistance Program (SCRAP) - \$43.3 million
    - Small County Outreach Program (SCOP) - \$68.1 million (includes \$9 million for Small Cities)
    - Other County Transportation Programs - \$48.8 million
  - Aviation Development Grants - \$250.6 million [TF and GR]
  - Seaport and Intermodal Development Grants - \$216.8 million
  - Economic Development Transportation (“Road Fund”) Projects - \$42.5 million [TF and GR]
  - Shared-Use Non-Motorized Trail Network - \$25 million
- Transportation Disadvantaged Program Grants - \$55.2 million

### ***Department of Military Affairs***

Total: \$71.9 million [\$27.8 million GR; \$44.1 million TF; 453 positions]

- Armories - funds provided for:
  - West Palm Beach Armory Revitalization - \$3 million GR
  - Maintenance and repair - \$1.7 million GR
- Community Outreach Programs (Forward March and About Face) - \$2 million recurring GR
- Secure and Harden State Readiness Centers - \$2 million GR
- Tuition Assistance for Florida National Guard - \$3.5 million GR

### ***Department of Highway Safety and Motor Vehicles***

Total: \$467.3 million TF; 4,414 positions

- Florida Highway Patrol:
  - Pursuit Vehicles - \$11.4 million TF [\$10 million recurring; \$1.4 million nonrecurring] to replace 366 vehicles
  - FHP Academy Driving Range - \$2.8 million TF
- Motorist Modernization Project - Phase I - \$8.7 million TF

- Enterprise Data Infrastructure - \$6.6 million TF
- Maintenance and Repairs of Facilities - \$5.1 million TF

### ***Division of Emergency Management***

Total: \$334.4 million [\$3.5 million GR, \$330.9 million TF]; 157 positions

- Federally Declared Disaster Funding, including state match - \$251.3 million:
  - Communities - \$238.8 million
  - State Operations - \$12.5 million
- Statewide Notification and Alert System - \$3.5 million TF
- Residential Construction Mitigation - \$3.4 million TF
- Emergency Management Facilities - \$3.5 million nonrecurring GR

### **General Government Appropriations**

Total Budget: \$5.9 billion [\$699.1 million GR; \$893.5 million LATF; \$4.3 billion Other TFs]; 20,082 positions

### **Major Issues**

#### ***Department of Agriculture & Consumer Services***

Total: \$1.8 billion [\$159.9 million GR; \$122.4 million LATF; \$1.5 billion TF]; 3,634 positions

- Land Management Improvements - \$18.8 million [\$1.3 million GR; \$14.5 million LATF; \$3 million TF]
  - Wildfire Suppression Equipment - \$4.3 million [\$1.3 million GR and \$3 million TF]
  - Reforest Florida Cost Share Incentive Program - \$5 million LATF
  - Forestry Roads and Bridges Maintenance - \$5.8 million LATF
- Florida Forever/Rural and Family Lands Conservation Easements - \$35 million TF
- Lake Okeechobee Restoration Agricultural Projects - \$11.1 million LATF
- Agricultural Nonpoint Sources Best Management Practices - \$19.3 million [\$10.4 million GR; \$7.5 million LATF; \$1.4 million TF]
  - Hybrid Wetland Treatment Systems - \$8.9 million GR
  - Water Supply Planning and Conservation Program - \$1.5 million GR
- Citrus Greening Research - \$8 million TF
- Florida Agriculture Promotion Campaign - \$5.9 million GR
- Farm Share and Food Banks - \$4 million GR
- Water & Land Conservation/Budget Restructure - \$3.1 million LATF
- Passive Dispersed Water - \$4 million LATF
- Water Policy Workload - \$1.1 million [\$0.2 million GR and \$0.9 million LATF]; 10 positions
- Agriculture Education and Promotion Facilities - \$6.8 million GR
- Apiary Research and Extension Laboratory - \$2 million GR

- Animal Disease Diagnostic Laboratory - \$7.4 million GR
- Licensing Regulatory Management System and Concealed Weapons License Renewal Workload - \$5 million TF; 12 positions
- Citrus Health Response Program - \$14.7 million [\$6 million GR; \$8.6 million TF]
- State Farmers Markets Facility Improvements - \$1 million TF
- Critical Building Repairs and Maintenance - \$2.4 million GR
- African Snail Eradication Program - \$2.3 million TF
- Child Nutrition Program Grants - \$107.1 million TF
- Energy Grants - \$17.3 million TF

### ***Department of Business & Professional Regulation***

Total: \$154.1 million [\$2.4 million GR; \$151.7 million TF]; 1,618 positions

- Florida State Boxing Commission - \$.3 million GR
- Drugs, Devices, and Cosmetics Program - \$.7 million GR; \$.3 million TF
- Electronic Data Submission System - \$1.2 million TF
- Unlicensed Activity Programs - \$.6 million TF
- Compulsive and Addictive Gambling Prevention - \$.3 million TF
- Visit Florida - \$2.5 million TF

### ***Department of Citrus***

Total: \$49.1 million [\$41.4 million TF; \$7.7 million GR]; 48 positions

- Consumer Awareness Campaigns - \$7 million GR
- New Varieties Development - \$.7 million GR

### ***Department of Environmental Protection***

Total: \$1.7 billion [\$186.6 million GR; \$664.8 million LATF; \$889.8 million TF]; 2,933.5 positions

- Everglades Restoration - \$132 million LATF (includes \$32 million for the Restoration Strategies Regional Water Quality Plan)
- Northern Everglades & Estuaries Protection - \$56.8 million [\$55.1 million LATF; \$1.7 million GR]
- Land Acquisition - \$56.9 million [\$48.2 million LATF; \$6.9 million GR; \$1.8 million TF]
  - Florida Forever/Conservation Lands - \$15.1 million
  - Florida Forever/Florida Communities Trust, Recreational Access for All - \$10 million
  - Everglades Restoration - \$27.7 million
  - Howell Branch Preserve - \$2 million
  - Helena Run Preserve - \$.6 million
  - Heritage Lake Estates Conservation Easement - \$1.5 million
- Springs Restoration - \$50 million LATF

- Water Projects - \$81.8 million GR
- Beach Projects - \$32.6 million [\$21.2 million LATF; \$11.4 million GR]
- Water & Land Conservation/Budget Restructure - \$2.9 million LATF
- Florida Recreation Development Assistance Program (FRDAP) - \$10.4 million [\$10 million GR; \$.4 million LATF]
  - Recreational Enhancements and Opportunities for Individuals with Unique Abilities - \$3 million
  - \$6.6 million for small development projects and \$.8 million for large development projects
- Land Management Operational Increase and Infrastructure Improvements - \$39.1 million [\$4.4 million GR; \$27.8 million LATF; \$6.9 million TF]
  - State Parks Maintenance and Repairs \$26.9 million
- Petroleum Tanks Cleanup Program - \$118 million TF
- Information Technology for Conservation Lands & Water Shed/Waterbody (CS/CS/SB 552) - \$1.1 million TF; 2 positions
- Total Maximum Daily Loads (TMDLs) - \$8.9 million [\$7.4m GR; \$1.5m LATF]
- Drinking Water & Wastewater Revolving Loan Programs - \$15.9 million GR; \$118.7 million TF
- Small County Solid Waste Management Grants - \$3 million TF
- Small County Wastewater Treatment Grants - \$21 million TF
- Lake Apopka - \$7.1 million [\$5.1 million LATF; \$2 million TF]
- Water Management Districts' Operational Support - \$8 million GR
- Nonmandatory Land Reclamation - \$3.2 million TF

### ***Department of Financial Services***

Total: \$343.9 million [\$26 million GR; \$317.9 million TF]; 2,596 positions

- FLAIR Replacement - \$5.9 million TF
- Florida Accounting & Information Resource (FLAIR) Staff Augmentation - \$2 million [\$1.9 million GR & \$.1 million TF]
- Fire College and Arson Lab Repairs and Maintenance - \$.4 million TF
- Workers' Compensation Insurance Fraud - \$.2 million TF; 3 positions
- Public Assistance Fraud - \$.3 million TF; 5 positions
- Risk Management - \$9.1 million TF
- Office of Financial Regulation Regulatory & Licensing System - \$8.8 million TF

### ***Fish & Wildlife Conservation Commission***

Total: \$379.6 million [\$34.7 million GR; \$106.3 million LATF; \$238.5 million TF]; 2,118 positions

- Land Management Operational Increase - \$16.7 million LATF [\$16.7m LATF & \$.5m TF]
- Water & Land Conservation/Budget Restructure - \$2.5 million LATF



- Boating Infrastructure and Improvement Program - \$6.5 million [\$ .8 million GR; \$5.7 million TF]
- Artificial Fishing Reef Construction - \$.6 million [\$.3m GR & other TF]
- Derelict Vessel Removal - \$1.4 million GR
- Python Management - \$.5 million GR
- Black Bear Conflict Reduction - \$.5 million TF
- Lionfish Management - \$.3 million GR
- Lowery Park Zoo Manatee Hospital - \$1 million GR

### ***Department of the Lottery***

Total: \$167.1 million TF; 420 positions

- Information Technology Infrastructure Replacement - \$.9 million TF

### ***Department of Management Services***

Total Budget: \$603.1 million [\$67.1 million GR; \$536 million TF]; 832 positions

- Florida Facilities Pool - \$29 million GR; \$16.8 million TF
- Florida Historic Capitol - \$.3 million GR
- Government Facilities Infrastructure Assessment/Study - \$.1 million GR; \$.6 million TF
- Florida Interoperability Network and Mutual Aid - \$2.5 million GR
- Statewide Law Enforcement Radio System (SLERS) Staff Augmentation - \$1.1 million TF
- MyFloridaNet Staff Augmentation - \$.3 million TF
- Fleet Management Information System - \$1.8 million GR
- Statewide Law Enforcement Radio Equipment Replacement - \$7 million GR

### ***Division of Administrative Hearings***

Total Budget: \$25.8 million TF; 241 positions

### ***Agency for State Technology***

Total: \$71.5 million [\$3.6 million GR; \$67.9 million TF]; 231 positions

- Infrastructure Replacement and License Compliance - \$1.9 million TF
- Security Management and Training - \$1 million TF

### ***Public Service Commission***

Total: \$25 million [\$.2 million GR; \$24.8 million TF]; 277 positions

### ***Department of Revenue***

Total: \$575 million [\$211 million GR; \$364 million TF]; 5,132 positions

- Fiscally Constrained Counties - \$25.2 million GR
- Aerial Photography - \$.3 million GR

If approved by the Governor, these provisions take effect on July 1, 2016, except where otherwise expressly provided.

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[\[1\]](#) Excludes appropriated university tuition/fees.

[\[2\]](#) Local revenues include required and discretionary local effort for public schools and tuition/fees for district workforce, colleges, and universities.

*Vote: Senate 40-0; House 119-1*

THE FLORIDA SENATE  
2016 SUMMARY OF LEGISLATION PASSED  
**Committee on Appropriations**

**HB 5003 — Implementing the 2016-2017 General Appropriations Act**  
by Appropriations Committee and Rep. Corcoran (SB 2502 by Appropriations Committee)

**Section 1** provides legislative intent that the implementing and administering provisions of this act apply to the General Appropriations Act for Fiscal Year 2016-2017.

**Section 2** incorporates the Florida Education Finance Program (FEFP) work papers by reference for the purpose of displaying the calculations used by the Legislature.

**Section 3** provides that funds provided for instructional materials shall be released and expended as required in the proviso language attached to Specific Appropriation 94.

**Section 4** provides that any district school board that generates less than \$2 million dollars in revenue from one mill of ad valorem tax shall contribute 0.75 mill, rather than 1.5 mills, for Fiscal Year 2016-2017, to the cost of funded special facilities projects.

**Sections 5 and 36** require the auditor general to conduct annual financial audits of the Florida School for the Deaf and the Blind.

**Section 6** reauthorizes the Florida College System (FCS) Performance Based Incentive funding model, for Fiscal Year 2016-2017, to evaluate the FCS institutions' performance on specified metrics. Funding for the FCS Performance Based Incentive consists of a state investment, plus an institutional investment consisting of funds redistributed from the Florida College System Program Fund.

**Section 7** establishes the Distinguished Florida College System program which recognizes the highest performing Florida Colleges.

**Sections 8 and 36** amend the preeminent state research universities program by modifying the academic and research excellence standards and requiring the Board of Governors (BOG) to designate each state university that meets at least six of the 12 academic and research excellence standards as an "emerging preeminent state research university."

**Section 9** reauthorizes the State University System (SUS) Performance-Based Incentive funding model, for Fiscal Year 2016-2017, to evaluate the state universities' performance on specified metrics. Funding for the SUS Performance Based Incentive consists of a state investment, plus an institutional investment consisting of funds redistributed from SUS base funding.

**Sections 10 and 11** amends s. 1008.46, F.S., to change the date for the Board of Governors annual accountability report from December 31 to March 15.

**Sections 12 and 36** amend s. 1009.23, F.S., to cap the distance learning fee that Florida colleges can charge students taking distance learning courses to \$15 per credit hour.

**Sections 13 and 36** amend s. 1009.24, F.S., to cap the average distance learning fee that state universities can charge students taking distance learning courses to \$30 per credit hour.

**Sections 14, 15, 16, 17, and 36** amend ss. 1009.50. 1009.505. 1009.51 and 1009.52, Florida Statutes, to maximize the current allocation of state need-based financial aid by adding a prioritization of award to eligible students. Postsecondary financial aid offices are required to complete an analysis of need for each eligible student to include all sources of funds available to the student (Pell Grant, scholarships, and all other aid).

**Sections 18, 19, 20, 21, 22, 23, and 36** provide changes, for the 2016-2017 fiscal year, to the calculation of multiple components of the Florida Education Finance Program (FEFP), including:

- Authorizing a recalculation of the ESE Guaranteed Allocation based on actual FTE as reported on the October FTE survey.
- Providing funding for the 300 lowest performing elementary schools through funds allocated in the Supplemental Academic Instruction (SAI) and the Research-Based Reading Instruction Allocation categoricals and amends the SAI calculation.
- Modifying the sparsity supplement calculation to compute the sparsity supplement for larger eligible districts with a full-time equivalent (FTE) student membership of between 20,000 and 24,000, by dividing the total number of full-time equivalent students in all programs by the number of permanent senior high school centers in the district, not in excess of four.
- Amending the Florida Digital Classrooms Allocation to provide each district with a \$500,000 minimum and requiring school districts to use the digital classroom allocation to purchase enough devices to achieve a 1:1 device ratio in the largest grade group for each school in grades 3-10.
- Reauthorizing the federally connected student supplement to provide funding to school districts to support the education of students connected with federally-owned military installations, National Aeronautics and Space Administration (NASA) property, and Indian lands. To be eligible for this supplement, the district must also be eligible for federal impact aid funds, pursuant to Title VIII of the Elementary and Secondary Education Act of 1965.
- Removing the requirement for an adjustment to be made to a district's funding in the FEFP based on an FTE reporting error that is not corrected by the district within the FTE reporting amendment periods.
- Conforming a cross-reference in s.1011.71, F.S., changed as a result of the addition of the federally connected student supplement as a new subsection of law in s.1011.62, F.S.

**Sections 24 and 36** amend s. 1012.39, F.S., to require district school boards to notify a student performing a clinical field experience of the availability of educator liability insurance under s. 1012.75, Florida Statutes, and prohibits a postsecondary educational institution or district school board from requiring a student enrolled in a state-approved teacher preparation program to purchase liability insurance as a condition of participation in any clinical field experience

**Section 25** creates s. 1012.731, F.S. to codify the Florida Best and Brightest Teacher Scholarship Program which awards highly effective teachers who have demonstrated a high level of academic achievement based on their SAT or ACT score being at or above the 80th percentile.

**Section 26** requires the Department of Education to administer an educator liability insurance program, which provides a minimum of \$2 million in liability coverage for all full-time public school instructional personnel.

**Sections 27 and 36** amend s. 1013.64, F.S., to adjust the capital outlay full-time equivalent (COFTE) calculations to be consistent with Florida Education Finance Program (FEFP) FTE calculations relative to facilities space needs and COFTE determination procedures.

**Sections 28 and 29** extend the Adults with Disabilities Pilot Program through July 1, 2017.

**Sections 30 and 36** extend the date by which Florida Polytechnic University must meet statutory deadlines by one year.

**Section 31** establishes the Florida Center for the Partnerships for Arts Integrated Teaching (PAInT) within the University of South Florida Sarasota-Manatee and specifies goals such as research on policies and practices related to arts integrated teaching, partnerships, and dissemination of information.

**Section 32** authorizes the Florida Fund for Minority Teachers, Inc., to expend up to \$250,000 from available funds for administration, including administration of the required training program and purchase of an online management and administration system.

**Section 33 and 36** authorizes Florida ABLE, Inc., to:

- Postpone the implementation date of the Florida ABLE program until December 31, 2016, if necessary, due to:
  - Final regulations being issued by the United States Secretary of the Treasury, or
  - Determination that an equivalent alternative to implementation of a qualified ABLE program in Florida becomes available through contracting with another state at a significant savings to the State.
- Determine whether or not to require residency as a condition of participation based on market research and estimated operating revenues and costs.

**Section 34** directs the Office of Early Learning not to adopt a kindergarten readiness rate for the 2014-2015 or 2015-2016 academic year and specifies that any Voluntary Prekindergarten (VPK) Education provider on probation in 2013-2014 will remain on probation.

**Sections 35, 36, and 23** extend for an additional year the authority for school districts to levy the Prior Period Funding Adjustment Millage (PPFAM) before the final taxable value is certified with technical clarifications to ensure that the PPFAM is not levied multiple times for the same year.

**Section 36** provides for the expiration of changes to statutes in the Implementing Bill.

**Section 37** provides that the calculations of the Medicaid Low-Income Pool, Disproportionate Share Hospital, and hospital reimbursement programs for the 2016-2017 fiscal year contained in the document titled “Medicaid Hospital Funding Programs,” dated March 8, 2016, and filed with the Clerk of the House of Representatives, are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with the requirements of state law, in making appropriations for the Medicaid Low-Income Pool, Disproportionate Share Hospital, and hospital reimbursement programs.

**Sections 38 and 39** amend s. 393.063, F.S., to add Down syndrome and Phelan-McDermid syndrome to the definition of "Developmental disability" and provides a definition of Phelan-McDermid syndrome.

**Sections 40 and 41** amend s. 393.065, F.S., to provide parameters to the Agency for Persons with Disabilities for removing clients from the wait list for home and community-based waiver services and provides client prioritization for that process.

**Section 42** provides requirements to the Agency for Persons with Disabilities for setting iBudget amounts for clients receiving home and community-based waiver services. Provides parameters under which a client’s iBudget amount may be increased.

**Sections 43 and 44** provide that, in the event HB 1083 or similar legislation fails to become law during the 2016 Legislative Session, and notwithstanding the expiration date in s. 24 of ch. 2015-222, L.O.F., subsection (15) of s. 393.067, F.S., is reenacted.

**Sections 45 and 46** provide that, in the event HB 1083 or similar legislation fails to become law during the 2016 Legislative Session, and notwithstanding the expiration date in s. 26 of ch. 2015-222, L.O.F., subsection (4) of s. 393.18, F.S., is reenacted, and subsections (5) and (6) of that section are amended.

**Section 47** amends s. 296.37(3), F.S., for the 2016-2017 fiscal year, to maintain the personal needs allowance for residents of state veterans' nursing homes at \$105 per month. Otherwise, the amount would fall to \$35 per month on July 1, 2016.

**Section 48** authorizes the Agency for Health Care Administration (AHCA) to submit a budget amendment to realign funding between AHCA and DOH for the CMS Network for the implementation of Statewide Medicaid Managed Care, to reflect actual enrollment changes due to the transition from fee-for-service into the capitated CMS Network.

**Section 49** provides that, notwithstanding s. 409.991, F.S., for the 2016-2017 fiscal year, funds provided for training purposes shall be allocated to community-based care lead agencies based on a training needs assessment conducted by the Department of Children and Families.

**Section 50** provides that, in the event HB 1335 or similar legislation does not become law during the 2016 legislative session, the AHCA must ensure that nursing facility residents eligible for funds to transition to home and community-based services waivers must first have resided in a skilled nursing facility for at least 60 consecutive days.

**Section 51** provides that, in the event HB 1335 or similar legislation does not become law during the 2016 legislative session, the AHCA and the Department of Elder Affairs (DOEA) must prioritize individuals for enrollment in the Long Term Care waiver using a frailty based screening instrument resulting in a prioritization score and shall enroll individuals in the Long Term Care waiver in accordance with the assigned priority score as funds are available. The AHCA may adopt rules, pursuant to s. 409.919, F.S., and enter into interagency agreements necessary to administer s. 409.979(3), F.S. Any rules or interagency agreements adopted by the AHCA relating to the scoring process may delegate to the DOEA, pursuant to s. 409.978, F.S., responsibility for implementing and administering the scoring process, providing notice of Medicaid fair hearing rights, and responsibility for defending, as needed, the scores assigned to persons on the Long Term Care waiver waitlist in any resulting Medicaid fair hearings. The DOEA may delegate the provision of notice of Medicaid fair hearing rights to its contractors.

**Section 52** amends s. 409.911, F.S., to provide that, notwithstanding the provisions of s. 409.911, F.S., for the 2016-2017 state fiscal year, the AHCA must distribute moneys to hospitals providing a disproportionate share of Medicaid or charity care services as provided in the 2016-2017 GAA.

**Section 53** amends s. 409.9113, F.S., to provide that, notwithstanding the provisions of s. 409.9113, F.S., for the 2016-2017 state fiscal year, the AHCA must make disproportionate share payments to teaching hospitals, as defined in s. 408.07, F.S., as provided in the 2016-2017 GAA.

**Section 54** amends s. 409.9119, F.S., to provide that, notwithstanding the provisions of s. 409.9119, F.S., for the 2016-2017 state fiscal year, for hospitals achieving full compliance under 409.9119(3), F.S., the AHCA must make disproportionate share payments to specialty hospitals for children as provided in the 2016-2017 GAA.

**Section 55** amends s. 893.055(17), F.S., to provide that, for the 2016-2017 fiscal year only, the Department of Health may use state funds appropriated in the 2016-2017 General Appropriations Act to administer the prescription drug monitoring program. Also provides that neither the state attorney general nor the department may use funds received as part of a settlement agreement to administer the program.

**Section 56** amends s. 216.262, F.S., to allow the Executive Office of the Governor (EOG) to request additional positions and appropriations from unallocated general revenue funds during the 2016-2017 fiscal year for the Department of Corrections (DOC) if the actual inmate population of the DOC exceeds certain Criminal Justice Estimating Conference forecasts. The additional positions and appropriations may be used 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, and are subject to Legislative Budget Commission review and approval.

**Section 57** authorizes the Department of Legal Affairs to expend appropriated funds in those specific appropriations on the same programs that were funded by the department pursuant to specific appropriations made in general appropriations acts in prior years.

**Section 58** amends s. 932.7055, F.S., relating to the disbursement of proceeds from the sale of forfeited property, to extend for another year the authorization for a municipality to expend funds in a special law enforcement trust fund to reimburse the general fund of the municipality for moneys advanced from the general fund to the special law enforcement trust fund prior to October 1, 2001.

**Section 59** amends s. 215.18, F.S., to provide the Chief Justice the authority to request a trust fund loan.

**Section 60** prohibits the DOC from transferring funds from salaries and benefits to any other appropriations category without the approval of the Legislative Budget Commission.

**Section 61** authorizes the DOC to transfer funds from categories other than fixed capital outlay into the Inmate Health Services category subject to the notice, review and objection procedures of s. 216.177, F.S.

**Section 62** requires the Department of Juvenile Justice to ensure that counties are fulfilling their financial responsibilities and to report any deficiencies to the Department of Revenue. If the Department of Juvenile Justice determines that a county has not met its obligations, it must direct the Department of Revenue to deduct the amount owed to the Department of Juvenile Justice from shared revenue funds provided to the county under s. 218.23, F.S. The section also includes procedures to provide assurance to holders of bonds for which shared revenue fund distributions are pledged.

**Sections 63 and 64** amend s. 27.5304, F.S., to permit the Legislature to increase the statutory compensation limits for fees paid to court-appointed attorneys in two case categories: noncapital, nonlife felonies and life felonies. These changes allow the Legislature to increase flat fees paid to attorneys in these categories in the General Appropriations Act.

**Section 65** requires the Department of Management Services (DMS) to organize a work group to develop a sworn law enforcement career development plan for certain bargaining units represented by the Florida Police Benevolent Association (PBA).

**Section 66** permits the Justice Administrative Commission to provide funds to compensate the clerks of court for juror compensation, juror lodging and meals, and jury-related personnel costs.



**Section 67** prohibits the payment of reimbursement or application of credits to a nonfiscally constrained county for any previous overpayment of juvenile detention costs to offset detention share costs owed pursuant to s. 985.686, F.S., or any other law in Fiscal Year 2016-2017. The section is contingent upon CS/SB 1322 becoming law.

**Section 68** requires the Department of Management Services (DMS) and agencies to utilize a tenant broker to renegotiate private lease agreements, in excess of 2,000 square feet, expiring before June 30, 2019.

**Sections 69 and 70** reenact s. 624.502, F.S., to require that fees for service of process against the Department of Financial Services or Office of Insurance Regulation be deposited to the Administrative Trust Fund rather than the Insurance Regulatory Trust Fund.

**Sections 71 and 72** reenact s. 282.709, F.S., relating to the Joint Task Force on State Agency Law Enforcement Communications, by removing a representative from the Department of Transportation from the task force.

**Section 73** provides that the online procurement system transaction fee authorized in ss. 287.042(1)(h)1 and 287.057(22)(c), F.S., will remain at 0.7 percent for the 2016-2017 fiscal year only.

**Section 74** provides that the EOG is authorized to transfer funds appropriated in any appropriation category used to pay for data processing in the General Appropriations Act between agencies, in order to align the budget authority granted with the utilization rate of each department.

**Section 75** notwithstanding s. 216.292(2)(a), F.S., which authorizes agency budget transfers of up to 5 percent of approved budget between categories. Except for transfers approved pursuant to sections 74 of the Implementing Bill, agencies are prohibited from transferring funds from a data center appropriation category to a category other than a data center appropriation category.

**Section 76** provides that the EOG is authorized to transfer funds appropriated in the appropriations category “expenses” between agencies in order to allocate a reduction relating to SUNCOM Services.

**Section 77** authorizes the EOG to transfer funds in the appropriation category “Special Categories-Risk Management Insurance” between departments in order to align the budget authority granted with the premiums paid by each department for risk management insurance.

**Section 78** authorizes the EOG to transfer funds in the appropriation category “Special Categories-Transfer to DMS-Human Resources Services Purchased Per Statewide Contract” of the 2016-2017 General Appropriations Act between departments, in order to align the budget authority granted with the assessments that must be paid by each agency to the DMS for human resources management services.

**Section 79** defines the components of the Florida Accounting Information Resource subsystem (FLAIR) and Cash Management System (CMS) included in the Department of Financial Services Planning Accounting and Ledger Management (PALM) system. This section also provides the executive steering committee (ESC) membership and the process for ESC meetings and decisions.

**Section 80** authorizes the EOG to transfer funds between appropriation categories, with 14 days' notice, for the relocation of state agencies located in the Northwood Centre by July 1, 2016, notwithstanding s. 216.292(2), (3), and (4), F.S.

**Section 81** notwithstands s. 161.143, F.S., relating to beach inlet projects. This provision requires the Department of Environmental Protection (DEP) to make available at least 10 percent of the total amount appropriated for each fiscal year for statewide beach management for the three highest-ranked projects on the current year's inlet management project list. For the 2016-2017 fiscal year, the amount allocated for inlet management funding is provided in the GAA.

**Section 82** amends s. 259.105, F.S., related to the distribution of proceeds in the Florida Forever Trust Fund, to provide: \$15,156,206 to only the Division of State Lands within the DEP for the Board of Trustees Florida Forever Priority List land acquisition projects; \$35 million to the Department of Agriculture and Consumer Services for the acquisition of agricultural lands through perpetual conservation easements and other perpetual less-than-fee techniques, which will achieve the objectives of Florida Forever and s. 570.71, F.S.; and \$10 million to the Florida Communities Trust for projects acquiring conservation or recreation lands benefiting individuals with unique abilities. This section authorizes the DEP to waive the local government match requirements for projects acquiring conservation and recreational lands for individuals with unique abilities. If funds provided to acquire conservation and recreational lands to enhance recreation opportunities for individual with unique abilities have not been awarded by May 1, 2017, funds may be awarded to redevelop or renew outdoor recreational facilities on public land.

**Section 83** requires that a minimum of \$3 million of the Fiscal Year 2016-2017 funding for the Florida Development Assistance Program (FRDAP) be used exclusively for projects that provide recreational enhancements and opportunities for individuals with unique abilities and that the DEP establish a separate application process for such projects. A definition for these projects is provided.

**Section 84** expands the powers of the Florida Communities Trust to include the authority necessary to undertake, coordinate, and fund projects that provide accessibility, availability, or adaptability of conservation or recreation lands for individuals with unique abilities and provides a definition for these projects.

**Section 85** amends s. 216.181(11)(d), F.S., to authorize the Legislative Budget Commission to increase amounts appropriated to the Fish and Wildlife Conservation Commission or the DEP for fixed capital outlay projects. The increase in fixed capital outlay budget authority is authorized for funds provided to the state from the Gulf Environmental Benefit Fund administered by the

National Fish and Wildlife Foundation, 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 from British Petroleum Corporation (BP) for natural resources damage assessment early restoration projects. Any continuing commitment for future appropriations by the Legislature must be specifically identified.

**Sections 86 and 87** eliminate certain revenues from the calculation of the unobligated balance of the Water Quality Assurance Trust Fund within the DEP which are used to determine the excise tax rates that supports the expenditures within the trust fund.

**Section 88** establishes a solid waste management closure account within the Solid Waste Management Trust Fund within the DEP, to provide funding for the closing and long-term care of solid waste management facilities. This section allows the DEP to use funds from the Solid Waste Management Trust Fund to pay for these activities, if other funding is insufficient or otherwise unavailable.

**Section 89** amends s. 403.7095, F.S., to require the DEP to award \$3 million in grant funds, in Fiscal Year 2015-2016, equally to counties having populations of fewer than 100,000 for waste tire, litter prevention, recycling and education, and general solid waste programs under the solid waste management grant program. Also, requires the DEP to award \$3 million in grant funds, in Fiscal Year 2016-2017, equally to counties having populations of fewer than 110,000 for waste tire, litter prevention, recycling and education, and general solid waste programs under the solid waste management grant program.

**Section 90** amends s. 215.18(3), F.S., to authorize the Governor to temporarily transfer moneys, from one or more of the trust funds in the State Treasury, to a land acquisition trust fund (LATF) within the Department of Agriculture and Consumer Services, the DEP, the Department of State, or the Fish and Wildlife Conservation Commission, whenever there is a deficiency that would render the LATF temporarily insufficient to meet its just requirements, including the timely payment of appropriations from that trust fund. These funds must be expended solely and exclusively in accordance with Art. X, s. 28 of the Florida Constitution. This transfer is a temporary loan and the funds must be repaid to the trust funds from which the moneys were loaned by the end of the 2016-2017 fiscal year. Any action proposed pursuant to this subsection is subject to the notice, review, and objection procedures of s. 216.177, F.S., and the Governor shall provide notice of such action at least seven days before the effective date of the transfer of trust funds.

**Section 91** provides that, in order to implement specific appropriations from the land acquisition trust funds within the Department of Agriculture and Consumer Services, the DEP, the Fish and Wildlife Conservation Commission, and the Department of State, the DEP will transfer a proportionate share of revenues in the Land Acquisition Trust Fund within the DEP on a monthly basis, after subtracting required debt service payments, to each agency and retain a proportionate share within the Land Acquisition Trust Fund within the DEP. Total distributions to a land

acquisition trust fund within the other agencies may not exceed the total appropriations for the fiscal year.

**Sections 92 and 93** authorizes the transfer of interest earnings from the Inland Protection Trust Fund to the Water Quality Assurance Trust Fund within the DEP as authorized in the General Appropriations Act.

**Sections 94** excludes copayment requirements, reporting requirements, and funding cap limits for petroleum contamination sites cleaned up with non-traditional or innovative technologies that are approved by the DEP.

**Sections 95** reenacts s. 376.3071(4)(q), F.S., related to the Inland Protection Trust Fund, stating that the DEP may not seek recovery or reimbursement of funds from another agency for state-funded petroleum contamination site rehabilitation.

**Section 96** requires the Department of Highway Safety and Motor Vehicles to continue to contract with Prison Rehabilitation Industries and Diversified Enterprises, Inc., (PRIDE) for manufacturing license plates, provided that the cost is the same as that paid by the department during fiscal year 2013-2014. This section requires PRIDE to seek bids for the reflectorized sheeting used on the license plates and return 70 percent of savings to the department.

**Section 97** provides that, notwithstanding s. 339.2818(2)(b), F.S., the DOT may use appropriated funds to serve any county with a population of 170,000 or less through the Small County Outreach Program (SCOP) in the 5-year work program for the 2016-2017 fiscal year.

**Section 98** amends s. 339.135(4)(i) and (5)(b), F.S., to require the Department of Transportation (DOT) to fund a statewide system of multi-use trails and related facilities. The section also provides that the funding appropriated may not impact any existing projects for multi-use trails and related facilities that are in the work program as of July 1, 2016.

This section also amends s. 339.135(4)(j) and (5)(c), F.S., to authorize the DOT to use up to \$15 million of appropriated funds to pay the costs of strategic and regionally significant transportation projects. Funds may be used to provide up to 75 percent of projects costs for production-ready eligible projects. Preference must be given to projects that support the state's economic regions or have been identified as regionally significant in accordance with s. 339.155(4)(c), (d), and (e), F.S., and that have an increased level of non-state match.

**Sections 99 and 100** reenact s. 341.302(10), F.S., to authorize the DOT to approve and provide matching grant funding for railroad quiet zones for the 2016-2017 fiscal year.

**Section 101 and 102** amend s. 339.2816(3) and (4), F.S., to allow the DOT to use up to \$50 million from the State Transportation Trust Fund for the purposes of funding the Small County Road Assistance Program (SCRAP) in the 5-year work program and allows the use of SCRAP

funds for the widening of existing lanes to address critical safety concerns as part of a resurfacing or reconstruction project for the 2016-2017 fiscal year.

**Section 103** amends s. 420.9072, F.S., relating to the State Housing Initiatives Partnership (SHIP) Program, to provide exceptions to the limitations on using SHIP funds for rent subsidies and to allow counties and eligible municipalities to use up to 25 percent of available SHIP funds for rental housing.

**Section 104** amends s. 420.5087, F.S., relating to the State Apartment Incentive Loan (SAIL) Program, to change requirements for reserving percentages of available SAIL funding for specified tenant groups to reflect the projected housing needs for those groups. Additionally, notwithstanding requirements that SAIL funds be used for housing for very-low income persons and specified percentages of the units in SAIL projects be reserved for persons or families of specified income levels, the Florida Housing Finance Corporation is directed to issue, during Fiscal Year 2016-2017, a notice of fund availability for \$20 million for loans to construct workforce housing to serve primarily low-income persons.

**Section 105** amends s. 427.013, F.S., to authorize the Commission for the Transportation Disadvantaged to make distributions during Fiscal Year 2016-2017 to community transportation coordinators:

- That do not receive federal Urbanized Area Formula Funds to provide transportation disadvantaged services; and
- As competitive grants to support transportation projects to enhance access to specified activities, to assist in development of transportation systems in nonurbanized areas, to promote efficient coordination of services, to support inner-city bus transportation, and to encourage private transportation providers to participate.

**Section 106** provides that, notwithstanding s. 216.292(2), (3), and (4), F.S., the Department of Highway Safety and Motor Vehicles may transfer up to \$6,563,775 between appropriation categories, to realign funds based on the completion of a cost benefit analysis evaluating different options for hardware and software needed for the department,

**Section 107 and 108** amend s. 339.135(7)(g) and (h), F.S., by requiring Legislative Budget Commission (LBC) approval of any work program amendment that adds a project, construction phase, right-of-way phase, or public transportation phase over \$5 million. The DOT must provide a narrative description, a written justification and an explanation for such project or phase addition. The LBC chair and vice chair, the Senate President, and the House Speaker may jointly authorize approval of the amendment if an LBC meeting cannot be held within 30 days of amendment submission.

**Sections 109 and 110** provide that for the 2015-2016 and 2016-2017 fiscal years, the Department of Highway Safety and Motor Vehicles may assign a patrol officer to the Lieutenant Governor, at his or her discretion, and to a Cabinet member if the department deems such assignment appropriate or in response to a threat, if requested by such Cabinet member.

**Sections 111 and 112** reenact amendments to s. 216.292(2)(a), F.S., that remove language limiting scope of legislative review of “five percent” budget transfers. The Legislature would continue to be able to object that a proposed action exceeds delegated authority or is contrary to legislative policy and intent.

**Section 113** provides that no state agency may initiate a competitive solicitation for a product or service if the completion of such competitive solicitation would require a change in law or require a change to the agency's budget other than a transfer authorized in s. 216.292(2) or (3), F.S., unless the initiation of such competitive solicitation is specifically authorized in law or in the General Appropriations Act or by the Legislative Budget Commission.

**Section 114** amends s. 112.24, F.S., to provide that the reassignment of an employee of a state agency may be made if recommended by the Governor or Chief Justice, as appropriate, and approved by the chairs of the Senate and House budget 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, F.S. This requirement applies to state employee reassignments regardless of which agency (sending or receiving) is responsible for pay and benefits of assigned employee.

**Section 115** maintains legislative salaries at the July 1, 2010, level.

**Sections 116 and 117** amend s. 215.32(2)(b), F.S., in order to implement the transfer of moneys to the General Revenue Fund from trust funds in the 2016-2017 General Appropriations Act.

**Section 118** provides that, in order to implement the issuance of new debt authorized in the 2016-2017 General Appropriations Act, and pursuant to the requirements of s. 215.98, F.S., the Legislature determines that the authorization and issuance of debt for the 2016-2017 fiscal year should be implemented and is in the best interest of the state.

**Section 119** provides that funds appropriated for travel by state employees be limited to travel for activities that are critical to each state agency’s mission. The section prohibits funds from being used to travel to foreign countries, other states, conferences, staff-training, or other administrative functions unless the agency head approves in writing. The agency head is required to consider the use of teleconferencing and electronic communication to meet needs of activity before approving travel.

**Section 120** provides that, notwithstanding s. 112.061, F.S., costs for lodging associated with a meeting, conference or convention organized or sponsored in whole or in part by a state agency or the judicial branch may not exceed 150 dollars per day. An employee may expend his or her own funds for any lodging expenses in excess of 150 dollars.

**Section 121** directs the executive branch agencies and judicial branch agencies to collaborate with the EOG to implement a statewide travel management system and utilize the system.

**Sections 122 and 123** reenact amendments to s. 110.12315, F.S., that: modify copayments associated with the state employees' group health insurance program consistent with decisions that have been made in the General Appropriations Act; authorize the Department of Management Services, for the state employees' prescription drug program, to negotiate the pharmacy dispensing fee, to implement a 90-day supply limit program for certain maintenance drugs at retail pharmacies for state employees under certain circumstances, and to maintain a list of maintenance drugs and preferred brand name drugs; and provide that copayments for state employees for a 90-day supply of prescription drugs at a retail pharmacy will be the same as a 90-day supply through mail order.

**Section 124** provides that a state agency may not enter into a contract containing a nondisclosure clause that prohibits a contractor from disclosing to members or staff of the Legislature information relevant to the performance of the contract.

**Section 125** specifies that no section of the bill shall take effect if the appropriations and proviso to which it relates are vetoed.

**Section 126** provides that a permanent change made by another law to any of the same statutes amended by this bill will take precedence over the provision in this bill.

**Section 127** provides a severability clause.

**Section 128** provides an effective date.

If approved by the Governor, these provisions take effect July 1, 2016, except where otherwise expressly provided.

*Vote: Senate 35-5; House 120-0*

THE FLORIDA SENATE  
2016 SUMMARY OF LEGISLATION PASSED  
**Committee on Appropriations**

**HB 5007 — Collective Bargaining**

by Appropriations Committee and Rep. Corcoran (SB 2504 by Appropriations Committee)

The bill resolves the collective bargaining issues at impasse between the State of Florida and the bargaining representatives for state employees for the 2016-2017 fiscal year that have not been resolved in the General Appropriations Act or other legislation.

The amendment does not change substantive law.

If approved by the Governor, these provisions take effect 60 days after adjournment of sine die.

*Vote: Senate 40-0; House 120-0*



THE FLORIDA SENATE  
2016 SUMMARY OF LEGISLATION PASSED  
**Committee on Appropriations**

**HB 5101 — Medicaid**

by Health Care Appropriations Subcommittee and Representative Hudson (SB 2508 by Appropriations Committee)

The bill:

- Effective upon the bill becoming law, authorizes the Department of Highway Safety and Motor Vehicles to allow the Agency for Health Care Administration (AHCA), via interagency agreement, to access photographic images of driver licenses for the purpose of preventing health care fraud. The bill authorizes the AHCA to contract with a private entity to carry out duties relating to health care fraud prevention under specified safeguards and parameters.
- Provides that reimbursement for emergency services provided to an enrollee of a Medicaid managed care plan by a provider that is not under contract with the managed care plan, must be no more than the Medicaid fee-for-service rate, less any amounts for indirect costs of medical education and direct costs of graduate medical education that are otherwise included in the fee-for-service payment. Also requires the AHCA to post on its website annually, or more frequently as needed, the applicable fee-for-service fee schedules and their effective dates, less any amounts for indirect costs of medical education and direct costs of graduate medical education that would otherwise be included in the fee-for-service payments.
- Provides that a hospital classified as a sole community hospital which has up to 175 licensed beds is included in the definition of “rural hospital.”
- Transfers from the Department of Children and Families (DCF) to the AHCA the responsibility for conducting Medicaid fair hearings related to Medicaid programs administered by the AHCA, by March 1, 2017. Provides for rulemaking by the AHCA. Provides that the AHCA will use the DCF’s existing fair hearing rules if the AHCA’s rulemaking is not completed by March 1, 2017.
- Permits certain non-citizen children to receive federal financial premium assistance under Medicaid or the Children’s Health Insurance Program (CHIP). Replaces a reference to “qualified alien” with a reference to “lawfully residing child” when referring to children who are not eligible for Title XXI funded premium assistance.
- Clarifies that Kidcare program eligibility is not being extended to undocumented immigrants. Provides that a child younger than 19 years of age who is a lawfully residing child, as defined in s. 409.811, F.S., is eligible for Medicaid under s. 409.903, F.S.
- Clarifies that Medicaid eligibility is not being extended to undocumented immigrants. Amends the Florida Healthy Kids Corporation Act to conform to changes made under the bill and to update references to modified or deleted terms.
- Deletes the requirement in current law for the AHCA to limit payment for hospital emergency department visits for non-pregnant Medicaid recipients 21 years of age or older to six visits per fiscal year.
- Effective July 1, 2017, requires the AHCA to implement a prospective payment methodology for hospital outpatient reimbursement, thereby replacing the current cost-based reimbursement methodology on that date.

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- Provides that adjustments to outpatient reimbursements may not be made later than July 31 of the year in which they take effect. Also requires the AHCA, effective July 1, 2017, to reimburse ambulatory surgical centers with a prospective payment system, thereby replacing the current cost-based reimbursement methodology on that date.
- Requires the AHCA to seek federal approval to pay for flexible services for persons with severe mental illness or substance abuse disorders, including, but not limited to, temporary housing assistance. Payment for such services may be made as enhanced rates or incentive payments to managed care plans within Statewide Medicaid Managed Care. Requires the AHCA to establish a payment methodology to fund the managed care plans for flexible services for persons with severe mental illness and substance abuse disorders, including, but not limited to, temporary housing assistance. After receiving such payments for at least one year, a managed care plan must document the results of its efforts to maintain the target population in stable housing up to the maximum duration allowed under federal approval.
- Adds Down syndrome and Phelan-McDermid syndrome to the list of disorders that define “developmental disability.” Provides a definition of Phelan-McDermid syndrome.
- Revises the parameters used by the Agency for Persons with Disabilities (APD) to assign priority to clients waiting for services from the developmental disability waiver.
- Authorizes the AHCA to certify that a Medicaid provider is out of business and that any overpayments made to the provider cannot be collected under state law.
- Authorizes the AHCA to reimburse private schools and charter schools for providing Medicaid school-based services identical to those offered under the Medicaid certified school match program and under the same eligibility criteria as children eligible for services under that program.
- Adds class III psychiatric hospitals to the current list of facilities for which the AHCA is authorized to establish an alternative reimbursement methodology to the DRG-based prospective payment system otherwise required under state law for inpatient services.
- Revises parameters for the Statewide Medicaid Residency Program (SMRP), to:
  - Add psychiatry to the current list of primary care specialties;
  - Provide that federally qualified health centers are qualifying institutions for the purpose of receiving funds for residency slots through the SMRP;
  - Require that hospitals applying for the start-up bonus component of the SMRP must submit to the AHCA certain validations of new resident positions approved on or after March 2 of the prior fiscal year through March 1 of the current fiscal year for physician specialties identified to be in statewide supply/demand deficit in the General Appropriations Act; and
  - Revise the definition of “Medicaid payments,” effective July 1, 2017, in order to conform to the transition to a prospective payment system for hospital outpatient reimbursement on that date.
- Revises requirements for managed care plans within Statewide Medicaid Managed Care to:
  - Clarify that the term “essential provider” includes providers determined to be essential Medicaid providers under s. 409.975(1)(a), F.S., and providers specified as statewide essential providers under s. 409.975(1)(b), F.S., for the purpose of applying the criteria

- for excluding an essential provider from a managed care plan network for failure to meet quality or performance standards under s. 409.975(1)(c), F.S.; and
- Delete the provision in s. 409.975(6), F.S., requiring that for rates, methods, and terms of payment negotiated after a Statewide Medicaid Managed Care contract between the AHCA and a managed care plan has been executed, the managed care plan must pay hospitals within its provider networks, at a minimum, the rate that the AHCA would have paid on the first day of the contract between the provider and the plan. [\[1\]](#)
  - Provides that the amount of reimbursement for emergency services provided to subscribers who are enrolled in an HMO in the Florida Healthy Kids program by a provider for whom no contract exists between the provider and the HMO, will be the lesser of a list of specified amounts, including the Medicaid rate.
  - Amends s. 18 of ch. 2012-33, Laws of Florida, to require the AHCA to contract with a current Program of All-inclusive Care for the Elderly (PACE) organization in Southeast Florida to develop and operate a PACE program in Broward County to serve frail elders who reside in Broward County or Miami-Dade County with up to 150 initial enrollee slots.
  - Authorizes a new PACE site to serve frail elders residing in hospice service area 1 (Escambia, Okaloosa, Santa Rosa, and Walton counties), hospice service area 2A (Bay, Calhoun, Gulf, Holmes, Jackson, and Washington counties), and hospice service area 2B (Franklin, Gadsden, Jefferson, Leon, Liberty, Madison, Taylor, and Wakulla counties) with up to 100 initial enrollee slots.
  - Authorizes a new PACE site to serve frail elders residing in Clay, Duval, St. Johns, Baker, and Nassau counties with up to 300 initial enrollee slots.
  - Authorizes a new PACE site to serve frail elders residing in hospice service area 7B (Orange and Osceola counties) and hospice service area 3E (Lake and Sumter counties) with up to 150 initial enrollee slots.
  - Authorizes a new PACE site to serve frail elders residing in Hillsborough County with up to 150 initial enrollee slots.
  - Amends s. 391.055, F.S., to update a cross-reference to changes made in the bill.
  - Amends s. 427.0135, F.S., to update a cross-reference to changes made in the bill.
  - Amends s. 1002.385, F.S., to provide cross-references to changes made in the bill.
  - Amends s. 1011.70, F.S., to correct cross-references to changes made in the bill.

If approved by the Governor, these provisions take effect July 1, 2016, except as otherwise expressly provided.

[\[1\]](#) Section 2 of HB 7087 and s. 46 of SB 12 repealed this provision of HB 5101.

*Vote: Senate 40-0; House 96-23*

THE FLORIDA SENATE  
2016 SUMMARY OF LEGISLATION PASSED  
**Committee on Appropriations**

**HB 5103 — Alzheimer’s Disease Research**

by Health Care Appropriations Subcommittee and Rep. Hudson (SB 2510 by Appropriations Committee)

This bill (Chapter 2016-25, L.O.F.) conforms statutes to the funding decisions included to the General Appropriations Act, HB 5001, for Fiscal Year 2016-2017.

The bill amends s. 381.82, F.S., allowing the Ed and Ethel Moore Alzheimer’s Disease Research Program to carry forward appropriations from the General Revenue Fund up to five years after an appropriation’s effective date, if the appropriation is obligated by June 30 of the fiscal year for which the funds were appropriated.

The General Appropriations Act provides a \$5 million recurring general revenue appropriation for the Ed and Ethel Moore Alzheimer’s Disease Research Program.

These provisions were approved by the Governor and take effect on July 1, 2016.

*Vote: Senate 40-0; House 113-0*

THE FLORIDA SENATE  
2016 SUMMARY OF LEGISLATION PASSED  
**Committee on Appropriations**

**CS/CS/HB 7029 — School Choice**

by Education Committee; Education Appropriations Subcommittee; Choice and Innovation Subcommittee; and Reps. B. Cortes, M. Diaz, and others (CS/SB 1166 by Appropriations Committee and Senator Gaetz)

The bill amends numerous sections of the education statutes pertaining to postsecondary education performance funding, K-12 education policy and funding, school choice, and school construction. Specifically the bill:

- Permits the proration of dues paid to membership associations, authorizes school board members to visit schools in their districts, and allows returning retirees to be rehired in the same manner as new teachers are employed.
- Enables a parent to request a different classroom teacher for his or her child, clarifies student notification requirements pertaining to the pledge of allegiance.
- Allows a parent to defer enrollment in a Voluntary Prekindergarten (VPK) Education Program for one year.
- Directs the Office of Early Learning to not adopt a kindergarten readiness rate for the 2014-2015 or the 2015-2016 VPK program years.
- Enables students, beginning in the 2017-2018 school year, to attend any public school in the state, including charter schools, subject to maximum class size requirements, capacity and other specified provisions.
- Expands options pertaining to charter school accountability and flexibility.
  - Accountability: Requires specific information in the application process; requires monthly financial statements upon execution of the charter contract; prohibits charter schools from basing admission or dismissal on a student's academic performance; creates requirements when a charter school voluntarily closes; automatically terminates double-F charter schools; requires annually a specified number of charter school meetings to be held in the school district where the charter school is located; provides that a charter school must be located in Florida to be eligible to receive Public Education capital Outlay (PECO); and revises reading requirements to shift to evidence-based reading and provide parents with information concerning reading deficiencies.
  - Flexibility: Authorizes charter schools to seek an injunction to enforce existing requirements for local governments to treat charter schools equitably as compared to public schools; authorizes charter school governing board members to attend meetings via communications media technology; revises first quarter funding methods for charter schools, with specified payment times and amounts; prohibits districts from delaying the issuance of funds, including local funds; clarifies that an existing charter school that is seeking to become a virtual charter school must amend its application or submit a new application; and expands charter school in a municipality enrollment preferences to employees of the municipality.
- Expands options pertaining to the credit acceleration program (CAP), provides options to meet online graduation requirements, and updates terminologies to reflect the current ACT test, ACT Aspire, which has replaced the Preliminary ACT (PLAN) test.

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- Provides district school boards with responsibility to determine student eligibility requirements and subsequent disciplinary actions through suspension and expulsion policies; enables students to be immediately eligible to try out for athletic activities under certain conditions; specifies restrictions for same sport participation in a subsequent school; allows private schools to join the Florida High School Athletic Association (FHSAA) by sport; specifies 3 tiers of increased penalties for recruiting violations; specifies remaining duties of the FHSAA; and revises the FHSAA's burden of proof from "clear and convincing" to a "preponderance of the evidence."
- Revises minimum term school funding provisions to prorate FTE for schools that provide less than 900 hours of instruction (e.g., public schools, double-session schools, experimental calendar schools, and emergency conditions); authorizes recalculation of the Exceptional Student education (ESE) guaranteed amount for school districts; provides funds to school districts for federally connected students, authorizes performance funding for certain Career and Professional Education (CAPE) industry certifications; increases teacher bonuses for CAPE industry certifications; and requires a school district to add 4 special consideration points to the calculation of a matrix of services for a student who is deaf and enrolled in an auditory-oral education program.
- Authorizes charter schools to offer education competency and professional preparation for instructional personnel.
- Creates, re-enacts and amends various education and funding and scholarship programs.
  - Distinguished Florida College System (FCS) Program. Creates the program as a collaborative partnership between the State Board of Education (SBE) and the Legislature to recognize the excellence of Florida's highest-performing FCS institutions. Establishes 7 excellence standards; requires the SBE to designate each FCS institution that meets 5 of 7 standards as a distinguished college; and permits funding as provided in the General Appropriations Act.
  - FCS Performance Funding. Re-enacts performance-based incentive funding program to award FCS institutions for attaining metrics adopted by the SBE. Beginning in 2017-2018, limits the ability of an institution to submit an improvement plan to the SBE to one fiscal year.
  - State University System (SUS) Performance Funding. Extends the State University System (SUS) performance-based incentive funding program to reward SUS institutions for attainment of metrics adopted by the Board of Governors (BOG).
  - SUS Preeminence. Modifies standards that apply to Preeminent State Research Universities and creates standards and benefits for "Emerging Preeminent State Research Universities."
  - Renames the "Florida National Merit Scholar Incentive Program" as the "Benacquisto Scholarship Program", and requires all eligible state universities (and encourages all eligible Florida public or independent postsecondary educational institutions) to become college sponsors of the National Merit Scholarship Program.
  - Removes the sunset provision for the Adults with Disabilities Workforce Education Program.
- Amends the process and criteria for charter schools capital outlay funding.
  - Removes the priority preference for charter schools capital outlay funding.

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- Clarifies the financial stability requirements for charter schools.
  - Establishes a weighted funding model for state charter school capital outlay funds.
- Revises school district efforts and participation requirements pertaining to projects funded through the Special Facilities Construction Account.
- Requires school district accountability on school construction costs from all funding sources with sanctions for those districts exceeding the established cost per student station. Also, the Office of Economic and Demographic Research and Office of Program Policy and Government Accountability are authorized to study the cost per student station and current State Requirements for Educational Facilities (SREF) provisions.
- Authorizes a district school board to adopt, by supermajority vote, a resolution to implement SREF exceptions.
- Requires the Department of Education (DOE) to develop a list of approved suicide awareness and prevention training materials that may be used for training; allows a school the option to incorporate 2 hours of such training for instructional personnel; creates a new designation of “Suicide Prevention Certified School” for schools that incorporate such training; and requires a school participating in the training to report its participation to the DOE.
- Clarifies existing law to provide that the written notice informing students they have the right not to participate in the pledge of allegiance may be placed in the student handbook or similar publication.
- Requires high-performing charter schools to continually meet the same requirements for initial eligibility and annual continuing eligibility.
- Requires the Division of Vocational Rehabilitation to develop and implement a performance improvement plan to achieve specified goals and elevate the state VR program to one of the top 10 in the nation, and to annually submit a performance report with specified data to the Governor and the Legislature.
- Requires each state university board of trustees to select its chair and vice chair from the appointed members, with specified term limits, and publish notification requirements regarding attendance and meeting materials.
- Creates the Seal of Biliteracy Program to recognize high school graduates who attain a high level of competency in foreign languages.

*Vote: Senate 29-10; House 82-33*

THE FLORIDA SENATE  
2016 SUMMARY OF LEGISLATION PASSED  
**Committee on Appropriations**

**HB 7091 — Trust Funds/Termination & Administration/Working Capital  
Trust Fund/DCF & Operations and Maintenance Trust Fund/DOH**

by the Health Care Appropriations Subcommittee and Representative Hudson (SB 7060 by Appropriations Committee)

The bill (Chapter 2016-29, L.O.F.) terminates the Working Capital Trust Fund within the Department of Children and Families (DCF) and provides that any revenues of the trust fund will be transferred to the Federal Grants Trust Fund within the DCF.

The bill terminates the Operations and Maintenance Trust Fund within the Department of Health (DOH) and provides that any revenues of the trust fund will be transferred to the Federal Grants Trust Fund within the DOH.

The bill also conforms Florida Statutes to the termination of the trust funds.

These provisions became law upon approval by the Governor on March 9, 2016.

*Vote: Senate 40-0; House 114-0*



THE FLORIDA SENATE  
2016 SUMMARY OF LEGISLATION PASSED  
**Committee on Appropriations**

**HB 7099 — Taxation**

by Finance and Tax Committee; and Rep. Gaetz and others

The bill contains the following provisions:

- Makes permanent the sales tax exemption for machinery and equipment used in manufacturing and provides exemptions for machinery and equipment used in agricultural post-harvest activities or used by metal recyclers.
- Effective July 1, 2019, eliminates a current aviation fuel tax exemption and reduces the aviation fuel tax rate from 6.9 cents per gallon to 4.27 cents per gallon.
- Replaces the current tax calculation for determining the tax imposed on alcohol and tobacco sold on cruise ships with a simpler revenue-neutral calculation.
- Makes a technical change to the documentary stamp tax statute to provide that certain documentary stamp tax revenue is pledged and made first available to pay debt service on bonds authorized before July 1, 2017.
- Clarifies that counties and municipalities may grant economic development property tax exemptions in areas which were previously designated as enterprise zones for projects that were preapproved before December 31, 2015.
- Adopts the Internal Revenue Code as in effect on January 1, 2016, for purposes of corporate income tax, but decouples from certain federal bonus depreciation provisions.
- Makes changes to corporate income tax filing dates and estimated payment due dates to conform to changes made to the federal corporate tax.
- Provides a sales tax exemption for sales of food and drink by veterans' organizations to members of veterans' organizations.
- Reduces the beverage tax rate imposed on pear cider to make it the same as the rate on apple cider.
- Allows purchasers of airplanes to retain an airplane in Florida while waiting for the airplane to be registered in a foreign country without having to pay sales tax.
- Clarifies the definition of "wholesale sales price" for purposes of the tax on other tobacco products.
- Provides a three-day "back-to-school" sales tax holiday from August 5, 2016, to August 7, 2016, for clothing and footwear costing \$60 or less, and school supplies costing less than \$15.
- Authorizes certain counties, currently Okaloosa, Bay, and Walton, to use 10 percent of the revenue from existing Tourist Development Taxes for expenses incurred in providing public safety services.
- Phases out, over three years, the indexed sales tax on asphalt used for government projects.
- For purposes of the local option economic development property tax exemption, allows the exemption for replacement data center equipment and extends the length of the exemption from 10 to 20 years for such equipment.

- For the Fiscal Year 2016-2017, the bill appropriates \$330,356 in nonrecurring funds from the General Revenue Fund to the Department of Revenue to administer the sales tax holiday and the changes to the corporate return and estimated payment due dates.

If approved by the Governor, these provisions take effect July 1, 2016.

*Vote: Senate 35-4; House 105-9*