

Tab 1 SPB 2500 by AP; Appropriations					
995054	A	S	FAV	AP, Powell	04/06 07:59 PM
995013	A	S	FAV	AP, Stargel	04/06 07:59 PM
995014	A	S	FAV	AP, Book	04/06 07:59 PM
995057	A	S	FAV	AP, Galvano	04/06 07:59 PM
995103	A	S	FAV	AP, Gibson	04/06 07:59 PM
995028	A	S	FAV	AP, Simmons	04/06 07:59 PM
995007	A	S	FAV	AP, Simpson	04/06 07:59 PM
995009	A	S	FAV	AP, Galvano	04/06 07:59 PM
995010	A	S	FAV	AP, Grimsley	04/06 07:59 PM
995008	A	S	FAV	AP, Book	04/06 07:59 PM
995021	A	S	FAV	AP, Flores	04/06 07:59 PM
995005	A	S	FAV	AP, Flores	04/06 07:59 PM
995017	A	S	FAV	AP, Simmons	04/06 07:59 PM
995004	A	S	FAV	AP, Grimsley	04/06 07:59 PM
995025	A	S	FAV	AP, Simmons	04/06 07:59 PM
995040	A	S	FAV	AP, Bean	04/06 07:59 PM
995027	A	S	FAV	AP, Montford	04/06 07:59 PM
995026	A	S	FAV	AP, Galvano	04/06 07:59 PM
995023	A	S	FAV	AP, Galvano	04/06 07:59 PM
995024	A	S	FAV	AP, Galvano	04/06 07:59 PM
995030	A	S	FAV	AP, Galvano	04/06 07:59 PM
995032	A	S	FAV	AP, Bradley	04/06 07:59 PM
995066	A	S	FAV	AP, Galvano	04/06 07:59 PM
995079	A	S	FAV	AP, Flores	04/06 07:59 PM
~~995085~~	A	S	WD	AP, Galvano	04/04 03:12 PM
995074	A	S	FAV	AP, Brandes	04/06 07:59 PM
995083	A	S	FAV	AP, Grimsley	04/06 07:59 PM
995086	A	S	FAV	AP, Montford	04/06 07:59 PM
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995073	A	S	FAV	AP, Flores	04/06 07:59 PM
995059	A	S	RS	AP, Flores	04/06 07:59 PM
995119	SA	S	FAV	AP, Flores	04/06 07:59 PM
995095	A	S	FAV	AP, Flores	04/06 07:59 PM
~~995075~~	A	S	WD	AP, Stargel	04/06 07:59 PM
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995078	A	S	FAV	AP, Powell	04/06 07:59 PM
995090	A	S	FAV	AP, Flores	04/06 07:59 PM
995037	A	S	FAV	AP, Bean	04/06 07:59 PM
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995118	SA	S	FAV	AP, Flores	04/06 07:59 PM
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995081	A	S	RS	AP, Gibson	04/06 07:59 PM
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995029	A	S	RS	AP, Bean	04/06 07:59 PM
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~~995011~~	~~A~~	~~S~~	~~WD~~	~~AP, Bracy~~	~~04/06 07:59 PM~~
995052	A	S	FAV	AP, Brandes	04/06 07:59 PM
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995055	A	S	FAV	AP, Gainer	04/06 07:59 PM
995051	A	S	FAV	AP, Gainer	04/06 07:59 PM
995033	A	S	FAV	AP, Book	04/06 07:59 PM
995042	A	S	FAV	AP, Book	04/06 07:59 PM
995046	A	S	FAV	AP, Gibson	04/06 07:59 PM
995015	A	S	FAV	AP, Brandes	04/06 07:59 PM
995050	A	S	FAV	AP, Brandes	04/06 07:59 PM
995106	AA	S	FAV	AP, Brandes	04/06 07:59 PM
995098	A	S	FAV	AP, Brandes	04/06 07:59 PM
995101	A	S	FAV	AP, Brandes	04/06 07:59 PM
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995064	A	S	RS	AP, Bradley	04/06 07:59 PM
995120	SA	S	FAV	AP, Bradley	04/06 07:59 PM
995067	A	S	FAV	AP, Bradley	04/06 07:59 PM
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995053	A	S	FAV	AP, Bradley	04/06 07:59 PM
995001	A	S	FAV	AP, Bradley	04/06 07:59 PM
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995056	A	S	FAV	AP, Bradley	04/06 07:59 PM
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995113	AA	S	FAV	AP, Bradley	04/06 07:59 PM
995069	A	S	FAV	AP, Bradley	04/06 07:59 PM
995070	A	S	FAV	AP, Bradley	04/06 07:59 PM
995043	A	S	FAV	AP, Bradley	04/06 07:59 PM
995045	A	S	FAV	AP, Powell	04/06 07:59 PM
995084	A	S	FAV	AP, Bradley	04/06 07:59 PM
995019	A	S	FAV	AP, Powell	04/06 07:59 PM
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995016	A	S	FAV	AP, Grimsley	04/06 07:59 PM
995044	A	S	FAV	AP, Flores	04/06 07:59 PM
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995071	A	S	FAV	AP, Grimsley	04/06 07:59 PM
995107	A	S	FAV	AP, Montford	04/06 07:59 PM
995104	A	S	FAV	AP, Flores	04/06 07:59 PM
995115	A	S	FAV	AP, Brandes	04/06 07:59 PM
995110	A	S	FAV	AP, Grimsley	04/06 07:59 PM
995111	A	S	FAV	AP, Bradley	04/06 07:59 PM
995121	A	S	FAV	AP, Grimsley	04/06 07:59 PM
995123	A	S	FAV	AP, Braynon	04/06 07:59 PM
995122	A	S	FAV	AP, Braynon	04/06 07:59 PM

Tab 2 **SPB 2502 by AP; Implementing the 2017-2018 General Appropriations Act**

Tab 3 **SPB 2504 by AP; State Employees**

Tab 4 **SB 7022 by GO; (Compare to H 05001) State-administered Retirement Systems**

Tab 5 **SPB 2506 by AP; Clerks of the Court**

Tab 6 **SPB 2508 by AP; Division of State Group Insurance**

Tab 7 **SPB 2510 by AP; Public Records/Dependent Eligibility Verification Services**

Tab 8 **SPB 2512 by AP; Capitol Complex Advisory Council**

690854	A	S	FAV	AP, Grimsley	Delete L.27 - 29:	04/06 06:17 PM

Tab 9 **SPB 2514 by AP; Health Care**

577536	A	S	FAV	AP, Flores	Delete L.177 - 184:	04/06 06:23 PM
587490	A	S	FAV	AP, Grimsley	btw L.1213 - 1214:	04/06 06:23 PM

Tab 10 **SPB 2516 by AP; Education Funding**

387656	A	S	FAV	AP, Bean	btw L.60 - 61:	04/06 06:29 PM

Tab 11 **CS/SB 364 by CM, Gainer (CO-INTRODUCERS) Broxson, Montford; (Compare to H 05001) Recovery Fund for the Deepwater Horizon Incident**

673964	D	S	RCS	AP, Gainer	Delete everything after	04/06 06:42 PM
~~696972~~	~~AA~~	~~S~~	~~WD~~	~~AP, Gainer~~	~~Delete L.59 - 104:~~	~~04/04 01:51 PM~~
599280	AA	S	RCS	AP, Gainer	Delete L.75 - 90:	04/06 06:42 PM
923270	AA	S	RCS	AP, Gainer	Delete L.401:	04/06 06:42 PM

Tab 12 **SPB 2518 by AP; Triumph Gulf Coast Trust Fund/Department of Economic Opportunity**

Tab 13 **SB 1094 by Gainer; (Identical to H 01051) Forensic Hospital Diversion Pilot Program**

Tab 14 SB 10 by Bradley (CO-INTRODUCERS) Flores; (Identical to H 00761) Water Resources							
601444	PCS	S	RCS	AP, AEN			04/06 06:05 PM
920390	PCS:D	S	RCS	AP, Bradley, Latvala	Delete everything after		04/06 06:05 PM
~~888772~~	PCS:AA	S	WD	AP, Simmons	Delete L.5 - 769:		04/06 06:05 PM
959412	PCS:AA	S	RCS	AP, Galvano	Delete L.192 - 255:		04/06 06:05 PM
~~934000~~	PCS:SD	S	WD	AP, Simmons	Delete everything after		04/06 06:05 PM
~~201822~~	PCS:AS	S	WD	AP, Simmons	btw L.186 - 187:		04/06 06:05 PM
Tab 15 CS/SB 454 by BI, Brandes; (Similar to H 00359) Regulation of Insurance Companies							
149870	PCS	S	RCS	AP, AGG			04/06 06:52 PM
528356	A	S	RCS	AP, Brandes	btw L.189 - 190:		04/06 06:52 PM
118522	A	S	RCS	AP, Brandes	btw L.327 - 328:		04/06 06:52 PM
957254	AA	S	RCS	AP, Brandes	Delete L.26:		04/06 06:52 PM
Tab 16 SB 458 by Brandes (CO-INTRODUCERS) Rouson; (Identical to H 00387) Florida Criminal Justice Reform Task Force							
496256	PCS	S	RCS	AP, ACJ			04/06 06:56 PM
Tab 17 CS/SB 790 by CJ, Brandes; (Similar to H 07091) Probation and Community Control							
931878	A	S	RCS	AP, Brandes	Delete L.194 - 208:		04/06 06:58 PM
376350	A	S	RCS	AP, Brandes	Delete L.769:		04/06 06:58 PM
Tab 18 CS/SB 788 by CJ, Clemens; (Compare to CS/CS/H 00807) Marketing Practices for Substance Abuse Services							
743556	A	S	RCS	AP, Clemens	btw L.649 - 650:		04/06 06:58 PM
Tab 19 CS/SB 1170 by BI, Hutson (CO-INTRODUCERS) Garcia; (Compare to H 01373) Florida Security for Public Deposits Act							
146134	A	S		AP, Hutson	Delete L.844:		04/03 01:33 PM
Tab 20 CS/SB 234 by EP, Bradley (CO-INTRODUCERS) Bean, Gibson, Hutson, Stewart; (Identical to H 00847) Land Acquisition Trust Fund							
544906	PCS	S	RCS	AP, AEN			04/06 07:00 PM
Tab 21 CS/SB 18 by JU, Flores; (Similar to CS/H 06523) Relief of "Survivor" and the Estate of "Victim" by the Department of Children and Families							
521374	PCS	S	RCS	AP, AHS			04/06 07:01 PM
Tab 22 CS/SB 64 by EP, Bean (CO-INTRODUCERS) Mayfield; (Similar to CS/CS/H 00185) State Park Fees							
134064	PCS	S	RCS	AP, AEN			04/06 07:04 PM
~~561652~~	A	S	WD	AP, Bean	Delete L.28:		04/05 08:40 AM
~~704926~~	A	S	WD	AP, Bean	Delete L.28:		04/04 05:49 PM
Tab 23 CS/SB 154 by CJ, Thurston (CO-INTRODUCERS) Garcia; (Similar to CS/CS/H 00039) Autism Awareness Training for Law Enforcement Officers							
639172	PCS	S	RCS	AP, ACJ			04/06 07:07 PM
Tab 24 CS/SB 370 by MS, Stargel; (Identical to CS/H 00635) Florida Wing of the Civil Air Patrol							
792908	PCS	S	RCS	AP, AGG			04/06 07:08 PM
Tab 25 SB 514 by Stargel; (Identical to H 00741) Fees of the Department of Business and Professional Regulation							

Tab 26	CS/SB 374 by ED, Hukill (CO-INTRODUCERS) Galvano, Simpson; (Compare to CS/H 00003) Postsecondary Education					
724756	PCS	S	RCS	AP, AHE		04/07 01:31 PM
151586	A	S	RS	AP, Brandes	btw L.6996 - 6997:	04/07 01:31 PM
973614	SA	S L	RCS	AP, Brandes	btw L.6996 - 6997:	04/07 01:31 PM
Tab 27	CS/SB 392 by ED, Hukill (CO-INTRODUCERS) Garcia, Simpson; (Similar to H 00955) High School Graduation Requirements					
~~578700~~	A	S	WD	AP, Hukill, Simpson	Delete L.70 - 91:	04/05 11:21 AM
Tab 28	CS/CS/SB 182 by HP, BI, Mayfield (CO-INTRODUCERS) Artiles, Broxson; (Similar to CS/H 00095) Consumer Protection from Nonmedical Changes to Prescription Drug Formularies					
Tab 29	CS/SB 336 by RI, Hutson (CO-INTRODUCERS) Book, Young; (Identical to CS/H 00327) Household Movers					
605084	PCS	S	RCS	AP, AEN		04/07 01:10 PM
200828	A	S	RCS	AP, Hutson	Delete L.37:	04/07 01:10 PM
Tab 30	CS/SB 884 by EP, Hutson; (Compare to CS/CS/H 00823) Shark Fins					
453552	D	S L	RCS	AP, Hutson	Delete everything after	04/07 01:11 PM
Tab 31	SB 376 by Simmons; (Compare to H 05103) Charter School Funding					
~~196896~~	A	S	WD	AP, Braynon	Delete L.138 - 179:	04/07 01:14 PM
~~376012~~	A	S	WD	AP, Simmons	Delete L.139:	04/07 01:14 PM
~~770816~~	A	S	WD	AP, Braynon	Delete L.249 - 261.	04/07 01:14 PM
~~948372~~	A	S	WD	AP, Simmons	Delete L.249 - 258:	04/07 01:14 PM
Tab 32	CS/SB 532 by EP, Galvano (CO-INTRODUCERS) Stewart, Benacquisto, Rouson, Book, Young; (Similar to H 01065) Public Notification of Pollution					
Tab 33	CS/CS/SB 582 by JU, RI, Latvala; Regulatory Boards					
Tab 34	CS/SB 718 by TR, Powell; (Identical to CS/H 00711) Vessel Registrations					
Tab 35	CS/SB 852 by CJ, Garcia (CO-INTRODUCERS) Benacquisto, Flores, Campbell, Braynon, Latvala; (Similar to CS/CS/H 01383) Human Trafficking					
681222	A	S	RCS	AP, Latvala	btw L.519 - 520:	04/07 01:38 PM
Tab 36	SJR 76 by Lee (CO-INTRODUCERS) Garcia, Perry; (Similar to CS/1ST ENG/H 00021) Limitations on Property Tax Assessments					
959354	PCS	S	RCS	AP, AFT		04/07 01:48 PM

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

APPROPRIATIONS
Senator Latvala, Chair
Senator Flores, Vice Chair

MEETING DATE: Thursday, April 6, 2017
TIME: 8:00—10:00 a.m.
PLACE: Pat Thomas Committee Room, 412 Knott Building

MEMBERS: Senator Latvala, Chair; Senator Flores, Vice Chair; Senators Bean, Benacquisto, Book, Bracy, Bradley, Brandes, Braynon, Gainer, Galvano, Gibson, Grimsley, Montford, Powell, Simmons, Simpson, and Stargel

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
Bills on the agenda will be taken up in the order listed.			
Continuation of Wednesday, April 5, 2017, Meeting:			
Consideration of proposed bill:			
1	SPB 2500	Appropriations; Providing moneys for the annual period beginning July 1, 2017, and ending June 30, 2018, and supplemental appropriations for the period ending June 30, 2017, to pay salaries and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of state government, etc.	
Consideration of proposed bill:			
2	SPB 2502	Implementing the 2017-2018 General Appropriations Act; Incorporating by reference certain calculations of the Florida Education Finance Program; extending the date by which the Florida Polytechnic University must meet certain criteria established by the Board of Governors; providing an exception from cost per student station limitations for the Dixie County Middle/High School special facility project; requiring the Agency for Persons with Disabilities to contract for an independent consultant to study and make recommendations on certain aspects of the home and community-based services Medicaid waiver program, etc.	
Consideration of proposed bill:			
3	SPB 2504	State Employees; Providing for the resolution of collective bargaining issues at impasse between the state and certified bargaining units of state employees, etc.	

COMMITTEE MEETING EXPANDED AGENDA

Appropriations

Thursday, April 6, 2017, 8:00—10:00 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	SB 7022 Governmental Oversight and Accountability (Compare H 5007)	State-administered Retirement Systems; Revising required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System, etc. AP 04/05/2017 Favorable AP 04/06/2017	
Consideration of proposed bill:			
5	SPB 2506	Clerks of the Court; Requiring that certain filing fees for trial and appellate proceedings be deposited into clerks of the circuit court fine and forfeiture funds, rather than into the General Revenue Fund; authorizing the Florida Clerks of the Court Operations Corporation to recommend budgets that are in excess of the official estimate under certain circumstances; requiring the corporation to certify the revenue deficit and report the amount necessary to fund anticipated expenditures to the commission, etc.	
Consideration of proposed bill:			
6	SPB 2508	Division of State Group Insurance; Removing a requirement that a contract for dependent eligibility verification services for the state group insurance program be contingency-based; requiring the division to notify subscribers of dependent eligibility rules by a certain date; requiring the division to hold a subscriber harmless for past claims of ineligible dependents for a specified timeframe, etc.	
Consideration of proposed bill:			
7	SPB 2510	Public Records/Dependent Eligibility Verification Services; Creating an exemption from public records requirements for records collected for dependent eligibility verification services for the state group insurance program and held by the Department of Management Services; providing for future legislative review and repeal; providing a statement of public necessity, etc.	

Consideration of proposed bill:

COMMITTEE MEETING EXPANDED AGENDA

Appropriations

Thursday, April 6, 2017, 8:00—10:00 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
8	SPB 2512	Capitol Complex Advisory Council; Creating the advisory council within the legislative branch; authorizing the advisory council to consult with specified persons in furtherance of its duties; requiring the Department of Management Services to periodically brief the advisory council with respect to planned actions regarding the Capitol Complex, etc.	
Consideration of proposed bill:			
9	SPB 2514	Health Care; Providing that a specified percentage of the cigarette tax, up to a specified amount, be paid annually to the Florida Consortium of National Cancer Institute Centers Program, rather than the Sanford-Burnham Medical Research Institute; creating the Substance Abuse and Mental Health (SAMH) Safety Net Network; requiring the Department of Children and Families and the Agency for Health Care Administration to determine the scope of services to be offered through providers contracted with the SAMH Safety Net Network, etc.	
Consideration of proposed bill:			
10	SPB 2516	Education Funding; Requiring the Auditor General to conduct annual audits of the Florida School for the Deaf and the Blind; requiring the 300 lowest-performing elementary schools to provide a specified summer school program; revising the schools that may be considered small, isolated schools to include elementary schools that meet certain requirements, for the purpose of determining the annual allocation to each district; revising the purposes for which the High Growth District Capital Outlay Assistance Grant Program funds may be used, etc.	
11	CS/SB 364 Commerce and Tourism / Gainer (Compare H 7077)	Recovery Fund for the Deepwater Horizon Incident; Revising the funding source of the principal of the Recovery Fund for the Deepwater Horizon incident; deleting a requirement that the Recovery Fund be maintained as a long-term, stable source of revenue, for a specified period; repealing provisions relating to the disbursement of funds received for damages caused by the Deepwater Horizon oil spill, etc. CM 02/21/2017 Temporarily Postponed CM 03/13/2017 Fav/CS ATD 03/28/2017 Favorable AP 04/05/2017 Fav/CS AP 04/06/2017	
With subcommittee recommendation – Transportation, Tourism, and Economic Development			

COMMITTEE MEETING EXPANDED AGENDA

Appropriations

Thursday, April 6, 2017, 8:00—10:00 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
Consideration of proposed bill:			
12	SPB 2518	Triumph Gulf Coast Trust Fund/Department of Economic Opportunity; Creating the Triumph Gulf Coast Trust Fund within the Department of Economic Opportunity; exempting the trust fund from the general revenue service charge, etc.	
13	SB 1094 Gainer (Identical H 1051)	Forensic Hospital Diversion Pilot Program; Authorizing the Department of Children and Families to implement a Forensic Hospital Diversion Pilot Program in Okaloosa County in conjunction with the First Judicial Circuit in Okaloosa County, etc. CF 03/21/2017 Favorable JU 03/28/2017 Favorable AP 04/05/2017 Favorable AP 04/06/2017	
A proposed committee substitute for the following bill (SB 10) is available:			
14	SB 10 Bradley (Identical H 761)	Water Resources; Providing an exception to the requirement that bonds issued for acquisition and improvement of land, water areas, and related property interests and resources be deposited into the Florida Forever Trust Fund and distributed in a specified manner; requiring the South Florida Water Management District to seek proposals from willing sellers of property within the Everglades Agricultural Area for land that is suitable for the reservoir project; increasing the minimum annual funding for certain Everglades projects under specified circumstances, etc. EP 02/07/2017 Favorable AEN 03/08/2017 Fav/CS AP 04/05/2017 Fav/CS AP 04/06/2017	
With subcommittee recommendation – Environment and Natural Resources			
A proposed committee substitute for the following bill (CS/SB 454) is available:			

COMMITTEE MEETING EXPANDED AGENDA

Appropriations

Thursday, April 6, 2017, 8:00—10:00 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
15	CS/SB 454 Banking and Insurance / Brandes (Similar H 359)	Regulation of Insurance Companies; Deleting a future repeal of an exemption of medical malpractice insurance premiums from certain emergency assessments by the State Board of Administration relating to the Florida Hurricane Catastrophe Fund; revising the allowable assets of insurers relating to specified levied assessments; providing that an electronically delivered document in an insurance policy meets formatting requirements for printed documents under certain conditions, etc. BI 03/06/2017 Fav/CS AGG 03/15/2017 Fav/CS AP 04/05/2017 Fav/CS AP 04/06/2017 RC	
With subcommittee recommendation – General Government			
A proposed committee substitute for the following bill (SB 458) is available:			
16	SB 458 Brandes (Identical H 387)	Florida Criminal Justice Reform Task Force; Creating the task force within the legislative branch; prescribing duties of the task force; specifying public records and public meetings requirements applicable to the task force, etc. CJ 03/13/2017 Favorable ACJ 03/22/2017 Fav/CS AP 04/05/2017 Fav/CS AP 04/06/2017 RC	
With subcommittee recommendation – Criminal and Civil Justice			

COMMITTEE MEETING EXPANDED AGENDA

Appropriations

Thursday, April 6, 2017, 8:00—10:00 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
17	CS/SB 790 Criminal Justice / Brandes (Similar H 7091)	Probation and Community Control; Requiring the Department of Corrections to revise and make available to the courts, rather than develop and disseminate to the courts, uniform order of supervision forms; authorizing the court to require a probationer or offender to report to, to permit visits by, to submit to random testing as directed by, probation officers, rather than probation and parole supervisors or correctional probation officers; authorizing, rather than requiring, a court to require an offender to make a good faith effort toward completion of certain skills or a specific diploma as a condition of community control, probation, or probation following incarceration; requiring, rather than authorizing, the department to electronically monitor offenders sentenced to community control under certain circumstances, etc. CJ 03/13/2017 Fav/CS AP 04/05/2017 Fav/CS AP 04/06/2017 RC	
18	CS/SB 788 Criminal Justice / Clemens (Compare CS/CS/H 807)	Marketing Practices for Substance Abuse Services; Authorizing the Office of Statewide Prosecution in the Department of Legal Affairs to investigate and prosecute patient brokering offenses; providing that an application for the disclosure of an individual's records may be filed as part of an active criminal investigation; prohibiting a person from knowingly and willfully making specified false or misleading statements or providing specified false or misleading information under certain circumstances, etc. CJ 03/06/2017 Fav/CS CF 03/21/2017 Favorable AP 04/05/2017 Fav/CS AP 04/06/2017 RC	
19	CS/SB 1170 Banking and Insurance / Hutson (Compare H 1373)	Florida Security for Public Deposits Act; Redefining terms, which includes the addition of credit unions as qualified public depositories under the Florida Security for Public Deposits Act; specifying conditions that must be met before the Chief Financial Officer may designate a credit union as a qualified public depository; specifying the mutual responsibility and contingent liability of certain credit unions designated as qualified public depositories, etc. BI 03/14/2017 Fav/CS AP 04/05/2017 Temporarily Postponed AP 04/06/2017 Temporarily Postponed RC	Temporarily Postponed

A proposed committee substitute for the following bill (CS/SB 234) is available:

COMMITTEE MEETING EXPANDED AGENDA

Appropriations

Thursday, April 6, 2017, 8:00—10:00 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
20	CS/SB 234 Environmental Preservation and Conservation / Bradley (Identical H 847, Compare H 1033, CS/S 982)	Land Acquisition Trust Fund ; Requiring a specified appropriation for certain projects related to the St. Johns River and its tributaries or the Keystone Lake Region, etc. EP 02/21/2017 Fav/CS AEN 03/08/2017 Fav/CS AP 04/05/2017 Fav/CS AP 04/06/2017	

With subcommittee recommendation – Environment and Natural Resources

A proposed committee substitute for the following bill (CS/SB 18) is available:

21	CS/SB 18 Judiciary / Flores (Similar CS/H 6523)	Relief of "Survivor" and the Estate of "Victim" by the Department of Children and Families ; Providing for the relief of "Survivor" and the Estate of "Victim"; providing an appropriation to compensate Survivor and the Estate of Victim for injuries and damages sustained as result of the negligence of the Department of Children and Families, formerly known as the Department of Children and Family Services, etc. SM JU 02/21/2017 Fav/CS AHS 03/21/2017 Fav/CS AP 04/05/2017 Fav/CS AP 04/06/2017	

With subcommittee recommendation – Health and Human Services

A proposed committee substitute for the following bill (CS/SB 64) is available:

22	CS/SB 64 Environmental Preservation and Conservation / Bean (Similar CS/CS/H 185)	State Park Fees; Providing certain discounts on state park fees to specified foster and adoptive families; requiring the Division of Recreation and Parks within the Department of Environmental Protection to establish certain documentation standards and create a procedure for obtaining the discounts; requiring the division to continue a partnership with the Department of Children and Families to promote fostering and adoption of special needs children with certain events, etc. EP 02/21/2017 Fav/CS AEN 03/15/2017 Fav/CS AP 04/05/2017 Fav/CS AP 04/06/2017	

With subcommittee recommendation – Environment and Natural Resources

COMMITTEE MEETING EXPANDED AGENDA

Appropriations

Thursday, April 6, 2017, 8:00—10:00 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION

A proposed committee substitute for the following bill (CS/SB 154) is available:

23	CS/SB 154 Criminal Justice / Thurston (Similar CS/CS/H 39, Compare H 219)	Autism Awareness Training for Law Enforcement Officers; Requiring the Department of Law Enforcement to establish a continued employment training component relating to autism spectrum disorder, etc.
		CJ 02/06/2017 Fav/CS CF 02/21/2017 Favorable ACJ 03/22/2017 Fav/CS AP 04/05/2017 Fav/CS AP 04/06/2017

With subcommittee recommendation – Criminal and Civil Justice

A proposed committee substitute for the following bill (CS/SB 370) is available:

24	CS/SB 370 Military and Veterans Affairs, Space, and Domestic Security / Stargel (Identical CS/H 635)	Florida Wing of the Civil Air Patrol; Requiring certain employers to provide Civil Air Patrol leave; prohibiting specified public and private employers from discharging, reprimanding, or penalizing a Civil Air Patrol member because of his or her absence by reason of taking Civil Air Patrol leave, etc.
		MS 02/21/2017 Fav/CS AGG 03/15/2017 Fav/CS AP 04/05/2017 Fav/CS AP 04/06/2017

With subcommittee recommendation – General Government

25	SB 514 Stargel (Identical H 741, Compare H 1123, CS/S 1442)	Fees of the Department of Business and Professional Regulation; Revising the amount of the additional delinquency fee a board or the department must impose under certain circumstances; revising the surcharge rate assessed on certain permits, etc.
		RI 03/15/2017 Favorable AGG 03/29/2017 Favorable AP 04/05/2017 Favorable AP 04/06/2017

With subcommittee recommendation – General Government

A proposed committee substitute for the following bill (CS/SB 374) is available:

COMMITTEE MEETING EXPANDED AGENDA

Appropriations

Thursday, April 6, 2017, 8:00—10:00 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
26	CS/SB 374 Education / Hukill (Compare CS/H 3, CS/H 929, CS/CS/S 2)	Postsecondary Education; Citing this act as the "College Competitiveness Act of 2017"; renaming the Florida College System as the Florida Community College System; creating the State Board of Community Colleges; revising the function and mission of the Florida K-20 education system; providing the primary mission of a career center operated by a district school board; providing that the State Board of Community Colleges, instead of the State Board of Education, provide guidelines for Florida Community College System institution boards of trustees' policies, etc. ED 02/06/2017 Fav/CS AHE 03/15/2017 Fav/CS AP 04/05/2017 Temporarily Postponed AP 04/06/2017 Fav/CS	Fav/CS Yeas 17 Nays 1
With subcommittee recommendation – Higher Education			
27	CS/SB 392 Education / Hukill (Similar H 955, Compare H 831, S 1026)	High School Graduation Requirements; Revising the requirements for the Next Generation Sunshine State Standards to include financial literacy; revising the required credits for a standard high school diploma to include one-half credit of instruction in personal financial literacy and money management and seven and one-half, rather than eight, credits in electives, etc. ED 03/06/2017 Fav/CS AED 03/15/2017 Favorable AP 04/05/2017 Favorable AP 04/06/2017	
With subcommittee recommendation – Pre-K – 12 Education			
Additional Bills:			
28	CS/CS/SB 182 Health Policy / Banking and Insurance / Mayfield (Similar CS/H 95)	Consumer Protection from Nonmedical Changes to Prescription Drug Formularies; Limiting, under specified circumstances, changes to a health insurance policy prescription drug formulary during a policy year; requiring small employer carriers to limit changes to prescription drug formularies under certain circumstances; limiting, under specified circumstances, changes to a health maintenance contract prescription drug formulary during a contract year, etc. BI 02/07/2017 Fav/CS HP 02/21/2017 Fav/CS AP 04/06/2017 Favorable RC	Favorable Yeas 18 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Appropriations

Thursday, April 6, 2017, 8:00—10:00 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
A proposed committee substitute for the following bill (CS/SB 336) is available:			
29	CS/SB 336 Regulated Industries / Hutson (Identical CS/H 327)	Household Movers; Requiring the Department of Agriculture and Consumer Services to deny or refuse to renew the registration of a mover under certain circumstances; prohibiting a mover from knowingly refusing or failing to disclose in writing specified criminal information under certain circumstances; requiring the department to impose either a civil penalty or an administrative fine for failure to disclose in writing specified criminal information, etc. RI 02/08/2017 Fav/CS AEN 03/21/2017 Fav/CS AP 04/06/2017 Fav/CS	Fav/CS Yeas 17 Nays 0
With subcommittee recommendation – Environment and Natural Resources			
30	CS/SB 884 Environmental Preservation and Conservation / Hutson (Compare CS/CS/H 823)	Shark Fins; Prohibiting persons from possessing separated shark fins except under certain conditions; providing penalties; prohibiting persons with suspended or revoked saltwater license privileges from engaging in certain activities, etc. EP 03/14/2017 Fav/CS AEN 03/29/2017 Favorable AP 04/06/2017 Fav/CS	Fav/CS Yeas 18 Nays 0
With subcommittee recommendation – Environment and Natural Resources			
31	SB 376 Simmons (Compare H 5103)	Charter School Funding; Authorizing school boards to levy specified amounts for charter schools; providing that charter school capital outlay funding consists of shared local capital outlay and state funding as provided in the General Appropriations Act; prohibiting a charter school from being eligible for a funding allocation under certain circumstances, etc. ED 02/21/2017 Favorable AED 03/08/2017 Favorable AP 04/06/2017 Favorable	Favorable Yeas 14 Nays 4
With subcommittee recommendation – Pre-K – 12 Education			

COMMITTEE MEETING EXPANDED AGENDA

Appropriations

Thursday, April 6, 2017, 8:00—10:00 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
32	CS/SB 532 Environmental Preservation and Conservation / Galvano (Similar H 1065)	Public Notification of Pollution; Creating the "Public Notice of Pollution Act"; specifying authority of the Department of Environmental Protection; specifying that the act does not alter or affect the emergency management responsibilities of certain other governmental entities; requiring an owner or operator of an installation at which a reportable pollution release occurred to provide certain information to the department within 24 hours after the discovery of a reportable pollution release, etc. EP 03/07/2017 Fav/CS AEN 03/21/2017 Favorable AP 04/06/2017 Favorable	Favorable Yeas 18 Nays 0
With subcommittee recommendation – Environment and Natural Resources			
33	CS/CS/SB 582 Judiciary / Regulated Industries / Latvala	Regulatory Boards; Requiring the Department of Business and Professional Regulation, the Department of Health, and the Department of Financial Services, respectively, to determine whether final board decisions constitute certain anticompetitive conduct; specifying that the departments' anticompetitive review constitutes a limited legal review and its resulting determination is not subject to legal challenge, etc. RI 03/21/2017 Fav/CS JU 03/28/2017 Fav/CS AP 04/06/2017 Favorable	Favorable Yeas 15 Nays 0
34	CS/SB 718 Transportation / Powell (Identical CS/H 711)	Vessel Registrations; Revising a reduction of vessel registration fees for recreational vessels equipped with certain position indicating and locating beacons, etc. TR 03/14/2017 Fav/CS AFT 03/21/2017 Favorable AP 04/06/2017 Favorable	Favorable Yeas 15 Nays 0
With subcommittee recommendation – Finance and Tax			
35	CS/SB 852 Criminal Justice / Garcia (Similar CS/H 1383)	Human Trafficking; Requiring the Department of Children and Families or a sheriff's office to conduct a multidisciplinary staffing on child victims of commercial sexual exploitation to determine the child's service and placement needs; defining the term "commercial sexual exploitation"; adding human trafficking to the list of crimes requiring pretrial detention of the defendant, etc. CJ 03/13/2017 Fav/CS JU 03/22/2017 Favorable AP 04/06/2017 Fav/CS	Fav/CS Yeas 15 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Appropriations

Thursday, April 6, 2017, 8:00—10:00 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION

A proposed committee substitute for the following bill (SJR 76) is available:

36	SJR 76 Lee (Similar CS/HJR 21)	Limitations on Property Tax Assessments ; Proposing an amendment to the State Constitution to remove a future repeal of provisions which limit annual assessment increases for specified nonhomestead real property, etc. AFT 02/22/2017 Fav/CS AP 04/06/2017 Fav/CS RC	Fav/CS Yeas 15 Nays 0

With subcommittee recommendation – Finance and Tax

Other Related Meeting Documents



Florida Senate - 2017

SPB2500

<u>Committee</u>	<u>Amendment</u>
AP	1

The Committee on Appropriations (**Powell**) recommended the following amendment:

Section: 02	<u>EXPLANATION:</u> Transfers \$5,000,000 from the PECO trust fund to the FAU Lab School from the Gulf Coast State College STEM Building replacement project.
On Page: 007	
Spec App: 20	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

		Positions & Amount DELETE	Positions & Amount INSERT
EDUCATION, DEPARTMENT OF			
Program: Education - Fixed Capital Outlay		48150000	
20	In Section 02 On Page 007		
	Fixed Capital Outlay	089006	
	Florida College System Projects	IOEL	
2555	Public Education Capital Outlay	128,318,233	123,318,233
	And Debt Service Trust Fund		
CA -5,000,000 FSI1NR -5,000,000			

Following Specific Appropriation 20, DELETE:

GULF COAST STATE COLLEGE
Construct STEM Bldg (Replace Bldg 12)-Panama City..... 15,373,326

AND INSERT:

GULF COAST STATE COLLEGE
Construct STEM Bldg (Replace Bldg 12)-Panama City..... 10,373,326

19 Fixed Capital Outlay 089001
Survey Recommended Needs - Public Schools IOEL

2555 Public Education Capital Outlay 5,754,897 10,754,897
And Debt Service Trust Fund
CA 5,000,000 FSI1NR 5,000,000

Following Specific Appropriation 19, DELETE:

Funds in Specific Appropriation 19 from the Public Education Capital Outlay and Debt Trust Fund shall be distributed among the lab schools approved pursuant to section 1002.32, Florida Statutes, based upon full-time equivalent student membership.

From the funds in Specific Appropriation 19, \$7,500,000 is provided from general revenue for the Florida State University School Arts and Sciences Building (STEAM). These funds are contingent upon Florida State University contributing a dollar for dollar match for the construction of this facility. The Department of Education shall review and approve the proposed facility construction pursuant to section 1013.03 Florida Statutes.

AND INSERT:

From funds in Specific Appropriation 19 from the Public Education Capital Outlay and Debt Trust Fund, \$5,754,897 shall be distributed among the lab schools approved pursuant to section 1002.32, Florida Statutes, based upon full-time equivalent student membership.

From the remaining funds, \$5,000,000 from the Public Education Capital Outlay and Debt Trust Fund is provided for the Florida Atlantic University Laboratory School and \$7,500,000 is provided from general revenue for the Florida State University School Arts and Sciences Building (STEAM). These funds are contingent upon each university contributing a dollar for dollar match for the construction of these facilities. The Department of Education shall review and approve the proposed facility construction pursuant to section 1013.03 Florida Statutes.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

<u>Committee</u>	<u>Amendment</u>
AP	2

The Committee on Appropriations (**Stargel**) recommended the following amendment:

Section: 02	<u>EXPLANATION:</u> Provides \$2,000,000 from the PECO Trust Fund for the Polytech University Applied Research Center project from the Indian River State College Building 8 Industrial Technology Project.
On Page: 007	
Spec App: 20	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

		Positions & Amount DELETE	Positions & Amount INSERT
EDUCATION, DEPARTMENT OF			
Program: Education - Fixed Capital Outlay		48150000	
In Section 02 On Page 007			
20	Fixed Capital Outlay	089006	
	Florida College System Projects	IOEL	
2555	Public Education Capital Outlay	128,318,233	126,318,233
	And Debt Service Trust Fund		
CA -2,000,000 FSI1NR -2,000,000			

Following Specific Appropriation 20, DELETE:

INDIAN RIVER STATE COLLEGE	
Rem/Ren Fac No. 8 Industrial Tech - Main.....	9,911,724

AND INSERT:

INDIAN RIVER STATE COLLEGE	
Rem/Ren Fac No. 8 Industrial Tech - Main.....	7,911,724

In Section 02 On Page 008	
21	Fixed Capital Outlay
	089007
	State University System Projects
	IOEL
2555	Public Education Capital Outlay
	175,969,229
	177,969,229

And Debt Service Trust Fund
CA 2,000,000 FSI1NR 2,000,000

Following Specific Appropriation 21, INSERT:

Polytech University - Applied Research Center.....2,000,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

<u>Committee</u>	<u>Amendment</u>
AP	3

The Committee on Appropriations (**Book**) recommended the following amendment:

Section: 02 On Page: 007 Spec App: 20	<u>EXPLANATION:</u> Provides \$5,000,000 from the PECO Trust Fund for the Broward College STEM buildings project from the Pensacola State College Baars Classroom Building Project.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount DELETE	Positions & Amount INSERT
EDUCATION, DEPARTMENT OF		
Program: Education - Fixed Capital Outlay	48150000	
20 In Section 02 On Page 007		
Fixed Capital Outlay	089006	
Florida College System Projects	IOEL	

Immediately following Specific Appropriation 20, **DELETE:**

PENSACOLA STATE COLLEGE
Baars Classroom Bldg (Replace Bldg 1)-Main..... 17,099,774

AND INSERT:

PENSACOLA STATE COLLEGE
Baars Classroom Bldg (Replace Bldg 1)-Main..... 12,099,774

BROWARD COLLEGE
Replace Bldg 56 STEM/Rem Bldg 57-North..... 5,000,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

<u>Committee</u>	<u>Amendment</u>
AP	4

The Committee on Appropriations (**Galvano**) recommended the following amendment:

Section: 02	<u>EXPLANATION:</u> Provides \$1,000,000 from the PECO Trust Fund for Hillsborough Community College for the Allied Health Center - Dale Mabry Campus from the Pensacola State College Baars Classroom Building Project.
On Page: 007	
Spec App: 20	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

		Positions & Amount	Positions & Amount
		DELETE	INSERT
EDUCATION, DEPARTMENT OF			
Program: Education - Fixed Capital Outlay		48150000	
In Section 02 On Page 007			
20	Fixed Capital Outlay	089006	
	Florida College System Projects	IOEL	

Following Specific Appropriation 20, DELETE:

PENSACOLA STATE COLLEGE
Baars Classroom Bldg (Replace Bldg 1)-Main..... 17,099,774

AND INSERT:

PENSACOLA STATE COLLEGE
Baars Classroom Bldg (Replace Bldg 1)-Main..... 16,099,774

HILLSBOROUGH COMMUNITY COLLEGE - Allied Health Center - Dale Mabry
Campus..... 1,000,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AP

Amendment

5

The Committee on Appropriations (**Gibson**) recommended the following amendment:

Section: 02 On Page: 007 Spec App: 20	<u>EXPLANATION:</u> Provides \$1,000,000 from the PECO Trust Fund for Florida State College at Jacksonville - Rem/Add Support Bldg for STEM - Downtown from the St. Johns River State College Ren/Add Labs & Support Services Bldg 1009 - Palatka Project.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

		Positions & Amount DELETE	Positions & Amount INSERT
EDUCATION, DEPARTMENT OF			
Program: Education - Fixed Capital Outlay		48150000	
In Section 02 On Page 007			
20	Fixed Capital Outlay	089006	
	Florida College System Projects	IOEL	
2555	Public Education Capital Outlay	128,318,233	128,318,233
	And Debt Service Trust Fund		
CA 0			

Following Specific Appropriation 20, DELETE:

ST. JOHNS RIVER STATE COLLEGE	
Ren/Add Labs & Supp Srvs Bldg 1009-Palatka.....	6,000,000

Following Specific Appropriation 20, INSERT:

ST. JOHNS RIVER STATE COLLEGE	
Ren/Add Labs & Supp Srvs Bldg 1009-Palatka.....	5,000,000

FLORIDA STATE COLLEGE AT JACKSONVILLE	
Rem/Add Support Bldg for STEM - Downtown.....	1,000,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

<u>Committee</u>	<u>Amendment</u>
AED	6

The Committee on Appropriations (**Simmons**) recommended the following amendment:

Section: 02 On Page: 018 Spec App: 83	<u>EXPLANATION:</u> Provides \$500,000 nonrecurring general revenue for Ready Florida from School District Matching Grants.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount DELETE	Positions & Amount INSERT
EDUCATION, DEPARTMENT OF Early Learning Program: Early Learning Services 48220400		
83 In Section 02 On Page 018 Special Categories 103113 Grants And Aids - Partnership For School Readiness IOEB		
1000 General Revenue Fund CA 500,000 FSI1NR 500,000	13,034,796	13,534,796

Immediately following Specific Appropriation 83, DELETE:

From the funds in Specific Appropriation 83, the sum of \$3,038,813 from the General Revenue Fund shall be allocated as follows:

Mount Zion Early Education Pilot Program.....	1,750,000
Riviera Beach Early Learning Support Pilot Program.....	715,213
Manatee/Sarasota Early Education and Therapeutic Intervention Program.....	373,600
Business and Leadership Institute for Early Learning.....	200,000

AND INSERT:

From the funds in Specific Appropriation 83, the sum of \$3,538,813 from the General Revenue Fund shall be allocated as follows:

Mount Zion Early Education Pilot Program.....	1,750,000
Riviera Beach Early Learning Support Pilot Program.....	715,213
Manatee/Sarasota Early Education and Therapeutic Intervention Program.....	373,600
Business and Leadership Institute for Early Learning.....	200,000
Ready Florida.....	500,000

Public Schools, Division Of
Program: State Grants/K-12 Program - Non
FEFP 48250400

100 In Section 02 On Page 027
Special Categories 101447
Grants And Aids - School District
Matching Grants Program IOEB

1000	General Revenue Fund	7,411,064	6,911,064
CA	-500,000 FSI1NR -500,000		

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

<u>Committee</u>	<u>Amendment</u>
AED	7

The Committee on Appropriations (**Simpson**) recommended the following amendment:

Section: 02	<u>EXPLANATION:</u> Provides \$300,000 of nonrecurring general revenue for the Academy at the Farm Agriculture facility from the After Care and Mentoring Program.
On Page: 032	
Spec App: 113A	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

		<u>Positions & Amount</u>	<u>Positions & Amount</u>
		DELETE	INSERT
EDUCATION, DEPARTMENT OF			
Public Schools, Division Of			
Program: State Grants/K-12 Program - Non			
FEFP 48250400			
In Section 02 On Page 032			
113A	Grants And Aids To Local Governments And	140006	
	Nonstate Entities - Fixed Capital Outlay		
	Public Schools Special Projects IOEM		
1000	General Revenue Fund	250,000	550,000
CA 300,000 FSI1NR 300,000			

Following Specific Appropriation 113A, INSERT:

Academy at the Farm Agriculture Barn..... 300,000

In Section 02 On Page 026			
96	Special Categories 100295		
	Grants And Aids - Mentoring/Student		
	Assistance Initiatives IOEB		
1000	General Revenue Fund	11,153,016	10,853,016
CA -300,000 FSI1NR -300,000			

Following Specific Appropriation 96, DELETE:

After Care and Mentoring Grant Program..... 5,000,000

AND INSERT:

After Care and Mentoring Grant Program..... 4,700,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

<u>Committee</u>	<u>Amendment</u>
AED	8

The Committee on Appropriations (**Galvano**) recommended the following amendment:

Section: 02	<u>EXPLANATION:</u> Provides \$250,000 of nonrecurring general revenue for the Early Childhood Music Education Incentive Pilot Program from the After Care and Mentoring Grant Program.
On Page: 028	
Spec App: 108	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount DELETE	Positions & Amount INSERT
EDUCATION, DEPARTMENT OF Public Schools, Division Of Program: State Grants/K-12 Program - Non FEFP 48250400		
108 In Section 02 On Page 028 Special Categories 104026 Grants And Aids - Strategic Statewide Initiatives IOEB		
1000 General Revenue Fund	2,292,700	2,542,700
CA 250,000 FSI1NR 250,000		

Following Specific Appropriation 108, INSERT:

Early Childhood Music Education Incentive Pilot Program..... 250,000

From the funds in Specific Appropriation 108 for the Early Childhood Music Education Pilot Program, \$150,000 shall be provided for the Commissioner to coordinate a comprehensive music education pilot program for students in kindergarten through grade 2 in three selected, eligible elementary schools. For a school to be eligible for participation, it must meet the following criteria at a minimum: 1) all students in kindergarten through grade 2 must participate in a comprehensive music education program; 2) program staff must be certified in music education; 3) each student must receive at least 30 consecutive minutes

of music instruction two days per week; 4) program classes must be no greater than 18 students; and 5) the instruction shall meet the state standards for early childhood music education. The Commissioner may establish additional criteria that would enhance the quality of the program and shall select the three schools for participation based on these criteria. Each selected school shall receive an award of up to \$150 per student. From the remaining \$100,000 provided, the Commissioner shall contract with a preeminent state research university to evaluate the effectiveness of the program through quantitative and qualitative analysis and provide a summary of findings and recommendations to the Commissioner and the State Board of Education by June 30, 2018.

96

In Section 02 On Page 026

Special Categories *100295*

Grants And Aids - Mentoring/Student Assistance Initiatives *IOEB*

<i>1000</i>	General Revenue Fund	11,153,016	10,903,016
<i>CA -250,000 FSI1NR -250,000</i>			

Following Specific Appropriation 96, DELETE:

After Care and Mentoring Grant Program.....	5,000,000

AND INSERT:

After Care and Mentoring Grant Program.....	4,750,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



<u>Committee</u>	<u>Amendment</u>
AED	9

The Committee on Appropriations (Grimsley) recommended the following amendment:

Section: 02	<u>EXPLANATION:</u> Provides nonrecurring general revenue of \$200,000 for YMCA State Alliance/YMCA Reads from the After Care and Mentoring Grant Program.
On Page: 026	
Spec App: 96	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount DELETE	Positions & Amount INSERT
EDUCATION, DEPARTMENT OF Public Schools, Division Of Program: State Grants/K-12 Program - Non FEFP 48250400		
96 In Section 02 On Page 026 Special Categories 100295 Grants And Aids - Mentoring/Student Assistance Initiatives IOEB		

Following Specific Appropriation 96, DELETE:

After Care and Mentoring Grant Program..... 5,000,000

AND INSERT:

After Care and Mentoring Grant Program..... 4,800,000
YMCA State Alliance/YMCA Reads..... 200,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

<u>Committee</u>	<u>Amendment</u>
AED	10

The Committee on Appropriations **(Book)** recommended the following amendment:

Section: 02	<u>EXPLANATION:</u> Provides \$500,000 of nonrecurring general revenue to the Orthodox Union to implement security measures for Jewish Day Schools from the After Care and Mentoring Grant Program.
On Page: 032	
Spec App: 114	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

		Positions & Amount DELETE	Positions & Amount INSERT
EDUCATION, DEPARTMENT OF			
Public Schools, Division Of			
Program: State Grants/K-12 Program - Non			
FEFP 48250400			
114	In Section 02 On Page 032		
	Grants And Aids To Local Governments And	140111	
	Nonstate Entities - Fixed Capital Outlay		
	Facility Repairs Maintenance And		
	Construction IOEM		
1000	General Revenue Fund	2,150,000	2,650,000
CA 500,000 FSI1NR 500,000			

Following Specific Appropriation 114, INSERT:

Security Funding for Jewish Day Schools.....		500,000
96	In Section 02 On Page 026	
	Special Categories 100295	
	Grants And Aids - Mentoring/Student	
	Assistance Initiatives IOEB	
1000	General Revenue Fund	11,153,016
CA -500,000 FSI1NR -500,000		10,653,016

Following Specific Appropriation 96, DELETE:

After Care and Mentoring Grant Program..... 5,000,000

AND INSERT:

After Care and Mentoring Grant Program..... 4,500,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AED

Amendment

11

The Committee on Appropriations (**Flores**) recommended the following amendment:

Section: 02	<u>EXPLANATION:</u> Provides \$20,000 of nonrecurring general revenue for the New World School of the Arts from School District Matching Grants.
On Page: 027	
Spec App: 99	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

EDUCATION, DEPARTMENT OF
Public Schools, Division Of
Program: State Grants/K-12 Program - Non
FEFP 48250400

99 In Section 02 On Page 027
Special Categories 101433
Grants And Aids - New World School Of The
Arts IOEB

1000 General Revenue Fund 20,000
CA 20,000 FSI1NR 20,000

100 Special Categories 101447
Grants And Aids - School District
Matching Grants Program IOEB

1000 General Revenue Fund 7,411,064 7,391,064
CA -20,000 FSI1NR -20,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

<u>Committee</u>	<u>Amendment</u>
AED	12

The Committee on Appropriations (**Flores**) recommended the following amendment:

Section: 02	<u>EXPLANATION:</u> Provides \$350,000 of nonrecurring general revenue for the Li'l Abner Foundation Community Family Center from the School District Matching Grants Program.
On Page: 032	
Spec App: 114	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

		Positions & Amount DELETE	Positions & Amount INSERT
EDUCATION, DEPARTMENT OF Public Schools, Division Of Program: State Grants/K-12 Program - Non FEFP 48250400			
114	In Section 02 On Page 032 Grants And Aids To Local Governments And Nonstate Entities - Fixed Capital Outlay Facility Repairs Maintenance And Construction IOEM	140111	
1000	General Revenue Fund	2,150,000	2,500,000
CA 350,000 FSI1NR 350,000			

Following Specific Appropriation 114, INSERT:

Li'l Abner Foundation Mission.....		350,000	
100	In Section 02 On Page 027 Special Categories 101447 Grants And Aids - School District Matching Grants Program IOEB		
1000	General Revenue Fund	7,411,064	7,061,064
CA -350,000 FSI1NR -350,000			

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

<u>Committee</u>	<u>Amendment</u>
AED	13

The Committee on Appropriations (**Simmons**) recommended the following amendment:

Section: 02	<u>EXPLANATION:</u> Technical amendment for the Gardiner Scholarship program to clarify the total administrative and scholarship funding levels.
On Page: 029	
Spec App: 109	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount DELETE	Positions & Amount INSERT
EDUCATION, DEPARTMENT OF Public Schools, Division Of Program: State Grants/K-12 Program - Non FEFP 48250400		
109 In Section 02 On Page 029 Special Categories 104027 Grants And Aids - Gardiner Scholarship Program IOEB		
1000 General Revenue Fund CA 0	107,416,063	107,416,063

Following Specific Appropriation 109, INSERT:

From the funds in Specific Appropriation 109, \$104,287,440 is provided for scholarship awards. In addition to funds for scholarship awards, three percent of the amount of each award, up to \$3,128,623, is provided for reasonable and necessary administrative expenses for each scholarship funding organization's management and distribution of scholarships for this program.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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SPB2500

<u>Committee</u>	<u>Amendment</u>
AED	14

The Committee on Appropriations (Grimsley) recommended the following amendment:

Section: 02	<u>EXPLANATION:</u> Provides \$500,000 nonrecurring general revenue for Next Generation Agricultural Education Students to expand the delivery of Future Farmers of America programs to middle and high school students from Next Generation Agriculture Education Programs.
On Page: 029	
Spec App: 110	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount DELETE	Positions & Amount INSERT
EDUCATION, DEPARTMENT OF Public Schools, Division Of Program: State Grants/K-12 Program - Non FEFP 48250400		
110 In Section 02 On Page 029 Special Categories 104052 Grants And Aids - School And Instructional Enhancements IOEB		

Following Specific Appropriation 110, DELETE:

Next Generation Agriculture Education Programs..... 1,000,000

AND INSERT:

Next Generation Agriculture Education Programs..... 500,000
Next Generation Agriculture Education Students..... 500,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AED

Amendment

15

The Committee on Appropriations (Simmons) recommended the following amendment:

Section: 02	<u>EXPLANATION:</u> Technical amendment to move the \$1 million provided for United Sports of America from operations funding to fixed capital funding.
On Page: 029	
Spec App: 110	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

EDUCATION, DEPARTMENT OF
Public Schools, Division Of
Program: State Grants/K-12 Program - Non
FEFP 48250400

110 In Section 02 On Page 029
Special Categories 104052
Grants And Aids - School And
Instructional Enhancements IOEB

1000	General Revenue Fund	39,703,216	38,703,216
CA	-1,000,000 FSI1NR -1,000,000		

Following Specific Appropriation 110, DELETE:

United Sports of America.....	1,000,000

114 In Section 02 On Page 032
Grants And Aids To Local Governments And 140111
Nonstate Entities - Fixed Capital Outlay
Facility Repairs Maintenance And
Construction IOEM

1000	General Revenue Fund	2,150,000	3,150,000
CA	1,000,000 FSI1NR 1,000,000		

Following Specific Appropriation 114, INSERT:

United Sports of America.....1,000,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

<u>Committee</u>	<u>Amendment</u>
AED	16

The Committee on Appropriations (**Bean**) recommended the following amendment:

Section: 02	<u>EXPLANATION:</u> Provides \$100,000 of nonrecurring general revenue for the North Florida School of Special Education Expansion Project from 21st Century Skills Development.
On Page: 032	
Spec App: 114	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

		Positions & Amount DELETE	Positions & Amount INSERT
	EDUCATION, DEPARTMENT OF Public Schools, Division Of Program: State Grants/K-12 Program - Non FEFP 48250400		
114	In Section 02 On Page 032 Grants And Aids To Local Governments And Nonstate Entities - Fixed Capital Outlay Facility Repairs Maintenance And Construction IOEM	140111	
1000	General Revenue Fund	2,150,000	2,250,000
	CA 100,000 FSI1NR 100,000		

Following Specific Appropriation 114, INSERT:

	North Florida School of Special Education Expansion Project.....	100,000
110	In Section 02 On Page 029 Special Categories 104052 Grants And Aids - School And Instructional Enhancements IOEB	
1000	General Revenue Fund	39,703,216
	CA -100,000 FSI1NR -100,000	39,603,216

Following Specific Appropriation 110, DELETE:

21st Century Skills Development..... 1,000,000

AND INSERT:

21st Century Skills Development..... 900,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AED

Amendment

17

The Committee on Appropriations (**Montford**) recommended the following amendment:

Section: 02	<u>EXPLANATION:</u> Provides \$100,000 of nonrecurring general revenue for the Florida Small and Rural District Digital Literacy Program from Communities in Schools.
On Page: 029	
Spec App: 110	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

EDUCATION, DEPARTMENT OF
Public Schools, Division Of
Program: State Grants/K-12 Program - Non
FEFP 48250400

110 In Section 02 On Page 029
Special Categories 104052
Grants And Aids - School And
Instructional Enhancements IOEB

Following Specific Appropriation 110, DELETE:

Communities in Schools..... 2,300,000

AND INSERT:

Communities in Schools..... 2,200,000
Florida Small & Rural District Digital Literacy Program 100,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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SPB2500

Committee

AHE

Amendment

18

The Committee on Appropriations (**Galvano**) recommended the following amendment:

Section: 02	<u>EXPLANATION:</u> Transfers \$209,619 nonrecurring general revenue from the University of South Florida-Sarasota/Manatee Small Business Development Center to the Boca Raton Habilitation Center.
On Page: 010	
Spec App: 30	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

		Positions & Amount DELETE	Positions & Amount INSERT
EDUCATION, DEPARTMENT OF			
Vocational Rehabilitation			
	48160000		
In Section 02 On Page 010			
30	Aid To Local Governments		
	050798		
Grants And Aids - Adults With			
Disabilities Funds			
	IOEB		
1000	General Revenue Fund	6,448,567	6,658,186
CA 209,619 FSI1NR 209,619			

Following Specific Appropriation 30, DELETE:

Nonrecurring Funds:

Inclusive Transition and Employment Management Program (ITEM).....	750,000
Brevard Adults with Disabilities	199,714
Pathway to Possibilities Program.....	90,000
Manatee/Sarasota Adults with Disabilities Basic Education..	137,000
The WOW Center.....	250,000

AND INSERT:

Nonrecurring Funds:

Inclusive Transition and Employment Management Program (ITEM).....	750,000

Brevard Adults with Disabilities	199,714
Pathway to Possibilities Program.....	90,000
Manatee/Sarasota Adults with Disabilities Basic Education..	137,000
The WOW Center.....	250,000
Boca Raton Habilitation Center.....	209,619

Universities, Division Of
 Program: Educational And General
 Activities 48900100

141 In Section 02 On Page 041
 Aid To Local Governments 052310
 Grants And Aids - Education And General
 Activities IOEB

1000 General Revenue Fund	2,344,494,109	2,344,284,490
CA -209,619 FSI1NR -209,619		

Following Specific Appropriation 141, DELETE:

Funds in Specific Appropriation 141 from the General Revenue Fund
 shall be allocated as follows:

University of Florida.....	313,141,297
Florida State University.....	281,413,151
Florida A&M University.....	75,176,167
University of South Florida.....	190,744,829
University of South Florida, St. Petersburg.....	21,691,120
University of South Florida, Sarasota/Manatee.....	19,384,431
Florida Atlantic University.....	122,511,788
University of West Florida.....	90,832,835
University of Central Florida.....	234,246,160
Florida International University.....	176,692,113
University of North Florida.....	70,662,450
Florida Gulf Coast University.....	58,300,315
New College of Florida.....	23,137,853
Florida Polytechnic University.....	36,322,098
State University Performance Based Incentives.....	525,000,000
Johnson Matching Grant.....	237,500
Preeminent State Research Universities.....	40,000,000
Emerging Preeminent State Research Universities.....	10,000,000
Team Grants.....	55,000,000

Funds provided in Specific Appropriation 141, as listed above,
 include allocations for the following university initiatives:

Florida Agricultural and Mechanical University	
Increasing Online Course Offerings.....	2,000,000
Florida Atlantic University	
Secondary Robotics Team Support.....	250,000

Drug Discovery and Translation Research Partnership with Scripps Florida.....	2,972,896
Postdoctoral Research Program Partnership with Scripps Florida.....	1,400,000
Honors College.....	386,538
Florida Gulf Coast University Target Existing Talent Gaps.....	2,234,361
Honors College.....	1,500,000
Florida International University UP:LIFT(University Paradigm: Learn, Interact, Facilitate) StartUP.....	3,000,000 500,000
Florida State University Health Equity Research Institute.....	1,000,000
Next Generation Ultra-High Field Magnets.....	300,000
Center for Advanced Power Systems Expansion and Diversification.....	750,000
University of Central Florida Advanced Manufacturing Sensor Project (BRIDG).....	5,000,000
Florida FIRST Robotics Team Grant.....	250,000
Incubator.....	1,000,000
PTSD Clinic for Florida Veterans and First Responders....	1,250,000
University of Florida Lastinger Center for Learning Algebra Nation.....	200,000
Lastinger Center for Learning Math Nation.....	200,000
St. Augustine Historic Building Roof Replacements.....	250,000
Infrastructure for Zika Research.....	2,000,000
Institute for Comparative Veterinary Diagnostics.....	2,000,000
University of North Florida Highly Effective Teacher Grant.....	700,000
University of South Florida Collaborative-Problem Based Learning Educational Enhancement Program.....	2,000,000
University of South Florida, Sarasota/Manatee Programs of Strategic Importance.....	2,500,000
Small Business Development Center.....	5,000,000
University of South Florida, St. Petersburg Citizen Scholar Partnership.....	263,458
Midtown Early Care and Education Collaborative.....	750,000
University of West Florida Intelligent Systems and Robotics Ph.D. Program.....	500,000

AND INSERT:

Funds in Specific Appropriation 141 from the General Revenue Fund shall be allocated as follows:

University of Florida.....	313,141,297
Florida State University.....	281,413,151
Florida A&M University.....	75,176,167
University of South Florida.....	190,744,829

University of South Florida, St. Petersburg.....	21,691,120
University of South Florida, Sarasota/Manatee.....	19,174,812
Florida Atlantic University.....	122,511,788
University of West Florida.....	90,832,835
University of Central Florida.....	234,246,160
Florida International University.....	176,692,113
University of North Florida.....	70,662,450
Florida Gulf Coast University.....	58,300,315
New College of Florida.....	23,137,853
Florida Polytechnic University.....	36,322,098
State University Performance Based Incentives.....	525,000,000
Johnson Matching Grant.....	237,500
Preeminent State Research Universities.....	40,000,000
Emerging Preeminent State Research Universities.....	10,000,000
Team Grants.....	55,000,000

Funds provided in Specific Appropriation 141, as listed above, include allocations for the following university initiatives:

Florida Agricultural and Mechanical University	
Increasing Online Course Offerings.....	2,000,000
Florida Atlantic University	
Secondary Robotics Team Support.....	250,000
Drug Discovery and Translation Research Partnership with	
Scripps Florida.....	2,972,896
Postdoctoral Research Program Partnership with Scripps	
Florida.....	1,400,000
Honors College.....	386,538
Florida Gulf Coast University	
Target Existing Talent Gaps.....	2,234,361
Honors College.....	1,500,000
Florida International University	
UP:LIFT(University Paradigm: Learn, Interact, Facilitate)	3,000,000
StartUP.....	500,000
Florida State University	
Health Equity Research Institute.....	1,000,000
Next Generation Ultra-High Field Magnets.....	300,000
Center for Advanced Power Systems Expansion and	
Diversification.....	750,000
University of Central Florida	
Advanced Manufacturing Sensor Project (BRIDG).....	5,000,000
Florida FIRST Robotics Team Grant.....	250,000
Incubator.....	1,000,000
PTSD Clinic for Florida Veterans and First Responders....	1,250,000
University of Florida	
Lastinger Center for Learning Algebra Nation.....	200,000
Lastinger Center for Learning Math Nation.....	200,000
St. Augustine Historic Building Roof Replacements.....	250,000
Infrastructure for Zika Research.....	2,000,000
Institute for Comparative Veterinary Diagnostics.....	2,000,000

University of North Florida	
Highly Effective Teacher Grant.....	700,000
University of South Florida	
Collaborative-Problem Based Learning Educational	
Enhancement Program.....	2,000,000
University of South Florida, Sarasota/Manatee	
Programs of Strategic Importance.....	2,500,000
Small Business Development Center.....	4,790,381
University of South Florida, St. Petersburg	
Citizen Scholar Partnership.....	263,458
Midtown Early Care and Education Collaborative.....	750,000
University of West Florida	
Intelligent Systems and Robotics Ph.D. Program.....	500,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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SPB2500

<u>Committee</u>	<u>Amendment</u>
AHE	19

The Committee on Appropriations (**Galvano**) recommended the following amendment:

Section: 02 On Page: 015 Spec App: 65	<u>EXPLANATION:</u> Transfers \$200,000 nonrecurring general revenue from the University of South Florida-Sarasota/Manatee Small Business Development Center to the University of Miami for the Institute for Cuban and Cuban-American Studies: Challenges for Florida of the U.S. Normalization of Relations with Cuba.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount DELETE	Positions & Amount INSERT
EDUCATION, DEPARTMENT OF		
Program: Private Colleges And		
Universities 48190000		
 In Section 02 On Page 015		
65 Special Categories 102130		
Grants And Aids - Private Colleges And		
Universities IOEB		
 1000 General Revenue Fund	5,600,000	5,800,000
CA 200,000 FSI1NR 200,000		

At the end of existing proviso language, following Specific Appropriation 65, INSERT:

University of Miami-Institute for Cuban and Cuban-American Studies- Challenges for Florida of the U.S. Normalization of Relations with Cuba.....	200,000

Universities, Division Of
Program: Educational And General
Activities 48900100

In Section 02 On Page 041
 141 Aid To Local Governments 052310
 Grants And Aids - Education And General
 Activities IOEB

1000	General Revenue Fund	2,344,494,109	2,344,294,109
CA -200,000	FSI1NR -200,000		

Following Specific Appropriation 141, DELETE:

Funds in Specific Appropriation 141 from the General Revenue Fund shall be allocated as follows:

University of Florida.....	313,141,297
Florida State University.....	281,413,151
Florida A&M University.....	75,176,167
University of South Florida.....	190,744,829
University of South Florida, St. Petersburg.....	21,691,120
University of South Florida, Sarasota/Manatee.....	19,384,431
Florida Atlantic University.....	122,511,788
University of West Florida.....	90,832,835
University of Central Florida.....	234,246,160
Florida International University.....	176,692,113
University of North Florida.....	70,662,450
Florida Gulf Coast University.....	58,300,315
New College of Florida.....	23,137,853
Florida Polytechnic University.....	36,322,098
State University Performance Based Incentives.....	525,000,000
Johnson Matching Grant.....	237,500
Preeminent State Research Universities.....	40,000,000
Emerging Preeminent State Research Universities.....	10,000,000
Team Grants.....	55,000,000

Funds provided in Specific Appropriation 141, as listed above, include allocations for the following university initiatives:

Florida Agricultural and Mechanical University	
Increasing Online Course Offerings.....	2,000,000
Florida Atlantic University	
Secondary Robotics Team Support.....	250,000
Drug Discovery and Translation Research Partnership with	
Scripps Florida.....	2,972,896
Postdoctoral Research Program Partnership with Scripps	
Florida.....	1,400,000
Honors College.....	386,538
Florida Gulf Coast University	
Target Existing Talent Gaps.....	2,234,361
Honors College.....	1,500,000
Florida International University	
UP:LIFT(University Paradigm: Learn, Interact, Facilitate)	3,000,000

StartUP.....	500,000
Florida State University	
Health Equity Research Institute.....	1,000,000
Next Generation Ultra-High Field Magnets.....	300,000
Center for Advanced Power Systems Expansion and Diversification.....	750,000
University of Central Florida	
Advanced Manufacturing Sensor Project (BRIDG).....	5,000,000
Florida FIRST Robotics Team Grant.....	250,000
Incubator.....	1,000,000
PTSD Clinic for Florida Veterans and First Responders....	1,250,000
University of Florida	
Lastinger Center for Learning Algebra Nation.....	200,000
Lastinger Center for Learning Math Nation.....	200,000
St. Augustine Historic Building Roof Replacements.....	250,000
Infrastructure for Zika Research.....	2,000,000
Institute for Comparative Veterinary Diagnostics.....	2,000,000
University of North Florida	
Highly Effective Teacher Grant.....	700,000
University of South Florida	
Collaborative-Problem Based Learning Educational Enhancement Program.....	2,000,000
University of South Florida, Sarasota/Manatee	
Programs of Strategic Importance.....	2,500,000
Small Business Development Center.....	5,000,000
University of South Florida, St. Petersburg	
Citizen Scholar Partnership.....	263,458
Midtown Early Care and Education Collaborative.....	750,000
University of West Florida	
Intelligent Systems and Robotics Ph.D. Program.....	500,000

AND INSERT:

Funds in Specific Appropriation 141 from the General Revenue Fund shall be allocated as follows:

University of Florida.....	313,141,297
Florida State University.....	281,413,151
Florida A&M University.....	75,176,167
University of South Florida.....	190,744,829
University of South Florida, St. Petersburg.....	21,691,120
University of South Florida, Sarasota/Manatee.....	19,184,431
Florida Atlantic University.....	122,511,788
University of West Florida.....	90,832,835
University of Central Florida.....	234,246,160
Florida International University.....	176,692,113
University of North Florida.....	70,662,450
Florida Gulf Coast University.....	58,300,315
New College of Florida.....	23,137,853
Florida Polytechnic University.....	36,322,098

State University Performance Based Incentives.....	525,000,000
Johnson Matching Grant.....	237,500
Preeminent State Research Universities.....	40,000,000
Emerging Preeminent State Research Universities.....	10,000,000
Team Grants.....	55,000,000

Funds provided in Specific Appropriation 141, as listed above, include allocations for the following university initiatives:

Florida Agricultural and Mechanical University	
Increasing Online Course Offerings.....	2,000,000
Florida Atlantic University	
Secondary Robotics Team Support.....	250,000
Drug Discovery and Translation Research Partnership with	
Scripps Florida.....	2,972,896
Postdoctoral Research Program Partnership with Scripps	
Florida.....	1,400,000
Honors College.....	386,538
Florida Gulf Coast University	
Target Existing Talent Gaps.....	2,234,361
Honors College.....	1,500,000
Florida International University	
UP:LIFT(University Paradigm: Learn, Interact, Facilitate)	3,000,000
StartUP.....	500,000
Florida State University	
Health Equity Research Institute.....	1,000,000
Next Generation Ultra-High Field Magnets.....	300,000
Center for Advanced Power Systems Expansion and	
Diversification.....	750,000
University of Central Florida	
Advanced Manufacturing Sensor Project (BRIDG).....	5,000,000
Florida FIRST Robotics Team Grant.....	250,000
Incubator.....	1,000,000
PTSD Clinic for Florida Veterans and First Responders....	1,250,000
University of Florida	
Lastinger Center for Learning Algebra Nation.....	200,000
Lastinger Center for Learning Math Nation.....	200,000
St. Augustine Historic Building Roof Replacements.....	250,000
Infrastructure for Zika Research.....	2,000,000
Institute for Comparative Veterinary Diagnostics.....	2,000,000
University of North Florida	
Highly Effective Teacher Grant.....	700,000
University of South Florida	
Collaborative-Problem Based Learning Educational	
Enhancement Program.....	2,000,000
University of South Florida, Sarasota/Manatee	
Programs of Strategic Importance.....	2,500,000
Small Business Development Center.....	4,800,000
University of South Florida, St. Petersburg	
Citizen Scholar Partnership.....	263,458

Midtown Early Care and Education Collaborative.....	750,000
University of West Florida	
Intelligent Systems and Robotics Ph.D. Program.....	500,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AHE

Amendment

20

The Committee on Appropriations (**Galvano**) recommended the following amendment:

Section: 02	<u>EXPLANATION:</u> Transfers \$200,000 nonrecurring general revenue from the University of South Florida-Sarasota/Manatee Small Business Development Center to the University of Miami for the Institute for Cuban and Cuban-American Studies: Impact of Cuban-Americans in Florida: An Interactive Exhibit.
On Page: 015	
Spec App: 65	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount DELETE	Positions & Amount INSERT
EDUCATION, DEPARTMENT OF		
Program: Private Colleges And		
Universities 48190000		
In Section 02 On Page 015		
65 Special Categories 102130		
Grants And Aids - Private Colleges And		
Universities IOEB		
1000 General Revenue Fund	5,600,000	5,800,000
CA 200,000 FSI1NR 200,000		

At the end of existing proviso language, following Specific Appropriation 65, INSERT:

University of Miami-Institute for Cuban and Cuban-American Studies- Impact of Cuban-Americans in Florida: An Interactive Exhibit.....	200,000

Universities, Division Of
Program: Educational And General
Activities 48900100

In Section 02 On Page 041
 141 Aid To Local Governments 052310
 Grants And Aids - Education And General
 Activities IOEB

1000	General Revenue Fund	2,344,494,109	2,344,294,109
CA	-200,000 FSI1NR -200,000		

Following Specific Appropriation 141, DELETE:

Funds in Specific Appropriation 141 from the General Revenue Fund shall be allocated as follows:

University of Florida.....	313,141,297
Florida State University.....	281,413,151
Florida A&M University.....	75,176,167
University of South Florida.....	190,744,829
University of South Florida, St. Petersburg.....	21,691,120
University of South Florida, Sarasota/Manatee.....	19,384,431
Florida Atlantic University.....	122,511,788
University of West Florida.....	90,832,835
University of Central Florida.....	234,246,160
Florida International University.....	176,692,113
University of North Florida.....	70,662,450
Florida Gulf Coast University.....	58,300,315
New College of Florida.....	23,137,853
Florida Polytechnic University.....	36,322,098
State University Performance Based Incentives.....	525,000,000
Johnson Matching Grant.....	237,500
Preeminent State Research Universities.....	40,000,000
Emerging Preeminent State Research Universities.....	10,000,000
Team Grants.....	55,000,000

Funds provided in Specific Appropriation 141, as listed above, include allocations for the following university initiatives:

Florida Agricultural and Mechanical University	
Increasing Online Course Offerings.....	2,000,000
Florida Atlantic University	
Secondary Robotics Team Support.....	250,000
Drug Discovery and Translation Research Partnership with	
Scripps Florida.....	2,972,896
Postdoctoral Research Program Partnership with Scripps	
Florida.....	1,400,000
Honors College.....	386,538
Florida Gulf Coast University	
Target Existing Talent Gaps.....	2,234,361
Honors College.....	1,500,000
Florida International University	
UP:LIFT(University Paradigm: Learn, Interact, Facilitate)	3,000,000

StartUP.....	500,000
Florida State University	
Health Equity Research Institute.....	1,000,000
Next Generation Ultra-High Field Magnets.....	300,000
Center for Advanced Power Systems Expansion and Diversification.....	750,000
University of Central Florida	
Advanced Manufacturing Sensor Project (BRIDG).....	5,000,000
Florida FIRST Robotics Team Grant.....	250,000
Incubator.....	1,000,000
PTSD Clinic for Florida Veterans and First Responders....	1,250,000
University of Florida	
Lastinger Center for Learning Algebra Nation.....	200,000
Lastinger Center for Learning Math Nation.....	200,000
St. Augustine Historic Building Roof Replacements.....	250,000
Infrastructure for Zika Research.....	2,000,000
Institute for Comparative Veterinary Diagnostics.....	2,000,000
University of North Florida	
Highly Effective Teacher Grant.....	700,000
University of South Florida	
Collaborative-Problem Based Learning Educational Enhancement Program.....	2,000,000
University of South Florida, Sarasota/Manatee	
Programs of Strategic Importance.....	2,500,000
Small Business Development Center.....	5,000,000
University of South Florida, St. Petersburg	
Citizen Scholar Partnership.....	263,458
Midtown Early Care and Education Collaborative.....	750,000
University of West Florida	
Intelligent Systems and Robotics Ph.D. Program.....	500,000

AND INSERT:

Funds in Specific Appropriation 141 from the General Revenue Fund shall be allocated as follows:

University of Florida.....	313,141,297
Florida State University.....	281,413,151
Florida A&M University.....	75,176,167
University of South Florida.....	190,744,829
University of South Florida, St. Petersburg.....	21,691,120
University of South Florida, Sarasota/Manatee.....	19,184,431
Florida Atlantic University.....	122,511,788
University of West Florida.....	90,832,835
University of Central Florida.....	234,246,160
Florida International University.....	176,692,113
University of North Florida.....	70,662,450
Florida Gulf Coast University.....	58,300,315
New College of Florida.....	23,137,853
Florida Polytechnic University.....	36,322,098

State University Performance Based Incentives.....	525,000,000
Johnson Matching Grant.....	237,500
Preeminent State Research Universities.....	40,000,000
Emerging Preeminent State Research Universities.....	10,000,000
Team Grants.....	55,000,000

Funds provided in Specific Appropriation 141, as listed above, include allocations for the following university initiatives:

Florida Agricultural and Mechanical University	
Increasing Online Course Offerings.....	2,000,000
Florida Atlantic University	
Secondary Robotics Team Support.....	250,000
Drug Discovery and Translation Research Partnership with	
Scripps Florida.....	2,972,896
Postdoctoral Research Program Partnership with Scripps	
Florida.....	1,400,000
Honors College.....	386,538
Florida Gulf Coast University	
Target Existing Talent Gaps.....	2,234,361
Honors College.....	1,500,000
Florida International University	
UP:LIFT(University Paradigm: Learn, Interact, Facilitate)	3,000,000
StartUP.....	500,000
Florida State University	
Health Equity Research Institute.....	1,000,000
Next Generation Ultra-High Field Magnets.....	300,000
Center for Advanced Power Systems Expansion and	
Diversification.....	750,000
University of Central Florida	
Advanced Manufacturing Sensor Project (BRIDG).....	5,000,000
Florida FIRST Robotics Team Grant.....	250,000
Incubator.....	1,000,000
PTSD Clinic for Florida Veterans and First Responders....	1,250,000
University of Florida	
Lastinger Center for Learning Algebra Nation.....	200,000
Lastinger Center for Learning Math Nation.....	200,000
St. Augustine Historic Building Roof Replacements.....	250,000
Infrastructure for Zika Research.....	2,000,000
Institute for Comparative Veterinary Diagnostics.....	2,000,000
University of North Florida	
Highly Effective Teacher Grant.....	700,000
University of South Florida	
Collaborative-Problem Based Learning Educational	
Enhancement Program.....	2,000,000
University of South Florida, Sarasota/Manatee	
Programs of Strategic Importance.....	2,500,000
Small Business Development Center.....	4,800,000
University of South Florida, St. Petersburg	
Citizen Scholar Partnership.....	263,458

Midtown Early Care and Education Collaborative.....	750,000
University of West Florida	
Intelligent Systems and Robotics Ph.D. Program.....	500,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AHE

Amendment

21

The Committee on Appropriations (**Galvano**) recommended the following amendment:

Section: 02	<u>EXPLANATION:</u> This is a technical amendment correcting proviso for the Florida Student Assistance Grant - Private.
On Page: 016	
Spec App: 73	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

EDUCATION, DEPARTMENT OF
Office Of Student Financial Assistance
Program: Student Financial Aid Program -
State 48200200

73 In Section 02 On Page 016
Financial Assistance Payments 110096
Student Financial Aid IOEC

In Section 02, on Page 16, DELETE the following:

Florida Student Assistance Grant - Private..... 33,472,277

AND INSERT:

Florida Student Assistance Grant - Private..... 33,472,777

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AHE

Amendment

22

The Committee on Appropriations (**Bradley**) recommended the following amendment:

Section: 02 On Page: 034 Spec App: 124A	<u>EXPLANATION:</u> Provides \$500,000 of nonrecurring general revenue for expansion of the Riveroak Technical College health education facility from funds for the University of South Florida, Sarasota/Manatee Small Business Development Center.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount DELETE	Positions & Amount INSERT
EDUCATION, DEPARTMENT OF Public Schools, Division Of Program: Workforce Education 48250800		
124A In Section 02 On Page 034 Grants And Aids To Local Governments And Nonstate Entities - Fixed Capital Outlay Public Schools Special Projects IOEM 140006		
1000 General Revenue Fund CA 500,000 FSI1NR 500,000		500,000

Following Specific Appropriation 124A, INSERT:

The funds in Specific Appropriation 124A are provided for the Riveroak Technical College Expansion Project.

Universities, Division Of Program: Educational And General Activities 48900100
141 In Section 02 On Page 041 Aid To Local Governments 052310
Grants And Aids - Education And General Activities IOEB

1000 General Revenue Fund
CA -500,000 FSI1NR -500,000

2,344,494,109 2,343,994,109

Following Specific Appropriation 141, DELETE:

Funds in Specific Appropriation 141 from the General Revenue Fund shall be allocated as follows:

University of South Florida, Sarasota/Manatee..... 19,384,431

Funds provided in Specific Appropriation 141, as listed above, include allocations for the following university initiatives:

University of South Florida, Sarasota/Manatee
Programs of Strategic Importance..... 2,500,000
Small Business Development Center..... 5,000,000

AND INSERT:

Funds in Specific Appropriation 141 from the General Revenue Fund shall be allocated as follows:

University of South Florida, Sarasota/Manatee..... 18,884,431

Funds provided in Specific Appropriation 141, as listed above, include allocations for the following university initiatives:

University of South Florida, Sarasota/Manatee
Programs of Strategic Importance..... 2,500,000
Small Business Development Center..... 4,500,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

<u>Committee</u>	<u>Amendment</u>
AHE	23

The Committee on Appropriations (**Galvano**) recommended the following amendment:

Section: 02	<u>EXPLANATION:</u> Transfers \$550,000 recurring general revenue from University Team Grants to Eastern Florida State College Critical Evaluation Learning Management System and Curriculum for a partial cut restoration.
On Page: 035	
Spec App: 126	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

		Positions & Amount DELETE	Positions & Amount INSERT
EDUCATION, DEPARTMENT OF Florida Colleges, Division Of Program: Florida Colleges			
		<i>48400600</i>	
126	In Section 02 On Page 035 Aid To Local Governments		
	Grants And Aids - Florida College System		
	Program Fund		
	<i>IOEB</i>		
<i>1000</i>	General Revenue Fund	913,118,434	913,668,434
<i>CA 550,000 FSI1 550,000</i>			

Following Specific Appropriation 126, DELETE:

Funds provided in Specific Appropriation 126 are provided for operating funds and approved baccalaureate programs, and shall be allocated as follows:

Eastern Florida State College.....	33,783,397
Broward College.....	64,367,607
College of Central Florida.....	18,040,314
Chipola College.....	8,762,847
Daytona State College.....	38,930,534
Florida SouthWestern State College.....	23,300,422
Florida State College at Jacksonville.....	58,931,089
Florida Keys Community College.....	5,651,642

Gulf Coast State College.....	17,313,798
Hillsborough Community College.....	50,693,460
Indian River State College.....	39,093,348
Florida Gateway College.....	10,459,540
Lake-Sumter State College.....	11,155,914
State College of Florida, Manatee-Sarasota.....	19,393,590
Miami-Dade College.....	129,155,810
North Florida Community College.....	6,095,600
Northwest Florida State College.....	14,753,941
Palm Beach State College.....	47,118,930
Pasco-Hernando State College.....	25,187,610
Pensacola State College.....	26,705,492
Polk State College.....	23,578,522
Saint Johns River State College.....	15,530,394
Saint Petersburg College.....	54,762,454
Santa Fe College.....	35,136,540
Seminole State College of Florida.....	34,589,818
South Florida State College.....	12,689,532
Tallahassee Community College.....	23,724,969
Valencia College.....	64,211,320

AND INSERT:

Funds provided in Specific Appropriation 126 are provided for operating funds and approved baccalaureate programs, and shall be allocated as follows:

Eastern Florida State College.....	34,333,397
Broward College.....	64,367,607
College of Central Florida.....	18,040,314
Chipola College.....	8,762,847
Daytona State College.....	38,930,534
Florida SouthWestern State College.....	23,300,422
Florida State College at Jacksonville.....	58,931,089
Florida Keys Community College.....	5,651,642
Gulf Coast State College.....	17,313,798
Hillsborough Community College.....	50,693,460
Indian River State College.....	39,093,348
Florida Gateway College.....	10,459,540
Lake-Sumter State College.....	11,155,914
State College of Florida, Manatee-Sarasota.....	19,393,590
Miami-Dade College.....	129,155,810
North Florida Community College.....	6,095,600
Northwest Florida State College.....	14,753,941
Palm Beach State College.....	47,118,930
Pasco-Hernando State College.....	25,187,610
Pensacola State College.....	26,705,492
Polk State College.....	23,578,522
Saint Johns River State College.....	15,530,394
Saint Petersburg College.....	54,762,454

Santa Fe College.....	35,136,540
Seminole State College of Florida.....	34,589,818
South Florida State College.....	12,689,532
Tallahassee Community College.....	23,724,969
Valencia College.....	64,211,320

Universities, Division Of
 Program: Educational And General
 Activities 48900100

141 In Section 02 On Page 041
 Aid To Local Governments 052310
 Grants And Aids - Education And General
 Activities IOEB

1000 General Revenue Fund	2,344,494,109	2,343,944,109
CA -550,000 FSI1 -550,000		

Following Specific Appropriation 141, DELETE:

Funds in Specific Appropriation 141 from the General Revenue Fund
 shall be allocated as follows:

University of Florida.....	313,141,297
Florida State University.....	281,413,151
Florida A&M University.....	75,176,167
University of South Florida.....	190,744,829
University of South Florida, St. Petersburg.....	21,691,120
University of South Florida, Sarasota/Manatee.....	19,384,431
Florida Atlantic University.....	122,511,788
University of West Florida.....	90,832,835
University of Central Florida.....	234,246,160
Florida International University.....	176,692,113
University of North Florida.....	70,662,450
Florida Gulf Coast University.....	58,300,315
New College of Florida.....	23,137,853
Florida Polytechnic University.....	36,322,098
State University Performance Based Incentives.....	525,000,000
Johnson Matching Grant.....	237,500
Preeminent State Research Universities.....	40,000,000
Emerging Preeminent State Research Universities.....	10,000,000
Team Grants.....	55,000,000

AND INSERT:

Funds in Specific Appropriation 141 from the General Revenue Fund
 shall be allocated as follows:

University of Florida.....	313,141,297
Florida State University.....	281,413,151

Florida A&M University.....	75,176,167
University of South Florida.....	190,744,829
University of South Florida, St. Petersburg.....	21,691,120
University of South Florida, Sarasota/Manatee.....	19,384,431
Florida Atlantic University.....	122,511,788
University of West Florida.....	90,832,835
University of Central Florida.....	234,246,160
Florida International University.....	176,692,113
University of North Florida.....	70,662,450
Florida Gulf Coast University.....	58,300,315
New College of Florida.....	23,137,853
Florida Polytechnic University.....	36,322,098
State University Performance Based Incentives.....	525,000,000
Johnson Matching Grant.....	237,500
Preeminent State Research Universities.....	40,000,000
Emerging Preeminent State Research Universities.....	10,000,000
Team Grants.....	54,450,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

<u>Committee</u>	<u>Amendment</u>
AHE	24

The Committee on Appropriations (**Flores**) recommended the following amendment:

Section: 02	<u>EXPLANATION:</u> Transfers \$900,000 recurring general revenue from University Team Grants to Miami-Dade College for Operational Support.
On Page: 035	
Spec App: 126	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

		<u>Positions & Amount</u>	<u>Positions & Amount</u>
		DELETE	INSERT
EDUCATION, DEPARTMENT OF Florida Colleges, Division Of Program: Florida Colleges 48400600			
126	In Section 02 On Page 035 Aid To Local Governments 050217 Grants And Aids - Florida College System Program Fund IOEB		
1000	General Revenue Fund CA 900,000 FSI1 900,000	913,118,434	914,018,434

Following Specific Appropriation 126, DELETE:

Funds provided in Specific Appropriation 126 are provided for operating funds and approved baccalaureate programs, and shall be allocated as follows:

Eastern Florida State College.....	33,783,397
Broward College.....	64,367,607
College of Central Florida.....	18,040,314
Chipola College.....	8,762,847
Daytona State College.....	38,930,534
Florida SouthWestern State College.....	23,300,422
Florida State College at Jacksonville.....	58,931,089
Florida Keys Community College.....	5,651,642
Gulf Coast State College.....	17,313,798

Hillsborough Community College.....	50,693,460
Indian River State College.....	39,093,348
Florida Gateway College.....	10,459,540
Lake-Sumter State College.....	11,155,914
State College of Florida, Manatee-Sarasota.....	19,393,590
Miami-Dade College.....	129,155,810
North Florida Community College.....	6,095,600
Northwest Florida State College.....	14,753,941
Palm Beach State College.....	47,118,930
Pasco-Hernando State College.....	25,187,610
Pensacola State College.....	26,705,492
Polk State College.....	23,578,522
Saint Johns River State College.....	15,530,394
Saint Petersburg College.....	54,762,454
Santa Fe College.....	35,136,540
Seminole State College of Florida.....	34,589,818
South Florida State College.....	12,689,532
Tallahassee Community College.....	23,724,969
Valencia College.....	64,211,320

AND INSERT:

Funds provided in Specific Appropriation 126 are provided for operating funds and approved baccalaureate programs, and shall be allocated as follows:

Eastern Florida State College.....	33,783,397
Broward College.....	64,367,607
College of Central Florida.....	18,040,314
Chipola College.....	8,762,847
Daytona State College.....	38,930,534
Florida SouthWestern State College.....	23,300,422
Florida State College at Jacksonville.....	58,931,089
Florida Keys Community College.....	5,651,642
Gulf Coast State College.....	17,313,798
Hillsborough Community College.....	50,693,460
Indian River State College.....	39,093,348
Florida Gateway College.....	10,459,540
Lake-Sumter State College.....	11,155,914
State College of Florida, Manatee-Sarasota.....	19,393,590
Miami-Dade College.....	130,055,810
North Florida Community College.....	6,095,600
Northwest Florida State College.....	14,753,941
Palm Beach State College.....	47,118,930
Pasco-Hernando State College.....	25,187,610
Pensacola State College.....	26,705,492
Polk State College.....	23,578,522
Saint Johns River State College.....	15,530,394
Saint Petersburg College.....	54,762,454
Santa Fe College.....	35,136,540

Seminole State College of Florida.....	34,589,818
South Florida State College.....	12,689,532
Tallahassee Community College.....	23,724,969
Valencia College.....	64,211,320

Universities, Division Of
Program: Educational And General
Activities 48900100

In Section 02 On Page 041
141 Aid To Local Governments 052310
Grants And Aids - Education And General
Activities IOEB

1000 General Revenue Fund	2,344,494,109	2,343,594,109
CA -900,000 FSI1 -900,000		

Following Specific Appropriation 141, DELETE:

Funds in Specific Appropriation 141 from the General Revenue Fund
shall be allocated as follows:

University of Florida.....	313,141,297
Florida State University.....	281,413,151
Florida A&M University.....	75,176,167
University of South Florida.....	190,744,829
University of South Florida, St. Petersburg.....	21,691,120
University of South Florida, Sarasota/Manatee.....	19,384,431
Florida Atlantic University.....	122,511,788
University of West Florida.....	90,832,835
University of Central Florida.....	234,246,160
Florida International University.....	176,692,113
University of North Florida.....	70,662,450
Florida Gulf Coast University.....	58,300,315
New College of Florida.....	23,137,853
Florida Polytechnic University.....	36,322,098
State University Performance Based Incentives.....	525,000,000
Johnson Matching Grant.....	237,500
Preeminent State Research Universities.....	40,000,000
Emerging Preeminent State Research Universities.....	10,000,000
Team Grants.....	55,000,000

AND INSERT:

Funds in Specific Appropriation 141 from the General Revenue Fund
shall be allocated as follows:

University of Florida.....	313,141,297
Florida State University.....	281,413,151
Florida A&M University.....	75,176,167

University of South Florida.....	190,744,829
University of South Florida, St. Petersburg.....	21,691,120
University of South Florida, Sarasota/Manatee.....	19,384,431
Florida Atlantic University.....	122,511,788
University of West Florida.....	90,832,835
University of Central Florida.....	234,246,160
Florida International University.....	176,692,113
University of North Florida.....	70,662,450
Florida Gulf Coast University.....	58,300,315
New College of Florida.....	23,137,853
Florida Polytechnic University.....	36,322,098
State University Performance Based Incentives.....	525,000,000
Johnson Matching Grant.....	237,500
Preeminent State Research Universities.....	40,000,000
Emerging Preeminent State Research Universities.....	10,000,000
Team Grants.....	54,100,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AHE

Amendment

25

The Committee on Appropriations (**Galvano**) recommended the following amendment:

Section: 02	<u>EXPLANATION:</u> Transfers \$30,000 nonrecurring general revenue from Moffitt Cancer Center and Research Institute - Medicinal Cannabis Research and Education to the Florida Polytechnic University Statewide Hazing Prevention Online Course.
On Page: 041	
Spec App: 141	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	30,000	30,000	0
Non-Recurring -	(30,000)	(30,000)	0

		Positions & Amount	Positions & Amount
		DELETE	INSERT
EDUCATION, DEPARTMENT OF			
Universities, Division Of			
Program: Educational And General			
Activities 48900100			
 In Section 02 On Page 041			
141	Aid To Local Governments 052310		
Grants And Aids - Education And General			
Activities IOEB			
 1000 General Revenue Fund			
CA 30,000 FSI1 30,000		2,344,494,109	2,344,524,109

Following Specific Appropriation 141, DELETE:

Funds in Specific Appropriation 141 from the General Revenue Fund shall be allocated as follows:

University of Florida.....	313,141,297
Florida State University.....	281,413,151
Florida A&M University.....	75,176,167
University of South Florida.....	190,744,829
University of South Florida, St. Petersburg.....	21,691,120
University of South Florida, Sarasota/Manatee.....	19,384,431
Florida Atlantic University.....	122,511,788

University of West Florida.....	90,832,835
University of Central Florida.....	234,246,160
Florida International University.....	176,692,113
University of North Florida.....	70,662,450
Florida Gulf Coast University.....	58,300,315
New College of Florida.....	23,137,853
Florida Polytechnic University.....	36,322,098
State University Performance Based Incentives.....	525,000,000
Johnson Matching Grant.....	237,500
Preeminent State Research Universities.....	40,000,000
Emerging Preeminent State Research Universities.....	10,000,000
Team Grants.....	55,000,000

Funds provided in Specific Appropriation 141, as listed above, include allocations for the following university initiatives:

Florida Agricultural and Mechanical University	
Increasing Online Course Offerings.....	2,000,000
Florida Atlantic University	
Secondary Robotics Team Support.....	250,000
Drug Discovery and Translation Research Partnership with	
Scripps Florida.....	2,972,896
Postdoctoral Research Program Partnership with Scripps	
Florida.....	1,400,000
Honors College.....	386,538
Florida Gulf Coast University	
Target Existing Talent Gaps.....	2,234,361
Honors College.....	1,500,000
Florida International University	
UP:LIFT(University Paradigm: Learn, Interact, Facilitate)	3,000,000
StartUP.....	500,000
Florida State University	
Health Equity Research Institute.....	1,000,000
Next Generation Ultra-High Field Magnets.....	300,000
Center for Advanced Power Systems Expansion and	
Diversification.....	750,000
University of Central Florida	
Advanced Manufacturing Sensor Project (BRIDG).....	5,000,000
Florida FIRST Robotics Team Grant.....	250,000
Incubator.....	1,000,000
PTSD Clinic for Florida Veterans and First Responders....	1,250,000
University of Florida	
Lastinger Center for Learning Algebra Nation.....	200,000
Lastinger Center for Learning Math Nation.....	200,000
St. Augustine Historic Building Roof Replacements.....	250,000
Infrastructure for Zika Research.....	2,000,000
Institute for Comparative Veterinary Diagnostics.....	2,000,000
University of North Florida	
Highly Effective Teacher Grant.....	700,000
University of South Florida	

Collaborative-Problem Based Learning Educational Enhancement Program.....	2,000,000
University of South Florida, Sarasota/Manatee Programs of Strategic Importance.....	2,500,000
Small Business Development Center.....	5,000,000
University of South Florida, St. Petersburg Citizen Scholar Partnership.....	263,458
Midtown Early Care and Education Collaborative.....	750,000
University of West Florida Intelligent Systems and Robotics Ph.D. Program.....	500,000

AND INSERT:

Funds in Specific Appropriation 141 from the General Revenue Fund shall be allocated as follows:

University of Florida.....	313,141,297
Florida State University.....	281,413,151
Florida A&M University.....	75,176,167
University of South Florida.....	190,744,829
University of South Florida, St. Petersburg.....	21,691,120
University of South Florida, Sarasota/Manatee.....	19,384,431
Florida Atlantic University.....	122,511,788
University of West Florida.....	90,832,835
University of Central Florida.....	234,246,160
Florida International University.....	176,692,113
University of North Florida.....	70,662,450
Florida Gulf Coast University.....	58,300,315
New College of Florida.....	23,137,853
Florida Polytechnic University.....	36,352,098
State University Performance Based Incentives.....	525,000,000
Johnson Matching Grant.....	237,500
Preeminent State Research Universities.....	40,000,000
Emerging Preeminent State Research Universities.....	10,000,000
Team Grants.....	55,000,000

Funds provided in Specific Appropriation 141, as listed above, include allocations for the following university initiatives:

Florida Agricultural and Mechanical University Increasing Online Course Offerings.....	2,000,000
Florida Atlantic University Secondary Robotics Team Support.....	250,000
Drug Discovery and Translation Research Partnership with Scripps Florida.....	2,972,896
Postdoctoral Research Program Partnership with Scripps Florida.....	1,400,000
Honors College.....	386,538
Florida Gulf Coast University Target Existing Talent Gaps.....	2,234,361

Honors College.....	1,500,000
Florida International University	
UP:LIFT(University Paradigm: Learn, Interact, Facilitate)	3,000,000
StartUP.....	500,000
Florida Polytechnic University	
Statewide Hazing Prevention Online Course.....	30,000
Florida State University	
Health Equity Research Institute.....	1,000,000
Next Generation Ultra-High Field Magnets.....	300,000
Center for Advanced Power Systems Expansion and	
Diversification.....	750,000
University of Central Florida	
Advanced Manufacturing Sensor Project (BRIDG).....	5,000,000
Florida FIRST Robotics Team Grant.....	250,000
Incubator.....	1,000,000
PTSD Clinic for Florida Veterans and First Responders....	1,250,000
University of Florida	
Lastinger Center for Learning Algebra Nation.....	200,000
Lastinger Center for Learning Math Nation.....	200,000
St. Augustine Historic Building Roof Replacements.....	250,000
Infrastructure for Zika Research.....	2,000,000
Institute for Comparative Veterinary Diagnostics.....	2,000,000
University of North Florida	
Highly Effective Teacher Grant.....	700,000
University of South Florida	
Collaborative-Problem Based Learning Educational	
Enhancement Program.....	2,000,000
University of South Florida, Sarasota/Manatee	
Programs of Strategic Importance.....	2,500,000
Small Business Development Center.....	5,000,000
University of South Florida, St. Petersburg	
Citizen Scholar Partnership.....	263,458
Midtown Early Care and Education Collaborative.....	750,000
University of West Florida	
Intelligent Systems and Robotics Ph.D. Program.....	500,000

In Section 02 On Page 040

140 Aid To Local Governments 050333
 Grants And Aids - Moffitt Cancer Center
 And Research Institute IOEB

1000	General Revenue Fund	10,976,930	10,946,930
CA	-30,000 FSI1NR	-30,000	

Following Specific Appropriation 140, DELETE:

From the funds provided in Specific Appropriation 140, \$400,000 is provided to the Coalition for Medicinal Cannabis Research and Education within the Moffitt Cancer Center. Funds provided are contingent upon Senate Bill 1472 or similar legislation becoming law.

AND INSERT:

From the funds provided in Specific Appropriation 140, \$370,000 is provided to the Coalition for Medicinal Cannabis Research and Education within the Moffitt Cancer Center. Funds provided are contingent upon Senate Bill 1472 or similar legislation becoming law.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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SPB2500

<u>Committee</u>	<u>Amendment</u>
AHE	26

The Committee on Appropriations (**Brandes**) recommended the following amendment:

Section: 02	<u>EXPLANATION:</u> Transfers \$1,500,000 recurring general revenue from University Team Grants to the University of South Florida-St. Pete for Operational Support.
On Page: 041	
Spec App: 141	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount DELETE	Positions & Amount INSERT
EDUCATION, DEPARTMENT OF Universities, Division Of Program: Educational And General Activities 48900100		
141 In Section 02 On Page 041 Aid To Local Governments 052310		
Grants And Aids - Education And General Activities IOEB		
1000 General Revenue Fund CA 0	2,344,494,109	2,344,494,109

Following Specific Appropriation 141, DELETE:

Funds in Specific Appropriation 141 from the General Revenue Fund shall be allocated as follows:

University of Florida.....	313,141,297
Florida State University.....	281,413,151
Florida A&M University.....	75,176,167
University of South Florida.....	190,744,829
University of South Florida, St. Petersburg.....	21,691,120
University of South Florida, Sarasota/Manatee.....	19,384,431
Florida Atlantic University.....	122,511,788
University of West Florida.....	90,832,835
University of Central Florida.....	234,246,160

Florida International University.....	176,692,113
University of North Florida.....	70,662,450
Florida Gulf Coast University.....	58,300,315
New College of Florida.....	23,137,853
Florida Polytechnic University.....	36,322,098
State University Performance Based Incentives.....	525,000,000
Johnson Matching Grant.....	237,500
Preeminent State Research Universities.....	40,000,000
Emerging Preeminent State Research Universities.....	10,000,000
Team Grants.....	55,000,000

AND INSERT:

Funds in Specific Appropriation 141 from the General Revenue Fund shall be allocated as follows:

University of Florida.....	313,141,297
Florida State University.....	281,413,151
Florida A&M University.....	75,176,167
University of South Florida.....	190,744,829
University of South Florida, St. Petersburg.....	23,191,120
University of South Florida, Sarasota/Manatee.....	19,384,431
Florida Atlantic University.....	122,511,788
University of West Florida.....	90,832,835
University of Central Florida.....	234,246,160
Florida International University.....	176,692,113
University of North Florida.....	70,662,450
Florida Gulf Coast University.....	58,300,315
New College of Florida.....	23,137,853
Florida Polytechnic University.....	36,322,098
State University Performance Based Incentives.....	525,000,000
Johnson Matching Grant.....	237,500
Preeminent State Research Universities.....	40,000,000
Emerging Preeminent State Research Universities.....	10,000,000
Team Grants.....	53,500,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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SPB2500

Committee

AHE

Amendment

27

The Committee on Appropriations (Grimsley) recommended the following amendment:

Section: 02	<u>EXPLANATION:</u> Transfers \$1,500,000 recurring general revenue from University Team Grants to the Institute of Food and Agricultural Sciences (IFAS) for workload.
On Page: 042	
Spec App: 143	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

EDUCATION, DEPARTMENT OF
Universities, Division Of
Program: Educational And General
Activities 48900100

143 In Section 02 On Page 042
Aid To Local Governments 052315
Grants And Aids - Ifas (Institute Of Food
And Agricultural Science) IOEB

1000	General Revenue Fund	156,690,553	158,190,553
CA	1,500,000 FSI1 1,500,000		

141 In Section 02 On Page 041
Aid To Local Governments 052310
Grants And Aids - Education And General
Activities IOEB

1000	General Revenue Fund	2,344,494,109	2,342,994,109
CA	-1,500,000 FSI1 -1,500,000		

Following Specific Appropriation 141, DELETE:

Funds in Specific Appropriation 141 from the General Revenue Fund
shall be allocated as follows:

University of Florida..... 313,141,297

Florida State University.....	281,413,151
Florida A&M University.....	75,176,167
University of South Florida.....	190,744,829
University of South Florida, St. Petersburg.....	21,691,120
University of South Florida, Sarasota/Manatee.....	19,384,431
Florida Atlantic University.....	122,511,788
University of West Florida.....	90,832,835
University of Central Florida.....	234,246,160
Florida International University.....	176,692,113
University of North Florida.....	70,662,450
Florida Gulf Coast University.....	58,300,315
New College of Florida.....	23,137,853
Florida Polytechnic University.....	36,322,098
State University Performance Based Incentives.....	525,000,000
Johnson Matching Grant.....	237,500
Preeminent State Research Universities.....	40,000,000
Emerging Preeminent State Research Universities.....	10,000,000
Team Grants.....	55,000,000

AND INSERT:

Funds in Specific Appropriation 141 from the General Revenue Fund shall be allocated as follows:

University of Florida.....	313,141,297
Florida State University.....	281,413,151
Florida A&M University.....	75,176,167
University of South Florida.....	190,744,829
University of South Florida, St. Petersburg.....	21,691,120
University of South Florida, Sarasota/Manatee.....	19,384,431
Florida Atlantic University.....	122,511,788
University of West Florida.....	90,832,835
University of Central Florida.....	234,246,160
Florida International University.....	176,692,113
University of North Florida.....	70,662,450
Florida Gulf Coast University.....	58,300,315
New College of Florida.....	23,137,853
Florida Polytechnic University.....	36,322,098
State University Performance Based Incentives.....	525,000,000
Johnson Matching Grant.....	237,500
Preeminent State Research Universities.....	40,000,000
Emerging Preeminent State Research Universities.....	10,000,000
Team Grants.....	53,500,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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Committee

AHE

Amendment

28

The Committee on Appropriations (Montford) recommended the following amendment:

Section: 02	<u>EXPLANATION:</u> Transfers \$200,000 nonrecurring general revenue from FAMU-Increasing Online Course Offerings to FAMU-Enhance Agriculture Research.
On Page: 041	
Spec App: 141	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

EDUCATION, DEPARTMENT OF
Universities, Division Of
Program: Educational And General
Activities 48900100

141 In Section 02 On Page 041
Aid To Local Governments 052310
Grants And Aids - Education And General
Activities IOEB

Following Specific Appropriation 141, DELETE:

Funds provided in Specific Appropriation 141, as listed above,
include allocations for the following university initiatives:

Florida Agricultural and Mechanical University
Increasing Online Course Offerings..... 2,000,000

AND INSERT:

Funds provided in Specific Appropriation 141, as listed above,
include allocations for the following university initiatives:

Florida Agricultural and Mechanical University
Increasing Online Course Offerings..... 1,800,000
Enhance Agriculture Research..... 200,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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SPB2500

Committee

AHS

Amendment

29

The Committee on Appropriations (Flores) recommended the following LATE FILED amendment:

Section: 03	<u>EXPLANATION:</u> Transfers proviso language for the Children's Medical Services Network from the Agency for Health Care Administration to the Department of Health.
On Page: 047	
Spec App: 176	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

AGENCY FOR HEALTH CARE ADMINISTRATION

Program: Health Care Services

Children's Special Health Care 68500100

In Section 03 On Page 047

176 Special Categories 102342

Children's Medical Services Network IOEB

DELETE the proviso immediately following Specific Appropriation 176:

From the funds in Specific Appropriation 176, the Agency for Health Care Administration shall, by August 1, 2017, notify in writing parents or guardians of each Medicaid beneficiary under age 21 who was transferred out of the Children's Medical Services Network to a capitated Medicaid Managed Medical Assistance health plan between May 2015 and September 2015 as a result of a clinical ineligibility determination that they may request a new eligibility screening for their child. A re-screening for clinical eligibility shall be based on the provisions of 64C-2.002, F.A.C. If a child is determined to be clinically eligible, the parent or guardian shall be offered the option of transferring the child to the Children's Medical Services Network or remaining enrolled in the child's current Medicaid Managed Medical Assistance health plan.

HEALTH, DEPARTMENT OF

Program: Children's Medical Services

Children's Special Health Care 64300100

522 **In Section 03 On Page 101**
Special Categories *100497*
Grants And Aids - Children's Medical
Services Network *IOEB*

At the end of existing proviso language, following Specific Appropriation 522, INSERT:

From the funds in Specific Appropriation 522, the Department of Health shall, by August 1, 2017, notify in writing parents or guardians of each Medicaid beneficiary under age 21 - who was transferred out of the Children's Medical Services Network to a capitated Medicaid Managed Medical Assistance health plan between May 2015 and September 2015 as a result of a clinical ineligibility determination - that they may request a new eligibility screening for their child. A re-screening for clinical eligibility shall be based on the provisions of 64C-2.002, F.A.C. If a child is determined to be clinically eligible, the parent or guardian shall be offered the option of transferring the child to the Children's Medical Services Network or remaining enrolled in the child's current Medicaid Managed Medical Assistance health plan.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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SPB2500

Committee

AHS

Amendment

30

The Committee on Appropriations (**Flores**) recommended the following amendment:

Section: 03	<u>EXPLANATION:</u> Revises the proviso to more accurately reflect the funding provided.
On Page: 056	
Spec App: 216	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

AGENCY FOR HEALTH CARE ADMINISTRATION

Program: Health Care Services

Medicaid Long Term Care 68501500

In Section 03 On Page 056

216 Special Categories 101649

Intermediate Care

Facilities/Developmentally Disabled

Community IOEE

Following Specific Appropriation 216, DELETE:

From the funds in Specific Appropriation 216, \$1,000,000 in recurring general revenue funds and \$1,605,523 in recurring funds from the Medical Care Trust Fund is provided to Quest Management Group Private Intermediate Care Facilities for the Developmentally Disabled (ICF/DD) rates.

AND INSERT:

From the funds in Specific Appropriation 216, \$1,000,000 in recurring general revenue funds and \$1,605,523 in recurring funds from the Medical Care Trust Fund is provided for an increase to the Intermediate Care Facilities for the Developmentally Disabled (ICF/DD) rates.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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SPB2500

Committee

AHS

Amendment

31

The Committee on Appropriations (Stargel) recommended the following amendment:

Section: 03	<u>EXPLANATION:</u> Reduces funding from the Department of Children and Families for the Circles of Care - Geropsychiatric Care Center by \$50,000 and provides funding of \$50,000 to the Agency for Persons with Disabilities for Devereux support services for individuals with developmental disabilities.
On Page: 080	
Spec App: 369	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount DELETE	Positions & Amount INSERT
CHILDREN AND FAMILIES, DEPARTMENT OF Services Program: Community Services Community Substance Abuse And Mental Health Services 60910950		
In Section 03 On Page 080 Special Categories 100778 Grants And Aids - Contracted Services IOEB		
369		
1000 General Revenue Fund CA -50,000 FSI1NR -50,000	9,201,378	9,151,378

Following Specific Appropriation 369, DELETE:

From the funds in Specific Appropriation 369, the nonrecurring sum of \$6,585,000 from the General Revenue Fund is provided for the following projects:

Starting Point Behavioral Healthcare.....	100,000
Clay Behavioral Health Community Crisis Prevention Team.....	300,000
Johns Hopkins All Children's Hospital Mental Health Demonstration for Chronic Pain Patients.....	550,000
AGAPE Network - Integrated Care Team, Behavioral Health	

Services.....	100,000
Bridgeway Center Emergency Mobile Access Team.....	100,000
South Florida Behavioral Network Involuntary Outpatient Services Pilot Project.....	250,000
Healthcare Network of Southwest Florida Integrated Behavioral Health Program.....	100,000
Northside Mental Health Center - Crisis Stabilization Beds..	300,000
Veterans Intervention Program - Baycare Behavioral Health...	485,000
Veterans Alternative Retreat Program.....	250,000
New Hope Residential Substance Abuse and Mental Health Treatment Project.....	100,000
Opioid Abuse Pilot Program - Palm Beach.....	500,000
Manatee County Opioid Peer Coach Pilot Program.....	500,000
Specialized Treatment, Education, and Prevention (STEPS) Women's Residential Treatment.....	100,000
Florida Association of Infant Mental Health - Building the State's Infant Mental Health Workforce.....	100,000
Centerstone of Florida - Psychiatric Residency Expansion...	500,000
Jewish Family and Children's Service (JFCS) Children's Crisis Team.....	400,000
Circles of Care - Geropsychiatric Care Center.....	250,000
Assisted Living Services for Mental Health Clients - The Renaissance Manor.....	600,000
Lifestream Crisis Stabilization Unit.....	1,000,000

AND INSERT:

From the funds in Specific Appropriation 369, the nonrecurring sum of \$6,535,000 from the General Revenue Fund is provided for the following projects:

Starting Point Behavioral Healthcare.....	100,000
Clay Behavioral Health Community Crisis Prevention Team.....	300,000
Johns Hopkins All Children's Hospital Mental Health Demonstration for Chronic Pain Patients.....	550,000
AGAPE Network - Integrated Care Team, Behavioral Health Services.....	100,000
Bridgeway Center Emergency Mobile Access Team.....	100,000
South Florida Behavioral Network Involuntary Outpatient Services Pilot Project.....	250,000
Healthcare Network of Southwest Florida Integrated Behavioral Health Program.....	100,000
Northside Mental Health Center - Crisis Stabilization Beds..	300,000
Veterans Intervention Program - Baycare Behavioral Health...	485,000
Veterans Alternative Retreat Program.....	250,000
New Hope Residential Substance Abuse and Mental Health Treatment Project.....	100,000
Opioid Abuse Pilot Program - Palm Beach.....	500,000
Manatee County Opioid Peer Coach Pilot Program.....	500,000
Specialized Treatment, Education, and Prevention (STEPS)	

Women's Residential Treatment.....	100,000
Florida Association of Infant Mental Health - Building the State's Infant Mental Health Workforce.....	100,000
Centerstone of Florida - Psychiatric Residency Expansion....	500,000
Jewish Family and Children's Service (JFCS) Children's Crisis Team.....	400,000
Circles of Care - Geropsychiatric Care Center.....	200,000
Assisted Living Services for Mental Health Clients - The Renaissance Manor.....	600,000
Lifestream Crisis Stabilization Unit.....	1,000,000

AGENCY FOR PERSONS WITH DISABILITIES
 Program: Services To Persons With
 Disabilities
 Home And Community Services 67100100

In Section 03 On Page 060
 240 Special Categories 100778
 Grants And Aids - Contracted Services IOEB

1000 General Revenue Fund	8,821,810	8,871,810
CA 50,000 FSI1NR 50,000		

DELETE the proviso immediately following Specific Appropriation 240:

From the funds in Specific Appropriation 240, the following projects are funded with nonrecurring funds from the General Revenue Fund:

The Arc of Tampa Bay - Solar Energy Initiative.....	686,000
ADE Geriatric Program for Seniors with Developmental Disabilities.....	100,000
Southwest Florida Autism Center.....	42,000
Loveland Center.....	500,000
The Arc Jacksonville - Transition to Community Employment...	300,000
DNA Comprehensive Therapy Services for Children with Autism.....	733,660
Club Challenge.....	168,150
Our Pride Academy.....	500,000
Monroe Association for ReMARCable Citizens.....	100,000

From the funds in Specific Appropriation 240, the following projects are funded with nonrecurring funds from the General Revenue Fund:

AND INSERT:

From the funds in Specific Appropriation 240, the following projects are funded with nonrecurring funds from the General Revenue Fund:

The Arc of Tampa Bay - Solar Energy Initiative.....	686,000
ADE Geriatric Program for Seniors with	

Developmental Disabilities.....	100,000
Southwest Florida Autism Center.....	42,000
Loveland Center.....	500,000
The Arc Jacksonville - Transition to Community Employment...	300,000
DNA Comprehensive Therapy Services for Children	
with Autism.....	733,660
Club Challenge.....	168,150
Our Pride Academy.....	500,000
Monroe Association for ReMARCable Citizens.....	100,000
Devereux Advanced Behavioral Health Florida.....	50,000

From the funds in Specific Appropriation 240, the following projects are funded with nonrecurring funds from the Social Services Block Grant Trust Fund:

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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SPB2500

Committee

AHS

Amendment

32

The Committee on Appropriations (**Flores**) recommended the following amendment:

Section: 03	<u>EXPLANATION:</u> Clarifies proviso for provider rate increases for waiver support coordinators and for nursing services provided by licensed practical nurses.
On Page: 061	
Spec App: 241	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

AGENCY FOR PERSONS WITH DISABILITIES

Program: Services To Persons With Disabilities

Home And Community Services 67100100

In Section 03 On Page 061

241 Special Categories 101555

Home And Community Based Services Waiver 10EE

DELETE the proviso immediately following Specific Appropriation 241:

From the funds in Specific Appropriation 241, \$3,030,410 from the General Revenue Fund and \$4,865,396 from the Operations and Maintenance Trust Fund are provided for a rate increase for Waiver Support Coordinator providers.

From the funds in Specific Appropriation 241, \$1,294,969 from the General Revenue Fund and \$2,079,104 from the Operations and Maintenance Trust Fund are provided for a rate increase for Private Duty Nursing services provided by Licensed Practical Nurses.

AND INSERT:

From the funds in Specific Appropriation 241, \$3,030,410 from the General Revenue Fund and \$4,865,396 from the Operations and Maintenance Trust Fund are provided for a rate increase for Waiver Support Coordinator providers that meet criteria for agency designation.

From the funds in Specific Appropriation 241, \$1,294,969 from the General Revenue Fund and \$2,079,104 from the Operations and Maintenance Trust Fund are provided for a rate increase for nursing services provided by Licensed Practical Nurses.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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<u>Committee</u>	<u>Amendment</u>
AHS	33

The Committee on Appropriations (**Flores**) recommended the following amendment:

Section: 03	<u>EXPLANATION:</u>
On Page: 085	Transfers \$192,168 in nonrecurring funds from the General Revenue Fund from the Department of Children and Families to the Department of Elder Affairs to increase funding for 19 new PACE slots at the Cornerstone PACE program in Orange County.
Spec App: 400	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount DELETE	Positions & Amount INSERT
ELDER AFFAIRS, DEPARTMENT OF		
Program: Services To Elders Program		
Home And Community Services 65100400		
 In Section 03 On Page 085		
Special Categories 109971		
Program Of All-Inclusive Care For The		
Elderly (Pace) IOEE		
 1000 General Revenue Fund	19,232,485	19,424,683
CA 192,198 FSI2NR 192,198		
2516 Operations And Maintenance Trust	30,878,209	30,878,209
Fund		
CA 0		

Following Specific Appropriation 400, INSERT:

From the funds in Specific Appropriation 400, \$192,168 from the General Revenue Fund to fund the state share of 19 slots for the Program for All-Inclusive Care for the Elderly (PACE) in Orange County, effective July 1, 2017.

CHILDREN AND FAMILIES, DEPARTMENT OF
Administration
Program: Executive Leadership

Executive Direction And Support Services 60900101

In Section 03 On Page 067
Fixed Capital Outlay 080751
Department Of Children And Family
Services Fixed Capital Needs For
Centrally Managed Facilities IOEJ

293

1000	General Revenue Fund	5,078,920	4,886,722
CA	-192,198 FSI1NR -192,198		

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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Committee

AHS

Amendment

33SA

The Committee on Appropriations (**Flores**) recommended the following LATE FILED SUBSTITUTE AMENDMENT for 33 (995059):

Section: 03	<u>EXPLANATION:</u> Transfers \$192,168 in nonrecurring funds from the General Revenue Fund from the Department of Children and Families to the Department of Elder Affairs to increase funding for 19 PACE slots at the Cornerstone PACE program in Orange County.
On Page: 085	
Spec App: 400	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount DELETE	Positions & Amount INSERT
ELDER AFFAIRS, DEPARTMENT OF Program: Services To Elders Program Home And Community Services 65100400		
400 In Section 03 On Page 085 Special Categories 109971 Program Of All-Inclusive Care For The Elderly (Pace) IOEE		
1000 General Revenue Fund CA 192,198 FSI2NR 192,198	19,232,485	19,424,683

Following Specific Appropriation 400, INSERT:

From the funds in Specific Appropriation 400, \$192,168 in nonrecurring funds from the General Revenue Fund is provided for the state share of 19 slots for the Program for All-Inclusive Care for the Elderly (PACE) in Orange County, effective July 1, 2017.

CHILDREN AND FAMILIES, DEPARTMENT OF
Administration
Program: Executive Leadership
Executive Direction And Support Services 60900101

In Section 03 On Page 067

293 Fixed Capital Outlay 080751
Department Of Children And Family
Services Fixed Capital Needs For
Centrally Managed Facilities IOEJ

1000 General Revenue Fund	5,078,920	4,886,722
<i>CA -192,198 FSI1NR -192,198</i>		

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AHS

Amendment

34

The Committee on Appropriations (Flores) recommended the following amendment:

Section: 03	<u>EXPLANATION:</u> Increases funding in the Department of Elder Affairs by \$222,801 from nonrecurring general revenue funds for the memory disorder clinic at St. Mary's Medical Center and reduces funding by the same amount in the Department of Children and Families Fixed Capital Outlay category.
On Page: 084	
Spec App: 391	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount DELETE	Positions & Amount INSERT
ELDER AFFAIRS, DEPARTMENT OF Program: Services To Elders Program Home And Community Services 65100400		
391 In Section 03 On Page 084 Special Categories 100041 Grants And Aids - Alzheimer's Disease Initiative IOEB		
1000 General Revenue Fund CA 222,801 FSI1NR 222,801	25,049,798	25,272,599

At the end of existing proviso language, following Specific Appropriation 391, INSERT:

From the funds in Specific Appropriation 391, \$222,801 in nonrecurring funds from the General Revenue Fund is provided to the memory disorder clinic at St. Mary's Medical Center.

CHILDREN AND FAMILIES, DEPARTMENT OF
Administration
Program: Executive Leadership
Executive Direction And Support Services 60900101

293 In Section 03 On Page 067
Fixed Capital Outlay 080751
Department Of Children And Family
Services Fixed Capital Needs For
Centrally Managed Facilities IOEJ

1000	General Revenue Fund	5,078,920	4,856,119
CA	-222,801 FSI1NR -222,801		

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AHS

Amendment

35

The Committee on Appropriations (**Stargel**) recommended the following amendment:

Section: 03	<u>EXPLANATION:</u> Transfer of \$50,000 in nonrecurring general revenue funds from the Fixed Capital Outlay category in the Department of Children and Families to the Mary Brogan Breast and Cervical Cancer Early Detection Program in the Department of Health.
On Page: 090	
Spec App: 447	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

		Positions & Amount	Positions & Amount
		DELETE	INSERT
HEALTH, DEPARTMENT OF			
Program: Community Public Health			
Community Health Promotion 64200100			
In Section 03 On Page 090			
447	Special Categories 100778		
Grants And Aids - Contracted Services		IOEB	
1000	General Revenue Fund	24,389,267	24,439,267
CA 50,000 FSI1NR 50,000			

INSERT:

From the funds in Specific Appropriation 447, \$350,000 in funds from the General Revenue Fund, of which \$50,000 is nonrecurring, is provided to the Mary Brogan Breast and Cervical Cancer Early Detection Program pursuant to section 381.93, Florida Statutes.

CHILDREN AND FAMILIES, DEPARTMENT OF
Administration
Program: Executive Leadership
Executive Direction And Support Services 60900101

293 In Section 03 On Page 067
Fixed Capital Outlay 080751

**Department Of Children And Family
Services Fixed Capital Needs For
Centrally Managed Facilities** *IOEJ*

1000 General Revenue Fund
CA -50,000 FSI1NR -50,000

5,078,920

5,028,920

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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SPB2500

Committee

AHS

Amendment

36

The Committee on Appropriations (Flores) recommended the following amendment:

Section: 03	<u>EXPLANATION:</u> Increases funding in the Department of Children and Families by \$1 million from nonrecurring general revenue funds to provide supported employment services for individuals with mental health disorders and decreases the department's Fixed Capital Outlay funding by \$1 million.
On Page: 067	
Spec App: 293	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

CHILDREN AND FAMILIES, DEPARTMENT OF
Administration

Program: Executive Leadership

Executive Direction And Support Services 60900101

293 In Section 03 On Page 067
Fixed Capital Outlay 080751
Department Of Children And Family
Services Fixed Capital Needs For
Centrally Managed Facilities IOEJ

1000	General Revenue Fund	5,078,920	4,078,920
CA	-1,000,000 FSI1NR	-1,000,000	

Services

Program: Community Services

Community Substance Abuse And Mental
Health Services 60910950

364 In Section 03 On Page 078
Special Categories 100610
Grants And Aids - Community Mental Health
Services IOEB

1000 **General Revenue Fund**
CA 1,000,000 FSI1NR 1,000,000

210,533,830

211,533,830

Immediately following Specific Appropriation , INSERT:

From the funds in Specific Appropriation 364, the nonrecurring sum of \$1,000,000 from the General Revenue Fund is provided for supported employment services for individuals with mental health disorders.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AHS

Amendment

37

The Committee on Appropriations (Flores) recommended the following amendment:

Section: 03	<u>EXPLANATION:</u> Increases funding of \$400,000 from nonrecurring general revenue funds to the Department of Veterans Affairs for a statewide veterans' call center and reduces funding by the same amount in the Department of Children and Families Fixed Capital Outlay category.
On Page: 107	
Spec App: 575	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

VETERANS' AFFAIRS, DEPARTMENT OF
Program: Services To Veterans' Program
Veterans' Benefits And Assistance 50100700

575 In Section 03 On Page 107
Special Categories 100777
Contracted Services IOEA

1000	General Revenue Fund	2,569	402,569
CA 400,000	FSI1NR 400,000		

AND INSERT:

From the funds in Specific Appropriation 575, the recurring sum of \$400,000 from the General Revenue Fund is provided to the Florida Department of Veterans' Affairs to fund local call centers statewide with the purpose of connecting veterans with resources and services that are available in their communities.

CHILDREN AND FAMILIES, DEPARTMENT OF
Administration
Program: Executive Leadership
Executive Direction And Support Services 60900101

293 In Section 03 On Page 067
Fixed Capital Outlay 080751
Department Of Children And Family
Services Fixed Capital Needs For
Centrally Managed Facilities IOEJ

1000	General Revenue Fund	5,078,920	4,678,920
CA	-400,000 FSI1NR -400,000		

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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<u>Committee</u>	<u>Amendment</u>
AHS	38

The Committee on Appropriations (**Powell**) recommended the following amendment:

Section: 03	<u>EXPLANATION:</u> Transfers \$750,000 in nonrecurring general revenue funds from the Department of Children and Families Fixed Capital Outlay category to the Department of Elder Affairs for the North Miami Adult Senior Services Center.
On Page: 084	
Spec App: 394	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

		<u>Positions & Amount</u>	<u>Positions & Amount</u>
		DELETE	INSERT
ELDER AFFAIRS, DEPARTMENT OF			
Program: Services To Elders Program			
Home And Community Services 65100400			
 In Section 03 On Page 084			
Special Categories 100604			
394	Grants And Aids - Older Americans Act		
	Program IOEB		
 1000 General Revenue Fund			
	CA 750,000 FSI1NR 750,000	8,959,862	9,709,862

At the end of existing proviso language, following Specific Appropriation 394, INSERT:

North Miami Adult Senior Services Center.....\$750,000

CHILDREN AND FAMILIES, DEPARTMENT OF			
Administration			
Program: Executive Leadership			
Executive Direction And Support Services 60900101			
 In Section 03 On Page 067			
Fixed Capital Outlay 080751			
293	Department Of Children And Family		

**Services Fixed Capital Needs For
Centrally Managed Facilities** *IOEJ*

<i>1000</i>	General Revenue Fund	5,078,920	4,328,920
	<i>CA -750,000 FSI1NR -750,000</i>		

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AHS

Amendment

39

The Committee on Appropriations (**Brandes**) recommended the following amendment:

Section: 03	<u>EXPLANATION:</u> Increases nonrecurring funding of \$500,000 from the General Revenue Fund in the Department of Children and Families for the Personal Enrichment Mental Health Crisis Stabilization Unit and reduces \$295,000 from the department's Fixed Capital Outlay funding and \$205,000 from the Centers for Independent Living.
On Page: 080	
Spec App: 369	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

CHILDREN AND FAMILIES, DEPARTMENT OF
Services
Program: Community Services
Community Substance Abuse And Mental
Health Services 60910950

369 In Section 03 On Page 080
Special Categories 100778
Grants And Aids - Contracted Services

IOEB

1000 General Revenue Fund
CA 500,000 FSI1NR 500,000

9,201,378

9,701,378

Immediately following Specific Appropriation 369, INSERT:

Personal Enrichment Mental Health Crisis Stabilization Unit.... \$500,000

Administration
Program: Executive Leadership
Executive Direction And Support Services 60900101

293 In Section 03 On Page 067
Fixed Capital Outlay 080751

**Department Of Children And Family
Services Fixed Capital Needs For
Centrally Managed Facilities** *IOEJ*

1000	General Revenue Fund	5,078,920	4,783,920
	<i>CA -295,000 FSI1NR -295,000</i>		

Services
Program: Economic Self Sufficiency
Program
Economic Self Sufficiency Services *60910708*

344 **In Section 03 On Page 075**
Special Categories *100561*
Grants And Aids - Homeless Housing
Assistance Grants *IOEB*

1000	General Revenue Fund	4,075,000	3,870,000
	<i>CA -205,000 FSI1NR -205,000</i>		

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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SPB2500

Committee

AHS

Amendment

40

The Committee on Appropriations (**Powell**) recommended the following amendment:

Section: 03 On Page: 080 Spec App: 369	<u>EXPLANATION:</u> Provides \$20,000 from nonrecurring general revenue funds in the Department of Children and Families for the Jerome Golden Center for Behavioral Health Services and reduces funding by the same amount in the department's Fixed Capital Outlay category.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount DELETE	Positions & Amount INSERT
CHILDREN AND FAMILIES, DEPARTMENT OF Services Program: Community Services Community Substance Abuse And Mental Health Services 60910950		
369 In Section 03 On Page 080 Special Categories 100778 Grants And Aids - Contracted Services IOEB		
1000 General Revenue Fund CA 20,000 FSI1NR 20,000	9,201,378	9,221,378

Immediately following Specific Appropriation 369, **INSERT:**

Jerome Golden Center for Behavioral Health Services..... \$20,000

Administration
Program: Executive Leadership
Executive Direction And Support Services 60900101

293 In Section 03 On Page 067
Fixed Capital Outlay 080751
Department Of Children And Family Services Fixed Capital Needs For

Centrally Managed Facilities*IOEJ**1000***General Revenue Fund****5,078,920****5,058,920***CA -20,000 FSI1NR -20,000*

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

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Committee

AHS

Amendment

41

The Committee on Appropriations (Flores) recommended the following amendment:

Section: 03	<u>EXPLANATION:</u> Transfers \$10,000 in nonrecurring general revenue funds from the Department of Children and Families Fixed Capital Outlay funding to the Young Men's Christian Association (YMCA) - Safety Around Water Initiative.
On Page: 067	
Spec App: 293	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

		Positions & Amount DELETE	Positions & Amount INSERT
CHILDREN AND FAMILIES, DEPARTMENT OF Administration Program: Executive Leadership Executive Direction And Support Services		<i>60900101</i>	
293	In Section 03 On Page 067 Fixed Capital Outlay	<i>080751</i>	
	Department Of Children And Family Services Fixed Capital Needs For Centrally Managed Facilities	<i>IOEJ</i>	
<i>1000</i>	General Revenue Fund	5,078,920	5,068,920
	<i>CA -10,000 FSI1NR -10,000</i>		
HEALTH, DEPARTMENT OF Program: Community Public Health Community Health Promotion		<i>64200100</i>	
447	In Section 03 On Page 090 Special Categories	<i>100778</i>	
	Grants And Aids - Contracted Services	<i>IOEB</i>	
<i>1000</i>	General Revenue Fund	24,389,267	24,399,267
	<i>CA 10,000 FSI1NR 10,000</i>		

Following Specific Appropriation 447, DELETE:

From the funds in Specific Appropriation 447, nonrecurring funds from the General Revenue Fund are provided for the following projects:

Apopka Fresh Start Initiative.....	500,000
Fresh Stop Mobile Farmers Market.....	100,000
Alachua County Organization for Rural Needs (ACORN).....	650,000
The Andrews Regenerative Medicine Center.....	100,000
Miami Beach Community Health Center.....	500,000
Project Be Strong - Teen Pregnancy Prevention Program.....	50,000
Florida Dental Association - Dental Lifeline Network.....	100,000
Keys Area Health Education Center.....	100,000
Premier Community Health Care - Pasco County.....	552,500
St. John Bosco Clinic.....	200,000
AGAPE Community Health Center, Inc.....	500,000
Community Health Centers of Sarasota, Inc.....	100,000
Bithlo Community Health Center.....	600,000

AND INSERT:

From the funds in Specific Appropriation 447, nonrecurring funds from the General Revenue Fund are provided for the following projects:

Apopka Fresh Start Initiative.....	500,000
Fresh Stop Mobile Farmers Market.....	100,000
Alachua County Organization for Rural Needs (ACORN).....	650,000
The Andrews Regenerative Medicine Center.....	100,000
Miami Beach Community Health Center.....	500,000
Project Be Strong - Teen Pregnancy Prevention Program.....	50,000
Florida Dental Association - Dental Lifeline Network.....	100,000
Keys Area Health Education Center.....	100,000
Premier Community Health Care - Pasco County.....	552,500
St. John Bosco Clinic.....	200,000
AGAPE Community Health Center, Inc.....	500,000
Community Health Centers of Sarasota, Inc.....	100,000
Bithlo Community Health Center.....	600,000
Young Men's Christian Association (YMCA) Safety Around Water Initiative.....	10,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

<u>Committee</u>	<u>Amendment</u>
AHS	42

The Committee on Appropriations (**Bean**) recommended the following amendment:

Section: 03 On Page: 070 Spec App: 310A	<u>EXPLANATION:</u> Reduce nonrecurring funding from the General Revenue Fund by \$50,000 from Managed Access to Child Healthcare/ Partnership for Child Health and increase funding by \$50,000 for the Nassau Alcohol, Crime, and Drug Abatement Coalition (NACDAC).

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount DELETE	Positions & Amount INSERT
CHILDREN AND FAMILIES, DEPARTMENT OF Services Program: Family Safety Program Family Safety And Preservation Services	60910310	
310A In Section 03 On Page 070 Special Categories	100778	
Grants And Aids - Contracted Services	10EB	

Immediately following Specific Appropriation 310A, DELETE:

Managed Access to Child Healthcare/ Partnership for Child Health.....	300,000

Following Specific Appropriation 310A, INSERT:

Managed Access to Child Healthcare/ Partnership for Child Health.....	250,000
Nassau Alcohol, Crime, and Drug Abatement Coalition.....	50,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AHS

Amendment

43

The Committee on Appropriations (Flores) recommended the following amendment:

Section: 03 On Page: 070 Spec App: 310A	<u>EXPLANATION:</u> Transfers \$50,000 in nonrecurring general revenue funds in the Department of Children and Families for Victory for Youth, Inc., Share Your Heart Program to the Department of Health for Sant La Haitian Neighborhood Association.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount DELETE	Positions & Amount INSERT
CHILDREN AND FAMILIES, DEPARTMENT OF Services Program: Family Safety Program Family Safety And Preservation Services	60910310	
In Section 03 On Page 070 310A Special Categories 100778 Grants And Aids - Contracted Services	10EB	
1000 General Revenue Fund CA -50,000 FSI1NR -50,000	2,500,000	2,450,000

DELETE the proviso immediately following Specific Appropriation 310A:

From the funds in Specific Appropriation 310A, the nonrecurring sum of \$2,500,000 from the General Revenue Fund is provided for the following projects:

Adoption 2 Action.....	350,000
Camillus House - Human Trafficking Recovery Program.....	100,000
Devereux Advanced Behavioral Health - Sexually Exploited Youth.....	100,000
Dungy - Adoption Promotion Services.....	400,000
Florida Baptist Children's Home - Brave Moms Program.....	400,000
Forever Family Florida.....	200,000

Managed Access to Child Healthcare/ Partnership for Child Health.....	300,000
Porch Light - Housing for Human Trafficking	200,000
Urban Communities Child Welfare Initiative.....	100,000
Victory for Youth, Inc. - Share Your Heart Program.....	300,000
C.A.R.E.S. Replication Pilot Demonstration Project.....	50,000

AND INSERT:

From the funds in Specific Appropriation 310A, the nonrecurring sum of \$2,450,000 from the General Revenue Fund is provided for the following projects:

Adoption 2 Action.....	350,000
Camillus House - Human Trafficking Recovery Program.....	100,000
Devereux Advanced Behavioral Health - Sexually Exploited Youth.....	100,000
Dungy - Adoption Promotion Services.....	400,000
Florida Baptist Children's Home - Brave Moms Program.....	400,000
Forever Family Florida.....	200,000
Managed Access to Child Healthcare/ Partnership for Child Health.....	300,000
Porch Light - Housing for Human Trafficking	200,000
Urban Communities Child Welfare Initiative.....	100,000
Victory for Youth, Inc. - Share Your Heart Program.....	250,000
C.A.R.E.S. Replication Pilot Demonstration Project.....	50,000

HEALTH, DEPARTMENT OF
 Program: Community Public Health
 Community Health Promotion 64200100

447 In Section 03 On Page 090
 Special Categories 100778
 Grants And Aids - Contracted Services IOEB

1000 General Revenue Fund	24,389,267	24,439,267
CA 50,000 FSI1NR 50,000		

DELETE the proviso immediately following Specific Appropriation 447:

From the funds in Specific Appropriation 447, nonrecurring funds from the General Revenue Fund are provided for the following projects:

Apopka Fresh Start Initiative.....	500,000
Fresh Stop Mobile Farmers Market.....	100,000
Alachua County Organization for Rural Needs (ACORN).....	650,000
The Andrews Regenerative Medicine Center.....	100,000
Miami Beach Community Health Center.....	500,000
Project Be Strong - Teen Pregnancy Prevention Program.....	50,000
Florida Dental Association - Dental Lifeline Network.....	100,000

Keys Area Health Education Center.....	100,000
Premier Community Health Care - Pasco County.....	552,500
St. John Bosco Clinic.....	200,000
AGAPE Community Health Center, Inc.....	500,000
Community Health Centers of Sarasota, Inc.....	100,000
Bithlo Community Health Center.....	600,000

AND INSERT:

From the funds in Specific Appropriation 447, nonrecurring funds from the General Revenue Fund are provided for the following projects:

Apopka Fresh Start Initiative.....	500,000
Fresh Stop Mobile Farmers Market.....	100,000
Alachua County Organization for Rural Needs (ACORN).....	650,000
The Andrews Regenerative Medicine Center.....	100,000
Miami Beach Community Health Center.....	500,000
Project Be Strong - Teen Pregnancy Prevention Program.....	50,000
Florida Dental Association - Dental Lifeline Network.....	100,000
Keys Area Health Education Center.....	100,000
Premier Community Health Care - Pasco County.....	552,500
St. John Bosco Clinic.....	200,000
AGAPE Community Health Center, Inc.....	500,000
Community Health Centers of Sarasota, Inc.....	100,000
Bithlo Community Health Center.....	600,000
Sant La Haitian Neighborhood Association.....	50,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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Committee

AHS

Amendment

44

The Committee on Appropriations (Flores) recommended the following amendment:

Section: 03 On Page: 084 Spec App: 394A	<u>EXPLANATION:</u> Reduces \$50,000 of nonrecurring general revenue funds in the Department of Children and Families for Victory for Youth, Inc. and increases funding by \$50,000 in the Department of Elder Affairs for Easter Seals of South Florida for Fixed Capital Outlay.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

ELDER AFFAIRS, DEPARTMENT OF
Program: Services To Elders Program
Home And Community Services 65100400

394A In Section 03 On Page 084
Grants And Aids To Local Governments And 140080
Nonstate Entities - Fixed Capital Outlay
Grants And Aids - Senior Citizen Centers IOEM

1000 General Revenue Fund 50,000
CA 50,000 FSI1NR 50,000

AND INSERT:

From the funds in Specific Appropriation 394A, the following project is funded from nonrecurring general revenue funds:

Easter Seals of South Florida.....50,000

CHILDREN AND FAMILIES, DEPARTMENT OF
Services
Program: Family Safety Program
Family Safety And Preservation Services 60910310

In Section 03 On Page 070

310A Special Categories *100778*
Grants And Aids - Contracted Services *IOEB*

<i>1000</i>	General Revenue Fund	2,500,000	2,450,000
<i>CA -50,000</i>	<i>FSI1NR -50,000</i>		

Following Specific Appropriation 310A, DELETE:

Victory for Youth, Inc. - Share Your Heart Program.....	300,000

Following Specific Appropriation 310A, INSERT:

Victory for Youth, Inc. - Share Your Heart Program.....	250,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AHS

Amendment

44SA

The Committee on Appropriations (**Flores**) recommended the following LATE FILED SUBSTITUTE AMENDMENT for 44 (995096):

Section: 03 On Page: 084 Spec App: 394A	<u>EXPLANATION:</u> Reduces \$50,000 of nonrecurring general revenue funds in the Department of Children and Families for Victory for Youth, Inc. and increases funding by \$50,000 in the Department of Elder Affairs for Easter Seals of South Florida - Hialeah for Fixed Capital Outlay.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

ELDER AFFAIRS, DEPARTMENT OF
Program: Services To Elders Program
Home And Community Services 65100400

394A In Section 03 On Page 084
Grants And Aids To Local Governments And 140080
Nonstate Entities - Fixed Capital Outlay
Grants And Aids - Senior Citizen Centers IOEM

1000 General Revenue Fund 50,000
CA 50,000 FSI1NR 50,000

AND INSERT:

From the funds in Specific Appropriation 394A, the following project is funded from nonrecurring general revenue funds:

Easter Seals of South Florida - Hialeah.....50,000

CHILDREN AND FAMILIES, DEPARTMENT OF
Services
Program: Family Safety Program
Family Safety And Preservation Services 60910310

In Section 03 On Page 070

310A Special Categories *100778*
Grants And Aids - Contracted Services *IOEB*

<i>1000</i>	General Revenue Fund	2,500,000	2,450,000
<i>CA -50,000</i>	<i>FSI1NR -50,000</i>		

Following Specific Appropriation 310A, DELETE:

Victory for Youth, Inc. - Share Your Heart Program.....300,000

Following Specific Appropriation 310A, INSERT:

Victory for Youth, Inc. - Share Your Heart Program.....250,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AHS

Amendment

45

The Committee on Appropriations (**Flores**) recommended the following amendment:

Section: 03	<u>EXPLANATION:</u> Adds proviso for The Transition House Inc. Veterans Residential Program for Homeless Veterans in Osceola County.
On Page: 075	
Spec App: 344	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

**CHILDREN AND FAMILIES, DEPARTMENT OF
Services**

**Program: Economic Self Sufficiency
Program**

Economic Self Sufficiency Services 60910708

In Section 03 On Page 075

344 Special Categories 100561

**Grants And Aids - Homeless Housing
Assistance Grants** IOEB

INSERT:

From the funds in Specific Appropriation 344, the nonrecurring sum of \$100,000 from the General Revenue Fund is provided to The Transition House Inc. Veterans Residential Program for Homeless Veterans in Osceola County.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AHS

Amendment

46

The Committee on Appropriations (Montford) recommended the following amendment:

Section: 03 On Page: 084 Spec App: 391	<u>EXPLANATION:</u> Reduces \$10,000 in nonrecurring general revenue funds from the Centers for Independent Living in Central Florida, Inc. in the Department of Children and Families and increases funding in the Department of Elder Affairs by \$10,000 for the Alzheimer's Project, Inc.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount DELETE	Positions & Amount INSERT
ELDER AFFAIRS, DEPARTMENT OF Program: Services To Elders Program Home And Community Services 65100400		
391 In Section 03 On Page 084 Special Categories 100041 Grants And Aids - Alzheimer's Disease Initiative IOEB		
1000 General Revenue Fund CA 10,000 FSI1NR 10,000	25,049,798	25,059,798

Following Specific Appropriation 391, DELETE:

From the funds in Specific Appropriation 391, \$50,000 in nonrecurring funds from the General Revenue Fund is provided to Jewish Family and Community Services of Southwest Florida - Dementia Respite support.

Following Specific Appropriation 391, INSERT:

From the funds in Specific Appropriation 391, the following projects are funded from nonrecurring general revenue funds:

Jewish Family and Community Services of Southwest Florida - Dementia

Respite support.....		\$50,000	
Tallahassee Alzheimer's Project.....		\$10,000	
CHILDREN AND FAMILIES, DEPARTMENT OF			
Services			
Program: Economic Self Sufficiency			
Program			
Economic Self Sufficiency Services	60910708		
344	In Section 03 On Page 075		
	Special Categories 100561		
	Grants And Aids - Homeless Housing		
	Assistance Grants IOEB		
1000	General Revenue Fund	4,075,000	4,065,000
CA -10,000	FSI1NR -10,000		

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AHS

Amendment

47

The Committee on Appropriations (**Grimsley**) recommended the following amendment:

Section: 03	<u>EXPLANATION:</u> Transfers \$100,000 in nonrecurring general revenue funds from the Centers for Independent Living in the Department of Children and Families to the Nicklaus Children's Hospital in the Department of Health.
On Page: 075	
Spec App: 344	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

		Positions & Amount DELETE	Positions & Amount INSERT
	CHILDREN AND FAMILIES, DEPARTMENT OF Services		
	Program: Economic Self Sufficiency Program		
	Economic Self Sufficiency Services 60910708		
344	In Section 03 On Page 075		
	Special Categories 100561		
	Grants And Aids - Homeless Housing Assistance Grants IOEB		
1000	General Revenue Fund	4,075,000	3,975,000
	CA -100,000 FSI1NR -100,000		
	HEALTH, DEPARTMENT OF		
	Program: Children's Medical Services		
	Children's Special Health Care 64300100		
522	In Section 03 On Page 101		
	Special Categories 100497		
	Grants And Aids - Children's Medical Services Network IOEB		
1000	General Revenue Fund	27,957,822	28,057,822
	CA 100,000 FSI1NR 100,000		

At the end of existing proviso language, following Specific Appropriation 522, INSERT:

From the funds in Specific Appropriation 522, \$100,000 in nonrecurring funds from the General Revenue Fund is provided to the Nicklaus Children's Hospital to partner with Maxim Healthcare Services for a pilot project to improve service delivery models for the medically complex pediatric population in Florida.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AHS

Amendment

48

The Committee on Appropriations (Flores) recommended the following amendment:

Section: 03 On Page: 075 Spec App: 344	<u>EXPLANATION:</u> Transfers \$10,000 in nonrecurring general revenue funds from the Centers for Independent Living in the Department of Children and Families to the Florida Association of Healthy Start Coalitions in the Department of Health.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

**CHILDREN AND FAMILIES, DEPARTMENT OF
Services**

**Program: Economic Self Sufficiency
Program**

Economic Self Sufficiency Services 60910708

**344 In Section 03 On Page 075
Special Categories 100561
Grants And Aids - Homeless Housing
Assistance Grants IOEB**

1000 General Revenue Fund

CA -10,000 FSI1NR -10,000

4,075,000

4,065,000

HEALTH, DEPARTMENT OF

Program: Community Public Health

Community Health Promotion 64200100

**448 In Section 03 On Page 091
Special Categories 100927
Grants And Aids - Healthy Start
Coalitions IOEB**

1000 General Revenue Fund

CA 10,000 FSI1NR 10,000

19,975,176

19,985,176

Immediately following Specific Appropriation 448, INSERT:

From the funds in Specific Appropriation 448, \$10,000 in nonrecurring funds from the General Revenue Fund is provided to the Florida Association of Healthy Start Coalitions.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AHS

Amendment

48SA

The Committee on Appropriations **(Flores)** recommended the following
SUBSTITUTE AMENDMENT for 48 (995088):

Section: 03	<u>EXPLANATION:</u> Transfers \$10,000 in nonrecurring general revenue funds from the Centers for Independent Living in the Department of Children and Families to Healthy Start Coalition Services within the Agency for Health Care Administration.
On Page: 075	
Spec App: 344	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

		Positions & Amount DELETE	Positions & Amount INSERT
CHILDREN AND FAMILIES, DEPARTMENT OF Services			
Program: Economic Self Sufficiency Program			
Economic Self Sufficiency Services 60910708			
In Section 03 On Page 075			
344	Special Categories 100561		
Grants And Aids - Homeless Housing Assistance Grants IOEB			
1000	General Revenue Fund	4,075,000	4,065,000
CA -10,000 FSI1NR -10,000			
AGENCY FOR HEALTH CARE ADMINISTRATION			
Program: Health Care Services			
Medicaid Services To Individuals 68501400			
In Section 03 On Page 050			
195	Special Categories 101405		
Healthy Start Services IOEE			
1000	General Revenue Fund	15,802,104	15,812,104
CA 10,000 FSI1NR 10,000			

Following Specific Appropriation 195, INSERT:

From the funds in Specific Appropriation 195, \$10,000 in nonrecurring funds from the General Revenue Fund is provided to Healthy Start Coalition Services.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AHS

Amendment

49

The Committee on Appropriations (**Flores**) recommended the following amendment:

Section: 03 On Page: 075 Spec App: 344	<u>EXPLANATION:</u> Transfers \$50,000 in nonrecurring general revenue funds from the Centers for Independent Living in the Department of Children and Families to the Nurse-Family Partnership in the Department of Health.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

		Positions & Amount DELETE	Positions & Amount INSERT
CHILDREN AND FAMILIES, DEPARTMENT OF Services			
Program: Economic Self Sufficiency Program			
Economic Self Sufficiency Services 60910708			
 In Section 03 On Page 075			
344	Special Categories 100561		
Grants And Aids - Homeless Housing Assistance Grants IOEB			
1000	General Revenue Fund	4,075,000	4,025,000
CA -50,000 FSI1NR -50,000			
 HEALTH, DEPARTMENT OF			
Program: Community Public Health			
Community Health Promotion 64200100			
 In Section 03 On Page 091			
448	Special Categories 100927		
Grants And Aids - Healthy Start Coalitions IOEB			
1000	General Revenue Fund	19,975,176	20,025,176
CA 50,000 FSI1NR 50,000			

INSERT:

From the funds in Specific Appropriation 448, \$50,000 in nonrecurring funds from the General Revenue Fund is provided to the Department of Health to fund the community organizations selected through the competitive procurement process in 2016 to integrate the Nurse-Family Partnership model and provide intensive nurse visitation services for women and their infants.

From these funds, the Department of Health shall use \$12,000 to contract with the Nurse-Family Partnership National Service Office for process and outcome data identification, management, and analysis. Any needed training and programmatic support will also be provided.

Any funds distributed to communities are contingent upon a minimum 10 percent local match requirement.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AHS

Amendment

50

The Committee on Appropriations (**Flores**) recommended the following amendment:

Section: 03	<u>EXPLANATION:</u> Provides funding of \$300,000 for the State Attorney's Office in the 15th Judicial Circuit to investigate and prosecute violations relating to the Sober Home industry, and reduces funding of \$175,000 for sober home certifications and trainings and \$125,000 from contracted services.
On Page: 079	
Spec App: 366	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount DELETE	Positions & Amount INSERT
CHILDREN AND FAMILIES, DEPARTMENT OF Services Program: Community Services Community Substance Abuse And Mental Health Services 60910950		
366 In Section 03 On Page 079 Special Categories 100618 Grants And Aids - Community Substance Abuse Services IOEB		
1000 General Revenue Fund CA -175,000 FSI1NR -175,000	104,481,978	104,306,978

Following Specific Appropriation 366, DELETE:

From the funds in Specific Appropriation 366, the nonrecurring sum of \$275,000 from the General Revenue Fund is provided for the Department of Children and Families to contract with the Florida Association of Recovery Residences which serves as the credentialing body, to provide annual recovery residence certifications and training for residence administrators.

Following Specific Appropriation 366, INSERT:

From the funds in Specific Appropriation 366, the nonrecurring sum of \$100,000 from the General Revenue Fund is provided for the Department of Children and Families to contract with the Florida Association of Recovery Residences which serves as the credentialing body, to provide annual recovery residence certifications and training for residence administrators.

368 In Section 03 On Page 080
 Special Categories 100777
 Contracted Services IOEA

1000	General Revenue Fund	7,672,547	7,972,547
CA	300,000 FSI1NR 300,000		

At the end of existing proviso language, following Specific Appropriation 368, INSERT:

From the funds in Specific Appropriation 368, the nonrecurring sum of \$300,000 from the General Revenue Fund is provided to the Office of the State Attorney in the Fifteenth Judicial Circuit to investigate and prosecute criminal and regulatory violations within the substance abuse treatment industry.

369 Special Categories 100778
 Grants And Aids - Contracted Services IOEB

1000	General Revenue Fund	9,201,378	9,076,378
CA	-125,000 FSI1NR -125,000		

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AHS

Amendment

51

The Committee on Appropriations (**Bradley**) recommended the following amendment:

Section: 03	<u>EXPLANATION:</u> Reduces funding by \$50,000 in nonrecurring general revenue funds for the Clay Behavioral Health Community Crisis Prevention Team and increases funding by \$50,000 for K-9s for Warriors.
On Page: 080	
Spec App: 369	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

CHILDREN AND FAMILIES, DEPARTMENT OF
Services
Program: Community Services
Community Substance Abuse And Mental
Health Services 60910950

369 In Section 03 On Page 080
Special Categories 100778
Grants And Aids - Contracted Services IOEB

In Section 03, on Page 80, DELETE the following:

Clay Behavioral Health Community Crisis Prevention Team..... 300,000

INSERT:

Clay Behavioral Health Community Crisis Prevention Team..... 250,000
K-9s for Warriors..... 50,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AHS

Amendment

52

The Committee on Appropriations (**Flores**) recommended the following amendment:

Section: 03 On Page: 084 Spec App: 391	<u>EXPLANATION:</u> Corrects a typo and an unnecessary date the department must use when determining a baseline for calculating the differential increase for Alzheimer's Disease Initiative Respite In-Facility Reimbursable Unit Rate.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount DELETE	Positions & Amount INSERT
ELDER AFFAIRS, DEPARTMENT OF Program: Services To Elders Program Home And Community Services 65100400		
391 In Section 03 On Page 084 Special Categories 100041 Grants And Aids - Alzheimer's Disease Initiative IOEB		
1000 General Revenue Fund CA 0	25,049,798	25,049,798

Following Specific Appropriation 391, DELETE:

From the funds in Specific Appropriations 391, the recurring sum of \$3,000,000 from the General Revenue Fund is provided as a differential unit rate increase of up to 30 percent for those receiving services by an Alzheimer's services adult day care center licensed under ch. 429.918, Florida Statutes, on or before March 1, 2017. The Department of Elder Affairs shall use the providers 2016-2017 Alzheimer's Disease Initiative Respite In-Facility Reimbursable Unit Rate as its baseline when calculating the differential increase.

AND INSERT:

From the funds in Specific Appropriations 391, the recurring sum of \$3,000,000 from the General Revenue Fund is provided as a differential unit rate increase of up to 30 percent for those receiving services by an Alzheimer's services adult day care center licensed under ch. 429.918, Florida Statutes, on or before March 1, 2017. The Department of Elder Affairs shall use the providers Alzheimer's Disease Initiative Respite In-Facility Reimbursable Unit Rate as its baseline when calculating the differential increase.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AHS

Amendment

53

The Committee on Appropriations (Bracy) recommended the following amendment:

Section: 03	<u>EXPLANATION:</u> Reduces \$222,801 in recurring funds from the Tobacco Settlement Trust Fund for the Comprehensive Tobacco Prevention and Education Program and provides recurring funding in the same amount to the Department of Elder Affairs for the Orlando Health Memory Disorder Clinic. This is an ineligible source of funding.
On Page: 084	
Spec App: 391	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

ELDER AFFAIRS, DEPARTMENT OF
Program: Services To Elders Program
Home And Community Services 65100400

391 In Section 03 On Page 084
Special Categories 100041
Grants And Aids - Alzheimer's Disease
Initiative IOEB

2122 Tobacco Settlement Trust Fund	25,049,798	25,272,599
CA 222,801 FSI1 222,801		

At the end of existing proviso language, following Specific Appropriation 391, INSERT:

From the funds in Specific Appropriation 391, the following projects are funded with recurring Tobacco Settlement Trust Fund:

Orlando Health Memory Disorder Clinic.....\$222,801

HEALTH, DEPARTMENT OF
Program: Community Public Health
Community Health Promotion 64200100

In Section 03 On Page 093

Special Categories 106036

Comprehensive Statewide Tobacco
Prevention And Education Program

IOEA

462

2122 Tobacco Settlement Trust Fund

68,631,754

68,408,953

CA -222,801 FSI1 -222,801

DELETE the proviso immediately following Specific Appropriation 462:

DELETE the proviso immediately following Specific Appropriation 462:

Funds in Specific Appropriation 462 shall be used to implement the Comprehensive Statewide Tobacco Education and Prevention Program in accordance with section 27, Article X of the State Constitution as adjusted annually for inflation, using the Consumer Price Index as published by the United States Department of Labor. The appropriation shall be allocated as follows:

State & Community Interventions.....	11,348,203
State & Community Interventions - AHEC.....	5,680,072
Health Communications Interventions.....	22,854,374
Cessation Interventions.....	13,539,638
Cessation Interventions - AHEC.....	7,701,011
Surveillance & Evaluation.....	6,118,629
Administration & Management.....	1,389,827

AND INSERT:

Funds in Specific Appropriation 462 shall be used to implement the Comprehensive Statewide Tobacco Education and Prevention Program in accordance with section 27, Article X of the State Constitution as adjusted annually for inflation, using the Consumer Price Index as published by the United States Department of Labor. The appropriation shall be allocated as follows:

State & Community Interventions.....	11,348,203
State & Community Interventions - AHEC.....	5,680,072
Health Communications Interventions.....	22,854,374
Cessation Interventions.....	13,539,638
Cessation Interventions - AHEC.....	7,701,011
Surveillance & Evaluation.....	6,118,629
Administration & Management.....	1,167,026

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AHS

Amendment

53SA

The Committee on Appropriations (**Bracy**) recommended the following
SUBSTITUTE AMENDMENT for 53 (995102):

Section: 03	<u>EXPLANATION:</u>
On Page: 084	
Spec App: 391	Transfers \$222,801 in nonrecurring general revenue funds from the Fixed Capital Outlay category in the Department of Children and Families and provides funding in the same amount to the Department of Elder Affairs for the Orlando Health Memory Disorder Clinic.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount DELETE	Positions & Amount INSERT
ELDER AFFAIRS, DEPARTMENT OF Program: Services To Elders Program Home And Community Services 65100400		
391 In Section 03 On Page 084 Special Categories 100041 Grants And Aids - Alzheimer's Disease Initiative IOEB		
1000 General Revenue Fund CA 222,801 FSI1NR 222,801	25,049,798	25,272,599

At the end of existing proviso language, following Specific
Appropriation 391, INSERT:

From the funds in Specific Appropriation 391, \$222,801 in nonrecurring
funds from the General Revenue Fund is provided for Orlando Health
Memory Disorder Clinic.

CHILDREN AND FAMILIES, DEPARTMENT OF
Administration
Program: Executive Leadership
Executive Direction And Support Services 60900101

293 In Section 03 On Page 067
Fixed Capital Outlay 080751
Department Of Children And Family
Services Fixed Capital Needs For
Centrally Managed Facilities IOEJ

1000	General Revenue Fund	5,078,920	4,856,119
CA	-222,801 FSI1NR -222,801		

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AHS

Amendment

54

The Committee on Appropriations (Flores) recommended the following amendment:

Section: 03	<u>EXPLANATION:</u> Technical amendment that updates proviso to reflect correct dollar amount for Salaries and Benefits in the Department of Health's Tobacco Free Florida Campaign.
On Page: 088	
Spec App: 434	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

HEALTH, DEPARTMENT OF
Program: Community Public Health
Community Health Promotion 64200100

434 In Section 03 On Page 088
Salaries And Benefits 010000 IOEA

DELETE the proviso immediately following Specific Appropriation 434:

From the funds in Specific Appropriation 434, \$316,778 and four positions are provided to implement the Comprehensive Statewide Tobacco Education and Prevention Program in accordance with Section 27, Article X of the State Constitution.

AND INSERT:

From the funds in Specific Appropriation 434, \$321,937 and four positions are provided to implement the Comprehensive Statewide Tobacco Education and Prevention Program in accordance with Section 27, Article X of the State Constitution.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AHS

Amendment

55

The Committee on Appropriations (**Powell**) recommended the following amendment:

Section: 03	<u>EXPLANATION:</u> Transfers \$200,000 in recurring general revenue funds from the Grants and Aids - Primary Care Program category in the Department of Health to the Community Water Fluoridation Project.
On Page: 089	
Spec App: 441	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount	Positions & Amount
	DELETE	INSERT
HEALTH, DEPARTMENT OF Program: Community Public Health Community Health Promotion 64200100		
441 In Section 03 On Page 089 Aid To Local Governments 050581 Grants And Aids - Fluoridation Project IOEB		
1000 General Revenue Fund		200,000
CA 200,000 FSI1 200,000		

Following Specific Appropriation 441, INSERT:

From the funds in Specific Appropriation 441, \$200,000 in funds from the General Revenue Fund is provided Community Water Fluoridation.

440 Aid To Local Governments 050331 Grants And Aids - Primary Care Program IOEB		
1000 General Revenue Fund	18,682,810	18,482,810
CA -200,000 FSI1 -200,000		

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AHS

Amendment

56

The Committee on Appropriations (**Gibson**) recommended the following amendment:

Section: 03	<u>EXPLANATION:</u> Transfers \$500,000 in recurring general revenue funds from the Grants and Aids - Primary Care Program category to the Mary Brogan Breast and Cervical Cancer Early Detection Program.
On Page: 089	
Spec App: 440	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

		Positions & Amount DELETE	Positions & Amount INSERT
HEALTH, DEPARTMENT OF			
Program: Community Public Health			
Community Health Promotion 64200100			
In Section 03 On Page 089			
440	Aid To Local Governments 050331		
	Grants And Aids - Primary Care Program	IOEB	
1000	General Revenue Fund	18,682,810	18,182,810
CA -500,000 FSI1 -500,000			
In Section 03 On Page 090			
447	Special Categories 100778		
	Grants And Aids - Contracted Services	IOEB	
1000	General Revenue Fund	24,389,267	24,889,267
CA 500,000 FSI1 500,000			

At the end of existing proviso language, following Specific Appropriation 447, INSERT:

From the funds in Specific Appropriation 447, an additional \$500,000 in funds from the General Revenue Fund is provided for the Mary Brogan Breast and Cervical Cancer Early Detection Program pursuant to section 381.93, Florida Statutes.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AHS

Amendment

56SA

The Committee on Appropriations (**Gibson**) recommended the following
SUBSTITUTE AMENDMENT for 56 (995081):

Section: 03	<u>EXPLANATION:</u> Transfers \$50,000 in recurring general revenue funds from the Grants and Aids - Primary Care Program category to the Mary Brogan Breast and Cervical Cancer Early Detection Program.
On Page: 089	
Spec App: 440	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

		Positions & Amount	Positions & Amount
		DELETE	INSERT
HEALTH, DEPARTMENT OF			
Program: Community Public Health			
Community Health Promotion 64200100			
In Section 03 On Page 089			
440	Aid To Local Governments 050331		
	Grants And Aids - Primary Care Program IOEB		
1000	General Revenue Fund	18,682,810	18,632,810
	CA -50,000 FSI1 -50,000		
In Section 03 On Page 090			
447	Special Categories 100778		
	Grants And Aids - Contracted Services IOEB		
1000	General Revenue Fund	24,389,267	24,439,267
	CA 50,000 FSI1 50,000		

At the end of existing proviso language, following Specific
Appropriation 447, INSERT:

From the funds in Specific Appropriation 447, \$350,000 in funds from the
General Revenue Fund is provided for the Mary Brogan Breast and Cervical
Cancer Early Detection Program pursuant to section 381.93, Florida
Statutes.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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SPB2500

Committee

AHS

Amendment

57

The Committee on Appropriations (Bean) recommended the following amendment:

Section: 03	<u>EXPLANATION:</u> Replacement of proviso language in Specific Appropriation 447 for the Auditory Oral Early Intervention for Children with Hearing Loss.
On Page: 090	
Spec App: 447	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

HEALTH, DEPARTMENT OF
Program: Community Public Health
Community Health Promotion 64200100

447 In Section 03 On Page 090
Special Categories 100778
Grants And Aids - Contracted Services IOEB

DELETE the proviso immediately following Specific Appropriation 447:

From the funds in Specific Appropriation 447, \$500,000 in nonrecurring funds from the General Revenue Fund is provided to the Division of Community Health Promotion Bureau of Chronic Disease for grants to auditory-oral early intervention programs serving deaf children in multiple counties including rural and underserved areas. These early intervention programs must solely offer auditory-oral educational habilitation and services, as defined in section 1002.391, Florida Statutes, and have a supervisor and faculty members who are credentialed as Certified Listening and Spoken Language Specialists.

AND INSERT:

From the funds in Specific Appropriation 447, \$500,000 in nonrecurring funds from the General Revenue Fund is provided to the Sertoma Speech and Hearing Foundation in Florida, Inc., a Florida non-profit corporation to support auditory oral early intervention programs serving children who are deaf from birth through the age of two in multiple

counties including rural and underserved areas. These early intervention programs must solely offer auditory oral education habilitation services as defined and described in section 1002.391, Florida Statutes, and include faculty members who are credentialed as Certified Listening and Spoken Language Specialists or hearing support services in pursuit of spoken language outcomes for infants and toddlers who are deaf. The providers of these services must be incorporated pursuant to either chapter 607 or chapter 617, Florida Statutes.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AHS

Amendment

57SA

The Committee on Appropriations (**Bean**) recommended the following
SUBSTITUTE AMENDMENT for 57 (995029):

Section: 03	<u>EXPLANATION:</u> Replacement of proviso language in Specific Appropriation 447 for the Auditory Oral Early Intervention for Children with Hearing Loss.
On Page: 090	
Spec App: 447	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

HEALTH, DEPARTMENT OF
Program: Community Public Health
Community Health Promotion 64200100

447 In Section 03 On Page 090
Special Categories 100778
Grants And Aids - Contracted Services IOEB

Following Specific Appropriation 447, DELETE:

From the funds in Specific Appropriation 447, \$500,000 in nonrecurring funds from the General Revenue Fund is provided to the Division of Community Health Promotion Bureau of Chronic Disease for grants to auditory-oral early intervention programs serving deaf children in multiple counties including rural and underserved areas. These early intervention programs must solely offer auditory-oral educational habilitation and services, as defined in section 1002.391, Florida Statutes, and have a supervisor and faculty members who are credentialed as Certified Listening and Spoken Language Specialists.

AND INSERT:

From the funds in Specific Appropriation 447, \$500,000 in nonrecurring funds from the General Revenue Fund is provided to the Sertoma Speech and Hearing Foundation of Florida, Inc., a Florida non-profit corporation to support auditory oral early intervention programs serving children who are deaf ages birth through two, in multiple counties

including rural and underserved areas. These early intervention programs must solely offer auditory oral educational habilitation services, as defined and described in section 1002.391, Florida Statutes, and include faculty members who are credentialed as Certified Listening and Spoken Language Specialists or hearing support services in pursuit of spoken language outcomes for infants and toddlers who are deaf.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AHS

Amendment

58

The Committee on Appropriations (**Flores**) recommended the following amendment:

Section: 03	<u>EXPLANATION:</u> Technical amendment that updates proviso language for the Torrey Pines Institute for Molecular Studies.
On Page: 092	
Spec App: 454	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

HEALTH, DEPARTMENT OF
Program: Community Public Health
Community Health Promotion 64200100

454 In Section 03 On Page 092
Special Categories 101509
Biomedical Research IOEB

DELETE the proviso immediately following Specific Appropriation 454:

From the funds in Specific Appropriation 454, \$3,000,000 in nonrecurring funds from the General Revenue Fund is provided to the Torrey Pines Institute for Molecular Studies for the Florida Drug Discovery Acceleration Program.

From the funds in Specific Appropriation 454, \$100,000 in nonrecurring funds from the General Revenue Fund is provided to the Torrey Pines Institute for Molecular Studies for NCI Experimental Testing (NEXt).

At the end of existing proviso language, following Specific Appropriation 454, **INSERT**:

From the funds in Specific Appropriation 454, \$3,000,000 in nonrecurring funds from the General Revenue Fund is provided for the purpose of supporting activities in relation to biomedical research through the Florida Drug Discovery Acceleration Program at Torrey Pines

Institute for Molecular Studies.

From the funds in Specific Appropriation 454, \$100,000 in nonrecurring funds from the General Revenue Fund is provided for Torrey Pines Institute for Molecular Studies as a designated center within the Chemical Biology Consortium in the NCI Experimental Therapeutics (NExT) Program by the National Institutes of Health to address unmet needs in therapeutic oncology conducted in response to the health needs of Florida's citizens.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AHS

Amendment

59

The Committee on Appropriations (Montford) recommended the following amendment:

Section: 03	<u>EXPLANATION:</u> Adds proviso language to require the Department of Health to contract an independent consultant to review, and recommend changes if necessary, to the department's distribution methodology for federal Ryan White Part B funds and any associated state matching funds.
On Page: 094	
Spec App: 466	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

HEALTH, DEPARTMENT OF
Program: Community Public Health
Disease Control And Health Protection 64200200

466 In Section 03 On Page 094
Expenses 040000 IOEA

INSERT:

From the funds in Specific Appropriations 466 though 470, 472, 473, 475, 479, 484, and 505, the department shall contract with an independent consultant to review and recommend changes, if necessary, to the methodology used to distribute funding received from the federal Ryan White Part B grant, as well as any related state matching funds. This methodology must consider such factors as, but not limited to, HIV incidence and prevalence using data from the Centers for Disease Control and Prevention, and be compliant with all state and federal laws and regulations. The department must complete the review by November 30, 2017, and shall submit a report detailing any changes made to the methodology by December 15, 2017, to the Office of Policy and Budget in the Executive Office of the Governor, the Chairman of the Senate Appropriations Committee, and the Chairman of the House Appropriations Committee.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AHS

Amendment

60

The Committee on Appropriations (**Flores**) recommended the following amendment:

Section: 25	<u>EXPLANATION:</u> Makes a technical correction to a current year appropriation for the KidCare program.
On Page: 412	
Spec App:	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

AGENCY FOR HEALTH CARE ADMINISTRATION 68000000

In Section 25 On Page 412

In Section 25, on Page 412, DELETE the following:

SECTION 25. The sum of \$710,284 in nonrecurring funds from the General Revenue Fund is appropriated for Fiscal Year 2016-2017 to the Agency for Health Care Administration to cover deficits in the Florida KidCare Program. This section shall take effect upon becoming law.

AND INSERT:

SECTION 25. The sum of \$896,414 in nonrecurring funds from the General Revenue Fund is appropriated for Fiscal Year 2016-2017 to the Agency for Health Care Administration to cover deficits in the Florida KidCare Program. This section shall take effect upon becoming law.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

ACJ

Amendment

61

The Committee on Appropriations (**Bean**) recommended the following amendment:

Section: 04 On Page: 121 Spec App: 705	<u>EXPLANATION:</u> Provides \$100,000 in nonrecurring general revenue funds for the House of Hope Drug Treatment Program in Sumter County. It reduces the like amount from the fixed capital outlay category in the Department of Corrections.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

CORRECTIONS, DEPARTMENT OF
Program: Security And Institutional
Operations
Correctional Facilities Maintenance And
Repair 70032000

705 In Section 04 On Page 121
Fixed Capital Outlay 083258
Major Repairs, Renovations And
Improvements To Major Institutions IOEJ

1000 General Revenue Fund 7,288,272 7,188,272
CA -100,000 FSI1NR -100,000

Program: Education And Programs
Adult Substance Abuse Prevention,
Evaluation And Treatment Services 70450100

737 In Section 04 On Page 124
Special Categories 100716
Contract Drug Abuse Services IOEA

In Section 04 On Page 125

1000 General Revenue Fund 6,267,781 6,367,781

At the end of existing proviso language, following Specific Appropriation 751, INSERT:

From the funds in Specific Appropriation 737, \$100,000 in nonrecurring general revenue funds is provided for the House of Hope in Sumter County to provide mental health counseling, medical care and training to current and former incarcerated drug offenders as directed by the courts.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

ACJ

Amendment

62

The Committee on Appropriations (**Bracy**) recommended the following amendment:

Section: 04	<u>EXPLANATION:</u> Restores the \$1.3 million reduction made to the State Attorney in the Ninth Judicial Circuit by eliminating due process funding for capital resentencing cases.
On Page: 141	
Spec App: 852	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

JUSTICE ADMINISTRATION

State Attorneys

Program: State Attorneys - Ninth Judicial Circuit 21500900

852 In Section 04 On Page 141
Salaries And Benefits 010000

IOEA

1000 Positions:
General Revenue Fund
CA 1,270,394 FSI1 1,270,394

364.5
22,225,071

385
23,495,465

854 In Section 04 On Page 142
Special Categories 103225
State Attorney Operating Expenditures

IOEA

1000 General Revenue Fund
CA 27,115 FSI1 27,115

872,682

899,797

856 Special Categories 103290
Salary Incentive Payments

IOEA

1000 General Revenue Fund
CA 2,351 FSI1 2,351

26,486

28,837

Program: Justice Administrative

Commission
Executive Direction And Support Services 21300800

In Section 04 On Page 134

784A Special Categories 103544
Capital Resentencing Due Process Funding IOEA

1000 **General Revenue Fund** 1,299,860 0
CA -1,299,860 FSI1 -1,299,860

DELETE the proviso immediately following Specific Appropriation 784A:

The funds in Specific Appropriation 784A are provided for due process and contracted services related specifically to death penalty proceedings as a result of the Florida Supreme Court decision in Hurst v. State, 202 So. 3d 40 (Fla. 2016).

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

ATD

Amendment

63

The Committee on Appropriations (**Brandes**) recommended the following amendment:

Section: 05	<u>EXPLANATION:</u> Remove 59th Avenue Extension funded at \$500,000 and add 87th Avenue HEFT Access Ramp for \$500,000.
On Page: 259	
Spec App: 1872	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

TRANSPORTATION, DEPARTMENT OF
Transportation Systems Development
Program: Transportation Systems
Development 55100100

1872 In Section 05 On Page 259
Fixed Capital Outlay 088777
Right-Of-Way Land Acquisition IOEK

DELETE:

A portion of the nonrecurring funds in Specific Appropriation 1872 from the State Transportation Trust Fund shall be allocated as follows:

Ludlam Trail Corridor Acquisition, Miami-Dade County.....	5,000,000
59th Avenue Extension Right of Way Purchase from Miami-Dade Aviation Department.....	1,000,000
Underline Multi-Use Trail Right of Way Acquisition, Miami-Dade County.....	5,000,000

AND INSERT:

A portion of the nonrecurring funds in Specific Appropriation 1872 from the State Transportation Trust Fund shall be allocated as follows:

Ludlam Trail Corridor Acquisition, Miami-Dade County.....	5,000,000
59th Avenue Extension Right of Way Purchase from Miami-Dade	

Aviation Department.....	500,000
Underline Multi-Use Trail Right of Way Acquisition, Miami-Dade County.....	5,000,000

Transportation Systems Operations
Program: Highway Operations 55150200

In Section 05 On Page 263

1913	Fixed Capital Outlay 088717	
	Arterial Highway Construction	IOEK

DELETE:

A portion of the nonrecurring funds in Specific Appropriation 1913 shall be allocated as follows:

Bartow Northern Connector, Phase II.....	10,000,000
CR 437 Realignment from Adair Avenue to State Road 44.....	3,000,000
SW 36 Street Traffic Calming Improvements from SW 32 Avenue to SW 48th Avenue.....	1,500,000
CR 184/Muscogee Roadway Reconstruction.....	1,000,000
Boutwell Road/Lake Worth Park of Commerce Improvements.....	2,000,000
Jenks Avenue Widening Project, Bay County.....	1,000,000
Williamson Boulevard 4 Laning, Daytona Beach.....	3,000,000
River Road from U.S. 41 to Interstate 75, Sarasota County...	10,000,000
City of Venice Road Improvements Phase II.....	2,000,000
City of West Park, Neighborhood Traffic Calming Plan.....	1,000,000
Santa Rosa County, I-10 Industrial Park, Phase 2 Access Road.....	1,000,000
The Bluffs Pensacola Bridge Project.....	3,100,000
P.J. Adams Parkway Widening, Okaloosa County.....	1,000,000

AND INSERT:

A portion of the nonrecurring funds in Specific Appropriation 1913 shall be allocated as follows:

Bartow Northern Connector, Phase II.....	10,000,000
CR 437 Realignment from Adair Avenue to State Road 44.....	3,000,000
SW 36 Street Traffic Calming Improvements from SW 32 Avenue to SW 48th Avenue.....	1,500,000
CR 184/Muscogee Roadway Reconstruction.....	1,000,000
Boutwell Road/Lake Worth Park of Commerce Improvements.....	2,000,000
Jenks Avenue Widening Project, Bay County.....	1,000,000
Williamson Boulevard 4 Laning, Daytona Beach.....	3,000,000
River Road from U.S. 41 to Interstate 75, Sarasota County...	10,000,000
City of Venice Road Improvements Phase II.....	2,000,000
City of West Park, Neighborhood Traffic Calming Plan.....	1,000,000
Santa Rosa County, I-10 Industrial Park, Phase 2 Access Road.....	1,000,000

The Bluffs Pensacola Bridge Project.....	3,100,000
P.J. Adams Parkway Widening, Okaloosa County.....	1,000,000
87th Avenue HEFT Access Ramp.....	500,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

ATD

Amendment

63AA

The Committee on Appropriations (**Brandes**) recommended the following
AMENDMENT TO AMENDMENT 63 (995052):

Section: 05	<u>EXPLANATION:</u> Add proviso only for \$500,000 for the High Springs/Newberry Rail Trail Right of Way Acquisition project.
On Page: 259	
Spec App: 1872	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

TRANSPORTATION, DEPARTMENT OF
Transportation Systems Development
Program: Transportation Systems
Development 55100100

1872 In Section 05 On Page 259
Fixed Capital Outlay 088777
Right-Of-Way Land Acquisition IOEK

DELETE:

A portion of the nonrecurring funds in Specific Appropriation 1872
from the State Transportation Trust Fund shall be allocated as follows:

Ludlam Trail Corridor Acquisition, Miami-Dade County.....	5,000,000
59th Avenue Extension Right of Way Purchase from Miami-Dade Aviation Department.....	500,000
Underline Multi-Use Trail Right of Way Acquisition, Miami-Dade County.....	5,000,000

AND INSERT:

A portion of the nonrecurring funds in Specific Appropriation 1872
from the State Transportation Trust Fund shall be allocated as follows:

Ludlam Trail Corridor Acquisition, Miami-Dade County.....	5,000,000
59th Avenue Extension Right of Way Purchase from Miami-Dade	

Aviation Department.....	500,000
Underline Multi-Use Trail Right of Way Acquisition, Miami-Dade County.....	5,000,000
High Springs/Newberry Rail Trail project.....	500,000

Transportation Systems Operations
Program: Highway Operations 55150200

In Section 05 On Page 263

1913 Fixed Capital Outlay 088717
Arterial Highway Construction IOEK

A portion of the nonrecurring funds in Specific Appropriation 1913 shall be allocated as follows:

Bartow Northern Connector, Phase II.....	10,000,000
CR 437 Realignment from Adair Avenue to State Road 44.....	3,000,000
SW 36 Street Traffic Calming Improvements from SW 32 Avenue to SW 48th Avenue.....	1,500,000
CR 184/Muscogee Roadway Reconstruction.....	1,000,000
Boutwell Road/Lake Worth Park of Commerce Improvements.....	2,000,000
Jenks Avenue Widening Project, Bay County.....	1,000,000
Williamson Boulevard 4 Laning, Daytona Beach.....	3,000,000
River Road from U.S. 41 to Interstate 75, Sarasota County...	10,000,000
City of Venice Road Improvements Phase II.....	2,000,000
City of West Park, Neighborhood Traffic Calming Plan.....	1,000,000
Santa Rosa County, I-10 Industrial Park, Phase 2 Access Road.....	1,000,000
The Bluffs Pensacola Bridge Project.....	3,100,000
P.J. Adams Parkway Widening, Okaloosa County.....	1,000,000
87th Avenue HEFT Access Ramp.....	500,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

ATD

Amendment

64

The Committee on Appropriations (**Gainer**) recommended the following amendment:

Section: 06	<u>EXPLANATION:</u> Transfers \$500,000 from Walton County Broadband Initiative Phase 2 WIFI to Defuniak Springs, CR 280A.
On Page: 302	
Spec App: 2226K	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

		Positions & Amount DELETE	Positions & Amount INSERT
ECONOMIC OPPORTUNITY, DEPARTMENT OF			
Program: Strategic Business Development			
Strategic Business Development 40400100			
In Section 06 On Page 302			
2226K Special Categories 100562			
Economic Development Projects IOEA			
2041	State Economic Enhancement And Development Trust Fund	30,900,000	30,400,000
CA -500,000 FSI1NR -500,000			

In Section 06, on Page 302, DELETE the following:

Walton County Broadband Initiative Phase 2-WIFI..... 500,000

TRANSPORTATION, DEPARTMENT OF			
Transportation Systems Operations			
Program: Highway Operations 55150200			
In Section 05 On Page 263			
1913 Fixed Capital Outlay 088717			
Arterial Highway Construction IOEK			
2540	State Transportation (Primary) Trust Fund	185,069,176	185,569,176
CA 500,000 FSI1NR 500,000			

AND INSERT:

City of Dufuniak Springs, CR 280A.....500,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

ATD

Amendment

65

The Committee on Appropriations (**Gainer**) recommended the following amendment:

Section: 05	<u>EXPLANATION:</u> Proviso only to add SR 79 Corridor Project to Work Program for \$1,500,000 to be contracted through FDOT and the RAO Organization for necessary improvements.
On Page: 263	
Spec App: 1913	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

TRANSPORTATION, DEPARTMENT OF
Transportation Systems Operations
Program: Highway Operations 55150200

1913 In Section 05 On Page 263
Fixed Capital Outlay 088717
Arterial Highway Construction IOEK

At the end of existing proviso language, following Specific Appropriation 1913, INSERT:

From the nonrecurring funds in Specific Appropriation 1913, \$1,500,000 shall be provided for infrastructure improvement along the SR 79 corridor in the City of Bonifay, spanning Holmes and Washington Counties.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

ATD

Amendment

66

The Committee on Appropriations (Book) recommended the following amendment:

Section: 05	<u>EXPLANATION:</u> Transfers \$250,000 from the Coral Springs University Drive project to the Coral Spring Westside Hardening project.
On Page: 264	
Spec App: 1923	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

TRANSPORTATION, DEPARTMENT OF
Transportation Systems Operations
Program: Highway Operations 55150200

1923 In Section 05 On Page 264
Fixed Capital Outlay 088865
Economic Development Transportation
Projects - Road Fund IOEK

DELETE:

The nonrecurring funds provided in Specific Appropriation 1923 shall be allocated as follows:

Nassau Oaks Subdivision Roadway Improvements.....	650,000
Nassau County Sawpit Island Bike Trail.....	300,000
Port of Fernandina Multi Purpose Dock Crane and Warehouse.....	5,000,000
Town of Southwest Ranches Drainage Project, Broward County..	340,000
University Drive Resurfacing in Coral Springs.....	250,000
Sandspur Regional Connector in the City of Maitland.....	375,000
Pine Hills Road and Silver Star Road Intersection Design of Pedestrian and Bicycle Safety Improvements.....	300,000
State Road 687 (3rd and 4th Streets) and 8th/MLK Streets Downtown St. Petersburg-Preliminary Engineering Study to Convert One Way Street to Two Way Street.....	200,000
State Road 7 Pedestrian Lights, City of West Park.....	650,000

Senior Transportation Project, Pembroke Pines.....	218,181
Wilton Manors Sidewalk Connectivity, Broward County.....	300,000
City of Jacksonville-Crosswalk Countdown Traffic Signal Heads Installation.....	631,072
Virginia Drive Reconstruction and Paving, City of Lake Helen	229,000
Forward Pinellas Waterborne Transportation.....	500,000
Orchard Pond Greenway Trail, Phase II, Leon County.....	300,000
Liberty County Paving Project at Tolar School.....	129,076
City of St. Marks Railroad Trail Extension Project.....	500,000
Ranches Community Stabilization Project, Broward County.....	250,000
Multimodal Transit Station in Downtown Palmetto Bay.....	428,912
PD&E Study of Clinton Avenue Intersection Realignment at U.S. 98 and U.S.301, Pasco County.....	1,000,000
SW 12th Street Roadway Improvements, City of North Lauderdale.....	300,000
Lauderdale Lakes Comprehensive Sidewalk Improvement Project.	200,000
2nd Street from West Wyoming to Bay Avenue Stormwater Drainage Improvements, Hillsborough County.....	300,000
City of Belle Glade SW Avenue J Roadway Project.....	1,028,635
Goodland Drive Rehabilitation, Collier County.....	250,000
CR-846/Immokalee Road over Gator Canal Bridge Rehabilitation	1,000,000
OLLI-Automated / Driverless Advanced Technology Transportation Shuttle Program, Duval County.....	250,000
Walton County, CR 30-A, Intermodal Transportation Innovation Program.....	1,960,000
Bridge Road Town Center Project, Martin County.....	2,630,000
Plant City Collins Street Improvements.....	1,125,000
Northwest Industrial Business Park Access Road, Deland.....	500,000
Treasure Island Causeway Multimodal Improvements.....	750,000
Mapp Road Town Center Project in Palm City.....	1,000,000
U.S. 301/Relmagine Gall Blvd. Improvements, Downtown Zephyrhills.....	350,000
Solar Bus Shelters, Pinellas County.....	1,000,000
DIA Downtown Street Light Improvements, Duval County.....	480,000
Hogan's Creek Greenway.....	535,000
Northbank Riverwalk, Gefen Bridge.....	200,000
Key Biscayne Adaptive Traffic Signalization.....	165,000

AND INSERT:

The nonrecurring funds provided in Specific Appropriation 1923 shall be allocated as follows:

Nassau Oaks Subdivision Roadway Improvements.....	650,000
Nassau County Sawpit Island Bike Trail.....	300,000
Port of Fernandina Multi Purpose Dock Crane and Warehouse.....	5,000,000
Town of Southwest Ranches Drainage Project, Broward County..	340,000
Sandspur Regional Connector in the City of Maitland.....	375,000
Pine Hills Road and Silver Star Road Intersection Design of	

Pedestrian and Bicycle Safety Improvements.....	300,000
State Road 687 (3rd and 4th Streets) and 8th/MLK Streets Downtown St. Petersburg-Preliminary Engineering Study to Convert One Way Street to Two Way Street.....	200,000
State Road 7 Pedestrian Lights, City of West Park.....	650,000
Senior Transportation Project, Pembroke Pines.....	218,181
Wilton Manors Sidewalk Connectivity, Broward County.....	300,000
City of Jacksonville-Crosswalk Countdown Traffic Signal Heads Installation.....	631,072
Virginia Drive Reconstruction and Paving, City of Lake Helen	229,000
Forward Pinellas Waterborne Transportation.....	500,000
Orchard Pond Greenway Trail, Phase II, Leon County.....	300,000
Liberty County Paving Project at Tolar School.....	129,076
City of St. Marks Railroad Trail Extension Project.....	500,000
Ranches Community Stabilization Project, Broward County.....	250,000
Multimodal Transit Station in Downtown Palmetto Bay.....	428,912
PD&E Study of Clinton Avenue Intersection Realignment at U.S. 98 and U.S.301, Pasco County.....	1,000,000
SW 12th Street Roadway Improvements, City of North Lauderdale.....	300,000
Lauderdale Lakes Comprehensive Sidewalk Improvement Project. 2nd Street from West Wyoming to Bay Avenue Stormwater Drainage Improvements, Hillsborough County.....	200,000
City of Belle Glade SW Avenue J Roadway Project.....	300,000
Goodland Drive Rehabilitation, Collier County.....	1,028,635
CR-846/Immokalee Road over Gator Canal Bridge Rehabilitation	250,000
OLLI-Automated / Driverless Advanced Technology	1,000,000
Transportation Shuttle Program, Duval County.....	250,000
Walton County, CR 30-A, Intermodal Transportation Innovation Program.....	250,000
Bridge Road Town Center Project, Martin County.....	1,960,000
Plant City Collins Street Improvements.....	2,630,000
Northwest Industrial Business Park Access Road, Deland.....	1,125,000
Treasure Island Causeway Multimodal Improvements.....	500,000
Mapp Road Town Center Project in Palm City.....	750,000
U.S. 301/ReImagine Gall Blvd. Improvements, Downtown Zephyrhills.....	1,000,000
Solar Bus Shelters, Pinellas County.....	350,000
DIA Downtown Street Light Improvements, Duval County.....	1,000,000
Hogan's Creek Greenway.....	480,000
Northbank Riverwalk, Gefen Bridge.....	535,000
Key Biscayne Adaptive Traffic Signalization.....	200,000
Coral Springs Westside Facility Hardening.....	165,000
	250,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

<u>Committee</u>	<u>Amendment</u>
ATD	67

The Committee on Appropriations (**Book**) recommended the following amendment:

Section: 05	<u>EXPLANATION:</u>
On Page: 264	Transfer \$200,000 from SW Ranches Drainage Project to SW Ranches Lighting Project and transfer \$140,000 from SW Ranches Drainage Project to Downtown Road Improvements, City of Davie.
Spec App: 1923	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount DELETE	Positions & Amount INSERT
TRANSPORTATION, DEPARTMENT OF		
Transportation Systems Operations		
Program: Highway Operations 55150200		
1923 In Section 05 On Page 264		
Fixed Capital Outlay 088865		
Economic Development Transportation		
Projects - Road Fund IOEK		
2540 State Transportation (Primary)	26,574,876	26,574,876
Trust Fund		
CA 0		

DELETE the proviso immediately following Specific Appropriation 1923:

The nonrecurring funds provided in Specific Appropriation 1923 shall be allocated as follows:

Nassau Oaks Subdivision Roadway Improvements.....	650,000
Nassau County Sawpit Island Bike Trail.....	300,000
Port of Fernandina Multi Purpose Dock Crane and Warehouse.....	5,000,000
Town of Southwest Ranches Drainage Project, Broward County..	340,000
University Drive Resurfacing in Coral Springs.....	250,000
Sandspur Regional Connector in the City of Maitland.....	375,000
Pine Hills Road and Silver Star Road Intersection Design of	

Pedestrian and Bicycle Safety Improvements.....	300,000
State Road 687 (3rd and 4th Streets) and 8th/MLK Streets Downtown St. Petersburg-Preliminary Engineering Study to Convert One Way Street to Two Way Street.....	200,000
State Road 7 Pedestrian Lights, City of West Park.....	650,000
Senior Transportation Project, Pembroke Pines.....	218,181
Wilton Manors Sidewalk Connectivity, Broward County.....	300,000
City of Jacksonville-Crosswalk Countdown Traffic Signal Heads Installation.....	631,072
Virginia Drive Reconstruction and Paving, City of Lake Helen	229,000
Forward Pinellas Waterborne Transportation.....	500,000
Orchard Pond Greenway Trail, Phase II, Leon County.....	300,000
Liberty County Paving Project at Tolar School.....	129,076
City of St. Marks Railroad Trail Extension Project.....	500,000
Ranches Community Stabilization Project, Broward County.....	250,000
Multimodal Transit Station in Downtown Palmetto Bay.....	428,912
PD&E Study of Clinton Avenue Intersection Realignment at U.S. 98 and U.S.301, Pasco County.....	1,000,000
SW 12th Street Roadway Improvements, City of North Lauderdale.....	300,000
Lauderdale Lakes Comprehensive Sidewalk Improvement Project. 2nd Street from West Wyoming to Bay Avenue Stormwater Drainage Improvements, Hillsborough County.....	200,000
City of Belle Glade SW Avenue J Roadway Project.....	300,000
Goodland Drive Rehabilitation, Collier County.....	1,028,635
CR-846/Immokalee Road over Gator Canal Bridge Rehabilitation	250,000
OLLI-Automated / Driverless Advanced Technology	1,000,000
Transportation Shuttle Program, Duval County.....	250,000
Walton County, CR 30-A, Intermodal Transportation Innovation Program.....	250,000
Bridge Road Town Center Project, Martin County.....	1,960,000
Plant City Collins Street Improvements.....	2,630,000
Northwest Industrial Business Park Access Road, Deland.....	1,125,000
Treasure Island Causeway Multimodal Improvements.....	500,000
Mapp Road Town Center Project in Palm City.....	750,000
U.S. 301/ReImagine Gall Blvd. Improvements, Downtown Zephyrhills.....	1,000,000
Solar Bus Shelters, Pinellas County.....	350,000
DIA Downtown Street Light Improvements, Duval County.....	1,000,000
Hogan's Creek Greenway.....	480,000
Northbank Riverwalk, Gefen Bridge.....	535,000
Key Biscayne Adaptive Traffic Signalization.....	200,000
	165,000

AND INSERT:

The nonrecurring funds provided in Specific Appropriation 1923 shall be allocated as follows:

Nassau Oaks Subdivision Roadway Improvements.....	650,000
Nassau County Sawpit Island Bike Trail.....	300,000

Port of Fernandina Multi Purpose Dock Crane and Warehouse.....	5,000,000
University Drive Resurfacing in Coral Springs.....	250,000
Sandspur Regional Connector in the City of Maitland.....	375,000
Pine Hills Road and Silver Star Road Intersection Design of Pedestrian and Bicycle Safety Improvements.....	300,000
State Road 687 (3rd and 4th Streets) and 8th/MLK Streets Downtown St. Petersburg-Preliminary Engineering Study to Convert One Way Street to Two Way Street.....	200,000
State Road 7 Pedestrian Lights, City of West Park.....	650,000
Senior Transportation Project, Pembroke Pines.....	218,181
Wilton Manors Sidewalk Connectivity, Broward County.....	300,000
City of Jacksonville-Crosswalk Countdown Traffic Signal Heads Installation.....	631,072
Virginia Drive Reconstruction and Paving, City of Lake Helen	229,000
Forward Pinellas Waterborne Transportation.....	500,000
Orchard Pond Greenway Trail, Phase II, Leon County.....	300,000
Liberty County Paving Project at Tolar School.....	129,076
City of St. Marks Railroad Trail Extension Project.....	500,000
Ranches Community Stabilization Project, Broward County....	250,000
Multimodal Transit Station in Downtown Palmetto Bay.....	428,912
PD&E Study of Clinton Avenue Intersection Realignment at U.S. 98 and U.S.301, Pasco County.....	1,000,000
SW 12th Street Roadway Improvements, City of North Lauderdale.....	300,000
Lauderdale Lakes Comprehensive Sidewalk Improvement Project.	200,000
2nd Street from West Wyoming to Bay Avenue Stormwater Drainage Improvements, Hillsborough County.....	300,000
City of Belle Glade SW Avenue J Roadway Project.....	1,028,635
Goodland Drive Rehabilitation, Collier County.....	250,000
CR-846/Immokalee Road over Gator Canal Bridge Rehabilitation OLLI-Automated / Driverless Advanced Technology	1,000,000
Transportation Shuttle Program, Duval County.....	250,000
Walton County, CR 30-A, Intermodal Transportation Innovation Program.....	1,960,000
Bridge Road Town Center Project, Martin County.....	2,630,000
Plant City Collins Street Improvements.....	1,125,000
Northwest Industrial Business Park Access Road, Deland.....	500,000
Treasure Island Causeway Multimodal Improvements.....	750,000
Mapp Road Town Center Project in Palm City.....	1,000,000
U.S. 301/Relmagine Gall Blvd. Improvements, Downtown Zephyrhills.....	350,000
Solar Bus Shelters, Pinellas County.....	1,000,000
DIA Downtown Street Light Improvements, Duval County.....	480,000
Hogan's Creek Greenway.....	535,000
Northbank Riverwalk, Gefen Bridge.....	200,000
Key Biscayne Adaptive Traffic Signalization.....	165,000
Southwest Ranches Street Lighting.....	200,000
Downtown Road Improvements, City of Davie.....	140,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

<u>Committee</u>	<u>Amendment</u>
ATD	68

The Committee on Appropriations (**Gibson**) recommended the following amendment:

Section: 06	<u>EXPLANATION:</u> Proviso only to specify use of funds provided to the Florida African American Heritage Preservation Network.
On Page: 297	
Spec App: 2224M	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

ECONOMIC OPPORTUNITY, DEPARTMENT OF
Program: Community Development
Housing And Community Development 40300200

2224M In Section 06 On Page 297
Special Categories 100931
Grants And Aids - Housing And Community
Development Projects IOEB

DELETE:

A portion of the nonrecurring funds provided in Specific Appropriation 2224M from the State Enhancement and Economic Development Trust Fund shall be allocated as follows:

City of Pahokee Marina Improvement.....	1,200,000
City of Clearwater Ruth Eckerd Hall Expansion.....	1,000,000
Marine Statue Garden Feasibility Study.....	150,000
Lealman Community and Recreation Center in Pinellas County..	2,000,000
City of Port St. Lucie Riverwalk/Boardwalk Extension.....	600,000
City of Zolfo Springs Civic Center and Town Hall Rehabilitation.....	313,166
Apollo School Rehabilitation and Site Improvement.....	100,000
Camp Matecumbe, Pedro Pan Restoration of Historic Chapel....	275,000
Fort Myers Gulf Coast Multi-Use Trail Feasibility Study.....	1,900,000
Centennial Park Playground Equipment Replacement, Downtown Fort Myers.....	228,000

Sirenia Vista Park Utilities Extension Project.....	125,000
Madeira Beach Lighting Project.....	200,000
Beyond the Bay, The Florida Orchestra.....	950,000
Safety and Security for the Tampa Bay Jewish Community.....	92,000
City of Milton - Riverwalk/Boardwalk Expansion.....	1,000,000
General Bernardo de Galvez Monument.....	50,000
Sunny Isles Beach 'Complete Streets' Project.....	250,000
African Cultural And Community Center.....	212,000
Rapid Rehousing Program.....	500,000
Mel Fisher Maritime Heritage Society.....	475,000
Relocation of Historic Gulfview Hotel.....	300,000
Freeport Cultural Center.....	250,000
Circus Art Conservatory, Life Safety and ADA Compliance.....	1,000,000
Florida African American Heritage Preservation Network.....	450,000
Old City Hall Community Auditorium Economic Development Project.....	550,000
Smith Brown Community Center in DeSoto County.....	150,000
New Smyrna Beach Museum of East Coast Surfing (NSBMECS).....	100,000
Hotel Ponce de Leon/Molly Wiley Art Building Restoration....	1,000,000
Countryside Sports Complex, City of Clearwater.....	1,000,000
Sunshine Limitless Activity Area at the Long Center.....	500,000
Tarpon Springs HOPE Center.....	200,000
Palm Bay - Restoring a Historic Pier & Shoreline.....	250,000
City of Apalachicola Youth Center Roof System Project.....	40,000
City of Jennings, Florida Community Center.....	673,920
Town of White Springs, Florida Community Center.....	500,000
Palm Beach Zoo and Conservation Society, Safety and Preparedness Program.....	400,000
CreationStation Digital Learning Labs in the Palm Beach County Library System.....	250,000
Post Office Renovation to Recreation Community, Oviedo.....	575,000
The Deerfield Beach African American Memorial Park.....	604,502
Highland Park Field Lights.....	500,000
Tampa Hillsborough Community Housing Solutions Center.....	1,000,000
PARC-Early Intervention Care Transportation.....	150,000
Special Needs Accessible Baseball Fields.....	250,000
Clearwater Marine Aquarium Dolphin Pool Construction.....	1,000,000
NeighborWorks Florida Collaborative.....	500,000
Marjory Stoneman Douglas Biscayne Nature Center.....	200,000
Miami Downtown Development Authority-Baywalk.....	350,000
Aventura-NE 191st Street Stormwater Retrofits.....	355,981
Bal Harbor Village-Utility Master Plan.....	425,000
Pinellas Park, Pinebrook Estates Pond Improvements.....	325,000
Cuban Club Structural Stabilization, Ybor City.....	100,000

From the funds in Specific Appropriation 2224M \$1,000,000 in nonrecurring funds from the State Enhancement and Economic Development Trust Funds, is provided for the Regional Multi-Use Athletic Tournament Complex in the city of Stuart. No funds may be expended on astroturf for the improvements funded in this Specific Appropriation.

The Department of Economic Opportunity shall directly contract with entities allocated funds from Specific Appropriation 2224M.

AND INSERT:

A portion of the nonrecurring funds provided in Specific Appropriation 2224M from the State Enhancement and Economic Development Trust Fund shall be allocated as follows:

City of Pahokee Marina Improvement.....	1,200,000
City of Clearwater Ruth Eckerd Hall Expansion.....	1,000,000
Marine Statue Garden Feasibility Study.....	150,000
Lealman Community and Recreation Center in Pinellas County..	2,000,000
City of Port St. Lucie Riverwalk/Boardwalk Extension.....	600,000
City of Zolfo Springs Civic Center and Town Hall Rehabilitation.....	313,166
Apollo School Rehabilitation and Site Improvement.....	100,000
Camp Matecumbe, Pedro Pan Restoration of Historic Chapel....	275,000
Fort Myers Gulf Coast Multi-Use Trail Feasibility Study.....	1,900,000
Centennial Park Playground Equipment Replacement, Downtown Fort Myers.....	228,000
Sirenia Vista Park Utilities Extension Project.....	125,000
Madeira Beach Lighting Project.....	200,000
Beyond the Bay, The Florida Orchestra.....	950,000
Safety and Security for the Tampa Bay Jewish Community.....	92,000
City of Milton - Riverwalk/Boardwalk Expansion.....	1,000,000
General Bernardo de Galvez Monument.....	50,000
Sunny Isles Beach 'Complete Streets' Project.....	250,000
African Cultural And Community Center.....	212,000
Rapid Rehousing Program.....	500,000
Mel Fisher Maritime Heritage Society.....	475,000
Relocation of Historic Gulfview Hotel.....	300,000
Freeport Cultural Center.....	250,000
Circus Art Conservatory, Life Safety and ADA Compliance.....	1,000,000
Florida African American Heritage Preservation Network.....	450,000
Old City Hall Community Auditorium Economic Development Project.....	550,000
Smith Brown Community Center in DeSoto County.....	150,000
New Smyrna Beach Museum of East Coast Surfing (NSBMECS).....	100,000
Hotel Ponce de Leon/Molly Wiley Art Building Restoration....	1,000,000
Countryside Sports Complex, City of Clearwater.....	1,000,000
Sunshine Limitless Activity Area at the Long Center.....	500,000
Tarpon Springs HOPE Center.....	200,000
Palm Bay - Restoring a Historic Pier & Shoreline.....	250,000
City of Apalachicola Youth Center Roof System Project.....	40,000
City of Jennings, Florida Community Center.....	673,920
Town of White Springs, Florida Community Center.....	500,000
Palm Beach Zoo and Conservation Society, Safety and Preparedness Program.....	400,000

CreationStation Digital Learning Labs in the Palm Beach County Library System.....	250,000
Post Office Renovation to Recreation Community, Oviedo.....	575,000
The Deerfield Beach African American Memorial Park.....	604,502
Highland Park Field Lights.....	500,000
Tampa Hillsborough Community Housing Solutions Center.....	1,000,000
PARC-Early Intervention Care Transportation.....	150,000
Special Needs Accessible Baseball Fields.....	250,000
Clearwater Marine Aquarium Dolphin Pool Construction.....	1,000,000
NeighborWorks Florida Collaborative.....	500,000
Marjory Stoneman Douglas Biscayne Nature Center.....	200,000
Miami Downtown Development Authority-Baywalk.....	350,000
Aventura-NE 191st Street Stormwater Retrofits.....	355,981
Bal Harbor Village-Utility Master Plan.....	425,000
Pinellas Park, Pinebrook Estates Pond Improvements.....	325,000
Cuban Club Structural Stabilization, Ybor City.....	100,000

From the funds in Specific Appropriation 2224M \$1,000,000 in nonrecurring funds from the State Enhancement and Economic Development Trust Funds, is provided for the Regional Multi-Use Athletic Tournament Complex in the city of Stuart. No funds may be expended on astroturf for the improvements funded in this Specific Appropriation.

From the nonrecurring funds in Specific Appropriation 2224M, the total of \$450,000 provided to the Florida African American Heritage Preservation Network (FAAHPN) \$400,000 shall used as follows: (a) seventy percent for grants to its affiliate organizations for technology and equipment acquisitions, content and exhibit development, preservation of documents and artifacts, or other eligible expenses as determined by the FAAHPN; (b) fifteen percent for activities that serve affiliates, including, but to limited to, informational and technical assistance, professional development, marketing and promotions, regional or statewide conferences, or other activities that benefit the organization or its affiliates; and (c) fifteen percent for administrative costs. The FAAHPN shall submit an annual report of expenditures, including grant funds disbursed, to the Department of State in a format approved by the department. No affiliate organization may be awarded more than five percent of the total amount of grants awarded pursuant to this appropriation. From these funds, \$50,000 is to be utilized for the James Weldon Johnson and Rosamond Johnson Birthplace Project.

The Department of Economic Opportunity shall directly contract with entities allocated funds from Specific Appropriation 2224M.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.

**Florida Senate - 2017**

SPB2500

Committee**ATD**Amendment**69**

The Committee on Appropriations (**Brandes**) recommended the following amendment:

Section: 06	<u>EXPLANATION:</u> Transfer \$1,000,000 from Economic Development Toolkit to Contracted Services
On Page: 301	
Spec App: 2226E	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

ECONOMIC OPPORTUNITY, DEPARTMENT OF
Program: Strategic Business Development
Strategic Business Development 40400100

In Section 06 On Page 301
Lump Sum 098019
Economic Development Tools IOEA

2226E

2041	State Economic Enhancement And Development Trust Fund	18,949,934	17,949,934
CA	-1,000,000 FSI1NR -1,000,000		

DELETE:

From the funds provided in Specific Appropriation 2226E, \$10,000,000 in recurring funds from the State Economic Enhancement and Development Trust Fund, \$8,949,934 in nonrecurring funds from the State Economic Enhancement and Development Trust Fund, and \$5,460,569 in nonrecurring funds from the Economic Development Trust Fund are provided to make payments and tax refunds in Fiscal Year 2017-2018 for the following programs: Qualified Target Industry (QTI) Business Tax Refund; QTI Tax Refund - Brownfield Redevelopment Bonus; Brownfield Redevelopment Tax Refund; High-Impact Business Performance (HIPI) Grant; and Qualified Defense Contractor and Space Flight (QDSC) Business Tax Refund. Payments may only be made for projects that meet the statutory eligibility requirements. Funds may not be released for any other purpose and may only be disbursed when projects are certified to have met all contracted

performance requirements. Funds provided in Specific Appropriation 2226E from the Economic Development Trust Fund represent local matching funds.

The Department of Economic Opportunity must provide monthly reports, within 10 business days after the end of each month, to the Governor's Office of Policy and Budget, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee regarding all escrow activity and the repayment of any interest to the appropriate fund in the state treasury.

The Department of Economic Opportunity shall provide monthly reports to the Governor's Office of Policy and Budget, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee on the status of economic development programs administered by the department under Chapter 288, Florida Statutes.

AND INSERT:

From the funds provided in Specific Appropriation 2226E, \$10,000,000 in recurring funds from the State Economic Enhancement and Development Trust Fund, \$7,949,934 in nonrecurring funds from the State Economic Enhancement and Development Trust Fund, and \$5,460,569 in nonrecurring funds from the Economic Development Trust Fund are provided to make payments and tax refunds in Fiscal Year 2017-2018 for the following programs: Qualified Target Industry (QTI) Business Tax Refund; QTI Tax Refund - Brownfield Redevelopment Bonus; Brownfield Redevelopment Tax Refund; High-Impact Business Performance (HIPI) Grant; and Qualified Defense Contractor and Space Flight (QDSC) Business Tax Refund. Payments may only be made for projects that meet the statutory eligibility requirements. Funds may not be released for any other purpose and may only be disbursed when projects are certified to have met all contracted performance requirements. Funds provided in Specific Appropriation 2226E from the Economic Development Trust Fund represent local matching funds.

The Department of Economic Opportunity must provide monthly reports, within 10 business days after the end of each month, to the Governor's Office of Policy and Budget, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee regarding all escrow activity and the repayment of any interest to the appropriate fund in the state treasury.

The Department of Economic Opportunity shall provide monthly reports to the Governor's Office of Policy and Budget, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee on the status of economic development programs administered by the department under Chapter 288, Florida Statutes.

In Section 06 On Page 303

2226L	Special Categories	100778		
	Grants And Aids - Contracted Services		IOEB	
2041	State Economic Enhancement And		1,642,026	2,642,026
	Development Trust Fund			
	CA 1,000,000 FSI1NR 1,000,000			

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

ATD

Amendment

70

The Committee on Appropriations (**Brandes**) recommended the following amendment:

Section: 06	<u>EXPLANATION:</u> Transfers \$100,000 from the CEDIA Violence funding to the Pre College Initiative Program.
On Page: 302	
Spec App: 2226K	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

ECONOMIC OPPORTUNITY, DEPARTMENT OF
Program: Strategic Business Development
Strategic Business Development 40400100

2226K In Section 06 On Page 302
Special Categories 100562
Economic Development Projects IOEA

DELETE:

The nonrecurring State Enhancement and Economic Development Trust Funds provided in Specific Appropriation 2226K shall be allocated as follows:

St. Petersburg Tech Garage Program.....	400,000
Science Center Advanced Manufacturing Institute.....	500,000
Makerspace.....	1,000,000
North Bay Village Boardwalk and Economic Revitalization.....	200,000
CEDIA Violence Prevention & Economic Development Project....	750,000
StartUp FIU.....	1,250,000
Walton County Broadband Initiative Phase 2-WIFI.....	500,000
Beaver Street Enterprise Center.....	400,000
Tampa Bay Center for Innovation.....	3,000,000
FloridaMakes.....	400,000
Naples Accelerator Innovation Center and Immokalee Food & Agribusiness.....	2,800,000
Florida Atlantic University Tech Runway.....	3,000,000
Deering Estate Field Station Research Center Improvements...	1,000,000

BRIDG (ICAMR) Purchase and Install Tools-Sensor Project.....	6,000,000
MOB-WOB Technology and Innovation Startup Initiative.....	650,000
National Entrepreneur Center, UCF Research Foundation.....	400,000
Florida - Israel Business Accelerator.....	750,000
The e-Factory in Tampa Bay.....	1,500,000
Bonifay Memorial Park, Phase II.....	491,000
eMerge Americas.....	750,000
Armed Forces History Museum Artifacts, National Guard.....	1,500,000
Autonomous Vehicle Deployment Initiative.....	250,000
World Rowing Championship Benderson Park Temporary Facilities.....	2,500,000
Economic Development South Dade.....	100,000
Riverside Artist Market Phase II.....	809,000

The Department of Economic Opportunity shall directly contract with entities allocated funds from Specific Appropriation 2226K.

AND INSERT:

The nonrecurring State Enhancement and Economic Development Trust Funds provided in Specific Appropriation 2226K shall be allocated as follows:

St. Petersburg Tech Garage Program.....	400,000
Science Center Advanced Manufacturing Institute.....	500,000
Makerspace.....	1,000,000
North Bay Village Boardwalk and Economic Revitalization.....	200,000
CEDIA Violence Prevention & Economic Development Project....	650,000
StartUp FIU.....	1,250,000
Walton County Broadband Initiative Phase 2-WIFI.....	500,000
Beaver Street Enterprise Center.....	400,000
Tampa Bay Center for Innovation.....	3,000,000
FloridaMakes.....	400,000
Naples Accelerator Innovation Center and Immokalee Food & Agribusiness.....	2,800,000
Florida Atlantic University Tech Runway.....	3,000,000
Deering Estate Field Station Research Center Improvements...	1,000,000
BRIDG (ICAMR) Purchase and Install Tools-Sensor Project.....	6,000,000
MOB-WOB Technology and Innovation Startup Initiative.....	650,000
National Entrepreneur Center, UCF Research Foundation.....	400,000
Florida - Israel Business Accelerator.....	750,000
The e-Factory in Tampa Bay.....	1,500,000
Bonifay Memorial Park, Phase II.....	491,000
eMerge Americas.....	750,000
Armed Forces History Museum Artifacts, National Guard.....	1,500,000
Autonomous Vehicle Deployment Initiative.....	250,000
World Rowing Championship Benderson Park Temporary Facilities.....	2,500,000
Economic Development South Dade.....	100,000
Riverside Artist Market Phase II.....	809,000
STEAM - PCI (Pre College Initiative).....	

100,000

The Department of Economic Opportunity shall directly contract with entities allocated funds from Specific Appropriation 2226K.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

ATD

Amendment

70AA

The Committee on Appropriations (**Brandes**) recommended the following LATE FILED AMENDMENT TO AMENDMENT 70 (995050):

Section: 06	<u>EXPLANATION:</u> Transfers \$50,000 from CEDIA project to Community Financial Literacy project. Proviso only.
On Page: 302	
Spec App: 2226K	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

ECONOMIC OPPORTUNITY, DEPARTMENT OF
Program: Strategic Business Development
Strategic Business Development 40400100

2226K In Section 06 On Page 302
Special Categories 100562
Economic Development Projects IOEA

DELETE:

The nonrecurring State Enhancement and Economic Development Trust Funds provided in Specific Appropriation 2226K shall be allocated as follows:

St. Petersburg Tech Garage Program.....	400,000
Science Center Advanced Manufacturing Institute.....	500,000
Makerspace.....	1,000,000
North Bay Village Boardwalk and Economic Revitalization.....	200,000
CEDIA Violence Prevention & Economic Development Project....	650,000
StartUp FIU.....	1,250,000
Walton County Broadband Initiative Phase 2-WIFI.....	500,000
Beaver Street Enterprise Center.....	400,000
Tampa Bay Center for Innovation.....	3,000,000
FloridaMakes.....	400,000
Naples Accelerator Innovation Center and Immokalee Food & Agribusiness.....	2,800,000
Florida Atlantic University Tech Runway.....	3,000,000
Deering Estate Field Station Research Center Improvements...	1,000,000

BRIDG (ICAMR) Purchase and Install Tools-Sensor Project.....	6,000,000
MOB-WOB Technology and Innovation Startup Initiative.....	650,000
National Entrepreneur Center, UCF Research Foundation.....	400,000
Florida - Israel Business Accelerator.....	750,000
The e-Factory in Tampa Bay.....	1,500,000
Bonifay Memorial Park, Phase II.....	491,000
eMerge Americas.....	750,000
Armed Forces History Museum Artifacts, National Guard.....	1,500,000
Autonomous Vehicle Deployment Initiative.....	250,000
World Rowing Championship Benderson Park Temporary Facilities.....	2,500,000
Economic Development South Dade.....	100,000
Riverside Artist Market Phase II.....	809,000
STEAM - PCI (Pre College Initiative).....	100,000

The Department of Economic Opportunity shall directly contract with entities allocated funds from Specific Appropriation 2226K.

AND INSERT:

The nonrecurring State Enhancement and Economic Development Trust Funds provided in Specific Appropriation 2226K shall be allocated as follows:

St. Petersburg Tech Garage Program.....	400,000
Science Center Advanced Manufacturing Institute.....	500,000
Makerspace.....	1,000,000
North Bay Village Boardwalk and Economic Revitalization....	200,000
CEDIA Violence Prevention & Economic Development Project....	600,000
StartUp FIU.....	1,250,000
Walton County Broadband Initiative Phase 2-WIFI.....	500,000
Beaver Street Enterprise Center.....	400,000
Tampa Bay Center for Innovation.....	3,000,000
FloridaMakes.....	400,000
Naples Accelerator Innovation Center and Immokalee Food & Agribusiness.....	2,800,000
Florida Atlantic University Tech Runway.....	3,000,000
Deering Estate Field Station Research Center Improvements...	1,000,000
BRIDG (ICAMR) Purchase and Install Tools-Sensor Project.....	6,000,000
MOB-WOB Technology and Innovation Startup Initiative.....	650,000
National Entrepreneur Center, UCF Research Foundation.....	400,000
Florida - Israel Business Accelerator.....	750,000
The e-Factory in Tampa Bay.....	1,500,000
Bonifay Memorial Park, Phase II.....	491,000
eMerge Americas.....	750,000
Armed Forces History Museum Artifacts, National Guard.....	1,500,000
Autonomous Vehicle Deployment Initiative.....	250,000
World Rowing Championship Benderson Park Temporary Facilities.....	2,500,000
Economic Development South Dade.....	100,000

Riverside Artist Market Phase II.....	809,000
STEAM - PCI (Pre College Initiative).....	100,000
Community Financial Literacy.....	50,000

The Department of Economic Opportunity shall directly contract with entities allocated funds from Specific Appropriation 2226K.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

ATD

Amendment

71

The Committee on Appropriations (**Brandes**) recommended the following amendment:

Section: 06	<u>EXPLANATION:</u> This amendment reduces Library Technology Grants by \$500,000 and adds Education and Access to Performing Arts Programs to Cultural and Museum Grants for \$500,000.
On Page: 385	
Spec App: 3127	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

STATE, DEPARTMENT OF
Program: Library And Information Services
Library, Archives And Information
Services 45400100

3127 In Section 06 On Page 385
Aid To Local Governments 050792
Grants And Aids - Library Grants IOEB

1000 General Revenue Fund
CA -500,000 FSI1NR -500,000

30,251,785

29,751,785

DELETE:

From the funds in Specific Appropriation 3127, \$7,952,951 in nonrecurring general revenue is provided to the department for the Library Technology Grant Program. The Department of State shall create a matching grant program for public libraries to apply for funding based on a 1:1 matching ratio. Eligible uses of grant funds include: expanding services for learning and access to information and educational resources for individuals of all ages; developing library services that provide all users access to information through local, state, regional, national, and international electronic networks; creating centers for simulations and audio/video recording; providing centers for homeschooling, small business conference and training rooms, and creating partnerships with CareerSource Florida, Inc., the Regional

Workforce Boards, the Small Business Development Center, and other entities to provide small business guidance and assistance with new and emerging business issues. The department may grant funds to entities meeting these eligibility requirements in an amount up to \$500,000 per entity annually.

From the funds in Specific Appropriation 3127, \$100,000 of nonrecurring funds is provided for the Parkland Library Master Plan Expansion in Broward County.

AND INSERT:

From the funds in Specific Appropriation 3127, \$7,452,951 in nonrecurring general revenue is provided to the department for the Library Technology Grant Program. The Department of State shall create a matching grant program for public libraries to apply for funding based on a 1:1 matching ratio. Eligible uses of grant funds include: expanding services for learning and access to information and educational resources for individuals of all ages; developing library services that provide all users access to information through local, state, regional, national, and international electronic networks; creating centers for simulations and audio/video recording; providing centers for homeschooling, small business conference and training rooms, and creating partnerships with CareerSource Florida, Inc., the Regional Workforce Boards, the Small Business Development Center, and other entities to provide small business guidance and assistance with new and emerging business issues. The department may grant funds to entities meeting these eligibility requirements in an amount up to \$500,000 per entity annually.

From the funds in Specific Appropriation 3127, \$100,000 of nonrecurring funds is provided for the Parkland Library Master Plan Expansion in Broward County.

Program: Cultural Affairs
Cultural Affairs 45500300

3139 In Section 06 On Page 387
Special Categories 100123
Grants And Aids - Cultural And Museum
Grants IOEB

1000	General Revenue Fund	20,040,046	20,540,046
CA 500,000	FSI1NR 500,000		

DELETE:

From the funds in Specific Appropriation 3139, \$5,000,000 of recurring general revenue funds, and \$13,190,046 of nonrecurring general revenue funds are provided for the 2017-2018 General Program Support ranked

list, as provided on the Department of State website.

The remaining nonrecurring general revenue funds in Specific Appropriation 3139 shall be allocated as follows

St. Petersburg Warehouse Arts District Project.....	500,000
Great Explorations Children's Museum.....	500,000
African Museum of Arts and Culture Center.....	500,000
African American History Museum at Historic Roosevelt High School, Palm Beach County.....	350,000

For the next Cultural and Museum Grant List application submission period, the list will be separated into two lists. The first list will include all projects that are in a Rural Area of Opportunity (RAO), as defined in section 288.0656, Florida Statutes. The second list will include all projects in non-RAOs. The ranking process will continue to be the same for both lists.

AND INSERT:

From the funds in Specific Appropriation 3139, \$5,000,000 of recurring general revenue funds, and \$13,190,046 of nonrecurring general revenue funds are provided for the 2017-2018 General Program Support ranked list, as provided on the Department of State website.

The remaining nonrecurring general revenue funds in Specific Appropriation 3139 shall be allocated as follows

St. Petersburg Warehouse Arts District Project.....	500,000
Great Explorations Children's Museum.....	500,000
African Museum of Arts and Culture Center.....	500,000
African American History Museum at Historic Roosevelt High School, Palm Beach County.....	350,000
Education and Access to Performing Arts Program.....	500,000

For the next Cultural and Museum Grant List application submission period, the list will be separated into two lists. The first list will include all projects that are in a Rural Area of Opportunity (RAO), as defined in section 288.0656, Florida Statutes. The second list will include all projects in non-RAOs. The ranking process will continue to be the same for both lists.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

ATD

Amendment

72

The Committee on Appropriations (**Brandes**) recommended the following amendment:

Section: 06	<u>EXPLANATION:</u> This is a technical correction, funded in two places in the budget. See SA 2224M. Eliminates \$350,000 , this category and adds like amount to Library Technology Grants.
On Page: 388	
Spec App: 3139A	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount DELETE	Positions & Amount INSERT
STATE, DEPARTMENT OF Program: Cultural Affairs Cultural Affairs 45500300		
3139A In Section 06 On Page 388 Special Categories 100573 Grants And Aids - Florida African- American Heritage Preservation Network IOEB		
1000 General Revenue Fund 350,000	350,000	0
CA -350,000 FSI1NR -350,000		

DELETE the proviso immediately following Specific Appropriation 3139A

Program: Library And Information Services Library, Archives And Information Services 45400100		
3127 In Section 06 On Page 385 Aid To Local Governments 050792 Grants And Aids - Library Grants IOEB		
1000 General Revenue Fund 30,251,785	30,251,785	30,601,785
CA 350,000 FSI1NR 350,000		

DELETE the proviso immediately following Specific Appropriation 3127:

AND INSERT:

From the funds in Specific Appropriation 3127, \$8,302,951 in nonrecurring general revenue is provided to the department for the Library Technology Grant Program. The Department of State shall create a matching grant program for public libraries to apply for funding based on a 1:1 matching ratio. Eligible uses of grant funds include: expanding services for learning and access to information and educational resources for individuals of all ages; developing library services that provide all users access to information through local, state, regional, national, and international electronic networks; creating centers for simulations and audio/video recording; providing centers for homeschooling, small business conference and training rooms, and creating partnerships with CareerSource Florida, Inc., the Regional Workforce Boards, the Small Business Development Center, and other entities to provide small business guidance and assistance with new and emerging business issues. The department may grant funds to entities meeting these eligibility requirements in an amount up to \$500,000 per entity annually.

From the funds in Specific Appropriation 3127, \$100,000 of nonrecurring funds is provided for the Parkland Library Master Plan Expansion in Broward County.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AEN

Amendment

73

The Committee on Appropriations (**Bradley**) recommended the following amendment:

Section: 05 On Page: 203 Spec App: 1356B	<u>EXPLANATION:</u> Provides \$150,000 in nonrecurring general revenue funds for the Coconut Creek Wastewater Conveyance System Improvement project and reduces the same amount from the Okeechobee Agricultural Projects category in the Department of Agriculture and Consumer Services.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

**AGRICULTURE AND CONSUMER SERVICES,
DEPARTMENT OF, AND COMMISSIONER OF
AGRICULTURE**

**Program: Office Of The Commissioner And
Administration**

Agricultural Water Policy Coordination 42010200

1356B In Section 05 On Page 203
Fixed Capital Outlay 083621
**Okeechobee Restoration Agricultural
Projects** IOEJ

1000 **General Revenue Fund**
CA -150,000 FSI1NR -150,000

15,700,000

15,550,000

**ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Program: Water Restoration Assistance
Water Restoration Assistance** 37220100

1606A In Section 05 On Page 229
Grants And Aids To Local Governments And 140047
Nonstate Entities - Fixed Capital Outlay
Grants And Aids - Water Projects IOEM

1000 **General Revenue Fund**
CA 150,000 FSI1NR 150,000

67,346,687

67,496,687

Following Specific Appropriation 1606A, INSERT:

Coconut Creek Wastewater Conveyance System Improvement.....150,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AEN

Amendment

74

The Committee on Appropriations (**Bradley**) recommended the following amendment:

Section: 05 On Page: 233 Spec App: 1620	<u>EXPLANATION:</u> Provides \$1,000,000 in nonrecurring general revenue funds for Coral Reef Disease Water Quality Monitoring and reduces the same amount from the Okeechobee Agricultural Projects category within the Department of Agriculture and Consumer Services.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

		Positions & Amount DELETE	Positions & Amount INSERT
ENVIRONMENTAL PROTECTION, DEPARTMENT OF			
Program: Environmental Assessment And			
Restoration			
Water Science And Laboratory Services		37300100	
In Section 05 On Page 233			
1620	Special Categories	100999	
	Coral Reef Water Quality Monitoring		
	Network	IOEA	
	General Revenue Fund		1,000,000
	CA 1,000,000 FSI1NR 1,000,000		
AGRICULTURE AND CONSUMER SERVICES,			
DEPARTMENT OF, AND COMMISSIONER OF			
AGRICULTURE			
Program: Office Of The Commissioner And			
Administration			
Agricultural Water Policy Coordination		42010200	
In Section 05 On Page 203			
1356B	Fixed Capital Outlay	083621	
	Okeechobee Restoration Agricultural		
	Projects	IOEJ	

1000 **General Revenue Fund**
CA -1,000,000 FSI1NR -1,000,000

15,700,000

14,700,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AEN

Amendment

74SA

The Committee on Appropriations (**Bradley**) recommended the following LATE FILED SUBSTITUTE AMENDMENT for 74 (995064):

Section: 05	<u>EXPLANATION:</u> Provides \$1,000,000 in nonrecurring general revenue funds for Coral Reef Disease Water Quality Monitoring and reduces the same amount from the Okeechobee Agricultural Projects category within the Department of Agriculture and Consumer Services.
On Page: 233	
Spec App: 1620	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Program: Environmental Assessment And
Restoration

Water Science And Laboratory Services 37300100

In Section 05 On Page 233

1620 Special Categories 100999
Coral Reef Water Quality Monitoring
Network IOEA

1000 General Revenue Fund
CA 1,000,000 FSI1NR 1,000,000

1,000,000

Following Specific Appropriation 1620, INSERT:

From the funds in Specific Appropriation 1620, \$1,000,000 in nonrecurring funds from the General Revenue Fund are provided for the Coral Reef Disease Water Quality Monitoring program.

AGRICULTURE AND CONSUMER SERVICES,
DEPARTMENT OF, AND COMMISSIONER OF
AGRICULTURE
Program: Office Of The Commissioner And
Administration

Agricultural Water Policy Coordination 42010200

In Section 05 On Page 203

1356B Fixed Capital Outlay 083621
Okeechobee Restoration Agricultural
Projects IOEJ

1000	General Revenue Fund	15,700,000	14,700,000
CA	-1,000,000 FSI1NR -1,000,000		

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AEN

Amendment

75

The Committee on Appropriations (Bradley) recommended the following amendment:

Section: 05	<u>EXPLANATION:</u> Provides \$1,000,000 for the East Milton Water Reclamation Facility and reduces the same amount from the Okeechobee Agricultural Projects category within the Department of Agriculture and Consumer Services.
On Page: 203	
Spec App: 1356B	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

		Positions & Amount DELETE	Positions & Amount INSERT
AGRICULTURE AND CONSUMER SERVICES, DEPARTMENT OF, AND COMMISSIONER OF AGRICULTURE Program: Office Of The Commissioner And Administration Agricultural Water Policy Coordination		42010200	
1356B	In Section 05 On Page 203 Fixed Capital Outlay 083621 Okeechobee Restoration Agricultural Projects IOEJ		
1000	General Revenue Fund CA -1,000,000 FSI1NR -1,000,000	15,700,000	14,700,000
ENVIRONMENTAL PROTECTION, DEPARTMENT OF Program: Water Restoration Assistance Water Restoration Assistance 37220100			
1606A	In Section 05 On Page 229 Grants And Aids To Local Governments And Nonstate Entities - Fixed Capital Outlay Grants And Aids - Water Projects IOEM	140047	
1000	General Revenue Fund	67,346,687	68,346,687

Following Specific Appropriation 1606A, INSERT:

East Milton Water Reclamation Facility.....1,000,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AEN

Amendment

76

The Committee on Appropriations (Bradley) recommended the following amendment:

Section: 05 On Page: 203 Spec App: 1356B	<u>EXPLANATION:</u> Provides \$750,000 in nonrecurring general revenue funds for the Port Orange Flooding Mitigation and Stormwater Quality Improvement project and reduces the same amount from the Okeechobee Agricultural Projects category within the Department of Agriculture and Consumer Services.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

AGRICULTURE AND CONSUMER SERVICES,
DEPARTMENT OF, AND COMMISSIONER OF
AGRICULTURE

Program: Office Of The Commissioner And
Administration

Agricultural Water Policy Coordination 42010200

1356B In Section 05 On Page 203
Fixed Capital Outlay 083621
Okeechobee Restoration Agricultural
Projects IOEJ

1000 General Revenue Fund
CA -750,000 FSI1NR -750,000

15,700,000

14,950,000

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Program: Water Restoration Assistance
Water Restoration Assistance 37220100

1606A In Section 05 On Page 229
Grants And Aids To Local Governments And 140047
Nonstate Entities - Fixed Capital Outlay
Grants And Aids - Water Projects IOEM

Following Specific Appropriation 1606A, INSERT:

**Port Orange Flooding Mitigation and Stormwater Quality
Improvement.....750,000**

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AEN

Amendment

77

The Committee on Appropriations (**Bradley**) recommended the following amendment:

Section: 05 On Page: 229 Spec App: 1606A	<u>EXPLANATION:</u> Provides \$165,000 in nonrecurring general revenue funds for the Cutler Bay Saga Bay 1.2 Sub-Basin Water Quality Improvement project and reduces the same amount from the Okeechobee Agricultural Projects category in the Department of Agriculture and Consumer Services.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount DELETE	Positions & Amount INSERT
ENVIRONMENTAL PROTECTION, DEPARTMENT OF Program: Water Restoration Assistance Water Restoration Assistance 37220100		
1606A In Section 05 On Page 229 Grants And Aids To Local Governments And Nonstate Entities - Fixed Capital Outlay 140047 Grants And Aids - Water Projects IOEM		
1000 General Revenue Fund CA 165,000 FSI1NR 165,000	67,346,687	67,511,687

Following Specific Appropriation 1606A, INSERT:

Cutler Bay Saga Bay 1.2 Sub-Basin Water Quality Improvement... 165,000

AGRICULTURE AND CONSUMER SERVICES,
DEPARTMENT OF, AND COMMISSIONER OF
AGRICULTURE
Program: Office Of The Commissioner And
Administration
Agricultural Water Policy Coordination 42010200

In Section 05 On Page 203
Fixed Capital Outlay 083621
Okeechobee Restoration Agricultural
Projects IOEJ

1356B

1000 **General Revenue Fund**
CA -165,000 FSI1NR -165,000

15,700,000

15,535,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AEN

Amendment

78

The Committee on Appropriations (Montford) recommended the following amendment:

Section: 05 On Page: 203 Spec App: 1356B	<u>EXPLANATION:</u> Provides \$300,000 in nonrecurring general revenue funds for the City of Gretna Agricultural Facility and reduces the same amount from the Okeechobee Agricultural Projects category within the Department of Agriculture and Consumer Services.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

AGRICULTURE AND CONSUMER SERVICES,
DEPARTMENT OF, AND COMMISSIONER OF
AGRICULTURE

Program: Office Of The Commissioner And
Administration

Agricultural Water Policy Coordination 42010200

1356B In Section 05 On Page 203
Fixed Capital Outlay 083621
Okeechobee Restoration Agricultural
Projects IOEJ

1000 General Revenue Fund
CA -300,000 FSI1NR -300,000

15,700,000

15,400,000

Program: Agricultural Economic
Development

Agricultural Products Marketing 42170200

1455A In Section 05 On Page 213
Grants And Aids To Local Governments And 145550
Nonstate Entities - Fixed Capital Outlay
Agricultural Promotion And Education
Facilities IOEM

1000 **General Revenue Fund**
CA 300,000 FSI1NR 300,000

4,583,850

4,883,850

Following Specific Appropriation 1455A, INSERT:

City of Gretna Agricultural Facility..... 300,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AEN

Amendment

79

The Committee on Appropriations (Bradley) recommended the following amendment:

Section: 05 On Page: 229 Spec App: 1606A	<u>EXPLANATION:</u> Provides \$200,000 in nonrecurring general revenue funds for the Village of Pinecrest Waterline Extension Project and reduces the same amount from the Okeechobee Agricultural Projects category in the Department of Agriculture and Consumer Services.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

		Positions & Amount DELETE	Positions & Amount INSERT
ENVIRONMENTAL PROTECTION, DEPARTMENT OF Program: Water Restoration Assistance Water Restoration Assistance 37220100			
1606A	In Section 05 On Page 229 Grants And Aids To Local Governments And Nonstate Entities - Fixed Capital Outlay Grants And Aids - Water Projects IOEM	140047	
1000	General Revenue Fund CA 200,000 FSI1NR 200,000	67,346,687	67,546,687

Following Specific Appropriation 1606A, INSERT:

Village of Pinecrest Waterline Extension Project..... 200,000

AGRICULTURE AND CONSUMER SERVICES,
DEPARTMENT OF, AND COMMISSIONER OF
AGRICULTURE
Program: Office Of The Commissioner And
Administration
Agricultural Water Policy Coordination 42010200

In Section 05 On Page 203

1356B

Fixed Capital Outlay 083621
Okeechobee Restoration Agricultural
Projects IOEJ

1000

General Revenue Fund

15,700,000

15,500,000

CA -200,000 FSI1NR -200,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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SPB2500

<u>Committee</u>	<u>Amendment</u>
AEN	80

The Committee on Appropriations (**Bradley**) recommended the following amendment:

Section: 05 On Page: 229 Spec App: 1606A	<u>EXPLANATION:</u> Provides \$124,000 in nonrecurring general revenue funds for the Surfside Biscaya Island Water Main Crossing and reduces the same amount from the Okeechobee Agricultural Projects category in the Department of Agriculture and Consumer Services.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

		<u>Positions & Amount</u> DELETE	<u>Positions & Amount</u> INSERT
ENVIRONMENTAL PROTECTION, DEPARTMENT OF			
Program: Water Restoration Assistance			
Water Restoration Assistance 37220100			
In Section 05 On Page 229			
1606A	Grants And Aids To Local Governments And 140047		
	Nonstate Entities - Fixed Capital Outlay		
	Grants And Aids - Water Projects IOEM		
1000	General Revenue Fund	67,346,687	67,470,687
CA 124,000 FSI1NR 124,000			

Following Specific Appropriation 1606A, INSERT:

Surfside Biscaya Island Water Main Crossing..... 124,000

AGRICULTURE AND CONSUMER SERVICES,	
DEPARTMENT OF, AND COMMISSIONER OF	
AGRICULTURE	
Program: Office Of The Commissioner And	
Administration	
Agricultural Water Policy Coordination 42010200	
In Section 05 On Page 203	
1356B	Fixed Capital Outlay 083621

**Okeechobee Restoration Agricultural
Projects** *IOEJ*

<i>1000</i>	General Revenue Fund	15,700,000	15,576,000
<i>CA -124,000</i>	<i>FSI1NR -124,000</i>		

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AEN

Amendment

81

The Committee on Appropriations (**Bradley**) recommended the following amendment:

Section: 05 On Page: 229 Spec App: 1606A	<u>EXPLANATION:</u> Provides \$1,183,000 in nonrecurring general revenue funds to the Riviera Beach Singer Island Stormwater project and reduces the same amount from the Okeechobee Agricultural Projects category in the Department of Agriculture and Consumer Services.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

		Positions & Amount DELETE	Positions & Amount INSERT
ENVIRONMENTAL PROTECTION, DEPARTMENT OF Program: Water Restoration Assistance Water Restoration Assistance 37220100			
1606A	In Section 05 On Page 229 Grants And Aids To Local Governments And Nonstate Entities - Fixed Capital Outlay 140047 Grants And Aids - Water Projects IOEM		
1000	General Revenue Fund 67,346,687 CA 1,183,000 FSI1NR 1,183,000		68,529,687

Following Specific Appropriation 1606A, INSERT:

Riviera Beach Singer Island Stormwater Project..... 1,183,000

AGRICULTURE AND CONSUMER SERVICES,
DEPARTMENT OF, AND COMMISSIONER OF
AGRICULTURE
Program: Office Of The Commissioner And
Administration
Agricultural Water Policy Coordination 42010200

1356B In Section 05 On Page 203
Fixed Capital Outlay 083621

**Okeechobee Restoration Agricultural
Projects** *IOEJ*

<i>1000</i>	General Revenue Fund	15,700,000	14,517,000
<i>CA</i>	<i>-1,183,000 FSI1NR -1,183,000</i>		

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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<u>Committee</u>	<u>Amendment</u>
AEN	82

The Committee on Appropriations (**Bradley**) recommended the following amendment:

Section: 05 On Page: 229 Spec App: 1606A	<u>EXPLANATION:</u> Reduces \$50,000 of nonrecurring general revenue funds allocated for the Flagler Beach Wastewater Treatment Plant Improvements and allocates those funds to Davis Shores Flood Mitigation.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount DELETE	Positions & Amount INSERT
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
Program: Water Restoration Assistance		
Water Restoration Assistance 37220100		
1606A In Section 05 On Page 229		
Grants And Aids To Local Governments And 140047		
Nonstate Entities - Fixed Capital Outlay		
Grants And Aids - Water Projects IOEM		
In Section 05 On Page 230		

Following Specific Appropriation 1606A, DELETE:

Flagler Beach Wastewater Treatment Plant Improvements..... 500,000

AND INSERT:

Davis Shores Flood Mitigation..... 50,000
Flagler Beach Wastewater Treatment Plant Improvements..... 450,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

<u>Committee</u>	<u>Amendment</u>
AEN	83

The Committee on Appropriations (**Bradley**) recommended the following amendment:

Section: 05	<u>EXPLANATION:</u> Reduces \$250,000 of nonrecurring general revenue funds allocated for the Lake County Emerald Lakes Feasibility Study and allocates those funds to the Clermont West Lakes Wetlands - Victory Point.
On Page: 229	
Spec App: 1606A	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount DELETE	Positions & Amount INSERT
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
Program: Water Restoration Assistance		
Water Restoration Assistance 37220100		
In Section 05 On Page 229		
1606A	Grants And Aids To Local Governments And 140047	
	Nonstate Entities - Fixed Capital Outlay	
	Grants And Aids - Water Projects IOEM	
In Section 05 On Page 230		

Following Specific Appropriation 1606A, DELETE:

Lake County Emerald Lakes Feasibility Study..... 300,000

AND INSERT:

Clermont West Lake Wetlands - Victory Point..... 250,000
Lake County Emerald Lakes Feasibility Study..... 50,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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SPB2500

<u>Committee</u>	<u>Amendment</u>
AEN	84

The Committee on Appropriations (**Gainer**) recommended the following amendment:

Section: 05 On Page: 229 Spec App: 1606A	<u>EXPLANATION:</u> Reduces \$580,000 of nonrecurring general revenue funds allocated for the Lynn Haven 7th Street Sewer Expansion and allocates those funds to the Springfield Economic Utility Expansion and Utility Optimization Upgrade.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount DELETE	Positions & Amount INSERT
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
Program: Water Restoration Assistance		
Water Restoration Assistance 37220100		
1606A In Section 05 On Page 229		
Grants And Aids To Local Governments And 140047		
Nonstate Entities - Fixed Capital Outlay		
Grants And Aids - Water Projects IOEM		

In Section 05 On Page 230

Immediately following Specific Appropriation 1606A, **DELETE:**

Lynn Haven 7th Street Sewer Replacement..... 580,000

AND INSERT:

Springfield Economic Utility Expansion and Utility
Optimization Upgrade..... 580,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



<u>Committee</u>	<u>Amendment</u>
AEN	85

The Committee on Appropriations (Flores) recommended the following amendment:

Section: 05	<u>EXPLANATION:</u>
On Page: 229	Reduces \$25,000 of nonrecurring general revenue funds allocated for the Coral Gables Stormwater Outfall Baffles and allocates those funds to the Miami Stormwater Master Plan.
Spec App: 1606A	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount DELETE	Positions & Amount INSERT
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
Program: Water Restoration Assistance		
Water Restoration Assistance 37220100		
1606A In Section 05 On Page 229		
Grants And Aids To Local Governments And 140047		
Nonstate Entities - Fixed Capital Outlay		
Grants And Aids - Water Projects IOEM		

DELETE the proviso immediately following Specific Appropriation 1606A:

Coral Gables Stormwater Outfall Baffles..... 110,000

AND INSERT:

Coral Gables Stormwater Outfall Baffles..... 85,000
Miami Stormwater Master Plan..... 25,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AEN

Amendment

86

The Committee on Appropriations (**Bradley**) recommended the following amendment:

Section: 05 On Page: 229 Spec App: 1606A	<u>EXPLANATION:</u> Reduces \$15,000 of nonrecurring general revenue funds allocated for the Escambia County Innerarity Island Water and Sewer System and \$15,000 from Holley by the Sea Camden Drive Outfall Improvements Phase 2, and allocates those funds to the Century Wastewater Preliminary Engineering Report.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Program: Water Restoration Assistance
Water Restoration Assistance 37220100

1606A In Section 05 On Page 229
Grants And Aids To Local Governments And 140047
Nonstate Entities - Fixed Capital Outlay
Grants And Aids - Water Projects IOEM

Following Specific Appropriation 1606A, DELETE:

Escambia County Innerarity Island Water and Sewer System....	320,000
Holley by the Sea Camden Drive Outfall Improvements Phase 2.	100,000

AND INSERT:

Century Wastewater Preliminary Engineering Report.....	30,000
Escambia County Innerarity Island Water and Sewer System....	305,000
Holley by the Sea Camden Drive Outfall Improvements Phase 2.	85,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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SPB2500

Committee

AEN

Amendment

87

The Committee on Appropriations (**Bradley**) recommended the following amendment:

Section: 05 On Page: 229 Spec App: 1606A	<u>EXPLANATION:</u> Reduces \$127,500 of nonrecurring general revenue funds allocated for the Lake City I-75/SR 47 Wastewater Improvement Project Phase 1 and allocates those funds to the Gulfport Private Lateral Lines Replacement Incentive Program.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Program: Water Restoration Assistance
Water Restoration Assistance 37220100

1606A In Section 05 On Page 229
Grants And Aids To Local Governments And 140047
Nonstate Entities - Fixed Capital Outlay
Grants And Aids - Water Projects IOEM

Following Specific Appropriation 1606A, DELETE:

Lake City I-75/SR 47 Wastewater Improvement Project Phase 1. 1,201,225

AND INSERT:

Gulfport Private Lateral Lines Replacement Incentive Program 127,500
Lake City I-75/SR 47 Wastewater Improvement Project Phase 1. 1,073,725

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AEN

Amendment

87AA

The Committee on Appropriations (**Bradley**) recommended the following
AMENDMENT TO AMENDMENT 87 (995022):

Section: 05	<u>EXPLANATION:</u>
On Page: 203	Restores \$127,500 in nonrecurring general revenue funds to the Lake City I-75/SR 47 Wastewater Improvement Project and reduces \$127,500 in nonrecurring general revenue from the Okeechobee Agricultural Projects category in the Department of Agriculture and Consumer Services.
Spec App: 1356B	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

**AGRICULTURE AND CONSUMER SERVICES,
DEPARTMENT OF, AND COMMISSIONER OF
AGRICULTURE**

**Program: Office Of The Commissioner And
Administration**

Agricultural Water Policy Coordination 42010200

1356B In Section 05 On Page 203
Fixed Capital Outlay 083621
**Okeechobee Restoration Agricultural
Projects** IOEJ

1000 **General Revenue Fund**
CA -127,500 FSI1NR -127,500

15,700,000

15,572,500

**ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Program: Water Restoration Assistance
Water Restoration Assistance** 37220100

1606A In Section 05 On Page 229
Grants And Aids To Local Governments And 140047
Nonstate Entities - Fixed Capital Outlay
Grants And Aids - Water Projects IOEM

1000 **General Revenue Fund**
CA 127,500 FSI1NR 127,500

67,346,687

67,474,187

Following Specific Appropriation 1606A, DELETE:

Lake City I-75/SR 47 Wastewater Improvement Project Phase 1. 1,073,725

Following Specific Appropriation 1606A, INSERT:

Lake City I-75/SR 47 Wastewater Improvement Project Phase 1. 1,201,225

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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<u>Committee</u>	<u>Amendment</u>
AEN	88

The Committee on Appropriations (**Bradley**) recommended the following amendment:

Section: 05 On Page: 229 Spec App: 1606A	<u>EXPLANATION:</u> Reduces \$10,000 of nonrecurring general revenue funds allocated for the Lauderdale Lakes Stormwater Conveyance and Water Quality Improvement project and allocates those funds to Lauderhill Water, Wastewater, and Sewer Main Improvements.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount DELETE	Positions & Amount INSERT
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
Program: Water Restoration Assistance		
Water Restoration Assistance 37220100		
In Section 05 On Page 229		
1606A Grants And Aids To Local Governments And 140047		
Nonstate Entities - Fixed Capital Outlay		
Grants And Aids - Water Projects IOEM		

Following Specific Appropriation 1606A, DELETE:

Lauderdale Lakes Stormwater Conveyance and Water Quality Improvement.....	100,000

AND INSERT:

Lauderdale Lakes Stormwater Conveyance and Water Quality Improvement.....	90,000
Lauderhill Water, Wastewater, and Sewer Main Improvements...	10,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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<u>Committee</u>	<u>Amendment</u>
AEN	89

The Committee on Appropriations (**Brandes**) recommended the following amendment:

Section: 05	<u>EXPLANATION:</u> Transfers \$650,000 from nonrecurring general revenue for the Plant City Stormwater Asset Management Plant to the Plant City Franklin Street Neighborhood Stormwater Improvement project.
On Page: 229	
Spec App: 1606A	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount DELETE	Positions & Amount INSERT
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
Program: Water Restoration Assistance		
Water Restoration Assistance 37220100		
1606A In Section 05 On Page 229		
Grants And Aids To Local Governments And 140047		
Nonstate Entities - Fixed Capital Outlay		
Grants And Aids - Water Projects IOEM		

Following Specific Appropriation 1606A, **DELETE** :

Plant City Stormwater Asset Management Plan..... **650,000**

AND INSERT:

Plant City Franklin Street Neighborhood Stormwater
Improvement..... **650,000**

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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SPB2500

Committee

AEN

Amendment

90

The Committee on Appropriations (**Bradley**) recommended the following amendment:

Section: 05 On Page: 229 Spec App: 1606A	<u>EXPLANATION:</u> Reduces \$100,000 in nonrecurring general revenue from the Lake City I-75/SR47 Wastewater Improvement project and allocates those funds to the St. Cloud Centennial Park.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount DELETE	Positions & Amount INSERT
ENVIRONMENTAL PROTECTION, DEPARTMENT OF Program: Water Restoration Assistance Water Restoration Assistance 37220100		
1606A In Section 05 On Page 229 Grants And Aids To Local Governments And Nonstate Entities - Fixed Capital Outlay 140047 Grants And Aids - Water Projects IOEM		
1000 General Revenue Fund 67,346,687 CA -100,000 FSI1NR -100,000 67,246,687		

DELETE the proviso immediately following Specific Appropriation 1606A:

Lake City I-75/SR 47 Wastewater Improvement Project Phase 1. 1,201,225

AND INSERT:

Lake City I-75/SR 47 Wastewater Improvement Project Phase 1. 1,101,225

Program: Recreation And Parks
State Park Operations 37500300

1700A In Section 05 On Page 241
Grants And Aids To Local Governments And Nonstate Entities - Fixed Capital Outlay 140694

Local Parks *IOEM*

1000	General Revenue Fund	3,150,835	3,250,835
<i>CA 100,000 FSI1NR 100,000</i>			

Following Specific Appropriation 1700A, DELETE:

From the funds in Specific Appropriation 1700A, \$3,150,835 in nonrecurring funds from the General Revenue Fund is provided for the following local parks:

AND INSERT:

From the funds in Specific Appropriation 1700A, \$3,250,835 in nonrecurring funds from the General Revenue Fund is provided for the following local parks:

St. Cloud Centennial Park Phase 1.....100,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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SPB2500

Committee

AEN

Amendment

90AA

The Committee on Appropriations (**Bradley**) recommended the following AMENDMENT TO AMENDMENT 90 (995065):

Section: 05 On Page: 229 Spec App: 1606A	<u>EXPLANATION:</u> Restores \$100,000 in nonrecurring general revenue to the Lake City I-75/SR47 Wastewater Improvement project and reduces \$100,000 in nonrecurring general revenue from the Okeechobee Agricultural Projects category in the Department of Agriculture and Consumer Services.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount DELETE	Positions & Amount INSERT
ENVIRONMENTAL PROTECTION, DEPARTMENT OF Program: Water Restoration Assistance Water Restoration Assistance 37220100		
1606A In Section 05 On Page 229 Grants And Aids To Local Governments And 140047 Nonstate Entities - Fixed Capital Outlay Grants And Aids - Water Projects IOEM		
1000 General Revenue Fund 67,246,687 CA 100,000 FSI1NR 100,000 67,346,687		

Following Specific Appropriation 1606A, DELETE:

Lake City I-75/SR 47 Wastewater Improvement Project Phase 1. 1,101,225

Following Specific Appropriation 1606A, INSERT:

Lake City I-75/SR 47 Wastewater Improvement Project Phase 1. 1,201,225

AGRICULTURE AND CONSUMER SERVICES,
DEPARTMENT OF, AND COMMISSIONER OF
AGRICULTURE
Program: Office Of The Commissioner And

Administration
Agricultural Water Policy Coordination 42010200

In Section 05 On Page 203
Fixed Capital Outlay 083621
Okeechobee Restoration Agricultural
Projects IOEJ

1356B

1000	General Revenue Fund	15,700,000	15,600,000
CA	-100,000 FSI1NR -100,000		

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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<u>Committee</u>	<u>Amendment</u>
AEN	91

The Committee on Appropriations (**Bradley**) recommended the following amendment:

Section: 05 On Page: 229 Spec App: 1606A	<u>EXPLANATION:</u> Provides \$50,000 in nonrecurring general revenue for the Virginia Gardens Stormwater Improvement project and reduces the same amount from the Hialeah Gardens Central District Drainage Improvements project.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

	Positions & Amount DELETE	Positions & Amount INSERT
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
Program: Water Restoration Assistance		
Water Restoration Assistance 37220100		
In Section 05 On Page 229		
1606A Grants And Aids To Local Governments And 140047		
Nonstate Entities - Fixed Capital Outlay		
Grants And Aids - Water Projects IOEM		

Following Specific Appropriation 1606A, DELETE:

Hialeah Gardens Central District Drainage Improvements.....	750,000

AND INSERT:

Hialeah Gardens Central District Drainage Improvements.....	700,000
Virginia Gardens Stormwater Improvements.....	50,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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Committee

AEN

Amendment

92

The Committee on Appropriations (**Bradley**) recommended the following amendment:

Section: 05 On Page: 229 Spec App: 1606A	<u>EXPLANATION:</u> Provides \$50,000 in nonrecurring general revenue for the Medley Seawall Expansion Phase II project and reduces the same amount from the Hialeah Gardens Central District Drainage Improvements project.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Program: Water Restoration Assistance
Water Restoration Assistance 37220100

1606A In Section 05 On Page 229
Grants And Aids To Local Governments And 140047
Nonstate Entities - Fixed Capital Outlay
Grants And Aids - Water Projects IOEM

Following Specific Appropriation 1606A, DELETE:

Hialeah Gardens Central District Drainage Improvements..... 750,000

AND INSERT:

Hialeah Gardens Central District Drainage Improvements..... 700,000
Medley Seawall Expansion Phase II..... 50,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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SPB2500

Committee

AEN

Amendment

93

The Committee on Appropriations (**Bradley**) recommended the following amendment:

Section: 05 On Page: 229 Spec App: 1606A	<u>EXPLANATION:</u> Provides \$50,000 in nonrecurring general revenue for the Town of Bay Harbor Islands Sewer Lateral Lining project and reduces the same amount from Hialeah Gardens Central District Drainage Improvements project.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Program: Water Restoration Assistance
Water Restoration Assistance 37220100

1606A In Section 05 On Page 229
Grants And Aids To Local Governments And 140047
Nonstate Entities - Fixed Capital Outlay
Grants And Aids - Water Projects IOEM

Following Specific Appropriation 1606A, DELETE:

Hialeah Gardens Central District Drainage Improvements..... 750,000

AND INSERT:

Hialeah Gardens Central District Drainage Improvements..... 700,000
Town of Bay Harbor Islands Sewer Lateral Lining Project..... 50,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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Committee

AEN

Amendment

94

The Committee on Appropriations (**Powell**) recommended the following amendment:

Section: 05	<u>EXPLANATION:</u> Provides \$50,000 in nonrecurring general revenue funds for the Riviera Beach Water Treatment Plant Disinfection project and reduces \$25,000 of nonrecurring general revenue funds allocated for the Royal Palm Beach Canal System Rehabilitation project and \$25,000 of nonrecurring general revenue funds allocated for the West Palm Beach Stormwater Improvements in Historic Pineapple Park.
On Page: 229	
Spec App: 1606A	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Program: Water Restoration Assistance
Water Restoration Assistance 37220100

1606A In Section 05 On Page 229
Grants And Aids To Local Governments And 140047
Nonstate Entities - Fixed Capital Outlay
Grants And Aids - Water Projects IOEM

Following Specific Appropriation 1606A, **DELETE:**

Royal Palm Beach Canal System Rehabilitation Project.....	500,000
West Palm Beach Stormwater Improvements in Historic Pineapple Park.....	400,000

Following Specific Appropriation 1606A, **INSERT:**

Royal Palm Beach Canal System Rehabilitation Project.....	475,000
West Palm Beach Stormwater Improvements in Historic Pineapple Park.....	375,000
Riviera Beach Water Treatment Plant Disinfection Project....	50,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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Committee

AEN

Amendment

95

The Committee on Appropriations (**Bradley**) recommended the following amendment:

Section: 35	<u>EXPLANATION:</u> Reverts the unexpended balance of \$525,000 of general revenue funds that were appropriated to the Howell Branch Preserve in Specific Appropriation 1535B of chapter 2016-66, Laws of Florida, and allocates those funds to the Howell Branch Creek Preserve in Section 35 of SPB 2500. Reduces \$525,000 of nonrecurring general revenue funds allocated to the Howell Branch Preserve and allocates those funds to the Mount Dora Water Infrastructure project.
On Page: 415	
Spec App:	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

ENVIRONMENTAL PROTECTION, DEPARTMENT OF 37000000

In Section 35 On Page 415

In Section 35, on Page 415, INSERT the following:

From the unexpended balance of funds provided to the Department of Environmental Protection in Specific Appropriation 1535B of chapter 2016-66, Laws of Florida, for the Howell Branch Preserve, the sum of \$525,000 shall revert and is appropriated to the City of Winter Park for Fiscal Year 2017-2018 for the clean up, mitigation, and reconstruction of Howell Branch Creek Preserve.

Program: Water Restoration Assistance
Water Restoration Assistance 37220100

In Section 05 On Page 229

1606A Grants And Aids To Local Governments And 140047
Nonstate Entities - Fixed Capital Outlay
Grants And Aids - Water Projects IOEM

Immediately following Specific Appropriation 1606A, DELETE:

Howell Branch Creek Preserve.....	525,000

AND INSERT:

Mount Dora Utility Extension to the Wolf Branch Innovation District.....	525,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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Committee

AEN

Amendment

96

The Committee on Appropriations (Powell) recommended the following amendment:

Section: 05 On Page: 232 Spec App: 1613	<u>EXPLANATION:</u> Proviso language adding Lake Worth Lagoon and Loxahatchee Estuary within Palm Beach county to the septic to sewer program within the Department of Environmental Protection.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

		Positions & Amount DELETE	Positions & Amount INSERT
ENVIRONMENTAL PROTECTION, DEPARTMENT OF Program: Water Restoration Assistance Water Restoration Assistance 37220100			
1613	In Section 05 On Page 232 Grants And Aids To Local Governments And Nonstate Entities - Fixed Capital Outlay Grants And Aids - Indian River Lagoon, St. Lucie And Caloosahatchee Estuary Restoration IOEM	141114	
1000	General Revenue Fund	20,000,000	0
CA -20,000,000 FSI1NR -20,000,000			

Following Specific Appropriation 1613, DELETE:

Funds from Specific Appropriation 1613 shall be used to offset homeowner costs that would be incurred by retrofitting or sewerage septic systems that contribute excess nutrient pollution to the Indian River Lagoon, Caloosahatchee and St. Lucie estuaries. Specifically, these funds shall be used to address the retrofitting or sewerage of septic tanks within one-quarter mile of marine waters in Indian River, Brevard, Martin, St. Lucie, Volusia and Lee counties.

1613A Grants And Aids - Indian River Lagoon, XXXXXX
Lake Worth Lagoon, St. Lucie,

**Caloosahatchee, and Loxahatchee Estuary
Restoration** *IOEM*

1000 **General Revenue Fund**
CA 20,000,000 FSI1NR 20,000,000

20,000,000

AND INSERT:

Funds from Specific Appropriation 1613 shall be used to offset homeowner costs that would be incurred by retrofitting or sewerage septic systems that contribute excess nutrient pollution to the Indian River Lagoon, Lake Worth Lagoon, Caloosahatchee, St. Lucie and Loxahatchee estuaries. Specifically, these funds shall be used to address the retrofitting or sewerage of septic tanks within one-quarter mile of marine waters in Indian River, Brevard, Martin, St. Lucie, Volusia, Palm Beach and Lee counties.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AEN

Amendment

96AA

The Committee on Appropriations (**Bradley**) recommended the following AMENDMENT TO AMENDMENT 96 (995019):

Section: 05	<u>EXPLANATION:</u> Proviso language adding Clay county to the septic to sewer program within the Department of Environmental Protection.
On Page: 232	
Spec App: 1613A	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

		Positions & Amount	Positions & Amount
		DELETE	INSERT
ENVIRONMENTAL PROTECTION, DEPARTMENT OF			
Program: Water Restoration Assistance			
Water Restoration Assistance 37220100			
In Section 05 On Page 232			
1613A	Grants And Aids - Indian River Lagoon, Lake Worth Lagoon, St. Lucie, Caloosahatchee, and Loxahatchee Estuary Restoration IOEM	XXXXXX	
1000	General Revenue Fund	20,000,000	0
CA -20,000,000 FSI1NR -20,000,000			

DELETE proviso:

Funds from Specific Appropriation 1613 shall be used to offset homeowner costs that would be incurred by retrofitting or sewerage septic systems that contribute excess nutrient pollution to the Indian River Lagoon, Lake Worth Lagoon, Caloosahatchee, St. Lucie and Loxahatchee estuaries. Specifically, these funds shall be used to address the retrofitting or sewerage of septic tanks within one-quarter mile of marine waters in Indian River, Brevard, Martin, St. Lucie, Volusia, Palm Beach and Lee counties.

1613A	Grants And Aids To Local Governments And Nonstate Entities - Fixed Capital Outlay Grants And Aids - Indian River Lagoon,	149999

**St. Lucie, Caloosahatchee, Loxahatchee,
and St. Johns River Restoration** *IOEM*

1000 General Revenue Fund
CA 20,000,000 FSI1NR 20,000,000

20,000,000

and INSERT:

Funds from Specific Appropriation 1613 shall be used to offset homeowner costs that would be incurred by retrofitting or sewerage septic systems that contribute excess nutrient pollution to the Indian River Lagoon, Lake Worth Lagoon, Caloosahatchee, St. Lucie and Loxahatchee estuaries and St. Johns River. Specifically, these funds shall be used to address the retrofitting or sewerage of septic tanks within one-quarter mile of marine waters in Indian River, Brevard, Clay, Martin, St. Lucie, Volusia, Palm Beach and Lee counties.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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<u>Committee</u>	<u>Amendment</u>
AGG	97

The Committee on Appropriations (Grimsley) recommended the following amendment:

Section: 06	<u>EXPLANATION:</u> Technical amendment that corrects the funding source in proviso from which a specific appropriation is provided to match the funding source used.
On Page: 308	
Spec App: 2304	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

FINANCIAL SERVICES, DEPARTMENT OF
Program: Office Of Chief Financial
Officer And Administration
Information Technology - Flair
Infrastructure 43010500

2304 In Section 06 On Page 308
Special Categories 100777
Contracted Services IOEA

DELETE the proviso immediately following Specific Appropriation 2304:

From the funds in Specific Appropriation 2304, \$552,209 in nonrecurring funds from the General Revenue Fund are provided to the Department of Financial Services to procure additional staff augmentation support for the Florida Accounting Information Resource (FLAIR) Subsystem. The funds shall be placed in reserve. The department may submit a budget amendment to request release of the funds pursuant to the provisions of chapter 216, Florida Statutes. The budget amendment must include a detailed project plan that identifies the specific tasks and deliverables required to be provided by the additional staff augmentation and the associated costs.

AND INSERT:

From the funds in Specific Appropriation 2304, \$552,209 in nonrecurring funds from the Administrative Trust Fund are provided

to the Department of Financial Services to procure additional staff augmentation support for the Florida Accounting Information Resource (FLAIR) Subsystem. The funds shall be placed in reserve. The department may submit a budget amendment to request release of the funds pursuant to the provisions of chapter 216, Florida Statutes. The budget amendment must include a detailed project plan that identifies the specific tasks and deliverables required to be provided by the additional staff augmentation and the associated costs.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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SPB2500

Committee

AGG

Amendment

98

The Committee on Appropriations (Grimsley) recommended the following amendment:

Section: 06	<u>EXPLANATION:</u> Transfers \$1,500,000 of trust fund authority from the Department of Management Services to the Department of Financial Services' Firefighter Assistance Grant Program to provide grants to local government fire departments to purchase equipment to mitigate exposure to hazardous, cancer-causing chemicals.
On Page: 313	
Spec App: 2362	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

FINANCIAL SERVICES, DEPARTMENT OF
Program: Fire Marshal
Professional Training And Standards

43300400

2362 In Section 06 On Page 313
Special Categories 100063
Grants And Aids - Firefighter Assistance
Grant Program IOEH

2393 Insurance Regulatory Trust Fund

1,000,000

2,500,000

CA 1,500,000 FSI1NR 1,500,000

Insert proviso immediately following Specific Appropriation 2362:

From the funds in Specific Appropriation 2362, \$1,500,000 in nonrecurring funds from the Insurance Regulatory Trust Fund shall be used to create a local government grant program for the purchase of protective clothing, self-contained breathing apparatuses, and other personal protective equipment for firefighters to mitigate exposure to hazardous, cancer-causing chemicals and to protect the health and safety of Florida firefighters. The State Fire Marshall shall administer the grant program and shall develop guidelines for the review and approval of grant proposals. No individual award may exceed \$100,000. In

evaluating proposals for these funds, the State Fire Marshall shall consider the size and resources of the local government requesting funds and the local government's current capacity to adequately equip its firefighters.

MANAGEMENT SERVICES, DEPARTMENT OF
Program: Support Program
Purchasing Oversight 72600400

2779 In Section 06 On Page 352
Special Categories 109257
Transfer To The Department Of Financial
Services IOEH

2510	Operating Trust Fund	3,000,000	1,500,000
CA	-1,500,000 FSI1NR	-1,500,000	

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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Committee

AGG

Amendment

99

The Committee on Appropriations (**Bradley and Grimsley**) recommended the following amendment:

Section: 06	<u>EXPLANATION:</u> Reduces \$700,000 of nonrecurring general revenue funds allocated for the Statewide Capital Depreciation category and allocates those funds to the Clay County Fire Station.
On Page: 314	
Spec App: 2372A	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

FINANCIAL SERVICES, DEPARTMENT OF
Program: Fire Marshal
Fire Marshal Administrative And Support
Services 43300500

2372A In Section 06 On Page 314
Aid To Local Governments 051065
Grants And Aids - Local Government Fire
Service IOEB

1000 **General Revenue Fund**
CA 700,000 FSI1NR 700,000

5,797,500

6,497,500

DELETE the proviso immediately following Specific Appropriation 2372A:

From the funds in Specific Appropriation 2372A, \$5,700,000 in nonrecurring funds is provided for local government fire services as follows:

AND INSERT:

From the funds in Specific Appropriation 2372A, \$6,497,500 in nonrecurring funds is provided for local government fire services as follows:

Clay County Fire Station.....700,000

MANAGEMENT SERVICES, DEPARTMENT OF
Program: Facilities Program
Facilities Management 72400100

In Section 06 On Page 349

2745 Fixed Capital Outlay 083400

Statewide Capital Depreciation - General
- Dms Mgd IOEI

1000 General Revenue Fund
CA -700,000 FSI1NR -700,000

18,914,148

18,214,148

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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SPB2500

Committee

AGG

Amendment

100

The Committee on Appropriations (Grimsley) recommended the following amendment:

Section: 06	<u>EXPLANATION:</u> Technical amendment that moves an appropriation between budget entities within the Department of Financial Services.
On Page: 318	
Spec App: 2410A	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

FINANCIAL SERVICES, DEPARTMENT OF
Program: Licensing And Consumer
Protection
Insurance Fraud 43500300

2410A In Section 06 On Page 318
Special Categories 100529
Transfer To Justice Administration
Commission For Prosecution Of Property
Insurance Fraud IOEH

2393	Insurance Regulatory Trust Fund	210,000	0
CA	-210,000 FSI1 -210,000		

In Section 06, on Page 318, DELETE the following:

Funds in Specific Appropriation 2410A are provided for transfer to the Justice Administrative Commission for the specific purpose of funding attorneys and paralegals dedicated solely to the prosecution of property insurance fraud cases in Miami-Dade County. These funds may not be used for any purpose other than the funding of attorney and paralegal positions that prosecute crimes of insurance fraud.

Program: Investigative And Forensic
Services
Insurance Fraud 43700300

In Section 06 On Page 325
Special Categories 100529
Transfer To Justice Administration
Commission For Prosecution Of Property
Insurance Fraud IOEH

2477A

2393 Insurance Regulatory Trust Fund
CA 210,000 FSI1 210,000

210,000

Following Specific Appropriation , INSERT:

Funds in Specific Appropriation 2477A are provided for transfer to the Justice Administrative Commission for the specific purpose of funding attorneys and paralegals dedicated solely to the prosecution of property insurance fraud cases in Miami-Dade County. These funds may not be used for any purpose other than the funding of attorney and paralegal positions that prosecute crimes of insurance fraud.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AGG

Amendment

101

The Committee on Appropriations (Flores) recommended the following amendment:

Section: 06	<u>EXPLANATION:</u> Provides \$300,000 in nonrecurring funding from the Insurance Regulatory Trust Fund for the Florida International University Wall of Wind project and reduces the same amount from the Financial Examination Contracts - Property and Casualty Examinations category.
On Page: 325	
Spec App: 2494	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

		Positions & Amount DELETE	Positions & Amount INSERT
FINANCIAL SERVICES, DEPARTMENT OF			
Program: Financial Services Commission			
Office Of Insurance Regulation			
Compliance And Enforcement - Insurance		43900110	
In Section 06 On Page 325			
2494	Special Categories	100523	
Financial Examination Contracts -			
Property And Casualty Examinations		IOEA	
2393	Insurance Regulatory Trust Fund	3,501,763	3,201,763
CA -300,000 FSI1 -300,000			
2493A	Special Categories	100519	
Transfer To Florida International			
University - Enhancements To The Wall Of			
Wind		IOEA	
2393	Insurance Regulatory Trust Fund		300,000
CA 300,000 FSI1 300,000			

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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SPB2500

Committee

AGG

Amendment

102

The Committee on Appropriations (Powell) recommended the following amendment:

Section: 06	<u>EXPLANATION:</u> Reduces the Department of Lottery Advertising and Promotions category by \$9,890,675 and the Lottery Vending Machines category by \$3,150,600 to increase the Terminal Games Fees category by \$13,041,275. Funds will be used for a new contract for Florida Lottery sales in order to increase the transfer to education.
On Page: 345	
Spec App: 2702	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

		Positions & Amount DELETE	Positions & Amount INSERT
	LOTTERY, DEPARTMENT OF THE Program: Lottery Operations 36010000		
2702	In Section 06 On Page 345 Special Categories 102380 Paid Advertising And Promotion IOEA		
2510	Operating Trust Fund CA -9,890,675 FSI1 -9,890,675	36,312,514	26,421,839
2703	Special Categories 102381 Terminal Games Fees IOEA		
2510	Operating Trust Fund CA 13,041,275 FSI1 13,041,275	26,646,545	39,687,820
2706A	In Section 06 On Page 346 Special Categories 102390 Lottery Vending Machines IOEA		
2510	Operating Trust Fund CA -3,150,600 FSI1 -3,150,600	7,950,600	4,800,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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Committee

AGG

Amendment

103

The Committee on Appropriations (**Grimsley**) recommended the following amendment:

Section: 06	<u>EXPLANATION:</u> Adds proviso language directing the Department of Management Services to issue an Invitation to Negotiate on a redesign of the state's MyFlorida.com portal.
On Page: 347	
Spec App: 2718	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

MANAGEMENT SERVICES, DEPARTMENT OF

Program: Administration Program

Executive Direction And Support Services 72010100

In Section 06 On Page 347

2718 Special Categories 100777

Contracted Services IOEA

Immediately following Specific Appropriation 2718, INSERT:

From the funds in Specific Appropriation 2718, the Department of Management Services, by December 31, 2017, shall issue an Invitation to Negotiate (ITN) to redesign the MyFlorida.com state portal, to enhance and modernize existing digital services and to develop and deliver new digital services for citizens and businesses. This solicitation shall consider alternative funding models and not be subject to any state appropriation.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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SPB2500

Committee

AHE

Amendment

104

The Committee on Appropriations (**Montford**) recommended the following
LATE FILED amendment:

Section: 02	<u>EXPLANATION:</u> Provides \$25,000 in nonrecurring General Revenue for the Tallahassee Community College (TCC) Capitol Center from the TCC Minority Males High School Retention and Progression Initiative
On Page: 035	
Spec App: 126	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

EDUCATION, DEPARTMENT OF
Florida Colleges, Division Of
Program: Florida Colleges 48400600

126 In Section 02 On Page 035
Aid To Local Governments 050217
Grants And Aids - Florida College System
Program Fund IOEB

Following Specific Appropriation 126, DELETE:

Tallahassee Community College-Minority Males High School Retention and Progression Initiative.....	375,000

AND INSERT:

Tallahassee Community College-Minority Males High School Retention and Progression Initiative.....	350,000
Tallahassee Community College Capitol Center.....	25,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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Committee

AHE

Amendment

105

The Committee on Appropriations (**Flores**) recommended the following LATE FILED amendment:

Section: 02	<u>EXPLANATION:</u> Transfers \$500,000 recurring general revenue from University Team Grants to Florida International University Neuroscience Centers of Florida Foundation for a partial cut restoration.
On Page: 043	
Spec App: 148	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

		Positions & Amount DELETE	Positions & Amount INSERT
EDUCATION, DEPARTMENT OF Universities, Division Of Program: Educational And General Activities 48900100			
148	In Section 02 On Page 043 Aid To Local Governments 052339 Florida International University Medical School IOEB		
1000	General Revenue Fund	31,633,859	32,133,859
<i>CA 500,000 FSI1 500,000</i>			
141	In Section 02 On Page 041 Aid To Local Governments 052310 Grants And Aids - Education And General Activities IOEB		
1000	General Revenue Fund	2,344,494,109	2,343,994,109
<i>CA -500,000 FSI1 -500,000</i>			

Following Specific Appropriation 141, DELETE:

Funds in Specific Appropriation 141 from the General Revenue Fund shall be allocated as follows:

University of Florida.....	313,141,297
Florida State University.....	281,413,151
Florida A&M University.....	75,176,167
University of South Florida.....	190,744,829
University of South Florida, St. Petersburg.....	21,691,120
University of South Florida, Sarasota/Manatee.....	19,384,431
Florida Atlantic University.....	122,511,788
University of West Florida.....	90,832,835
University of Central Florida.....	234,246,160
Florida International University.....	176,692,113
University of North Florida.....	70,662,450
Florida Gulf Coast University.....	58,300,315
New College of Florida.....	23,137,853
Florida Polytechnic University.....	36,322,098
State University Performance Based Incentives.....	525,000,000
Johnson Matching Grant.....	237,500
Preeminent State Research Universities.....	40,000,000
Emerging Preeminent State Research Universities.....	10,000,000
Team Grants.....	55,000,000

AND INSERT:

Funds in Specific Appropriation 141 from the General Revenue Fund shall be allocated as follows:

University of Florida.....	313,141,297
Florida State University.....	281,413,151
Florida A&M University.....	75,176,167
University of South Florida.....	190,744,829
University of South Florida, St. Petersburg.....	21,691,120
University of South Florida, Sarasota/Manatee.....	19,384,431
Florida Atlantic University.....	122,511,788
University of West Florida.....	90,832,835
University of Central Florida.....	234,246,160
Florida International University.....	176,692,113
University of North Florida.....	70,662,450
Florida Gulf Coast University.....	58,300,315
New College of Florida.....	23,137,853
Florida Polytechnic University.....	36,322,098
State University Performance Based Incentives.....	525,000,000
Johnson Matching Grant.....	237,500
Preeminent State Research Universities.....	40,000,000
Emerging Preeminent State Research Universities.....	10,000,000
Team Grants.....	54,500,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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Committee

AHS

Amendment

106

The Committee on Appropriations (**Brandes**) recommended the following LATE FILED amendment:

Section: 03	<u>EXPLANATION:</u> Earmarks \$200,000 from the graduate medical education program funding for two addiction medicine specialist positions located at a substance abuse treatment facility.
On Page: 050	
Spec App: 197	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

AGENCY FOR HEALTH CARE ADMINISTRATION

Program: Health Care Services

Medicaid Services To Individuals 68501400

In Section 03 On Page 050

197 Special Categories 101581

Graduate Medical Education IOEE

Immediately following Specific Appropriation 197, DELETE:

From the funds in Specific Appropriation 197, \$30,704,000 from the General Revenue Fund and \$38,380,000 from the Grants and Donations Trust Fund and \$61,620,000 from the Medical Care Trust Fund are provided to fund the Statewide Medicaid Residency Program and the Graduate Medical Education Startup Bonus Program. Of these funds \$80,000,000 shall be used to fund the Statewide Medicaid Residency Program in accordance with section 409.909(3), Florida Statutes. Of these funds, \$42,262,976 shall be distributed to the two hospitals with the largest number of graduate medical residents in statewide supply/demand deficit; and \$400,000 is provided to four positions in place during state fiscal year 2017-2018 at Federally Qualified Health Centers that hold institutional accreditation from the Accreditation Council for Graduate Medical Education, which have had those positions for a period of one year. The remaining funds shall be used to fund the Graduate Medical Education Startup Bonus Program in accordance with section 409.909 (5), Florida Statutes, and are provided for the following physician

specialties and subspecialties, both adult and pediatric, that are in statewide supply/demand deficit: allergy or immunology; anesthesiology; cardiology; endocrinology; family medicine; general surgery; hematology; oncology; infectious diseases; nephrology; neurology; obstetrics/gynecology; ophthalmology; orthopedic surgery; otolaryngology; psychiatry; pulmonary; radiology; hematology; thoracic surgery; and urology. Funding for the Graduate Medical Education Startup Bonus Program is contingent on the non-federal share being provided through intergovernmental transfers in the Grants and Donation Trust Fund.

AND INSERT:

From the funds in Specific Appropriation 197, \$30,704,000 from the General Revenue Fund and \$38,380,000 from the Grants and Donations Trust Fund and \$61,620,000 from the Medical Care Trust Fund are provided to fund the Statewide Medicaid Residency Program and the Graduate Medical Education Startup Bonus Program. Of these funds \$80,000,000 shall be used to fund the Statewide Medicaid Residency Program in accordance with section 409.909(3), Florida Statutes. Of these funds, \$42,262,976 shall be distributed to the two hospitals with the largest number of graduate medical residents in statewide supply/demand deficit; and \$400,000 is provided to four positions in place during state fiscal year 2017-2018 at Federally Qualified Health Centers that hold institutional accreditation from the Accreditation Council for Graduate Medical Education, which have had those positions for a period of one year. Of these funds, \$200,000 is provided for two accredited addiction medicine positions in place during state fiscal year 2017-2018 at a substance abuse treatment facility which has had those positions for a period of five years. The remaining funds shall be used to fund the Graduate Medical Education Startup Bonus Program in accordance with section 409.909 (5), Florida Statutes, and are provided for the following physician specialties and subspecialties, both adult and pediatric, that are in statewide supply/demand deficit: allergy or immunology; anesthesiology; cardiology; endocrinology; family medicine; general surgery; hematology; oncology; infectious diseases; nephrology; neurology; obstetrics/gynecology; ophthalmology; orthopedic surgery; otolaryngology; psychiatry; pulmonary; radiology; hematology; thoracic surgery; and urology. Funding for the Graduate Medical Education Startup Bonus Program is contingent on the non-federal share being provided through intergovernmental transfers in the Grants and Donation Trust Fund.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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Committee

AHS

Amendment

107

The Committee on Appropriations (Grimsley) recommended the following LATE FILED amendment:

Section: 03	<u>EXPLANATION:</u> Transfers \$1,000,000 in nonrecurring general revenue funds from the Expenses category in the Department of Health to Manatee ER Diversion.
On Page: 087	
Spec App: 421	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

HEALTH, DEPARTMENT OF
Program: Executive Direction And Support
Administrative Support 64100200

421 In Section 03 On Page 087
Expenses 040000 IOEA

1000 General Revenue Fund
CA -1,000,000 FSI1NR -1,000,000

3,335,516

2,335,516

DELETE the proviso immediately following Specific Appropriation 421:

From the funds in Specific Appropriation 421, \$2,600,000 in nonrecurring funds from the General Revenue Fund and \$2,127,735 from the Administrative Trust Fund are provided to upgrade the bandwidth at the lowest performing sites within the department. Any remaining funds shall be used to upgrade the bandwidth at sites with the most occurrences of excessive latency in the previous fiscal year.

AND INSERT:

From the funds in Specific Appropriation 421, \$1,600,000 in nonrecurring funds from the General Revenue Fund and \$2,127,735 from the Administrative Trust Fund are provided to upgrade the bandwidth at the lowest performing sites within the department. Any remaining funds shall be used to upgrade the bandwidth at sites with the most occurrences of excessive latency in the previous fiscal year.

Program: Community Public Health
Community Health Promotion 64200100

In Section 03 On Page 090

447 Special Categories 100778
Grants And Aids - Contracted Services IOEB

1000 General Revenue Fund 24,389,267 25,389,267
CA 1,000,000 FSI1NR 1,000,000

Following Specific Appropriation 447, DELETE:

From the funds in Specific Appropriation 447, nonrecurring funds from the General Revenue Fund are provided for the following projects:

Apopka Fresh Start Initiative.....	500,000
Fresh Stop Mobile Farmers Market.....	100,000
Alachua County Organization for Rural Needs (ACORN).....	650,000
The Andrews Regenerative Medicine Center.....	100,000
Miami Beach Community Health Center.....	500,000
Project Be Strong - Teen Pregnancy Prevention Program.....	50,000
Florida Dental Association - Dental Lifeline Network.....	100,000
Keys Area Health Education Center.....	100,000
Premier Community Health Care - Pasco County.....	552,500
St. John Bosco Clinic.....	200,000
AGAPE Community Health Center, Inc.....	500,000
Community Health Centers of Sarasota, Inc.....	100,000
Bithlo Community Health Center.....	600,000

AND INSERT:

From the funds in Specific Appropriation 447, nonrecurring funds from the General Revenue Fund are provided for the following projects:

Apopka Fresh Start Initiative.....	500,000
Fresh Stop Mobile Farmers Market.....	100,000
Alachua County Organization for Rural Needs (ACORN).....	650,000
The Andrews Regenerative Medicine Center.....	100,000
Miami Beach Community Health Center.....	500,000
Project Be Strong - Teen Pregnancy Prevention Program.....	50,000
Florida Dental Association - Dental Lifeline Network.....	100,000
Keys Area Health Education Center.....	100,000
Premier Community Health Care - Pasco County.....	552,500
St. John Bosco Clinic.....	200,000
AGAPE Community Health Center, Inc.....	500,000
Community Health Centers of Sarasota, Inc.....	100,000
Bithlo Community Health Center.....	600,000
Manatee ER Diversion.....	1,000,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



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Committee

AEN

Amendment

108

The Committee on Appropriations (**Bradley**) recommended the following LATE FILED amendment:

Section: 05 On Page: 203 Spec App: 1356A	<u>EXPLANATION:</u> Reduces \$1,000,000 in nonrecurring general revenue funds from Hybrid Wetlands Treatment Projects category within the Department of Agriculture and Consumer Services and allocates those funds to the Northern Everglades and Estuaries Protection category within the Department of Environmental Protection for an alternative water quality treatment project.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

**AGRICULTURE AND CONSUMER SERVICES,
DEPARTMENT OF, AND COMMISSIONER OF
AGRICULTURE**

**Program: Office Of The Commissioner And
Administration**

Agricultural Water Policy Coordination 42010200

In Section 05 On Page 203

1356A Fixed Capital Outlay 080310

Hybrid Wetlands Treatment Projects IOEJ

1000 General Revenue Fund

1,000,000

0

CA -1,000,000 FSI1NR -1,000,000

DELETE the proviso immediately following Specific Appropriation 1356A:

Funds in Specific Appropriation 1356A are provided for the Hogg Creek hybrid wetland/chemical treatment project located in Martin County, pursuant to section 373.4595(3)(b), Florida Statutes.

**ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Program: Water Policy And Ecosystems**

Restoration
Water Policy And Ecosystems Restoration 37200100

1594A In Section 05 On Page 228
Grants And Aids To Local Governments And 141118
Nonstate Entities - Fixed Capital Outlay
Northern Everglades And Estuaries
Protection IOEM

1000 General Revenue Fund 5,824,918 6,824,918
CA 1,000,000 FSI1NR 1,000,000

At the end of existing proviso language, following Specific
Appropriation 1594A, INSERT:

From the funds in Specific Appropriation 1356A, \$1,000,000 in
nonrecurring funds from the General Revenue Fund is for the construction
of an alternative water quality treatment project within the Northern
Everglades pursuant to section 373.4595(3)(b), Florida Statutes.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement
within a budget entity or the renumbering of the specific appropriation items.



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Committee

AGG

Amendment

109

The Committee on Appropriations (Grimsley) recommended the following LATE FILED amendment:

Section: 05 On Page: 229 Spec App: 1606A	<u>EXPLANATION:</u> Provides \$200,000 in nonrecurring general revenue funds for the St. Lucie County North Hutchinson Island Pollution Reduction project and reduces \$200,000 of nonrecurring general revenue funds allocated for the St. Lucie County Teague Hammock Preserve project.

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Program: Water Restoration Assistance
Water Restoration Assistance 37220100

1606A In Section 05 On Page 229
Grants And Aids To Local Governments And 140047
Nonstate Entities - Fixed Capital Outlay
Grants And Aids - Water Projects IOEM

Following Specific Appropriation 1606A, DELETE:

St. Lucie County Teague Hammock Preserve..... 400,000

AND INSERT:

St. Lucie County Teague Hammock Preserve..... 200,000

St. Lucie County North Hutchinson Island Pollution
Reduction..... 200,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AHE

Amendment

110

The Committee on Appropriations (**Braynon**) recommended the following LATE FILED amendment:

Section: 02	<u>EXPLANATION:</u> Provides \$30,000 nonrecurring general revenue to the University of Florida Lastinger Center Ensuring Access to Abuse Prevention and Trauma Informed Care Techniques for Florida Child Care and School Instructional Personnel from the Moffitt Cancer Center Cannabis Research Coalition.
On Page: 041	
Spec App: 141	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

EDUCATION, DEPARTMENT OF
Universities, Division Of
Program: Educational And General
Activities 48900100

141 In Section 02 On Page 041
Aid To Local Governments 052310
Grants And Aids - Education And General
Activities IOEB

1000 General Revenue Fund
CA 30,000 FSI1NR 30,000

2,344,494,109 2,344,524,109

Following Specific Appropriation 141, DELETE:

Funds in Specific Appropriations 12 through 16 and 141 through 153 shall be expended in accordance with operating budgets that must be approved by each university's board of trustees.

Funds in Specific Appropriation 141 from the General Revenue Fund shall be allocated as follows:

University of Florida..... 313,141,297

Florida State University.....	281,413,151
Florida A&M University.....	75,176,167
University of South Florida.....	190,744,829
University of South Florida, St. Petersburg.....	21,691,120
University of South Florida, Sarasota/Manatee.....	19,384,431
Florida Atlantic University.....	122,511,788
University of West Florida.....	90,832,835
University of Central Florida.....	234,246,160
Florida International University.....	176,692,113
University of North Florida.....	70,662,450
Florida Gulf Coast University.....	58,300,315
New College of Florida.....	23,137,853
Florida Polytechnic University.....	36,322,098
State University Performance Based Incentives.....	525,000,000
Johnson Matching Grant.....	237,500
Preeminent State Research Universities.....	40,000,000
Emerging Preeminent State Research Universities.....	10,000,000
Team Grants.....	55,000,000

Funds provided in Specific Appropriation 141, as listed above, include allocations for the following university initiatives:

Florida Agricultural and Mechanical University	
Increasing Online Course Offerings.....	2,000,000
Florida Atlantic University	
Secondary Robotics Team Support.....	250,000
Drug Discovery and Translation Research Partnership with	
Scripps Florida.....	2,972,896
Postdoctoral Research Program Partnership with Scripps	
Florida.....	1,400,000
Honors College.....	386,538
Florida Gulf Coast University	
Target Existing Talent Gaps.....	2,234,361
Honors College.....	1,500,000
Florida International University	
UP:LIFT(University Paradigm: Learn, Interact, Facilitate)	3,000,000
StartUP.....	500,000
Florida State University	
Health Equity Research Institute.....	1,000,000
Next Generation Ultra-High Field Magnets.....	300,000
Center for Advanced Power Systems Expansion and	
Diversification.....	750,000
University of Central Florida	
Advanced Manufacturing Sensor Project (BRIDG).....	5,000,000
Florida FIRST Robotics Team Grant.....	250,000
Incubator.....	1,000,000
PTSD Clinic for Florida Veterans and First Responders....	1,250,000
University of Florida	
Lastinger Center for Learning Algebra Nation.....	200,000
Lastinger Center for Learning Math Nation.....	200,000

St. Augustine Historic Building Roof Replacements.....	250,000
Infrastructure for Zika Research.....	2,000,000
Institute for Comparative Veterinary Diagnostics.....	2,000,000
University of North Florida	
Highly Effective Teacher Grant.....	700,000
University of South Florida	
Collaborative-Problem Based Learning Educational Enhancement Program.....	2,000,000
University of South Florida, Sarasota/Manatee	
Programs of Strategic Importance.....	2,500,000
Small Business Development Center.....	5,000,000
University of South Florida, St. Petersburg	
Citizen Scholar Partnership.....	263,458
Midtown Early Care and Education Collaborative.....	750,000
University of West Florida	
Intelligent Systems and Robotics Ph.D. Program.....	500,000

AND INSERT:

Funds in Specific Appropriations 12 through 16 and 141 through 153 shall be expended in accordance with operating budgets that must be approved by each university's board of trustees.

Funds in Specific Appropriation 141 from the General Revenue Fund shall be allocated as follows:

University of Florida.....	313,171,297
Florida State University.....	281,413,151
Florida A&M University.....	75,176,167
University of South Florida.....	190,744,829
University of South Florida, St. Petersburg.....	21,691,120
University of South Florida, Sarasota/Manatee.....	19,384,431
Florida Atlantic University.....	122,511,788
University of West Florida.....	90,832,835
University of Central Florida.....	234,246,160
Florida International University.....	176,692,113
University of North Florida.....	70,662,450
Florida Gulf Coast University.....	58,300,315
New College of Florida.....	23,137,853
Florida Polytechnic University.....	36,322,098
State University Performance Based Incentives.....	525,000,000
Johnson Matching Grant.....	237,500
Preeminent State Research Universities.....	40,000,000
Emerging Preeminent State Research Universities.....	10,000,000
Team Grants.....	55,000,000

Funds provided in Specific Appropriation 141, as listed above, include allocations for the following university initiatives:

Florida Agricultural and Mechanical University

Increasing Online Course Offerings.....	2,000,000
Florida Atlantic University	
Secondary Robotics Team Support.....	250,000
Drug Discovery and Translation Research Partnership with Scripps Florida.....	2,972,896
Postdoctoral Research Program Partnership with Scripps Florida.....	1,400,000
Honors College.....	386,538
Florida Gulf Coast University	
Target Existing Talent Gaps.....	2,234,361
Honors College.....	1,500,000
Florida International University	
UP:LIFT(University Paradigm: Learn, Interact, Facilitate) StartUP.....	3,000,000 500,000
Florida State University	
Health Equity Research Institute.....	1,000,000
Next Generation Ultra-High Field Magnets.....	300,000
Center for Advanced Power Systems Expansion and Diversification.....	750,000
University of Central Florida	
Advanced Manufacturing Sensor Project (BRIDG).....	5,000,000
Florida FIRST Robotics Team Grant.....	250,000
Incubator.....	1,000,000
PTSD Clinic for Florida Veterans and First Responders....	1,250,000
University of Florida	
Lastinger Center for Learning Algebra Nation.....	200,000
Lastinger Center for Learning Math Nation.....	200,000
St. Augustine Historic Building Roof Replacements.....	250,000
Infrastructure for Zika Research.....	2,000,000
Institute for Comparative Veterinary Diagnostics.....	2,000,000
Lastinger Center Ensuring Access to Abuse Prevention and Trauma Informed Care Techniques for Florida Child Care and School	
Instructional Personnel.....	30,000
University of North Florida	
Highly Effective Teacher Grant.....	700,000
University of South Florida	
Collaborative-Problem Based Learning Educational Enhancement Program.....	2,000,000
University of South Florida, Sarasota/Manatee	
Programs of Strategic Importance.....	2,500,000
Small Business Development Center.....	5,000,000
University of South Florida, St. Petersburg	
Citizen Scholar Partnership.....	263,458
Midtown Early Care and Education Collaborative.....	750,000
University of West Florida	
Intelligent Systems and Robotics Ph.D. Program.....	500,000

In Section 02 On Page 040

140 Aid To Local Governments 050333
Grants And Aids - Moffitt Cancer Center

1000 General Revenue Fund
CA -30,000 FSI1NR -30,000

10,976,930

10,946,930

Following Specific Appropriation 140, DELETE:

From the funds provided in Specific Appropriation 140, \$400,000 is provided to the Coalition for Medicinal Cannabis Research and Education within the Moffitt Cancer Center. Funds provided are contingent upon Senate Bill 1472 or similar legislation becoming law.

AND INSERT:

From the funds provided in Specific Appropriation 140, \$370,000 is provided to the Coalition for Medicinal Cannabis Research and Education within the Moffitt Cancer Center. Funds provided are contingent upon Senate Bill 1472 or similar legislation becoming law.

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.



Florida Senate - 2017

SPB2500

Committee

AHS

Amendment

111

The Committee on Appropriations (**Braynon**) recommended the following LATE FILED amendment:

Section: 03	<u>EXPLANATION:</u> Transfers \$100,000 in nonrecurring general revenue funds from the Expenses category in the Department of Health to the Center for Haitian Studies to expand access to primary health care in Little Haiti in Miami.
On Page: 087	
Spec App: 421	

<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount

DELETE

Positions & Amount

INSERT

HEALTH, DEPARTMENT OF
Program: Executive Direction And Support
Administrative Support 64100200

421 In Section 03 On Page 087
Expenses 040000 IOEA

1000 General Revenue Fund
CA -100,000 FSI1NR -100,000

3,335,516

3,235,516

DELETE the proviso immediately following Specific Appropriation 421:

From the funds in Specific Appropriation 421, \$2,600,000 in nonrecurring funds from the General Revenue Fund and \$2,127,735 from the Administrative Trust Fund are provided to upgrade the bandwidth at the lowest performing sites within the department. Any remaining funds shall be used to upgrade the bandwidth at sites with the most occurrences of excessive latency in the previous fiscal year.

AND INSERT:

From the funds in Specific Appropriation 421, \$2,500,000 in nonrecurring funds from the General Revenue Fund and \$2,127,735 from the Administrative Trust Fund are provided to upgrade the bandwidth at the lowest performing sites within the department. Any remaining funds shall

be used to upgrade the bandwidth at sites with the most occurrences of excessive latency in the previous fiscal year.

Program: Community Public Health
Community Health Promotion 64200100

447 In Section 03 On Page 090
Special Categories 100778
Grants And Aids - Contracted Services IOEB

1000	General Revenue Fund	24,389,267	24,489,267
CA 100,000	FSI1NR 100,000		

AND INSERT:

Center for Haitian Studies 100,000

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.

DEPARTMENT	PAGE
SECTION 1 - EDUCATION ENHANCEMENT EDUCATION, DEPARTMENT OF	1
SECTION 2 - EDUCATION (ALL OTHER FUNDS) EDUCATION, DEPARTMENT OF	6
SECTION 3 - HUMAN SERVICES AGENCY FOR HEALTH CARE ADMINISTRATION AGENCY FOR PERSONS WITH DISABILITIES CHILDREN AND FAMILIES, DEPARTMENT OF ELDER AFFAIRS, DEPARTMENT OF HEALTH, DEPARTMENT OF VETERANS' AFFAIRS, DEPARTMENT OF	46 59 66 82 87 105
SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS CORRECTIONS, DEPARTMENT OF FLORIDA COMMISSION ON OFFENDER REVIEW JUSTICE ADMINISTRATION JUVENILE JUSTICE, DEPARTMENT OF LAW ENFORCEMENT, DEPARTMENT OF LEGAL AFFAIRS, DEPARTMENT OF, AND ATTORNEY GENERAL	109 128 129 170 182 193
SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION AGRICULTURE AND CONSUMER SERVICES, DEPARTMENT OF, AND COMMISSIONER OF AGRICULTURE ENVIRONMENTAL PROTECTION, DEPARTMENT OF FISH AND WILDLIFE CONSERVATION COMMISSION TRANSPORTATION, DEPARTMENT OF	202 218 243 256
SECTION 6 - GENERAL GOVERNMENT ADMINISTERED FUNDS BUSINESS AND PROFESSIONAL REGULATION, DEPARTMENT OF CITRUS, DEPARTMENT OF ECONOMIC OPPORTUNITY, DEPARTMENT OF FINANCIAL SERVICES, DEPARTMENT OF GOVERNOR, EXECUTIVE OFFICE OF THE HIGHWAY SAFETY AND MOTOR VEHICLES, DEPARTMENT OF LEGISLATIVE BRANCH LOTTERY, DEPARTMENT OF THE MANAGEMENT SERVICES, DEPARTMENT OF MILITARY AFFAIRS, DEPARTMENT OF PUBLIC SERVICE COMMISSION REVENUE, DEPARTMENT OF STATE, DEPARTMENT OF	271 273 287 289 305 329 335 343 345 346 368 372 375 380
SECTION 7 - JUDICIAL BRANCH STATE COURT SYSTEM ITEMIZATION OF EXPENDITURE TOTALS SUMMARY BY SECTION SUMMARY FOR ALL SECTIONS SUMMARY BY SECTION BY DEPARTMENT	390 418 419 427 429

A bill to be entitled

An act making appropriations; providing moneys for the annual period beginning July 1, 2017, and ending June 30, 2018, and supplemental appropriations for the period ending June 30, 2017, to pay salaries and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing effective dates.

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

The moneys contained herein are appropriated from the named funds for Fiscal Year 2017-2018 to the state agency indicated, as the amounts to be used to pay the salaries, other operational expenditures, and fixed capital outlay of the named agencies, and are in lieu of all moneys appropriated for these purposes in other sections of the Florida Statutes.

SECTION 1 - EDUCATION ENHANCEMENT "LOTTERY" TRUST FUND

The moneys contained herein are appropriated from the Education Enhancement "Lottery" Trust Fund to the state agencies indicated.

EDUCATION, DEPARTMENT OF

Funds provided in sections 1 and 2 of this act as Grants and Aids-Special Categories or as Grants and Aids-Aid to Local Governments may be advanced quarterly throughout the fiscal year based on projects, grants, contracts, and allocation conference documents. Of the funds provided in Specific Appropriations 62, 66A, 66B, 67A, 67B, 70 through 75, and 150, 60 percent of general revenue shall be released at the beginning of the first quarter and the balance at the beginning of the third quarter.

No funds are appropriated in Specific Appropriations 1 through 161 and sections 9 through 23 for the payment of rent, lease or possession of space for offices or any other purpose or use at Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida, pursuant to State of Florida Lease Nos. 720:0139, 480:0570, 480:0644 or 480:M139, or Florida State University Lease No. 2011:101, or any other lease, by the Department of Education or any state university, notwithstanding any lease or contract to the contrary. The Department of Education and all state universities are prohibited from expending any specific appropriation from the General Revenue Fund, any trust fund or from any other source for the rent, lease or possession of any space for offices or other purpose or use at Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida, pursuant to State of Florida Lease Nos. 720:0139, 480:0570, 480:0644 or 480:M139, or Florida State University Lease No. 2011:101, or any other lease.

PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY

1	FIXED CAPITAL OUTLAY CLASSROOMS FIRST AND 1997 SCHOOL CAPITAL OUTLAY BOND PROGRAMS - OPERATING FUNDS AND DEBT SERVICE FROM EDUCATIONAL ENHANCEMENT TRUST FUND	170,305,246

Funds in Specific Appropriation 1 are for the cash and debt service requirements of the Classrooms First and 1997 School Capital Outlay Bond programs established in chapter 97-384, Laws of Florida.

Funds in Specific Appropriation 1 shall be transferred using nonoperating budget authority into the Lottery Capital Outlay and Debt Service Trust Fund, pursuant to section 1013.71, Florida Statutes, for the payment of debt service and projects. There is appropriated from the Lottery Capital Outlay and Debt Service Trust Fund, an amount sufficient to enable the payment of debt service and projects resulting from these transfers.

2	FIXED CAPITAL OUTLAY DEBT SERVICE - CLASS SIZE REDUCTION LOTTERY CAPITAL OUTLAY PROGRAM FROM EDUCATIONAL ENHANCEMENT TRUST FUND	143,845,811

SECTION 1 - EDUCATION ENHANCEMENT

Funds in Specific Appropriation 2 shall be transferred using nonoperating budget authority into the Lottery Capital Outlay and Debt Service Trust Fund, pursuant to section 1013.71, Florida Statutes, for the payment of debt service. There is appropriated from the Lottery Capital Outlay and Debt Service Trust Fund, an amount sufficient to enable the payment of debt service resulting from these transfers.

Funds in Specific Appropriation 2 are for Fiscal Year 2017-2018 debt service on all bonds authorized pursuant to section 1013.737, Florida Statutes, for class size reduction, including any other continuing payments necessary or incidental to the repayment of the bonds. These funds may be used to refinance any or all bond series if it is in the best interest of the state as determined by the Division of Bond Finance.

3 FIXED CAPITAL OUTLAY
EDUCATIONAL FACILITIES
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 6,649,530

Funds in Specific Appropriation 3 for educational facilities are provided for debt service requirements associated with bond proceeds from the Lottery Capital Outlay and Debt Service Trust Fund included in Specific Appropriations 17 and 17A of chapter 2012-118, Laws of Florida, authorized pursuant to section 1013.737, Florida Statutes.

Funds in Specific Appropriation 3 shall be transferred, using nonoperating budget authority, to the Lottery Capital Outlay and Debt Service Trust Fund. There is hereby appropriated from the Lottery Capital Outlay and Debt Service Trust Fund an amount sufficient to enable the payment of debt service resulting from these transfers.

TOTAL: PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY
FROM TRUST FUNDS 320,800,587

TOTAL ALL FUNDS 320,800,587

OFFICE OF STUDENT FINANCIAL ASSISTANCE

PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE

4 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA'S BRIGHT FUTURES
SCHOLARSHIP PROGRAM
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 397,282,030

From the funds in Specific Appropriation 4, \$39,465,544, along with any unexpended funds from the fall and spring term award disbursements, is provided for 2018 summer term awards for Academic Scholars only at 100 percent of tuition and applicable fees, as specified in Senate Bill 2 or similar legislation.

From the funds in Specific Appropriation 4, the Bright Futures award per credit hour or credit hour equivalent for the 2017-2018 academic year shall be as follows:

Academic Scholars shall receive an award equal to 100 percent of tuition and applicable fees, and an additional \$300 each fall and spring semester for textbooks and college-related expenses, as specified in Senate Bill 2 or similar legislation.

Medallion Scholars

4-Year Institutions.....\$ 77
2-Year Institutions.....\$ 63
Upper-Division Programs at Florida Colleges....\$ 53
Career/Technical Centers.....\$ 39

Gold Seal Vocational Scholars and CAPE Vocational Scholars

Career Certificate Program.....\$ 39
Applied Technology Diploma Program.....\$ 39
Technical Degree Education Program.....\$ 48

Gold Seal CAPE Vocational Scholars

Bachelor of Science Program with Statewide
Articulation Agreement.....\$ 48

SECTION 1 - EDUCATION ENHANCEMENT

Florida College System Bachelor of Applied
Science Program.....\$ 48

The additional stipend for Top Scholars shall be \$44 per credit hour.

6 FINANCIAL ASSISTANCE PAYMENTS
STUDENT FINANCIAL AID
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 59,401,461

Funds in Specific Appropriation 6 are allocated in Specific Appropriation 73. These funds are provided for Florida Student Assistance Grant (FSAG) public full-time and part-time programs.

TOTAL: PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE
FROM TRUST FUNDS 456,683,491

TOTAL ALL FUNDS 456,683,491

PUBLIC SCHOOLS, DIVISION OF

PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP

The calculations of the Florida Education Finance Program (FEFP) for the 2017-2018 fiscal year are incorporated by reference in Senate Proposed Bill 2502. The calculations are the basis for the appropriations made in the General Appropriations Act in Specific Appropriations 7, 8, 9, 91, and 92.

7 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FLORIDA EDUCATIONAL
FINANCE PROGRAM
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 402,768,141

Funds provided in Specific Appropriation 7 are allocated in Specific Appropriation 91.

8 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - CLASS SIZE REDUCTION
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 103,776,356

Funds in Specific Appropriations 8 and 92 are provided to implement the requirements of sections 1003.03 and 1011.685, Florida Statutes. The class size reduction allocation factor for grades prekindergarten to grade 3 shall be \$1,319.08, for grades 4 to 8 shall be \$899.75, and for grades 9 to 12 shall be \$901.92. The class size reduction allocation shall be recalculated based on enrollment through the October 2017 FTE survey except as provided in section 1003.03(4), Florida Statutes. If the total class size reduction allocation is greater than the appropriation in Specific Appropriations 8 and 92, funds shall be prorated to the level of the appropriation based on each district's calculated amount. The Commissioner of Education may withhold disbursement of these funds until a district is in compliance with reporting information required for class size reduction implementation.

9 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - DISTRICT LOTTERY AND
SCHOOL RECOGNITION PROGRAM
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 134,582,877

Funds in Specific Appropriation 9 are provided for the Florida School Recognition Program to be allocated as awards of up to \$100 per student to qualified schools pursuant to section 1008.36, Florida Statutes.

If there are funds remaining after payment to qualified schools, the balance shall be allocated as discretionary lottery funds to all school districts based on each district's K-12 base funding. From these funds, school districts shall allocate up to \$5 per unweighted student to be used at the discretion of the school advisory council pursuant to section 24.121(5), Florida Statutes. If funds are insufficient to provide \$5 per student, the available funds shall be prorated.

SECTION 1 - EDUCATION ENHANCEMENT

TOTAL: PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP
FROM TRUST FUNDS 641,127,374

TOTAL ALL FUNDS 641,127,374

PROGRAM: WORKFORCE EDUCATION

10 AID TO LOCAL GOVERNMENTS
WORKFORCE DEVELOPMENT
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 74,906,943

Funds in Specific Appropriation 10 are allocated in Specific
Appropriation 122. These funds are provided for school district
workforce education programs as defined in section 1004.02(25), Florida
Statutes.

FLORIDA COLLEGES, DIVISION OF

PROGRAM: FLORIDA COLLEGES

11 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FLORIDA COLLEGE SYSTEM
PROGRAM FUND
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 231,751,579

The funds in Specific Appropriation 11 shall be allocated as
follows:

Eastern Florida State College.....	8,757,043
Broward College.....	17,621,992
College of Central Florida.....	4,869,873
Chipola College.....	2,750,442
Daytona State College.....	10,603,679
Florida SouthWestern State College.....	6,450,360
Florida State College at Jacksonville.....	15,920,983
Florida Keys Community College.....	1,347,213
Gulf Coast State College.....	4,434,389
Hillsborough Community College.....	11,725,318
Indian River State College.....	9,707,342
Florida Gateway College.....	2,772,650
Lake-Sumter State College.....	2,727,807
State College of Florida, Manatee-Sarasota.....	4,643,537
Miami-Dade College.....	35,931,177
North Florida Community College.....	1,492,891
Northwest Florida State College.....	3,953,580
Palm Beach State College.....	11,596,479
Pasco-Hernando State College.....	5,582,110
Pensacola State College.....	7,138,462
Polk State College.....	5,546,564
Saint Johns River State College.....	3,649,883
Saint Petersburg College.....	14,231,049
Santa Fe College.....	7,293,150
Seminole State College of Florida.....	7,809,760
South Florida State College.....	3,264,719
Tallahassee Community College.....	6,512,031
Valencia College.....	13,617,096

UNIVERSITIES, DIVISION OF

PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES

Funds in Specific Appropriations 12 through 16 shall be expended in
accordance with operating budgets which must be approved by each
university's board of trustees.

12 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - EDUCATION AND GENERAL
ACTIVITIES
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 229,344,945

Funds in Specific Appropriation 12 shall be allocated as follows:

University of Florida..... 42,170,813

SECTION 1 - EDUCATION ENHANCEMENT

Florida State University.....	35,233,672
Florida A&M University.....	13,304,267
University of South Florida.....	31,435,222
University of South Florida, St. Petersburg.....	1,388,156
University of South Florida, Sarasota/Manatee.....	1,181,138
Florida Atlantic University.....	18,696,001
University of West Florida.....	7,054,953
University of Central Florida.....	32,260,049
Florida International University.....	27,579,460
University of North Florida.....	11,487,992
Florida Gulf Coast University.....	6,383,204
New College of Florida.....	926,870
Florida Polytechnic University.....	243,148

13 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - IFAS (INSTITUTE OF FOOD
AND AGRICULTURAL SCIENCE)
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 12,533,877

14 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - UNIVERSITY OF SOUTH
FLORIDA MEDICAL CENTER
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 9,349,672

15 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - UNIVERSITY OF FLORIDA
HEALTH CENTER
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 5,796,416

16 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FLORIDA STATE UNIVERSITY
MEDICAL SCHOOL
FROM EDUCATIONAL ENHANCEMENT TRUST
FUND 605,115

TOTAL: PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES
FROM TRUST FUNDS 257,630,025

TOTAL ALL FUNDS 257,630,025

TOTAL OF SECTION 1

FROM TRUST FUNDS 1,982,899,999

TOTAL ALL FUNDS 1,982,899,999

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

SPECIFIC
APPROPRIATION

The moneys contained herein are appropriated from the named funds to the Department of Education as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay.

EDUCATION, DEPARTMENT OF

PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY

The Legislature hereby finds and determines that the items and sums designated in Specific Appropriations 18 through 22, and 25 through 26 from the Public Education Capital Outlay and Debt Service Trust Fund constitute authorized capital outlay projects within the meaning and as required by section 9(a)(2), Article XII of the State Constitution, as amended, and any other law. In accordance therewith, the moneys in the following items are authorized to be expended for the enumerated authorized capital outlay projects.

The sum designated for each project is the maximum sum to be expended for each specified phase of the project from funds accruing under section 9(a)(2), Article XII of the State Constitution. The scope of each project shall be planned so that the amounts specified shall not be exceeded, or any excess in costs shall be funded by sources other than this appropriation. Such excess costs may be funded from the Public Education Capital Outlay and Debt Service Trust Fund only as a result of fund transfers pursuant to section 216.292 (4)(c), Florida Statutes. Each project shall be constructed on the site specified. If existing facilities and acquisition of new sites are a part of these projects, each such building and site must be certified to be free of contamination, asbestos, and other hazardous materials before the facility or site may be acquired. The provisions of section 216.301 (2), Florida Statutes, shall apply to all capital outlay funds appropriated from the Public Education Capital Outlay and Debt Service Trust Fund for the Fiscal Year 2017-2018 in Specific Appropriations 18 through 22 and 25 through 26.

The Governor's Office of Policy and Budget shall establish Fixed Capital Outlay budget authority within appropriate accounts to enable expenditure of funds appropriated for the state universities, the Florida School for the Deaf and the Blind, the Division of Blind Services, public broadcasting, public school districts, technical colleges and Florida colleges.

17	FIXED CAPITAL OUTLAY	
	STATE UNIVERSITY SYSTEM CAPITAL	
	IMPROVEMENT FEE PROJECTS	
	FROM CAPITAL IMPROVEMENTS FEE	
	TRUST FUND	45,000,000

Funds in Specific Appropriation 17 shall be allocated by the Board of Governors to the universities on a pro rata distribution basis in accordance with the Board of Governors Legislative Budget Request for funding from the Capital Improvements Fee Trust Fund, as approved January 26, 2017. Each board of trustees shall report to the Board of Governors the funding it allocates to each specific project.

18	FIXED CAPITAL OUTLAY	
	MAINTENANCE, REPAIR, RENOVATION, AND	
	REMODELING	
	FROM GENERAL REVENUE FUND	3,000,000
	FROM PUBLIC EDUCATION CAPITAL	
	OUTLAY AND DEBT SERVICE TRUST FUND	233,628,759

Funds in Specific Appropriation 18 shall be allocated as follows:

Charter Schools.....	75,000,000
Public Schools.....	75,000,000
Florida College System.....	38,066,518
State University System.....	45,562,241
Public Schools High Growth.....	3,000,000

Funds in Specific Appropriation 18 from the Public Education Capital Outlay and Debt Service Trust Fund for colleges and universities shall be distributed in accordance with section 1013.64(1), Florida

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

Statutes.

From the funds in Specific Appropriation 18 \$3,000,000 in General Revenue funding is provided for the High Growth Capital Outlay Assistance Grant Program as authorized by s. 1013.738, Florida Statutes. For purposes of determining capital outlay FTE growth, the prior five fiscal years are 2011-2012 through 2015-2016 with a base year of 2010-2011.

19	FIXED CAPITAL OUTLAY	
	SURVEY RECOMMENDED NEEDS - PUBLIC SCHOOLS	
	FROM GENERAL REVENUE FUND	7,500,000
	FROM PUBLIC EDUCATION CAPITAL	
	OUTLAY AND DEBT SERVICE TRUST FUND	5,754,897

Funds in Specific Appropriation 19 from the Public Education Capital Outlay and Debt Trust Fund shall be distributed among the lab schools approved pursuant to section 1002.32, Florida Statutes, based upon full-time equivalent student membership.

From the funds in Specific Appropriation 19, \$7,500,000 is provided from general revenue for the Florida State University School Arts and Sciences Building (STEAM). These funds are contingent upon Florida State University contributing a dollar for dollar match for the construction of this facility. The Department of Education shall review and approve the proposed facility construction pursuant to section 1013.03 Florida Statutes.

20	FIXED CAPITAL OUTLAY	
	FLORIDA COLLEGE SYSTEM PROJECTS	
	FROM GENERAL REVENUE FUND	923,168
	FROM PUBLIC EDUCATION CAPITAL	
	OUTLAY AND DEBT SERVICE TRUST FUND	128,318,233

Funds in Specific Appropriation 20 shall be allocated as follows:

CHIPOLA COLLEGE	
Ren/Chiller Underground Utilities-Marianna.....	526,541
COLLEGE OF CENTRAL FLORIDA	
Health Science Technology Education Ctr-Ocala.....	5,000,000
DAYTONA STATE COLLEGE	
Const Clsrn/Lab/Office, site imp-Deltona.....	1,230,000
Rem/Ren Lenholt Building.....	1,740,000
EASTERN FLORIDA STATE COLLEGE	
Center for Innovative Technology and-Education-Melbourne..	2,000,000
FLORIDA GATEWAY COLLEGE	
Olustee Campus Public Safety Facility.....	400,000
FLORIDA SOUTHWESTERN STATE COLLEGE	
Rem/Ren Bldgs 4,7,10,26,30 - Lee.....	6,350,000
GULF COAST STATE COLLEGE	
Construct STEM Bldg (Replace Bldg 12)-Panama City.....	15,373,326
INDIAN RIVER STATE COLLEGE	
Rem/Ren Fac No. 8 Industrial Tech - Main.....	9,911,724
MIAMI DADE COLLEGE	
Rem/Ren/New/Clsrms/Labs/Sup Svcs-West.....	5,402,820
Rem/Ren Fac 14 (Gym) for Justice Center-North.....	5,000,000
NORTH FLORIDA COMMUNITY COLLEGE	
Rem/Add Bldg 13 Tech Cntr Manufacturing Program-Madison...	1,500,000
Rem/Ren Bldgs 7 & 8Clsrn/Lab-Madison.....	3,094,530
NORTHWEST FLORIDA STATE COLLEGE	
Hot and Chill Water Utilities Plant Upgrades-Niceville,	
Ft. Walton.....	3,200,000
NORTHWEST FLORIDA STATE COLLEGE	
Rem/Ren Building 310 Engineering Tech Labs-Niceville.....	2,741,149
PALM BEACH STATE COLLEGE	
Dental & Medical Services Technology Bldg (Replace Bldgs	
115 & 230)-Lake Worth.....	10,828,692
PASCO HERNANDO STATE COLLEGE	
Remodel Bldgs A thru E w/addition & chiller plant-West....	2,551,797
PENSACOLA STATE COLLEGE	
Baars Classroom Bldg (Replace Bldg 1)-Main.....	17,099,774
POLK STATE COLLEGE	
Rem/Ren Bldg 4 Classroom/Lab-Winter Haven.....	4,600,000
Renovate Campus Chiller Plant System Phase I.....	2,500,000
SANTA FE COLLEGE	
Const Clsrn, Lab, & Library Bldg-Blount.....	5,475,998
SEMINOLE STATE COLLEGE OF FLORIDA	

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

Rem/Ren Bldgs L & F Clsrn/Lab/Office-Sanford/Lk Mary.....	5,265,050
ST. JOHNS RIVER STATE COLLEGE	
Ren/Add Labs & Supp Srvc Bldg 1009-Palatka.....	6,000,000
ST. PETERSBURG COLLEGE	
Student Success Center - Gibbs Campus.....	10,000,000
SOUTH FLORIDA STATE COLLEGE	
Ren/Upgrade Mech Infrastructure-Collegewide.....	1,450,000

21 FIXED CAPITAL OUTLAY	
STATE UNIVERSITY SYSTEM PROJECTS	
FROM PUBLIC EDUCATION CAPITAL	
OUTLAY AND DEBT SERVICE TRUST FUND	175,969,229

Funds in Specific Appropriation 21 shall be allocated as follows:

FLORIDA A & M UNIVERSITY	
Student Affairs Building (CASS).....	12,395,653
FLORIDA ATLANTIC UNIVERSITY	
Jupiter STEM/Life Sciences Bldg.....	5,850,000
Cooling Towers Replacement - Utility Infrastructure.....	3,500,000
FLORIDA GULF COAST UNIVERSITY	
School of Water Resources & Integrated Sciences.....	20,000,000
FLORIDA INTERNATIONAL UNIVERSITY	
Engineering Building Phase I & II.....	3,536,976
School of International & Public Affairs.....	3,000,000
Strategic Land Acquisition.....	4,000,000
FLORIDA STATE UNIVERSITY	
Earth Ocean Atmospheric Sciences Building, Phase I.....	24,000,000
College of Business Building.....	7,000,000
Interdisciplinary Research Commercialization Building.....	10,000,000
Stem Teaching Lab.....	5,000,000
Land Acquisition.....	5,000,000
NEW COLLEGE OF FLORIDA	
Heiser Natural Science Addition.....	1,850,600
Multi-Purpose Building.....	4,000,000
UNIVERSITY OF CENTRAL FLORIDA	
Engineering Building I Renovation.....	10,000,000
Interdisciplinary Research & Incubator Facility.....	3,000,000
College of Nursing and Allied Health.....	3,000,000
UNIVERSITY OF FLORIDA	
Music Building.....	10,000,000
Nuclear Science Building Reno/Addition (Engineering Nexus)	8,650,000
UNIVERSITY OF NORTH FLORIDA	
Schultz Hall Bldg. 9 Renovations.....	3,000,000
Science & Engineering Bldg. 50 Renovations.....	5,000,000
UNIVERSITY OF SOUTH FLORIDA	
Morsani College of Medicine and Heart Health Institute....	16,626,000
Rem/Ren Davis Hall - St. Pete.....	3,100,000
UNIVERSITY OF WEST FLORIDA	
Laboratory Sciences Annex (Phase I).....	4,460,000

22 FIXED CAPITAL OUTLAY	
SPECIAL FACILITY CONSTRUCTION ACCOUNT	
FROM PUBLIC EDUCATION CAPITAL	
OUTLAY AND DEBT SERVICE TRUST FUND	50,812,269

Funds in Specific Appropriation 22 shall be allocated in accordance with section 1013.64(2), Florida Statutes, to the following projects:

Dixie (final year).....	8,900,000
Hamilton (3rd and final year).....	10,128,694
Taylor (2nd of 3 years)	6,662,873
Liberty (1st of 3 years).....	6,060,895
Jackson (1st of 3 years).....	19,059,807

23 FIXED CAPITAL OUTLAY	
DEBT SERVICE	
FROM CAPITAL IMPROVEMENTS FEE	
TRUST FUND	16,150,150
FROM PUBLIC EDUCATION CAPITAL	
OUTLAY AND DEBT SERVICE TRUST FUND	875,198,924
FROM SCHOOL DISTRICT AND COMMUNITY	
COLLEGE DISTRICT CAPITAL OUTLAY	
AND DEBT SERVICE TRUST FUND	50,018,183

Funds in Specific Appropriation 23 from the School District and

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

Community College District Capital Outlay and Debt Service Trust Fund are for Fiscal Year 2017-2018 debt service on bonds authorized pursuant to the School Capital Outlay Amendment, subsection (d), section 9, Article XII of the State Constitution, and any other continuing payments necessary or incidental to the repayment of the bonds. These funds may be used to refinance any or all series if it is in the best interest of the state as determined by the Division of Bond Finance. If the debt service appropriated for this program in Specific Appropriation 23 is insufficient due to interest rate changes, issuance timing, or other circumstances, the amount of the insufficiency is appropriated from the School District and Community College District Capital Outlay and Debt Service Trust Fund.

24 FIXED CAPITAL OUTLAY	
GRANTS AND AIDS - SCHOOL DISTRICT AND	
COMMUNITY COLLEGE	
FROM SCHOOL DISTRICT AND COMMUNITY	
COLLEGE DISTRICT CAPITAL OUTLAY	
AND DEBT SERVICE TRUST FUND	76,000,000

25 FIXED CAPITAL OUTLAY	
FLORIDA SCHOOL FOR THE DEAF AND BLIND -	
CAPITAL PROJECTS	
FROM PUBLIC EDUCATION CAPITAL	
OUTLAY AND DEBT SERVICE TRUST FUND	2,210,366

26 FIXED CAPITAL OUTLAY	
PUBLIC BROADCASTING PROJECTS	
FROM PUBLIC EDUCATION CAPITAL	
OUTLAY AND DEBT SERVICE TRUST FUND	3,152,206

Funds in Specific Appropriation 26 are provided for the following projects to correct health and safety issues at public broadcasting stations:

WGCU-TV/FM, Ft. Myers - Transmission Tower Replacement.....	1,795,000
WXEL-TV, Boynton Beach - Exterior Re-Glazing.....	501,592
WFSU-TV/FM, Tallahassee - Replace Studio Lighting.....	650,000
WUCF-TV, Orlando - Repair Transmitter Building.....	80,614
WEDU-TV, Tampa - Upgrade HVAC System.....	125,000

26A FIXED CAPITAL OUTLAY	
STATE UNIVERSITY SYSTEM FACILITY	
ENHANCEMENT CHALLENGE GRANTS	
FROM GENERAL REVENUE FUND	4,326,742

Funds in Specific Appropriation 26A shall be allocated as follows:

FLORIDA GULF COAST UNIVERSITY	
Engineering Classroom (E).....	596,000
UNIVERSITY OF CENTRAL FLORIDA	
Performing Arts Classroom/Office (E).....	144,652
Caracol in Belize Science Classroom/Labs (P,C,E).....	350,000
Arts Complex II Enhancement (P,C).....	500,000
Engineering III Enhancement (E).....	2,394,463
Physical Science Building (E).....	1,162
UNIVERSITY OF NORTH FLORIDA	
Science and Engineering Building #50 (E).....	337,624
Social Science Building (E).....	2,841

26B GRANTS AND AIDS TO LOCAL GOVERNMENTS AND	
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY	
GRANTS AND AIDS - NON-PUBLIC HIGHER	
EDUCATION PROJECT	
FROM GENERAL REVENUE FUND	1,000,000

Funds in Specific Appropriation 26B are provided for the Restoration/Rehabilitation of the Flagler College Hotel Ponce De Leon/Molly Wiley Art Building.

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

TOTAL: PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	16,749,910	
FROM TRUST FUNDS		1,662,213,216
TOTAL ALL FUNDS		1,678,963,126

VOCATIONAL REHABILITATION

For funds in Specific Appropriations 27 through 41 for the Vocational Rehabilitation Program, the Department of Education is the designated state agency for purposes of compliance with the Federal Rehabilitation Act of 1973, as amended.

If the department identifies additional resources that may be used to maximize federal matching funds for the Vocational Rehabilitation Program, the department shall submit a budget amendment prior to the expenditure of the funds, in accordance with the provisions of chapter 216, Florida Statutes.

APPROVED SALARY RATE	34,898,207	
27 SALARIES AND BENEFITS POSITIONS	884.00	
FROM GENERAL REVENUE FUND	9,921,934	
FROM ADMINISTRATIVE TRUST FUND . .		213,526
FROM FEDERAL REHABILITATION TRUST FUND		37,877,193
28 OTHER PERSONAL SERVICES		
FROM FEDERAL REHABILITATION TRUST FUND		1,481,007
29 EXPENSES		
FROM GENERAL REVENUE FUND	6,686	
FROM FEDERAL REHABILITATION TRUST FUND		10,401,716
30 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - ADULTS WITH DISABILITIES FUNDS		
FROM GENERAL REVENUE FUND	6,448,567	

Funds in Specific Appropriation 30 shall be allocated as follows:

Recurring Funds:

Inclusive Transition and Employment Management Program (ITEM).....	750,000
Flagler Adults with Disabilities Program.....	535,892
Jackson Adults with Disabilities Program.....	1,019,247
Miami-Dade Adults with Disabilities Program.....	1,125,208
Sumter Adults with Disabilities Program.....	42,500
Palm Beach Habilitation Center.....	225,000
Adults with Disabilities - Helping People Succeed.....	109,000
Broward County Public Schools Adults with Disabilities.....	800,000
Daytona State College Adults with Disabilities Program.....	70,000
Gulf Adults with Disabilities Program.....	35,000
Leon Adults with Disabilities Program.....	225,000
Taylor Adults with Disabilities Program.....	42,500
Wakulla Adults with Disabilities Program.....	42,500

Nonrecurring Funds:

Inclusive Transition and Employment Management Program (ITEM).....	750,000
Brevard Adults with Disabilities	199,714
Pathway to Possibilities Program.....	90,000
Manatee/Sarasota Adults with Disabilities Basic Education..	137,000
The WOW Center.....	250,000

Funds provided in Specific Appropriation 30 for the Inclusive Transition and Employment Management Program (ITEM) shall be used to provide young adults with disabilities who are between the ages of 16 and 28 with transitional skills, education, and on-the-job experience to allow them to acquire and retain permanent employment.

31 AID TO LOCAL GOVERNMENTS	
GRANTS AND AIDS - FLORIDA ENDOWMENT	
FOUNDATION FOR VOCATIONAL REHABILITATION	
FROM GENERAL REVENUE FUND	549,823

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

32 OPERATING CAPITAL OUTLAY		
FROM FEDERAL REHABILITATION TRUST FUND		480,986
33 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	618,015	
FROM FEDERAL REHABILITATION TRUST FUND		17,258,886
34 SPECIAL CATEGORIES		
GRANTS AND AIDS - INDEPENDENT LIVING SERVICES		
FROM GENERAL REVENUE FUND	1,232,004	
FROM FEDERAL REHABILITATION TRUST FUND		4,814,789

Funds provided in Specific Appropriation 34 shall be allocated to the Centers for Independent Living and shall be distributed according to the formula in the 2005-2007 State Plan for Independent Living. From the Federal Rehabilitation Trust Fund allocation, \$3,472,193 shall be funded from Social Security reimbursements (program income) provided that the Social Security reimbursements are available.

The State Plan for Independent Living may include provisions related to financial needs testing and financial participation of consumers, as agreed upon by all signatories to the plan.

35 SPECIAL CATEGORIES		
PURCHASED CLIENT SERVICES		
FROM GENERAL REVENUE FUND	31,226,986	
FROM FEDERAL REHABILITATION TRUST FUND		94,090,741
36 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM FEDERAL REHABILITATION TRUST FUND		428,631
37 SPECIAL CATEGORIES		
TENANT BROKER COMMISSIONS		
FROM FEDERAL REHABILITATION TRUST FUND		97,655
38 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	62,889	
FROM ADMINISTRATIVE TRUST FUND		966
FROM FEDERAL REHABILITATION TRUST FUND		231,472
39 DATA PROCESSING SERVICES		
OTHER DATA PROCESSING SERVICES		
FROM GENERAL REVENUE FUND	154,316	
FROM FEDERAL REHABILITATION TRUST FUND		515,762
40 DATA PROCESSING SERVICES		
EDUCATION TECHNOLOGY AND INFORMATION SERVICES		
FROM FEDERAL REHABILITATION TRUST FUND		228,610
41 DATA PROCESSING SERVICES		
NORTHWEST REGIONAL DATA CENTER (NWRDC)		
FROM FEDERAL REHABILITATION TRUST FUND		278,290

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

TOTAL: VOCATIONAL REHABILITATION		
FROM GENERAL REVENUE FUND	50,221,220	
FROM TRUST FUNDS		168,400,230
TOTAL POSITIONS	884.00	
TOTAL ALL FUNDS		218,621,450

BLIND SERVICES, DIVISION OF

APPROVED SALARY RATE	10,091,309

42	SALARIES AND BENEFITS	POSITIONS	289.75	
	FROM GENERAL REVENUE FUND		4,308,277	
	FROM ADMINISTRATIVE TRUST FUND			342,763
	FROM FEDERAL REHABILITATION TRUST FUND			9,560,835
43	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND	151,524		
	FROM FEDERAL REHABILITATION TRUST FUND			301,749
	FROM GRANTS AND DONATIONS TRUST FUND			10,441
44	EXPENSES			
	FROM GENERAL REVENUE FUND	415,191		
	FROM ADMINISTRATIVE TRUST FUND			40,774
	FROM FEDERAL REHABILITATION TRUST FUND			2,473,307
	FROM GRANTS AND DONATIONS TRUST FUND			44,395
45	AID TO LOCAL GOVERNMENTS			
	GRANTS AND AIDS - COMMUNITY REHABILITATION FACILITIES			
	FROM GENERAL REVENUE FUND	847,347		
	FROM FEDERAL REHABILITATION TRUST FUND			4,522,207
46	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND	151,544		
	FROM FEDERAL REHABILITATION TRUST FUND			235,198
47	FOOD PRODUCTS			
	FROM FEDERAL REHABILITATION TRUST FUND			200,000
48	SPECIAL CATEGORIES			
	ACQUISITION OF MOTOR VEHICLES			
	FROM FEDERAL REHABILITATION TRUST FUND			100,000
49	SPECIAL CATEGORIES			
	GRANTS AND AIDS - CLIENT SERVICES			
	FROM GENERAL REVENUE FUND	10,262,902		
	FROM FEDERAL REHABILITATION TRUST FUND			13,481,496
	FROM GRANTS AND DONATIONS TRUST FUND			252,746

The funds in Specific Appropriation 49 include the following:

Recurring General Revenue Funds:	
Florida Association of Agencies Serving the Blind.....	500,000
Lighthouse for the Blind and Visually Impaired - Miami.....	150,000
Lighthouse for the Blind and Visually Impaired - Pasco/Hernando.....	50,000
Nonrecurring General Revenue Funds:	
Florida Association of Agencies Serving the Blind.....	500,000

50	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	56,140	
	FROM FEDERAL REHABILITATION TRUST FUND		725,000

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

51	SPECIAL CATEGORIES		
	GRANTS AND AIDS - INDEPENDENT LIVING SERVICES		
	FROM FEDERAL REHABILITATION TRUST FUND		35,000
52	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	72,552	
	FROM FEDERAL REHABILITATION TRUST FUND		159,519
53	SPECIAL CATEGORIES		
	LIBRARY SERVICES		
	FROM GENERAL REVENUE FUND	89,735	
	FROM GRANTS AND DONATIONS TRUST FUND		100,000
54	SPECIAL CATEGORIES		
	VENDING STANDS - EQUIPMENT AND SUPPLIES		
	FROM FEDERAL REHABILITATION TRUST FUND		4,675,000
	FROM GRANTS AND DONATIONS TRUST FUND		595,000
55	SPECIAL CATEGORIES		
	TENANT BROKER COMMISSIONS		
	FROM FEDERAL REHABILITATION TRUST FUND		18,158
56	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	3,643	
	FROM ADMINISTRATIVE TRUST FUND		2,831
	FROM FEDERAL REHABILITATION TRUST FUND		90,718
57A	DATA PROCESSING SERVICES		
	DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY		
	FROM FEDERAL REHABILITATION TRUST FUND		311
58	DATA PROCESSING SERVICES		
	OTHER DATA PROCESSING SERVICES		
	FROM FEDERAL REHABILITATION TRUST FUND		686,842
59	DATA PROCESSING SERVICES		
	EDUCATION TECHNOLOGY AND INFORMATION SERVICES		
	FROM FEDERAL REHABILITATION TRUST FUND		226,051
60	DATA PROCESSING SERVICES		
	NORTHWEST REGIONAL DATA CENTER (NWRDC)		
	FROM FEDERAL REHABILITATION TRUST FUND		320,398
60A	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY		
	FACILITY REPAIRS MAINTENANCE AND CONSTRUCTION		
	FROM GENERAL REVENUE FUND	1,500,000	

The funds in Specific Appropriation 60A are provided to the Lighthouse for the Blind and Visually Impaired - Pasco/Hernando.

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

TOTAL: BLIND SERVICES, DIVISION OF		
FROM GENERAL REVENUE FUND	17,858,855	
FROM TRUST FUNDS		39,200,739
TOTAL POSITIONS	289.75	
TOTAL ALL FUNDS		57,059,594

PROGRAM: PRIVATE COLLEGES AND UNIVERSITIES

Prior to the disbursement of funds from Specific Appropriations 61, 63, 65, 66A and 66B, each institution shall submit a proposed expenditure plan to the Department of Education pursuant to the requirements of section 1011.521, Florida Statutes.

Institutions receiving funds from Specific Appropriations 61A, 62, and 63 must submit an annual report to the Department of Education detailing the following metrics for Florida resident students: entrance requirements for the year; percentage of students receiving Pell Grants, Bright Futures, and other academic aid; graduation rates; job placement rates, and job placement rates in-field up to 120 days past graduation. The report shall also include information for each institution on the total federal loan amounts disbursed and the total number of students who received federal loans. The report must be submitted by September 1, 2017, and reflect prior academic year statistics.

61 SPECIAL CATEGORIES
GRANTS AND AIDS - MEDICAL TRAINING AND
SIMULATION LABORATORY
FROM GENERAL REVENUE FUND 3,500,000

61A SPECIAL CATEGORIES
EFFECTIVE ACCESS TO STUDENT EDUCATION
GRANT PROGRAM
FROM GENERAL REVENUE FUND 125,449,500

Funds in Specific Appropriation 61A are provided to support 38,015 qualified Florida resident students at \$3,300 per student for tuition assistance pursuant to section 1009.89, Florida Statutes.

The Office of Student Financial Assistance may prorate the award in the second term and provide a lesser amount if the funds appropriated are insufficient to provide a full award to all eligible students. The Office of Student Financial Assistance may also reallocate funds between institutions if an eligible institution fails to reach its 2017-2018 enrollment.

62 SPECIAL CATEGORIES
ABLE GRANTS (ACCESS TO BETTER LEARNING AND
EDUCATION)
FROM GENERAL REVENUE FUND 6,832,500

Funds in Specific Appropriation 62 are provided to support 2,733 qualified Florida resident students at \$2,500 per student for tuition assistance pursuant to section 1009.891, Florida Statutes.

The Office of Student Financial Assistance may prorate the award in the second term and provide a lesser amount if the funds appropriated are insufficient to provide a full award to all eligible students. The Office of Student Financial Assistance may also reallocate funds between institutions if an eligible institution fails to reach its 2017-2018 enrollment.

63 SPECIAL CATEGORIES
GRANTS AND AIDS - HISTORICALLY BLACK
PRIVATE COLLEGES
FROM GENERAL REVENUE FUND 15,216,543

Funds in Specific Appropriation 63 shall be allocated as follows:

Recurring Funds:	
Bethune-Cookman University.....	4,035,111
Edward Waters College.....	3,929,526
Florida Memorial University.....	3,732,048
Library Resources.....	719,858
Nonrecurring Funds:	
Bethune-Cookman University- Petrock College/Health Sciences	500,000

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

Bethune-Cookman University -School of Legal Studies and Social Justice.....	500,000
Florida Memorial University - Cyber Warrior and Engineering Center of Excellence.....	1,800,000

Funds provided in Specific Appropriation 63 shall only be expended for student access and retention or direct instruction purposes.

Funds provided in Specific Appropriation 63 for library resources shall be used for the purchase of books, electronic library resources, online journals, other related library materials and other technology upgrades needed to support institutional academic programs pursuant to section 1006.59, Florida Statutes. Funds for library resources shall be allocated equally to Bethune-Cookman University, Edward-Waters College, and Florida Memorial University.

65 SPECIAL CATEGORIES
GRANTS AND AIDS - PRIVATE COLLEGES AND
UNIVERSITIES
FROM GENERAL REVENUE FUND 5,600,000

Funds in Specific Appropriation 65 shall be allocated as follows:

Recurring Funds:	
Embry Riddle - Aerospace Academy.....	1,500,000
Jacksonville University - EPIC.....	2,000,000
Nonrecurring Funds:	
Hodges University - Identity Fraud Institute.....	175,000
St. Thomas University - Trade and Logistics Center.....	250,000
St. Thomas University School of Law - Human Trafficking Academy.....	175,000
Western Governor's University Florida.....	1,500,000

66A SPECIAL CATEGORIES
GRANTS AND AIDS - NOVA SOUTHEASTERN
UNIVERSITY - HEALTH PROGRAMS
FROM GENERAL REVENUE FUND 1,500,000

Funds are provided in Specific Appropriation 66A to support Florida residents enrolled in the Osteopathic Medicine, Optometry, Pharmacy, and Nursing programs. The university shall submit student enrollment information, by program, to the Department of Education prior to January 1, 2018.

66B SPECIAL CATEGORIES
GRANTS AND AIDS - LECOM / FLORIDA - HEALTH
PROGRAMS
FROM GENERAL REVENUE FUND 2,500,000

Funds in Specific Appropriation 66B shall be used to support Florida residents who are enrolled in the Osteopathic Medicine or the Pharmacy Program at the Lake Erie College of Osteopathic Medicine/Bradenton. The college shall submit enrollment information for Florida residents to the Department of Education prior to January 1, 2018.

Funds provided in Specific Appropriation 66B include \$808,990 from nonrecurring general revenue.

66C GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
FACILITY REPAIRS MAINTENANCE AND
CONSTRUCTION
FROM GENERAL REVENUE FUND 7,484,139

Funds in Specific Appropriation 66C shall be allocated as follows:

Florida Institute of Technology - Center for Advanced Manufacturing and Innovative Design.....	1,484,139
St. Leo University - Public/Private Partnership Building...	4,000,000
Embry Riddle - Eagle Flight Research Center.....	2,000,000

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

TOTAL: PROGRAM: PRIVATE COLLEGES AND UNIVERSITIES
 FROM GENERAL REVENUE FUND 168,082,682
 TOTAL ALL FUNDS 168,082,682

OFFICE OF STUDENT FINANCIAL ASSISTANCE

PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE

67A SPECIAL CATEGORIES
 GRANTS AND AIDS - BENACQUISTO SCHOLARSHIP
 PROGRAM
 FROM GENERAL REVENUE FUND 14,282,138

67B SPECIAL CATEGORIES
 FIRST GENERATION IN COLLEGE MATCHING GRANT
 PROGRAM
 FROM GENERAL REVENUE FUND 10,617,326

From the funds in Specific Appropriation 67B, \$2,654,332 shall be allocated to First Generation in College Matching Grant Programs at Florida colleges for need-based financial assistance as provided in section 1009.701, Florida Statutes. If required matching funds are not raised by participating Florida colleges or state universities by December 1, 2017, the remaining funds shall be reallocated to First Generation in College Matching Grant Programs at Florida colleges or state universities that have remaining unmatched private contributions.

68 SPECIAL CATEGORIES
 PREPAID TUITION SCHOLARSHIPS
 FROM GENERAL REVENUE FUND 7,000,000

69 SPECIAL CATEGORIES
 FLORIDA ABL, INCORPORATED
 FROM GENERAL REVENUE FUND 2,166,000

70 SPECIAL CATEGORIES
 GRANTS AND AIDS - MINORITY TEACHER
 SCHOLARSHIP PROGRAM
 FROM GENERAL REVENUE FUND 917,798

71 SPECIAL CATEGORIES
 GRANTS AND AID - NURSING STUDENT LOAN
 REIMBURSEMENT/ SCHOLARSHIPS
 FROM NURSING STUDENT LOAN
 FORGIVENESS TRUST FUND 1,233,006

72 FINANCIAL ASSISTANCE PAYMENTS
 MARY MCLEOD BETHUNE SCHOLARSHIP
 FROM GENERAL REVENUE FUND 160,500
 FROM STATE STUDENT FINANCIAL
 ASSISTANCE TRUST FUND 160,500

73 FINANCIAL ASSISTANCE PAYMENTS
 STUDENT FINANCIAL AID
 FROM GENERAL REVENUE FUND 218,979,271
 FROM STATE STUDENT FINANCIAL
 ASSISTANCE TRUST FUND 97,099

From the funds in Specific Appropriations 6 and 73, the sum of \$278,477,831 is provided pursuant to the following guidelines:

Florida Student Assistance Grant - Public Full & Part Time..	208,002,403
Florida Student Assistance Grant - Private.....	33,472,277
Florida Student Assistance Grant - Postsecondary.....	23,381,592
Florida Student Assistance Grant - Career Education.....	4,539,240
Children/Spouses of Deceased/Disabled Veterans.....	5,755,150
Florida Work Experience.....	1,569,922
Rosewood Family Scholarships.....	256,747
Honorably Discharged Graduate Assistance Program.....	1,000,000
Florida Farmworker Scholarship Program.....	500,000

Funds in Specific Appropriation 73 for the Honorably Discharged Graduate Assistance Program are provided for supplemental need-based veteran educational benefits. Funds shall be used to assist in the payment of living expenses during holiday and semester breaks for active

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

duty and honorably discharged members of the Armed Forces who served on or after September 11, 2001. To ensure students in both public and private institutions have an opportunity to receive funding, allocations to institutions shall be prorated based on the number of total eligible students at eligible institutions.

From the funds provided in Specific Appropriations 6 and 73, the maximum grant to any student from the Florida Public, Private, Career Education, and Postsecondary Assistance Grant Programs shall be \$2,610.

Institutions that received state funds in Fiscal Year 2016-2017 for student scholarships or grants administered by the Office of Student Financial Assistance shall report federal loan information to the Department of Education prior to December 1, 2017, in a format prescribed by the department. This information shall include, by institution, the total federal loan amounts disbursed and total number of students who received federal loans. Additionally, in a format prescribed by the department, each institution shall report, at the student level, all grants, scholarships, and awards to students who apply for and/or receive state-funded tuition assistance and aid.

74 FINANCIAL ASSISTANCE PAYMENTS
 JOSE MARTI SCHOLARSHIP CHALLENGE GRANT
 FROM GENERAL REVENUE FUND 50,000
 FROM STATE STUDENT FINANCIAL
 ASSISTANCE TRUST FUND 74,000

75 FINANCIAL ASSISTANCE PAYMENTS
 TRANSFER TO THE FLORIDA EDUCATION FUND
 FROM GENERAL REVENUE FUND 3,500,000

TOTAL: PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE
 FROM GENERAL REVENUE FUND 257,673,033
 FROM TRUST FUNDS 1,564,605
 TOTAL ALL FUNDS 259,237,638

PROGRAM: STUDENT FINANCIAL AID PROGRAM - FEDERAL

76 FINANCIAL ASSISTANCE PAYMENTS
 STUDENT FINANCIAL AID
 FROM FEDERAL GRANTS TRUST FUND 100,000

77 FINANCIAL ASSISTANCE PAYMENTS
 TRANSFER DEFAULT FEES TO THE STUDENT LOAN
 GUARANTY RESERVE TRUST FUND
 FROM STUDENT LOAN OPERATING TRUST
 FUND 5,000

TOTAL: PROGRAM: STUDENT FINANCIAL AID PROGRAM - FEDERAL
 FROM TRUST FUNDS 105,000
 TOTAL ALL FUNDS 105,000

EARLY LEARNING

PROGRAM: EARLY LEARNING SERVICES

From the funds in Specific Appropriations 78 through 90, any expenditure from the Temporary Assistance for Needy Families (TANF) Block Grant must be expended in accordance with the requirements and limitations of Part A of Title IV of the Social Security Act, as amended, or any other applicable federal requirement or limitation. Before any funds are released by the Department of Children and Families, each provider shall identify the number of clients to be served and certify their eligibility under Part A of Title IV of the Social Security Act. Funds may not be released for services to any clients except those so identified and certified.

The agency head or a designee shall certify that controls are in place to ensure that such funds are expended in accordance with the requirements and limitations of federal law and that reporting requirements of federal law are met. It shall be the responsibility of any entity to which such funds are appropriated to obtain the required certification prior to any expenditure of funds.

APPROVED SALARY RATE 5,712,450

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78	SALARIES AND BENEFITS	POSITIONS	100.00	
	FROM GENERAL REVENUE FUND		4,304,655	
	FROM CHILD CARE AND DEVELOPMENT			
	BLOCK GRANT TRUST FUND			3,546,910
79	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND		52,078	
	FROM CHILD CARE AND DEVELOPMENT			
	BLOCK GRANT TRUST FUND			90,414
80	EXPENSES			
	FROM GENERAL REVENUE FUND		713,621	
	FROM CHILD CARE AND DEVELOPMENT			
	BLOCK GRANT TRUST FUND			868,048
	FROM WELFARE TRANSITION TRUST FUND .			265,163
81	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND		5,785	
	FROM CHILD CARE AND DEVELOPMENT			
	BLOCK GRANT TRUST FUND			15,000
82	SPECIAL CATEGORIES			
	GRANTS AND AIDS - CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND		1,242,097	
	FROM CHILD CARE AND DEVELOPMENT			
	BLOCK GRANT TRUST FUND			1,752,885
83	SPECIAL CATEGORIES			
	GRANTS AND AIDS - PARTNERSHIP FOR SCHOOL			
	READINESS			
	FROM GENERAL REVENUE FUND		13,034,796	
	FROM CHILD CARE AND DEVELOPMENT			
	BLOCK GRANT TRUST FUND			55,687,260
	FROM FEDERAL GRANTS TRUST FUND . . .			10,714
	FROM WELFARE TRANSITION TRUST FUND .			1,400,000

From the funds in Specific Appropriation 83, the sum of \$3,038,813 from the General Revenue Fund shall be allocated as follows:

Mount Zion Early Education Pilot Program.....	1,750,000
Riviera Beach Early Learning Support Pilot Program.....	715,213
Manatee/Sarasota Early Education and Therapeutic	
Intervention Program.....	373,600
Business and Leadership Institute for Early Learning.....	200,000

From the funds in Specific Appropriation 83 in the Child Care and Development Block Grant Trust Fund, \$10,000,000 is provided for the Teacher Education and Compensation Helps Program (T.E.A.C.H.).

From the funds in Specific Appropriation 83, \$3,900,000 is provided for the Home Instruction Program for Pre-School Youngsters (HIPPY) of which \$1,400,000 is from the Welfare Transition Trust Fund and \$2,500,000 is from the Child Care and Development Block Grant Trust Fund. The \$2,500,000 is provided to the HIPPY program to deliver high quality school readiness curriculum directly to parents so they may strengthen the cognitive and early literacy skills of at risk children. Early learning coalitions will work with HIPPY program staff to identify participant families based on poverty, parents' limited education, and willingness to actively participate in all aspects of the HIPPY program.

From the funds in Specific Appropriation 83, \$15,000,000 is provided for the Child Care Executive Partnership, of which \$4,393,695 is from the General Revenue Fund and \$10,606,305 is from the Child Care and Development Block Grant Trust Fund. The funds shall be used for the Child Care Executive Partnership Program, as defined in section 1002.94, Florida Statutes, as match to expand the provision of services to low income families at or below 200 percent of the federal poverty level. Funds for this program shall be used to match funds for statewide contracts.

From the funds in Specific Appropriation 83, \$12,100,000 is provided to the Redlands Christian Migrant Association (RCMA) of which \$3,508,331 is from the General Revenue Fund, \$8,580,955 is from the Child Care and Development Block Grant Trust Fund, and \$10,714 is from the Federal Grants Trust Fund. The funds are provided for the RCMA to provide direct services to children eligible for the School Readiness program.

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From the funds in Specific Appropriation 83, \$3,000,000 from the Child Care and Development Block Grant Trust Fund is provided for the continued implementation of the University of Florida Lastinger Center Online Early Learning Professional Development System to provide early learning coalitions and providers with a system of professional development that significantly improves child care instructor quality.

From the funds in Specific Appropriation 83, \$110,000 from the General Revenue Fund is provided for the Literacy Jump Start Program in St. Lucie County to provide at-risk, academically challenged pre-school children, residing within high risk federally subsidized housing, a chance at success. The children will be immersed with a strong support system and an instructional approach designed to foster emergent literacy skills. This will be accomplished via (a) early literacy development in participating children; (b) parent engagement and literacy development; and (c) care coordination to ensure a smooth transition to voluntary prekindergarten and kindergarten.

From the funds in Specific Appropriation 83, \$15,500,000 from the Child Care and Development Block Grant Trust Fund is provided for Early Learning Performance Based Incentives to be allocated based on a methodology approved by the Office of Early Learning to award child care providers and instructors for improving school readiness program outcomes. In coordination with the Office of Early Learning's approved program design, the local early learning coalitions will be responsible for the selection of participating providers, implementation of quality improvement strategies, and integration of local quality efforts. The intent of the Early Learning Performance Funding Project is to create a statewide quality rating improvement system to ensure parents and consumers of early childhood education services are able to easily identify and access quality programs in their local communities.

From the funds in Specific Appropriation 83, \$5,500,000 from the Child Care and Development Block Grant Trust Fund is provided for the Office of Early Learning to determine a program assessment baseline of School Readiness providers. The Office of Early Learning shall use the same program assessment tool utilized in the Early Learning Performance Funding Project. A program assessment must be conducted on every School Readiness provider that has at least 40 percent of children enrolled supported through School Readiness funding. All assessments must be completed by June 30, 2018. The Office of Early Learning shall use these assessment results, in combination with the Early Learning Performance Funding Project, to establish a baseline for a statewide quality rating improvement system.

From the funds in Specific Appropriation 83, \$1,883,957 from the General Revenue Fund is provided to the Children's Forum to continue the Help Me Grow Florida Network.

From the funds in Specific Appropriation 83, \$100,000 from the General Revenue Fund is provided for the Little Havana Activities and Nutrition Centers' Child Care Program for the purpose of subsidizing the cost of child care services for working poor families.

84	SPECIAL CATEGORIES			
	GRANTS AND AIDS - SCHOOL READINESS			
	SERVICES			
	FROM GENERAL REVENUE FUND		137,092,679	
	FROM CHILD CARE AND DEVELOPMENT			
	BLOCK GRANT TRUST FUND			362,132,836
	FROM FEDERAL GRANTS TRUST FUND . . .			489,286
	FROM WELFARE TRANSITION TRUST FUND .			96,612,427

Funds in Specific Appropriation 84 require a match from local sources for working poor eligible participants of six percent on child care slots. In-kind match is allowable provided there is not a reduction in the number of slots or level of services from the provision of in-kind match. The Office of Early Learning may adopt a policy to grant a waiver of the six percent match requirement to a rural county that demonstrates a significant hardship in meeting the match requirement. Progress towards meeting this requirement shall be monitored by the Office of Early Learning, and shall be considered satisfactorily attained if the six percent requirement is met on a statewide basis.

For the funds in Specific Appropriation 84, expenditures for Gold Seal Quality Expenditure payments shall be reported as Direct Services.

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The Office of Early Learning shall have the authority to reclassify Gold Seal Quality Expenditure payments by the early learning coalitions and statewide contractors to meet targeted federal requirements for improving the quality of infant and toddler child care to the extent allowable in the state's approved Child Care and Development Fund Plan.

Funds in Specific Appropriation 84 are provided for the School Readiness Program and are allocated to early learning coalitions as follows:

Alachua.....	10,176,143
Bay, Calhoun, Gulf, Franklin, Washington, Holmes, Jackson...	12,199,670
Brevard.....	18,246,147
Broward.....	44,307,584
Charlotte, DeSoto, Highlands, Hardee.....	8,965,088
Columbia, Hamilton, Lafayette, Union, Suwannee.....	7,323,283
Dade, Monroe.....	114,554,320
Dixie, Gilchrist, Levy, Citrus, Sumter.....	8,128,011
Duval.....	30,052,538
Escambia.....	14,275,224
Hendry, Glades, Collier, Lee.....	20,765,198
Hillsborough.....	44,805,971
Lake.....	7,153,088
Leon, Gadsden, Jefferson, Liberty, Madison, Wakulla, Taylor...	17,082,033
Manatee.....	9,327,793
Marion.....	9,753,245
Martin, Okeechobee, Indian River.....	7,935,505
Okaloosa, Walton.....	7,936,425
Orange.....	38,171,700
Osceola.....	6,640,444
Palm Beach.....	35,991,310
Pasco, Hernando.....	14,597,853
Pinellas.....	30,489,393
Polk.....	19,912,916
St. Johns, Putnam, Clay, Nassau, Baker, Bradford.....	15,662,842
St. Lucie.....	8,824,196
Santa Rosa.....	3,870,527
Sarasota.....	5,370,649
Seminole.....	8,800,353
Volusia, Flagler.....	14,507,779

From the funds in Specific Appropriation 84, \$500,000 from the Child Care Development Block Grant Trust Fund shall be used to allocate School Readiness Fraud Restitution payments collected in the prior year.

From the funds in Specific Appropriation 84, the Office of Early Learning shall have the ability to reallocate funds for school readiness services as funds are available or in the instance that a coalition does not have eligible children on its waiting list and has met its expenditure cap pursuant to section 1002.89(6), Florida Statutes.

85 SPECIAL CATEGORIES	
GRANTS AND AIDS- EARLY LEARNING STANDARDS	
AND ACCOUNTABILITY	
FROM GENERAL REVENUE FUND	2,000,000

Funds in Specific Appropriation 85 are provided for the Voluntary Prekindergarten research-based pre- and post-assessment.

In addition, funds in Specific Appropriation 85 are provided to the Office of Early Learning to implement Voluntary Prekindergarten accountability standards, as required by section 1002.67, Florida Statutes, including the maintenance of the website. These funds shall also be distributed to Voluntary Prekindergarten providers, early learning coalitions and school districts to support the continued implementation of the Voluntary Prekindergarten Progress Monitoring Assessment developed by the Department of Education in collaboration with the Florida Center for Reading Research and for professional development opportunities and online training for Voluntary Prekindergarten providers with a focus on emergent literacy and mathematical thinking.

86 SPECIAL CATEGORIES	
RISK MANAGEMENT INSURANCE	
FROM GENERAL REVENUE FUND	7,920
FROM CHILD CARE AND DEVELOPMENT	
BLOCK GRANT TRUST FUND	34,943

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87 SPECIAL CATEGORIES	
GRANTS AND AIDS - VOLUNTARY	
PREKINDERGARTEN PROGRAM	
FROM GENERAL REVENUE FUND	411,795,424

Funds in Specific Appropriation 87 are provided for the Voluntary Prekindergarten Education Program as provided in sections 1002.51 through 1002.79, Florida Statutes, and shall be initially allocated to early learning coalitions as indicated below. Pursuant to the provisions of section 1002.71(3)(a), Florida Statutes, for Fiscal Year 2017-2018, the base student allocation per full-time equivalent student for the school year program shall be \$2,529 and the base student allocation for the summer program shall be \$2,159. The allocation includes four percent in addition to the base student allocation to fund administrative and other program costs of the early learning coalitions related to the Voluntary Prekindergarten Education Program.

The funds in Specific Appropriation 87 shall be allocated as follows:

Alachua.....	4,514,219
Bay, Calhoun, Gulf, Franklin, Washington, Holmes, Jackson...	4,691,354
Brevard.....	12,020,275
Broward.....	41,288,945
Charlotte, DeSoto, Highlands, Hardee.....	4,530,708
Columbia, Hamilton, Lafayette, Union, Suwannee.....	2,662,674
Dade, Monroe.....	58,855,137
Dixie, Gilchrist, Levy, Citrus, Sumter.....	4,463,527
Duval.....	24,621,594
Escambia.....	5,443,146
Hendry, Glades, Collier, Lee.....	20,527,177
Hillsborough.....	30,834,271
Lake.....	5,794,098
Leon, Gadsden, Jefferson, Liberty, Madison, Wakulla, Taylor...	7,093,160
Manatee.....	6,943,733
Marion.....	5,794,049
Martin, Okeechobee, Indian River.....	5,974,684
Okaloosa, Walton.....	5,920,513
Orange.....	31,656,359
Osceola.....	8,439,249
Palm Beach.....	30,157,789
Pasco, Hernando.....	13,300,353
Pinellas.....	15,834,656
Polk.....	11,127,860
St. Johns, Putnam, Clay, Nassau, Baker, Bradford.....	14,145,318
St. Lucie.....	6,225,963
Santa Rosa.....	2,817,332
Sarasota.....	4,989,056
Seminole.....	10,399,206
Volusia, Flagler.....	10,729,019

88 SPECIAL CATEGORIES	
TRANSFER TO DEPARTMENT OF MANAGEMENT	
SERVICES - HUMAN RESOURCES SERVICES	
PURCHASED PER STATEWIDE CONTRACT	
FROM GENERAL REVENUE FUND	24,746
FROM CHILD CARE AND DEVELOPMENT	
BLOCK GRANT TRUST FUND	8,255
89 DATA PROCESSING SERVICES	
EDUCATION TECHNOLOGY AND INFORMATION	
SERVICES	
FROM GENERAL REVENUE FUND	1,330,680
FROM CHILD CARE AND DEVELOPMENT	
BLOCK GRANT TRUST FUND	2,120,150
90 DATA PROCESSING SERVICES	
NORTHWEST REGIONAL DATA CENTER (NWRDC)	
FROM GENERAL REVENUE FUND	281,500
FROM CHILD CARE AND DEVELOPMENT	
BLOCK GRANT TRUST FUND	281,500

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TOTAL: PROGRAM: EARLY LEARNING SERVICES		
FROM GENERAL REVENUE FUND	571,885,981	
FROM TRUST FUNDS		525,315,791
TOTAL POSITIONS	100.00	
TOTAL ALL FUNDS		1,097,201,772

PUBLIC SCHOOLS, DIVISION OF

PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP

The calculations of the Florida Education Finance Program (FEFP) for the 2017-2018 fiscal year are incorporated by reference in Senate Proposed Bill 2502. The calculations are the basis for the appropriations made in the General Appropriations Act in Specific Appropriations 7, 8, 9, 91, and 92.

91 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - FLORIDA EDUCATIONAL		
FINANCE PROGRAM		
FROM GENERAL REVENUE FUND	7,748,231,106	
FROM STATE SCHOOL TRUST FUND		70,338,902

Funds provided in Specific Appropriations 7 and 91 shall be allocated using a base student allocation of \$4,294.93 for the FEFP.

Funds provided in Specific Appropriations 7 and 91 for the supplemental allocation for juvenile justice education programs shall be allocated pursuant to the formula provided in section 1011.62(10), Florida Statutes. The allocation factor shall be \$1,242.30.

From the funds provided in Specific Appropriations 7 and 91, juvenile justice education programs shall receive funds as provided in section 1003.52(13), Florida Statutes. Up to \$341 per student may be used for high school equivalency examination fees for juvenile justice students who pass the high school equivalency exam in full, or in part, while in a juvenile justice education program and may be used for students in juvenile justice education programs to support equipment, specially designed curricula, and industry credentialing testing fees, for students enrolled in career and technical education (CTE) courses that lead to industry recognized certifications.

The district cost differential (DCD) for each district shall be calculated pursuant to the provisions of section 1011.62(2), Florida Statutes.

From the funds provided in Specific Appropriations 7 and 91, \$52,800,000 is provided for the Sparsity Supplement as defined in section 1011.62(7), Florida Statutes, for school districts of 24,000 and fewer FTE in the 2017-2018 fiscal year.

Total Required Local Effort for Fiscal Year 2017-2018 shall be \$8,140,561,301. The total amount shall include adjustments made for the calculation required in section 1011.62(4)(a) through (c), Florida Statutes.

The maximum nonvoted discretionary millage which may be levied pursuant to the provisions of section 1011.71(1), Florida Statutes, by district school boards in Fiscal Year 2017-2018 shall be 0.748 mills. This millage shall be used to calculate the discretionary millage compression supplement as provided in section 1011.62(5), Florida Statutes. To be eligible for the supplement, a district must levy the maximum.

Funds provided in Specific Appropriations 7 and 91 are based upon program cost factors for Fiscal Year 2017-2018 as follows:

1. Basic Programs
 - A. K-3 Basic.....1.107
 - B. 4-8 Basic.....1.000
 - C. 9-12 Basic.....1.001
2. Programs for Exceptional Students
 - A. Support Level 4.....3.619
 - B. Support Level 5.....5.526
3. English for Speakers of Other Languages 1.212

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4. Programs for Grades 9-12 Career Education.....1.001

From the funds in Specific Appropriations 7 and 91, \$1,078,156,086 is provided to school districts as an Exceptional Student Education (ESE) Guaranteed Allocation as authorized by law to provide educational programs and services for exceptional students. Funds provided for gifted educational programs and services must primarily be focused on advanced mathematics and science curriculum and enrichment with instruction provided by an in-field teacher. The ESE Guaranteed Allocation funds are provided in addition to the funds for each exceptional student in the per FTE student calculation. School districts that provided educational services in the 2016-2017 fiscal year for exceptional students who are residents of other districts shall not discontinue providing such services without the prior approval of the Department of Education. Expenditure requirements for the ESE Guaranteed Allocation shall be as prescribed in section 1010.20(3), Florida Statutes, for programs for exceptional students.

From the funds provided in Specific Appropriations 7 and 91, the value of 43.35 weighted FTE students is provided to supplement the funding for severely handicapped students served in ESE programs 254 and 255 when a school district has less than 10,000 FTE student enrollment and less than three FTE eligible students per program. The Commissioner of Education shall allocate the value of the supplemental FTE based on documented evidence of the difference in the cost of the service and the amount of funds received in the district's FEFP allocations for the students being served. The supplemental value shall not exceed three FTE.

The Declining Enrollment Supplement shall be calculated based on 25 percent of the decline between the prior year and current year unweighted FTE students pursuant to section 1011.62(8), Florida Statutes.

From the funds in Specific Appropriations 7 and 91, \$64,456,019 is provided for Safe Schools activities and shall be allocated as follows: \$62,660 shall be distributed to each district, and the remaining balance shall be allocated as follows: two-thirds based on the latest official Florida Crime Index provided by the Department of Law Enforcement and one-third based on each district's share of the state's total unweighted student enrollment. Safe Schools activities include: (1) after school programs for middle school students; (2) middle and high school programs for correction of specific discipline problems; (3) other improvements to enhance the learning environment, including implementation of conflict resolution strategies; (4) behavior driven intervention programs that include anger and aggression management strategies; (5) alternative school programs for adjudicated youth that may include a web-based virtual system that results in mastery and certification, competency or credentials in the following inter-related counseling disciplines necessary for success in education and the work environment, including adjustment, educational, employment and optimal mental health areas that will include, but are not limited to, anger and impulse control, depression and anxiety, self-esteem, respect for authority, personal behavior, goal setting, time and stress management, social and workplace adjustment, substance use and abuse, workplace soft skills, communication skills, work ethic, the importance of timeliness, attendance and the self-marketing skills for future educational and/or employment opportunities; (6) suicide prevention programs; (7) bullying prevention and intervention; (8) school resource officers; and (9) detection dogs. Each district shall determine, based on a review of its existing programs and priorities, how much of its total allocation to use for each authorized Safe Schools activity. The Department of Education shall monitor compliance with reporting procedures contained in section 1006.147, Florida Statutes. If a district does not comply with these procedures, the district's funds from the Safe Schools allocation shall be withheld and reallocated to the other school districts. Each school district shall report to the Department of Education the amount of funds expended for each of the nine activities.

From the funds in Specific Appropriations 7 and 91, \$746,973,316 is for Supplemental Academic Instruction to be provided throughout the school year pursuant to section 1011.62 (1)(f), Florida Statutes. From these funds, at least \$75,000,000, together with funds provided in the district's research-based reading instruction allocation and other available funds, shall be used by districts with one or more of the 300 lowest performing elementary schools based on the statewide,

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standardized English Language Arts assessment to provide an additional hour of instruction beyond the normal school day for each day of the entire school year and a 60-hour summer school program for intensive reading instruction for the students in each of these schools. Also, beginning in the 2017-2018 fiscal year, schools that have improved student performance and are no longer on the 300 lowest performing list shall continue to provide the program, including the new summer school component, for two additional years. This additional instruction must be provided by teachers or reading specialists who are effective in teaching reading, or by a K-5 mentoring reading program that is supervised by a teacher who is effective at teaching reading. Students enrolled in these schools who have level 5 reading assessment scores may choose to participate in the program on an optional basis. ESE centers shall not be included in the 300 schools.

The Department of Education shall provide guidance to school districts for documentation of the expenditures for this additional instruction to ensure that all local, state, and federal funds are maximized for the total instructional program and that the funds used in these schools do not supplant federal funds. School districts shall submit a report to the Department of Education in a format prepared by the department that includes summary information, including funding sources, expenditures and student outcomes for each of the participating schools that shall be submitted to the Speaker of the House of Representatives, President of the Senate, and Governor by September 30, 2017. Pursuant to section 1008.32, Florida Statutes, the State Board of Education shall withhold funds from a school district that fails to comply with this requirement.

The funds provided for the Supplemental Academic Instruction allocation shall consist of a base amount that shall have a workload adjustment based on changes in FTE. In addition, an additional amount is provided for districts with schools on the list of the 300 lowest-performing elementary schools and for schools with improved performance that will continue the program for two years. District allocations from these additional funds shall be based on the Fiscal Year 2015-2016 reported total expenditures for the program, each district's level of per student funding in the reading instruction allocation and the supplemental academic instruction categorical fund, and on the total FTE for each of the schools. The categorical funding shall be recalculated during the fiscal year following an updated designation of the 300 lowest-performing elementary schools and shall be based on actual student membership from the FTE surveys. If the recalculated total allocation is greater than the amount provided in the General Appropriations Act, the allocation shall be prorated to the level of the appropriation, based on each district's share of the total.

From the funds in Specific Appropriations 7 and 91, \$130,000,000 is provided for a K-12 comprehensive, district-wide system of research-based reading instruction. The amount of \$115,000 shall be allocated to each district and the remaining balance shall be allocated based on each district's proportion of the total K-12 base funding. From these funds, at least \$15,000,000 shall be used to provide an additional hour of intensive reading instruction beyond the normal school day for each day of the entire school year and a 60-hour summer school program for the students in the 300 lowest performing elementary schools based on the statewide, standardized English Language Arts assessment pursuant to sections 1008.22(3) and 1011.62(9), Florida Statutes. Also, beginning in the 2017-2018 fiscal year, schools that have improved student performance and are no longer on the 300 lowest performing list shall continue to provide the program, including the new summer school component, for two additional years. This additional instruction must be provided by teachers or reading specialists who are effective in teaching reading. Students enrolled in these schools who have level 5 reading assessment scores may choose to participate in the program on an optional basis. ESE centers shall not be included in the 300 schools. Pursuant to section 1008.32, Florida Statutes, the State Board of Education shall withhold funds from a school district that fails to comply with this requirement.

From the funds provided in Specific Appropriations 7 and 91, \$242,053,499 is provided for Instructional Materials including \$12,646,243 for Library Media Materials, \$3,456,640 for the purchase of science lab materials and supplies, \$13,286,751 for dual enrollment instructional materials, and \$3,233,036 for the purchase of digital instructional materials for students with disabilities. The growth allocation per FTE shall be \$345.20 for the 2017-2018 fiscal year. School districts shall pay for instructional materials used for the

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instruction of public high school students who are earning credit toward high school graduation under the dual enrollment program as provided in section 1011.62(1)(i), Florida Statutes.

From the funds provided for Instructional Materials, \$165,000,000 shall be available to school districts to purchase instructional content, as well as electronic devices and technology equipment, and infrastructure. The purchases made in the 2017-2018 fiscal year must comply with the minimum or recommended requirements for instructional content, hardware, software, networking, security and bandwidth, and the number of students per device as developed and published by the Department of Education. Prior to release of the funds by the department to the school districts, each school district shall certify to the Commissioner of Education an expenditure plan for the purchase of instructional content and technology. If the district intends to use any portion of the funds for technology, the district must certify that it has the instructional content necessary to provide instruction aligned to the adopted statewide benchmarks and standards. If the district intends to use the funds for technology the district must include an expenditure plan for the purchase of electronic devices and technology equipment, and infrastructure that demonstrates the alignment of devices and equipment with the minimum or recommended requirements. The department shall provide a report to the Legislature on or before March 1, 2018, that summarizes the district expenditures for these funds.

From funds provided in Specific Appropriations 7 and 91, \$455,507,272 is provided for Student Transportation as provided in section 1011.68, Florida Statutes.

From funds provided in Specific Appropriations 7 and 91, \$45,286,750 is provided for the Teachers Classroom Supply Assistance Program and shall be given to teachers pursuant to section 1012.71, Florida Statutes. The allocation shall not be recalculated during the school year.

From the funds provided in Specific Appropriation 7 and 91, \$13,000,294 is provided for a Federally Connected Student Supplement to be calculated to support the education of students connected with federally-owned military installations, National Aeronautics and Space Administration (NASA) property, and Indian lands pursuant to section 1011.62(13), Florida Statutes. The supplement shall be the sum of a student allocation and an exempt property allocation. To participate, districts must be eligible for federal Impact Aid funding under Section 8003, Title VIII of the Elementary and Secondary Education Act of 1965. The amount allocated for each eligible school district shall be recalculated during the year, using actual student membership, as amended, from the most recent February survey and the tax-exempt valuation from the most recent assessment roll. Upon recalculation, if the total allocation is greater than the amount provided in the General Appropriations Act, it must be prorated to the level of the appropriation based on each district's share of the total recalculated amount.

Districts may charge a fee for grades K-12 voluntary, non-credit summer school enrollment in basic program courses. The amount of any student's fee shall be based on the student's ability to pay and the student's financial need as determined by district school board policy.

From the funds in Specific Appropriations 7 and 91, \$60,000,000 is provided for the Digital Classrooms allocation as provided in 1011.62(12), Florida Statutes. Twenty percent of the funds provided may be used for professional development, including in-state conference attendance or online coursework, to enhance the use of technology for digital instructional strategies.

92	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - CLASS SIZE REDUCTION		
	FROM GENERAL REVENUE FUND	2,911,793,531	
	FROM STATE SCHOOL TRUST FUND		86,161,098

Funds in Specific Appropriations 8 and 92 are provided to implement the requirements of sections 1003.03 and 1011.685, Florida Statutes. The class size reduction allocation factor for grades prekindergarten to grade 3 shall be \$1,319.08, for grades 4 to 8 shall be \$899.75, and for grades 9 to 12 shall be \$901.92. The class size reduction allocation shall be recalculated based on enrollment through the October 2017 FTE survey except as provided in section 1003.03(4), Florida Statutes. If

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

the total class size reduction allocation is greater than the appropriation in Specific Appropriations 8 and 92, funds shall be prorated to the level of the appropriation based on each district's calculated amount. The Commissioner of Education may withhold disbursement of these funds until a district is in compliance with reporting information required for class size reduction implementation.

TOTAL: PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP
 FROM GENERAL REVENUE FUND 10,660,024,637
 FROM TRUST FUNDS 156,500,000
 TOTAL ALL FUNDS 10,816,524,637

PROGRAM: STATE GRANTS/K-12 PROGRAM - NON FEFP

Of the funds provided for regional education consortium programs and school district matching grants in Specific Appropriations 100 and 105, 60 percent shall be released to the Department of Education at the beginning of the first quarter and the balance at the beginning of the third quarter. The Department of Education shall disburse the funds to eligible entities within 30 days of release.

Funds provided in Specific Appropriations 93 through 114 shall be used to serve Florida students.

93 AID TO LOCAL GOVERNMENTS
 GRANTS AND AIDS - INSTRUCTIONAL MATERIALS
 FROM GENERAL REVENUE FUND 1,141,704

Funds in Specific Appropriation 93 are provided for the Learning Through Listening program.

94 SPECIAL CATEGORIES
 GRANTS AND AIDS - ASSISTANCE TO LOW
 PERFORMING SCHOOLS
 FROM GENERAL REVENUE FUND 4,000,000

Funds in Specific Appropriation 94 may be used to contract for the operation of the Florida Partnership for Minority and Underrepresented Student Achievement and to achieve the partnership's mission as provided in section 1007.35, Florida Statutes. The funds shall be expended for professional development for Advanced Placement classroom teachers.

95 SPECIAL CATEGORIES
 GRANTS AND AIDS - TAKE STOCK IN CHILDREN
 FROM GENERAL REVENUE FUND 6,125,000

96 SPECIAL CATEGORIES
 GRANTS AND AIDS - MENTORING/STUDENT
 ASSISTANCE INITIATIVES
 FROM GENERAL REVENUE FUND 11,153,016

Funds provided in Specific Appropriation 96 shall be allocated as follows:

After Care and Mentoring Grant Program..... 5,000,000
 Best Buddies..... 700,000
 Big Brothers, Big Sisters..... 3,000,248
 Florida Alliance of Boys and Girls Clubs..... 2,152,768
 Teen Trendsetters..... 300,000

Funds in Specific Appropriation 96 for the After Care and Mentoring Grant Program are provided for competitive grants for non-profit, voluntary organizations that provide after-school and school-supplement programs to Florida children up to 18 years of age that promote academic growth, personal responsibility and citizenship, as well as professionally supported one-on-one relationships, leadership development and character development.

97 SPECIAL CATEGORIES
 GRANTS AND AIDS - COLLEGE REACH OUT
 PROGRAM
 FROM GENERAL REVENUE FUND 1,000,000

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

98 SPECIAL CATEGORIES
 GRANTS AND AIDS - FLORIDA DIAGNOSTIC AND
 LEARNING RESOURCES CENTERS
 FROM GENERAL REVENUE FUND 2,700,000

Funds provided in Specific Appropriation 98 shall be allocated to the Multidisciplinary Educational Services Centers as follows:

University of Florida..... 450,000
 University of Miami..... 450,000
 Florida State University..... 450,000
 University of South Florida..... 450,000
 University of Florida Health Science Center at Jacksonville. 450,000
 Keiser University..... 450,000

Each center shall provide a report to the Department of Education by September 1, 2018, for the 2017-2018 fiscal year that shall include the following: (1) the number of children served, (2) the number of parents served, (3) the number of persons participating in in-service education activities, (4) the number of districts served, and (5) specific services provided.

100 SPECIAL CATEGORIES
 GRANTS AND AIDS - SCHOOL DISTRICT MATCHING
 GRANTS PROGRAM
 FROM GENERAL REVENUE FUND 7,411,064

Funds in Specific Appropriation 100 are provided as challenge grants to public school district education foundations for programs that serve low-performing students, technical career education, literacy initiatives, Science, Technology, Engineering, Math (STEM) Education initiatives, increased teacher quality and/or increased graduation rates. The amount of each grant shall be equal to the private contribution made to a qualifying public school district education foundation. In-kind contributions shall not be considered for matching purposes. Administrative costs for the program shall not exceed five percent.

Before any funds provided in Specific Appropriation 100 may be disbursed to any public school district education foundation, the public school district foundation must certify to the Commissioner of Education that the private cash has actually been received by the public school education foundation seeking matching funds. The Consortium of Florida Education Foundations shall be the fiscal agent for this program.

101 SPECIAL CATEGORIES
 EDUCATOR PROFESSIONAL LIABILITY INSURANCE
 FROM GENERAL REVENUE FUND 1,200,000

102 SPECIAL CATEGORIES
 TEACHER AND SCHOOL ADMINISTRATOR DEATH
 BENEFITS
 FROM GENERAL REVENUE FUND 18,000

103 SPECIAL CATEGORIES
 RISK MANAGEMENT INSURANCE
 FROM GENERAL REVENUE FUND 453,927
 FROM ADMINISTRATIVE TRUST FUND 47,953

104 SPECIAL CATEGORIES
 GRANTS AND AIDS - AUTISM PROGRAM
 FROM GENERAL REVENUE FUND 9,400,000

Funds provided in Specific Appropriation 104 shall be allocated as follows:

Florida Atlantic University..... 1,056,776
 Florida State University (College of Medicine)..... 1,224,008
 University of Central Florida..... 1,721,639
 University of Florida (College of Medicine)..... 1,077,893
 University of Florida (Jacksonville)..... 1,072,732
 University of Miami (Department of Psychology)
 including \$391,650 for activities in Broward County
 through Nova Southeastern University..... 1,802,195
 University of South Florida/Florida Mental Health Institute. 1,444,757

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Autism Centers shall provide appropriate nutritional information to parents of children served through funds provided in Specific Appropriation 104. Summaries of outcomes for the prior fiscal year shall be submitted to the Department of Education by September 1, 2017.

105 SPECIAL CATEGORIES
GRANTS AND AIDS - REGIONAL EDUCATION
CONSORTIUM SERVICES
FROM GENERAL REVENUE FUND 1,445,390

107 SPECIAL CATEGORIES
TEACHER PROFESSIONAL DEVELOPMENT
FROM GENERAL REVENUE FUND 8,814,338

Funds provided in Specific Appropriation 107 shall be allocated as follows:

Administrator Professional Development.....	7,000,000
Florida Association of District School Superintendents Training.....	500,000
Principal of the Year.....	29,426
School Related Personnel of the Year.....	306,182
Teacher of the Year.....	718,730
Teacher of the Year Summit.....	50,000
Principal Autonomy Pilot Program.....	210,000

From the funds provided in Specific Appropriation 107 for the Teacher of the Year Program, \$718,730 is provided for financial awards, in conjunction with any private donations, resulting in district participants receiving a minimum total award amount of \$10,000; the selected finalists receiving a minimum total award of \$15,000; and the Teacher of the Year receiving a minimum total award amount of \$20,000.

Funds in Specific Appropriation 107 for the School Related Personnel of the Year Program are provided for financial awards of up to \$5,000 for participants of the program.

Funds provided in Specific Appropriation 107 for Principal, Teacher, or School Related Personnel of the Year may be disbursed to districts, schools, or individuals.

From the funds in Specific Appropriation 107 for Administrator Professional Development, \$7,000,000 is provided for professional development for principals and other district administrators in instructional and human resource leadership, including the use of teacher evaluations to improve instruction, aligning instruction with the district's curriculum and state standards, best financial practices, and other leadership responsibilities that support student achievement through job-embedded delivery and through either regional, local, or digital formats. Funds shall be provided to each district after the district has submitted its training plan to the Commissioner of Education. The funds shall be allocated to districts based on each district's share of unweighted FTE and districts with 10,000 or fewer FTE shall be provided a minimum allocation of \$5,000.

108 SPECIAL CATEGORIES
GRANTS AND AIDS - STRATEGIC STATEWIDE
INITIATIVES
FROM GENERAL REVENUE FUND 2,292,700

Funds in Specific Appropriation 108 shall be allocated as follows:

Florida Safe Schools Assessment Tool.....	83,000
Florida Grants and Standards Instruction Tools.....	309,700
Advancement Via Individual Determination (AVID).....	700,000
300 Lowest Performing Schools Extra Hour Study.....	1,000,000
Substance Abuse Awareness and Education Pilot Program.....	200,000

Funds in Specific Appropriation 108 for the Florida Safe Schools Assessment Tool shall be provided to the Department of Education for the continued availability of the risk assessment tool to all public K-12 schools.

Funds in Specific Appropriation 108 for the Florida Grants and Standards Instruction Tools shall be provided to Department of Education to provide subject matter experts and in-depth technical assistance to school districts and students for various technical systems.

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

Funds in Specific Appropriation 108 for Advancement Via Individual Determination (AVID) shall be used to implement a program to reward success of students in need of assistance to become college ready and enrolled in the AVID elective class who performed in rigorous coursework during the 2016-2017 school year. School districts shall report student enrollments from the 2016-2017 school year in the AVID elective during the October student membership survey. Each school district shall be rewarded \$325 per full-time equivalent student enrolled in the AVID elective who also receives a score of 4 or higher on an International Baccalaureate subject examination; score of E or higher on an Advanced International Certificate of Education subject examination; score of 3 or higher on the College Board Advanced Placement Examination; or, for students in grades 6-8, receives a passing score on the algebra end of course examination. Each school district shall allocate the funds received from this bonus award funding to the school whose students generate the funds. Funds shall be expended solely for the payment of costs associated with the school's AVID system which include annual membership fees; professional development and training for program coordinators, teachers, and tutors; and compensation for tutors. Funds shall be awarded to the school districts no later than January 1, 2018. If the total bonus amount is greater than the funds provided in this appropriation, then each district's amount shall be prorated based on the number of students who earned qualifying scores in each district.

Funds provided in Specific Appropriation 108 for the 300 Lowest Performing Schools Extra Hour Study shall be used by the Department of Education to contract with an independent third party consulting firm with experience in advanced analytics within K-12 education evaluation, to conduct an extra hour quantitative assessment to measure the reading growth for students participating in the extra hour program and produce statistically reliable measurements showing the extent to which that growth can be attributed to those students' participation in the extra hour program. In addition, an extra hour qualitative assessment shall be conducted with the results being used to identify schools that have successfully implemented the extra hour program, determine those schools best practices, disseminate those practices to schools struggling to implement the program, and monitor implementation to ensure that all extra hour schools are implementing the program correctly. The department shall submit the results of the study to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives by November 1, 2017.

Funds in Specific Appropriation 108 for the Substance Abuse Awareness and Education Pilot Program shall be used by the Department of Education to contract with the Hillsborough and Pinellas County School Districts and a local treatment facility such as Operation PAR and DACCO for development of a substance abuse and drug addiction prevention curriculum to be implemented in elementary, middle, and high schools.

109 SPECIAL CATEGORIES
GRANTS AND AIDS - GARDINER SCHOLARSHIP
PROGRAM
FROM GENERAL REVENUE FUND 107,416,063

110 SPECIAL CATEGORIES
GRANTS AND AIDS - SCHOOL AND INSTRUCTIONAL
ENHANCEMENTS
FROM GENERAL REVENUE FUND 39,703,216

To extend the unique means for better educating students, funds in Specific Appropriation 110 shall be allocated as follows:

African American Task Force.....	300,000
All Pro Dad's Fatherhood Involvement in Literacy Campaign...	500,000
AMT Kids.....	1,100,000
Arts for a Complete Education/Florida Alliance for Arts Education.....	110,952
Black Male Explorers.....	164,701
Florida Afterschool Network/Ounce of Prevention Fund of Florida.....	200,000
Florida Children's Initiatives.....	600,000
Florida Holocaust Museum.....	300,000
Girl Scouts of Florida.....	267,635
Holocaust Memorial Miami Beach.....	230,000
Holocaust Task Force.....	100,000
Jobs for Florida's Graduates.....	1,500,000

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

Knowledge is Power Program (KIPP) Jacksonville.....	500,000
Lauren's Kids.....	1,000,000
Learning for Life.....	2,019,813
Mourning Family Foundation.....	1,000,000
National Flight Academy	500,000
Pasco Regional STEM School/Tampa Bay Region Aeronautics.....	750,000
Project to Advance School Success (PASS).....	508,983
Specialty Children's Hospital Patient Academics Program.....	425,000
State Science Fair.....	72,032
The SEED School of Miami.....	6,173,678
YMCA Youth in Government.....	300,000
After School All-Stars.....	1,967,667
Alternative Education Development Program.....	400,000
Breakthrough Miami.....	500,000
Brevard Public Schools Construction Vocational Training Program.....	500,000
Brevard Public Schools Transportation Funding.....	1,500,000
Broward Youth Suicide Awareness and Prevention Training.....	535,000
Communities in Schools.....	2,300,000
Culinary Training/Professional Training Kitchen.....	300,000
DaVinci Project Expansion.....	750,000
Destination Graduation.....	500,000
Evans Community School at UCF.....	1,000,000
First Tee Program.....	200,000
Florida Healthy Choices Coalition.....	300,000
Florida High-Demand Career Act.....	2,900,000
FloridaLearns STEM Scholars.....	1,000,000
Grow Your Own Teacher.....	91,803
Innovation and Engineering Pipeline Project.....	1,500,000
Kick Start.....	132,775
Kindness Matters Program.....	142,500
Life Changing Experiences.....	250,000
Next Generation Agriculture Education Programs.....	1,000,000
Rise Summer Math Academy.....	90,531
Seminole County Public Schools Aviation Program.....	500,000
Supervention Therapy Academy - Let's Read.....	20,000
Teacher on Special Assignment.....	125,000
The Art Factory at Winthrop Arts.....	100,000
United Sports of America.....	1,000,000
Vision Quest Screening Pilot Program.....	450,146
Volusia Schools STEM/Blended Learning.....	25,000
21st Century Skills Development.....	1,000,000

Funds provided in Specific Appropriation 110 for the Learning for Life program are eligible to be used in any public school.

From the funds provided in Specific Appropriation 110 for the African American Task Force, \$200,000 shall be used by Florida A&M University to contract with the St. Petersburg Branch of The Association for the Study of African-American Life and History to write a curriculum for Florida's school districts, teacher education training centers, and the implementation of the teaching of the history of African peoples and the contributions of African Americans to society. This effort shall include the development of instructional guidelines, a standardized framework, and supplemental materials and resources that include the African and African-American experience.

From the funds provided in Specific Appropriation 110 for Communities in Schools, \$300,000 is provided for the Jefferson County School District for services for students, including, but not limited to, mentoring, tutoring, identifying and coordinating health services, parent engagement activities, after-school programs, drug prevention programs, career readiness and exploration, college readiness, and life skills.

111 SPECIAL CATEGORIES		
GRANTS AND AIDS - EXCEPTIONAL EDUCATION		
FROM GENERAL REVENUE FUND . . .	4,269,018	
FROM FEDERAL GRANTS TRUST FUND . . .		2,333,354

Funds in Specific Appropriation 111 from general revenue shall be allocated as follows:

Auditory-Oral Education Grant Funding.....	750,000
Communication/Autism Navigator.....	1,353,292
Family Cafe.....	450,000
Florida Diagnostic and Learning Resources System Associate	

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

Centers.....	577,758
Florida Instructional Materials Center for the Visually Impaired.....	108,119
Multi-Agency Service Network for Students with Severe Emotional/Behavioral Disturbance.....	247,849
Nature's Paradise.....	250,000
Outreach Autism Services Network Ocala Preparatory Academy..	262,000
Portal to Exceptional Education Resources.....	20,000
Special Olympics.....	250,000

Funds in Specific Appropriation 111 from the Federal Grants Trust Fund shall be allocated as follows:

Florida Instructional Materials Center for the Visually Impaired.....	270,987
Multi-Agency Service Network for Students with Severe Emotional/Behavioral Disturbance.....	750,322
Portal to Exceptional Education Resources.....	786,217
Resource Materials Technology Center for Deaf/Hard-of-Hearing.....	191,828
Very Special Arts.....	334,000

Funds in Specific Appropriation 111 for Family Cafe are supplemental and shall not be used to replace or supplant current funds awarded for the Family Cafe Project.

Funds provided in Specific Appropriation 111 for Communication/Autism Navigator shall be awarded to the Florida State University College of Medicine for statewide implementation of an exceptional student education communication/autism navigator that includes core strategies and interventions through the Early Steps Program to increase the number of full integration placements of exceptional students into the standard classroom.

Funds provided in Specific Appropriation 111 for Auditory-Oral Education Grants shall only be awarded to Florida public or private nonprofit school programs serving deaf children in multiple counties, from birth to age seven, including rural and underserved areas. These schools must solely offer auditory-oral education programs, as defined in section 1002.391, Florida Statutes, and have a supervisor and faculty members who are credentialed as Certified Listening and Spoken Language Specialists.

The amount of the grants shall be based on the specific needs of each eligible student. Each eligible school that has insufficient public funds to provide the educational and related services specified in the Individual Education Plan (IEP) or Individual Family Service Plan (IFSP) of eligible students aged birth to seven years may submit grant applications to the Department of Education. Applications must include an itemized list of total costs, the amount of public funds available for those students without the grant, and the additional amount needed for the services identified in each students' respective IEP or IFSP. The department shall develop an appropriate application, provide instructions and administer this grant program to ensure minimum delay in providing the IEP or IFSP services for all eligible students. Each school shall be accountable for assuring that the public funds received are expended only for services for the eligible student as described in the application and shall provide a report documenting expenditures for the 2017-2018 fiscal year to the Department of Education by September 30, 2018.

112 SPECIAL CATEGORIES		
FLORIDA SCHOOL FOR THE DEAF AND THE BLIND		
FROM GENERAL REVENUE FUND	46,377,084	
FROM ADMINISTRATIVE TRUST FUND . . .		278,196
FROM FEDERAL GRANTS TRUST FUND . . .		2,024,554
FROM GRANTS AND DONATIONS TRUST FUND		2,219,949

From the funds in Specific Appropriation 112, the school shall contract for health, medical, pharmaceutical and dental screening services for students. The school shall develop a collaborative service agreement for medical services and shall maximize the recovery of all legally available funds from Medicaid and private insurance coverage. The school shall report to the Legislature by June 30, 2018, information describing the agreement, services provided, budget and expenditures, including the amounts and sources of all funding used for the

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

collaborative medical program and any other student health services during the 2017-2018 fiscal year.

113 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 209,094
FROM ADMINISTRATIVE TRUST FUND 41,262

113A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
PUBLIC SCHOOLS SPECIAL PROJECTS
FROM GENERAL REVENUE FUND 250,000

Funds in Specific Appropriation 113A are provided for the Performing Arts Auditorium at Zelda Glazer.

114 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
FACILITY REPAIRS MAINTENANCE AND
CONSTRUCTION
FROM GENERAL REVENUE FUND 2,150,000

The funds provided in Specific Appropriation 114 shall be allocated as follows:

Central Florida Zoo/Seminole Schools Education 2,000,000
Collaborative 150,000
Holocaust Memorial Resource and Education Center

TOTAL: PROGRAM: STATE GRANTS/K-12 PROGRAM - NON FEFP
FROM GENERAL REVENUE FUND 257,529,614
FROM TRUST FUNDS 6,945,268

TOTAL ALL FUNDS 264,474,882

PROGRAM: FEDERAL GRANTS K/12 PROGRAM

115 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - PROJECTS, CONTRACTS AND
GRANTS
FROM GRANTS AND DONATIONS TRUST
FUND 3,999,420

116 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FEDERAL GRANTS AND AIDS
FROM ADMINISTRATIVE TRUST FUND 353,962
FROM FEDERAL GRANTS TRUST FUND 1,678,939,699

117 SPECIAL CATEGORIES
DOMESTIC SECURITY
FROM FEDERAL GRANTS TRUST FUND 5,409,971

TOTAL: PROGRAM: FEDERAL GRANTS K/12 PROGRAM
FROM TRUST FUNDS 1,688,703,052

TOTAL ALL FUNDS 1,688,703,052

PROGRAM: EDUCATIONAL MEDIA & TECHNOLOGY SERVICES

118 SPECIAL CATEGORIES
CAPITOL TECHNICAL CENTER
FROM GENERAL REVENUE FUND 224,624

119 SPECIAL CATEGORIES
GRANTS AND AIDS - PUBLIC BROADCASTING
FROM GENERAL REVENUE FUND 9,714,053

The funds provided in Specific Appropriation 119 shall be allocated as follows:

Florida Channel Closed Captioning 390,862
Florida Channel Satellite Transponder Operations 800,000
Florida Channel Statewide Governmental and Cultural Affairs
Programming 497,522
Florida Channel Year Round Coverage 2,562,588

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

Florida Public Radio Emergency Network Storm Center 166,270
Public Radio Stations 1,300,000
Public Television Stations 3,996,811

From the funds provided in Specific Appropriation 119, "Governmental Affairs for Public Television" shall be produced by the same contractor selected by the Legislature to produce "The Florida Channel".

From the funds provided in Specific Appropriation 119 for Public Television Stations, \$307,447 shall be allocated to each public television station recommended by the Commissioner of Education. Public Radio Stations shall be allocated \$100,000 per station.

From the funds provided in Specific Appropriation 119 for the Florida Channel Satellite Transponder Operations, the Florida Channel shall contract for the leasing, management and operation of the state transponder with the same public broadcasting station that produces the Florida Channel.

TOTAL: PROGRAM: EDUCATIONAL MEDIA & TECHNOLOGY SERVICES
FROM GENERAL REVENUE FUND 9,938,677

TOTAL ALL FUNDS 9,938,677

PROGRAM: WORKFORCE EDUCATION

121 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - ADULT BASIC EDUCATION
FEDERAL FLOW-THROUGH FUNDS
FROM FEDERAL GRANTS TRUST FUND 41,552,472

122 AID TO LOCAL GOVERNMENTS
WORKFORCE DEVELOPMENT
FROM GENERAL REVENUE FUND 292,023,717

From the funds in Specific Appropriation 10 from the Educational Enhancement Trust Fund and Specific Appropriation 122 from the General Revenue Fund, \$366,930,660 is provided for school district workforce education programs as defined in section 1004.02(25), Florida Statutes, and is allocated as follows:

Alachua 439,145
Baker 153,431
Bay 2,784,955
Bradford 829,862
Brevard 3,847,584
Broward 73,370,726
Calhoun 80,080
Charlotte 1,790,953
Citrus 2,415,659
Clay 564,383
Collier 9,465,058
Columbia 370,025
Miami-Dade 80,407,306
DeSoto 631,154
Dixie 67,487
Escambia 4,059,604
Flagler 1,352,759
Franklin 73,730
Gadsden 346,131
Glades 77,156
Gulf 98,574
Hamilton 71,756
Hardee 222,425
Hendry 198,819
Hernando 576,391
Hillsborough 25,670,362
Indian River 1,084,048
Jackson 280,366
Jefferson 82,858
Lafayette 71,366
Lake 4,609,038
Lee 9,697,421
Leon 6,354,159
Liberty 95,825
Madison 70,894
Manatee 9,434,570

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

Marion.....	3,901,140
Martin.....	1,238,742
Monroe.....	757,565
Nassau.....	592,297
Okaloosa.....	2,216,420
Orange.....	31,777,089
Osceola.....	6,243,534
Palm Beach.....	17,547,983
Pasco.....	3,015,988
Pinellas.....	30,519,087
Polk.....	7,927,274
Saint Johns.....	4,363,088
Santa Rosa.....	2,140,861
Sarasota.....	7,218,944
Sumter.....	147,241
Suwannee.....	875,161
Taylor.....	940,690
Union.....	80,147
Wakulla.....	89,517
Walton.....	804,151
Washington.....	2,722,758
Washington Sp.....	65,143

For programs leading to a career certificate or an applied technology diploma, and for adult general education programs, tuition and fees shall be assessed in accordance with section 1009.22, Florida Statutes.

Funds collected from standard tuition and out-of-state fees shall be used to support school district workforce education programs as defined in section 1004.02(25), Florida Statutes, and shall not be used to support K-12 programs or district K-12 administrative indirect costs.

The funds provided in Specific Appropriations 10 and 122 shall not be used to support K-12 programs or district K-12 administrative indirect costs. The Auditor General shall verify compliance with this requirement during scheduled audits of these institutions.

Pursuant to the provisions of section 1009.26(1), Florida Statutes, school districts may grant fee waivers for programs funded through Workforce Development Education appropriations for up to eight percent of the fee revenues that would otherwise be collected.

From the funds provided in Specific Appropriations 10 and 122, each school district shall report enrollment for adult general education programs identified in section 1004.02, Florida Statutes, in accordance with the Department of Education instructional hours reporting procedures. The Auditor General shall verify compliance with this requirement during scheduled operational audits of the school districts.

District superintendents shall certify that workforce education enrollment and performance data used for funding allocations to districts is accurate and complete in accordance with reporting timelines established by the Department of Education. Upon certification, the district data shall be considered final for purposes of use in state funding formulas. After the final certification, the Department of Education may request a supplemental file in the event that a district has reported a higher level of enrollment or performance than was actually achieved by the district.

123	AID TO LOCAL GOVERNMENTS	
	GRANTS AND AIDS - VOCATIONAL FORMULA FUNDS	
	FROM FEDERAL GRANTS TRUST FUND . . .	72,144,852
124	SPECIAL CATEGORIES	
	GRANTS AND AIDS - SCHOOL AND INSTRUCTIONAL	
	ENHANCEMENTS	
	FROM GENERAL REVENUE FUND	1,495,600

The funds in Specific Appropriation 124 shall be allocated as follows:

Clara White Mission.....	216,000
Okaloosa Technical College - Welding Program Expansion.....	250,000
Educating and Integrating Florida's Adult Newly Arrived and Growing Hispanic Community.....	250,000
Lotus House Women's Shelter.....	100,000
Smart Horizons Career Online High School.....	500,000

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

South Apopka Adult Community Education Center.....	179,600

TOTAL: PROGRAM: WORKFORCE EDUCATION		
FROM GENERAL REVENUE FUND	293,519,317	
FROM TRUST FUNDS		113,697,324
TOTAL ALL FUNDS		407,216,641

FLORIDA COLLEGES, DIVISION OF

PROGRAM: FLORIDA COLLEGES

126	AID TO LOCAL GOVERNMENTS	
	GRANTS AND AIDS - FLORIDA COLLEGE SYSTEM	
	PROGRAM FUND	
	FROM GENERAL REVENUE FUND	913,118,434

Funds provided in Specific Appropriation 126 are provided for operating funds and approved baccalaureate programs, and shall be allocated as follows:

Eastern Florida State College.....	33,783,397
Broward College.....	64,367,607
College of Central Florida.....	18,040,314
Chipola College.....	8,762,847
Daytona State College.....	38,930,534
Florida SouthWestern State College.....	23,300,422
Florida State College at Jacksonville.....	58,931,089
Florida Keys Community College.....	5,651,642
Gulf Coast State College.....	17,313,798
Hillsborough Community College.....	50,693,460
Indian River State College.....	39,093,348
Florida Gateway College.....	10,459,540
Lake-Sumter State College.....	11,155,914
State College of Florida, Manatee-Sarasota.....	19,393,590
Miami-Dade College.....	129,155,810
North Florida Community College.....	6,095,600
Northwest Florida State College.....	14,753,941
Palm Beach State College.....	47,118,930
Pasco-Hernando State College.....	25,187,610
Pensacola State College.....	26,705,492
Polk State College.....	23,578,522
Saint Johns River State College.....	15,530,394
Saint Petersburg College.....	54,762,454
Santa Fe College.....	35,136,540
Seminole State College of Florida.....	34,589,818
South Florida State College.....	12,689,532
Tallahassee Community College.....	23,724,969
Valencia College.....	64,211,320

Funds in Specific Appropriation 126, as listed above, include allocations for the following college initiatives.

Tallahassee Community College-Minority Males High School Retention and Progression Initiative.....	375,000
St Petersburg College-A Day on Service.....	350,000

Prior to the disbursement of funds in Specific Appropriations 11 and 126, colleges shall submit an operating budget for the expenditure of these funds as provided in section 1011.30, Florida Statutes. The operating budget shall clearly identify planned expenditures for baccalaureate programs and shall include the sources of funds.

For advanced and professional, postsecondary vocational, developmental education, educator preparation institute programs, and baccalaureate degree programs, tuition and fees shall be assessed in accordance with section 1009.23, Florida Statutes.

For programs leading to a career certificate or an applied technology diploma, and for adult general education programs, tuition and fees shall be assessed in accordance with section 1009.22, Florida Statutes.

Pursuant to the provisions of section 1009.26(1), Florida Statutes, Florida colleges may grant fee waivers for programs funded through Workforce Development Education appropriations for up to eight percent of the fee revenues that would otherwise be collected.

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

From the funds in Specific Appropriations 11 and 126, each Florida college shall report enrollment for adult general education programs identified in section 1004.02, Florida Statutes, in accordance with the Department of Education instructional hours reporting procedures. The Auditor General shall verify compliance with this requirement during scheduled operational audits of the Florida colleges.

Each Florida college board of trustees is given flexibility to make necessary adjustments to its operating budget. If any board reduces individual programs or projects within the Florida college by more than 10 percent during the 2017-2018 fiscal year, written notification shall be made to the Executive Office of the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Department of Education.

126A	SPECIAL CATEGORIES COMMISSION ON COMMUNITY SERVICE FROM GENERAL REVENUE FUND	983,182	
TOTAL:	PROGRAM: FLORIDA COLLEGES FROM GENERAL REVENUE FUND	914,101,616	
	TOTAL ALL FUNDS	914,101,616	
STATE BOARD OF COMMUNITY COLLEGES			
	APPROVED SALARY RATE	3,139,524	
126B	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND FROM FEDERAL GRANTS TRUST FUND	48.00 3,238,865 166,126 138,228	
126C	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	21,179	
126D	EXPENSES FROM GENERAL REVENUE FUND FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND	456,788 15,974	
126E	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND	8,345 320	
126F	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND	20,042 1,025	
126G	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND	15,501 815	
126H	DATA PROCESSING SERVICES EDUCATION TECHNOLOGY AND INFORMATION SERVICES FROM GENERAL REVENUE FUND FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND	418,377 9,788	

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

TOTAL:	STATE BOARD OF COMMUNITY COLLEGES FROM GENERAL REVENUE FUND FROM TRUST FUNDS	4,179,097 332,276	
	TOTAL POSITIONS TOTAL ALL FUNDS	48.00 4,511,373	

STATE BOARD OF EDUCATION

From the funds provided in Specific Appropriations 127 through 139, the Commissioner of Education shall prepare and provide to the chair of the Senate Committee on Appropriations, the chair of the House of Representatives Appropriations Committee, and the Executive Office of the Governor on or before October 1, 2017, a report containing the following: the federal indirect cost rate(s) approved to be used for the 12 month period of the 2017-2018 fiscal year and the data on which the rate(s) was established; the estimated amount of funds the approved rate(s) will generate; the proposed expenditure plan for the amount generated; and the June 30, 2017, balance of all unexpended federal indirect cost funds.

From the funds provided in Specific Appropriations 127 through 139, the Department of Education shall publish on the Florida Department of Education website by December 31, 2017, from each school district's Annual Financial Report, expenditures on a per FTE basis for the following fund types: General Fund, Special Revenue Fund, Debt Service Fund, Capital Project Fund and a Total. Fiduciary funds, enterprise funds, and internal service funds shall not be included. This funding information shall also be published in the same format on each school district's website by December 31, 2017.

Funds provided in Specific Appropriations 127 through 139 for the Working Capital Trust Fund shall be cost-recovered from funds used to pay data processing services provided in accordance with section 216.272, Florida Statutes.

	APPROVED SALARY RATE	47,694,432	
127	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND FROM FEDERAL GRANTS TRUST FUND FROM INSTITUTIONAL ASSESSMENT TRUST FUND FROM STUDENT LOAN OPERATING TRUST FUND FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND FROM OPERATING TRUST FUND FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND FROM WORKING CAPITAL TRUST FUND	955.00 17,825,182 5,014,706 2,681,887 14,728,075 2,471,237 8,503,316 71,479 282,048 383,986 5,779,621	
128	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND FROM FEDERAL GRANTS TRUST FUND FROM INSTITUTIONAL ASSESSMENT TRUST FUND FROM STUDENT LOAN OPERATING TRUST FUND FROM OPERATING TRUST FUND FROM WORKING CAPITAL TRUST FUND	215,566 93,641 41,618 529,864 219,266 260,114 5,005 57,725	
129	EXPENSES FROM GENERAL REVENUE FUND	2,247,613	

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

FROM ADMINISTRATIVE TRUST FUND . . .	1,456,375
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND	1,009,523
FROM EDUCATIONAL MEDIA AND TECHNOLOGY TRUST FUND	133,426
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND	852,707
FROM FEDERAL GRANTS TRUST FUND . . .	2,188,663
FROM GRANTS AND DONATIONS TRUST FUND	48,433
FROM INSTITUTIONAL ASSESSMENT TRUST FUND	502,308
FROM STUDENT LOAN OPERATING TRUST FUND	2,021,981
FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND	39,050
FROM OPERATING TRUST FUND	295,667
FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND	135,350
FROM WORKING CAPITAL TRUST FUND . .	706,077

From the funds provided in Specific Appropriation 129, \$42,813 from the General Revenue Fund is provided to the Department of Education to pay the state's dues to the Interstate Commission on Educational Opportunity for Military Children for the 2017-2018 fiscal year.

130	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	45,970	
	FROM ADMINISTRATIVE TRUST FUND . . .		144,428
	FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		7,440
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		15,000
	FROM FEDERAL GRANTS TRUST FUND . . .		241,756
	FROM INSTITUTIONAL ASSESSMENT TRUST FUND		16,375
	FROM STUDENT LOAN OPERATING TRUST FUND		268,200
	FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND		6,000
	FROM OPERATING TRUST FUND		5,000
	FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND		3,150
	FROM WORKING CAPITAL TRUST FUND . .		47,921
131	SPECIAL CATEGORIES		
	ASSESSMENT AND EVALUATION		
	FROM GENERAL REVENUE FUND	52,948,875	
	FROM ADMINISTRATIVE TRUST FUND . . .		2,315,367
	FROM FEDERAL GRANTS TRUST FUND . . .		40,153,877
	FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND		13,783,900
132	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
	FROM GENERAL REVENUE FUND	214,518	
133	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	3,847,373	
	FROM ADMINISTRATIVE TRUST FUND . . .		739,054
	FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		2,882,567
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		237,880
	FROM FEDERAL GRANTS TRUST FUND . . .		1,876,770
	FROM GRANTS AND DONATIONS TRUST FUND		50,000
	FROM INSTITUTIONAL ASSESSMENT TRUST FUND		395,405
	FROM STUDENT LOAN OPERATING TRUST FUND		9,959,478

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

	FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND		19,893
	FROM OPERATING TRUST FUND		374,193
	FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND		4,242,250
	FROM WORKING CAPITAL TRUST FUND . .		943,604
134	SPECIAL CATEGORIES		
	EDUCATIONAL FACILITIES RESEARCH AND DEVELOPMENT PROJECTS		
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		200,000
135	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	109,563	
	FROM ADMINISTRATIVE TRUST FUND . . .		57,017
	FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		37,577
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		14,528
	FROM FEDERAL GRANTS TRUST FUND . . .		104,553
	FROM INSTITUTIONAL ASSESSMENT TRUST FUND		7,650
	FROM STUDENT LOAN OPERATING TRUST FUND		91,533
	FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND		461
	FROM OPERATING TRUST FUND		3,952
	FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND		1,925
	FROM WORKING CAPITAL TRUST FUND . .		33,945
136	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	112,645	
	FROM ADMINISTRATIVE TRUST FUND . . .		22,758
	FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		18,921
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		11,550
	FROM FEDERAL GRANTS TRUST FUND . . .		77,971
	FROM INSTITUTIONAL ASSESSMENT TRUST FUND		9,018
	FROM STUDENT LOAN OPERATING TRUST FUND		46,804
	FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND		323
	FROM OPERATING TRUST FUND		3,039
	FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND		1,894
	FROM WORKING CAPITAL TRUST FUND . .		28,037
137A	DATA PROCESSING SERVICES		
	DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY		
	FROM GENERAL REVENUE FUND	92,628	
	FROM ADMINISTRATIVE TRUST FUND . . .		3,456
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		9,778
	FROM FEDERAL GRANTS TRUST FUND . . .		19,639
	FROM STUDENT LOAN OPERATING TRUST FUND		85,606
	FROM WORKING CAPITAL TRUST FUND . .		770
138	DATA PROCESSING SERVICES		
	EDUCATION TECHNOLOGY AND INFORMATION SERVICES		
	FROM GENERAL REVENUE FUND	5,141,112	
	FROM ADMINISTRATIVE TRUST FUND . . .		1,675,769

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND	1,145,099	
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND	272,260	
FROM FEDERAL GRANTS TRUST FUND	2,749,368	
FROM INSTITUTIONAL ASSESSMENT TRUST FUND	284,311	
FROM STUDENT LOAN OPERATING TRUST FUND	2,233,856	
FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND	16,255	
FROM OPERATING TRUST FUND	91,643	
FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND	67,758	
FROM WORKING CAPITAL TRUST FUND	1,202,996	
139 DATA PROCESSING SERVICES NORTHWEST REGIONAL DATA CENTER (NWRDC) FROM GENERAL REVENUE FUND	2,924,476	
FROM ADMINISTRATIVE TRUST FUND	9,994	
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND	70,039	
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND	2,024	
FROM FEDERAL GRANTS TRUST FUND	27,422	
FROM STUDENT LOAN OPERATING TRUST FUND	685,624	
FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND	40,852	
FROM WORKING CAPITAL TRUST FUND	4,442,496	
TOTAL: STATE BOARD OF EDUCATION FROM GENERAL REVENUE FUND	85,725,521	
FROM TRUST FUNDS	152,743,193	
TOTAL POSITIONS	955.00	
TOTAL ALL FUNDS	238,468,714	

UNIVERSITIES, DIVISION OF

PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES

Funds in Specific Appropriations 12 through 16 and 140 through 153 are provided as grants and aids to support the operation of state universities. Funds provided to each university are contingent upon that university following the provisions of chapters 1000 through 1013, Florida Statutes, which relate to state universities. Any withholding of funds pursuant to this provision shall be subject to the approval of the Legislative Budget Commission.

140 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - MOFFITT CANCER CENTER AND RESEARCH INSTITUTE FROM GENERAL REVENUE FUND	10,976,930

The funds in Specific Appropriation 140 shall be transferred to the H. Lee Moffitt Cancer Center and Research Institute to support the operations of this state university system entity. Funds in Specific Appropriation 140 may be transferred to the Agency for Health Care Administration and used as state matching funds for the H. Lee Moffitt Cancer Center and Research Institute to adjust the Medicaid inpatient reimbursement and outpatient trend adjustments applied to the H. Lee Moffitt Cancer Center and Research Institute and other Medicaid reductions to its reimbursements up to the actual Medicaid inpatient and outpatient costs. In the event that enhanced Medicaid funding is not implemented by the Agency for Health Care Administration, these funds shall remain appropriated to the H. Lee Moffitt Cancer Center and Research Institute to continue the original purpose of providing research and education related to cancer.

From the funds provided in Specific Appropriation 140, \$400,000 is provided to the Coalition for Medicinal Cannabis Research and Education within the Moffitt Cancer Center. Funds provided are contingent upon Senate Bill 1472 or similar legislation becoming law.

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

141 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - EDUCATION AND GENERAL ACTIVITIES FROM GENERAL REVENUE FUND	2,344,494,109	
FROM PHOSPHATE RESEARCH TRUST FUND		5,119,562

General revenue funds provided in Specific Appropriations 141 through 149 to each of the named university entities are contingent upon each university entity complying with the tuition and fee policies established in Part II of chapter 1009, Florida Statutes. However, the funds appropriated to a specific university entity shall not be affected by the failure of another university or entity to comply with this provision.

Funds in Specific Appropriations 12 through 16 and 141 through 153 shall be expended in accordance with operating budgets that must be approved by each university's board of trustees.

Funds in Specific Appropriation 141 from the General Revenue Fund shall be allocated as follows:

University of Florida.....	313,141,297
Florida State University.....	281,413,151
Florida A&M University.....	75,176,167
University of South Florida.....	190,744,829
University of South Florida, St. Petersburg.....	21,691,120
University of South Florida, Sarasota/Manatee.....	19,384,431
Florida Atlantic University.....	122,511,788
University of West Florida.....	90,832,835
University of Central Florida.....	234,246,160
Florida International University.....	176,692,113
University of North Florida.....	70,662,450
Florida Gulf Coast University.....	58,300,315
New College of Florida.....	23,137,853
Florida Polytechnic University.....	36,322,098
State University Performance Based Incentives.....	525,000,000
Johnson Matching Grant.....	237,500
Preeminent State Research Universities.....	40,000,000
Emerging Preeminent State Research Universities.....	10,000,000
Team Grants.....	55,000,000

Funds provided in Specific Appropriation 141, as listed above, include allocations for the following university initiatives:

Florida Agricultural and Mechanical University Increasing Online Course Offerings.....	2,000,000
Florida Atlantic University Secondary Robotics Team Support.....	250,000
Drug Discovery and Translation Research Partnership with Scripps Florida.....	2,972,896
Postdoctoral Research Program Partnership with Scripps Florida.....	1,400,000
Honors College.....	386,538
Florida Gulf Coast University Target Existing Talent Gaps.....	2,234,361
Honors College.....	1,500,000
Florida International University UP:LIFT(University Paradigm: Learn, Interact, Facilitate) StartUP.....	3,000,000
Florida State University Health Equity Research Institute.....	1,000,000
Next Generation Ultra-High Field Magnets.....	300,000
Center for Advanced Power Systems Expansion and Diversification.....	750,000
University of Central Florida Advanced Manufacturing Sensor Project (BRIDG).....	5,000,000
Florida FIRST Robotics Team Grant.....	250,000
Incubator.....	1,000,000
PTSD Clinic for Florida Veterans and First Responders....	1,250,000
University of Florida Lastinger Center for Learning Algebra Nation.....	200,000
Lastinger Center for Learning Math Nation.....	200,000
St. Augustine Historic Building Roof Replacements.....	250,000
Infrastructure for Zika Research.....	2,000,000
Institute for Comparative Veterinary Diagnostics.....	2,000,000
University of North Florida	

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

Highly Effective Teacher Grant.....	700,000
University of South Florida Collaborative-Problem Based Learning Educational Enhancement Program.....	2,000,000
University of South Florida, Sarasota/Manatee Programs of Strategic Importance.....	2,500,000
Small Business Development Center.....	5,000,000
University of South Florida, St. Petersburg Citizen Scholar Partnership.....	263,458
Midtown Early Care and Education Collaborative.....	750,000
University of West Florida Intelligent Systems and Robotics Ph.D. Program.....	500,000

Undergraduate tuition shall be assessed in accordance with section 1009.24, Florida Statutes. Tuition for graduate and professional programs and out-of-state fees for all programs shall be established pursuant to section 1009.24, Florida Statutes. No state university may receive general revenue funding associated with the enrollment of out-of-state students.

Each university board of trustees is given flexibility to make necessary adjustments to its operating budget. If any board reduces individual programs or projects within the university by more than 10 percent during the 2017-2018 fiscal year, written notification shall be made to the Executive Office of the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Board of Governors.

Funds in Specific Appropriation 141 from the Phosphate Research Trust Fund are provided for the Florida Polytechnic University.

From the funds in Specific Appropriation 141, \$525,000,000 is provided for State University System Performance Based Incentives. The funds available for allocation to the universities based on the performance funding model shall consist of the state's investment of \$250,000,000 in performance funding, plus an institutional investment of \$275,000,000 consisting of funds to be redistributed from the base funding of the State University System. The Board of Governors shall allocate all appropriated funds for State University System Performance Based Incentives based on the requirements in section 1001.92, Florida Statutes.

From the funds in Specific Appropriation 141 provided to the University of West Florida, \$2,535,616 shall be released to the Florida Academic Library Services Cooperative at the University of West Florida at the beginning of the first quarter and \$4,317,400 shall be released at the beginning of the second quarter in addition to the normal releases. The additional releases are provided to maximize cost savings through centralized purchases of subscription-based electronic resources.

From the funds in Specific Appropriation 141 for the Florida Academic Library Services Cooperative and the Complete Florida Plus Program at the University of West Florida, administrative costs shall not exceed five percent.

From the funds in Specific Appropriation 141, the Board of Governors Foundation shall distribute \$237,500 to state universities for Johnson Scholarships in accordance with section 1009.74, Florida Statutes. Sixty percent of such funds shall be released at the beginning of the first quarter and the balance at the beginning of the third quarter.

142 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - FLORIDA AGRICULTURAL AND MECHANICAL UNIVERSITY AND FLORIDA STATE UNIVERSITY COLLEGE OF ENGINEERING FROM GENERAL REVENUE FUND	14,384,389
143 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - IFAS (INSTITUTE OF FOOD AND AGRICULTURAL SCIENCE) FROM GENERAL REVENUE FUND	156,690,553

Funds provided in Specific Appropriation 143 include allocations for the following university initiatives:

Water Quantity-Quality Best Management Practices.....	1,000,000
Tropical Research and Education Center.....	1,250,000

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

144 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - UNIVERSITY OF SOUTH FLORIDA MEDICAL CENTER FROM GENERAL REVENUE FUND	64,723,361

145 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - UNIVERSITY OF FLORIDA HEALTH CENTER FROM GENERAL REVENUE FUND	111,572,398

Funds provided in Specific Appropriation 145 include allocations for the following university initiatives:

Center for Translational Research in Neurodegenerative Disease.....	2,000,000
Integrated Pediatric Research and Education.....	1,500,000
College of Pharmacy-Medical Cannabis Research.....	2,400,000
Program to Cure Dystonia and other Involuntary Muscle Disorders.....	500,000

146 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - FLORIDA STATE UNIVERSITY MEDICAL SCHOOL FROM GENERAL REVENUE FUND	35,289,974

From the funds provided in Specific Appropriation 146, \$489,619 is provided for the Evaluation of Behavioral Health System of Care in Florida.

147 AID TO LOCAL GOVERNMENTS UNIVERSITY OF CENTRAL FLORIDA MEDICAL SCHOOL FROM GENERAL REVENUE FUND	26,326,675

148 AID TO LOCAL GOVERNMENTS FLORIDA INTERNATIONAL UNIVERSITY MEDICAL SCHOOL FROM GENERAL REVENUE FUND	31,633,859

From the funds provided in Specific Appropriation 148, \$1,000,000 is provided for Graduate Medical Education Primary Care.

149 AID TO LOCAL GOVERNMENTS FLORIDA ATLANTIC UNIVERSITY MEDICAL SCHOOL FROM GENERAL REVENUE FUND	14,921,681

150 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - STUDENT FINANCIAL ASSISTANCE FROM GENERAL REVENUE FUND	7,140,378

A minimum of 75 percent of the funds provided in Specific Appropriation 150 shall be allocated for need-based financial aid.

Funds in Specific Appropriation 150 shall be allocated as follows:

University of Florida.....	1,737,381
Florida State University.....	1,487,667
Florida A&M University.....	624,417
University of South Florida.....	801,368
Florida Atlantic University.....	399,658
University of West Florida.....	157,766
University of Central Florida.....	858,405
Florida International University.....	540,666
University of North Florida.....	209,570
Florida Gulf Coast University.....	98,073
New College of Florida.....	204,407
Florida Polytechnic University.....	50,000

151 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - FLORIDA POSTSECONDARY COMPREHENSIVE TRANSITION PROGRAM FROM GENERAL REVENUE FUND	10,500,000

Funds provided in Specific Appropriation 151 shall be distributed pursuant to the following guidelines:

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

Florida Center for Students with Unique Abilities.....	1,500,000
Startup and Enhancement Grants.....	4,500,000
Florida Postsecondary Comprehensive Transition Program Scholarships.....	4,500,000

Funds provided to the Florida Center for Students with Unique Abilities are for costs solely associated with the center serving as the statewide coordinating center for the program. Funds are provided for startup and enhancement grants pursuant to section 1004.6495(5)(b)5., Florida Statutes. Funds provided for Florida Postsecondary Comprehensive Transition Program Scholarships shall be distributed to students who are enrolled in eligible programs. The scholarship amount shall be \$7,000 for each student who meets the eligibility requirements of subsection 1004.6495(7), Florida Statutes. Funds provided for startup and enhancement grants may also be used to provide additional student scholarships if total grant awards in the 2017-2018 fiscal year are below the appropriated amount. The maximum annual startup and enhancement grant award shall be \$300,000 per institution. Funds provided for Florida Postsecondary Comprehensive Transition Program Scholarships may be used to provide additional startup and enhancement grants if total scholarship awards for the 2017-2018 fiscal year are below the appropriated amount.

152 AID TO LOCAL GOVERNMENTS	
GRANTS AND AIDS - INSTITUTE FOR HUMAN AND MACHINE COGNITION	
FROM GENERAL REVENUE FUND	2,739,184

The funds in Specific Appropriation 152 shall be transferred to the Institute for Human and Machine Cognition to support the operations of this state university system entity.

153 SPECIAL CATEGORIES	
RISK MANAGEMENT INSURANCE	
FROM GENERAL REVENUE FUND	22,718,536
FROM PHOSPHATE RESEARCH TRUST FUND	4,525

TOTAL: PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES	
FROM GENERAL REVENUE FUND	2,854,112,027
FROM TRUST FUNDS	5,124,087

TOTAL ALL FUNDS	2,859,236,114

BOARD OF GOVERNORS

APPROVED SALARY RATE	4,996,791

154 SALARIES AND BENEFITS	POSITIONS	65.00
FROM GENERAL REVENUE FUND		5,913,625
FROM DIVISION OF UNIVERSITIES		
FACILITY CONSTRUCTION		
ADMINISTRATIVE TRUST FUND		772,719

From the funds provided in Specific Appropriation 154, the state funded portion of salaries for each employee of the Board of Governors shall not exceed \$200,000.

155 OTHER PERSONAL SERVICES	
FROM GENERAL REVENUE FUND	51,310
FROM DIVISION OF UNIVERSITIES	
FACILITY CONSTRUCTION	
ADMINISTRATIVE TRUST FUND	15,589
FROM OPERATIONS AND MAINTENANCE	
TRUST FUND	5,196

156 EXPENSES	
FROM GENERAL REVENUE FUND	736,982
FROM DIVISION OF UNIVERSITIES	
FACILITY CONSTRUCTION	
ADMINISTRATIVE TRUST FUND	194,799
FROM OPERATIONS AND MAINTENANCE	
TRUST FUND	12,000

157 OPERATING CAPITAL OUTLAY	
FROM GENERAL REVENUE FUND	11,782

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

FROM DIVISION OF UNIVERSITIES	
FACILITY CONSTRUCTION	
ADMINISTRATIVE TRUST FUND	5,950

158 SPECIAL CATEGORIES	
CONTRACTED SERVICES	
FROM GENERAL REVENUE FUND	240,127
FROM DIVISION OF UNIVERSITIES	
FACILITY CONSTRUCTION	
ADMINISTRATIVE TRUST FUND	20,000
FROM OPERATIONS AND MAINTENANCE	
TRUST FUND	3,000

159 SPECIAL CATEGORIES	
RISK MANAGEMENT INSURANCE	
FROM GENERAL REVENUE FUND	11,619

160 SPECIAL CATEGORIES	
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES	
PURCHASED PER STATEWIDE CONTRACT	
FROM GENERAL REVENUE FUND	17,181
FROM DIVISION OF UNIVERSITIES	
FACILITY CONSTRUCTION	
ADMINISTRATIVE TRUST FUND	4,267

161 DATA PROCESSING SERVICES	
NORTHWEST REGIONAL DATA CENTER (NWRDC)	
FROM GENERAL REVENUE FUND	269,527

TOTAL: BOARD OF GOVERNORS	
FROM GENERAL REVENUE FUND	7,252,153
FROM TRUST FUNDS	1,033,520

TOTAL POSITIONS	65.00
TOTAL ALL FUNDS	8,285,673

TOTAL OF SECTION 2

FROM GENERAL REVENUE FUND	16,168,854,340

FROM TRUST FUNDS	4,521,878,301

TOTAL POSITIONS	2,341.75

TOTAL ALL FUNDS	20,690,732,641

TOTAL: EDUCATION, DEPARTMENT OF (SECTIONS 1 AND 2)

EDUCATION/EARLY LEARNING	
FROM GENERAL REVENUE FUND	571,885,981
FROM TRUST FUNDS	525,315,791

EDUCATION/PUBLIC SCHOOLS	
FROM GENERAL REVENUE FUND	11,221,012,245
FROM TRUST FUNDS	2,681,879,961

EDUCATION/FL COLLEGES	
FROM GENERAL REVENUE FUND	918,280,713
FROM TRUST FUNDS	232,083,855

EDUCATION/UNIVERSITIES	
FROM GENERAL REVENUE FUND	2,854,112,027
FROM TRUST FUNDS	262,754,112

EDUCATION/OTHER	
FROM GENERAL REVENUE FUND	603,563,374
FROM TRUST FUNDS	2,802,744,581

EDUCATION RECAP	
FROM GENERAL REVENUE FUND	16,168,854,340
FROM TRUST FUNDS	6,504,778,300

TOTAL POSITIONS	2,341.75

TOTAL ALL FUNDS	22,673,632,640

TOTAL APPROVED SALARY RATE	106,532,713

SECTION 3 - HUMAN SERVICES

SPECIFIC
APPROPRIATION

The moneys contained herein are appropriated from the named funds to the Agency for Health Care Administration, Agency for Persons with Disabilities, Department of Children and Families, Department of Elder Affairs, Department of Health, and the Department of Veterans' Affairs as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

AGENCY FOR HEALTH CARE ADMINISTRATION

PROGRAM: ADMINISTRATION AND SUPPORT

	APPROVED SALARY RATE	12,893,393		
162	SALARIES AND BENEFITS	POSITIONS	258.00	
	FROM GENERAL REVENUE FUND		2,939,021	
	FROM ADMINISTRATIVE TRUST FUND			14,415,987
163	OTHER PERSONAL SERVICES		726,019	
	FROM GENERAL REVENUE FUND			1,398,824
	FROM ADMINISTRATIVE TRUST FUND			
164	EXPENSES			
	FROM GENERAL REVENUE FUND	213,501		
	FROM ADMINISTRATIVE TRUST FUND		3,243,257	
165	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND	155,923		
	FROM ADMINISTRATIVE TRUST FUND		489,701	
166	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND	197,504		
	FROM ADMINISTRATIVE TRUST FUND		19,174,458	
167	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND	34,202		
	FROM ADMINISTRATIVE TRUST FUND		213,998	
168	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND	18,346		
	FROM ADMINISTRATIVE TRUST FUND		194,832	
169	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT			
	SERVICES - HUMAN RESOURCES SERVICES			
	PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND	20,935		
	FROM ADMINISTRATIVE TRUST FUND		67,586	
170A	DATA PROCESSING SERVICES			
	DATA PROCESSING ASSESSMENT - AGENCY FOR			
	STATE TECHNOLOGY			
	FROM ADMINISTRATIVE TRUST FUND		2,177,784	
TOTAL:	PROGRAM: ADMINISTRATION AND SUPPORT			
	FROM GENERAL REVENUE FUND	4,305,451		
	FROM TRUST FUNDS		41,376,427	
	TOTAL POSITIONS	258.00		
	TOTAL ALL FUNDS		45,681,878	

PROGRAM: HEALTH CARE SERVICES

CHILDREN'S SPECIAL HEALTH CARE

171	SPECIAL CATEGORIES			
	GRANTS AND AIDS - FLORIDA HEALTHY KIDS			
	CORPORATION			
	FROM GENERAL REVENUE FUND	9,436,619		
	FROM MEDICAL CARE TRUST FUND		234,773,716	

Funds in Specific Appropriations 171 and 174 are provided to the

SECTION 3 - HUMAN SERVICES

Agency for Health Care Administration to contract with the Florida Healthy Kids Corporation to provide comprehensive health insurance coverage, including dental services, to Title XXI children eligible under the Florida KidCare Program and pursuant to section 624.91, Florida Statutes. The corporation shall use local funds to serve non-Title XXI children that are eligible for the program pursuant to section 624.91(3)(b), Florida Statutes. The corporation shall return unspent local funds collected in Fiscal Year 2017-2018 to provide premium assistance for non-Title XXI eligible children based on a formula developed by the corporation.

172	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND	141,742		
	FROM GRANTS AND DONATIONS TRUST			
	FUND		709,064	
	FROM MEDICAL CARE TRUST FUND		3,520,813	
173	SPECIAL CATEGORIES			
	GRANTS AND AIDS - CONTRACTED SERVICES -			
	FLORIDA HEALTHY KIDS ADMINISTRATION			
	FROM GENERAL REVENUE FUND	670,238		
	FROM MEDICAL CARE TRUST FUND		16,660,157	
174	SPECIAL CATEGORIES			
	GRANTS AND AIDS - FLORIDA HEALTHY KIDS			
	CORPORATION DENTAL SERVICES			
	FROM GENERAL REVENUE FUND	1,124,795		
	FROM MEDICAL CARE TRUST FUND		27,959,083	
Funds in Specific Appropriation 174 are provided to the Agency for Health Care Administration for Florida Healthy Kids dental services to be paid a monthly premium of no more than \$14.55 per member per month.				
175	SPECIAL CATEGORIES			
	MEDIKIDS			
	FROM GENERAL REVENUE FUND	1,615,700		
	FROM GRANTS AND DONATIONS TRUST			
	FUND		15,007,742	
	FROM MEDICAL CARE TRUST FUND		40,204,665	
176	SPECIAL CATEGORIES			
	CHILDREN'S MEDICAL SERVICES NETWORK			
	FROM GENERAL REVENUE FUND	4,009,843		
	FROM GRANTS AND DONATIONS TRUST			
	FUND		2,027,744	
	FROM MEDICAL CARE TRUST FUND		99,603,689	

From the funds in Specific Appropriation 176, the Agency for Health Care Administration shall, by August 1, 2017, notify in writing parents or guardians of each Medicaid beneficiary under age 21 who was transferred out of the Children's Medical Services Network to a capitated Medicaid Managed Medical Assistance health plan between May 2015 and September 2015 as a result of a clinical ineligibility determination that they may request a new eligibility screening for their child. A re-screening for clinical eligibility shall be based on the provisions of 64C-2.002, F.A.C. If a child is determined to be clinically eligible, the parent or guardian shall be offered the option of transferring the child to the Children's Medical Services Network or remaining enrolled in the child's current Medicaid Managed Medical Assistance health plan.

TOTAL:	CHILDREN'S SPECIAL HEALTH CARE			
	FROM GENERAL REVENUE FUND	16,998,937		
	FROM TRUST FUNDS		440,467,473	
	TOTAL ALL FUNDS		457,466,410	

EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE	29,399,285		
177	SALARIES AND BENEFITS	POSITIONS	646.00	
	FROM GENERAL REVENUE FUND		2,622,908	
	FROM MEDICAL CARE TRUST FUND		38,800,101	

SECTION 3 - HUMAN SERVICES

178	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM MEDICAL CARE TRUST FUND	273,481	3,609,170
179	EXPENSES FROM GENERAL REVENUE FUND FROM MEDICAL CARE TRUST FUND	894,505	6,683,662
180	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND FROM MEDICAL CARE TRUST FUND	45,391	221,266
181	SPECIAL CATEGORIES PHARMACEUTICAL EXPENSE ASSISTANCE FROM GENERAL REVENUE FUND	50,000	
182	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM GENERAL REVENUE FUND FROM MEDICAL CARE TRUST FUND	119,870	119,870
183	SPECIAL CATEGORIES CONTRACT NURSING HOME AUDIT PROGRAM FROM GENERAL REVENUE FUND FROM MEDICAL CARE TRUST FUND	827,653	1,129,095
184	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND FROM MEDICAL CARE TRUST FUND	15,351,006	187,500 3,070,535 64,021,199

From the funds provided in Specific Appropriation 184, \$5,880,000 in nonrecurring funds from the Medical Care Trust Fund is provided to the Agency for Health Care Administration for the Florida Medicaid Management Information System/Decision Support System/Fiscal Agent (FMMIS/DSS/FA) procurement project. These funds shall be held in reserve. The Agency for Health Care Administration is authorized to submit budget amendments for the release of funds pursuant to the provisions of chapter 216, Florida Statutes. Release is contingent upon approval of a comprehensive operational work plan reflecting all project tasks; and detailed spend plan reflecting estimated and actual costs that comply with the requirements prescribed and funding approved by the Centers for Medicare and Medicaid Services.

Additionally, the Agency for Health Care Administration shall contract with a third party consulting firm with experience in conducting independent verification and validation assessments to provide independent verification and validation for the Florida Medicaid Management Information System/Decision Support System/Fiscal Agent (FMMIS/DSS/FA) procurement project. The contract for independent verification and validation assessment shall not exceed \$1,646,308.

From the funds in Specific Appropriation 184, \$850,000 in nonrecurring funds from the Medical Care Trust Fund is provided to the Agency for Health Care Administration to contract with an independent consultant for actuarial services.

From the funds in Specific Appropriation 184, \$20,000 in nonrecurring funds from the General Revenue Fund and \$40,138 in nonrecurring funds from the Medical Care Trust Fund, is provided to the Agency for Health Care Administration to contract with an independent consultant to study a Medicaid Buy-In Program for Florida. The study shall review other state Medicaid buy-in models that allow for individuals with disabilities to gain substantial employment, accrue assets, and achieve financial independence. The study shall also provide an analysis of the economic benefits and costs related to implementing a Medicaid Buy-In program and concrete recommendations on the different income and resource levels that can be exercised to create a viable Medicaid buy-in program. The report shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than November 30, 2017.

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185	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM GRANTS AND DONATIONS TRUST FUND FROM MEDICAL CARE TRUST FUND		3,000,000 3,000,000
186	SPECIAL CATEGORIES MEDICAID FISCAL CONTRACT FROM GENERAL REVENUE FUND FROM MEDICAL CARE TRUST FUND	18,872,571	54,577,531
187	SPECIAL CATEGORIES MEDICAID PEER REVIEW FROM GENERAL REVENUE FUND FROM MEDICAL CARE TRUST FUND	1,093,903	4,403,348
188	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM MEDICAL CARE TRUST FUND	325,867	415,715
189	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND FROM MEDICAL CARE TRUST FUND	26,165	179,063
190	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM MEDICAL CARE TRUST FUND	80,727	157,133
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM GENERAL REVENUE FUND FROM TRUST FUNDS	40,584,047	183,575,188
	TOTAL POSITIONS	646.00	
	TOTAL ALL FUNDS		224,159,235

MEDICAID SERVICES TO INDIVIDUALS

From the funds in Specific Appropriations 190 through 220A, the Agency for Health Care Administration shall provide a quarterly reconciliation report of all Medicaid service appropriation expenditures and fund sources. The reconciliation shall compare actual expenditures paid through each specific appropriation category by fund either through the Florida Medicaid Management Information System (FMMIS) or the Agency for Health Care Administration to expenditure estimates forecasted through the Social Services Estimating Conference Medicaid services forecasting model, as directed in section 216.136(6), Florida Statutes. The comparison shall include fund source detail for each comparison. For any category where a variance is identified, the Agency for Health Care Administration shall submit a written corrective action plan to address each variance by category and fund source. The reconciliation shall be submitted to the Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than 30 days after the close of each quarter. The Agency for Health Care Administration may submit budget amendments to the Legislative Budget Commission to realign appropriation categories based on the reconciliation pursuant to the provisions of chapter 216, Florida Statutes.

191	SPECIAL CATEGORIES CASE MANAGEMENT FROM GENERAL REVENUE FUND FROM MEDICAL CARE TRUST FUND	3,247,957	5,214,672
192	SPECIAL CATEGORIES COMMUNITY MENTAL HEALTH SERVICES FROM GENERAL REVENUE FUND FROM MEDICAL CARE TRUST FUND	70,661,630	115,084,854

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193	SPECIAL CATEGORIES DEVELOPMENTAL EVALUATION AND INTERVENTION/ PART C FROM MEDICAL CARE TRUST FUND	15,297,293	
	FROM REFUGEE ASSISTANCE TRUST FUND .	288	

Funds in Specific Appropriation 193 are contingent on the availability of state match being provided in Specific Appropriation 529.

194	SPECIAL CATEGORIES GRANTS AND AIDS - SHANDS TEACHING HOSPITAL FROM GENERAL REVENUE FUND	8,673,569	
	FROM GRANTS AND DONATIONS TRUST FUND		1,000,000

The General Revenue funds in Specific Appropriation 194 shall be primarily designated for transfer to the Agency for Health Care Administration's Grants and Donations Trust Fund for use in the Medicaid program. Should the Agency for Health Care Administration be unable to use the full amount of these designated funds as Medicaid match, the remaining funds may be used secondarily for payments to Shands Teaching Hospital to continue the original purpose of providing health care services to indigent patients through Shands Healthcare System.

195	SPECIAL CATEGORIES HEALTHY START SERVICES FROM GENERAL REVENUE FUND	15,802,104	
	FROM MEDICAL CARE TRUST FUND	25,370,653	

196	SPECIAL CATEGORIES REDISTRIBUTION OF MEDICAID PROGRAM RECOUPMENTS FROM GRANTS AND DONATIONS TRUST FUND	20,387,100	
	FROM MEDICAL CARE TRUST FUND	64,836,080	

From the funds in Specific Appropriation 196, \$20,387,100 in nonrecurring funds from the Grants and Donations Trust Fund and \$64,836,080 in nonrecurring funds from the Medical Care Trust Fund are provided to redistribute federal disproportionate share allotments and the associated state share to eligible providers with additional uncompensated care costs identified through an audit for Fiscal Year 2010-2011 and Fiscal Year 2011-2012.

197	SPECIAL CATEGORIES GRADUATE MEDICAL EDUCATION FROM GENERAL REVENUE FUND	30,704,000	
	FROM GRANTS AND DONATIONS TRUST FUND	38,380,000	
	FROM MEDICAL CARE TRUST FUND	110,916,000	

From the funds in Specific Appropriation 197, \$30,704,000 from the General Revenue Fund and \$38,380,000 from the Grants and Donations Trust Fund and \$61,620,000 from the Medical Care Trust Fund are provided to fund the Statewide Medicaid Residency Program and the Graduate Medical Education Startup Bonus Program. Of these funds \$80,000,000 shall be used to fund the Statewide Medicaid Residency Program in accordance with section 409.909(3), Florida Statutes. Of these funds, \$42,262,976 shall be distributed to the two hospitals with the largest number of graduate medical residents in statewide supply/demand deficit; and \$400,000 is provided to four positions in place during state fiscal year 2017-2018 at Federally Qualified Health Centers that hold institutional accreditation from the Accreditation Council for Graduate Medical Education, which have had those positions for a period of one year. The remaining funds shall be used to fund the Graduate Medical Education Startup Bonus Program in accordance with section 409.909 (5), Florida Statutes, and are provided for the following physician specialties and subspecialties, both adult and pediatric, that are in statewide supply/demand deficit: allergy or immunology; anesthesiology; cardiology; endocrinology; family medicine; general surgery; hematology; oncology; infectious diseases; nephrology; neurology; obstetrics/gynecology; ophthalmology; orthopedic surgery; otolaryngology; psychiatry; pulmonary; radiology; hematology; thoracic surgery; and urology. Funding for the Graduate Medical Education Startup

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Bonus Program is contingent on the non-federal share being provided through intergovernmental transfers in the Grants and Donation Trust Fund.

198	SPECIAL CATEGORIES HOSPITAL INPATIENT SERVICES FROM GENERAL REVENUE FUND	279,671,553	
	FROM HEALTH CARE TRUST FUND		42,300,000
	FROM GRANTS AND DONATIONS TRUST FUND		15,915,715
	FROM MEDICAL CARE TRUST FUND		622,742,755
	FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND		47,450,732
	FROM REFUGEE ASSISTANCE TRUST FUND .		1,362,689

Funds in Specific Appropriation 198 are contingent upon the state share being provided through grants and donations from state, county or other governmental funds. In the event the state share provided through grants and donations in the Grants and Donations Trust Fund is not available, the Agency for Health Care Administration may submit a revised hospital reimbursement plan to the Legislative Budget Commission for approval.

From the funds in Specific Appropriation 198, the calculations of the Medicaid Hospital Funding Programs for the 2017-2018 fiscal year are incorporated by reference in Senate Bill 2502. The calculations are the basis for the appropriations made in the General Appropriations Act.

From the funds in Specific Appropriation 198, the Agency for Health Care Administration may establish a global fee for bone marrow transplants and the global fee payment shall be paid to approved bone marrow transplant providers that provide bone marrow transplants to Medicaid beneficiaries.

From the funds in Specific Appropriations 198 and 206, \$2,555,222 from the Grants and Donations Trust Fund and \$4,102,470 from the Medical Care Trust Fund are provided to make Medicaid payments for multi-visceral transplants and intestine transplants in Florida. The Agency for Health Care Administration shall establish a global fee for these transplant procedures and the payments shall be used to pay approved multi-visceral transplant and intestine transplant facilities a global fee for providing these transplant services to Medicaid beneficiaries. Payment of the global fee is contingent upon the nonfederal share being provided through grants and donations from state, county or other governmental funds. The agency is authorized to seek any federal waiver or state plan amendment necessary to implement this provision.

From the funds in Specific Appropriation 198, the Agency for Health Care Administration shall continue a Diagnosis Related Grouping reimbursement methodology for hospital inpatient services as directed in section 409.905 (5)(c), Florida Statutes.

Base Rate - \$3,478.36
Neonates Service Adjustor Severity Level 1 - 1.0
Neonates Service Adjustor Severity Level 2 - 1.52
Neonates Service Adjustor Severity Level 3 - 1.8
Neonates Service Adjustor Severity Level 4 - 2.0
Neonatal, Pediatric, Transplant Pediatric, Mental Health and Rehab DRGs:
Severity Level 1 - 1.0
Severity Level 2 - 1.52
Severity Level 3 - 1.8
Severity Level 4 - 2.0
Free Standing Rehabilitation Provider Adjustor - 2.851
Rural Provider Adjustor - 2.071
Long Term Acute Care (LTAC) Provider Adjustor - 2.199
High Medicaid and High Outlier Provider Adjustor - 2.219
Outlier Threshold - \$60,000
Marginal Cost Percentage - 60%
Marginal Cost Percentage for Pediatric Claims Severity Levels 3 or 4 - 80%
Marginal Cost Percentage for Neonates Claims Severity Levels 3 or 4 - 80%
Marginal Cost Percentage for Transplant Pediatric Claims Severity Levels 3 or 4 - 80%
Documentation and Coding Adjustment - 1/3 of 1%

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Level I Trauma Add On - 17%
 Level II or Level II and Pediatric Add On - 11%
 Pediatric Trauma Add On - 4%

Funds in Specific Appropriation 198 reflect an increase of \$2,391,712 in recurring funds from the General Revenue Fund and \$3,867,675 in recurring funds from the Medical Care Trust Fund for sole community hospitals that meet the definition of "rural hospital" under section 395.002(2)(e), Florida Statutes, to be recognized as rural hospitals in the Agency for Health Care Administration's Diagnosis Related Group (DRG) reimbursement methodology services for hospital inpatient.

Funds in Specific Appropriations 198 and 207 reflect a reduction of \$82,468,654 from the General Revenue Fund and \$132,405,379 from the Medical Care Trust Fund as a result of reducing automatic add-on payments to individual hospital rates that exist on top of the established Diagnosis Related Group (DRG) methodology for hospital inpatient and hospital fee-for-service outpatient services for hospitals. This reduction shall take effect July 1, 2017.

Funds in Specific Appropriation 206 reflect an increase of \$4,500,000 in nonrecurring funds from the General Revenue Fund and \$7,224,857 in nonrecurring funds from the Medical Care Trust Fund to increase the High Medicaid and High Outlier Provider Adjustor for Health Care Administration's Diagnosis Related Group (DRG) reimbursement methodology services for hospital inpatient.

199	SPECIAL CATEGORIES	
	REGULAR DISPROPORTIONATE SHARE	
	FROM GENERAL REVENUE FUND	8,515,536
	FROM GRANTS AND DONATIONS TRUST	
	FUND	82,713,189
	FROM MEDICAL CARE TRUST FUND	219,313,128

Funds in Specific Appropriation 199 shall be used for a Disproportionate Share Hospital Program and are contingent on the state share being provided through grants and donations from state, county, or other government entities.

Funds in Specific Appropriation 199 are provided for a federally funded Rural Hospital Financial Assistance program as provided in section 409.9110, Florida Statutes.

From the funds in Specific Appropriation 199, the calculations of the Medicaid Hospital Funding Programs for the 2017-2018 fiscal year are incorporated by reference in Senate Bill 2502. The calculations are the basis for the appropriations made in the General Appropriations Act.

200	SPECIAL CATEGORIES	
	LOW INCOME POOL	
	FROM GENERAL REVENUE FUND	450,000
	FROM GRANTS AND DONATIONS TRUST	
	FUND	235,143,145
	FROM MEDICAL CARE TRUST FUND	372,232,307

From the funds in Specific Appropriation 200, the calculations of the Medicaid Hospital Funding Programs for the 2017-2018 fiscal year are incorporated by reference in Senate Bill 2502. The calculations are the basis for the appropriations made in the General Appropriations Act.

From the funds in Specific Appropriation 200, in the event the amount of approved nonfederal share of matching funds is not provided by local governmental entities, the Agency for Health Care Administration may adjust low-income pool funds between programs described within this specific appropriation as necessary to ensure sufficient nonfederal matching funds. Any modification, under this provision, shall be consistent with the model, methodology and framework utilized by the Legislature.

Funds provided in Specific Appropriation 200, are contingent upon the nonfederal share being provided through grants and donations from state, county or other governmental funds.

201	SPECIAL CATEGORIES	
	GRANTS AND AIDS - CHILDREN'S SPECIALTY	
	HOSPITALS	
	FROM GENERAL REVENUE FUND	800,000

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202	SPECIAL CATEGORIES	
	HOSPITAL INSURANCE BENEFITS	
	FROM GENERAL REVENUE FUND	31,157,781
	FROM MEDICAL CARE TRUST FUND	50,024,556
203	SPECIAL CATEGORIES	
	HOSPITAL OUTPATIENT SERVICES	
	FROM GENERAL REVENUE FUND	57,184,358
	FROM GRANTS AND DONATIONS TRUST	
	FUND	10,530,548
	FROM MEDICAL CARE TRUST FUND	142,875,953
	FROM PUBLIC MEDICAL ASSISTANCE	
	TRUST FUND	20,768,022
	FROM REFUGEE ASSISTANCE TRUST FUND	948,222

From the funds in Specific Appropriation 203, the calculations of the Medicaid Hospital Funding Programs for the 2017-2018 fiscal year are incorporated by reference in Senate Bill 2502. The calculations are the basis for the appropriations made in the General Appropriations Act.

From the funds in Specific Appropriation 203 and 207, \$22,767,278 from the Grants and Donations Trust Fund and \$36,553,405 from the Medical Care Trust Fund program are provided to increase the outpatient cap for adults from \$500 to \$1,500 per year.

Funds in Specific Appropriations 203, and 207 reflect a reduction of \$16,789,440 from the General Revenue Fund and \$26,955,844 from the Medical Care Trust Fund as a result of reducing automatic add-on payments to individual hospital rates that exist on top of the established Diagnosis Related Group (DRG) methodology for hospital inpatient and hospital fee-for service outpatient services for hospitals. This reduction shall take effect July 1, 2017.

204	SPECIAL CATEGORIES	
	OTHER FEE FOR SERVICE	
	FROM GENERAL REVENUE FUND	158,007,402
	FROM HEALTH CARE TRUST FUND	4,840,597
	FROM GRANTS AND DONATIONS TRUST	
	FUND	2,374,989
	FROM MEDICAL CARE TRUST FUND	270,889,149
	FROM REFUGEE ASSISTANCE TRUST FUND	2,152,077

From the funds in Specific Appropriations 204 and 218, \$16,187,996 from the Grants and Donations Trust Fund and \$25,990,212 from the Medical Care Trust Fund are provided to buy back hospice rate reductions, effective on or after January 1, 2008, and are contingent on the nonfederal share being provided through nursing home quality assessments. Authority is granted to buy back rate reductions up to, but no higher than, the amounts available under the budgeted authority in this Specific Appropriation. In the event that the funds are not available in the Grants and Donations Trust Fund, the State of Florida is not obligated to continue reimbursements at the higher amount.

From the funds in Specific Appropriation 204, the Agency for Health Care Administration shall apply a recurring methodology to establish rates for hospice and clinic services taking into consideration the reductions imposed on or after October 1, 2008, in the following manner: (1) the agency shall divide the total amount of each recurring reduction imposed by the number of visits originally used in the rate calculation for each rate setting period on or after October 1, 2008, which will yield a rate reduction per diem for each rate period; (2) the agency shall multiply the resulting rate reduction per diem for each rate setting period on or after October 1, 2008, by the projected number of visits used in establishing the current budget estimate, which will yield the total current reduction amount to be applied to current rates; and (3) in the event the total current reduction amount is greater than the historical reduction amount, the agency shall hold the rate reduction to the historical reduction amount.

From the funds in Specific Appropriations 204 and 207, \$6,201,347 from the Grants and Donations Trust Fund and \$9,956,410 from the Medical Care Trust Fund are provided to buy back clinic services rate adjustments, effective on or after July 1, 2008, and are contingent on the nonfederal share being provided through grants and donations from state, county or other governmental funds. Authority is granted to buy back rate reductions up to, but not higher than, the amounts available

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under the authority appropriated in this Specific Appropriation. In the event that the funds are not available in the Grants and Donations Trust Fund, the State of Florida is not obligated to continue reimbursements at the higher amount.

From the funds in Specific Appropriations 204 and 207, \$250,000 in recurring General Revenue Funds and \$401,381 in recurring Medical Care Trust Fund is provided for Medicaid coverage for portable x-ray services.

From the funds in Specific Appropriations 204 and 207, \$1,000,000 in recurring General Revenue Funds and \$2,605,524 in recurring Medical Care Trust Fund is provided for a fee increase for delivery and epidural services.

From the funds in Specific Appropriations 204 and 207, \$150,000 in nonrecurring funds from the General Revenue Funds and \$240,829 in nonrecurring funds from the Medical Care Trust Fund is provided to Little Havana Activities and Nutrition Centers (LHANC) home health care program.

From the funds in Specific Appropriation 204, \$1,154,142 from the Medical Care Trust Fund is provided to the Agency for Health Care Administration for Medicaid Reimbursable services that support children enrolled in contracted medical foster care programs under the Department of Health. This funding is contingent upon the availability of state matching funds in the Department of Health in Specific Appropriation 522.

From the funds in Specific Appropriations 204, \$442,709 in nonrecurring funds from the General Revenue Fund and \$710,780 in nonrecurring funds from the Medical Care Trust Fund is provided to Reach Institute behavioral health services for provider training and services SALUSCARE.

From the funds in Specific Appropriation 204, \$1,010,745 from the Medical Care Trust Fund is provided for a rate increase for certain Medicaid behavioral health services. These funds are to be paid to the substance abuse and mental health SafetyNet Network for services provided contingent on passage of legislation creating this network.

From the funds in Specific Appropriation 204, \$25,000,000 from the Medical Care Trust Fund is provided for a certified public expenditure program for Emergency Medical Services. The Agency for Health Care Administration shall seek a state plan amendment/waiver to implement this program pursuant to 42 CFR 433.51.

205	SPECIAL CATEGORIES		
	PERSONAL CARE SERVICES		
	FROM GENERAL REVENUE FUND	29,194,953	
	FROM MEDICAL CARE TRUST FUND		47,053,780

From the funds in Specific Appropriations 205 and 207, \$1,000,000 in recurring General Revenue Funds and \$1,6054,523 in recurring Medical Care Trust Fund is provided for a prescribed pediatric extended care (PPEC) rate increase.

From the funds in Specific Appropriations 205, \$200,000 in nonrecurring funds from the General Revenue Fund and \$321,105 in nonrecurring funds for the Medical Care Trust Fund is provided to PATCHES - PPEC.

206	SPECIAL CATEGORIES		
	PHYSICIAN AND HEALTH CARE PRACTITIONER SERVICES		
	FROM GENERAL REVENUE FUND	54,939,385	
	FROM HEALTH CARE TRUST FUND		3,543,106
	FROM TOBACCO SETTLEMENT TRUST FUND		15,898,906
	FROM GRANTS AND DONATIONS TRUST FUND		10,965,819
	FROM MEDICAL CARE TRUST FUND		149,403,912
	FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND		7,114,334
	FROM REFUGEE ASSISTANCE TRUST FUND		1,312,655

From the funds in Specific Appropriation 206, \$16,119,600 from the Grants and Donations Trust Fund and \$25,880,400 from the Medical Care

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Trust Fund is provided for supplemental payments, which reflect an alternative fee schedule for services provided by doctors of medicine and osteopathy as well as other licensed health care practitioners acting under the supervision of those doctors pursuant to existing statutes and written protocols who are employed by or under contract with a medical school in Florida. This provision shall be contingent upon the nonfederal share being provided through grants and donations from state, local or other governmental funds and federal approval of a state plan amendment.

From the funds in Specific Appropriations 206 and 207, \$750,000 in recurring general revenue funds and \$1,204,414 in recurring funds from the Medical Care Trust Fund are provided for cardiology services.

207	SPECIAL CATEGORIES		
	PREPAID HEALTH PLANS		
	FROM GENERAL REVENUE FUND	3,168,826,496	
	FROM HEALTH CARE TRUST FUND		388,170,046
	FROM TOBACCO SETTLEMENT TRUST FUND		283,209,096
	FROM GRANTS AND DONATIONS TRUST FUND		1,495,989,803
	FROM MEDICAL CARE TRUST FUND		7,516,078,763
	FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND		692,598,885
	FROM REFUGEE ASSISTANCE TRUST FUND		57,759,492

From the funds in Specific Appropriation 207, \$78,295,200 from the Grants and Donations Trust Fund and \$125,704,800 from the Medical Care Trust Fund shall be used for pass-through, subcapitation, differential fee, or directed lump sum payments for doctors of medicine and osteopathy as well as other licensed health care practitioners acting under the supervision of those doctors pursuant to existing statutes and written protocols employed by or under contract with a medical school in Florida. This provision shall be contingent upon the nonfederal share being provided through grants and donations from state, local or other governmental funds and federal approval of a state plan amendment.

From the funds in Specific Appropriation 207, \$19,204,161 from the Medical Care Trust Fund is provided for a rate increase for certain Medicaid behavioral health services. These funds are to be paid to the Substance Abuse and Mental Health Safety Net Network for services provided contingent on passage of legislation creating this network.

208	SPECIAL CATEGORIES		
	PRESCRIBED MEDICINE/DRUGS		
	FROM GENERAL REVENUE FUND	85,683,732	
	FROM HEALTH CARE TRUST FUND		23,416,496
	FROM GRANTS AND DONATIONS TRUST FUND		314,073,894
	FROM MEDICAL CARE TRUST FUND		105,572,777
	FROM REFUGEE ASSISTANCE TRUST FUND		925,040

209	SPECIAL CATEGORIES		
	MEDICARE PART D PAYMENT		
	FROM GENERAL REVENUE FUND	575,331,565	

210	SPECIAL CATEGORIES		
	STATEWIDE INPATIENT PSYCHIATRIC SERVICES		
	FROM GENERAL REVENUE FUND	641,921	
	FROM MEDICAL CARE TRUST FUND		1,191,655

211	SPECIAL CATEGORIES		
	SUPPLEMENTAL MEDICAL INSURANCE		
	FROM GENERAL REVENUE FUND	630,104,291	
	FROM MEDICAL CARE TRUST FUND		1,120,025,258

212	SPECIAL CATEGORIES		
	MEDICAID SCHOOL REFINANCING		
	FROM GENERAL REVENUE FUND	4,000,000	
	FROM MEDICAL CARE TRUST FUND		103,828,461

212A	QUALIFIED EXPENDITURE CATEGORY		
	PREPAID HEALTH PLANS		
	FROM GENERAL REVENUE FUND	236,013,498	
	FROM MEDICAL CARE TRUST FUND		369,304,526

From the funds provided in Specific Appropriation 212A, \$236,013,498

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from the General Revenue Fund and \$369,304,526 from the Medical Care Trust Fund are provided to the Agency for Health Care Administration for payments to Medicaid prepaid health plans. The Agency for Health Care Administration is authorized to submit budget amendments to request release of these funds pursuant to the provisions of chapter 216, Florida Statutes. The budget amendments shall include a detailed spending plan justifying the need for this funding based upon the results of the agency's capitation rate setting process. The amendments shall also include actuarial reports and studies to support the need for rate adjustments as well as detailed calculations in support of the need to access additional funding.

TOTAL: MEDICAID SERVICES TO INDIVIDUALS		
FROM GENERAL REVENUE FUND	5,449,611,731	
FROM TRUST FUNDS		15,248,501,417
TOTAL ALL FUNDS		20,698,113,148

MEDICAID LONG TERM CARE

213 SPECIAL CATEGORIES		
ASSISTIVE CARE SERVICES		
FROM GENERAL REVENUE FUND	1,493,173	
FROM MEDICAL CARE TRUST FUND		2,397,325
214 SPECIAL CATEGORIES		
HOME AND COMMUNITY BASED SERVICES		
FROM GENERAL REVENUE FUND	5,777,082	
FROM MEDICAL CARE TRUST FUND		1,139,055,062
215 SPECIAL CATEGORIES		
INTERMEDIATE CARE FACILITIES/ INTELLECTUALLY DISABLED SUNLAND CENTER		
FROM MEDICAL CARE TRUST FUND		83,299,301

From the funds in Specific Appropriations 215, 216, and 217, the Agency for Health Care Administration, in consultation with the Agency for Persons with Disabilities, is authorized to transfer funds, in accordance with the provisions of chapter 216, Florida Statutes, to Specific Appropriation 241 for the Developmental Disabilities Home and Community Based Waiver. Priority for the use of these funds will be given to the planning and service areas with the greatest potential for transition success.

216 SPECIAL CATEGORIES		
INTERMEDIATE CARE FACILITIES/ DEVELOPMENTALLY DISABLED COMMUNITY		
FROM GENERAL REVENUE FUND	81,591,993	
FROM GRANTS AND DONATIONS TRUST FUND		15,997,088
FROM MEDICAL CARE TRUST FUND		156,681,584

From the funds in Specific Appropriation 216, \$15,997,088 from the Grants and Donations Trust Fund and \$25,683,704 from the Medical Care Trust Fund are provided to buy back intermediate care facilities for the developmentally disabled rate reductions, effective on or after October 1, 2008, and are contingent on the non-federal share being provided through intermediate care facilities for the developmentally disabled quality assessments. Authority is granted to buy back rate reductions up to, but not higher than, the amounts available under the budgeted authority in this Specific Appropriation. In the event that the funds are not available in the Grants and Donations Trust Fund, the State of Florida is not obligated to continue reimbursements at the higher amount.

The recurring methodology to be utilized by the Agency for Health Care Administration to establish rates taking into consideration the reductions imposed on or after October 1, 2008, shall be to compare the average unit appropriation with actual average unit cost as follows: 1) the average unit appropriation shall be determined by dividing the total appropriation in Specific Appropriation 216 by the total bed days for the past fiscal year; 2) the total actual cost as generated based on the July 1 rate setting shall be divided by the total bed days for the past fiscal year to determine the actual unit cost; 3) the actual unit cost shall be reduced to a Reduced Actual Unit Cost by the same percentage used to calculate the Legislative Appropriation to account for client participation contributions; 4) no negative adjustment to the rates paid

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to providers shall occur so long as the Reduced Actual Unit Cost is equal to or less than the average unit appropriation; and 5) in the event the Reduced Actual Unit Cost is greater than the average unit appropriation, a prorated reduction shall be imposed on all rates after all Quality Assessment Fee funds have been exhausted to cover the rate reductions.

The Agency for Health Care Administration shall not pay any legal judgments, settlements, lawsuit damages or awards imposed by a court as the result of any legal proceeding relating to prior fiscal years without specific authority in the General Appropriations Act.

From the funds in Specific Appropriation 216, \$1,000,000 in recurring general revenue funds and \$1,605,523 in recurring funds from the Medical Care Trust Fund is provided to Quest Management Group Private Intermediate Care Facilities for the Developmentally Disabled (ICF/DD) rates.

217 SPECIAL CATEGORIES		
NURSING HOME CARE		
FROM GENERAL REVENUE FUND	108,672,881	
FROM HEALTH CARE TRUST FUND		21,729,472
FROM GRANTS AND DONATIONS TRUST FUND		67,036,995
FROM MEDICAL CARE TRUST FUND		309,616,212

From the funds in Specific Appropriation 217, the Agency for Health Care Administration, in consultation with the Department of Health, is authorized to transfer funds in accordance with the provisions of chapter 216, Florida Statutes, to Specific Appropriation 214 specifically for slots under the Model Waiver, and Specific Appropriation 218, Statewide Medicaid Managed Care Long-Term Care Waiver to transition the greatest number of appropriate eligible beneficiaries from skilled nursing facilities to community-based alternatives in order to maximize the reduction in Medicaid nursing home occupancy. Priority for the use of these funds will be given to the planning and service areas with the greatest potential for transition success.

From the funds in Specific Appropriations 217 and 218, \$431,354,614 from the Grants and Donations Trust Fund and \$663,650,634 from the Medical Care Trust Fund are provided to buy back nursing facility rate reductions, effective on or after January 1, 2008, and are contingent on the non-federal share being provided through nursing home quality assessments. Authority is granted to buy back rate reductions up to, but not higher than the amounts available under the budgeted authority in these specific appropriations. In the event that the funds are not available in the Grants and Donations Trust Fund, the State of Florida is not obligated to continue reimbursements at the higher amount.

From the funds in Specific Appropriation 217, the Agency for Health Care Administration shall implement a prospective payment system for nursing facility services as directed in section 409.908(2), Florida Statutes.

Peer Groups:
North-SMMC Regions 1-9 less Palm Beach and Okeechobee Counties
South-SMMC Regions 10-11 plus Palm Beach and Okeechobee Counties
Percentage of Median Costs based on the cost reports used
September 2016 rate setting:
Direct Care Costs - 100%
Indirect Care Costs - 92%
Operating Costs - 86%
Floors:
Direct Care Component - 95%
Indirect Care Component - 92.5%
Operating Component - None
Pass-through Payments - Real Estate and Personal Property Taxes and Property Insurance
Quality Incentive Program Payment Pool - 6% of September non-property related payments of included facilities
Quality Score Threshold to Qualify Incentive Payment - 20th percentile of included facilities
Fair Rental Value System Payment Parameters:
Building Value per Square Foot based on 2016 RS Means - \$200.72

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Land Valuation - 10% of Gross Building value
 Facility Square Footage - Actual Square Footage
 Moveable Equipment Allowance - \$8,000 per bed
 Obsolescence Factor - 1.5%
 Fair Rental Rate of Return - 8.0%
 Minimum Occupancy - 90%
 Maximum Facility Age - 40 years
 Minimum Square Footage per Bed - 350
 Maximum Square Footage per Bed - 500
 Minimum Cost of a renovation/replacement- \$500 per bed
 Ventilator Supplemental payment of \$200 per Medicaid day
 of 40,000 ventilator Medicaid days per fiscal year.

From the funds in Specific Appropriation 217, \$5,000,000 in recurring funds from the General Revenue Fund, \$17,115,783 in recurring funds from the Grants and Donations Trust Fund and \$35,907,414 in recurring funds from the Medical Care Trust Fund are provided to fund a three year transition period to implement the prospective payment system, guaranteeing all providers the greater of their 2016 cost based rate or the PPS rate calculated in accordance with the new methodology. Provider gains are capped at 4.075% so that all potential losses can be prevented.

218	SPECIAL CATEGORIES PREPAID HEALTH PLAN/LONG TERM CARE FROM GENERAL REVENUE FUND	850,397,720	
	FROM HEALTH CARE TRUST FUND		303,100,403
	FROM GRANTS AND DONATIONS TRUST FUND		381,564,618
	FROM MEDICAL CARE TRUST FUND		2,466,155,710
219	SPECIAL CATEGORIES STATE MENTAL HEALTH HOSPITAL PROGRAM FROM MEDICAL CARE TRUST FUND		6,833,190
220	SPECIAL CATEGORIES PROGRAM OF ALL-INCLUSIVE CARE FOR THE ELDERLY (PACE) FROM MEDICAL CARE TRUST FUND		47,718,123
220A	QUALIFIED EXPENDITURE CATEGORY PREPAID HEALTH PLANS - LONG TERM CARE FROM GENERAL REVENUE FUND	38,664,030	
	FROM MEDICAL CARE TRUST FUND		60,499,935

From the funds provided in Specific Appropriation 220A, \$38,664,030 from the General Revenue Fund and \$60,499,935 from the Medical Care Trust Fund are provided to the Agency for Health Care Administration for payments to Medicaid prepaid health plans. The Agency for Health Care Administration is authorized to submit budget amendments to request release of these funds pursuant to the provisions of chapter 216, Florida Statutes. The budget amendments shall include a detailed spending plan justifying the need for this funding based upon the results of the agency's capitation rate setting process. The amendments shall also include actuarial reports and studies to support the need for rate adjustments as well as detailed calculations in support of the need to access additional funding.

TOTAL: MEDICAID LONG TERM CARE FROM GENERAL REVENUE FUND	1,086,596,879	
FROM TRUST FUNDS		5,061,685,018
TOTAL ALL FUNDS		6,148,281,897

PROGRAM: HEALTH CARE REGULATION

HEALTH CARE REGULATION

APPROVED SALARY RATE	28,446,539	
221 SALARIES AND BENEFITS POSITIONS 642.50		
FROM HEALTH CARE TRUST FUND		38,654,689
222 OTHER PERSONAL SERVICES		
FROM HEALTH CARE TRUST FUND		665,139

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223	EXPENSES FROM HEALTH CARE TRUST FUND		6,635,224
224	OPERATING CAPITAL OUTLAY FROM HEALTH CARE TRUST FUND		87,054
225	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM HEALTH CARE TRUST FUND		767,560
226	SPECIAL CATEGORIES CONTRACTED SERVICES FROM HEALTH CARE TRUST FUND		5,048,642
	FROM QUALITY OF LONG-TERM CARE FACILITY IMPROVEMENT TRUST FUND		1,000,000
227	SPECIAL CATEGORIES EMERGENCY ALTERNATIVE PLACEMENT FROM HEALTH CARE TRUST FUND		806,629
228	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM HEALTH CARE TRUST FUND		656,906
229	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM HEALTH CARE TRUST FUND		140,269
230	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM HEALTH CARE TRUST FUND		203,072
231	SPECIAL CATEGORIES STATE OPERATIONS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FROM HEALTH CARE TRUST FUND		724,513
232	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FROM HEALTH CARE TRUST FUND		50,326,492
TOTAL: HEALTH CARE REGULATION FROM TRUST FUNDS			105,716,189
	TOTAL POSITIONS	642.50	
	TOTAL ALL FUNDS		105,716,189
TOTAL: AGENCY FOR HEALTH CARE ADMINISTRATION FROM GENERAL REVENUE FUND	6,598,097,045		
FROM TRUST FUNDS			21,081,321,712
	TOTAL POSITIONS	1,546.50	
	TOTAL ALL FUNDS		27,679,418,757
	TOTAL APPROVED SALARY RATE	70,739,217	

AGENCY FOR PERSONS WITH DISABILITIES

PROGRAM: SERVICES TO PERSONS WITH DISABILITIES

HOME AND COMMUNITY SERVICES

APPROVED SALARY RATE	17,641,083	
233 SALARIES AND BENEFITS POSITIONS 428.00		
FROM GENERAL REVENUE FUND	13,738,813	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		8,104,784
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		1,689,132

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234	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	2,626,121	
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		2,353,560
	FROM SOCIAL SERVICES BLOCK GRANT		
	TRUST FUND		163,774
235	EXPENSES		
	FROM GENERAL REVENUE FUND	1,883,074	
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		1,092,546
	FROM SOCIAL SERVICES BLOCK GRANT		
	TRUST FUND		193,061
236	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	9,060	
237	SPECIAL CATEGORIES		
	GRANT AND AID INDIVIDUAL AND FAMILY		
	SUPPORTS		
	FROM GENERAL REVENUE FUND	2,580,000	
	FROM SOCIAL SERVICES BLOCK GRANT		
	TRUST FUND		10,856,771

Funds in Specific Appropriation 237 expended for developmental training programs shall require a 12.5 percent match from local sources. In-kind match is acceptable provided there are no reductions in the number of persons served or level of services provided.

From the funds in Specific Appropriation 237, \$750,000 in nonrecurring funds from the Social Services Block Grant Trust Fund is provided for supported employment services for individuals on the waiting list for the Developmental Disabilities Medicaid Waiver program in Specific Appropriation 241. The supported employment services shall be provided in a manner consistent with the same rules and regulations governing these services in the Developmental Disabilities Medicaid Waiver program, and may additionally be used towards obtaining and maintaining paid or unpaid internships.

238	SPECIAL CATEGORIES		
	ROOM AND BOARD PAYMENTS FOR		
	DEVELOPMENTALLY DISABLED		
	FROM GENERAL REVENUE FUND	2,589,201	
239	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	477,637	
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		529,072
	FROM SOCIAL SERVICES BLOCK GRANT		
	TRUST FUND		282,018
240	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	8,821,810	
	FROM SOCIAL SERVICES BLOCK GRANT		
	TRUST FUND		1,150,000

From the funds in Specific Appropriation 240, the following projects are funded with nonrecurring funds from the General Revenue Fund:

The Arc of Tampa Bay - Solar Energy Initiative.....	686,000
ADE Geriatric Program for Seniors with	
Developmental Disabilities.....	100,000
Southwest Florida Autism Center.....	42,000
Loveland Center.....	500,000
The Arc Jacksonville - Transition to Community Employment...	300,000
DNA Comprehensive Therapy Services for Children	
with Autism.....	733,660
Club Challenge.....	168,150
Our Pride Academy.....	500,000
Monroe Association for ReMARcable Citizens.....	100,000

From the funds in Specific Appropriation 240, the following projects are funded with nonrecurring funds from the General Revenue Fund:

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JAFco Children's Ability Center.....	500,000
MACTown - MACFit Wellness Center - Palm Beach.....	50,000
Easter Seals of Volusia and Flagler Counties.....	100,000
Brevard Achievement Center - Work Training Program.....	300,000
Seminole County Work Opportunity Program - Operation Grow...	200,000

241	SPECIAL CATEGORIES		
	HOME AND COMMUNITY BASED SERVICES WAIVER		
	FROM GENERAL REVENUE FUND	428,103,838	
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		687,330,864

From the funds in Specific Appropriation 241, \$15,742,419 from the General Revenue Fund and \$25,274,827 from the Operations and Maintenance Trust Fund are provided to continue implementation of revised provider service rates due to the expansion of minimum wage requirements under the U.S. Department of Labor Fair Standards to Domestic Service Rule.

From the funds in Specific Appropriation 241, \$3,030,410 from the General Revenue Fund and \$4,865,396 from the Operations and Maintenance Trust Fund are provided for a rate increase for Waiver Support Coordinator providers.

From the funds in Specific Appropriation 241, \$1,294,969 from the General Revenue Fund and \$2,079,104 from the Operations and Maintenance Trust Fund are provided for a rate increase for Private Duty Nursing services provided by Licensed Practical Nurses.

Funds in Specific Appropriation 241 shall not be used for administrative costs. Funds for developmental training programs shall require a 12.5 percent match from local sources. In-kind match is acceptable provided there are no reductions in the number of persons served or level of services provided.

From the funds in Specific Appropriation 241, the Agency for Persons with Disabilities shall provide to the Governor, the President of the Senate, and the Speaker of the House of Representatives monthly surplus-deficit reports projecting the total Medicaid Waiver program expenditures for the fiscal year along with any corrective action plans necessary to align program expenditures with annual appropriations.

242	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	443,214	
243	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	84,257	
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		60,096
243A	QUALIFIED EXPENDITURE CATEGORY		
	COMPREHENSIVE TRANSITIONAL EDUCATION		
	PROGRAM TRANSITION		
	FROM GENERAL REVENUE FUND	380,877	
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		611,507

From the funds in Specific Appropriation 243A, \$380,877 from the General Revenue Fund and \$611,507 from the Operations and Maintenance Trust Fund are provided exclusively for the transition of clients currently residing in a comprehensive transitional education program pursuant to section 393.18, Florida Statutes, to community-based settings. The agency shall only transition clients that have been identified by the third-party transition team as low or moderate risk and with the greatest transition potential during the 2017-2018 fiscal year. In the event the Centers for Medicare and Medicaid Services rule (CMS 2249-F/2296-F) is invalidated or repealed during the 2017-2018 fiscal year, the agency shall immediately cease the transition of agency clients until the Legislature is able to reassess the transition policy.

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243B	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY FIXED CAPITAL OUTLAY FOR PERSONS WITH DISABILITIES FROM GENERAL REVENUE FUND	51,850	
From the funds in Specific Appropriation 243B, \$20,000 in nonrecurring funds from the General Revenue Fund is provided to the Southwest Florida Autism Center.			
From the funds in Specific Appropriation 243B, \$31,850 in nonrecurring funds from the General Revenue Fund is provided to Club Challenge for Americans with Disabilities Act (ADA) accessibility modifications and other repairs to its facility.			
243C	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY ARC BROWARD - SAFE ROOF PROJECT FROM GENERAL REVENUE FUND	50,000	
From the funds in Specific Appropriation 243C, \$50,000 in nonrecurring funds from the General Revenue Fund is provided to the Arc Broward for the replacement of roofs at the main campus.			
243D	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY THE ARC NATURE COAST LIFE SKILLS CENTER FROM GENERAL REVENUE FUND	425,000	
From the funds in Specific Appropriation 243D, \$425,000 in nonrecurring funds from the General Revenue Fund is provided to the Arc Nature Coast Life Skills Center.			
243E	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY YOUTH AND FAMILY ALTERNATIVES - COMMONS AT SPEER VILLAGE FROM GENERAL REVENUE FUND	500,000	
From the funds in Specific Appropriation 243E, \$500,000 in nonrecurring funds from the General Revenue Fund is provided to The Commons at Speer Village Phase 1.			
TOTAL: HOME AND COMMUNITY SERVICES			
FROM GENERAL REVENUE FUND	462,764,752		
FROM TRUST FUNDS		714,417,185	
TOTAL POSITIONS	428.00		
TOTAL ALL FUNDS		1,177,181,937	
PROGRAM MANAGEMENT AND COMPLIANCE			
APPROVED SALARY RATE	9,526,784		
244	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	162.00 8,271,657	5,402,999
245	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	345,485	225,537
246	EXPENSES FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	1,013,704	628,820
247	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	23,974	
248	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM GENERAL REVENUE FUND	139,426	

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	FROM OPERATIONS AND MAINTENANCE TRUST FUND		3,868
249	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	583,093	306,138
From the funds in Specific Appropriation 249, \$100,000 in nonrecurring funds from the General Revenue Fund is provided for independent consultant services.			
250	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	1,988,073	1,043,094
251	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED PROFESSIONAL SERVICES FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	3,874	2,374
252	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	210,178	
253	SPECIAL CATEGORIES HOME AND COMMUNITY SERVICES ADMINISTRATION FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND	2,670,194	3,105,493 444,935
254	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	30,545	32,988
254A	QUALIFIED EXPENDITURE CATEGORY CLIENT DATA MANAGEMENT SYSTEM AND ELECTRONIC VISIT VERIFICATION FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,344,417
From the funds in Specific Appropriation 254A, \$1,344,417 in nonrecurring funds from the Operations and Maintenance Trust Fund is provided to the Agency for Persons with Disabilities to continue implementation of the Client Data Management System for the purpose of providing electronic verification of service delivery to recipients by providers, electronic billings for Developmental Disabilities Medicaid Waiver services, and electronic processing of claims. The agency is authorized to submit budget amendments requesting the release of funds pursuant to the provisions of chapter 216, Florida Statutes. Requests for release of funds shall include a detailed operational work plan and spending plan.			
255A	DATA PROCESSING SERVICES DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	65,129	262,322

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TOTAL: PROGRAM MANAGEMENT AND COMPLIANCE		
FROM GENERAL REVENUE FUND	15,345,332	
FROM TRUST FUNDS		12,802,985
TOTAL POSITIONS	162.00	
TOTAL ALL FUNDS		28,148,317

DEVELOPMENTAL DISABILITY CENTERS - CIVIL PROGRAM

From the funds in Specific Appropriations 256 through 266 to the Developmental Disability Centers - Civil Program, the Agency for Persons with Disabilities shall provide to the Governor, the President of the Senate, and the Speaker of the House of Representatives quarterly surplus-deficit reports projecting the total civil program expenditures of the Developmental Disability Centers for the fiscal year along with any corrective action plans necessary to align program expenditures with annual appropriations.

APPROVED SALARY RATE	55,671,687

256	SALARIES AND BENEFITS	POSITIONS	1,617.00	
	FROM GENERAL REVENUE FUND		29,978,835	
	FROM OPERATIONS AND MAINTENANCE			
	TRUST FUND			42,376,548
257	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND	612,544		
	FROM OPERATIONS AND MAINTENANCE			
	TRUST FUND			882,973
258	EXPENSES			
	FROM GENERAL REVENUE FUND	2,002,916		
	FROM OPERATIONS AND MAINTENANCE			
	TRUST FUND			3,017,223
259	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND	64,965		
260	FOOD PRODUCTS			
	FROM GENERAL REVENUE FUND	788,707		
	FROM OPERATIONS AND MAINTENANCE			
	TRUST FUND			1,110,220
261	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND	795,368		
	FROM OPERATIONS AND MAINTENANCE			
	TRUST FUND			1,176,248
	FROM SOCIAL SERVICES BLOCK GRANT			
	TRUST FUND			33,480
262	SPECIAL CATEGORIES			
	GRANTS AND AIDS - CONTRACTED PROFESSIONAL			
	SERVICES			
	FROM GENERAL REVENUE FUND	1,604,279		
	FROM OPERATIONS AND MAINTENANCE			
	TRUST FUND			2,711,770
263	SPECIAL CATEGORIES			
	PRESCRIBED MEDICINE/DRUGS - NON-MEDICAID			
	FROM GENERAL REVENUE FUND	338,721		
264	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND	2,298,499		
	FROM OPERATIONS AND MAINTENANCE			
	TRUST FUND			2,515,459
265	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT			
	SERVICES - HUMAN RESOURCES SERVICES			
	PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND	249,467		
	FROM OPERATIONS AND MAINTENANCE			
	TRUST FUND			382,557

SECTION 3 - HUMAN SERVICES

266	FIXED CAPITAL OUTLAY		
	AGENCY FOR PERSONS WITH DISABILITIES FIXED		
	CAPITAL OUTLAY NEEDS FOR CENTRALLY MANAGED		
	FACILITIES		
	FROM GENERAL REVENUE FUND	2,400,000	
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND		3,301,000
	FROM SOCIAL SERVICES BLOCK GRANT		
	TRUST FUND		805,000

From the funds in Specific Appropriation 266, \$1,500,000 in nonrecurring funds from the General Revenue Fund and \$3,301,000 in nonrecurring funds from the Operations and Maintenance Trust Fund are provided for Americans with Disabilities Act (ADA) accessibility modifications and other critical repairs to state facilities.

From the funds in Specific Appropriation 266, \$900,000 in nonrecurring funds from the General Revenue Fund and \$805,000 in nonrecurring funds from the Social Services Block Grant Trust Fund is provided to "Billy Joe" Rish Recreational Park for Americans with Disabilities Act (ADA) accessibility modifications, recreational enhancements, and other critical repairs.

TOTAL: DEVELOPMENTAL DISABILITY CENTERS - CIVIL PROGRAM		
FROM GENERAL REVENUE FUND	41,134,301	
FROM TRUST FUNDS		58,312,478
TOTAL POSITIONS	1,617.00	
TOTAL ALL FUNDS		99,446,779

DEVELOPMENTAL DISABILITY CENTERS - FORENSIC PROGRAM

From the funds in Specific Appropriations 267 through 277 to the Developmental Disability Centers - Forensic Program, the Agency for Persons with Disabilities shall provide to the Governor, the President of the Senate, and the Speaker of the House of Representatives quarterly surplus-deficit reports projecting the total forensic program expenditures of the Developmental Disability Centers for the fiscal year along with any corrective action plans necessary to align program expenditures with annual appropriations.

APPROVED SALARY RATE	16,449,244

267	SALARIES AND BENEFITS	POSITIONS	504.50	
	FROM GENERAL REVENUE FUND		23,647,652	
268	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND	281,232		
269	EXPENSES			
	FROM GENERAL REVENUE FUND	1,249,744		
270	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND	96,844		
271	FOOD PRODUCTS			
	FROM GENERAL REVENUE FUND	556,200		
272	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND	571,137		
273	SPECIAL CATEGORIES			
	GRANTS AND AIDS - CONTRACTED PROFESSIONAL			
	SERVICES			
	FROM GENERAL REVENUE FUND	350,122		
274	SPECIAL CATEGORIES			
	PRESCRIBED MEDICINE/DRUGS - NON-MEDICAID			
	FROM GENERAL REVENUE FUND	807,202		
275	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND	1,058,107		

SECTION 3 - HUMAN SERVICES

276	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	18,751	
277	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	126,501	
TOTAL:	DEVELOPMENTAL DISABILITY CENTERS - FORENSIC PROGRAM FROM GENERAL REVENUE FUND	28,763,492	
	TOTAL POSITIONS	504.50	
	TOTAL ALL FUNDS		28,763,492
TOTAL:	AGENCY FOR PERSONS WITH DISABILITIES FROM GENERAL REVENUE FUND	548,007,877	
	FROM TRUST FUNDS		785,532,648
	TOTAL POSITIONS	2,711.50	
	TOTAL ALL FUNDS		1,333,540,525
	TOTAL APPROVED SALARY RATE	99,288,798	

CHILDREN AND FAMILIES, DEPARTMENT OF

No funds are appropriated in Specific Appropriations 277 through 377D, and Sections 22 through 24 for the payment of rent, lease or possession of space for offices or any other purpose or use at Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida, pursuant to State of Florida Lease Nos. 720:0139, 590:1990, 590:2226, 590:2340, 590:2523, 590:2664, 590:2681, 590:2720 or 590:M139, or any other lease, by the Department of Children and Families, notwithstanding any lease or contract to the contrary. The Department of Children and Families is prohibited from expending any specific appropriation from the General Revenue Fund, any trust fund or from any other source for the rent, lease or possession of any space for offices or other purpose or use at Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida, pursuant to State of Florida Lease Nos. 720:0139, 590:1990, 590:2226, 590:2340, 590:2523, 590:2664, 590:2681, 590:2720 or 590:M139, or any other lease.

ADMINISTRATION

PROGRAM: EXECUTIVE LEADERSHIP

EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE	33,345,822	
278	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	611.00 29,248,894	
	FROM ADMINISTRATIVE TRUST FUND . . .		14,331,775
	FROM FEDERAL GRANTS TRUST FUND . . .		1,475,049
	FROM WELFARE TRANSITION TRUST FUND .		264,500
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		287,228
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		62,170
279	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	322,405	
	FROM ADMINISTRATIVE TRUST FUND . . .		54,690
	FROM FEDERAL GRANTS TRUST FUND . . .		93,271
	FROM WELFARE TRANSITION TRUST FUND .		9,555
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		2,137
280	EXPENSES FROM GENERAL REVENUE FUND	4,205,095	
	FROM ADMINISTRATIVE TRUST FUND . . .		859,747
	FROM FEDERAL GRANTS TRUST FUND . . .		202,800
	FROM WELFARE TRANSITION TRUST FUND .		14,868

SECTION 3 - HUMAN SERVICES

	FROM OPERATIONS AND MAINTENANCE TRUST FUND		69,480
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		7,118
281	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	27,616	
	FROM ADMINISTRATIVE TRUST FUND . . .		106,950
282	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM ADMINISTRATIVE TRUST FUND . . .		20,000
283	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM GENERAL REVENUE FUND	535,446	
284	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	912,215	
	FROM ADMINISTRATIVE TRUST FUND . . .		311,178
	FROM FEDERAL GRANTS TRUST FUND . . .		14,538
	FROM WELFARE TRANSITION TRUST FUND .		1,120
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		405,883
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		778
285	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	745,956	
	FROM ADMINISTRATIVE TRUST FUND . . .		103,432
286	SPECIAL CATEGORIES STATE INSTITUTIONAL CLAIMS FROM GENERAL REVENUE FUND	40,498	
287	SPECIAL CATEGORIES TENANT BROKER COMMISSIONS FROM ADMINISTRATIVE TRUST FUND . . .		132,912
288	SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS FROM GENERAL REVENUE FUND	6,520	
	FROM ADMINISTRATIVE TRUST FUND . . .		2,272
289	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	157,174	
	FROM ADMINISTRATIVE TRUST FUND . . .		54,877
	FROM FEDERAL GRANTS TRUST FUND . . .		3,775
	FROM WELFARE TRANSITION TRUST FUND .		495
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		17
290	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	3,218,420	
	FROM FEDERAL GRANTS TRUST FUND . . .		550,892
	FROM WELFARE TRANSITION TRUST FUND .		245
291	PAYMENTS FOR CLAIMS BILLS AND RELIEF ACTS RELIEF/JORGE AND DEBBIE GARCIA-BENGOCHEA FROM FEDERAL GRANTS TRUST FUND . . .		950,000
292	PAYMENTS FOR CLAIMS BILLS AND RELIEF ACTS RELIEF - MARISSA AMORA FROM FEDERAL GRANTS TRUST FUND . . .		1,700,000
293	FIXED CAPITAL OUTLAY DEPARTMENT OF CHILDREN AND FAMILY SERVICES FIXED CAPITAL NEEDS FOR CENTRALLY MANAGED FACILITIES FROM GENERAL REVENUE FUND	5,078,920	

SECTION 3 - HUMAN SERVICES

FROM ADMINISTRATIVE TRUST FUND . . .	1,003,550	
FROM OPERATIONS AND MAINTENANCE TRUST FUND	1,500,000	
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		
FROM GENERAL REVENUE FUND	44,499,159	
FROM TRUST FUNDS		24,597,362
TOTAL POSITIONS	611.00	
TOTAL ALL FUNDS		69,096,521

PROGRAM: SUPPORT SERVICES

INFORMATION TECHNOLOGY

APPROVED SALARY RATE	12,739,543	
294 SALARIES AND BENEFITS POSITIONS	235.00	
FROM GENERAL REVENUE FUND	5,964,603	
FROM ADMINISTRATIVE TRUST FUND . . .		6,248,739
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		20,698
FROM FEDERAL GRANTS TRUST FUND . . .		4,616,341
FROM WELFARE TRANSITION TRUST FUND .		223,339
FROM OPERATIONS AND MAINTENANCE TRUST FUND		129,407
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		166,227
295 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	127,572	
FROM ADMINISTRATIVE TRUST FUND . . .		210,421
FROM FEDERAL GRANTS TRUST FUND . . .		130,733
296 EXPENSES		
FROM GENERAL REVENUE FUND	2,463,133	
FROM ADMINISTRATIVE TRUST FUND . . .		248,821
FROM FEDERAL GRANTS TRUST FUND . . .		1,070,487
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		5,218
297 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	40,599	
FROM FEDERAL GRANTS TRUST FUND . . .		8,299
298 SPECIAL CATEGORIES		
COMPUTER RELATED EXPENSES		
FROM GENERAL REVENUE FUND	3,056,629	
FROM ADMINISTRATIVE TRUST FUND . . .		118,466
FROM FEDERAL GRANTS TRUST FUND . . .		313,937
FROM OPERATIONS AND MAINTENANCE TRUST FUND		435,589
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		142,255
From the funds in Specific Appropriation 298, \$350,000 in nonrecurring funds from the General Revenue Fund is provided to support the annual maintenance costs of the electronic personal health records system for foster children.		
299 SPECIAL CATEGORIES		
FLORIDA SAFE FAMILIES NETWORK (FSFN) INFORMATION TECHNOLOGY SYSTEM		
FROM GENERAL REVENUE FUND	3,204,227	
FROM FEDERAL GRANTS TRUST FUND . . .		750,507
FROM WELFARE TRANSITION TRUST FUND .		303,259

From the funds in Specific Appropriation 299, the recurring sum of \$1,337,335 from the General Revenue Fund shall continue to be provided to the Department of Children and Families for enhancements to update the existing service module in the Florida Safe Family Network (FSFN) using the department's existing application development technologies, ongoing maintenance, and operations of the FSFN application.

SECTION 3 - HUMAN SERVICES

300 SPECIAL CATEGORIES		
FLORIDA ONLINE RECIPIENTS INTEGRATED DATA ACCESS (FLORIDA) TECHNOLOGY SYSTEM FOR PUBLIC BENEFIT ELIGIBILITY DETERMINATION		
FROM GENERAL REVENUE FUND	1,802,489	
FROM FEDERAL GRANTS TRUST FUND . . .		31,056,795
FROM OPERATIONS AND MAINTENANCE TRUST FUND		200,734

From the funds in Specific Appropriation 300, the recurring sum of \$2,439,042 from the Federal Grants Trust Fund shall continue to be provided to the Department of Children and Families for the ongoing maintenance, operations, and enhancements to the Florida On-line Recipient Integrated Data Access (FLORIDA) public eligibility determination system.

From the funds in Specific Appropriation 300, the nonrecurring sum of \$2,490,909 from the Federal Grants Trust Funds shall be provided to the Department of Children and Families to implement the first phase of system enhancements or replacement of the ACCESS Florida On-line Recipient Integrated Data Access (FLORIDA) system to detect and prevent incidents of fraud through enhanced screening of applications prior to the authorization of public assistance. This initial phase will include planning activities, submission of federal assistance documentation, establishment of the project governance and project staffing. Additionally, requirements and metrics for fraud prevention will be defined and dashboards developed.

The Department of Children and Families shall provide written, quarterly status reports to the chair of the Senate Committee on Appropriations, the chair of the House of Representatives Appropriations Committee, and the Executive Director of the Office of Policy and Budget that include progress made to date, planned and actual project activities, planned and actual costs incurred, and any identified project issues and risks.

301 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	37,247	
FROM FEDERAL GRANTS TRUST FUND . . .		17,982
302 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND	19,791	
303A DATA PROCESSING SERVICES		
DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY		
FROM GENERAL REVENUE FUND	8,064,350	
FROM ADMINISTRATIVE TRUST FUND . . .		1,697,324
FROM FEDERAL GRANTS TRUST FUND . . .		11,129,759
FROM WELFARE TRANSITION TRUST FUND .		3
FROM OPERATIONS AND MAINTENANCE TRUST FUND		144,723
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		10,684

From the funds in Specific Appropriation 303A, the nonrecurring sums of \$3,612,820 from the Federal Grants Trust Fund shall be provided to the Department of Children and Families to procure mainframe infrastructure support for the Florida On-line Recipient Integrated Data Access (FLORIDA) and the Florida SafeFamilies Network (FSFN) applications.

TOTAL: INFORMATION TECHNOLOGY		
FROM GENERAL REVENUE FUND	24,780,640	
FROM TRUST FUNDS		59,400,747
TOTAL POSITIONS	235.00	
TOTAL ALL FUNDS		84,181,387

SERVICES

PROGRAM: FAMILY SAFETY PROGRAM

FAMILY SAFETY AND PRESERVATION SERVICES

APPROVED SALARY RATE	148,514,477

SECTION 3 - HUMAN SERVICES

304	SALARIES AND BENEFITS	POSITIONS	3,541,000	
	FROM GENERAL REVENUE FUND		85,503,796	
	FROM DOMESTIC VIOLENCE TRUST FUND		15,738	
	FROM FEDERAL GRANTS TRUST FUND		33,405,784	
	FROM WELFARE TRANSITION TRUST FUND		70,833,176	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		25,423,882	
305	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND		2,348,653	
	FROM FEDERAL GRANTS TRUST FUND		4,248,397	
	FROM WELFARE TRANSITION TRUST FUND		2,656,343	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		1,095,589	
306	EXPENSES			
	FROM GENERAL REVENUE FUND		14,378,569	
	FROM CHILD WELFARE TRAINING TRUST FUND		8,342	
	FROM DOMESTIC VIOLENCE TRUST FUND		11,645	
	FROM FEDERAL GRANTS TRUST FUND		6,169,286	
	FROM WELFARE TRANSITION TRUST FUND		11,851,534	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		3,903,159	
307	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND		54,475	
	FROM FEDERAL GRANTS TRUST FUND		42,941	
	FROM WELFARE TRANSITION TRUST FUND		11,590	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		7,671	

The nonrecurring funds provided in Specific Appropriation 307 are available to community-based care lead agencies pursuant to the provisions of section 409.990, Florida Statutes.

308	SPECIAL CATEGORIES			
	HOME CARE FOR DISABLED ADULTS			
	FROM GENERAL REVENUE FUND		1,987,544	
309	SPECIAL CATEGORIES			
	GRANTS AND AIDS - COMMUNITY CARE FOR DISABLED ADULTS			
	FROM GENERAL REVENUE FUND		2,041,955	
310	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND		3,956,547	
	FROM CHILD WELFARE TRAINING TRUST FUND		2,798	
	FROM FEDERAL GRANTS TRUST FUND		3,749,939	
	FROM WELFARE TRANSITION TRUST FUND		782,825	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		2,606,486	

From the funds in Specific Appropriation 310, the nonrecurring sum of \$2,000,000 from the General Revenue Fund is provided to the Department of Children and Families for the continuation of the Child Welfare Results Oriented Accountability System, including the analytics and predictive analysis models, as described in section 409.997, Florida Statutes.

310A	SPECIAL CATEGORIES			
	GRANTS AND AIDS - CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND		2,500,000	
	FROM WELFARE TRANSITION TRUST FUND		100,000	

From the funds in Specific Appropriation 310A, the nonrecurring sum of \$2,500,000 from the General Revenue Fund is provided for the following projects:

Adoption 2 Action.....	350,000
Camillus House - Human Trafficking Recovery Program.....	100,000
Devereux Advanced Behavioral Health - Sexually Exploited Youth.....	100,000
Dungy - Adoption Promotion Services.....	400,000

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Florida Baptist Children's Home - Brave Moms Program.....	400,000
Forever Family Florida.....	200,000
Managed Access to Child Healthcare/ Partnership for Child Health.....	300,000
Porch Light - Housing for Human Trafficking	200,000
Urban Communities Child Welfare Initiative.....	100,000
Victory for Youth, Inc. - Share Your Heart Program.....	300,000
C.A.R.E.S. Replication Pilot Demonstration Project.....	50,000

From the funds in Specific Appropriation 310A, the nonrecurring sum of \$100,000 from the Welfare Transition Trust Fund is provided for the ChildNet SafePlace Assessment Centers in Broward and Palm Beach Counties.

311	SPECIAL CATEGORIES			
	GRANTS AND AIDS - GRANTS TO SHERIFFS FOR PROTECTIVE INVESTIGATIONS			
	FROM GENERAL REVENUE FUND		35,823,028	
	FROM WELFARE TRANSITION TRUST FUND		9,839,490	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		12,969,668	

From the funds in Specific Appropriation 311, the sums of \$35,823,028 from the General Revenue Fund, of which \$2,000,000 is nonrecurring, \$9,839,490 from the Welfare Transition Trust Fund, and \$12,969,668 from the Social Services Block Grant Trust Fund, shall be used by the Department of Children and Families to award grants to the sheriffs of the following counties to conduct child protective investigations as mandated in section 39.3065, Florida Statutes. The funds shall be allocated as follows:

Broward County Sheriff.....	15,349,254
Hillsborough County Sheriff.....	14,045,449
Manatee County Sheriff.....	4,990,934
Pasco County Sheriff.....	6,692,276
Pinellas County Sheriff.....	12,003,042
Seminole County Sheriff.....	4,730,451
Walton County Sheriff.....	819,780

312	SPECIAL CATEGORIES			
	GRANTS AND AIDS - DOMESTIC VIOLENCE PROGRAM			
	FROM GENERAL REVENUE FUND		11,564,596	
	FROM DOMESTIC VIOLENCE TRUST FUND		8,897,064	
	FROM FEDERAL GRANTS TRUST FUND		17,422,932	
	FROM WELFARE TRANSITION TRUST FUND		7,750,000	

Funds provided in Specific Appropriation 312, \$11,564,596 from the General Revenue Fund, \$8,897,064 from the Domestic Violence Trust Fund, \$15,014,351 from the Federal Grants Trust Fund and \$7,750,000 from the Welfare Transition Trust Fund shall be provided to the Florida Coalition Against Domestic Violence for implementation of programs and the management and delivery of services of the state's domestic violence program including implementation of statutory directives contained in chapter 39, Florida Statutes, implementation of special projects, coordination of a strong families and domestic violence campaign, implementation of the child welfare and domestic violence co-location projects, conduction of training and provide technical assistance to certified domestic violence centers and allied professionals, and administration of contracts designated under this appropriation.

From the funds in Specific Appropriation 312, \$208,391 from the Federal Grants Trust Fund is provided to the Florida Coalition Against Domestic Violence, and \$195,987 from the Federal Grants Trust Fund is provided to the Florida Council Against Sexual Violence, to implement portions of the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program.

From the funds in Specific Appropriation 312, \$2,004,203 from the Federal Grants Trust Fund shall be transferred to the Department of Health to contract with the Florida Council Against Sexual Violence to implement portions of the Violence Against Women Act STOP Formula Grant.

313	SPECIAL CATEGORIES			
	GRANTS AND AIDS - CHILD ABUSE PREVENTION AND INTERVENTION			
	FROM GENERAL REVENUE FUND		17,314,251	

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FROM FEDERAL GRANTS TRUST FUND . . . 1,488,375
 FROM WELFARE TRANSITION TRUST FUND . 9,577,637

Funds provided in Specific Appropriation 313 shall be provided for the Healthy Families Program.

314 SPECIAL CATEGORIES
 GRANTS AND AIDS - CHILD PROTECTION
 FROM GENERAL REVENUE FUND . . . 13,449,152
 FROM CHILD WELFARE TRAINING TRUST
 FUND . . . 286,062
 FROM FEDERAL GRANTS TRUST FUND . . . 24,105,871
 FROM GRANTS AND DONATIONS TRUST
 FUND . . . 130,000
 FROM WELFARE TRANSITION TRUST FUND . 1,720,730
 FROM OPERATIONS AND MAINTENANCE
 TRUST FUND . . . 530,696
 FROM SOCIAL SERVICES BLOCK GRANT
 TRUST FUND . . . 3,068,024

315 SPECIAL CATEGORIES
 RISK MANAGEMENT INSURANCE
 FROM GENERAL REVENUE FUND . . . 4,112,441

316 SPECIAL CATEGORIES
 TEMPORARY EMERGENCY SHELTER SERVICES
 FROM GENERAL REVENUE FUND . . . 599,213

317 SPECIAL CATEGORIES
 GRANTS AND AIDS - RESIDENTIAL GROUP CARE
 FROM GENERAL REVENUE FUND . . . 1,641,215
 FROM OPERATIONS AND MAINTENANCE
 TRUST FUND . . . 115,836
 FROM SOCIAL SERVICES BLOCK GRANT
 TRUST FUND . . . 929,958

318 SPECIAL CATEGORIES
 SPECIAL NEEDS ADOPTION INCENTIVES
 FROM GENERAL REVENUE FUND . . . 2,750,000

The funds provided in Specific Appropriation 318 are provided for state employee adoption benefits pursuant to section 409.1664, Florida Statutes.

319 SPECIAL CATEGORIES
 DEFERRED-PAYMENT COMMODITY CONTRACTS
 FROM GENERAL REVENUE FUND . . . 4,920
 FROM FEDERAL GRANTS TRUST FUND . . . 4,427
 FROM WELFARE TRANSITION TRUST FUND . 1,684
 FROM SOCIAL SERVICES BLOCK GRANT
 TRUST FUND . . . 1,713

320 SPECIAL CATEGORIES
 LEASE OR LEASE-PURCHASE OF EQUIPMENT
 FROM GENERAL REVENUE FUND . . . 437,867
 FROM FEDERAL GRANTS TRUST FUND . . . 208,554
 FROM WELFARE TRANSITION TRUST FUND . 255,158
 FROM SOCIAL SERVICES BLOCK GRANT
 TRUST FUND . . . 112,562

321 SPECIAL CATEGORIES
 TRANSFER TO DEPARTMENT OF MANAGEMENT
 SERVICES - HUMAN RESOURCES SERVICES
 PURCHASED PER STATEWIDE CONTRACT
 FROM GENERAL REVENUE FUND . . . 42,156
 FROM FEDERAL GRANTS TRUST FUND . . . 31,213
 FROM WELFARE TRANSITION TRUST FUND . 57,150
 FROM SOCIAL SERVICES BLOCK GRANT
 TRUST FUND . . . 10,725

322 SPECIAL CATEGORIES
 GRANTS AND AIDS - COMMUNITY BASED CARE
 FUNDS FOR PROVIDERS OF CHILD WELFARE
 SERVICES
 FROM GENERAL REVENUE FUND . . . 334,695,502
 FROM CHILD WELFARE TRAINING TRUST
 FUND . . . 2,261,893

SECTION 3 - HUMAN SERVICES

FROM FEDERAL GRANTS TRUST FUND . . . 243,884,986
 FROM WELFARE TRANSITION TRUST FUND . 50,321,027
 FROM OPERATIONS AND MAINTENANCE
 TRUST FUND . . . 8,979,209
 FROM SOCIAL SERVICES BLOCK GRANT
 TRUST FUND . . . 41,078,586

From the funds in Specific Appropriation 322, the nonrecurring sums of \$11,267,172 from the General Revenue Fund and \$2,990,768 from the Federal Grants Trust Fund shall be allocated to the Community-based Care Lead Agencies pursuant to the equity allocation model prescribed in section 409.991, Florida Statutes.

From the funds provided in Specific Appropriation 322, the Department of Children and Families shall conduct a comprehensive, multi-year review of the revenues, expenditures, and financial position of all Community-based Care Lead Agencies and shall cover the most recent two consecutive fiscal years. The review must include a comprehensive system-of-care analysis. All lead agencies must develop and maintain a plan to achieve financial viability which shall accompany the department's submission. The department's review shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by November 1, 2017.

From the funds provided in Specific Appropriation 322, the recurring sum of \$2,250,000 from the General Revenue Fund is provided for adoption incentive awards to community-based care lead agencies or their subcontractors, pursuant to section 409.1662, Florida Statutes.

From the funds in Specific Appropriation 322, the nonrecurring sum of \$2,500,000 from the General Revenue Fund is provided to the Children's Home Society for the CaseAim project.

323 SPECIAL CATEGORIES
 GRANTS AND AIDS - ADOPTION ASSISTANCE
 PAYMENTS AND MAINTENANCE SUBSIDIES
 FROM GENERAL REVENUE FUND . . . 88,676,495
 FROM FEDERAL GRANTS TRUST FUND . . . 94,325,479
 FROM WELFARE TRANSITION TRUST FUND . 14,377,342

Funds provided in Specific Appropriation 323, are provided to community-based care lead agencies for the payment of adoption assistance subsidies pursuant to section 409.166, Florida Statutes.

323A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
 NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
 ALL STAR CHILDREN'S FOUNDATION CAMPUS OF
 CARING
 FROM GENERAL REVENUE FUND . . . 2,000,000

From the funds in Specific Appropriation 323A, \$2,000,000 in nonrecurring funds from the General Revenue Fund is provided for the All Star Children's Foundation, Inc., Campus of Caring.

323B GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
 NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
 PLACE OF HOPE, INC. - CHILD WELFARE AND
 FOSTER CARE REGIONALIZATION - PHASE III
 FROM GENERAL REVENUE FUND . . . 2,900,000

From the funds in Specific Appropriation 323B, \$2,900,000 in nonrecurring funds from the General Revenue Fund is provided for Phase III of the Place of Hope, Inc., Child Welfare Foster Care Regionalization initiative.

TOTAL: FAMILY SAFETY AND PRESERVATION SERVICES
 FROM GENERAL REVENUE FUND . . . 628,782,375
 FROM TRUST FUNDS . . . 721,671,176

TOTAL POSITIONS . . . 3,541.00
 TOTAL ALL FUNDS . . . 1,350,453,551

PROGRAM: MENTAL HEALTH PROGRAM

MENTAL HEALTH SERVICES

APPROVED SALARY RATE 119,314,230

SECTION 3 - HUMAN SERVICES

324	SALARIES AND BENEFITS	POSITIONS	3,110.50		
	FROM GENERAL REVENUE FUND		96,549,773		
	FROM FEDERAL GRANTS TRUST FUND . . .			54,873,902	
	FROM OPERATIONS AND MAINTENANCE				
	TRUST FUND			6,381,829	
325	OTHER PERSONAL SERVICES				
	FROM GENERAL REVENUE FUND		3,676,160		
	FROM FEDERAL GRANTS TRUST FUND . . .			3,290	
326	EXPENSES				
	FROM GENERAL REVENUE FUND		12,615,938		
	FROM FEDERAL GRANTS TRUST FUND . . .			1,056,480	
	FROM OPERATIONS AND MAINTENANCE				
	TRUST FUND			413,664	
327	OPERATING CAPITAL OUTLAY				
	FROM GENERAL REVENUE FUND		387,630		
	FROM FEDERAL GRANTS TRUST FUND . . .			377,471	
328	FOOD PRODUCTS				
	FROM GENERAL REVENUE FUND		3,437,538		
329	SPECIAL CATEGORIES				
	CONTRACTED SERVICES				
	FROM GENERAL REVENUE FUND		5,060,964		
330	SPECIAL CATEGORIES				
	GRANTS AND AIDS - CONTRACTED SERVICES				
	FROM GENERAL REVENUE FUND		33,526,846		
From the funds in Specific Appropriation 330 and 331, the recurring sum of \$3,100,000 from the General Revenue Fund is provided as a cost of living increase for the following providers:					
	South Florida State Hospital.....			429,101	
	Florida Civil Commitment Center.....			2,011,183	
	Treasure Coast.....			325,780	
	South Florida Evaluation and Treatment Center.....			333,936	
331	SPECIAL CATEGORIES				
	GRANTS AND AIDS - CONTRACTED PROFESSIONAL SERVICES				
	FROM GENERAL REVENUE FUND		99,905,876		
	FROM FEDERAL GRANTS TRUST FUND . . .			14,604,879	
332	SPECIAL CATEGORIES				
	PRESCRIBED MEDICINE/DRUGS - NON-MEDICAID				
	FROM GENERAL REVENUE FUND		8,788,410		
	FROM FEDERAL GRANTS TRUST FUND . . .			1,900,961	
	FROM OPERATIONS AND MAINTENANCE				
	TRUST FUND			876,992	
333	SPECIAL CATEGORIES				
	RISK MANAGEMENT INSURANCE				
	FROM GENERAL REVENUE FUND		7,825,389		
	FROM FEDERAL GRANTS TRUST FUND . . .			963,605	
334	SPECIAL CATEGORIES				
	SALARY INCENTIVE PAYMENTS				
	FROM GENERAL REVENUE FUND		90,969		
335	SPECIAL CATEGORIES				
	DEFERRED-PAYMENT COMMODITY CONTRACTS				
	FROM GENERAL REVENUE FUND		716,733		
336	SPECIAL CATEGORIES				
	LEASE OR LEASE-PURCHASE OF EQUIPMENT				
	FROM GENERAL REVENUE FUND		348,888		
	FROM FEDERAL GRANTS TRUST FUND . . .			20,446	
	FROM OPERATIONS AND MAINTENANCE				
	TRUST FUND			1,973	

SECTION 3 - HUMAN SERVICES

337	SPECIAL CATEGORIES				
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES				
	PURCHASED PER STATEWIDE CONTRACT				
	FROM GENERAL REVENUE FUND		53,352		
TOTAL:	MENTAL HEALTH SERVICES				
	FROM GENERAL REVENUE FUND		272,984,466		
	FROM TRUST FUNDS			81,475,492	
	TOTAL POSITIONS		3,110.50		
	TOTAL ALL FUNDS			354,459,958	
PROGRAM: ECONOMIC SELF SUFFICIENCY PROGRAM					
ECONOMIC SELF SUFFICIENCY SERVICES					
	APPROVED SALARY RATE		161,278,205		
338	SALARIES AND BENEFITS	POSITIONS	4,352.00		
	FROM GENERAL REVENUE FUND		94,188,020		
	FROM FEDERAL GRANTS TRUST FUND . . .			101,085,126	
	FROM GRANTS AND DONATIONS TRUST				
	FUND			4,610,217	
	FROM WELFARE TRANSITION TRUST FUND .			7,439,892	
339	OTHER PERSONAL SERVICES				
	FROM GENERAL REVENUE FUND		1,538,440		
	FROM FEDERAL GRANTS TRUST FUND . . .			2,631,985	
	FROM WELFARE TRANSITION TRUST FUND .			142,896	
340	EXPENSES				
	FROM GENERAL REVENUE FUND		11,559,741		
	FROM FEDERAL GRANTS TRUST FUND . . .			16,847,488	
	FROM WELFARE TRANSITION TRUST FUND .			1,067,102	
341	OPERATING CAPITAL OUTLAY				
	FROM GENERAL REVENUE FUND		2,998		
	FROM FEDERAL GRANTS TRUST FUND . . .			25,594	
	FROM WELFARE TRANSITION TRUST FUND .			474	
342	SPECIAL CATEGORIES				
	GRANTS AND AIDS - CHALLENGE GRANTS				
	FROM GRANTS AND DONATIONS TRUST				
	FUND			5,000,000	
343	SPECIAL CATEGORIES				
	GRANTS AND AIDS - FEDERAL EMERGENCY SHELTER GRANT PROGRAM				
	FROM FEDERAL GRANTS TRUST FUND . . .			5,351,369	
	FROM WELFARE TRANSITION TRUST FUND .			852,507	
344	SPECIAL CATEGORIES				
	GRANTS AND AIDS - HOMELESS HOUSING ASSISTANCE GRANTS				
	FROM GENERAL REVENUE FUND		4,075,000		
From the funds in Specific Appropriation 344, the recurring sum of \$3,000,000 from the General Revenue Fund is provided to the local homeless coalition lead agencies throughout the state.					
From the funds in Specific Appropriation 344, the nonrecurring sum of \$100,000 from the General Revenue Fund is provided to the Love and Hope in Action (LAHIA) Homeless Shelter.					
From the funds in Specific Appropriation 344, the nonrecurring sum of \$500,000 from the General Revenue Fund is provided to the Comprehensive Emergency Services Center (CESC) that provides homeless services and residential support services for Leon, Franklin, and Gadsden Counties.					
345	SPECIAL CATEGORIES				
	CONTRACTED SERVICES				
	FROM GENERAL REVENUE FUND		14,313,436		
	FROM FEDERAL GRANTS TRUST FUND . . .			24,146,307	
	FROM WELFARE TRANSITION TRUST FUND .			595,294	
From the funds in Specific Appropriation 345, the nonrecurring sum of					

SECTION 3 - HUMAN SERVICES

\$4,434,800 from the Federal Grants Trust Fund is provided to contract for automated commercial wage verification services for the purpose of acquiring current employment and income information for eligibility determination and periodic recertification for the following public benefit programs: Supplemental Nutrition Assistance (SNAP), Temporary Assistance for Needy Families (TANF), and Medicaid. Funds shall be used to automate the eligibility determination process, to improve program integrity and to detect and deter fraud, waste, and abuse in public benefit programs administered by the Department of Children and Families.

346	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM WELFARE TRANSITION TRUST FUND	576,801	11,788,995 166,494
347	SPECIAL CATEGORIES GRANTS AND AIDS - LOCAL SERVICES PROGRAM FROM FEDERAL GRANTS TRUST FUND		64,742,633
348	SPECIAL CATEGORIES PUBLIC ASSISTANCE FRAUD CONTRACT FROM FEDERAL GRANTS TRUST FUND FROM WELFARE TRANSITION TRUST FUND		3,486,033 689,593
349	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM WELFARE TRANSITION TRUST FUND	1,381,310	1,199,373 76,129
350	SPECIAL CATEGORIES SERVICES TO REPATRIATED AMERICANS FROM FEDERAL GRANTS TRUST FUND		40,380
351	SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM WELFARE TRANSITION TRUST FUND	5,935	8,322 545
352	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM WELFARE TRANSITION TRUST FUND	331,068	611,231 30,585
353	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND FROM WELFARE TRANSITION TRUST FUND	716	26,005 28,025 625
354	FINANCIAL ASSISTANCE PAYMENTS CASH ASSISTANCE FROM GENERAL REVENUE FUND FROM WELFARE TRANSITION TRUST FUND	115,651,642	31,432,356
355	FINANCIAL ASSISTANCE PAYMENTS NONRELATIVE CARE GIVER FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	4,800,000	3,872,480
356	FINANCIAL ASSISTANCE PAYMENTS OPTIONAL STATE SUPPLEMENTATION PROGRAM FROM GENERAL REVENUE FUND	5,918,700	
357	FINANCIAL ASSISTANCE PAYMENTS PERSONAL CARE ALLOWANCE FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	4,555,139	28,017

SECTION 3 - HUMAN SERVICES

358	FINANCIAL ASSISTANCE PAYMENTS REFUGEE/ENTRANT ASSISTANCE FROM FEDERAL GRANTS TRUST FUND	29,607,836
358A	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY PASCO COUNTY HOMELESS NAVIGATION CENTER FROM GENERAL REVENUE FUND	1,000,000

From the funds in Specific Appropriation 358A, the nonrecurring sum of \$1,000,000 from the General Revenue Fund is provided for the Pasco County Homeless Navigation Center.

TOTAL:	ECONOMIC SELF SUFFICIENCY SERVICES FROM GENERAL REVENUE FUND FROM TRUST FUNDS	259,818,946 317,471,908
	TOTAL POSITIONS	4,352.00
	TOTAL ALL FUNDS	577,290,854

PROGRAM: COMMUNITY SERVICES

COMMUNITY SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

	APPROVED SALARY RATE	5,283,456
359	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND FROM FEDERAL GRANTS TRUST FUND	95.00 3,936,263 30 3,147,105 70,936
360	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND FROM FEDERAL GRANTS TRUST FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	612,779 528,572 1,194,896 260,465
361	EXPENSES FROM GENERAL REVENUE FUND FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND FROM FEDERAL GRANTS TRUST FUND FROM WELFARE TRANSITION TRUST FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	1,007,410 730,599 264,090 3,723 80,830
362	SPECIAL CATEGORIES GRANTS AND AIDS - PUBLIC SAFETY, MENTAL HEALTH, AND SUBSTANCE ABUSE LOCAL MATCHING GRANT PROGRAM FROM GENERAL REVENUE FUND	9,000,000
363	SPECIAL CATEGORIES CHILDREN'S ACTION TEAMS FOR MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES FROM GENERAL REVENUE FUND	17,850,000

Funds provided in Specific Appropriation 363, shall be used by the Department of Children and Families to contract with the following providers for the operation of Community Action Treatment (CAT) teams that provide community-based services to children ages 11 to 21 with a mental health or co-occurring substance abuse diagnosis with any accompanying characteristics such as being at-risk for out-of-home placement as demonstrated by repeated failures at less intensive levels of care; having two or more hospitalizations or repeated failures; involvement with the Department of Juvenile Justice or multiple episodes involving law enforcement; or poor academic performance or suspensions. Children younger than 11 may be candidates if they display two or more of the aforementioned characteristics.

The department shall fund the following contracts:

SECTION 3 - HUMAN SERVICES

SalusCare (Lee Mental Health) - Lee.....	750,000
Manatee Glens - Sarasota, Desoto.....	750,000
Circles of Care - Brevard.....	750,000
Life Management Center - Bay.....	500,000
David Lawrence Center - Collier.....	500,000
Child Guidance Center - Duval.....	750,000
Institute for Child and Family Health - Miami-Dade.....	750,000
Mental Health Care - Hillsborough.....	750,000
Personal Enrichment Mental Health Services - Pinellas.....	750,000
Peace River Center - Polk, Highlands, Hardee.....	750,000
COPE Center - Walton.....	500,000
Lifestream Behavioral Center - Sumter and Lake.....	750,000
Family Preservation Services of Florida - Treasure Coast....	750,000
Lakeside Behavioral Healthcare - Orange.....	750,000
Citrus Health Network - Miami-Dade.....	750,000
Manatee Glens - Manatee.....	750,000
Lakeview Center - Escambia.....	500,000
Sinfonia - Alachua.....	750,000
Baycare Behavioral Health - Pasco.....	750,000
Meridian Behavioral Health - Alachua, Columbia, Dixie, Hamilton, Lafayette, and Suwannee.....	750,000
The Centers - Marion.....	750,000
Sinfonia - Palm Beach.....	750,000
Bridgeway Center - Okaloosa.....	500,000
Charlotte Behavioral Health Care - Charlotte.....	600,000
Halifax Health - Volusia, Flagler.....	750,000
To be determined by department - Leon, Gadsden, Wakulla....	500,000

364 SPECIAL CATEGORIES

GRANTS AND AIDS - COMMUNITY MENTAL HEALTH SERVICES

FROM GENERAL REVENUE FUND	210,533,830
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND	37,577,218
FROM FEDERAL GRANTS TRUST FUND	27,008,169
FROM WELFARE TRANSITION TRUST FUND	6,948,619
FROM OPERATIONS AND MAINTENANCE TRUST FUND	445,370

From the funds in Specific Appropriation 364, the recurring sum of \$455,000 from the General Revenue Fund shall continue to be provided to the Citrus Health Network.

From the funds in Specific Appropriation 364, the nonrecurring sum of \$1,500,000 is provided from the Alcohol, Drug Abuse, and Mental Health Trust Fund to Stewart-Marchman Behavioral Healthcare to provide a Florida Assertive Community Treatment (F.A.C.T.) team serving Putnam and St. Johns counties.

From the funds in Specific Appropriation 364, the recurring sum of \$4,730,000 from the General Revenue Fund is provided to continue to fund mental health transitional beds to move eligible individuals currently in the state mental health institutions to community settings as an alternative to more costly institutional placement. The Department of Children and Families shall contract directly with the three not-for-profit, comprehensive community mental health treatment facilities located in the northern, central, and southern regions of the state that are currently under contract with the department for this service and qualified to provide integrated healthcare, offer a full continuum of care including emergency, residential, and outpatient psychiatric services, and have immediate capacity for placement.

From the funds in Specific Appropriation 364, the recurring sum of \$3,504,000 and the nonrecurring sum of \$500,000 from the General Revenue Fund is provided to continue the forensic mental health transitional beds for the purpose of diverting individuals sentenced under chapter 916, Florida Statutes, from the county jail system and to move eligible individuals currently in forensic state mental health institutions to community settings as an alternative to more costly institutional placement. The Department of Children and Families shall contract directly with the three not-for-profit, comprehensive community mental health treatment facilities located in circuits 2, 13, and 17 that are currently under contract with the department for this and other forensic services and qualified to provide integrated health care, offer a full continuum of care including emergency, residential, and outpatient psychiatric services, and have immediate capacity for placement.

SECTION 3 - HUMAN SERVICES

From the funds in Specific Appropriation 364, the nonrecurring sum of \$1,000,000 from the General Revenue Fund is provided to begin four additional community forensic multidisciplinary teams beginning April 1, 2018 to assist in diverting individuals from secure forensic commitment by providing community-based services. The teams will be placed in the areas of greatest need, as determined by the Department of Children and Families.

From the funds in Specific Appropriation 364, the nonrecurring sum of \$500,000 is provided to the Apalachee Center for four additional short-term forensic mental health transitional beds for the purpose of diverting individuals sentenced under chapter 916, Florida Statutes, from the jail system or from state civil or forensic mental health institutions.

From the funds in Specific Appropriation 364 and 366, the Department of Children and Families shall transfer an amount not to exceed \$17,241,519 from the General Revenue Fund to the Agency for Health Care Administration to be used as state matching funds to eliminate Medicaid service limitations for the certain behavioral health services and targeted case management for adults diagnosed with substance use disorders. This paragraph is contingent upon the passage of SB 2514 or similar legislation in the same legislative session or an extension thereof becoming a law.

From the funds in Specific Appropriation 364 and 366, the Department of Children and Families shall transfer an amount not to exceed \$7,758,481 from the General Revenue Fund to the Agency for Health Care Administration to be used as state matching funds for a rate increase for certain Medicaid behavioral health services. This paragraph is contingent upon the passage of SB 2514 or similar legislation in the same legislative session or an extension thereof becoming a law.

365 SPECIAL CATEGORIES

GRANTS AND AIDS - BAKER ACT SERVICES

FROM GENERAL REVENUE FUND	72,738,856

366 SPECIAL CATEGORIES

GRANTS AND AIDS - COMMUNITY SUBSTANCE ABUSE SERVICES

FROM GENERAL REVENUE FUND	104,481,978
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND	133,858,536
FROM FEDERAL GRANTS TRUST FUND	2,554,954
FROM WELFARE TRANSITION TRUST FUND	5,850,004
FROM OPERATIONS AND MAINTENANCE TRUST FUND	1,992,695

From the funds in Specific Appropriation 366, the recurring sum of \$10,000,000 from the General Revenue Fund shall continue to be provided for the expansion of substance abuse services for pregnant women, mothers, and their affected families. These services shall include the expansion of residential treatment, outpatient treatment with housing support, outreach, detoxification, child care and post-partum case management supporting both the mother and child consistent with recommendations from the Statewide Task Force on Prescription Drug Abuse and Newborns. Priority for services shall be given to counties with the greatest need and available treatment capacity.

From the funds in Specific Appropriation 366, the nonrecurring sum of \$300,000 from the General Revenue Fund is provided to the Department of Children and Families to continue contracting directly with Informed Families of Florida for the purpose of providing a statewide program for the prevention of child and adolescent substance abuse.

From the funds in Specific Appropriation 366, the recurring sum of \$12,000,000 from the General Revenue Fund is provided to implement the Family Intensive Treatment (FIT) team model that is designed to provide intensive team-based, family-focused, comprehensive services to families in the child welfare system with parental substance abuse. Treatment shall be available and provided in accordance with the indicated level of care required and providers shall meet program specifications. Funds shall be targeted to select communities with high rates of child abuse cases.

SECTION 3 - HUMAN SERVICES

From the funds in Specific Appropriation 366, the recurring sum of \$200,000 from the General Revenue Fund shall be provided to Here's Help, Inc.

From the funds in Specific Appropriation 366, the recurring sum of \$100,000 from the General Revenue Fund shall continue to be provided to the Drug Abuse Comprehensive Coordinating Office (DACC0).

From the funds in Specific Appropriation 366, the nonrecurring sum of \$275,000 from the General Revenue Fund is provided for the Department of Children and Families to contract with the Florida Association of Recovery Residences which serves as the credentialing body, to provide annual recovery residence certifications and training for residence administrators.

367 SPECIAL CATEGORIES
GRANTS AND AIDS - CENTRAL RECEIVING
FACILITIES
FROM GENERAL REVENUE FUND 20,000,000

368 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 7,672,547
FROM ALCOHOL, DRUG ABUSE AND
MENTAL HEALTH TRUST FUND 1,166,222
FROM FEDERAL GRANTS TRUST FUND 1,133,261
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 37,599

From the funds in Specific Appropriation 368, the recurring sum of \$1,500,000 and the nonrecurring sum of \$2,500,000 from the General Revenue Fund shall be provided to the Department of Children and Families to contract with a nonprofit organization for the distribution and associated medical costs of naltrexone extended-release injectable medication to treat alcohol and opioid dependency.

From the funds in Specific Appropriation 368, the nonrecurring sum of \$400,000 from the General Revenue Fund is provided for the Department of Children and Families to contract with an organization for the development of a statewide media and information campaign that addresses the risk factors and adverse consequences of cannabis use among adolescents. The department shall coordinate with school districts, local drug free coalitions, and community substance abuse prevention providers to implement this initiative.

369 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 9,201,378
FROM ALCOHOL, DRUG ABUSE AND
MENTAL HEALTH TRUST FUND 452,312
FROM FEDERAL GRANTS TRUST FUND 6,072,987

From the funds in Specific Appropriation 369, the nonrecurring sum of \$6,585,000 from the General Revenue Fund is provided for the following projects:

Starting Point Behavioral Healthcare.....	100,000
Clay Behavioral Health Community Crisis Prevention Team.....	300,000
Johns Hopkins All Children's Hospital Mental Health Demonstration for Chronic Pain Patients.....	550,000
AGAPE Network - Integrated Care Team, Behavioral Health Services.....	100,000
Bridgeway Center Emergency Mobile Access Team.....	100,000
South Florida Behavioral Network Involuntary Outpatient Services Pilot Project.....	250,000
Healthcare Network of Southwest Florida Integrated Behavioral Health Program.....	100,000
Northside Mental Health Center - Crisis Stabilization Beds..	300,000
Veterans Intervention Program - Baycare Behavioral Health...	485,000
Veterans Alternative Retreat Program.....	250,000
New Hope Residential Substance Abuse and Mental Health Treatment Project.....	100,000
Opioid Abuse Pilot Program - Palm Beach.....	500,000
Manatee County Opioid Peer Coach Pilot Program.....	500,000
Specialized Treatment, Education, and Prevention (STEPS) Women's Residential Treatment.....	100,000
Florida Association of Infant Mental Health - Building	

SECTION 3 - HUMAN SERVICES

the State's Infant Mental Health Workforce.....	100,000
Centerstone of Florida - Psychiatric Residency Expansion....	500,000
Jewish Family and Children's Service (JFCS) Children's Crisis Team.....	400,000
Circles of Care - Geropsychiatric Care Center.....	250,000
Assisted Living Services for Mental Health Clients - The Renaissance Manor.....	600,000
Lifestream Crisis Stabilization Unit.....	1,000,000

From the funds in Specific Appropriation 369, the nonrecurring sum of \$500,000 from the Federal Grants Trust Fund is provided for the Maternal Addiction Treatment Program at Memorial Regional Hospital in Broward County.

370 SPECIAL CATEGORIES
GRANTS AND AIDS - PURCHASE OF THERAPEUTIC
SERVICES FOR CHILDREN
FROM GENERAL REVENUE FUND 8,911,958

371 SPECIAL CATEGORIES
GRANTS AND AIDS - INDIGENT PSYCHIATRIC
MEDICATION PROGRAM
FROM GENERAL REVENUE FUND 6,780,276

372 SPECIAL CATEGORIES
GRANTS AND AIDS - PURCHASED RESIDENTIAL
TREATMENT SERVICES FOR EMOTIONALLY
DISTURBED CHILDREN AND YOUTH
FROM GENERAL REVENUE FUND 2,201,779

373 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 111,442
FROM FEDERAL GRANTS TRUST FUND 130

374 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM ALCOHOL, DRUG ABUSE AND
MENTAL HEALTH TRUST FUND 1,129

375 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 36,481
FROM ALCOHOL, DRUG ABUSE AND
MENTAL HEALTH TRUST FUND 24,912
FROM FEDERAL GRANTS TRUST FUND 209
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 4,632

376 SPECIAL CATEGORIES
CONTRACTED SERVICES - SUBSTANCE ABUSE AND
MENTAL HEALTH ADMINISTRATION
FROM GENERAL REVENUE FUND 20,014,382
FROM ALCOHOL, DRUG ABUSE AND
MENTAL HEALTH TRUST FUND 318,002
FROM FEDERAL GRANTS TRUST FUND 701,418
FROM WELFARE TRANSITION TRUST FUND 731,355

Funds in Specific Appropriation 376 are provided for the administration costs of the seven regional managing entities that deliver behavioral health care through local network providers.

377 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 4,529
FROM ALCOHOL, DRUG ABUSE AND
MENTAL HEALTH TRUST FUND 208
FROM FEDERAL GRANTS TRUST FUND 1,453
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 586

SECTION 3 - HUMAN SERVICES

377A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GATEWAY COMMUNITY SERVICES
FROM GENERAL REVENUE FUND 100,000

From the funds in Specific Appropriation 377A, the nonrecurring sum of \$100,000 from the General Revenue Fund is provided to Gateway Community Services for the continued construction and renovation of buildings and patient rooms.

377B GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
MENTAL HEALTH SUBSTANCE ABUSE CRIMINAL
JUSTICE DIVERSION FACILITY - OKALOOSA
FROM GENERAL REVENUE FUND 200,000

From the funds in Specific Appropriation 377B, the nonrecurring sum of \$200,000 from the General Revenue Fund is provided for the construction of the Okaloosa County Mental Health and Substance Abuse Facility for Criminal Justice Diversion.

377C GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
HENDERSON BEHAVIORAL HEALTH CRISIS
STABILIZATION UNIT - BROWARD COUNTY
FROM GENERAL REVENUE FUND 200,000

From the funds in Specific Appropriation 377C, \$200,000 in nonrecurring funds from the General Revenue Fund is provided for the Henderson Behavioral Health New Crisis Stabilization Unit in Broward County.

377D GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
FELLOWSHIP HOUSE
FROM GENERAL REVENUE FUND 10,000

From the funds in Specific Appropriation 377D, \$10,000 in nonrecurring funds from the General Revenue Fund is provided for the Fellowship House in Miami-Dade County to provide housing support to individuals with mental health or co-occurring substance abuse disorders.

TOTAL: COMMUNITY SUBSTANCE ABUSE AND MENTAL HEALTH
SERVICES
FROM GENERAL REVENUE FUND 495,605,888
FROM TRUST FUNDS 233,163,226

TOTAL POSITIONS 95.00
TOTAL ALL FUNDS 728,769,114

TOTAL: CHILDREN AND FAMILIES, DEPARTMENT OF
FROM GENERAL REVENUE FUND 1,726,471,474
FROM TRUST FUNDS 1,437,779,911

TOTAL POSITIONS 11,944.50
TOTAL ALL FUNDS 3,164,251,385
TOTAL APPROVED SALARY RATE 480,475,733

ELDER AFFAIRS, DEPARTMENT OF

PROGRAM: SERVICES TO ELDERS PROGRAM

COMPREHENSIVE ELIGIBILITY SERVICES

APPROVED SALARY RATE 10,320,036

378 SALARIES AND BENEFITS POSITIONS 272.50
FROM GENERAL REVENUE FUND 6,202,900
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 8,510,091

379 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 471,862
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 694,664

SECTION 3 - HUMAN SERVICES

380 EXPENSES
FROM GENERAL REVENUE FUND 857,341
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 1,183,945

381 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 17,885
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 24,698

382 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 89,803
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 124,014

383 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 93,032
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 120,444

384 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 60,611
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 83,700

385 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 38,368
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 52,343

TOTAL: COMPREHENSIVE ELIGIBILITY SERVICES
FROM GENERAL REVENUE FUND 7,831,802
FROM TRUST FUNDS 10,793,899

TOTAL POSITIONS 272.50
TOTAL ALL FUNDS 18,625,701

HOME AND COMMUNITY SERVICES

APPROVED SALARY RATE 3,071,903

386 SALARIES AND BENEFITS POSITIONS 64.50
FROM GENERAL REVENUE FUND 1,576,264
FROM FEDERAL GRANTS TRUST FUND 2,075,952
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 986,205

387 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 261,180
FROM ADMINISTRATIVE TRUST FUND 59,817
FROM FEDERAL GRANTS TRUST FUND 828,390
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 230,954

388 EXPENSES
FROM GENERAL REVENUE FUND 403,089
FROM ADMINISTRATIVE TRUST FUND 5,958
FROM FEDERAL GRANTS TRUST FUND 1,085,024
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 450,427

389 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 5,905
FROM FEDERAL GRANTS TRUST FUND 5,000
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 5,000

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390 SPECIAL CATEGORIES
AGING AND ADULT SERVICES TRAINING AND
EDUCATION
FROM FEDERAL GRANTS TRUST FUND . . . 119,493

391 SPECIAL CATEGORIES
GRANTS AND AIDS - ALZHEIMER'S DISEASE
INITIATIVE
FROM GENERAL REVENUE FUND 25,049,798

From the funds in Specific Appropriation 391, \$3,000,000 from the General Revenue Fund is provided for Alzheimer's respite care services to serve individuals on the waitlist statewide.

From the funds in Specific Appropriations 391, the recurring sum of \$3,000,000 from the General Revenue Fund is provided as a differential unit rate increase of up to 30 percent for those receiving services by an Alzheimer's services adult day care center licensed under ch. 429.918, Florida Statutes, on or before March 1, 2017. The Department of Elder Affairs shall use the providers 2016-2017 Alzheimer's Disease Initiative Respite In-Facility Reimbursable Unit Rate as its baseline when calculating the differential increase.

From the funds in Specific Appropriation 391, \$50,000 in nonrecurring funds from the General Revenue Fund is provided to Jewish Family and Community Services of Southwest Florida - Dementia Respite support.

392 SPECIAL CATEGORIES
GRANTS AND AIDS - COMMUNITY CARE FOR THE
ELDERLY
FROM GENERAL REVENUE FUND 65,402,387
FROM FEDERAL GRANTS TRUST FUND . . . 269,851
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 3,215,056

From the funds in Specific Appropriation 392, \$3,000,000 from the General Revenue Fund, is provided to serve elders on the Community Care for the Elderly (CCE) waitlist. Allocation of this funding shall be prioritized to serve frail seniors on the waiting list who are most at risk of nursing home placement.

From the funds in Specific Appropriation 392, \$1,000,000 from the General Revenue Fund is provided to serve elders on the Home Care for the Elderly (HCE) waitlist. Allocation of this funding shall be prioritized to serve frail seniors on the waiting list who are most at risk of nursing home placement.

393 SPECIAL CATEGORIES
GRANTS AND AIDS - HOME ENERGY ASSISTANCE
FROM FEDERAL GRANTS TRUST FUND . . . 5,963,764

394 SPECIAL CATEGORIES
GRANTS AND AIDS - OLDER AMERICANS ACT
PROGRAM
FROM GENERAL REVENUE FUND 8,959,862
FROM FEDERAL GRANTS TRUST FUND . . . 96,743,728

From the funds in Specific Appropriation 394, the following projects are funded from nonrecurring general revenue funds:

City of Hialeah Gardens - Hot Lunch Program..... 100,000
North East Florida Senior Home Delivered Meals Program..... 300,000
LHANC Adult Day Care..... 1,200,000
Nassau - Overcoming Hunger for Needy Seniors..... 100,000

395 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 114,710
FROM ADMINISTRATIVE TRUST FUND . . . 33,131
FROM FEDERAL GRANTS TRUST FUND . . . 458,925
FROM GRANTS AND DONATIONS TRUST
FUND 22,700
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 53,564

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396 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 2,753,545
FROM ADMINISTRATIVE TRUST FUND . . . 31,397
FROM FEDERAL GRANTS TRUST FUND . . . 9,135,359
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 796,511

From the funds in Specific Appropriation 396, \$750,000 in nonrecurring funds from the General Revenue Fund is provided for pilot projects for Centers for Independent Living.

397 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 38,263

398 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 9,639
FROM FEDERAL GRANTS TRUST FUND . . . 6,635
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 6,182

399 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 8,227
FROM FEDERAL GRANTS TRUST FUND . . . 11,852
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 4,775

400 SPECIAL CATEGORIES
PROGRAM OF ALL-INCLUSIVE CARE FOR THE
ELDERLY (PACE)
FROM GENERAL REVENUE FUND 19,232,485
FROM OPERATIONS AND MAINTENANCE
TRUST FUND 30,878,209

From the funds in Specific Appropriation 400, \$256,087 from the General Revenue Fund and \$411,155 from the Operations and Maintenance Trust Fund are provided to fund 50 slots for the Program for All-Inclusive Care for the Elderly (PACE) in Clay, Duval, St. Johns, Baker, and Nassau counties, effective July 1, 2017.

From the funds in Specific Appropriation 400, \$349,460 from the General Revenue Fund and \$561,066 from the Operations and Maintenance Trust Fund are provided to increase the Program for All-Inclusive Care for the Elderly (PACE) by 30 slots in Miami-Dade County, and 75 slots in Broward County effective July 1, 2017.

From the funds in Specific Appropriation 400, \$312,721 from the General Revenue Fund and \$502,081 from the Operations and Maintenance Trust Fund are provided to increase the Program for All-Inclusive Care for the Elderly (PACE) by 30 slots in Collier County, effective July 1, 2017.

TOTAL: HOME AND COMMUNITY SERVICES
FROM GENERAL REVENUE FUND 123,815,354
FROM TRUST FUNDS 153,483,859
TOTAL POSITIONS 64.50
TOTAL ALL FUNDS 277,299,213

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 3,461,762
401 SALARIES AND BENEFITS POSITIONS 64.50
FROM GENERAL REVENUE FUND 1,820,636
FROM ADMINISTRATIVE TRUST FUND . . . 1,716,757
FROM FEDERAL GRANTS TRUST FUND . . . 1,326,290
402 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 89,982

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	FROM ADMINISTRATIVE TRUST FUND . . .		518,601	
	FROM FEDERAL GRANTS TRUST FUND . . .		647,615	
403	EXPENSES			
	FROM GENERAL REVENUE FUND	233,611		
	FROM ADMINISTRATIVE TRUST FUND		384,307	
	FROM FEDERAL GRANTS TRUST FUND		729,079	
404	OPERATING CAPITAL OUTLAY			
	FROM FEDERAL GRANTS TRUST FUND		2,000	
405	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND	5,485		
	FROM ADMINISTRATIVE TRUST FUND		112,789	
	FROM FEDERAL GRANTS TRUST FUND		205,789	
406	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND	108,078		
407	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND	5,022		
	FROM ADMINISTRATIVE TRUST FUND		4,159	
	FROM FEDERAL GRANTS TRUST FUND		7,016	
408	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT			
	SERVICES - HUMAN RESOURCES SERVICES			
	PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND	10,088		
	FROM ADMINISTRATIVE TRUST FUND		16,335	
409A	DATA PROCESSING SERVICES			
	DATA PROCESSING ASSESSMENT - AGENCY FOR			
	STATE TECHNOLOGY			
	FROM GENERAL REVENUE FUND	23,750		
	FROM ADMINISTRATIVE TRUST FUND		40,367	
	FROM FEDERAL GRANTS TRUST FUND		138,729	
	FROM OPERATIONS AND MAINTENANCE			
	TRUST FUND		278,054	
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	FROM GENERAL REVENUE FUND	2,296,652		
	FROM TRUST FUNDS		6,127,887	
	TOTAL POSITIONS	64.50		
	TOTAL ALL FUNDS		8,424,539	
CONSUMER ADVOCATE SERVICES				
	APPROVED SALARY RATE	1,644,566		
410	SALARIES AND BENEFITS	POSITIONS	38.00	
	FROM GENERAL REVENUE FUND		791,432	
	FROM FEDERAL GRANTS TRUST FUND		1,514,854	
411	OTHER PERSONAL SERVICES			
	FROM ADMINISTRATIVE TRUST FUND		155,476	
	FROM FEDERAL GRANTS TRUST FUND		409,989	
412	EXPENSES			
	FROM GENERAL REVENUE FUND	209,359		
	FROM ADMINISTRATIVE TRUST FUND		109,973	
	FROM FEDERAL GRANTS TRUST FUND		107,427	
413	SPECIAL CATEGORIES			
	PUBLIC GUARDIANSHIP CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND	5,687,527		
	FROM ADMINISTRATIVE TRUST FUND		154,816	
From the funds in Specific Appropriation 413, \$750,000 in recurring funds from the General Revenue Fund is provided for public guardianship services.				

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414	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND	272,722		
	FROM ADMINISTRATIVE TRUST FUND		149,000	
415	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND	59,649		
416	SPECIAL CATEGORIES			
	LONG TERM CARE OMBUDSMAN COUNCIL			
	FROM GENERAL REVENUE FUND	872,350		
	FROM FEDERAL GRANTS TRUST FUND		626,020	
417	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND	50,092		
418	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT			
	SERVICES - HUMAN RESOURCES SERVICES			
	PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND	6,310		
	FROM FEDERAL GRANTS TRUST FUND		8,689	
TOTAL:	CONSUMER ADVOCATE SERVICES			
	FROM GENERAL REVENUE FUND	7,949,441		
	FROM TRUST FUNDS		3,236,244	
	TOTAL POSITIONS	38.00		
	TOTAL ALL FUNDS		11,185,685	
TOTAL:	ELDER AFFAIRS, DEPARTMENT OF			
	FROM GENERAL REVENUE FUND	141,893,249		
	FROM TRUST FUNDS		173,641,889	
	TOTAL POSITIONS	439.50		
	TOTAL ALL FUNDS		315,535,138	
	TOTAL APPROVED SALARY RATE	18,498,267		
HEALTH, DEPARTMENT OF				
PROGRAM: EXECUTIVE DIRECTION AND SUPPORT				
ADMINISTRATIVE SUPPORT				
	APPROVED SALARY RATE	19,358,623		
419	SALARIES AND BENEFITS	POSITIONS	387.50	
	FROM GENERAL REVENUE FUND		2,228,920	
	FROM ADMINISTRATIVE TRUST FUND		22,941,064	
420	OTHER PERSONAL SERVICES			
	FROM ADMINISTRATIVE TRUST FUND		1,524,877	
421	EXPENSES			
	FROM GENERAL REVENUE FUND	3,335,516		
	FROM ADMINISTRATIVE TRUST FUND		11,145,638	
From the funds in Specific Appropriation 421, \$2,600,000 in nonrecurring funds from the General Revenue Fund and \$2,127,735 from the Administrative Trust Fund are provided to upgrade the bandwidth at the lowest performing sites within the department. Any remaining funds shall be used to upgrade the bandwidth at sites with the most occurrences of excessive latency in the previous fiscal year.				
422	AID TO LOCAL GOVERNMENTS			
	GRANTS AND AIDS - MINORITY HEALTH			
	INITIATIVES			
	FROM GENERAL REVENUE FUND	3,134,044		
423	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND	63,408		
	FROM ADMINISTRATIVE TRUST FUND		2,573,137	

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425	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM ADMINISTRATIVE TRUST FUND . . .		41,927
426	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND . . .	1,122,032	4,540,408
427	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND . . .	94,388	232,739
428	SPECIAL CATEGORIES TENANT BROKER COMMISSIONS FROM ADMINISTRATIVE TRUST FUND . . .		738,731
429	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND . . .	10,397	110,937
430	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND . . .	32,728	96,934
431A	DATA PROCESSING SERVICES DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND . . .	1,179,259	4,341,386
432A	DATA PROCESSING SERVICES NORTHWEST REGIONAL DATA CENTER (NWRDC) FROM ADMINISTRATIVE TRUST FUND . . .		22,991
TOTAL:	ADMINISTRATIVE SUPPORT FROM GENERAL REVENUE FUND FROM TRUST FUNDS	11,200,692	48,310,769
	TOTAL POSITIONS	387.50	
	TOTAL ALL FUNDS		59,511,461
PROGRAM: COMMUNITY PUBLIC HEALTH			
COMMUNITY HEALTH PROMOTION			
	APPROVED SALARY RATE	10,980,974	
434	SALARIES AND BENEFITS POSITIONS	227.50	
	FROM GENERAL REVENUE FUND	2,246,972	
	FROM ADMINISTRATIVE TRUST FUND . . .		330,979
	FROM RAPE CRISIS PROGRAM TRUST FUND		41,616
	FROM TOBACCO SETTLEMENT TRUST FUND .		321,937
	FROM EPILEPSY SERVICES TRUST FUND .		67,876
	FROM FEDERAL GRANTS TRUST FUND . . .		9,837,600
	FROM GRANTS AND DONATIONS TRUST FUND		2,231
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		1,206,661
	FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		559,377
From the funds in Specific Appropriation 434, \$316,778 and four positions are provided to implement the Comprehensive Statewide Tobacco Education and Prevention Program in accordance with Section 27, Article X of the State Constitution.			
435	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND		79,131

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	FROM FEDERAL GRANTS TRUST FUND . . .		668,400
	FROM GRANTS AND DONATIONS TRUST FUND		64,266
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		149,182
	FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		67,700
436	EXPENSES FROM GENERAL REVENUE FUND	241,811	
	FROM ADMINISTRATIVE TRUST FUND . . .		59,830
	FROM RAPE CRISIS PROGRAM TRUST FUND		35,000
	FROM EPILEPSY SERVICES TRUST FUND .		31,044
	FROM BIOMEDICAL RESEARCH TRUST FUND		2,047
	FROM FEDERAL GRANTS TRUST FUND . . .		2,634,289
	FROM GRANTS AND DONATIONS TRUST FUND		21,410
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		447,752
	FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		292,504
437	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - FAMILY PLANNING SERVICES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND . . .	4,245,455	1,067,783
438	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - EPILEPSY SERVICES FROM GENERAL REVENUE FUND FROM EPILEPSY SERVICES TRUST FUND .	2,668,230	709,547
439	AID TO LOCAL GOVERNMENTS CONTRIBUTION TO COUNTY HEALTH UNITS FROM GENERAL REVENUE FUND	3,455,424	
440	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - PRIMARY CARE PROGRAM FROM GENERAL REVENUE FUND	18,682,810	
441	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - FLUORIDATION PROJECT FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		150,000
442	AID TO LOCAL GOVERNMENTS SCHOOL HEALTH SERVICES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND . . .	10,909,412	6,125,846
From the funds in Specific Appropriations 442 and 458, \$5,000,000 from the Federal Grants Trust Fund is provided for school health services using Title XXI administrative funding.			
443	OPERATING CAPITAL OUTLAY FROM FEDERAL GRANTS TRUST FUND . . . FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		69,350 25,000
443A	LUMP SUM COMMUNITY HEALTH CENTERS FROM GENERAL REVENUE FUND		9,000,000
The release of nonrecurring funds in Specific Appropriation 443A is contingent upon the Department of Health submitting a budget amendment, in accordance with the provisions of chapter 216, Florida Statutes, detailing the distribution of funds to eligible Federally Qualified Health Centers.			
444	SPECIAL CATEGORIES GRANTS AND AIDS - OUNCE OF PREVENTION FROM GENERAL REVENUE FUND		1,900,000
From the funds in Specific Appropriation 444, the Ounce of Prevention shall identify, fund and evaluate innovative prevention programs for			

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at-risk children and families. The sum of \$250,000 shall be used for statewide public education campaigns on television and radio to educate the public on critical prevention issues facing Florida's at-risk children and families. The Ounce of Prevention shall contract with a non-profit corporation that provides matching funds in a three to one ratio.

445 SPECIAL CATEGORIES
GRANTS AND AIDS - CRISIS COUNSELING
FROM GENERAL REVENUE FUND 4,000,000

Funds in Specific Appropriation 445 are provided to the Florida Pregnancy Support Services Program. These funds may be used to provide wellness services, including but not limited to, high blood pressure screening, flu vaccines, anemia testing, thyroid screening, cholesterol screening, diabetes screening, assistance with smoking cessation, and tetanus vaccines. Wellness services may be offered through availability of vouchers or other appropriate arrangements allowing the purchase of services from qualified providers.

From the funds in Specific Appropriation 445, a minimum of 85 percent of the appropriated funds shall be spent on direct client services, including life skills, program awareness, and communications.

The Department of Health shall award a contract to the current Florida Pregnancy Support Services Program contract management provider for this Specific Appropriation. The contract shall provide for payments to such provider of \$500 per month per sub-contracted direct service provider for contract oversight, to include technical and educational support. The department is authorized to spend no more than \$50,000 for agency program oversight activities.

446 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 114,803
FROM ADMINISTRATIVE TRUST FUND 20,000
FROM RAPE CRISIS PROGRAM TRUST
FUND 10,000
FROM FEDERAL GRANTS TRUST FUND 1,614,446
FROM GRANTS AND DONATIONS TRUST
FUND 5,740
FROM MATERNAL AND CHILD HEALTH
BLOCK GRANT TRUST FUND 13,000
FROM PREVENTIVE HEALTH SERVICES
BLOCK GRANT TRUST FUND 305,500

447 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 24,389,267
FROM ADMINISTRATIVE TRUST FUND 100,000
FROM RAPE CRISIS PROGRAM TRUST
FUND 1,645,666
FROM FEDERAL GRANTS TRUST FUND 9,984,173
FROM MATERNAL AND CHILD HEALTH
BLOCK GRANT TRUST FUND 2,075,773
FROM PREVENTIVE HEALTH SERVICES
BLOCK GRANT TRUST FUND 532,095

From the funds in Specific Appropriation 447, \$2,500,000 from the General Revenue Fund is provided to the Florida Council Against Sexual Violence. At least 95 percent of the funds provided shall be distributed to certified rape crisis centers to provide services statewide for victims of sexual assault.

From the funds in Specific Appropriation 447, \$2,004,203 from the Federal Grants Trust Fund is provided to the Florida Council Against Sexual Violence to implement portions of the Violence Against Women Act STOP Formula Grant.

From the funds in Specific Appropriation 447, \$1,000,000 from the General Revenue Fund, of which \$250,000 is nonrecurring, is provided to the Florida Heiken Children's Vision Program to provide free comprehensive eye examinations and eyeglasses to financially disadvantaged school children who have no other source for vision care.

From the funds in Specific Appropriation 447, \$1,000,000 from the General Revenue Fund is provided to VisionQuest to provide free

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comprehensive eye examinations and eyeglasses to financially disadvantaged school children who have no access to vision care. These services will be provided statewide and VisionQuest shall be reimbursed at current Medicaid rates for exams, refractions, and dispensing; and at a flat rate of \$48 for eyeglasses.

From the funds in Specific Appropriation 447, \$500,000 in nonrecurring funds from the General Revenue Fund is provided to the Division of Community Health Promotion Bureau of Chronic Disease for grants to auditory-oral early intervention programs serving deaf children in multiple counties including rural and underserved areas. These early intervention programs must solely offer auditory-oral educational habilitation and services, as defined in section 1002.391, Florida Statutes, and have a supervisor and faculty members who are credentialed as Certified Listening and Spoken Language Specialists.

From the funds in Specific Appropriation 447, nonrecurring funds from the General Revenue Fund are provided for the following projects:

Apopka Fresh Start Initiative.....	500,000
Fresh Stop Mobile Farmers Market.....	100,000
Alachua County Organization for Rural Needs (ACORN).....	650,000
The Andrews Regenerative Medicine Center.....	100,000
Miami Beach Community Health Center.....	500,000
Project Be Strong - Teen Pregnancy Prevention Program.....	50,000
Florida Dental Association - Dental Lifeline Network.....	100,000
Keys Area Health Education Center.....	100,000
Premier Community Health Care - Pasco County.....	552,500
St. John Bosco Clinic.....	200,000
AGAPE Community Health Center, Inc.....	500,000
Community Health Centers of Sarasota, Inc.....	100,000
Bithlo Community Health Center.....	600,000

448 SPECIAL CATEGORIES
GRANTS AND AIDS - HEALTHY START COALITIONS
FROM GENERAL REVENUE FUND 19,975,176
FROM MATERNAL AND CHILD HEALTH
BLOCK GRANT TRUST FUND 6,542,389

449 SPECIAL CATEGORIES
TRANSFER TO BIOMEDICAL RESEARCH TRUST FUND
FROM GENERAL REVENUE FUND 8,850,000

450 SPECIAL CATEGORIES
JAMES AND ESTHER KING BIOMEDICAL RESEARCH
PROGRAM
FROM BIOMEDICAL RESEARCH TRUST
FUND 10,000,000

451 SPECIAL CATEGORIES
WILLIAM G. "BILL" BANKHEAD, JR., AND DAVID
COLEY CANCER RESEARCH PROGRAM
FROM BIOMEDICAL RESEARCH TRUST
FUND 13,000,000

From the funds in Specific Appropriation 451, \$500,000 from the Biomedical Research Trust Fund is provided to maintain the statewide Brain Tumor Registry Program at the McKnight Brain Institute.

From the funds in Specific Appropriation 451, \$1,000,000 in nonrecurring funds from the Biomedical Research Trust Fund is provided to the Bankhead-Coley Cancer Research Program for medical cannabis research. Funding shall be awarded pursuant to section 381.922, Florida Statutes.

From the funds in Specific Appropriation 451, \$2,000,000 in nonrecurring funds from the Biomedical Research Trust Fund is provided to the Bankhead-Coley Cancer Research Program for the Live Like Bella Initiative to provide competitively awarded grants for pediatric cancer research. This funding is contingent on SB 2514, or similar legislation, becoming law.

452 SPECIAL CATEGORIES
HEALTH EDUCATION RISK REDUCTION PROJECT
FROM PREVENTIVE HEALTH SERVICES
BLOCK GRANT TRUST FUND 12,686

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453	SPECIAL CATEGORIES FLORIDA CONSORTIUM OF NATIONAL CANCER INSTITUTE CENTERS PROGRAM FROM GENERAL REVENUE FUND	45,000,000	
	FROM BIOMEDICAL RESEARCH TRUST FUND		17,400,000

Funds in Specific Appropriation 453 are provided for the Florida Consortium of National Cancer Institute (NCI) Centers Program established in section 381.915, Florida Statutes.

Cancer centers are eligible for Tier 1, Tier 2 and Tier 3 designation to participate in the Florida Consortium of National Cancer Institute (NCI) Centers Program as follows: H. Lee Moffitt Cancer Center and Research Institute is eligible for Tier 1 designation as a NCI-designated comprehensive cancer center; and the University of Miami Sylvester Comprehensive Cancer Center and the University of Florida Health Shands Cancer Hospital are eligible for Tier 3 designation in the Florida Consortium of NCI Centers Program.

454	SPECIAL CATEGORIES BIOMEDICAL RESEARCH FROM GENERAL REVENUE FUND	3,850,000	

From the funds in Specific Appropriation 454, \$3,000,000 in nonrecurring funds from the General Revenue Fund is provided to the Torrey Pines Institute for Molecular Studies for the Florida Drug Discovery Acceleration Program.

From the funds in Specific Appropriation 454, \$100,000 in nonrecurring funds from the General Revenue Fund is provided to the Torrey Pines Institute for Molecular Studies for NCI Experimental Testing (NEXT).

From the funds in Specific Appropriation 454, \$750,000 in nonrecurring funds from the General Revenue Fund is provided to the University of Florida College of Pharmacy for medical cannabis research pursuant to section 381.986(2)(g), Florida Statutes.

455	SPECIAL CATEGORIES ENDOWED CANCER RESEARCH FROM GENERAL REVENUE FUND	2,000,000	

Funds in Specific Appropriation 455 are provided to the Mayo Clinic Cancer Center of Jacksonville to fund an endowed cancer research chair pursuant to section 381.922(4), Florida Statutes.

456	SPECIAL CATEGORIES ALZHEIMER RESEARCH FROM GENERAL REVENUE FUND	5,000,000	

Funds in Specific Appropriation 456 are provided for the Ed and Ethel Moore Alzheimer's Disease Research Program established in section 381.82, Florida Statutes.

457	SPECIAL CATEGORIES GRANTS AND AIDS - FEDERAL NUTRITION PROGRAMS FROM FEDERAL GRANTS TRUST FUND		314,125,678

458	SPECIAL CATEGORIES FULL SERVICE SCHOOLS - INTERAGENCY COOPERATION FROM GENERAL REVENUE FUND	6,000,000	
	FROM FEDERAL GRANTS TRUST FUND		2,500,000

459	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	87,997	
	FROM FEDERAL GRANTS TRUST FUND		1,625

460	SPECIAL CATEGORIES WOMEN, INFANTS AND CHILDREN (WIC) FROM FEDERAL GRANTS TRUST FUND		266,434,235

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461	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM FEDERAL GRANTS TRUST FUND		42,294
	FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		1,526

462	SPECIAL CATEGORIES COMPREHENSIVE STATEWIDE TOBACCO PREVENTION AND EDUCATION PROGRAM FROM TOBACCO SETTLEMENT TRUST FUND		68,631,754

Funds in Specific Appropriation 462 shall be used to implement the Comprehensive Statewide Tobacco Education and Prevention Program in accordance with section 27, Article X of the State Constitution as adjusted annually for inflation, using the Consumer Price Index as published by the United States Department of Labor. The appropriation shall be allocated as follows:

State & Community Interventions.....	11,348,203
State & Community Interventions - AHEC.....	5,680,072
Health Communications Interventions.....	22,854,374
Cessation Interventions.....	13,539,638
Cessation Interventions - AHEC.....	7,791,011
Surveillance & Evaluation.....	6,118,029
Administration & Management.....	1,389,827

From the funds in Specific Appropriation 462, the Department of Health may use nicotine replacements and other treatments approved by the federal Food and Drug Administration as part of smoking cessation interventions.

All contracts awarded through this specific appropriation shall include performance measures and measurable outcomes. The Department of Health shall establish specific performance and accountability criteria for all intervention and evaluation contracts. The criteria shall be based on best medical practices, past smoking cessation experience, the federal Centers for Disease Control and Prevention Best Practices for Comprehensive Tobacco Control Programs, and the ability to impact the broadest population.

463	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	14,813	
	FROM ADMINISTRATIVE TRUST FUND		1,369
	FROM RAPE CRISIS PROGRAM TRUST FUND		515
	FROM FEDERAL GRANTS TRUST FUND		50,667
	FROM GRANTS AND DONATIONS TRUST FUND		350
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		5,808
	FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		1,842

463A	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY RURAL HOSPITALS FROM GENERAL REVENUE FUND	100,000	

From the funds in Specific Appropriation 463A, \$100,000 in nonrecurring funds from the General Revenue Fund is provided for the Rural Hospital Capital Improvement Program and shall be allocated in accordance to the grant process in section 395.6061, Florida Statutes. This funding is contingent on SB 510, or similar legislation, becoming law.

463B	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AIDS - HEALTH FACILITIES FROM GENERAL REVENUE FUND	1,000,000	

From the funds in Specific Appropriation 463B, \$500,000 in nonrecurring funds from the General Revenue Fund is provided to the Mount Sinai Medical Center.

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From the funds in Specific Appropriation 463B, \$500,000 in nonrecurring funds from the General Revenue Fund is provided to Calhoun-Liberty Hospital for the extension of the Emergency Department.

TOTAL: COMMUNITY HEALTH PROMOTION			
FROM GENERAL REVENUE FUND	173,811,301		
FROM TRUST FUNDS		740,048,358	

TOTAL POSITIONS	227.50		
TOTAL ALL FUNDS		913,859,659	

DISEASE CONTROL AND HEALTH PROTECTION

APPROVED SALARY RATE	23,280,604		

464 SALARIES AND BENEFITS POSITIONS	552.50		
FROM GENERAL REVENUE FUND	7,969,478		
FROM ADMINISTRATIVE TRUST FUND . . .		2,153,268	
FROM FEDERAL GRANTS TRUST FUND . . .		13,230,634	
FROM GRANTS AND DONATIONS TRUST FUND		2,667,754	
FROM PLANNING AND EVALUATION TRUST FUND		5,266,841	
FROM RADIATION PROTECTION TRUST FUND		304,925	

465 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND	52,657		
FROM ADMINISTRATIVE TRUST FUND . . .		71,427	
FROM FEDERAL GRANTS TRUST FUND . . .		2,093,264	
FROM GRANTS AND DONATIONS TRUST FUND		57,494	
FROM PLANNING AND EVALUATION TRUST FUND		130,379	

466 EXPENSES			
FROM GENERAL REVENUE FUND	1,460,419		
FROM ADMINISTRATIVE TRUST FUND . . .		964,928	
FROM FEDERAL GRANTS TRUST FUND . . .		11,270,545	
FROM GRANTS AND DONATIONS TRUST FUND		555,438	
FROM PLANNING AND EVALUATION TRUST FUND		13,269,198	
FROM RADIATION PROTECTION TRUST FUND		60,615	

467 AID TO LOCAL GOVERNMENTS			
GRANTS AND AIDS - AIDS PATIENT CARE			
FROM GENERAL REVENUE FUND	12,609,807		
FROM FEDERAL GRANTS TRUST FUND . . .		7,560,522	

468 AID TO LOCAL GOVERNMENTS			
GRANTS AND AIDS - RYAN WHITE CONSORTIA			
FROM FEDERAL GRANTS TRUST FUND . . .		20,754,358	

The funds in Specific Appropriation 468 from the Federal Grants Trust Fund are contingent upon sufficient state matching funds being identified to qualify for the Federal Ryan White grant award. The Department of Health and the Department of Corrections shall collaborate in determining the amount of general revenue funds expended by the Department of Corrections for AIDS-related activities and services that qualify as state matching funds for the Ryan White grant.

469 AID TO LOCAL GOVERNMENTS			
GRANTS AND AIDS - STATEWIDE ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS) NETWORKS			
FROM GENERAL REVENUE FUND	10,463,853		

470 AID TO LOCAL GOVERNMENTS			
CONTRIBUTION TO COUNTY HEALTH UNITS			
FROM GENERAL REVENUE FUND	14,662,823		
FROM ADMINISTRATIVE TRUST FUND . . .		427,426	
FROM GRANTS AND DONATIONS TRUST FUND		2,194,571	

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471 OPERATING CAPITAL OUTLAY			
FROM GENERAL REVENUE FUND	52,500		
FROM ADMINISTRATIVE TRUST FUND . . .		15,000	
FROM FEDERAL GRANTS TRUST FUND . . .		625,124	
FROM PLANNING AND EVALUATION TRUST FUND		100,000	

472 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND	1,291,055		
FROM ADMINISTRATIVE TRUST FUND . . .		335,165	
FROM FEDERAL GRANTS TRUST FUND . . .		10,496,064	
FROM GRANTS AND DONATIONS TRUST FUND		978,644	
FROM PLANNING AND EVALUATION TRUST FUND		2,503,489	
FROM RADIATION PROTECTION TRUST FUND		1,500	

From the funds in Specific Appropriation 472, \$450,000 from the General Revenue Fund is provided to the Birth Defects Registry.

473 SPECIAL CATEGORIES			
GRANTS AND AIDS - CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND	4,405,026		
FROM FEDERAL GRANTS TRUST FUND . . .		11,896,717	

From the funds in Specific Appropriation 473, \$1,000,000 from the General Revenue Fund is provided for Florida academic and research institutions designated as Centers for AIDS Research (CFAR) by the National Institutes of Health to enhance high quality HIV/AIDS research projects conducted in response to the health needs of Florida's citizens.

From the funds in Specific Appropriation 473, the following projects are funded with nonrecurring funds from the General Revenue Fund:

Broward Community and Family Health Center - Colon Cancer Detection Screening Program.....	220,000	
Homestead Sickle Cell Awareness.....	200,000	
Concept Health Systems (Hialeah) - HIV Prevention and Teen Intervene Intervention Programs.....	100,000	
Florida State University Panama City Campus - Rural Northwest Florida Mosquito Surveillance Program.....	700,000	

474 SPECIAL CATEGORIES			
GRANTS AND AIDS - CONTRACTED PROFESSIONAL SERVICES			
FROM GENERAL REVENUE FUND	1,995,141		
FROM FEDERAL GRANTS TRUST FUND . . .		1,443,885	

475 SPECIAL CATEGORIES			
GRANTS AND AIDS - ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS) INSURANCE CONTINUATION PROGRAM			
FROM GENERAL REVENUE FUND	6,454,951		
FROM FEDERAL GRANTS TRUST FUND . . .		8,516,293	

476 SPECIAL CATEGORIES			
PURCHASED CLIENT SERVICES			
FROM GENERAL REVENUE FUND	498,687		

477 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND	123,408		
FROM PLANNING AND EVALUATION TRUST FUND		149,190	

478 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM GENERAL REVENUE FUND	31,674		
FROM ADMINISTRATIVE TRUST FUND . . .		1,748	
FROM FEDERAL GRANTS TRUST FUND . . .		51,489	
FROM PLANNING AND EVALUATION TRUST FUND		45,320	

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479	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT	81,680		
	FROM GENERAL REVENUE FUND		9,311	
	FROM ADMINISTRATIVE TRUST FUND		86,357	
	FROM FEDERAL GRANTS TRUST FUND			13,830
	FROM GRANTS AND DONATIONS TRUST FUND			26,753
	FROM PLANNING AND EVALUATION TRUST FUND			1,288
	FROM RADIATION PROTECTION TRUST FUND			
480	SPECIAL CATEGORIES OUTREACH FOR PREGNANT WOMEN FROM GENERAL REVENUE FUND	500,000		
TOTAL:	DISEASE CONTROL AND HEALTH PROTECTION FROM GENERAL REVENUE FUND	62,653,159	120,330,754	
	FROM TRUST FUNDS			
	TOTAL POSITIONS	552.50		
	TOTAL ALL FUNDS		182,983,913	
COUNTY HEALTH DEPARTMENTS LOCAL HEALTH NEEDS				
	APPROVED SALARY RATE 416,390,817			
481	SALARIES AND BENEFITS POSITIONS 9,936.07 FROM COUNTY HEALTH DEPARTMENT TRUST FUND		521,355,124	
482	OTHER PERSONAL SERVICES FROM COUNTY HEALTH DEPARTMENT TRUST FUND		54,546,336	
483	EXPENSES FROM COUNTY HEALTH DEPARTMENT TRUST FUND		109,891,866	
484	AID TO LOCAL GOVERNMENTS CONTRIBUTION TO COUNTY HEALTH UNITS FROM GENERAL REVENUE FUND	123,681,560		
	FROM COUNTY HEALTH DEPARTMENT TRUST FUND		10,421,102	
485	AID TO LOCAL GOVERNMENTS COMMUNITY HEALTH INITIATIVES FROM GENERAL REVENUE FUND	1,951,797		
	FROM COUNTY HEALTH DEPARTMENT TRUST FUND		500,000	
486	OPERATING CAPITAL OUTLAY FROM COUNTY HEALTH DEPARTMENT TRUST FUND		6,235,802	
487	LUMP SUM COUNTY HEALTH DEPARTMENTS POSITIONS 50.00			
488	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM COUNTY HEALTH DEPARTMENT TRUST FUND		2,374,843	
489	SPECIAL CATEGORIES CONTRACTED SERVICES FROM COUNTY HEALTH DEPARTMENT TRUST FUND		79,054,971	
490	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM COUNTY HEALTH DEPARTMENT TRUST FUND		27,500	

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491	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM COUNTY HEALTH DEPARTMENT TRUST FUND			7,051,033
492	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM COUNTY HEALTH DEPARTMENT TRUST FUND			2,809,117
493	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM COUNTY HEALTH DEPARTMENT TRUST FUND			2,540,381
493A	FIXED CAPITAL OUTLAY CONSTRUCTION, RENOVATION, AND EQUIPMENT - COUNTY HEALTH DEPARTMENTS FROM GENERAL REVENUE FUND		250,000	
	From the funds in Specific Appropriation 493A, \$250,000 in nonrecurring funds from the General Revenue Fund is provided for renovations to the Jefferson County Health Department.			
TOTAL:	COUNTY HEALTH DEPARTMENTS LOCAL HEALTH NEEDS FROM GENERAL REVENUE FUND	125,883,357		
	FROM TRUST FUNDS		796,808,075	
	TOTAL POSITIONS	9,986.07		
	TOTAL ALL FUNDS		922,691,432	
STATEWIDE PUBLIC HEALTH SUPPORT SERVICES				
	APPROVED SALARY RATE 19,906,515			
494	SALARIES AND BENEFITS POSITIONS 439.00 FROM GENERAL REVENUE FUND	1,929,162		
	FROM ADMINISTRATIVE TRUST FUND		1,097,587	
	FROM EMERGENCY MEDICAL SERVICES TRUST FUND		2,522,910	
	FROM FEDERAL GRANTS TRUST FUND		7,306,447	
	FROM GRANTS AND DONATIONS TRUST FUND		711,981	
	FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND		2,434,742	
	FROM PLANNING AND EVALUATION TRUST FUND		6,074,249	
	FROM RADIATION PROTECTION TRUST FUND		6,001,783	
495	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	2,035		
	FROM ADMINISTRATIVE TRUST FUND		10,099	
	FROM EMERGENCY MEDICAL SERVICES TRUST FUND		613,492	
	FROM FEDERAL GRANTS TRUST FUND		169,318	
	FROM GRANTS AND DONATIONS TRUST FUND		64,681	
	FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND		361,447	
	FROM PLANNING AND EVALUATION TRUST FUND		718,741	
	FROM RADIATION PROTECTION TRUST FUND		42,664	
496	EXPENSES FROM GENERAL REVENUE FUND	253,070		
	FROM ADMINISTRATIVE TRUST FUND		244,236	
	FROM EMERGENCY MEDICAL SERVICES TRUST FUND		770,404	
	FROM FEDERAL GRANTS TRUST FUND		1,611,743	
	FROM GRANTS AND DONATIONS TRUST FUND		272,116	

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	FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND	598,155	
	FROM PLANNING AND EVALUATION TRUST FUND	715,822	
	FROM RADIATION PROTECTION TRUST FUND	1,645,717	
497	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - LOCAL HEALTH COUNCILS FROM GRANTS AND DONATIONS TRUST FUND	1,006,000	
498	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - EMERGENCY MEDICAL SERVICES COUNTY GRANTS FROM EMERGENCY MEDICAL SERVICES TRUST FUND	2,696,675	
499	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - EMERGENCY MEDICAL SERVICES MATCHING GRANTS FROM EMERGENCY MEDICAL SERVICES TRUST FUND	3,181,461	
500	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	3,693	
	FROM ADMINISTRATIVE TRUST FUND	1,300	
	FROM EMERGENCY MEDICAL SERVICES TRUST FUND	16,932	
	FROM FEDERAL GRANTS TRUST FUND	61,466	
	FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND	9,000	
	FROM PLANNING AND EVALUATION TRUST FUND	28,302	
	FROM RADIATION PROTECTION TRUST FUND	156,997	
501	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM RADIATION PROTECTION TRUST FUND	210,856	
502	SPECIAL CATEGORIES GRANTS AND AIDS - STRENGTHENING DOMESTIC SECURITY - BIOTERRORISM ENHANCEMENTS - HEALTH AND HOSPITALS FROM FEDERAL GRANTS TRUST FUND	21,143,607	
503	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	11,692	
	FROM ADMINISTRATIVE TRUST FUND	240,623	
	FROM EMERGENCY MEDICAL SERVICES TRUST FUND	515,458	
	FROM FEDERAL GRANTS TRUST FUND	1,352,941	
	FROM GRANTS AND DONATIONS TRUST FUND	100,781	
	FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND	242,075	
	FROM PLANNING AND EVALUATION TRUST FUND	1,570,669	
	FROM RADIATION PROTECTION TRUST FUND	148,500	
504	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM GENERAL REVENUE FUND	1,845,536	
	FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND	1,321,507	

From the funds in Specific Appropriation 504, \$1,000,000 from the General Revenue Fund is provided for the Department of Health to contract with the Brain Injury Association of Florida (BIAF) to identify and link resources to traumatic brain injury patients.

From the funds in Specific Appropriation 504, \$500,000 in nonrecurring funds from the General Revenue Fund is provided to the

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Bitner/Plante Amyotrophic Lateral Sclerosis Initiative of Florida.

From the funds in Specific Appropriation 504, \$100,000 in nonrecurring funds from the General Revenue Fund is provided for the Florida Emergency Medical Services Clearinghouse.

505	SPECIAL CATEGORIES DRUGS, VACCINES AND OTHER BIOLOGICALS FROM GENERAL REVENUE FUND	22,977,280	
	FROM FEDERAL GRANTS TRUST FUND		119,154,984
	FROM GRANTS AND DONATIONS TRUST FUND		21,316,023

The funds in Specific Appropriation 505 from the Federal Grants Trust Fund are contingent upon sufficient state matching funds being identified to qualify for the federal Ryan White grant award. The Department of Health and the Department of Corrections shall collaborate in determining the amount of state general revenue funds expended by the Department of Corrections for AIDS-related activities and services that qualify as state matching funds for the Ryan White grant.

506	SPECIAL CATEGORIES GRANTS AND AIDS - RURAL HEALTH NETWORK GRANTS FROM GENERAL REVENUE FUND	500,000	
	FROM FEDERAL GRANTS TRUST FUND		799,305
507	SPECIAL CATEGORIES BRAIN AND SPINAL CORD HOME AND COMMUNITY BASED SERVICES WAIVER FROM GENERAL REVENUE FUND	1,977,855	
	FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND		5,680,604
508	SPECIAL CATEGORIES CYSTIC FIBROSIS HOME AND COMMUNITY BASED SERVICES WAIVER FROM GENERAL REVENUE FUND	149,207	
	FROM FEDERAL GRANTS TRUST FUND		761,350
509	SPECIAL CATEGORIES PURCHASED CLIENT SERVICES FROM GENERAL REVENUE FUND	1,000,000	
	FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND		1,676,352
510	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	2,518,241	
	FROM PLANNING AND EVALUATION TRUST FUND		51,657
	FROM RADIATION PROTECTION TRUST FUND		14,575
511	SPECIAL CATEGORIES GRANTS AND AIDS - STATE AND FEDERAL DISASTER RELIEF OPERATIONS FROM FEDERAL GRANTS TRUST FUND		1,000,000
511A	SPECIAL CATEGORIES GRANTS AND AIDS - MASS CASUALTY INCIDENTS AND DISEASE OUTBREAK EMERGENCIES - HOSPITAL AND TRAUMA CENTER RELIEF FUND FROM GENERAL REVENUE FUND	7,000,000	

Funds in Specific Appropriation 511A are provided to fund the Mass Casualty Incidents and Disease Outbreak Emergencies Relief Fund. Acute care hospitals serving Medicaid patients and operating a verified Level I, Level II, or Pediatric trauma center, pursuant to chapter 395, Part II, Florida Statutes, or an emergency department in an acute care hospital with a graduate medical education program accredited by the Accreditation Council for Graduate Medical Education that has provided care to victims of a mass casualty incident or disease outbreak between June 1, 2016, and June 30, 2018, may be eligible for funding. Seventy-five percent of the funds appropriated herein shall first be made available for uncompensated medical care as documented using the Medicare cost report data elements and calculation formulas as a result

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of mass casualty incidents and disease outbreak emergencies. Half of any remaining funds shall be used to fund Mass Casualty Incident Surge Capacity Preparedness Grants and the other half shall be used to fund Disease/Biological/Chemical Outbreak Preparedness Grants. Grants shall be submitted to the Department of Health and may be approved to purchase equipment and supplies in the following areas: inpatient surge capacity, response to explosives and combat type trauma, trauma bay equipment, operating rooms equipment, operating rooms supplies, pharmaceutical caches, and equipment necessary for biological/nuclear/radiologic preparedness. Grants shall be awarded by the Department of Health to verified trauma centers through a competitive process to be administered by the department.

512 SPECIAL CATEGORIES
GRANTS AND AIDS - TRAUMA CARE
FROM EMERGENCY MEDICAL SERVICES
TRUST FUND 12,093,747

513 SPECIAL CATEGORIES
GRANTS AND AIDS - SPINAL CORD RESEARCH
FROM GENERAL REVENUE FUND 1,000,000
FROM BRAIN AND SPINAL CORD INJURY
REHABILITATION TRUST FUND 4,000,000

From the funds in Specific Appropriation 513, \$1,000,000 in nonrecurring funds from the General Revenue Fund is provided to the Miami Project to Cure Paralysis.

514 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 3,837
FROM ADMINISTRATIVE TRUST FUND 7,811
FROM EMERGENCY MEDICAL SERVICES
TRUST FUND 55,064
FROM FEDERAL GRANTS TRUST FUND 6,177
FROM BRAIN AND SPINAL CORD INJURY
REHABILITATION TRUST FUND 47,576
FROM PLANNING AND EVALUATION TRUST
FUND 52,241
FROM RADIATION PROTECTION TRUST
FUND 5,278

515 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 16,090
FROM ADMINISTRATIVE TRUST FUND 3,479
FROM EMERGENCY MEDICAL SERVICES
TRUST FUND 16,790
FROM FEDERAL GRANTS TRUST FUND 36,811
FROM GRANTS AND DONATIONS TRUST
FUND 4,672
FROM BRAIN AND SPINAL CORD INJURY
REHABILITATION TRUST FUND 15,162
FROM PLANNING AND EVALUATION TRUST
FUND 32,013
FROM RADIATION PROTECTION TRUST
FUND 28,180

516 SPECIAL CATEGORIES
MEDICALLY FRAGILE ENHANCEMENT PAYMENT
FROM GENERAL REVENUE FUND 610,020

517 FIXED CAPITAL OUTLAY
HEALTH FACILITIES REPAIR AND MAINTENANCE -
STATEWIDE
FROM RADIATION PROTECTION TRUST
FUND 206,585

The nonrecurring funds in Specific Appropriation 517 are provided for the maintenance and repair of the Orlando Health Physics Lab.

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TOTAL: STATEWIDE PUBLIC HEALTH SUPPORT SERVICES
FROM GENERAL REVENUE FUND 41,797,718
FROM TRUST FUNDS 235,059,910

TOTAL POSITIONS 439.00
TOTAL ALL FUNDS 276,857,628

PROGRAM: CHILDREN'S MEDICAL SERVICES

CHILDREN'S SPECIAL HEALTH CARE

From the funds in Specific Appropriations 518 through 531, the Department of Health shall provide to the Governor, President of the Senate, and Speaker of the House of Representatives monthly surplus-deficit reports projecting the total Children's Medical Services expenditures, by program, for the fiscal year, along with any corrective action plans necessary to align program expenditures with annual appropriations.

APPROVED SALARY RATE 28,715,073

518 SALARIES AND BENEFITS POSITIONS 625.00
FROM GENERAL REVENUE FUND 15,259,604
FROM DONATIONS TRUST FUND 15,264,219
FROM FEDERAL GRANTS TRUST FUND 7,178,726

519 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 160,921
FROM DONATIONS TRUST FUND 102,032
FROM FEDERAL GRANTS TRUST FUND 303,280

520 EXPENSES
FROM GENERAL REVENUE FUND 1,312,787
FROM DONATIONS TRUST FUND 3,614,305
FROM FEDERAL GRANTS TRUST FUND 2,838,373

521 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 29,319
FROM DONATIONS TRUST FUND 35,629
FROM FEDERAL GRANTS TRUST FUND 106,825

522 SPECIAL CATEGORIES
GRANTS AND AIDS - CHILDREN'S MEDICAL
SERVICES NETWORK
FROM GENERAL REVENUE FUND 27,957,822
FROM DONATIONS TRUST FUND 107,393,674
FROM FEDERAL GRANTS TRUST FUND 553,738
FROM MATERNAL AND CHILD HEALTH
BLOCK GRANT TRUST FUND 8,258,090
FROM SOCIAL SERVICES BLOCK GRANT
TRUST FUND 1,613,263

The funds in Specific Appropriation 522 shall not be used to support continuing education courses or training for health professionals or staff employed by the Children's Medical Services (CMS) Network or under contract with the Department of Health. This limitation shall include but not be limited to: classroom instruction, train the trainer, or web-based continuing education courses that may be considered professional development, or that results in continuing education credits that may be applied towards the initial or subsequent renewal of a health professional's license. This does not preclude the CMS Network from providing information on treatment methodologies or best practices to appropriate CMS Network health professionals, staff, or contractors.

From the funds in Specific Appropriation 522, the Department of Health shall transfer an amount not to exceed \$450,000 from the General Revenue Fund to the Agency for Health Care Administration for Medicaid reimbursable services that support children enrolled in contracted medical foster care programs.

From the funds in Specific Appropriation 522, \$1,000,000 in nonrecurring funds from the General Revenue Fund is provided to the St. Joseph's Children's Hospital Chronic-Complex Clinic.

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523 SPECIAL CATEGORIES
GRANTS AND AIDS - SAFETY NET PROGRAM
FROM GENERAL REVENUE FUND 2,500,000

The funds in Specific Appropriation 523 shall be used by the Department of Health Children's Medical Services Program to provide benefits authorized in section 381.0315, Florida Statutes, for children with chronic and serious medical conditions who do not qualify for Medicaid or Title XXI of the Social Security Act. Children eligible for assistance using these funds must be uninsured, insured but not covered for medically necessary services, or unable to access services due to lack of providers or lack of financial resources regardless of insurance status. The department may serve children on a first-come, first-serve basis until the appropriated funds are fully obligated. Receiving services through the Safety Net Program does not constitute an entitlement for coverage or services when funds appropriated for this purpose are exhausted.

524 SPECIAL CATEGORIES
GRANTS AND AIDS - MEDICAL SERVICES FOR
ABUSED/NEGLECTED CHILDREN
FROM GENERAL REVENUE FUND 16,537,467
FROM SOCIAL SERVICES BLOCK GRANT
TRUST FUND 6,120,295

525 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM DONATIONS TRUST FUND 4,158,675
FROM FEDERAL GRANTS TRUST FUND 82,405
FROM MATERNAL AND CHILD HEALTH
BLOCK GRANT TRUST FUND 531,710

From the funds in Specific Appropriation 525, \$250,000 from the Maternal and Child Health Block Grant Trust Fund is provided for the Department of Health to conduct a statewide marketing campaign to promote Bright Expectations - the Information Clearinghouse on Developmental Disabilities - established pursuant to section 383.141, Florida Statutes. The statewide marketing campaign shall be designed to educate the broadest population permissible under the funds provided in this specific appropriation and shall include, but not be limited to, social media, print, radio, and the proliferation of informational pamphlets in all health care settings where the target market receives health care services.

526 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,145,169

527 SPECIAL CATEGORIES
POISON CONTROL CENTER
FROM GENERAL REVENUE FUND 5,264,498

528 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 870,358

529 SPECIAL CATEGORIES
GRANTS AND AIDS - DEVELOPMENTAL EVALUATION
AND INTERVENTION SERVICES/PART C
FROM GENERAL REVENUE FUND 43,115,953
FROM FEDERAL GRANTS TRUST FUND 23,853,779

From the funds in Specific Appropriation 529, \$3,783,221 from the General Revenue Fund is provided as the state match for Medicaid reimbursable early intervention services in Specific Appropriation 193.

From the funds in Specific Appropriation 529, at least 85 percent of funds distributed to Local Early Steps providers must be spent on direct client services.

530 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 82,009
FROM DONATIONS TRUST FUND 121,245
FROM FEDERAL GRANTS TRUST FUND 75,871

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531 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 114,493
FROM DONATIONS TRUST FUND 84,638
FROM FEDERAL GRANTS TRUST FUND 37,232

TOTAL: CHILDREN'S SPECIAL HEALTH CARE
FROM GENERAL REVENUE FUND 114,350,400
FROM TRUST FUNDS 182,328,004

TOTAL POSITIONS 625.00
TOTAL ALL FUNDS 296,678,404

PROGRAM: HEALTH CARE PRACTITIONER AND ACCESS

MEDICAL QUALITY ASSURANCE

APPROVED SALARY RATE 21,926,923

532 SALARIES AND BENEFITS POSITIONS 570.00
FROM MEDICAL QUALITY ASSURANCE
TRUST FUND 31,475,784

533 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 205,310
FROM FEDERAL GRANTS TRUST FUND 118,385
FROM GRANTS AND DONATIONS TRUST
FUND 239,144
FROM MEDICAL QUALITY ASSURANCE
TRUST FUND 4,724,709

534 EXPENSES
FROM GENERAL REVENUE FUND 12,452
FROM FEDERAL GRANTS TRUST FUND 35,175
FROM GRANTS AND DONATIONS TRUST
FUND 60,373
FROM MEDICAL QUALITY ASSURANCE
TRUST FUND 6,267,286

535 OPERATING CAPITAL OUTLAY
FROM MEDICAL QUALITY ASSURANCE
TRUST FUND 57,604

536 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM MEDICAL QUALITY ASSURANCE
TRUST FUND 21,000

537 SPECIAL CATEGORIES
UNLICENSED ACTIVITIES
FROM MEDICAL QUALITY ASSURANCE
TRUST FUND 923,452

538 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE
HEARINGS
FROM MEDICAL QUALITY ASSURANCE
TRUST FUND 350,649

539 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 281,998
FROM FEDERAL GRANTS TRUST FUND 287,963
FROM GRANTS AND DONATIONS TRUST
FUND 107,908
FROM MEDICAL QUALITY ASSURANCE
TRUST FUND 12,575,119

539A SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM MEDICAL QUALITY ASSURANCE
TRUST FUND 750,000

From the funds in Specific Appropriation 539A, \$750,000 in

SECTION 3 - HUMAN SERVICES

nonrecurring funds from the Medical Quality Assurance Trust Fund is provided to the Foundation for Healthy Floridians.

540	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM MEDICAL QUALITY ASSURANCE TRUST FUND			440,612
541	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM MEDICAL QUALITY ASSURANCE TRUST FUND			339,364
542	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM GRANTS AND DONATIONS TRUST FUND FROM MEDICAL QUALITY ASSURANCE TRUST FUND	225		323 178,761
TOTAL:	MEDICAL QUALITY ASSURANCE FROM GENERAL REVENUE FUND FROM TRUST FUNDS	499,985		58,953,611
	TOTAL POSITIONS TOTAL ALL FUNDS	570.00		59,453,596
PROGRAM: DISABILITY DETERMINATIONS				
DISABILITY BENEFITS DETERMINATION				
	APPROVED SALARY RATE	52,312,278		
543	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM U.S. TRUST FUND	1,277.00		630,240 700,497 77,360,937
544	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM U.S. TRUST FUND	4,998		27,008 29,235,318
545	EXPENSES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM U.S. TRUST FUND	139,839		198,434 22,136,082
546	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM U.S. TRUST FUND	4,000		4,000 1,212,620
547	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM U.S. TRUST FUND	135,331		79,818 39,770,837
548	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM U.S. TRUST FUND	1,784		1,784 367,892
549	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM FEDERAL GRANTS TRUST FUND FROM U.S. TRUST FUND			1,000 2,334

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550	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM U.S. TRUST FUND		3,202	3,249 426,689
TOTAL:	DISABILITY BENEFITS DETERMINATION FROM GENERAL REVENUE FUND FROM TRUST FUNDS		919,394	171,528,499
	TOTAL POSITIONS TOTAL ALL FUNDS	1,277.00		172,447,893
TOTAL:	HEALTH, DEPARTMENT OF FROM GENERAL REVENUE FUND FROM TRUST FUNDS	531,116,006		2,353,367,980
	TOTAL POSITIONS TOTAL ALL FUNDS TOTAL APPROVED SALARY RATE	14,064.57		2,884,483,986
VETERANS' AFFAIRS, DEPARTMENT OF				
PROGRAM: SERVICES TO VETERANS' PROGRAM				
VETERANS' HOMES				
	APPROVED SALARY RATE	32,627,670		
551	SALARIES AND BENEFITS POSITIONS FROM OPERATIONS AND MAINTENANCE TRUST FUND	978.00		48,729,879
552	OTHER PERSONAL SERVICES FROM OPERATIONS AND MAINTENANCE TRUST FUND			2,938,821
553	EXPENSES FROM GRANTS AND DONATIONS TRUST FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND			66,700 15,855,487
554	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND FROM GRANTS AND DONATIONS TRUST FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND FROM STATE HOMES FOR VETERANS TRUST FUND	250,000		25,000 366,994 253,600
555	FOOD PRODUCTS FROM OPERATIONS AND MAINTENANCE TRUST FUND			3,323,297
556	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM GRANTS AND DONATIONS TRUST FUND			163,000
557	SPECIAL CATEGORIES CONTRACTED SERVICES FROM OPERATIONS AND MAINTENANCE TRUST FUND			10,980,134
558	SPECIAL CATEGORIES RECREATIONAL EQUIPMENT AND SUPPLIES FROM GRANTS AND DONATIONS TRUST FUND			72,500

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559	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM OPERATIONS AND MAINTENANCE TRUST FUND		2,288,014
560	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM OPERATIONS AND MAINTENANCE TRUST FUND		344,086
561	FIXED CAPITAL OUTLAY STATE NURSING HOME FOR VETERANS - DMS MGD FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND FROM STATE HOMES FOR VETERANS TRUST FUND	500,000 25,150,900 9,505,842 4,036,950	

From the funds in Specific Appropriation 561, the nonrecurring sums of \$9,505,842 from the Operations and Maintenance Trust Fund, \$4,036,950 from the State Homes for Veterans' Trust Fund, and \$25,150,900 from the Federal Grants Trust Fund are provided for the completion of the construction of the seventh State Veterans' Nursing Home in St. Lucie County.

From the funds in Specific Appropriation 561, the nonrecurring sum of \$500,000 from the General Revenue Fund is provided to the Marion County Board of County Commissioners for preliminary engineering and site feasibility studies pertaining to the construction of a state veterans' nursing home.

562	FIXED CAPITAL OUTLAY MAINTENANCE AND REPAIR OF STATE-OWNED RESIDENTIAL FACILITIES FOR VETERANS FROM STATE HOMES FOR VETERANS TRUST FUND		2,000,000

Funds in Specific Appropriation 562 are provided to support the following maintenance and repair projects:

Lake City State Veterans' Home.....	470,000
Daytona Beach State Veterans' Home.....	350,000
Land o' Lakes State Veterans' Home.....	250,000
Pembroke Pines State Veterans' Home.....	90,000
Panama City State Veterans' Home.....	370,000
Port Charlotte State Veterans' Home.....	270,000
St. Augustine State Veterans' Home.....	200,000

TOTAL: VETERANS' HOMES	
FROM GENERAL REVENUE FUND	750,000
FROM TRUST FUNDS	126,101,204
TOTAL POSITIONS	978.00
TOTAL ALL FUNDS	126,851,204

EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE	1,739,093	
563	SALARIES AND BENEFITS POSITIONS	28.50	
	FROM GENERAL REVENUE FUND	2,297,279	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		177,995
564	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	21,315	
565	EXPENSES FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	703,965	591,610

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566	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	120,512	2,478
567	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	110,882	458,000
568	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	6,452	
569	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	8,977	674
570A	DATA PROCESSING SERVICES DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY FROM GENERAL REVENUE FUND	11,119	
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	FROM GENERAL REVENUE FUND	3,280,501	1,230,757
	FROM TRUST FUNDS		
	TOTAL POSITIONS	28.50	
	TOTAL ALL FUNDS		4,511,258

VETERANS' BENEFITS AND ASSISTANCE

	APPROVED SALARY RATE	5,085,867	
571	SALARIES AND BENEFITS POSITIONS	111.00	
	FROM GENERAL REVENUE FUND	4,986,740	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,825,017
572	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	12,000	10,000
573	EXPENSES FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	274,219	220,559
574	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	22,662	4,000
575	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM OPERATIONS AND MAINTENANCE TRUST FUND	2,569	4,000
575A	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM GENERAL REVENUE FUND	100,000	

The nonrecurring funds in Specific Appropriation 575A from the General Revenue Fund are provided to the Veterans of Foreign Wars of the United States (VFW) Department of Florida for Veterans Administration claims processing workload.

SECTION 3 - HUMAN SERVICES

576	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	11,180	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		13,533
577	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	29,046	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		8,286
TOTAL:	VETERANS' BENEFITS AND ASSISTANCE FROM GENERAL REVENUE FUND	5,438,416	
	FROM TRUST FUNDS		2,085,395
	TOTAL POSITIONS	111.00	
	TOTAL ALL FUNDS		7,523,811
VETERANS EMPLOYMENT AND TRAINING SERVICES			
578	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS ENTREPRENEUR TRAINING FROM GENERAL REVENUE FUND	500,000	
580	AID TO LOCAL GOVERNMENTS FLORIDA IS FOR VETERANS, INC.-OPERATIONS FROM GENERAL REVENUE FUND	344,106	
TOTAL:	VETERANS EMPLOYMENT AND TRAINING SERVICES FROM GENERAL REVENUE FUND	844,106	
	TOTAL ALL FUNDS		844,106
TOTAL:	VETERANS' AFFAIRS, DEPARTMENT OF FROM GENERAL REVENUE FUND	10,313,023	
	FROM TRUST FUNDS		129,417,356
	TOTAL POSITIONS	1,117.50	
	TOTAL ALL FUNDS		139,730,379
	TOTAL APPROVED SALARY RATE	39,452,630	
TOTAL OF SECTION 3			
	FROM GENERAL REVENUE FUND	9,555,898,674	
	FROM TRUST FUNDS		25,961,061,496
	TOTAL POSITIONS	31,824.07	
	TOTAL ALL FUNDS		35,516,960,170

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

SPECIFIC
APPROPRIATION

The moneys contained herein are appropriated from the named funds to the Department of Corrections, Justice Administration, Department of Juvenile Justice, Florida Department of Law Enforcement, Department of Legal Affairs/Attorney General, and the Florida Commission on Offender Review as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

CORRECTIONS, DEPARTMENT OF

From the funds in Specific Appropriations 582 through 756, each provider contracting with the Department of Corrections must provide the department with a proposal prior to the release of funds that details the services that will be delivered, the expected results, and recommended performance measures. The department and each provider must execute a contract before the release of any funds, and the contract documents must include mutually agreed upon performance measures. Each provider must provide quarterly performance reports to the department. Funds shall only be released to providers whose performance reports indicate substantial compliance with the performance measures described in the contract.

The Department of Corrections shall continue to submit an annual report on the state prison system to the Governor and to the Legislature using a uniform format and uniform methodologies. The report shall include a comprehensive plan for current facility use and any departures from planned facility use, including opening new facilities, renovating or closing existing facilities, and advancing or delaying the opening of new or renovate facilities. The report shall include the maximum capacity of currently operating facilities and the potential maximum capacity of facilities that the department could make operational within the fiscal year. The report shall also identify appropriate sites for future facilities and provide information to support specified locations, such as availability of personnel in local labor markets. Reports should include updated infrastructure needs for existing or future facilities. Each report should reconcile capacity figures to the immediately preceding report. For the purpose of this paragraph, maximum capacity shall be calculated and displayed pursuant to section 944.023(1)(b), Florida Statutes. The department may provide additional analysis of current and future bed needs based on such factors as deemed necessary by the Secretary. The next report shall be due January 1, 2018.

From the funds in Specific Appropriations 582 through 756, the Department of Corrections shall prepare a report detailing the amount of overtime expended per facility; the number of positions in overlap, with justification for each overlapped position; and identifying the number of unfunded positions that may be eliminated. The report shall be submitted to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee by January 1, 2018.

From the funds in Specific Appropriations 582 through 756, the Department of Corrections shall, before closing, substantially reducing the use of, or changing the purpose of any state correctional institution as defined in section 944.02, Florida Statutes, submit its proposal to the Governor's Office of Policy and Budget, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee for review.

From the funds in Specific Appropriations 582 through 756, the Department of Corrections may work within its existing budget, including applicable grants, to implement any corrective action plan that is developed as the result of a Prison Rape Elimination Act audit conducted in accordance with Title 23, Part 115 of the Code of Federal Regulations. The department may request additional resources required through the Legislative Budget Request process as defined in chapter 216, Florida Statutes.

Funds in Specific Appropriation 582 through 756 shall not be used to pay for unoccupied space currently being leased by the Department of Corrections in the event the leases are vacant on or after July 1, 2017, and for which it has been determined by the Secretary of the department that there is no longer a need.

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

PROGRAM: DEPARTMENT ADMINISTRATION

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE		22,339,942	
582	SALARIES AND BENEFITS POSITIONS	469.00	
	FROM GENERAL REVENUE FUND	21,398,262	
	FROM ADMINISTRATIVE TRUST FUND		3,509,325
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		89,635
583	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	25,735	
	FROM ADMINISTRATIVE TRUST FUND		334,128
584	EXPENSES		
	FROM GENERAL REVENUE FUND	1,025,958	
	FROM ADMINISTRATIVE TRUST FUND		875,320
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		1,083,200
585	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	20,227	
	FROM ADMINISTRATIVE TRUST FUND		30,160
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		240,600
	FROM FEDERAL GRANTS TRUST FUND		101,840
586	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
	FROM GENERAL REVENUE FUND	2,120	
587	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	535,016	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		200,000
	FROM FEDERAL GRANTS TRUST FUND		347,650
588	SPECIAL CATEGORIES		
	TRANSFER TO GENERAL REVENUE FUND		
	FROM FEDERAL GRANTS TRUST FUND		8,100,000
Funds in Specific Appropriation 588 are from reimbursements from the United States Government for incarcerating aliens in Florida's prisons. If total reimbursements exceed \$8,100,000, the Department of Corrections shall submit a budget amendment in accordance with all applicable provisions of chapter 216, Florida Statutes, requesting additional budget authority to transfer the balance to the General Revenue Fund.			
589	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	491,530	
590	SPECIAL CATEGORIES		
	TENANT BROKER COMMISSIONS		
	FROM ADMINISTRATIVE TRUST FUND		525,394
591	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	38,535	
592	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	7,063,799	
	FROM ADMINISTRATIVE TRUST FUND		48,944
	FROM CORRECTIONAL WORK PROGRAM TRUST FUND		100,941

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES

FROM GENERAL REVENUE FUND	30,601,182	
FROM TRUST FUNDS		15,587,137
TOTAL POSITIONS	469.00	
TOTAL ALL FUNDS		46,188,319

INFORMATION TECHNOLOGY

APPROVED SALARY RATE		8,041,453	
593	SALARIES AND BENEFITS POSITIONS	163.50	
	FROM GENERAL REVENUE FUND	8,915,275	
	FROM ADMINISTRATIVE TRUST FUND		1,175,323
594	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	13,500	
595	EXPENSES		
	FROM GENERAL REVENUE FUND	1,461,941	
	FROM ADMINISTRATIVE TRUST FUND		1,523,282
596	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	127,720	
597	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	2,084,778	
	FROM ADMINISTRATIVE TRUST FUND		7,812
598	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	51,989	
599	SPECIAL CATEGORIES		
	DEFERRED-PAYMENT COMMODITY CONTRACTS		
	FROM GENERAL REVENUE FUND	45,329	
600	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	1,270	
601	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	989	
602A	DATA PROCESSING SERVICES		
	DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY		
	FROM GENERAL REVENUE FUND	7,778,683	
	FROM ADMINISTRATIVE TRUST FUND		49,141
TOTAL: INFORMATION TECHNOLOGY			
	FROM GENERAL REVENUE FUND	20,481,474	
	FROM TRUST FUNDS		2,755,558
	TOTAL POSITIONS	163.50	
	TOTAL ALL FUNDS		23,237,032

PROGRAM: SECURITY AND INSTITUTIONAL OPERATIONS

From the funds in Specific Appropriations 613, 626, and 639, a total of \$1,074,362 is provided as payment in lieu of ad valorem taxation for distribution to local government taxing authorities. Funding is provided as follows: \$269,324 for the Bay Correctional Facility, \$339,242 for the Moore Haven Correctional Facility, \$275,560 for the South Bay Correctional Facility, \$100,000 for the Gadsden Correctional Facility, and \$90,236 for the Lake City Correctional Facility. These funds may not be distributed if there are outstanding claims for ad valorem taxes due on the property at issue and may not be distributed until the property is reclassified on the real property and tangible personal property rolls as State Government property back to the date the finance corporation or other state entity acquired the title thereto. These distributions shall be adjusted, with respect to any facility, to

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

reimburse the Department of Corrections for the total amounts expended by the state in resisting the imposition of such ad valorem tax claims, including all attorneys' fees and costs actually incurred by the state's agencies.

Funds and positions in Specific Appropriations 582 through 708 and 722 through 756 support the state's inmate population. These funds and positions are sufficient to provide housing and security for 97,617 inmates when fully annualized. Variable expenses, maintenance, and health services funds are provided for an average daily population of 97,537 inmates.

Funds and positions in Specific Appropriations 582 through 708 and 722 through 756 are provided to address security needs for the prison population expected in Fiscal Year 2017-2018, as projected by the Criminal Justice Estimating Conference.

ADULT MALE CUSTODY OPERATIONS

APPROVED SALARY RATE		354,574,036	
603	SALARIES AND BENEFITS	POSITIONS	9,110.00
	FROM GENERAL REVENUE FUND		484,578,551
	FROM FEDERAL GRANTS TRUST FUND		390,551
604	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	7,015,867	
	FROM GRANTS AND DONATIONS TRUST FUND		91,825
605	EXPENSES		
	FROM GENERAL REVENUE FUND	20,363,376	
	FROM FEDERAL GRANTS TRUST FUND		216,949
	FROM GRANTS AND DONATIONS TRUST FUND		240,389
From the funds in Specific Appropriation 605, \$142,900 from recurring general revenue funds is provided to the City of Pahokee as a payment in lieu of taxes for the Sago Palm facility.			
606	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	749,166	
	FROM FEDERAL GRANTS TRUST FUND		100,000
	FROM GRANTS AND DONATIONS TRUST FUND		250,000
607	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND	40,443,878	
	FROM FEDERAL GRANTS TRUST FUND		83,421
608	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	5,427,696	
	FROM FEDERAL GRANTS TRUST FUND		273,617

From funds in Specific Appropriation 608, \$350,000 in nonrecurring general revenue funds is provided for the Children of Inmates Program to support children of incarcerated inmates by expanding research-based programs to mitigate the traumas and challenges for Florida's children that result from parental incarceration. The Department of Corrections shall submit a report on the current status of the Children of Inmates program to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee. The report shall list all performance measures and indicate whether the contractor is meeting each measure and is due by January 1, 2018.

From funds in Specific Appropriation 608, \$250,000 in nonrecurring general revenue funds is provided for the Children of Inmates Program to support children of incarcerated inmates in south Miami-Dade County.

From funds in Specific Appropriation 608, \$300,000 in nonrecurring general revenue funds is provided for the Children of Inmates - Enhanced Learning Experience Program to provide comprehensive case management services for children throughout the state impacted by parental incarceration, focusing on mental health and developmental outcomes for children with an incarcerated parent to ensure children are progressing toward their appropriate developmental milestones.

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

609	SPECIAL CATEGORIES		
	FOOD SERVICE AND PRODUCTION		
	FROM GENERAL REVENUE FUND	3,250,153	
	FROM FEDERAL GRANTS TRUST FUND		118,172
610	SPECIAL CATEGORIES		
	OVERTIME		
	FROM GENERAL REVENUE FUND	523,270	
611	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	16,751,793	
	FROM SALE OF GOODS AND SERVICES		
	CLEARING TRUST FUND		1,148,049
612	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	3,191,493	
613	SPECIAL CATEGORIES		
	PRIVATE PRISON OPERATIONS		
	FROM GENERAL REVENUE FUND	120,998,789	
	FROM PRIVATELY OPERATED INSTITUTIONS INMATE WELFARE TRUST FUND		1,300,586
From the funds in Specific Appropriation 613, \$109,350 from recurring general revenue funds is provided to the Department of Management Services, Bureau of Private Prison Monitoring, to pay for subject matter experts to conduct medical and mental health site visits of the medical department of private prisons and perform quality management audits no longer performed by the Department of Corrections.			
From the funds in Specific Appropriation 613, \$2,962,578 from nonrecurring general revenue funds is provided to the Florida Department of Management Services for the operation of the GEO Continuum of Care Rehabilitation and Reentry Program located at the following correctional facilities: Blackwater, Bay, Moore Haven, Graceville and South Bay.			
614	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	517,746	
615	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	361,723	
TOTAL: ADULT MALE CUSTODY OPERATIONS			
	FROM GENERAL REVENUE FUND	704,173,501	
	FROM TRUST FUNDS		4,213,559
TOTAL POSITIONS		9,110.00	
TOTAL ALL FUNDS			708,387,060
ADULT AND YOUTHFUL OFFENDER FEMALE CUSTODY OPERATIONS			
APPROVED SALARY RATE		35,261,908	
616	SALARIES AND BENEFITS	POSITIONS	788.00
	FROM GENERAL REVENUE FUND		40,054,825
	FROM GRANTS AND DONATIONS TRUST FUND		139,429
617	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	373,708	
	FROM GRANTS AND DONATIONS TRUST FUND		33,415
618	EXPENSES		
	FROM GENERAL REVENUE FUND	1,994,239	
	FROM GRANTS AND DONATIONS TRUST FUND		50,703

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

619	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	5,000	
620	FOOD PRODUCTS FROM GENERAL REVENUE FUND FROM GRANTS AND DONATIONS TRUST FUND	2,406,265	15,841
621	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	625,305	
622	SPECIAL CATEGORIES FOOD SERVICE AND PRODUCTION FROM GENERAL REVENUE FUND FROM GRANTS AND DONATIONS TRUST FUND	206,859	22,509
623	SPECIAL CATEGORIES OVERTIME FROM GENERAL REVENUE FUND	469,295	
624	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	3,908,606	
625	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	341,923	
626	SPECIAL CATEGORIES PRIVATE PRISON OPERATIONS FROM GENERAL REVENUE FUND FROM PRIVATELY OPERATED INSTITUTIONS INMATE WELFARE TRUST FUND	24,664,194	597,359

From the funds in Specific Appropriation 626, \$22,800 from recurring general revenue funds is provided to the Department of Management Services, Bureau of Private Prison Monitoring, to pay for subject matter experts to conduct medical and mental health site visits of the medical department of private prisons and perform quality management audits no longer performed by the Department of Corrections.

627	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	80,162	
628	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	8,134	
TOTAL: ADULT AND YOUTHFUL OFFENDER FEMALE CUSTODY OPERATIONS			
	FROM GENERAL REVENUE FUND	75,138,515	859,256
	FROM TRUST FUNDS		
	TOTAL POSITIONS	788.00	
	TOTAL ALL FUNDS		75,997,771

MALE YOUTHFUL OFFENDER CUSTODY OPERATIONS

	APPROVED SALARY RATE	13,354,065	
629	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	296.00 15,396,306	542,800
630	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	279,027	
631	EXPENSES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	117,143	24,336

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632	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	20,185	500,000
633	FOOD PRODUCTS FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	1,334,376	483,667
634	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	29,599	
635	SPECIAL CATEGORIES FOOD SERVICE AND PRODUCTION FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	197,340	191,046
636	SPECIAL CATEGORIES OVERTIME FROM GENERAL REVENUE FUND	7,986,977	
637	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	2,296,956	
638	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	159,226	
639	SPECIAL CATEGORIES PRIVATE PRISON OPERATIONS FROM GENERAL REVENUE FUND FROM PRIVATELY OPERATED INSTITUTIONS INMATE WELFARE TRUST FUND	19,216,164	195,403

From the funds in Specific Appropriation 639, \$17,850 from recurring general revenue funds is provided to the Department of Management Services, Bureau of Private Prison Monitoring, to pay for subject matter experts to conduct medical and mental health site visits of the medical department of private prisons and perform quality management audits no longer performed by the Department of Corrections.

640	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	38,675	
641	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	5,894	697
TOTAL: MALE YOUTHFUL OFFENDER CUSTODY OPERATIONS			
	FROM GENERAL REVENUE FUND	47,077,868	1,937,949
	FROM TRUST FUNDS		
	TOTAL POSITIONS	296.00	
	TOTAL ALL FUNDS		49,015,817

SPECIALTY CORRECTIONAL INSTITUTION OPERATIONS

	APPROVED SALARY RATE	191,546,251	
642	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	4,719.00 256,178,160	
643	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	2,731,066	
644	EXPENSES FROM GENERAL REVENUE FUND	3,772,421	
645	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	10,000	

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646	FOOD PRODUCTS FROM GENERAL REVENUE FUND	12,170,243	
647	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	562,621	
648	SPECIAL CATEGORIES FOOD SERVICE AND PRODUCTION FROM GENERAL REVENUE FUND	1,398,809	
649	SPECIAL CATEGORIES OVERTIME FROM GENERAL REVENUE FUND	4,154,272	
650	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	13,880,988	
651	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	1,669,164	
652	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	283,746	
653	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	77,330	
TOTAL:	SPECIALTY CORRECTIONAL INSTITUTION OPERATIONS FROM GENERAL REVENUE FUND	296,888,820	
	TOTAL POSITIONS	4,719.00	
	TOTAL ALL FUNDS		296,888,820

RECEPTION CENTER OPERATIONS

	APPROVED SALARY RATE	74,291,159	
654	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	2,405.00 130,166,815	9,755
655	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	889,122	
656	EXPENSES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	3,914,923	31,090
657	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	10,000	250,000
658	FOOD PRODUCTS FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	6,099,923	32,449
659	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	87,126	
660	SPECIAL CATEGORIES FOOD SERVICE AND PRODUCTION FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	541,460	46,893
661	SPECIAL CATEGORIES OVERTIME FROM GENERAL REVENUE FUND	1,799,643	

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662	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	3,497,423	
663	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	678,193	
664	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	81,590	
665	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	14,683	
TOTAL:	RECEPTION CENTER OPERATIONS FROM GENERAL REVENUE FUND FROM TRUST FUNDS	147,780,901	370,187
	TOTAL POSITIONS	2,405.00	
	TOTAL ALL FUNDS		148,151,088
	PUBLIC SERVICE WORKSQUADS AND WORK RELEASE TRANSITION		
	APPROVED SALARY RATE	43,207,422	
666	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM CORRECTIONAL WORK PROGRAM TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND	955.00 30,119,101	28,930,446 55,516

From the funds provided in Specific Appropriation 666, the Department of Corrections shall ensure that all public worksquads are maintained. The department shall, before eliminating any public worksquad officer positions, submit its proposal to the Governor's Office of Policy and Budget, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee for review and approval.

667	EXPENSES FROM GENERAL REVENUE FUND FROM CORRECTIONAL WORK PROGRAM TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND	678,772	1,259,486 32,776
668	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND FROM CORRECTIONAL WORK PROGRAM TRUST FUND	154,907	115,296
669	FOOD PRODUCTS FROM GENERAL REVENUE FUND FROM CORRECTIONAL WORK PROGRAM TRUST FUND	1,550,170	352,549
670	LUMP SUM CORRECTIONAL WORK PROGRAMS POSITIONS FROM CORRECTIONAL WORK PROGRAM TRUST FUND	10.00	771,445
	Funds and positions in Specific Appropriation 670 from the Correctional Work Program Trust Fund are provided for interagency contracted services funded by state agencies or local governments. These positions and funds shall be released as needed upon execution of interagency community service work squad contracts.		
671	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	28,362,654	

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FROM CORRECTIONAL WORK PROGRAM TRUST FUND	295,599	
From the funds in Specific Appropriation 671, no privately operated work release center may house more than 200 inmates at any given time. In addition, each facility with 100 or more inmates in its work release program must have at least one certified correctional officer on premises at all times. A person who was a certified correctional officer at the time of separating or retiring from the Department of Corrections in good standing is considered to be a certified correctional officer for this purpose unless his or her certification has been revoked for misconduct.		
672 SPECIAL CATEGORIES FOOD SERVICE AND PRODUCTION FROM GENERAL REVENUE FUND FROM CORRECTIONAL WORK PROGRAM TRUST FUND	203,504	53,567
673 SPECIAL CATEGORIES OVERTIME FROM GENERAL REVENUE FUND	185,998	
674 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	1,172,110	
675 SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND FROM CORRECTIONAL WORK PROGRAM TRUST FUND	308,420	223,097
676 SPECIAL CATEGORIES ELECTRONIC MONITORING FROM GENERAL REVENUE FUND	4,600,000	
From the funds provided in Specific Appropriation 676, \$1,500,657 from recurring general revenue funds is provided for the Department of Corrections to provide electronic monitoring for inmates in privately operated work release facilities while in the community under work release assignment. From such funds, the department shall also provide electronic monitoring for inmates in as many department-operated work release facilities as allowable under this Specific Appropriation, while such inmates are in the community under work release assignment.		
677 SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND FROM CORRECTIONAL WORK PROGRAM TRUST FUND	40,356	8,341
678 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM CORRECTIONAL WORK PROGRAM TRUST FUND	2,181	9,536
TOTAL: PUBLIC SERVICE WORKSQUADS AND WORK RELEASE TRANSITION FROM GENERAL REVENUE FUND FROM TRUST FUNDS	67,378,173	32,107,654
TOTAL POSITIONS	965.00	
TOTAL ALL FUNDS		99,485,827
OFFENDER MANAGEMENT AND CONTROL		
APPROVED SALARY RATE	46,797,365	
679 SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM CORRECTIONAL WORK PROGRAM TRUST FUND	1,225.00 65,024,250	71,327

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680 OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	318,518	
681 EXPENSES FROM GENERAL REVENUE FUND FROM CORRECTIONAL WORK PROGRAM TRUST FUND	2,847,301	1,959
682 OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	21,578	
683 SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	31,653	
684 SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND FROM CORRECTIONAL WORK PROGRAM TRUST FUND	64,719	1,655
685 SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	166,269	
686 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	19,889	
TOTAL: OFFENDER MANAGEMENT AND CONTROL FROM GENERAL REVENUE FUND FROM TRUST FUNDS	68,494,177	74,941
TOTAL POSITIONS	1,225.00	
TOTAL ALL FUNDS		68,569,118
EXECUTIVE DIRECTION AND SUPPORT SERVICES		
APPROVED SALARY RATE	8,920,993	
687 SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	192.00 13,145,892	
688 OTHER PERSONAL SERVICES FROM GRANTS AND DONATIONS TRUST FUND		75,000
689 EXPENSES FROM GENERAL REVENUE FUND FROM GRANTS AND DONATIONS TRUST FUND FROM SALE OF GOODS AND SERVICES CLEARING TRUST FUND	1,731,528	226,785 1,678,250
690 OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	256,642	
691 SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	4,307,104	
From funds in Specific Appropriation 691, \$1,000,000 from recurring general revenue funds is provided to continue the victim notification system (VINE).		
Funds in Specific Appropriation 691 are provided to continue implementation of an automated time and attendance system for all prison facilities statewide. The Department of Corrections shall track the date the automated time and attendance system is installed and operational at each facility. A quarterly status report on implementation progress shall be submitted to the Governor's Office of Policy and Budget, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee.		

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From the funds provided in Specific Appropriation 691, \$2,400,000 from nonrecurring general revenue funds is provided for the Department of Corrections to obtain and use a commercial off-the-shelf workforce scheduling and management solution for its security operations workforce. The solution must interface with the department's time and attendance system and the People First system in order to maximize the efficiency of workforce scheduling and management.

From the funds provided in Specific Appropriation 691, \$400,000 from nonrecurring general revenue funds is provided to the Department of Corrections to procure and implement a job candidate assessment tool. The assessment tool shall be administered to all new job applicants applying for a correctional officer or correctional probation officer position who meet initial screening requirements developed by the department. Implementation of the assessment tool shall include development of profiles of the behavioral and cognitive traits of the department's best performers for the type of position that is sought. The assessment tool shall identify each job applicant's behavioral and cognitive traits and compare those traits with the profiles of the best performers. The purpose of the assessment tool is to identify job applicants whose behavioral and cognitive traits are compatible with those of successful department employees in order to improve employee retention and reduce training costs due to high employee turnover.

692	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	100,080	
693	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	114,940	
694	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	1,702	
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM GENERAL REVENUE FUND FROM TRUST FUNDS		19,657,888	1,980,035
	TOTAL POSITIONS	192.00	
	TOTAL ALL FUNDS		21,637,923

CORRECTIONAL FACILITIES MAINTENANCE AND REPAIR

	APPROVED SALARY RATE	19,399,138	
695	SALARIES AND BENEFITS FROM GENERAL REVENUE FUND	545.00 26,515,726	
696	EXPENSES FROM GENERAL REVENUE FUND	86,069,300	
697	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	364,154	
698	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM GENERAL REVENUE FUND	2,968,653	
699	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	5,058,135	
700	SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS FROM GENERAL REVENUE FUND	4,198,894	
701	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	36,771	

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702	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	12,785
703	FIXED CAPITAL OUTLAY CORRECTIONAL FACILITIES - LEASE PURCHASE FROM GENERAL REVENUE FUND	55,600,131

Funds in Specific Appropriation 703 are provided for payments required under the master lease purchase agreement used to secure the certificates of participation issued to finance or refinance the following correctional facilities:

Bay Correctional Facility.....	815,100
Moore Haven Correctional Facility (Glades County).....	1,058,580
South Bay Correctional Facility (Palm Beach County).....	2,035,875
Graceville Correctional Facility (Jackson County).....	6,849,320
Blackwater River Correctional Facility (Santa Rosa County)..	10,715,119
Gadsden Correctional Facility.....	1,302,060
Lake City Correctional Facility (Columbia County).....	1,455,250
Denilly Correctional Institution (Polk County).....	635,875
Sago Palm Work Camp (Palm Beach County).....	799,875
Various DOC Facility Projects - Series 2009 B and C Bonds...	29,933,077

Series 2009 B and C Bonds include various facility construction projects for the following Department of Corrections facilities:

Mayo Annex (Lafayette County), Suwannee Annex (Suwannee County), Lowell Reception Center (Marion County), Lancaster Secure Housing Unit (Gilchrist County), Liberty Work Camp (Liberty County), Franklin Work Camp (Franklin County), Cross City Work Camp (Dixie County), Okeechobee Work Camp (Okeechobee County), New River Work Camp (Bradford County), Santa Rosa Work Camp (Santa Rosa County), Hollywood Work Release Center (Broward County), Kissimmee Work Release Center (Osceola County), Lake City Work Release Center (Columbia County), Santa Fe Work Release Center (Alachua County), Everglades Re-Entry Center (Dade County), Baker Re-Entry Center (Baker County), and Pat Thomas Re-Entry Center (Gadsden County).

The funds in Specific Appropriation 703 reflect a reduction of \$1,536,291 based on savings realized from bond refinancing.

705	FIXED CAPITAL OUTLAY MAJOR REPAIRS, RENOVATIONS AND IMPROVEMENTS TO MAJOR INSTITUTIONS FROM GENERAL REVENUE FUND	7,288,272
707	FIXED CAPITAL OUTLAY CORRECTION, ENVIRONMENTAL DEFICIENCIES FROM GENERAL REVENUE FUND	920,000
708	FIXED CAPITAL OUTLAY NEW, EXPANDED AND IMPROVEMENTS TO MEDICAL FACILITIES FROM GENERAL REVENUE FUND	650,000
TOTAL: CORRECTIONAL FACILITIES MAINTENANCE AND REPAIR FROM GENERAL REVENUE FUND		189,682,821
	TOTAL POSITIONS	545.00
	TOTAL ALL FUNDS	189,682,821

PROGRAM: COMMUNITY CORRECTIONS

COMMUNITY SUPERVISION

	APPROVED SALARY RATE	117,296,766	
709	SALARIES AND BENEFITS FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	2,796.00 162,290,151	173,557
710	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	60,945	

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711	EXPENSES			
	FROM GENERAL REVENUE FUND	10,267,529		
	FROM FEDERAL GRANTS TRUST FUND		64,717	
712	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND	256,941		
713	SPECIAL CATEGORIES			
	ACQUISITION OF MOTOR VEHICLES			
	FROM GENERAL REVENUE FUND	750,000		
714	SPECIAL CATEGORIES			
	BUILDING/OFFICE RENT PAYMENTS			
	FROM GENERAL REVENUE FUND	12,214,031		
Funds in Specific Appropriation 714 are provided to continue rent payments for individual private contracts for rental of office/building space at a rate not to exceed the rate for each contract in effect on January 1, 2018. Price level increases are not provided for rent payments for Department of Corrections' private leases in the 2017-2018 fiscal year. No other funds are appropriated or shall be transferred by the department for such increases.				
715	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND	1,090,324		
From funds in Specific Appropriation 715, \$750,000 from nonrecurring general revenue funds is provided to the Home Builders Institute to provide certification, pre-apprenticeships, and job placement services to persons under community corrections supervision.				
716	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND	4,178,002		
717	SPECIAL CATEGORIES			
	SALARY INCENTIVE PAYMENTS			
	FROM GENERAL REVENUE FUND	565,414		
718	SPECIAL CATEGORIES			
	ELECTRONIC MONITORING			
	FROM GENERAL REVENUE FUND	9,122,916		
719	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND	250,104		
TOTAL:	COMMUNITY SUPERVISION			
	FROM GENERAL REVENUE FUND	201,046,357		
	FROM TRUST FUNDS		238,274	
	TOTAL POSITIONS	2,796.00		
	TOTAL ALL FUNDS		201,284,631	

COMMUNITY FACILITY OPERATIONS

720	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND	1,512,983		
721	SPECIAL CATEGORIES			
	JUDICIAL/DEPARTMENT OF CORRECTIONS			
	SENTENCING ALTERNATIVES			
	FROM GENERAL REVENUE FUND	700,143		
Pursuant to sections 944.012(6)(c), 921.00241 and 775.002(10), Florida Statutes, funds from Specific Appropriation 721 are provided for Judicial/Department of Corrections prison diversion programs that allow the offender to retain community support and access drug treatment and/or employment opportunities while receiving life-skills assistance in a structured environment. These treatment programs may include drug treatment, residential and outpatient treatment programming, day reporting, or other services to reduce recidivism.				
These programs shall continue to use evidence-based practices and				

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

graduated incentives that are anticipated to result in a reduction in prison admissions for that community.				
TOTAL:	COMMUNITY FACILITY OPERATIONS			
	FROM GENERAL REVENUE FUND	2,213,126		
	TOTAL ALL FUNDS		2,213,126	
PROGRAM: HEALTH SERVICES				
INMATE HEALTH SERVICES				
	APPROVED SALARY RATE	6,760,737		
722	SALARIES AND BENEFITS			
	POSITIONS	140.50		
	FROM GENERAL REVENUE FUND	8,312,933		
	FROM FEDERAL GRANTS TRUST FUND		391,175	
723	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND	337,473		
	FROM FEDERAL GRANTS TRUST FUND		104,207	
724	EXPENSES			
	FROM GENERAL REVENUE FUND	1,248,900		
	FROM FEDERAL GRANTS TRUST FUND		201,494	
725	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND	250,000		
	FROM FEDERAL GRANTS TRUST FUND		27,019	
726	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND	827,092		
727	SPECIAL CATEGORIES			
	INMATE HEALTH SERVICES			
	FROM GENERAL REVENUE FUND	333,983,618		
From the funds in Specific Appropriation 727, \$100,000 from recurring general revenue funds is provided for Hepatitis B vaccinations for inmates.				
From the funds in Specific Appropriation 727, \$1,791,873 in recurring general revenue funds is provided to the Department of Corrections' health services provider in Region IV to continue the Consumer Price Index increase funded for Fiscal Year 2016-2017.				
From funds in Specific Appropriation 727, \$3,231,979 in nonrecurring general revenue funds is provided for the Region IV health services deficit.				
728	SPECIAL CATEGORIES			
	TREATMENT OF INMATES - GENERAL DRUGS			
	FROM GENERAL REVENUE FUND	29,572,427		
729	SPECIAL CATEGORIES			
	TREATMENT OF INMATES - PSYCHOTROPIC DRUGS			
	FROM GENERAL REVENUE FUND	4,818,876		
730	SPECIAL CATEGORIES			
	TREATMENT OF INMATES - INFECTIOUS DISEASE			
	DRUGS			
	FROM GENERAL REVENUE FUND	33,628,383		
731	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND	100		
732	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT			
	SERVICES - HUMAN RESOURCES SERVICES			
	PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND	273,679		

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TOTAL: INMATE HEALTH SERVICES			
FROM GENERAL REVENUE FUND	413,253,481		
FROM TRUST FUNDS		723,895	
TOTAL POSITIONS	140.50		
TOTAL ALL FUNDS		413,977,376	

PROGRAM: EDUCATION AND PROGRAMS

ADULT SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES

APPROVED SALARY RATE	1,610,467		
733 SALARIES AND BENEFITS POSITIONS	39.00		
FROM GENERAL REVENUE FUND	1,654,677		
FROM FEDERAL GRANTS TRUST FUND		818,502	
734 OTHER PERSONAL SERVICES			
FROM FEDERAL GRANTS TRUST FUND		47,762	
735 EXPENSES			
FROM GENERAL REVENUE FUND	68,648		
FROM FEDERAL GRANTS TRUST FUND		622,865	
736 OPERATING CAPITAL OUTLAY			
FROM FEDERAL GRANTS TRUST FUND		45,600	
737 SPECIAL CATEGORIES			
CONTRACT DRUG ABUSE SERVICES			
FROM GENERAL REVENUE FUND	16,013,682		
FROM FEDERAL GRANTS TRUST FUND		3,072,341	

From the funds in Specific Appropriation 737, \$150,000 in recurring general revenue funds is provided to Westcare Florida Gulfcoast, located in St. Petersburg, to provide overlay services for mental health disorders in both secure and non-secure residential programs.

738 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM GENERAL REVENUE FUND	2,900		
TOTAL: ADULT SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES			
FROM GENERAL REVENUE FUND	17,739,907		
FROM TRUST FUNDS		4,607,070	
TOTAL POSITIONS	39.00		
TOTAL ALL FUNDS		22,346,977	

BASIC EDUCATION SKILLS

APPROVED SALARY RATE	14,497,220		
739 SALARIES AND BENEFITS POSITIONS	303.00		
FROM GENERAL REVENUE FUND	13,465,860		
FROM FEDERAL GRANTS TRUST FUND		2,708,854	
740 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND	2,105,869		
FROM FEDERAL GRANTS TRUST FUND		615,015	
741 EXPENSES			
FROM GENERAL REVENUE FUND	2,719,214		
FROM FEDERAL GRANTS TRUST FUND		1,933,823	

From funds in Specific Appropriation 741, \$1,500,000 from recurring general revenue funds is provided for an online career education program through an AdvancED/SACS accredited online school district that offers career-based online high school diplomas designed to prepare adults for transition into the workplace. The Department of Corrections shall provide a report regarding the progress of the inmates in the online diploma and career certificate programs to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee by January 1, 2018.

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742 OPERATING CAPITAL OUTLAY			
FROM GENERAL REVENUE FUND	100,000		
FROM FEDERAL GRANTS TRUST FUND		472,386	
743 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND	5,385,096		
FROM FEDERAL GRANTS TRUST FUND		1,402,052	
744 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND	103,977		
745 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM GENERAL REVENUE FUND	20,888		
746 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
FROM GENERAL REVENUE FUND	12,025		
FROM FEDERAL GRANTS TRUST FUND		927	
TOTAL: BASIC EDUCATION SKILLS			
FROM GENERAL REVENUE FUND	23,912,929		
FROM TRUST FUNDS		7,133,057	
TOTAL POSITIONS	303.00		
TOTAL ALL FUNDS		31,045,986	

ADULT OFFENDER TRANSITION, REHABILITATION AND SUPPORT

APPROVED SALARY RATE	3,428,016		
747 SALARIES AND BENEFITS POSITIONS	82.00		
FROM GENERAL REVENUE FUND	4,002,985		
FROM FEDERAL GRANTS TRUST FUND		475,169	
748 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND	1,203,297		
749 EXPENSES			
FROM GENERAL REVENUE FUND	372,770		
FROM FEDERAL GRANTS TRUST FUND		119,152	
750 OPERATING CAPITAL OUTLAY			
FROM FEDERAL GRANTS TRUST FUND		3,000	
751 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND	6,267,781		
FROM FEDERAL GRANTS TRUST FUND		324,848	

By January 1, 2018, all re-entry programs funded in Specific Appropriation 751 must provide the following information to the Department of Corrections: the population served by the program including information relating to the criminal history, age, employment history, and education level of inmates served; the services provided to inmates as part of the program; the cost per inmate to provide those services; any available recidivism rates; and any matching funds or in-kind contributions provided to the program. The department must compile this information and submit a report to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee by January 1, 2018.

From the funds in Specific Appropriation 751, \$1,225,000 in recurring general revenue funds and \$250,000 in nonrecurring general revenue funds are provided for Operation New Hope's Ready4Work reentry initiative. Operation New Hope will provide pre-release risk assessment, a plan-of-care, career development, life skills training, and referrals for incarcerated inmates who may be eligible for Ready4Work program services upon release. Operation New Hope will also provide post-release services including case management, career development, life skills training, job skills training, life coaching (mentoring), family

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reunification, and job placement assistance to offenders on community supervision. Operation New Hope may also provide such post-release services to formerly incarcerated persons (ex-inmates) who have been released from a Department of Corrections' facility no more than two years before entry into the Ready4Work program. Eligibility for participation in the Ready4Work program is limited to inmates, offenders on community supervision, and recently released ex-inmates who are transitioning back into the communities and workforce of Duval, Clay, St. Johns, or Nassau counties. The department may request a budget amendment pursuant to chapter 216, Florida Statutes, to transfer funding from Specific Appropriation 751 to Specific Appropriations 617, 629, 642 and 724 in order to serve incarcerated inmates as well as persons under community corrections supervision not to exceed the appropriated amount.

From the funds in Specific Appropriation 751, \$1,000,000 in recurring general revenue funds is provided for the Ready4Work-Hillsborough reentry program, which replicates the Operation New Hope Ready4Work program. Funds used for the administrative services shall be 15 percent of total funds appropriated. Ready4Work-Hillsborough will provide pre-release risk assessment, a plan-of-care, career development, life skills training, and referrals for incarcerated inmates who may be eligible for Ready4Work reentry program services upon release. Ready4Work-Hillsborough will also provide post-release services including case management, career development, life skills training, job skills training, life-coaching (mentoring), family reunification, and job placement assistance to offenders on community supervision. Ready4Work-Hillsborough may also provide such post-release services to formerly incarcerated persons (ex-inmates) who have been released from a Department of Corrections' facility no more than two years before entry into the Ready4Work-Hillsborough reentry program. Eligibility for participation in the Ready4Work-Hillsborough reentry program is limited to inmates, offenders on community supervision, and recently released ex-inmates who are transitioning back into the communities and workforce of Hillsborough, Pinellas, Pasco, or Polk counties. The department may request a budget amendment pursuant to chapter 216, Florida Statutes, to transfer funding from Specific Appropriation 751 to Specific Appropriations 617, 629, 642 and 724 in order to serve incarcerated inmates as well as persons under community corrections supervision not to exceed the appropriated amount.

From the funds in Specific Appropriation 751, \$200,000 in recurring general revenue funds may be used to expand Horizon volunteer faith and character peer-to-peer program activities at Wakulla Correctional Institution and up to seven additional male or female prisons, including Computer Lab, Quest, and Realizing Educational Emotional and Finance Smarts (REEFS) transition programs.

From the funds in Specific Appropriation 751, \$200,000 in nonrecurring general revenue funds is provided for the Gadsden County Sheriff's Office Second Chance Reentry Services Portal.

From the funds in Specific Appropriation 751, \$350,000 in nonrecurring general revenue funds is provided for the Bethel Ready4Work-Tallahassee Reentry Program, which replicates the Operation New Hope Ready4Work program. Funds used for startup activities for the Bethel Ready4Work-Tallahassee Reentry Program may not exceed 25 percent of the total funds appropriated. Bethel Ready4Work-Tallahassee Reentry Program will provide pre-release risk assessment, a plan-of-care, career development, life skills training, and referrals for incarcerated inmates who may be eligible for Bethel Ready4Work-Tallahassee Reentry Program services upon release. Bethel Ready4Work-Tallahassee Reentry Program will also provide post-release services including case management, career development, life skills training, job skills training, life-coaching (mentoring), family reunification, and job placement assistance to offenders on community supervision. Bethel Ready4Work-Tallahassee Reentry Program may also provide such post-release services to formerly incarcerated persons (ex-inmates) who have been released from a Department of Corrections' facility no more than two years before entry into the Bethel Ready4Work-Tallahassee Reentry Program. Eligibility for participation in the Bethel Ready4Work-Tallahassee Reentry Program is limited to inmates, offenders on community supervision, and recently released ex-inmates who are transitioning back into the communities and workforce of Leon, Gadsden, Jefferson and Wakulla counties. The department may request a budget amendment pursuant to chapter 216, Florida Statutes, to transfer funding from Specific Appropriation 751 to Specific Appropriations 617, 629, 642 and 724 in order to serve incarcerated inmates as well as persons under

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community corrections supervision not to exceed the appropriated amount.

From the funds in Specific Appropriation 751, \$300,000 in nonrecurring general revenue funds is provided for the Broward County Sheriff's Office inmate portal.

From the funds in Specific Appropriation 751, \$500,000 in nonrecurring general revenue funds is provided for the Regional and State Transitional Offender Reentry (RESTORE) Initiative in Palm Beach County. RESTORE, in collaboration with the Department of Corrections and community-based reentry partners, will facilitate the successful reintegration of ex-offenders returning to the county.

From the funds in Specific Appropriation 751, \$200,000 in nonrecurring general revenue funds is provided for the Reentry Alliance Pensacola, Inc., for implementation and operation of a reentry program to assist ex-offenders with successful transition back into the community after release from incarceration.

From the funds in Specific Appropriation 751, \$200,000 in nonrecurring general revenue funds is provided for the Center for Alternatives to Incarceration and Substance Abuse to identify evidence-based alternatives to incarceration for substance-involved offenders and provide analysis of the cost effectiveness of these interventions in Florida. The Center will also engage the community and state stakeholders in strategic planning to develop alternatives to incarceration for substance-involved offenders.

From the funds in Specific Appropriation 751, \$100,000 in nonrecurring general revenue funds is provided for the Certified Second Chance program in Orange County to self-incentivize former felons to live crime-free and drug-free.

From the funds in Specific Appropriation 751, \$100,000 in nonrecurring general revenue funds is provided for the First Orlando Foundation - Lydia House, to provide housing and services for women transitioning from incarceration.

752	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	20,544	
753	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	2,304	
TOTAL: ADULT OFFENDER TRANSITION, REHABILITATION AND SUPPORT			
	FROM GENERAL REVENUE FUND	11,869,681	
	FROM TRUST FUNDS		922,169
	TOTAL POSITIONS	82.00	
	TOTAL ALL FUNDS		12,791,850

COMMUNITY SUBSTANCE ABUSE PREVENTION, EVALUATION, AND TREATMENT SERVICES

From the funds in Specific Appropriation 754 through 756, the Department of Corrections may implement a court liaison pilot program at two community drug treatment provider sites. The department may amend the provider contract to fund a court liaison position responsible for networking with the court to ensure full utilization of the allocated community beds.

754	EXPENSES FROM GENERAL REVENUE FUND	300,000	
755	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	4,493,762	

From the funds in Specific Appropriation 755, \$1,000,000 in recurring general revenue funds is provided to the Department of Corrections to contract with one or more private providers to provide residential substance abuse treatment services located within the geographic area

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that includes Alachua, Bradford, and Clay counties for offenders under community supervision who are residents of one of the counties in the described area. The provider must have experience in residential treatment of substance abuse and mental health disorders. The department shall give priority for placement to offenders who have served as members of the United States Armed Forces in either an Active, Reserve, or National Guard status, but may place other compatible offenders in a treatment center if space is available. The contract shall be awarded based upon a competitive solicitation process pursuant to section 287.057, Florida Statutes.

From the funds in Specific Appropriation 755, \$500,000 in recurring general revenue funds is provided for naltrexone extended-release injectable medication to treat alcohol and opioid dependence within the Department of Corrections.

756	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED DRUG		
	TREATMENT/REHABILITATION PROGRAMS		
	FROM GENERAL REVENUE FUND	21,750,861	
	FROM FEDERAL GRANTS TRUST FUND		550,000

From the funds in Specific Appropriation 756, \$600,000 from recurring general revenue funds is provided for the Drug Abuse Comprehensive Coordinating Office, Inc. (DACCO) in Hillsborough County.

TOTAL: COMMUNITY SUBSTANCE ABUSE PREVENTION, EVALUATION,			
AND TREATMENT SERVICES			
	FROM GENERAL REVENUE FUND	26,544,623	
	FROM TRUST FUNDS		550,000
	TOTAL ALL FUNDS		27,094,623

TOTAL: CORRECTIONS, DEPARTMENT OF			
	FROM GENERAL REVENUE FUND	2,363,935,424	
	FROM TRUST FUNDS		74,060,741
	TOTAL POSITIONS	24,238.00	
	TOTAL ALL FUNDS		2,437,996,165
	TOTAL APPROVED SALARY RATE	961,326,938	

FLORIDA COMMISSION ON OFFENDER REVIEW

PROGRAM: POST-INCARCERATION ENFORCEMENT AND VICTIMS RIGHTS

	APPROVED SALARY RATE	5,944,452	
757	SALARIES AND BENEFITS POSITIONS	132.00	
	FROM GENERAL REVENUE FUND	7,927,906	
	FROM FEDERAL GRANTS TRUST FUND		57,088
758	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	523,012	
	FROM FEDERAL GRANTS TRUST FUND		46,821
759	EXPENSES		
	FROM GENERAL REVENUE FUND	831,363	
	FROM FEDERAL GRANTS TRUST FUND		12,863
760	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	16,771	
761	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	250,000	
762	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	38,640	
763	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	22,000	

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764	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND		48,137
765	DATA PROCESSING SERVICES		
	OTHER DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND		449,214
TOTAL: PROGRAM: POST-INCARCERATION ENFORCEMENT AND			
VICTIMS RIGHTS			
	FROM GENERAL REVENUE FUND	10,107,043	
	FROM TRUST FUNDS		116,772
	TOTAL POSITIONS	132.00	
	TOTAL ALL FUNDS		10,223,815
TOTAL: FLORIDA COMMISSION ON OFFENDER REVIEW			
	FROM GENERAL REVENUE FUND	10,107,043	
	FROM TRUST FUNDS		116,772
	TOTAL POSITIONS	132.00	
	TOTAL ALL FUNDS		10,223,815
	TOTAL APPROVED SALARY RATE	5,944,452	

JUSTICE ADMINISTRATION

PROGRAM: JUSTICE ADMINISTRATIVE COMMISSION

EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE	4,049,048	
766	SALARIES AND BENEFITS POSITIONS	85.00	
	FROM GENERAL REVENUE FUND		5,596,232
767	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		29,572
768	EXPENSES		
	FROM GENERAL REVENUE FUND	514,295	
	FROM GRANTS AND DONATIONS TRUST		
	FUND		15,900
769	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	20,000	
770	LUMP SUM		
	WORKLOAD FOR COUNTY OR MUNICIPAL CONTRACTS		
	POSITIONS	14.00	

The positions in Specific Appropriation 770 are provided for State Attorneys and Public Defenders to use for grants received from counties during Fiscal Year 2017-2018 for the purpose of prosecution of local ordinance violations pursuant to section 27.34, Florida Statutes, or defense of persons accused of violating local ordinances pursuant to section 27.54, Florida Statutes. Use of these positions is contingent upon the Justice Administrative Commission notifying the Governor's Office of Policy and Budget, chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee. Such notification is subject to the legislative review and objection provisions of chapter 216, Florida Statutes. Rate may be established for these positions consistent with the salaries provided for in the grant.

771	SPECIAL CATEGORIES		
	GRANTS AND AIDS - FOSTER CARE CITIZEN		
	REVIEW PANEL		
	FROM GENERAL REVENUE FUND	342,160	
	FROM GRANTS AND DONATIONS TRUST		
	FUND		300,000
772	SPECIAL CATEGORIES		
	SEXUAL PREDATOR CIVIL COMMITMENT		
	LITIGATION COSTS		
	FROM GENERAL REVENUE FUND	2,947,591	

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Funds in Specific Appropriation 772 are provided for attorney fees and case-related expenses associated with prosecuting and defending sexual predator civil commitment cases. Case-related expenses are limited to expert witness fees, clinical evaluations, court reporter costs, and foreign language interpreters. The maximum amount to be paid by the Justice Administrative Commission for medical experts for sexual predator civil commitment cases is \$200 per hour and all related travel costs must be apportioned to the associated case. The Justice Administrative Commission shall submit quarterly reports, in an electronic format, to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee describing, by judicial circuit, actual encumbrances and disbursements from this special appropriations category.

773 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 203,000

774 SPECIAL CATEGORIES
REIMBURSEMENT OF EXPENDITURES RELATED TO
CIRCUIT AND COUNTY JURIES REQUIRED BY
STATUTE
FROM GENERAL REVENUE FUND 11,700,000

Funds in Specific Appropriation 774 are provided for jury costs, contingent upon enabling legislation becoming law, or SB 2502.

775 SPECIAL CATEGORIES
LEGAL REPRESENTATION FOR DEPENDENT
CHILDREN WITH SPECIAL NEEDS
FROM GENERAL REVENUE FUND 2,022,500

Funds in Specific Appropriation 775 shall be used by the Justice Administrative Commission to contract with attorneys to represent dependent children with disabilities in, or being considered for placement in, skilled nursing facilities and dependent children with certain special needs as specified in section 39.01305, Florida Statutes. The implementation of registries, as well as the appointment and compensation of private attorneys appointed pursuant to section 39.01305, Florida Statutes, shall be governed by the provisions of sections 27.40 and 27.5304, Florida Statutes. The flat fee amount for compensation shall not exceed \$1,000 per child per year. Funds anticipated to be in excess of those necessary to represent these children may be used to train attorneys and related personnel to represent these types of children. No other appropriation shall be used to pay attorney fees and related expenses for attorneys representing dependent children with disabilities and appointments under section 39.01305, Florida Statutes.

776 SPECIAL CATEGORIES
PAYMENTS FOR QUALIFIED TRANSPORTATION
BENEFITS PROGRAM
FROM GRANTS AND DONATIONS TRUST
FUND 773,136

777 SPECIAL CATEGORIES
PUBLIC DEFENDER DUE PROCESS COSTS
FROM GENERAL REVENUE FUND 19,263,034

Funds in Specific Appropriation 777 are provided for the Public Defenders' due process costs as specified in section 29.006, Florida Statutes. The Justice Administrative Commission shall submit quarterly reports of expenditures by circuit in an electronic format to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee. Funds shall initially be credited for the use of each circuit in the amounts listed below and may be adjusted pursuant to the provisions of section 29.015, Florida Statutes.

1st Judicial Circuit.....	849,921
2nd Judicial Circuit.....	677,908
3rd Judicial Circuit.....	152,365
4th Judicial Circuit.....	1,314,699
5th Judicial Circuit.....	899,681
6th Judicial Circuit.....	1,227,697
7th Judicial Circuit.....	697,642
8th Judicial Circuit.....	494,532

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9th Judicial Circuit.....	1,188,176
10th Judicial Circuit.....	781,782
11th Judicial Circuit.....	3,426,071
12th Judicial Circuit.....	668,568
13th Judicial Circuit.....	1,951,341
14th Judicial Circuit.....	339,207
15th Judicial Circuit.....	864,229
16th Judicial Circuit.....	119,527
17th Judicial Circuit.....	1,418,971
18th Judicial Circuit.....	664,882
19th Judicial Circuit.....	621,142
20th Judicial Circuit.....	905,694

From the funds credited for use in the following circuits, the amounts specified below shall be transferred in quarterly increments within 10 days after the beginning of each quarter to the Office of the State Courts Administrator on behalf of the circuit courts operating shared court reporting or interpreter services:

1st Judicial Circuit.....	190,611
2nd Judicial Circuit.....	323,698
3rd Judicial Circuit.....	52,251
6th Judicial Circuit.....	103,493
7th Judicial Circuit.....	37,319
8th Judicial Circuit.....	83,798
9th Judicial Circuit.....	481,878
10th Judicial Circuit.....	68,975
11th Judicial Circuit.....	121,996
12th Judicial Circuit.....	153,205
13th Judicial Circuit.....	784,106
14th Judicial Circuit.....	134,089
15th Judicial Circuit.....	93,646
16th Judicial Circuit.....	74,983
17th Judicial Circuit.....	60,851

778 SPECIAL CATEGORIES
CHILD DEPENDENCY AND CIVIL CONFLICT CASE
FROM GENERAL REVENUE FUND 13,200,000

Funds in Specific Appropriation 778 are provided for case fees and expenses of court-appointed counsel in civil conflict cases and child dependency cases. The Justice Administrative Commission shall submit quarterly reports, in an electronic format, of these case payments to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee, by judicial circuit, which shall include, but not be limited to: information on requests for payments received; court orders received directing payment; and actual encumbrances and disbursements and performance measures for court appointed counsel including: average time to complete cases by case type; number of bar complaints for state paid cases; percent of initial invoices to the Justice Administrative Commission that are rejected; percent of initial invoices filed with the Justice Administrative Commission within 90 days after closure of the case; number of cases by type; and total cost per case by type from this special appropriations category.

The maximum flat fee to be paid by the Justice Administrative Commission for attorney fees for the following dependency and civil cases is set as follows:

ADMISSION OF INMATE TO MENTAL HEALTH FACILITY.....	300
ADULT PROTECTIVE SERVICES ACT - Ch. 415, F.S.....	500
BAKER ACT/MENTAL HEALTH - Ch. 394, F.S.....	400
CINS/FINS - Ch. 984, F.S.....	750
CIVIL APPEALS.....	400
DEPENDENCY - Up to 1 Year.....	800
DEPENDENCY - Each Year after 1st Year.....	200
DEPENDENCY - No Petition Filed or Dismissed at Shelter.....	200
DEPENDENCY APPEALS.....	1,000
DEVELOPMENTALLY DISABLED ADULT - Ch. 393, F.S.....	400
EMANCIPATION - Section 743.015, F.S.....	400
GUARDIANSHIP - EMERGENCY - Ch. 744, F.S.....	400
GUARDIANSHIP - Ch. 744, F.S.....	400
MARCHMAN ACT/SUBSTANCE ABUSE - Ch. 397, F.S.....	300
MEDICAL PROCEDURES - Section 394.459(3), F.S.....	400
PARENTAL NOTIFICATION OF ABORTION ACT.....	400

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TERMINATION OF PARENTAL RIGHTS - Ch. 39, F.S. - Up to 1 Year.....	1,000
TERMINATION OF PARENTAL RIGHTS - Ch. 39, F.S. - Each Year after 1st Year.....	200
TERMINATION OF PARENTAL RIGHTS - Ch. 63, F.S. - Up to 1 year after 1st Year.....	1,000
TERMINATION OF PARENTAL RIGHTS - Ch. 63, F.S. - Each Year after 1st Year.....	200
TERMINATION OF PARENTAL RIGHTS APPEALS.....	2,000
TUBERCULOSIS - Ch. 392, F.S.....	300

779 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	19,084
780 SPECIAL CATEGORIES POST-CONVICTION CAPITAL COLLATERAL CASES - REGISTRY ATTORNEYS FROM GENERAL REVENUE FUND	1,084,310
781 SPECIAL CATEGORIES ATTORNEY PAYMENTS OVER FLAT FEE FROM GENERAL REVENUE FUND	7,600,000
782 SPECIAL CATEGORIES CRIMINAL CONFLICT CASE COSTS FROM GENERAL REVENUE FUND	27,984,827

Funds in Specific Appropriation 782 are provided for case fees as specified in section 27.5304, Florida Statutes, and expenses as specified in section 29.007, Florida Statutes, of court-appointed counsel for indigent criminal defendants and for due process costs for those individuals the court finds indigent for costs. The Justice Administrative Commission shall submit quarterly reports, in an electronic format, of criminal conflict case payments and performance measures for court-appointed counsel including: average time to complete cases by case type; number of bar complaints for state paid cases; percent of initial invoices to the Justice Administrative Commission that are rejected; percent of initial invoices filed with the Justice Administrative Commission within 90 days after closure of the case; number of cases by type; and total cost per case by type to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee, by judicial circuit.

From the funds in Specific Appropriation 782, a total of \$216,934 shall be transferred in quarterly increments within 10 days after the beginning of each quarter to the Office of the State Courts Administrator on behalf of the circuit courts operating shared court reporting and interpreter services.

The maximum flat fee to be paid by the Justice Administrative Commission for attorney fees for criminal conflict cases is set as follows:

POSTCONVICTION - Rules 3.850, 3.801 & 3.800, Fl.R.Crim. Proc	1,250
CAPITAL - 1ST DEGREE MURDER (LEAD COUNSEL).....	25,000
CAPITAL - 1ST DEGREE MURDER (CO-COUNSEL).....	25,000
CAPITAL - 1ST DEGREE MURDER (NON-DEATH).....	15,000
CAPITAL SEXUAL BATTERY.....	4,000
CAPITAL APPEALS.....	9,000
CONTEMPT PROCEEDINGS.....	500
CRIMINAL TRAFFIC.....	500
EXTRADITION.....	625
FELONY - LIFE.....	5,000
FELONY - LIFE (RICO).....	9,000
FELONY - NONCAPITAL MURDER.....	15,000
FELONY - PUNISHABLE BY LIFE.....	2,500
FELONY - PUNISHABLE BY LIFE (RICO).....	6,000
FELONY 1ST DEGREE.....	1,875
FELONY 1ST DEGREE (RICO).....	5,000
FELONY 2ND DEGREE.....	1,250
FELONY 3RD DEGREE.....	935
FELONY OR MISDEMEANOR - NO INFORMATION FILED.....	500
FELONY APPEALS.....	1,875
JUVENILE DELINQUENCY - 1ST DEGREE FELONY.....	750
JUVENILE DELINQUENCY - 2ND DEGREE.....	500
JUVENILE DELINQUENCY - 3RD DEGREE.....	375
JUVENILE DELINQUENCY - FELONY LIFE.....	875

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JUVENILE DELINQUENCY - MISDEMEANOR.....	375
JUVENILE DELINQUENCY - DIRECT FILE OR NO PETITION FILED.....	375
JUVENILE DELINQUENCY APPEALS.....	1,250
MISDEMEANOR.....	500
MISDEMEANOR APPEALS.....	935
VIOLATION OF PROBATION - FELONY (INCLUDES VOCC).....	625
VIOLATION OF PROBATION - MISDEMEANOR (INCLUDES VOCC).....	375
VIOLATION OF PROBATION (VOCC) JUVENILE DELINQUENCY.....	375

Funds for costs and related expenses to be paid through Specific Appropriations 778, 782, and 784 shall be subject to the following:

The hourly rate for mitigation specialists in capital death cases shall not exceed \$75.00 per hour.

The maximum amount to be paid by the Justice Administrative Commission for non-attorney due process services other than those specified shall not exceed the rates in effect for the 2007-2008 fiscal year.

The maximum amount to be paid by the Justice Administrative Commission for investigators is \$40 per hour. The maximum amount to be paid for court reporting and transcribing costs is as follows:

1. Deposition Appearance fees: 1st hour: \$75.00; thereafter \$25.00 per hour. The fee is to be paid to the court reporter whether or not a transcript is ordered.

2. Deposition transcript fee (Original & one copy):
10 business day delivery: \$4.00 per page
5 business day delivery: \$5.50 per page
24 hours delivery: \$7.50 per page
Additional copies: \$0.50 per page

3. Appellate/hearing/trial transcript fee (Original & all copies needed with a minimum of 2 copies):
10 business day delivery: \$5.00 per page
5 business day delivery: \$6.50 per page
24 hours delivery: \$8.50 per page
Copies (when original previously ordered): \$0.50 per page.

4. Transcription from tapes or audio recordings (other than depositions or hearings): Either \$35 per hour listening fee or \$3.00 per page, whichever is greater.

5. Video Services: \$100 per hour per location with two-hour minimum.

783 SPECIAL CATEGORIES STATE ATTORNEY DUE PROCESS COSTS FROM GENERAL REVENUE FUND	10,266,646

Funds in Specific Appropriation 783 are provided for the State Attorneys' due process costs as specified in section 29.005, Florida Statutes. The Justice Administrative Commission shall submit quarterly reports of expenditures, by circuit, in an electronic format, to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee. Funds shall initially be credited for the use of each circuit in the amounts listed below, and may be adjusted pursuant to the provisions of section 29.015, Florida Statutes.

1st Judicial Circuit.....	607,531
2nd Judicial Circuit.....	323,061
3rd Judicial Circuit.....	120,143
4th Judicial Circuit.....	443,741
5th Judicial Circuit.....	333,769
6th Judicial Circuit.....	601,122
7th Judicial Circuit.....	452,324
8th Judicial Circuit.....	227,481
9th Judicial Circuit.....	476,378
10th Judicial Circuit.....	296,431
11th Judicial Circuit.....	2,122,853
12th Judicial Circuit.....	267,913
13th Judicial Circuit.....	571,480
14th Judicial Circuit.....	113,227
15th Judicial Circuit.....	711,731
16th Judicial Circuit.....	87,961
17th Judicial Circuit.....	1,269,184

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18th Judicial Circuit.....	362,155
19th Judicial Circuit.....	259,818
20th Judicial Circuit.....	618,342

From the funds credited for use in the following circuits, the amounts specified below shall be transferred in quarterly increments within 10 days after the beginning of each quarter to the Office of the State Courts Administrator on behalf of the circuit courts operating shared court reporting or interpreter services:

1st Judicial Circuit.....	18,232
2nd Judicial Circuit.....	16,650
3rd Judicial Circuit.....	10,456
6th Judicial Circuit.....	25,443
7th Judicial Circuit.....	12,818
8th Judicial Circuit.....	21,937
9th Judicial Circuit.....	26,007
10th Judicial Circuit.....	3,980
11th Judicial Circuit.....	426,986
12th Judicial Circuit.....	19,650
13th Judicial Circuit.....	45,716
15th Judicial Circuit.....	61,252
16th Judicial Circuit.....	4,315
17th Judicial Circuit.....	20,081

784 SPECIAL CATEGORIES
CRIMINAL CONFLICT AND DEPENDENCY COUNSEL
LIABILITY
FROM GENERAL REVENUE FUND 500,000

Funds in Specific Appropriation 784 are provided to pay for criminal conflict, dependency and other civil cases for which appointment was made during Fiscal Years 2004-2005, 2005-2006, and 2006-2007. The Justice Administrative Commission shall submit quarterly reports of expenditures by circuit in an electronic format to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee.

784A SPECIAL CATEGORIES
CAPITAL RESENTENCING DUE PROCESS FUNDING
FROM GENERAL REVENUE FUND 1,299,860

The funds in Specific Appropriation 784A are provided for due process and contracted services related specifically to death penalty proceedings as a result of the Florida Supreme Court decision in Hurst v. State, 202 So. 3d 40 (Fla. 2016).

785 SPECIAL CATEGORIES
STATE ATTORNEY AND PUBLIC DEFENDER
TRAINING
FROM GENERAL REVENUE FUND 33,529
FROM GRANTS AND DONATIONS TRUST
FUND 3,000

786 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 600

787 SPECIAL CATEGORIES
DUE PROCESS CONTINGENCY FUND
FROM GENERAL REVENUE FUND 1,000,000

788 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 2,204,686
FROM CHILD SUPPORT TRUST FUND 68,297
FROM GRANTS AND DONATIONS TRUST
FUND 111,272
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 32,046

From the funds provided in Specific Appropriation 788, the State Attorneys and Public Defenders shall transfer cash from their Grants and Donations Trust Fund, Child Support Enforcement Trust Fund, State

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Attorney Revenue Trust Fund, Public Defender Revenue Trust Fund, and Indigent Criminal Defense Trust Fund, in proportion to their positions funded from these sources, to the Justice Administrative Commission to pay the Human Resources Services contract in the Department of Management Services.

789A DATA PROCESSING SERVICES
DATA PROCESSING ASSESSMENT - AGENCY FOR
STATE TECHNOLOGY
FROM GENERAL REVENUE FUND 11,042

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 107,842,968
FROM TRUST FUNDS 1,303,651
TOTAL POSITIONS 99.00
TOTAL ALL FUNDS 109,146,619

PROGRAM: STATEWIDE GUARDIAN AD LITEM OFFICE

APPROVED SALARY RATE 30,977,729

790 SALARIES AND BENEFITS POSITIONS 726.00
FROM GENERAL REVENUE FUND 41,185,178
FROM GRANTS AND DONATIONS TRUST
FUND 9,150

Funds and positions in Specific Appropriations 790 through 799 shall first be used to represent children involved in dependency proceedings. Once all children in dependency proceedings are represented, the funds may be used to represent children in other proceedings as authorized by law.

791 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 1,732,442
FROM GRANTS AND DONATIONS TRUST
FUND 226,925

792 EXPENSES
FROM GENERAL REVENUE FUND 1,653,285
FROM GRANTS AND DONATIONS TRUST
FUND 250,249

793 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 60,502
FROM GRANTS AND DONATIONS TRUST
FUND 10,000

794 SPECIAL CATEGORIES
GRANTS AND AIDS - COURT SYSTEM SERVICES
FOR CHILDREN AND YOUTH
FROM GENERAL REVENUE FUND 1,107,997

From the funds in Specific Appropriation 794, \$100,000 in recurring general revenue funds shall be used to support the Voices for Children Foundation in Miami-Dade County.

795 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 3,029,373
FROM GRANTS AND DONATIONS TRUST
FUND 110,000

796 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 578,119

797 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 192,196

798 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 42,057

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

799	DATA PROCESSING SERVICES		
	NORTHWEST REGIONAL DATA CENTER (NWRDC)		
	FROM GENERAL REVENUE FUND	310,476	
TOTAL:	PROGRAM: STATEWIDE GUARDIAN AD LITEM OFFICE		
	FROM GENERAL REVENUE FUND	49,891,625	
	FROM TRUST FUNDS		606,324
	TOTAL POSITIONS	726.00	
	TOTAL ALL FUNDS		50,497,949

STATE ATTORNEYS

The Prosecution Coordination Office's budgeting, legal, training and education needs may be funded by each State Attorney's office within the funds provided in Specific Appropriations 800 through 928. Funding for this office shall not exceed \$450,000 from the State Attorney's Revenue Trust Fund.

PROGRAM: STATE ATTORNEYS - FIRST JUDICIAL CIRCUIT

	APPROVED SALARY RATE	10,635,889	
800	SALARIES AND BENEFITS POSITIONS	232.00	
	FROM GENERAL REVENUE FUND	12,451,746	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		2,041,012
	FROM GRANTS AND DONATIONS TRUST FUND		492,719
801	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	30,415	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		95,987
801A	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		23,840
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		16,512
802	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	753,994	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		132,501
	FROM GRANTS AND DONATIONS TRUST FUND		1,215
803	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		53,628
804	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	9,874	
805	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	14,562	
TOTAL:	PROGRAM: STATE ATTORNEYS - FIRST JUDICIAL CIRCUIT		
	FROM GENERAL REVENUE FUND	13,200,591	
	FROM TRUST FUNDS		2,857,414
	TOTAL POSITIONS	232.00	
	TOTAL ALL FUNDS		16,118,005

PROGRAM: STATE ATTORNEYS - SECOND JUDICIAL CIRCUIT

	APPROVED SALARY RATE	6,041,308	
806	SALARIES AND BENEFITS POSITIONS	117.00	
	FROM GENERAL REVENUE FUND	7,171,891	

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	FROM STATE ATTORNEYS REVENUE TRUST FUND		921,331
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		443
	FROM GRANTS AND DONATIONS TRUST FUND		514,355
807	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	28,406	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		145,552
807A	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		85,000
808	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	353,565	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		149,139
	FROM GRANTS AND DONATIONS TRUST FUND		1,500
809	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		31,172
810	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	8,093	
811	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		3,000
TOTAL:	PROGRAM: STATE ATTORNEYS - SECOND JUDICIAL CIRCUIT		
	FROM GENERAL REVENUE FUND	7,561,955	
	FROM TRUST FUNDS		1,851,492
	TOTAL POSITIONS	117.00	
	TOTAL ALL FUNDS		9,413,447

PROGRAM: STATE ATTORNEYS - THIRD JUDICIAL CIRCUIT

	APPROVED SALARY RATE	3,709,472	
812	SALARIES AND BENEFITS POSITIONS	72.00	
	FROM GENERAL REVENUE FUND	4,265,708	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		611,443
	FROM GRANTS AND DONATIONS TRUST FUND		273,793
813	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	7,857	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		6,372
	FROM GRANTS AND DONATIONS TRUST FUND		5,068
813A	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		95,000
814	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	144,842	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		62,328
	FROM GRANTS AND DONATIONS TRUST FUND		76,701

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815	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GRANTS AND DONATIONS TRUST FUND		24,140
816	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	8,034	
817	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	35,000	
TOTAL: PROGRAM: STATE ATTORNEYS - THIRD JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	4,461,441	
	FROM TRUST FUNDS		1,154,845
	TOTAL POSITIONS	72.00	
	TOTAL ALL FUNDS		5,616,286
PROGRAM: STATE ATTORNEYS - FOURTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	18,243,725	
818	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	371.00 20,851,547	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		3,508,743
	FROM GRANTS AND DONATIONS TRUST FUND		1,462,828
From the positions and funds provided in Specific Appropriation 818, three full-time equivalent positions with associated salary rate of 174,101 and \$250,818 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.			
819	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	139,844	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		5,090
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		55,000
	FROM GRANTS AND DONATIONS TRUST FUND		33,189
819A	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		20,000
820	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM GRANTS AND DONATIONS TRUST FUND		438,311
821	SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	279,262	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		358,658
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		110,800
	FROM GRANTS AND DONATIONS TRUST FUND		32,455
822	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	13,539	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		118,383
823	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	11,404	

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824	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND		6,150
TOTAL: PROGRAM: STATE ATTORNEYS - FOURTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	21,301,746	
	FROM TRUST FUNDS		6,143,457
	TOTAL POSITIONS	371.00	
	TOTAL ALL FUNDS		27,445,203
PROGRAM: STATE ATTORNEYS - FIFTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	12,819,972	
825	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	240.00 15,119,239	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		2,392,583
	FROM GRANTS AND DONATIONS TRUST FUND		1,068,672
826	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	62,603	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		38,289
	FROM GRANTS AND DONATIONS TRUST FUND		96,212
827	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM STATE ATTORNEYS REVENUE TRUST FUND		28,000
828	SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	488,267	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		61,250
829	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	14,518	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		44,595
830	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	15,740	
831	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	41,500	
TOTAL: PROGRAM: STATE ATTORNEYS - FIFTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	15,741,867	
	FROM TRUST FUNDS		3,729,601
	TOTAL POSITIONS	240.00	
	TOTAL ALL FUNDS		19,471,468
PROGRAM: STATE ATTORNEYS - SIXTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	23,926,513	
832	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	475.00 25,660,772	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		3,836,225
	FROM GRANTS AND DONATIONS TRUST FUND		3,580,289
833	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	86,869	
	FROM GRANTS AND DONATIONS TRUST FUND		34,737

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834	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM STATE ATTORNEYS REVENUE TRUST FUND		88,000
835	SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	476,061	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		232,453
	FROM GRANTS AND DONATIONS TRUST FUND		569,866
836	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM STATE ATTORNEYS REVENUE TRUST FUND		127,851
837	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	22,724	
838	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	2,520	
TOTAL: PROGRAM: STATE ATTORNEYS - SIXTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	26,248,946	
	FROM TRUST FUNDS		8,469,421
	TOTAL POSITIONS	475.00	
	TOTAL ALL FUNDS		34,718,367
PROGRAM: STATE ATTORNEYS - SEVENTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	11,747,215	
839	SALARIES AND BENEFITS POSITIONS	243.00	
	FROM GENERAL REVENUE FUND		13,815,310
	FROM STATE ATTORNEYS REVENUE TRUST FUND		2,391,827
	FROM GRANTS AND DONATIONS TRUST FUND		299,734
840	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	39,274	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		73,887
	FROM GRANTS AND DONATIONS TRUST FUND		9,980
841	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM STATE ATTORNEYS REVENUE TRUST FUND		144,000
842	SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	438,416	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		342,348
843	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	32,550	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		62,024
844	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	6,094	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		17,620
	FROM GRANTS AND DONATIONS TRUST FUND		2,380

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845	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND		32,381
TOTAL: PROGRAM: STATE ATTORNEYS - SEVENTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	14,364,025	
	FROM TRUST FUNDS		3,343,800
	TOTAL POSITIONS	243.00	
	TOTAL ALL FUNDS		17,707,825
PROGRAM: STATE ATTORNEYS - EIGHTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	6,514,099	
846	SALARIES AND BENEFITS POSITIONS	135.00	
	FROM GENERAL REVENUE FUND		7,936,086
	FROM STATE ATTORNEYS REVENUE TRUST FUND		1,011,968
	FROM GRANTS AND DONATIONS TRUST FUND		309,654
847	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	51,558	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		58,677
	FROM GRANTS AND DONATIONS TRUST FUND		34,329
847A	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM STATE ATTORNEYS REVENUE TRUST FUND		28,000
848	SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	284,761	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		21,406
	FROM GRANTS AND DONATIONS TRUST FUND		9,040
849	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	42,322	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		52,471
850	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	13,506	
851	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	7,306	
TOTAL: PROGRAM: STATE ATTORNEYS - EIGHTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	8,335,539	
	FROM TRUST FUNDS		1,525,545
	TOTAL POSITIONS	135.00	
	TOTAL ALL FUNDS		9,861,084
PROGRAM: STATE ATTORNEYS - NINTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	18,807,465	
852	SALARIES AND BENEFITS POSITIONS	364.50	
	FROM GENERAL REVENUE FUND		22,225,071
	FROM STATE ATTORNEYS REVENUE TRUST FUND		1,830,991
	FROM GRANTS AND DONATIONS TRUST FUND		1,886,906
From the positions and funds provided in Specific Appropriation 852,			

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five full-time equivalent positions with associated salary rate of 293,813 and \$431,719 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

853	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	140,918	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		291,461
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND	242,033	
	FROM GRANTS AND DONATIONS TRUST FUND		1,002
854	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	872,682	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		197,029
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND	279,234	
	FROM GRANTS AND DONATIONS TRUST FUND		18,966
855	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	5,040	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		152,019
856	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	26,486	
857	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	55,416	
TOTAL: PROGRAM: STATE ATTORNEYS - NINTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	23,325,613	
	FROM TRUST FUNDS		4,899,641
	TOTAL POSITIONS	364.50	
	TOTAL ALL FUNDS		28,225,254
PROGRAM: STATE ATTORNEYS - TENTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	11,912,291	
858	SALARIES AND BENEFITS POSITIONS	228.00	
	FROM GENERAL REVENUE FUND	12,060,556	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		4,302,795
	FROM GRANTS AND DONATIONS TRUST FUND		1,145,104
859	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	46,901	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		87,063
	FROM GRANTS AND DONATIONS TRUST FUND		33,140
860	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		60,000
861	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	185,530	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		218,879
	FROM GRANTS AND DONATIONS TRUST FUND		212,872

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862	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	122	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		63,872
	FROM GRANTS AND DONATIONS TRUST FUND		7,110
863	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	14,365	
864	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	32,032	
	FROM GRANTS AND DONATIONS TRUST FUND		7,356
TOTAL: PROGRAM: STATE ATTORNEYS - TENTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	12,339,506	
	FROM TRUST FUNDS		6,138,191
	TOTAL POSITIONS	228.00	
	TOTAL ALL FUNDS		18,477,697
PROGRAM: STATE ATTORNEYS - ELEVENTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	56,331,440	
865	SALARIES AND BENEFITS POSITIONS	1,286.00	
	FROM GENERAL REVENUE FUND	47,675,197	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		5,610,514
	FROM CHILD SUPPORT TRUST FUND		20,257,926
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		227,452
	FROM GRANTS AND DONATIONS TRUST FUND		3,969,036
From the positions and funds provided in Specific Appropriation 865, three full-time equivalent positions with associated salary rate of 279,377 and \$404,038 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.			
Additionally, two full-time equivalent positions with associated salary rate of 100,585 and \$147,724 from the Grants and Donations Trust Fund are provided solely for prosecution of workers compensation insurance fraud.			
From the funds in Specific Appropriation 865, \$210,000 in the Grants and Donations Trust Fund is provided for the specific purpose of funding attorneys and paralegals dedicated solely to the prosecution of property insurance fraud cases in Miami-Dade County. These funds may not be used for any purpose other than the funding of attorney and paralegal positions that prosecute crimes of insurance fraud. The State Attorney in the 11th Judicial Circuit shall submit a report of activities relating to the prosecution of insurance fraud cases to the Department of Financial Services' Division of Investigative and Forensic Services by June 30, 2018. The report shall provide the percentage of cases prosecuted of the total number of insurance fraud cases referred by the department, the number of cases not prosecuted and the reasons prosecution was not pursued.			
866	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	242,272	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		155,076
	FROM CHILD SUPPORT TRUST FUND		753,121
	FROM GRANTS AND DONATIONS TRUST FUND		85,217

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867	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		168,000
868	SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES FROM GENERAL REVENUE FUND FROM STATE ATTORNEYS REVENUE TRUST FUND FROM CHILD SUPPORT TRUST FUND FROM CIVIL RICO TRUST FUND FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND	773,140	435,078 3,862,621 200,020 203,700 634,287
869	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM STATE ATTORNEYS REVENUE TRUST FUND FROM CHILD SUPPORT TRUST FUND		405,508 250,145
870	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	22,221	
871	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	3,600	
TOTAL: PROGRAM: STATE ATTORNEYS - ELEVENTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND FROM TRUST FUNDS	48,716,430	37,217,701
	TOTAL POSITIONS TOTAL ALL FUNDS	1,286.00	85,934,131
PROGRAM: STATE ATTORNEYS - TWELFTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	9,136,661	
872	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM STATE ATTORNEYS REVENUE TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND	184.00 11,334,352	1,508,907 415,948
873	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	23,211	
873A	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM STATE ATTORNEYS REVENUE TRUST FUND		64,500
874	SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES FROM GENERAL REVENUE FUND FROM STATE ATTORNEYS REVENUE TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND	321,981	176,321 4,000
875	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM STATE ATTORNEYS REVENUE TRUST FUND	24,127	25,763
876	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	7,461	

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877	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND		2,367
TOTAL: PROGRAM: STATE ATTORNEYS - TWELFTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND FROM TRUST FUNDS	11,713,499	2,195,439
	TOTAL POSITIONS TOTAL ALL FUNDS	184.00	13,908,938
PROGRAM: STATE ATTORNEYS - THIRTEENTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	17,604,909	
878	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM STATE ATTORNEYS REVENUE TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND	358.00 20,696,967	3,217,826 919,541
From the positions and funds provided in Specific Appropriation 878, two full-time equivalent positions with associated salary rate of 103,567 and \$152,179 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.			
Additionally, two full-time equivalent positions with associated salary rate of 93,863 and \$137,852 from the Grants and Donations Trust Fund are provided solely for prosecution of workers compensation insurance fraud.			
879	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM STATE ATTORNEYS REVENUE TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND	69,228	11,122 7,755
879A	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM STATE ATTORNEYS REVENUE TRUST FUND		25,000
880	SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES FROM GENERAL REVENUE FUND FROM STATE ATTORNEYS REVENUE TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND	583,790	191,880 81,630
881	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM STATE ATTORNEYS REVENUE TRUST FUND	36,294	33,613
882	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	12,027	
883	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	7,980	
TOTAL: PROGRAM: STATE ATTORNEYS - THIRTEENTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND FROM TRUST FUNDS	21,406,286	4,488,367
	TOTAL POSITIONS TOTAL ALL FUNDS	358.00	25,894,653

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

PROGRAM: STATE ATTORNEYS - FOURTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE		6,051,226	
884	SALARIES AND BENEFITS POSITIONS	124.00	
	FROM GENERAL REVENUE FUND	7,416,821	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		939,661
	FROM GRANTS AND DONATIONS TRUST FUND		436,989
885	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	9,899	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		97,074
885A	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		25,000
886	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	238,320	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		12,518
887	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		47,833
888	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	7,697	
889	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	2,295	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		15,048
TOTAL: PROGRAM: STATE ATTORNEYS - FOURTEENTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	7,675,032	
	FROM TRUST FUNDS		1,574,123
	TOTAL POSITIONS	124.00	
	TOTAL ALL FUNDS		9,249,155

PROGRAM: STATE ATTORNEYS - FIFTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE		17,184,682	
890	SALARIES AND BENEFITS POSITIONS	333.00	
	FROM GENERAL REVENUE FUND	19,963,524	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		2,761,628
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		14,733
	FROM GRANTS AND DONATIONS TRUST FUND		1,199,065

From the positions and funds provided in Specific Appropriation 890, two full-time equivalent positions with associated salary rate of 111,833 and \$160,242 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

Additionally, two full-time equivalent positions with associated salary rate of 117,294 and \$159,264 from the Grants and Donations Trust Fund are provided solely for prosecution of workers compensation insurance fraud.

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

891	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	74,365	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		61,018
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		100,000
	FROM GRANTS AND DONATIONS TRUST FUND		5,000
892	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		75,000
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		25,000
893	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	601,694	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		198,129
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		61,459
	FROM GRANTS AND DONATIONS TRUST FUND		26,000
894	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		138,917
895	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	10,569	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		1,000
896	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	10,000	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		60,000
TOTAL: PROGRAM: STATE ATTORNEYS - FIFTEENTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	20,660,152	
	FROM TRUST FUNDS		4,726,949
	TOTAL POSITIONS	333.00	
	TOTAL ALL FUNDS		25,387,101

PROGRAM: STATE ATTORNEYS - SIXTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE		3,188,385	
897	SALARIES AND BENEFITS POSITIONS	62.00	
	FROM GENERAL REVENUE FUND	3,772,601	
	FROM STATE ATTORNEYS REVENUE TRUST FUND		488,589
	FROM GRANTS AND DONATIONS TRUST FUND		210,924
898	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	15,490	
	FROM GRANTS AND DONATIONS TRUST FUND		76,054
898A	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM STATE ATTORNEYS REVENUE TRUST FUND		25,000
899	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	135,049	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

FROM STATE ATTORNEYS REVENUE TRUST FUND	54,509	
FROM GRANTS AND DONATIONS TRUST FUND	106,514	
900 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM STATE ATTORNEYS REVENUE TRUST FUND	88,921	
901 SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	7,041	
902 SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	3,615	
TOTAL: PROGRAM: STATE ATTORNEYS - SIXTEENTH JUDICIAL CIRCUIT FROM GENERAL REVENUE FUND	3,933,796	1,050,511
FROM TRUST FUNDS		
TOTAL POSITIONS	62.00	
TOTAL ALL FUNDS		4,984,307

PROGRAM: STATE ATTORNEYS - SEVENTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE	24,927,445	
903 SALARIES AND BENEFITS POSITIONS 511.00 FROM GENERAL REVENUE FUND	30,608,830	
FROM STATE ATTORNEYS REVENUE TRUST FUND	3,302,144	
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND	5,296	
FROM GRANTS AND DONATIONS TRUST FUND	1,736,133	

From the positions and funds provided in Specific Appropriation 903, two full-time equivalent positions with associated salary rate of 111,012 and \$160,242 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

Additionally, two full-time equivalent positions with associated salary rate of 117,294 and \$159,264 from the Grants and Donations Trust Fund are provided solely for prosecution of workers compensation insurance fraud.

904 OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	118,016	
FROM STATE ATTORNEYS REVENUE TRUST FUND	104,072	
FROM GRANTS AND DONATIONS TRUST FUND	122,864	
905 SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	789,116	
FROM STATE ATTORNEYS REVENUE TRUST FUND	166,244	
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND	718,667	
FROM GRANTS AND DONATIONS TRUST FUND	47,880	
906 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	210,662	
FROM STATE ATTORNEYS REVENUE TRUST FUND	141,763	
907 SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	23,491	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

908 SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	121,483	
TOTAL: PROGRAM: STATE ATTORNEYS - SEVENTEENTH JUDICIAL CIRCUIT FROM GENERAL REVENUE FUND	31,871,598	6,345,063
FROM TRUST FUNDS		
TOTAL POSITIONS	511.00	
TOTAL ALL FUNDS		38,216,661

PROGRAM: STATE ATTORNEYS - EIGHTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE	14,506,761	
909 SALARIES AND BENEFITS POSITIONS 294.00 FROM GENERAL REVENUE FUND	17,211,909	
FROM STATE ATTORNEYS REVENUE TRUST FUND	2,278,614	
FROM GRANTS AND DONATIONS TRUST FUND	1,026,408	
910 OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	25,100	
FROM STATE ATTORNEYS REVENUE TRUST FUND	19,988	
FROM GRANTS AND DONATIONS TRUST FUND	12,512	
910A SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM STATE ATTORNEYS REVENUE TRUST FUND	30,000	
912 SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	410,738	
FROM STATE ATTORNEYS REVENUE TRUST FUND	138,459	
FROM GRANTS AND DONATIONS TRUST FUND	64,924	
913 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	33,470	
FROM STATE ATTORNEYS REVENUE TRUST FUND	51,602	
FROM GRANTS AND DONATIONS TRUST FUND	6,231	
914 SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	9,587	
915 SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	5,130	

TOTAL: PROGRAM: STATE ATTORNEYS - EIGHTEENTH JUDICIAL CIRCUIT FROM GENERAL REVENUE FUND	17,695,934	3,628,738
FROM TRUST FUNDS		
TOTAL POSITIONS	294.00	
TOTAL ALL FUNDS		21,324,672

PROGRAM: STATE ATTORNEYS - NINETEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE	8,720,871	
916 SALARIES AND BENEFITS POSITIONS 171.00 FROM GENERAL REVENUE FUND	9,347,363	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

	FROM STATE ATTORNEYS REVENUE TRUST FUND	1,401,091	
	FROM GRANTS AND DONATIONS TRUST FUND	615,703	
917	OTHER PERSONAL SERVICES FROM STATE ATTORNEYS REVENUE TRUST FUND	19,414	
	FROM GRANTS AND DONATIONS TRUST FUND	76,678	
918	SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	230,606	
	FROM STATE ATTORNEYS REVENUE TRUST FUND	56,682	
	FROM GRANTS AND DONATIONS TRUST FUND	42,307	
919	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	1,458	
	FROM STATE ATTORNEYS REVENUE TRUST FUND	30,151	
920	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	8,764	
921	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	2,798	
922	SPECIAL CATEGORIES LEAVE LIABILITY FROM STATE ATTORNEYS REVENUE TRUST FUND	189,754	
	FROM GRANTS AND DONATIONS TRUST FUND	10,581	
TOTAL: PROGRAM: STATE ATTORNEYS - NINETEENTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	9,590,989	
	FROM TRUST FUNDS	2,442,361	
	TOTAL POSITIONS	171.00	
	TOTAL ALL FUNDS	12,033,350	
PROGRAM: STATE ATTORNEYS - TWENTIETH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	14,745,830	
923	SALARIES AND BENEFITS POSITIONS	315.00	
	FROM GENERAL REVENUE FUND	17,608,023	
	FROM STATE ATTORNEYS REVENUE TRUST FUND	1,592,821	
	FROM GRANTS AND DONATIONS TRUST FUND	2,068,897	
From the positions and funds provided in Specific Appropriation 923, two full-time equivalent positions with associated salary rate of 85,614 and \$142,444 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.			
924	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	52,316	
	FROM STATE ATTORNEYS REVENUE TRUST FUND	86,122	
	FROM GRANTS AND DONATIONS TRUST FUND	10,970	
925	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM STATE ATTORNEYS REVENUE TRUST FUND	120,000	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

926	SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	567,982	
	FROM STATE ATTORNEYS REVENUE TRUST FUND	307,015	
	FROM GRANTS AND DONATIONS TRUST FUND	41,844	
927	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	2,007	
	FROM STATE ATTORNEYS REVENUE TRUST FUND	67,487	
928	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	21,024	
TOTAL: PROGRAM: STATE ATTORNEYS - TWENTIETH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	18,251,352	
	FROM TRUST FUNDS	4,295,156	
	TOTAL POSITIONS	315.00	
	TOTAL ALL FUNDS	22,546,508	

PUBLIC DEFENDERS

The Public Defenders Coordination Office's budgeting, legal, training, and education needs may be funded by each Public Defender's office within the funds provided in Specific Appropriations 929 through 1051. Funding for this office shall not exceed \$450,000 from the Indigent Criminal Defense Trust Fund. In addition, each Public Defender Office must submit to the Florida Public Defender Association on a quarterly basis the caseload report developed by the association.

PROGRAM: PUBLIC DEFENDERS - FIRST JUDICIAL CIRCUIT

	APPROVED SALARY RATE	5,972,848	
929	SALARIES AND BENEFITS POSITIONS	121.00	
	FROM GENERAL REVENUE FUND	7,447,825	
	FROM PUBLIC DEFENDERS REVENUE TRUST FUND	214,282	
	FROM GRANTS AND DONATIONS TRUST FUND	142,292	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND	983,459	
930	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	22,604	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND	120,360	
930A	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM INDIGENT CRIMINAL DEFENSE TRUST FUND	22,513	
931	SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	191,206	
	FROM PUBLIC DEFENDERS REVENUE TRUST FUND	50,000	
	FROM GRANTS AND DONATIONS TRUST FUND	5,000	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND	142,129	
932	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM INDIGENT CRIMINAL DEFENSE TRUST FUND	27,215	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

933	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	4,770	
TOTAL:	PROGRAM: PUBLIC DEFENDERS - FIRST JUDICIAL CIRCUIT FROM GENERAL REVENUE FUND FROM TRUST FUNDS	7,666,405	1,707,250
	TOTAL POSITIONS	121.00	
	TOTAL ALL FUNDS		9,373,655
PROGRAM: PUBLIC DEFENDERS - SECOND JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	4,233,908	
934	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM PUBLIC DEFENDERS REVENUE TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND FROM INDIGENT CRIMINAL DEFENSE TRUST FUND	85.00 5,157,086	210,850
			109,257
			421,675
935	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM INDIGENT CRIMINAL DEFENSE TRUST FUND	26,538	107,319
936	SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND FROM GRANTS AND DONATIONS TRUST FUND FROM INDIGENT CRIMINAL DEFENSE TRUST FUND	153,981	1,677
			114,267
937	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM INDIGENT CRIMINAL DEFENSE TRUST FUND	4,862	46,538
938	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	7,617	
TOTAL:	PROGRAM: PUBLIC DEFENDERS - SECOND JUDICIAL CIRCUIT FROM GENERAL REVENUE FUND FROM TRUST FUNDS	5,350,084	1,011,583
	TOTAL POSITIONS	85.00	
	TOTAL ALL FUNDS		6,361,667
PROGRAM: PUBLIC DEFENDERS - THIRD JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	2,023,589	
939	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM PUBLIC DEFENDERS REVENUE TRUST FUND FROM INDIGENT CRIMINAL DEFENSE TRUST FUND	32.00 2,495,970	84,623
			247,079
940	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM INDIGENT CRIMINAL DEFENSE TRUST FUND	251	169,901
941	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		19,000

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

942	SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND FROM INDIGENT CRIMINAL DEFENSE TRUST FUND	73,392	32,531
943	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		4,752
944	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	12,560	
TOTAL:	PROGRAM: PUBLIC DEFENDERS - THIRD JUDICIAL CIRCUIT FROM GENERAL REVENUE FUND FROM TRUST FUNDS	2,582,173	557,886
	TOTAL POSITIONS	32.00	
	TOTAL ALL FUNDS		3,140,059
PROGRAM: PUBLIC DEFENDERS - FOURTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	8,357,630	
945	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM PUBLIC DEFENDERS REVENUE TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND FROM INDIGENT CRIMINAL DEFENSE TRUST FUND	155.00 10,164,596	356,824
			220,549
			822,700
946	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM INDIGENT CRIMINAL DEFENSE TRUST FUND	25,026	123,325
947	SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND FROM GRANTS AND DONATIONS TRUST FUND FROM INDIGENT CRIMINAL DEFENSE TRUST FUND	268,148	50,000
			147,636
948	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		109,679
949	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	2,305	
TOTAL:	PROGRAM: PUBLIC DEFENDERS - FOURTH JUDICIAL CIRCUIT FROM GENERAL REVENUE FUND FROM TRUST FUNDS	10,460,075	1,830,713
	TOTAL POSITIONS	155.00	
	TOTAL ALL FUNDS		12,290,788
PROGRAM: PUBLIC DEFENDERS - FIFTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	6,246,725	
950	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM PUBLIC DEFENDERS REVENUE TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND	129.50 6,865,127	231,146
			814,289

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		1,101,442
951	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	34,336	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		414,818
952	SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	59,560	
	FROM GRANTS AND DONATIONS TRUST FUND		2,000
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		199,099
953	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	282	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		29,657
954	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		1,800
TOTAL: PROGRAM: PUBLIC DEFENDERS - FIFTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	6,959,305	
	FROM TRUST FUNDS		2,794,251
	TOTAL POSITIONS	129.50	
	TOTAL ALL FUNDS		9,753,556
PROGRAM: PUBLIC DEFENDERS - SIXTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	11,767,200	
955	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	232.00	
	FROM PUBLIC DEFENDERS REVENUE TRUST FUND		14,624,510
	FROM GRANTS AND DONATIONS TRUST FUND		488,742
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		409,467
			1,412,302
956	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	78,566	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		149,532
From the funds in Specific Appropriation 956, \$150,000 in recurring general revenue funds is provided for the Pasco Mobile Medical Unit for homeless medical and legal services outreach.			
957	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		81,000
958	SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	377,076	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		100,000
959	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	35,118	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		29,412
960	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		52,000

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

960A	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY FIXED CAPITAL OUTLAY - VINCENT ACADEMY LIFE SKILLS CENTER FROM GENERAL REVENUE FUND		1,000,000
The funds in Specific Appropriation 960A are provided to Vincent Academy of the Adventure Coast for the construction of a life skills center in Hernando County.			
TOTAL: PROGRAM: PUBLIC DEFENDERS - SIXTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	16,115,270	
	FROM TRUST FUNDS		2,722,455
	TOTAL POSITIONS	232.00	
	TOTAL ALL FUNDS		18,837,725
PROGRAM: PUBLIC DEFENDERS - SEVENTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	5,882,916	
961	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	117.00	
	FROM PUBLIC DEFENDERS REVENUE TRUST FUND		7,671,221
	FROM GRANTS AND DONATIONS TRUST FUND		265,805
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		87,640
			505,755
962	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	30	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		83,839
963	SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	72,939	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		121,860
964	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	15,646	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		13,220
965	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	14,589	
TOTAL: PROGRAM: PUBLIC DEFENDERS - SEVENTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	7,774,425	
	FROM TRUST FUNDS		1,078,119
	TOTAL POSITIONS	117.00	
	TOTAL ALL FUNDS		8,852,544
PROGRAM: PUBLIC DEFENDERS - EIGHTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	3,786,153	
966	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	74.00	
	FROM PUBLIC DEFENDERS REVENUE TRUST FUND		4,909,152
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		173,342
			464,139
967	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	12,759	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		36,600

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

968	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	98,884	
	FROM GRANTS AND DONATIONS TRUST		
	FUND		5,000
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		58,127
969	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	504	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		28,129
970	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		4,751
TOTAL: PROGRAM: PUBLIC DEFENDERS - EIGHTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	5,021,299	
	FROM TRUST FUNDS		770,088
	TOTAL POSITIONS	74.00	
	TOTAL ALL FUNDS		5,791,387
PROGRAM: PUBLIC DEFENDERS - NINTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	11,341,181	
971	SALARIES AND BENEFITS POSITIONS	235.00	
	FROM GENERAL REVENUE FUND	12,712,805	
	FROM PUBLIC DEFENDERS REVENUE		
	TRUST FUND		313,375
	FROM GRANTS AND DONATIONS TRUST		
	FUND		949,177
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		2,025,250
972	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	25,000	
	FROM GRANTS AND DONATIONS TRUST		
	FUND		7,500
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		141,520
972A	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		22,000
973	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	164,065	
974	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	571,816	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		120,440
975	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	3,189	
	FROM PUBLIC DEFENDERS REVENUE		
	TRUST FUND		24,965
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		31,323
976	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	23,000	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

TOTAL: PROGRAM: PUBLIC DEFENDERS - NINTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	13,499,875	
	FROM TRUST FUNDS		3,635,550
	TOTAL POSITIONS	235.00	
	TOTAL ALL FUNDS		17,135,425
PROGRAM: PUBLIC DEFENDERS - TENTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	5,727,680	
977	SALARIES AND BENEFITS POSITIONS	115.00	
	FROM GENERAL REVENUE FUND	6,967,338	
	FROM PUBLIC DEFENDERS REVENUE		
	TRUST FUND		247,465
	FROM GRANTS AND DONATIONS TRUST		
	FUND		52,496
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		762,435
978	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	38,074	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		57,430
979	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	185,049	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		164,621
980	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	27,678	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		41,049
981	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		3,132
TOTAL: PROGRAM: PUBLIC DEFENDERS - TENTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	7,218,139	
	FROM TRUST FUNDS		1,328,628
	TOTAL POSITIONS	115.00	
	TOTAL ALL FUNDS		8,546,767
PROGRAM: PUBLIC DEFENDERS - ELEVENTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	21,291,998	
982	SALARIES AND BENEFITS POSITIONS	388.00	
	FROM GENERAL REVENUE FUND	25,190,280	
	FROM PUBLIC DEFENDERS REVENUE		
	TRUST FUND		888,989
	FROM GRANTS AND DONATIONS TRUST		
	FUND		1,543,000
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		1,245,601
983	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	110,939	
	FROM GRANTS AND DONATIONS TRUST		
	FUND		70,000
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND		21,235
984	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	459,085	
	FROM GRANTS AND DONATIONS TRUST		
	FUND		10,000

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		114,580	
985	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		118,888	
986	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	1,333		
TOTAL: PROGRAM: PUBLIC DEFENDERS - ELEVENTH JUDICIAL CIRCUIT				
	FROM GENERAL REVENUE FUND	25,761,637		
	FROM TRUST FUNDS		4,012,293	
	TOTAL POSITIONS	388.00		
	TOTAL ALL FUNDS		29,773,930	
PROGRAM: PUBLIC DEFENDERS - TWELFTH JUDICIAL CIRCUIT				
	APPROVED SALARY RATE	4,983,618		
987	SALARIES AND BENEFITS POSITIONS	97.50		
	FROM GENERAL REVENUE FUND	5,773,740		
	FROM PUBLIC DEFENDERS REVENUE TRUST FUND		205,308	
	FROM GRANTS AND DONATIONS TRUST FUND		237,977	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		766,387	
988	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	19,836		
	FROM PUBLIC DEFENDERS REVENUE TRUST FUND		78,000	
	FROM GRANTS AND DONATIONS TRUST FUND		47,961	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		20,000	
989	SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	222,605		
	FROM PUBLIC DEFENDERS REVENUE TRUST FUND		100,868	
	FROM GRANTS AND DONATIONS TRUST FUND		261,753	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		37,272	
990	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM PUBLIC DEFENDERS REVENUE TRUST FUND		529	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		17,712	
TOTAL: PROGRAM: PUBLIC DEFENDERS - TWELFTH JUDICIAL CIRCUIT				
	FROM GENERAL REVENUE FUND	6,016,181		
	FROM TRUST FUNDS		1,773,767	
	TOTAL POSITIONS	97.50		
	TOTAL ALL FUNDS		7,789,948	
PROGRAM: PUBLIC DEFENDERS - THIRTEENTH JUDICIAL CIRCUIT				
	APPROVED SALARY RATE	12,653,326		
991	SALARIES AND BENEFITS POSITIONS	220.50		
	FROM GENERAL REVENUE FUND	13,411,425		
	FROM PUBLIC DEFENDERS REVENUE TRUST FUND		772,664	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

	FROM GRANTS AND DONATIONS TRUST FUND		1,065,613	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		1,632,532	
992	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	121,863		
	FROM PUBLIC DEFENDERS REVENUE TRUST FUND		100,000	
	FROM GRANTS AND DONATIONS TRUST FUND		100,000	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		11,201	
993	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		44,000	
994	SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	581,876		
	FROM GRANTS AND DONATIONS TRUST FUND		137,844	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		107,983	
995	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	28,862		
	FROM GRANTS AND DONATIONS TRUST FUND		27,565	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		33,909	
996	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	2,835		
TOTAL: PROGRAM: PUBLIC DEFENDERS - THIRTEENTH JUDICIAL CIRCUIT				
	FROM GENERAL REVENUE FUND	14,146,861		
	FROM TRUST FUNDS		4,033,311	
	TOTAL POSITIONS	220.50		
	TOTAL ALL FUNDS		18,180,172	
PROGRAM: PUBLIC DEFENDERS - FOURTEENTH JUDICIAL CIRCUIT				
	APPROVED SALARY RATE	3,714,315		
997	SALARIES AND BENEFITS POSITIONS	67.00		
	FROM GENERAL REVENUE FUND	4,474,491		
	FROM PUBLIC DEFENDERS REVENUE TRUST FUND		142,363	
	FROM GRANTS AND DONATIONS TRUST FUND		60,328	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		625,884	
998	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	13,565		
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		162,925	
999	SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	134,886		
	FROM GRANTS AND DONATIONS TRUST FUND		15,000	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		141,361	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

1000	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM INDIGENT CRIMINAL DEFENSE TRUST FUND			13,216	
1001	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM INDIGENT CRIMINAL DEFENSE TRUST FUND			2,855	
TOTAL: PROGRAM: PUBLIC DEFENDERS - FOURTEENTH JUDICIAL CIRCUIT					
	FROM GENERAL REVENUE FUND	4,622,942			
	FROM TRUST FUNDS		1,163,932		
	TOTAL POSITIONS	67.00			
	TOTAL ALL FUNDS		5,786,874		
PROGRAM: PUBLIC DEFENDERS - FIFTEENTH JUDICIAL CIRCUIT					
	APPROVED SALARY RATE	9,865,377			
1002	SALARIES AND BENEFITS POSITIONS	193.00			
	FROM GENERAL REVENUE FUND	11,799,745			
	FROM PUBLIC DEFENDERS REVENUE TRUST FUND		422,185		
	FROM GRANTS AND DONATIONS TRUST FUND		199,029		
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		1,293,113		
1003	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	54,228			
	FROM GRANTS AND DONATIONS TRUST FUND		115,211		
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		36,523		
1004	SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	149,103			
	FROM GRANTS AND DONATIONS TRUST FUND		78,670		
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		286,591		
1005	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	27,422			
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		38,561		
1006	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		9,375		
TOTAL: PROGRAM: PUBLIC DEFENDERS - FIFTEENTH JUDICIAL CIRCUIT					
	FROM GENERAL REVENUE FUND	12,030,498			
	FROM TRUST FUNDS		2,479,258		
	TOTAL POSITIONS	193.00			
	TOTAL ALL FUNDS		14,509,756		
PROGRAM: PUBLIC DEFENDERS - SIXTEENTH JUDICIAL CIRCUIT					
	APPROVED SALARY RATE	2,202,419			
1007	SALARIES AND BENEFITS POSITIONS	41.00			
	FROM GENERAL REVENUE FUND	2,712,405			
	FROM PUBLIC DEFENDERS REVENUE TRUST FUND		95,224		

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND			178,663	
1008	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	6,968			
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND			1,347	
1009	SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	84,849			
	FROM GRANTS AND DONATIONS TRUST FUND		13,000		
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		32,500		
1010	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	1,852			
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		4,668		
1011	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	1,167			
TOTAL: PROGRAM: PUBLIC DEFENDERS - SIXTEENTH JUDICIAL CIRCUIT					
	FROM GENERAL REVENUE FUND	2,807,241			
	FROM TRUST FUNDS		325,402		
	TOTAL POSITIONS	41.00			
	TOTAL ALL FUNDS		3,132,643		
PROGRAM: PUBLIC DEFENDERS - SEVENTEENTH JUDICIAL CIRCUIT					
	APPROVED SALARY RATE	12,676,012			
1012	SALARIES AND BENEFITS POSITIONS	224.00			
	FROM GENERAL REVENUE FUND	14,841,852			
	FROM PUBLIC DEFENDERS REVENUE TRUST FUND		535,442		
	FROM GRANTS AND DONATIONS TRUST FUND		957,083		
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		2,071,972		
1013	OTHER PERSONAL SERVICES FROM GRANTS AND DONATIONS TRUST FUND		150,708		
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		36,000		
1014	SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	174,593			
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		208,165		
1015	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		61,325		
1016	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	3,812			

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

TOTAL: PROGRAM: PUBLIC DEFENDERS - SEVENTEENTH JUDICIAL
CIRCUIT
FROM GENERAL REVENUE FUND 15,020,257
FROM TRUST FUNDS 4,020,695

TOTAL POSITIONS 224.00
TOTAL ALL FUNDS 19,040,952

PROGRAM: PUBLIC DEFENDERS - EIGHTEENTH JUDICIAL
CIRCUIT

APPROVED SALARY RATE 6,771,810

1017 SALARIES AND BENEFITS POSITIONS 119.00
FROM GENERAL REVENUE FUND 7,286,592
FROM PUBLIC DEFENDERS REVENUE
TRUST FUND 238,076
FROM GRANTS AND DONATIONS TRUST
FUND 406,214
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 1,639,909

1018 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 12,792
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 28,160

1019 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 27,858

1020 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 103,887
FROM GRANTS AND DONATIONS TRUST
FUND 5,000
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 301,314

1021 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 17,559
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 10,868

1022 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 5,236

TOTAL: PROGRAM: PUBLIC DEFENDERS - EIGHTEENTH JUDICIAL
CIRCUIT
FROM GENERAL REVENUE FUND 7,448,688
FROM TRUST FUNDS 2,634,777

TOTAL POSITIONS 119.00
TOTAL ALL FUNDS 10,083,465

PROGRAM: PUBLIC DEFENDERS - NINETEENTH JUDICIAL
CIRCUIT

APPROVED SALARY RATE 4,408,920

1023 SALARIES AND BENEFITS POSITIONS 82.00
FROM GENERAL REVENUE FUND 4,684,504
FROM PUBLIC DEFENDERS REVENUE
TRUST FUND 161,571
FROM GRANTS AND DONATIONS TRUST
FUND 301,172
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 1,024,036

1024 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 22,918
FROM GRANTS AND DONATIONS TRUST
FUND 23,512

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 139,622

1024A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 60,000

1025 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 113,318
FROM GRANTS AND DONATIONS TRUST
FUND 20,704
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 197,024

1026 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 15,024
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 89,141

1027 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 1,440

TOTAL: PROGRAM: PUBLIC DEFENDERS - NINETEENTH JUDICIAL
CIRCUIT
FROM GENERAL REVENUE FUND 4,835,764
FROM TRUST FUNDS 2,018,222

TOTAL POSITIONS 82.00
TOTAL ALL FUNDS 6,853,986

PROGRAM: PUBLIC DEFENDERS - TWENTIETH JUDICIAL
CIRCUIT

APPROVED SALARY RATE 6,913,635

1028 SALARIES AND BENEFITS POSITIONS 140.00
FROM GENERAL REVENUE FUND 7,994,726
FROM PUBLIC DEFENDERS REVENUE
TRUST FUND 332,727
FROM GRANTS AND DONATIONS TRUST
FUND 1,253,418
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 902,164

1029 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 15,098
FROM GRANTS AND DONATIONS TRUST
FUND 20,000
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 145,440

1029A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 50,000

1030 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 178,894
FROM GRANTS AND DONATIONS TRUST
FUND 64,200
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 145,154

1031 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INDIGENT CRIMINAL DEFENSE
TRUST FUND 76,286

1032 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 12,730

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

TOTAL: PROGRAM: PUBLIC DEFENDERS - TWENTIETH JUDICIAL CIRCUIT
 FROM GENERAL REVENUE FUND 8,201,448
 FROM TRUST FUNDS 2,989,449
 TOTAL POSITIONS 140.00
 TOTAL ALL FUNDS 11,190,897

PUBLIC DEFENDERS APPELLATE DIVISION

PROGRAM: PUBLIC DEFENDERS APPELLATE - SECOND JUDICIAL CIRCUIT

APPROVED SALARY RATE 2,213,351
 1033 SALARIES AND BENEFITS POSITIONS 35.00
 FROM GENERAL REVENUE FUND 2,781,994
 1034 OTHER PERSONAL SERVICES
 FROM GENERAL REVENUE FUND 21,114
 1035 SPECIAL CATEGORIES
 PUBLIC DEFENDER OPERATING EXPENDITURES
 FROM GENERAL REVENUE FUND 128,971
 1036 SPECIAL CATEGORIES
 LEASE OR LEASE-PURCHASE OF EQUIPMENT
 FROM GENERAL REVENUE FUND 2,535
 TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - SECOND JUDICIAL CIRCUIT
 FROM GENERAL REVENUE FUND 2,934,614
 TOTAL POSITIONS 35.00
 TOTAL ALL FUNDS 2,934,614

PROGRAM: PUBLIC DEFENDERS APPELLATE - SEVENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 2,071,487
 1037 SALARIES AND BENEFITS POSITIONS 33.00
 FROM GENERAL REVENUE FUND 2,759,368
 1038 OTHER PERSONAL SERVICES
 FROM GENERAL REVENUE FUND 17,381
 1039 SPECIAL CATEGORIES
 PUBLIC DEFENDER OPERATING EXPENDITURES
 FROM GENERAL REVENUE FUND 61,907
 1040 SPECIAL CATEGORIES
 LEASE OR LEASE-PURCHASE OF EQUIPMENT
 FROM GENERAL REVENUE FUND 6,840
 TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - SEVENTH JUDICIAL CIRCUIT
 FROM GENERAL REVENUE FUND 2,845,496
 TOTAL POSITIONS 33.00
 TOTAL ALL FUNDS 2,845,496

PROGRAM: PUBLIC DEFENDERS APPELLATE - TENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 2,857,134
 1041 SALARIES AND BENEFITS POSITIONS 50.00
 FROM GENERAL REVENUE FUND 3,698,194
 1042 OTHER PERSONAL SERVICES
 FROM GENERAL REVENUE FUND 727,390
 1043 SPECIAL CATEGORIES
 PUBLIC DEFENDER OPERATING EXPENDITURES
 FROM GENERAL REVENUE FUND 144,849

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

1044 SPECIAL CATEGORIES
 LEASE OR LEASE-PURCHASE OF EQUIPMENT
 FROM GENERAL REVENUE FUND 2,568

TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - TENTH JUDICIAL CIRCUIT
 FROM GENERAL REVENUE FUND 4,573,001
 TOTAL POSITIONS 50.00
 TOTAL ALL FUNDS 4,573,001

PROGRAM: PUBLIC DEFENDERS APPELLATE - ELEVENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 1,417,395
 1045 SALARIES AND BENEFITS POSITIONS 20.00
 FROM GENERAL REVENUE FUND 1,794,393
 1046 OTHER PERSONAL SERVICES
 FROM GENERAL REVENUE FUND 33,731
 1047 SPECIAL CATEGORIES
 PUBLIC DEFENDER OPERATING EXPENDITURES
 FROM GENERAL REVENUE FUND 37,161
 TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - ELEVENTH JUDICIAL CIRCUIT
 FROM GENERAL REVENUE FUND 1,865,285
 TOTAL POSITIONS 20.00
 TOTAL ALL FUNDS 1,865,285

PROGRAM: PUBLIC DEFENDERS APPELLATE - FIFTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 2,852,216
 1048 SALARIES AND BENEFITS POSITIONS 37.00
 FROM GENERAL REVENUE FUND 3,627,607
 FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 114,341
 1049 OTHER PERSONAL SERVICES
 FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 55,978
 1050 SPECIAL CATEGORIES
 PUBLIC DEFENDER OPERATING EXPENDITURES
 FROM GENERAL REVENUE FUND 44,974
 FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 50,000
 1051 SPECIAL CATEGORIES
 LEASE OR LEASE-PURCHASE OF EQUIPMENT
 FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 2,344
 TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - FIFTEENTH JUDICIAL CIRCUIT
 FROM GENERAL REVENUE FUND 3,672,581
 FROM TRUST FUNDS 222,663
 TOTAL POSITIONS 37.00
 TOTAL ALL FUNDS 3,895,244

CAPITAL COLLATERAL REGIONAL COUNSELS

PROGRAM: NORTHERN REGIONAL COUNSEL

CAPITAL JUSTICE REPRESENTATION - NORTHERN REGIONAL COUNSEL

APPROVED SALARY RATE 942,800

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

1052	SALARIES AND BENEFITS FROM GENERAL REVENUE FUND	POSITIONS 17.00 1,318,190	
1053	SPECIAL CATEGORIES CASE RELATED COSTS FROM GENERAL REVENUE FUND	487,700	
1054	SPECIAL CATEGORIES OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	241,826	
1055	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	1,821	
1056	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	1,000	
TOTAL: CAPITAL JUSTICE REPRESENTATION - NORTHERN REGIONAL COUNSEL FROM GENERAL REVENUE FUND			
		2,050,537	
	TOTAL POSITIONS	17.00	
	TOTAL ALL FUNDS		2,050,537

PROGRAM: MIDDLE REGIONAL COUNSEL

CAPITAL JUSTICE REPRESENTATION - MIDDLE REGIONAL
COUNSEL

APPROVED SALARY RATE		2,583,707	
1057	SALARIES AND BENEFITS FROM GENERAL REVENUE FUND	POSITIONS 42.00 3,380,000	
1058	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	70,511	
1059	SPECIAL CATEGORIES CASE RELATED COSTS FROM GENERAL REVENUE FUND FROM CAPITAL COLLATERAL REGIONAL COUNSEL TRUST FUND	363,004 217,000	
1060	SPECIAL CATEGORIES OPERATING EXPENDITURES FROM GENERAL REVENUE FUND FROM CAPITAL COLLATERAL REGIONAL COUNSEL TRUST FUND	516,378 83,000	
1061	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM CAPITAL COLLATERAL REGIONAL COUNSEL TRUST FUND	5,738	
1062	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	375	
TOTAL: CAPITAL JUSTICE REPRESENTATION - MIDDLE REGIONAL COUNSEL FROM GENERAL REVENUE FUND			
		4,330,268	
	FROM TRUST FUNDS		305,738
	TOTAL POSITIONS	42.00	
	TOTAL ALL FUNDS		4,636,006

PROGRAM: SOUTHERN REGIONAL COUNSEL

CAPITAL JUSTICE REPRESENTATION - SOUTHERN REGIONAL
COUNSEL

APPROVED SALARY RATE 2,083,691

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

1063	SALARIES AND BENEFITS FROM GENERAL REVENUE FUND	POSITIONS 33.00 2,636,028	
1064	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	24,960	
1065	SPECIAL CATEGORIES CASE RELATED COSTS FROM GENERAL REVENUE FUND FROM CAPITAL COLLATERAL REGIONAL COUNSEL TRUST FUND	473,375 165,000	
1066	SPECIAL CATEGORIES OPERATING EXPENDITURES FROM GENERAL REVENUE FUND FROM CAPITAL COLLATERAL REGIONAL COUNSEL TRUST FUND	419,510 135,000	
1067	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM CAPITAL COLLATERAL REGIONAL COUNSEL TRUST FUND	1,954 5,139	
1068	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	702	
TOTAL: CAPITAL JUSTICE REPRESENTATION - SOUTHERN REGIONAL COUNSEL FROM GENERAL REVENUE FUND			
		3,556,529	
	FROM TRUST FUNDS		305,139
	TOTAL POSITIONS	33.00	
	TOTAL ALL FUNDS		3,861,668

CRIMINAL CONFLICT AND CIVIL REGIONAL COUNSELS

PROGRAM: REGIONAL CONFLICT COUNSEL - FIRST

APPROVED SALARY RATE		6,484,805	
1069	SALARIES AND BENEFITS FROM GENERAL REVENUE FUND	POSITIONS 121.00 9,087,169	
1070	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	201,978	
1071	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM INDIGENT CIVIL DEFENSE TRUST FUND	795,349 75,000	
1072	SPECIAL CATEGORIES REGIONAL CONFLICT COUNSEL OPERATIONS FROM GENERAL REVENUE FUND	1,212,166	
1073	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	46,690	
1074	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	9,984	
1075	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	23,912	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

TOTAL: PROGRAM: REGIONAL CONFLICT COUNSEL - FIRST			
FROM GENERAL REVENUE FUND	11,377,248		
FROM TRUST FUNDS		75,000	
TOTAL POSITIONS	121.00		
TOTAL ALL FUNDS		11,452,248	
PROGRAM: REGIONAL CONFLICT COUNSEL - SECOND			
APPROVED SALARY RATE	5,384,718		
1076 SALARIES AND BENEFITS POSITIONS	106.00		
FROM GENERAL REVENUE FUND	7,130,508		
FROM GRANTS AND DONATIONS TRUST FUND		70,635	
1077 OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	357,044		
1078 SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	1,021,113		
FROM INDIGENT CIVIL DEFENSE TRUST FUND		75,000	
1079 SPECIAL CATEGORIES REGIONAL CONFLICT COUNSEL OPERATIONS FROM GENERAL REVENUE FUND	937,514		
FROM GRANTS AND DONATIONS TRUST FUND		165,425	
1080 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	29,379		
1081 SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	25,000		
1082 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	23,454		
TOTAL: PROGRAM: REGIONAL CONFLICT COUNSEL - SECOND FROM GENERAL REVENUE FUND	9,524,012	311,000	
FROM TRUST FUNDS			
TOTAL POSITIONS	106.00		
TOTAL ALL FUNDS		9,835,072	
PROGRAM: REGIONAL CONFLICT COUNSEL - THIRD			
APPROVED SALARY RATE	2,779,754		
1083 SALARIES AND BENEFITS POSITIONS	53.00		
FROM GENERAL REVENUE FUND	3,763,827		
1084 OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	101,231		
1085 SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	1,576,836		
FROM INDIGENT CIVIL DEFENSE TRUST FUND		20,000	
1086 SPECIAL CATEGORIES REGIONAL CONFLICT COUNSEL OPERATIONS FROM GENERAL REVENUE FUND	467,103		
1087 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	10,193		

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1088 SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND		1,100	
1089 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND		11,846	
TOTAL: PROGRAM: REGIONAL CONFLICT COUNSEL - THIRD FROM GENERAL REVENUE FUND	5,932,136		20,000
FROM TRUST FUNDS			
TOTAL POSITIONS	53.00		
TOTAL ALL FUNDS		5,952,136	
PROGRAM: REGIONAL CONFLICT COUNSEL - FOURTH			
APPROVED SALARY RATE	3,977,151		
1090 SALARIES AND BENEFITS POSITIONS	73.00		
FROM GENERAL REVENUE FUND	5,449,558		
1091 OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	465,811		
1092 SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	1,707,457		
FROM INDIGENT CIVIL DEFENSE TRUST FUND		40,980	
1093 SPECIAL CATEGORIES REGIONAL CONFLICT COUNSEL OPERATIONS FROM GENERAL REVENUE FUND	1,212,550		
1094 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	14,096		
1095 SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	7,807		
1096 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	14,926		
TOTAL: PROGRAM: REGIONAL CONFLICT COUNSEL - FOURTH FROM GENERAL REVENUE FUND	8,872,205		40,980
FROM TRUST FUNDS			
TOTAL POSITIONS	73.00		
TOTAL ALL FUNDS		8,913,185	
PROGRAM: REGIONAL CONFLICT COUNSEL - FIFTH			
APPROVED SALARY RATE	3,736,400		
1097 SALARIES AND BENEFITS POSITIONS	78.00		
FROM GENERAL REVENUE FUND	5,358,601		
1098 OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	131,071		
1099 SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	949,220		
FROM GRANTS AND DONATIONS TRUST FUND		5,800	

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1100	SPECIAL CATEGORIES		
	REGIONAL CONFLICT COUNSEL OPERATIONS		
	FROM GENERAL REVENUE FUND	748,208	
	FROM GRANTS AND DONATIONS TRUST		
	FUND		13,890
	FROM INDIGENT CIVIL DEFENSE TRUST		
	FUND		100,000
1101	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	89,798	
1102	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	12,000	
1103	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	16,347	
TOTAL:	PROGRAM: REGIONAL CONFLICT COUNSEL - FIFTH		
	FROM GENERAL REVENUE FUND	7,305,245	
	FROM TRUST FUNDS		119,690
	TOTAL POSITIONS	78.00	
	TOTAL ALL FUNDS		7,424,935
TOTAL:	JUSTICE ADMINISTRATION		
	FROM GENERAL REVENUE FUND	748,568,614	
	FROM TRUST FUNDS		154,275,689
	TOTAL POSITIONS	10,506.00	
	TOTAL ALL FUNDS		902,844,303
	TOTAL APPROVED SALARY RATE	521,988,805	

JUVENILE JUSTICE, DEPARTMENT OF

From the funds in Specific Appropriations 1104 through 1184A, each provider who contracts with the Department of Juvenile Justice shall provide the department with a proposal prior to the release of funds that details the services that will be delivered, the expected results, and recommended performance measures. The department and each provider must execute a contract before the release of any funds, and the contract documents shall include mutually agreed upon performance measures. Each provider must provide quarterly performance reports to the department. Funds shall only be released to providers whose performance reports indicate substantial compliance with the performance measures described in the contract.

From the funds in Specific Appropriations 1104 through 1184A, the Department of Juvenile Justice shall establish a performance accountability system for each provider who contracts with the department for the delivery of services to children at-risk of future involvement in the criminal justice system, as determined by the department. The contract shall include both output measures, such as the number of children served, and outcome measures, such as program completion. The contractor shall report performance results annually to the department. The department's Office of Program Accountability shall summarize performance results from all contracts and report the information annually to the Legislature.

From the funds in Specific Appropriations 1104 through 1184A, the Department of Juvenile Justice must, before implementing any departmental reorganization plans, submit its proposal to the Governor's Office of Policy and Budget and to the Legislative Budget Commission for approval.

From the funds in Specific Appropriations 1104 through 1184A, the Department of Juvenile Justice may work within its existing budget, including applicable grants, to implement any corrective action plan that is developed as the result of a Prison Rape Elimination Act audit conducted in accordance with Title 23, Part 115 of the Code of Federal Regulations. The department may request additional resources required through the Legislative Budget Request process as defined in chapter

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

216, Florida Statutes.

From the funds in Specific Appropriations 1104 through 1184A, the Department of Juvenile Justice shall conduct a comprehensive statewide review of county-level data, including a gap analysis of services and programs available across all counties in the state, to evaluate the implementation of juvenile justice policies at the county level. As the result of such review, the department shall prepare a report that includes benchmarking of counties' performance on factors that demonstrate how a county is supporting the department's strategic goals of preventing and diverting more youth from entering the juvenile justice system; providing appropriate, less restrictive, community-based sanctions and services; reserving serious sanctions for youth who pose the greatest risk to public safety; and focusing on rehabilitation. The report shall also include recommendations and strategies that can be implemented by the department or counties to address any identified deficiencies and to assist in developing a statewide, coordinated response across all of Florida's communities to support the department's strategic goals. A copy of the report shall be submitted to the Governor, President of the Senate, and Speaker of the House of Representatives by January 1, 2018.

PROGRAM: JUVENILE DETENTION PROGRAM

DETENTION CENTERS

	APPROVED SALARY RATE	49,662,805	
1104	SALARIES AND BENEFITS	POSITIONS	1,479.00
	FROM GENERAL REVENUE FUND		33,348,796
	FROM FEDERAL GRANTS TRUST FUND		979,835
	FROM SHARED COUNTY/STATE JUVENILE		
	DETENTION TRUST FUND		42,028,289
1105	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	445,566	
	FROM GRANTS AND DONATIONS TRUST		
	FUND		597,627
	FROM SHARED COUNTY/STATE JUVENILE		
	DETENTION TRUST FUND		1,361,962
1106	EXPENSES		
	FROM GENERAL REVENUE FUND	1,648,457	
	FROM FEDERAL GRANTS TRUST FUND		1,090,728
	FROM GRANTS AND DONATIONS TRUST		
	FUND		824,860
	FROM SHARED COUNTY/STATE JUVENILE		
	DETENTION TRUST FUND		4,396,242
1107	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	64,141	
	FROM FEDERAL GRANTS TRUST FUND		192,293
	FROM SHARED COUNTY/STATE JUVENILE		
	DETENTION TRUST FUND		199,765
1108	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND	517,791	
	FROM FEDERAL GRANTS TRUST FUND		1,193,649
	FROM SHARED COUNTY/STATE JUVENILE		
	DETENTION TRUST FUND		1,000,497
1109	SPECIAL CATEGORIES		
	LEGISLATIVE INITIATIVES TO REDUCE AND		
	PREVENT JUVENILE CRIME		
	FROM GENERAL REVENUE FUND	29,110	
1110	SPECIAL CATEGORIES		
	GRANTS AND AIDS - GRANTS TO FISCALLY		
	CONSTRAINED COUNTIES FOR DETENTION CENTER		
	COSTS		
	FROM GENERAL REVENUE FUND	3,883,853	
1111	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,374,685	
	FROM FEDERAL GRANTS TRUST FUND		40,690

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	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		1,483,075
	From the funds in Specific Appropriation 1111, \$100,000 in nonrecurring general revenue funds is provided to the Department of Juvenile Justice to implement a time and attendance system in their juvenile detention centers.		
1112	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	6,489,727	
	FROM FEDERAL GRANTS TRUST FUND		49,069
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		7,326,801
1113	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	2,467,110	
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		3,406,960
1114	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	138,097	
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		134,195
1115	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	185,576	
	FROM FEDERAL GRANTS TRUST FUND		9,935
	FROM GRANTS AND DONATIONS TRUST FUND		973
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		278,025
1116	FIXED CAPITAL OUTLAY		
	DEPARTMENT OF JUVENILE JUSTICE MAINTENANCE AND REPAIR - STATE OWNED BUILDINGS		
	FROM GENERAL REVENUE FUND	5,802,401	
	Funds in Specific Appropriation 1116 used by the Department of Juvenile Justice for repairs and maintenance to juvenile detention facilities shall be expended in accordance with the prioritized list of facility repair needs that is maintained by the department.		
1116A	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY		
	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	2,000,000	
	Funds in Specific Appropriation 1116A, are for the following fixed capital outlay projects:		
	Seminole County Juvenile Detention Center.....	2,000,000	
TOTAL:	DETENTION CENTERS		
	FROM GENERAL REVENUE FUND	58,395,310	
	FROM TRUST FUNDS		66,595,470
	TOTAL POSITIONS	1,479.00	
	TOTAL ALL FUNDS		124,990,780

PROGRAM: PROBATION AND COMMUNITY CORRECTIONS PROGRAM

COMMUNITY SUPERVISION

For all appropriations specifically identified in proviso in Specific Appropriations 1121 and 1124, the Department of Juvenile Justice shall submit a report on the current status of the project or program to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee. The report shall list all performance measures and indicate whether the contractor is meeting each measure and is due

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

by January 1, 2018.

	APPROVED SALARY RATE		31,567,304
1117	SALARIES AND BENEFITS		849.50
	POSITIONS		38,609,135
	FROM GENERAL REVENUE FUND		
	FROM GRANTS AND DONATIONS TRUST FUND		47,525
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		4,850,629
1118	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	598,447	
	FROM GRANTS AND DONATIONS TRUST FUND		186,007
1119	EXPENSES		
	FROM GENERAL REVENUE FUND	4,640,034	
	FROM FEDERAL GRANTS TRUST FUND		35,866
	FROM GRANTS AND DONATIONS TRUST FUND		7,407
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		311,856
1120	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	41,556	
1121	SPECIAL CATEGORIES		
	JUVENILE REDIRECTIONS PROGRAM		
	FROM GENERAL REVENUE FUND	3,098,831	
	Funds in Specific Appropriation 1121 are provided for services to youth at risk of commitment who are eligible to be placed in evidence-based and other alternative programs for family therapy services. These services shall be provided as an alternative to commitment. The Department of Juvenile Justice and each participating court may jointly develop criteria to identify youth appropriate for diversion into the Redirections Program.		
	From the funds in Specific Appropriation 1121, \$750,000 in nonrecurring general revenue funds is provided for Parenting with Love and Limits (PLL) to support three PLL teams located in the northern region, central region and the southern regions of the state.		
1122	SPECIAL CATEGORIES		
	LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME		
	FROM GENERAL REVENUE FUND	635,947	
1123	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	852,545	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		42,490
1124	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	34,417,082	
	FROM GRANTS AND DONATIONS TRUST FUND		1,552,310
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		81,995

From the funds in Specific Appropriation 1124, Department of Juvenile Justice may contract for services consistent with the department's Juvenile Detention Alternative Initiative (JDAI) and the Annie E. Casey Foundation to divert youth from secure detention to alternative community-based services. These services should be designed using in-home and community advocacy to reduce the need for more expensive restrictive placements, build community capacity to reduce recidivism, create supported work opportunities for youth, and improve community safety.

From the funds in Specific Appropriation 1124, \$2,250,000 in recurring general revenue funds is provided for the AMIKids gender specific program, of which \$750,000 is provided for the AMIKids gender specific program in Clay County and \$750,000 is provided for the AMIKids gender

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specific program in Hillsborough County.

From the funds in Specific Appropriation 1124, \$1,000,000 in nonrecurring general revenue funds is provided for AMIkids to provide home-based family counseling and intervention to address issues that may be causing delinquent behavior. The target demographic is youth aged 11-18 at risk for delinquency, violence, substance abuse, conduct disorder, oppositional defiant disorder, or disruptive behavior disorder. The department shall submit a report on the current status of the project or program to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee. The report shall list all performance measures and indicate whether the contractor is meeting each measure and is due by January 1, 2018.

From the funds in Specific Appropriations 1124, \$500,000 in nonrecurring general revenue funds is provided to AMIkids for a technology funding match for privately raised philanthropic funds to be used to update information technology data platforms.

1125	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	6,574	
1126	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	236,213	
1127	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM GRANTS AND DONATIONS TRUST FUND	266,840	10,844
1128	FIXED CAPITAL OUTLAY DEPARTMENT OF JUVENILE JUSTICE MAINTENANCE AND REPAIR - STATE OWNED BUILDINGS FROM GENERAL REVENUE FUND	375,000	
TOTAL:	COMMUNITY SUPERVISION FROM GENERAL REVENUE FUND FROM TRUST FUNDS	83,778,204	7,126,929
	TOTAL POSITIONS	849.50	
	TOTAL ALL FUNDS		90,905,133
COMMUNITY INTERVENTIONS AND SERVICES			
	APPROVED SALARY RATE	17,733,969	
1129	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM GRANTS AND DONATIONS TRUST FUND FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND	505.00 21,895,749	27,258 2,779,034
1130	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	1,034,780	
1131	EXPENSES FROM GENERAL REVENUE FUND FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND	2,623,784	182,506
1132	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	27,131	
1133	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND	645,031	27,856

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1134	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM GENERAL REVENUE FUND	15,877,556	

From the funds in Specific Appropriation 1134, \$735,840 in recurring general revenue funds shall be used for continuing security services at the existing juvenile assessment centers in Bay and Escambia counties.

From the funds in Specific Appropriation 1134, \$300,000 in nonrecurring general revenue funds shall be used for a juvenile assessment center in Broward County.

1135	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	692,382	
1136	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	154,863	
1137	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM GRANTS AND DONATIONS TRUST FUND	163,078	6,627
TOTAL:	COMMUNITY INTERVENTIONS AND SERVICES FROM GENERAL REVENUE FUND FROM TRUST FUNDS	43,114,354	3,023,281
	TOTAL POSITIONS	505.00	
	TOTAL ALL FUNDS		46,137,635

PROGRAM: OFFICE OF THE SECRETARY/ASSISTANT
SECRETARY FOR ADMINISTRATIVE SERVICES

EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE	10,512,036	
1138	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM GRANTS AND DONATIONS TRUST FUND	231.50 14,074,999	313,307
1139	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND FROM JUVENILE JUSTICE TRAINING TRUST FUND	430,665	73,059 41,560 11,829
1140	EXPENSES FROM GENERAL REVENUE FUND FROM GRANTS AND DONATIONS TRUST FUND FROM JUVENILE JUSTICE TRAINING TRUST FUND	2,552,729	149,305 605,353
1141	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	32,841	
1142	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM GENERAL REVENUE FUND	1,159,285	
1143	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND	584,408	445,930 208,537

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1144	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM JUVENILE JUSTICE TRAINING TRUST FUND	349,329 1,839,189
1145	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	 377,096
1146	SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS FROM GENERAL REVENUE FUND	 59,032
1147	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND FROM JUVENILE JUSTICE TRAINING TRUST FUND	67,149 3,973
1148	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM GRANTS AND DONATIONS TRUST FUND	75,777 1,305
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM GENERAL REVENUE FUND FROM TRUST FUNDS		19,763,310 3,693,347
TOTAL POSITIONS TOTAL ALL FUNDS		231.50 23,456,657

INFORMATION TECHNOLOGY

	APPROVED SALARY RATE	2,874,428	
1149	SALARIES AND BENEFITS FROM GENERAL REVENUE FUND	59.50 3,603,234	
1150	EXPENSES FROM GENERAL REVENUE FUND	1,756,678	
1151	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	48,866	
1152	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	943,377	
1153	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	78,099	
1154	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	13,315	
1155	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	19,330	
1156A	DATA PROCESSING SERVICES DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY FROM GENERAL REVENUE FUND	692,847	

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TOTAL: INFORMATION TECHNOLOGY FROM GENERAL REVENUE FUND	7,155,746
TOTAL POSITIONS	59.50
TOTAL ALL FUNDS	7,155,746

PROGRAM: RESIDENTIAL CORRECTIONS PROGRAM

From the funds in Specific Appropriations 1157 through 1171, the Department of Juvenile Justice shall provide a weekly residential resource utilization report that identifies operating capacity, current placements, vacant placements, number of youth awaiting placement, and the percent of use for all residential commitment beds. The department may increase or decrease beds or overlay services provided that the change will better serve taxpayers and the youth under its care. Notification and justification of changes will be provided to the Governor's Office of Policy and Budget, chair of the Senate Appropriations Committee, and chair of the House Appropriations Committee prior to implementing any change.

From the funds in Specific Appropriations 1157 through 1171, in selecting a private provider for operation of secure and non-secure residential programs, the Department of Juvenile Justice must consider the provider's history of performance of services in other jurisdictions as well as its performance of services in Florida. The department must also provide a report of serious incidents to the Governor, President of the Senate, and Speaker of the House of Representatives on no less than a quarterly basis. The report must include, at a minimum: the number of incidents and allegations of staff abuse or abuse by another child, including whether or not an allegation was substantiated; descriptions of incidents or allegations of such abuse that resulted in physical injury or significant psychological trauma, or that involved deprivation of food, water, or medical care; and the failure of a provider to report incidents or allegations within required timeframes established by the department. In addition, the department must conduct an independent review of each out-of-state provider before issuing a new contract. The report must be organized so that the incidents and allegations relating to a particular facility and to a particular provider can be readily ascertained. The department must also immediately report the death or serious bodily injury of a youth in a secure or non-secure residential program to the Governor, President of the Senate, and Speaker of the House of Representatives, and may make any additional reports that it determines to be appropriate based upon the seriousness of an incident or allegation.

NON-SECURE RESIDENTIAL COMMITMENT

1157	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	117,183
1158	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND	106,055,532 9,727,523
1159	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	101,440
1160	SPECIAL CATEGORIES GRANTS AND AIDS - WILDERNESS THERAPEUTIC SERVICES FROM GENERAL REVENUE FUND	2,405,536
1161	FIXED CAPITAL OUTLAY DEPARTMENT OF JUVENILE JUSTICE MAINTENANCE AND REPAIR - STATE OWNED BUILDINGS FROM GENERAL REVENUE FUND	1,275,000

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

TOTAL: NON-SECURE RESIDENTIAL COMMITMENT			
	FROM GENERAL REVENUE FUND	109,954,691	
	FROM TRUST FUNDS		9,727,523
	TOTAL ALL FUNDS		119,682,214
SECURE RESIDENTIAL COMMITMENT			
	APPROVED SALARY RATE	8,971,318	
1162	SALARIES AND BENEFITS POSITIONS	121.00	
	FROM GENERAL REVENUE FUND	9,660,586	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		2,235,371
1163	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	74,602	
1164	EXPENSES		
	FROM GENERAL REVENUE FUND	1,274,079	
1165	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	644,906	
1166	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	26,510,167	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		34,575,909
1167	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	150,793	
1168	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	44,966	
1169	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	62,894	
1170	FIXED CAPITAL OUTLAY		
	DEPARTMENT OF JUVENILE JUSTICE MAINTENANCE AND REPAIR - STATE OWNED BUILDINGS		
	FROM GENERAL REVENUE FUND	1,275,000	
1171	FIXED CAPITAL OUTLAY		
	JUVENILE FACILITIES - LEASE PURCHASE		
	FROM GENERAL REVENUE FUND	1,806,244	
TOTAL: SECURE RESIDENTIAL COMMITMENT			
	FROM GENERAL REVENUE FUND	41,504,237	
	FROM TRUST FUNDS		36,811,280
	TOTAL POSITIONS	121.00	
	TOTAL ALL FUNDS		78,315,517

PROGRAM: PREVENTION AND VICTIM SERVICES

DELINQUENCY PREVENTION AND DIVERSION

	APPROVED SALARY RATE	1,147,036	
1172	SALARIES AND BENEFITS POSITIONS	24.00	
	FROM GENERAL REVENUE FUND	968,952	
	FROM FEDERAL GRANTS TRUST FUND		200,028
	FROM GRANTS AND DONATIONS TRUST FUND		493,039
1173	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	289,258	
	FROM FEDERAL GRANTS TRUST FUND		225,232

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

	FROM GRANTS AND DONATIONS TRUST FUND		154,070
1174	EXPENSES		
	FROM GENERAL REVENUE FUND	233,083	
	FROM FEDERAL GRANTS TRUST FUND		82,696
	FROM GRANTS AND DONATIONS TRUST FUND		282,180
1175	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - INVEST IN CHILDREN		
	FROM JUVENILE CRIME PREVENTION AND EARLY INTERVENTION TRUST FUND		412,903
1176	OPERATING CAPITAL OUTLAY		
	FROM FEDERAL GRANTS TRUST FUND		12,450
	FROM GRANTS AND DONATIONS TRUST FUND		12,450
1177	SPECIAL CATEGORIES		
	PACE CENTERS		
	FROM GENERAL REVENUE FUND	17,329,294	
	FROM GRANTS AND DONATIONS TRUST FUND		3,290,514
From the funds in Specific Appropriations 1177, \$1,400,000 in nonrecurring general revenue funds is provided to operate a 62-slot PACE Center for Girls Program in Hernando County to serve at-risk middle and high school girls.			
1178	SPECIAL CATEGORIES		
	LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME		
	FROM GENERAL REVENUE FUND	827,920	
From the funds in Specific Appropriation 1178, \$650,415 in recurring general revenue funds is provided to the PAR Adolescent Intervention Center (PAIC) in Pasco County.			
1179	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	33,720	
1180	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	7,137,622	
	FROM FEDERAL GRANTS TRUST FUND		10,609,653
	FROM GRANTS AND DONATIONS TRUST FUND		3,270,115
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		2,639

For each project or program specifically identified in proviso in Specific Appropriation 1180, the Department of Juvenile Justice shall submit a report on the current status of the project or program to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee. The report shall list all performance measures and indicate whether the contractor is meeting each measure and is due by January 1, 2018.

From the funds in Specific Appropriation 1180, \$36,000 in recurring general revenue funds is provided for Pasco Association of Challenged Kids Summer Camp.

From the funds in Specific Appropriation 1180, \$200,000 in nonrecurring general revenue funds is provided to the City of West Park to provide services to school-aged youth in order to reduce truancy and involvement in criminal activity. The services must include academic assistance and enhancement activities as well as opportunities for positive engagement in the community.

From the funds in Specific Appropriation 1180, \$150,000 in nonrecurring general revenue funds is provided to The Greatest Save Program to empower teens through education and raise awareness to prevent exploitation.

From the funds in Specific Appropriation 1180, \$75,000 in nonrecurring

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

general revenue funds is provided for the Wayman Community Development At-Risk Services Program. The program will serve at-risk youth and their families in the highest juvenile crime areas in Duval County.

From the funds in Specific Appropriation 1180, \$200,000 in nonrecurring general revenue is provided to the Clay County Youth Alternative SWEAT Program to provide supervised community service opportunities to Clay County youth on probation and conditional release.

From the funds in Specific Appropriations 1180, \$50,000 in nonrecurring general revenue funds is provided to the Affirmative Consent Project for prevention and intervention services.

From the funds in Specific Appropriation 1180, \$375,000 in nonrecurring general revenue funds is provided to the Delores Barr Weaver Policy Center for the Continuity of Care Model delinquency prevention program to prevent girls who do not pose a public safety risk from being committed to costly residential programs.

From the funds in Specific Appropriations 1180, \$1,500,000 in recurring general revenue funds and \$500,000 in nonrecurring general revenue funds are provided for the Florida Alliance of Boys and Girls Clubs.

From the funds in Specific Appropriations 1180, \$750,000 in recurring general revenue funds and \$750,000 in nonrecurring general revenue funds are provided for Big Brothers Big Sisters of Florida.

From the funds in Specific Appropriations 1180, \$300,000 in nonrecurring general revenue funds is provided to the Youth Advocate Program in Pinellas County. The program shall provide wraparound and support services to help prevent high-risk youth from entering Department of Juvenile Justice's residential programs.

From the funds in Specific Appropriations 1180, \$500,000 in nonrecurring Grants and Donations Trust Fund is provided to Fresh Ministries/Fresh Path Program for prevention and intervention services in Duval County.

From the funds in Specific Appropriations 1180, \$200,000 in nonrecurring general revenue funds is provided to Outward Bound for prevention and intervention services in Duval County.

From the funds in Specific Appropriations 1180, \$50,000 in nonrecurring Grants and Donations Trust Fund is provided to Leon County Sheriff's Youth Adventure Camp for prevention and intervention services.

From the funds in Specific Appropriations 1180, \$350,000 in nonrecurring general revenue funds is provided to New Horizons Day Treatment Program for education, intervention, treatment, case management, and intensive supervision services.

From the funds in Specific Appropriations 1180, \$400,000 in nonrecurring Grants and Donations Trust Fund is provided to the City of Riviera Beach to implement a summer youth employment program.

From the funds in Specific Appropriation 1180, \$288,100 in nonrecurring general revenue funds is provided to the Youth Empowerment Project for career professional development, entrepreneurship training, job shadowing and mentoring services in Orange County.

From the funds in Specific Appropriation 1180, \$200,000 in nonrecurring general revenue funds is provided for the Nehemiah Intervention Program to establish two programs located in the high crime neighborhoods in Orange County, in order to reduce the number of youth entering the juvenile justice system.

From the funds in Specific Appropriation 1180, \$100,000 in nonrecurring general revenue funds is provided to the Central Florida Mentoring Initiative to reduce crime in the inner city community with a mentoring program for youth ages twelve through seventeen that focuses on educational goals and positive life skills.

1181 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 4,814

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

1182 SPECIAL CATEGORIES
GRANTS AND AIDS - CHILDREN/FAMILIES IN
NEED OF SERVICES
FROM GENERAL REVENUE FUND 26,310,305
FROM FEDERAL GRANTS TRUST FUND . . . 1,000,000
FROM GRANTS AND DONATIONS TRUST
FUND 11,369,093
FROM SOCIAL SERVICES BLOCK GRANT
TRUST FUND 383,858

From the funds in Specific Appropriation 1182, the Department of Juvenile Justice shall not expend more than \$150,000 in recurring general revenue funds for physically secure placements for youths being served by the Children-In-Need of Services/Families-In-Need of Services (CINS/FINS) program.

Additionally, the CINS/FINS provider shall demonstrate that it has considered local, non-traditional, non-residential delinquency prevention service providers including, but not limited to, grassroots organizations, community, and faith-based organizations, to subcontract and deliver non-residential CINS/FINS services to eligible youth as defined in chapter 984 and section 1003.27, Florida Statutes, to include areas with high ratios of juvenile arrests per youth 10 to 17 years of age. Such services may be offered throughout the judicial circuit served by the CINS/FINS provider.

From the funds in Specific Appropriation 1182, \$2,000,000 shall be used for the CINS/FINS program to provide non-residential services to the following rural counties: Gadsden, Hamilton, Highlands, Jefferson, Madison, Taylor, Franklin, Sumter, Levy, Citrus and Bradford.

1183 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 3,000
FROM FEDERAL GRANTS TRUST FUND . . . 1,200

1183A SPECIAL CATEGORIES
PRODIGY
FROM GENERAL REVENUE FUND 1,600,000

From the funds in Specific Appropriations 1183A, the Prodigy Program shall include at least two of the four at-risk domains of the Department of Juvenile Justice's risk factors when placing a youth into a prevention, intervention or diversion program. In addition, each youth who enters the program shall be tracked by the department's Juvenile Justice Information System (JJIS) or Prevention Web system. In addition, the Prodigy Program shall contract with a consultant to track arrests or re-arrests for prevention, intervention, and diversion youth for 12 months after completing the program and submit the results to the department semi-annually.

From the funds in Specific Appropriations 1183A, \$200,000 from recurring general revenue funds shall be used to operate the Prodigy Site for at-risk youth in Pasco County in the Lacoochee-Tribby Community Center in collaboration with the Boys and Girls Club.

1184 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 5,411
FROM FEDERAL GRANTS TRUST FUND . . . 2,384
FROM GRANTS AND DONATIONS TRUST
FUND 1,956

1184A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 800,000

Funds in Specific Appropriation 1184A, are for the following fixed capital outlay projects:

Northwest Jacksonville YMCA Center..... 800,000

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

TOTAL: DELINQUENCY PREVENTION AND DIVERSION		
FROM GENERAL REVENUE FUND	55,543,379	31,806,460
FROM TRUST FUNDS		
TOTAL POSITIONS	24.00	
TOTAL ALL FUNDS		87,349,839
TOTAL: JUVENILE JUSTICE, DEPARTMENT OF		
FROM GENERAL REVENUE FUND	419,209,231	158,784,290
FROM TRUST FUNDS		
TOTAL POSITIONS	3,269.50	
TOTAL ALL FUNDS		577,993,521
TOTAL APPROVED SALARY RATE	122,468,896	

LAW ENFORCEMENT, DEPARTMENT OF

PROGRAM: EXECUTIVE DIRECTION AND SUPPORT

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE	6,880,504	
1185 SALARIES AND BENEFITS POSITIONS	134.50	
FROM GENERAL REVENUE FUND	2,641,460	
FROM CRIMINAL JUSTICE STANDARDS		
AND TRAINING TRUST FUND		40,941
FROM FEDERAL GRANTS TRUST FUND		868,857
FROM OPERATING TRUST FUND		6,030,576
1186 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	26,838	
FROM ADMINISTRATIVE TRUST FUND		5,000
FROM FEDERAL GRANTS TRUST FUND		198,602
FROM OPERATING TRUST FUND		73,976
1187 EXPENSES		
FROM GENERAL REVENUE FUND	754,010	
FROM ADMINISTRATIVE TRUST FUND		64,548
FROM CRIMINAL JUSTICE STANDARDS		
AND TRAINING TRUST FUND		9,557
FROM FEDERAL GRANTS TRUST FUND		173,285
FROM FORFEITURE AND INVESTIGATIVE		
SUPPORT TRUST FUND		287,414
FROM OPERATING TRUST FUND		605,510
1188 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - NATIONAL CRIMINAL		
HISTORY IMPROVEMENT PROGRAM (NCHIP) -		
STATE AGENCIES		
FROM FEDERAL GRANTS TRUST FUND		3,910,162
1189 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - NATIONAL CRIMINAL		
HISTORY IMPROVEMENT PROGRAM (NCHIP) -		
LOCAL GOVERNMENTS		
FROM FEDERAL GRANTS TRUST FUND		1,529,434
1190 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - PROJECT SAFE		
NEIGHBORHOODS		
FROM FEDERAL GRANTS TRUST FUND		1,263,483
1191 AID TO LOCAL GOVERNMENTS		
BYRNE MEMORIAL LOCAL LAW ENFORCEMENT		
ASSISTANCE PROGRAM		
FROM FEDERAL GRANTS TRUST FUND		15,868,106
1192 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	12,616	
FROM FEDERAL GRANTS TRUST FUND		3,242
FROM OPERATING TRUST FUND		250
1193 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM GENERAL REVENUE FUND	9,650	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

1194 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	67,480	
FROM ADMINISTRATIVE TRUST FUND		15,000
FROM CRIMINAL JUSTICE STANDARDS		
AND TRAINING TRUST FUND		3,203
FROM FEDERAL GRANTS TRUST FUND		218,573
FROM OPERATING TRUST FUND		152,372
1195 SPECIAL CATEGORIES		
DOMESTIC SECURITY		
FROM OPERATING TRUST FUND		500
1196 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	13,395	
FROM ADMINISTRATIVE TRUST FUND		15,208
FROM OPERATING TRUST FUND		29,094
1197 SPECIAL CATEGORIES		
TENANT BROKER COMMISSIONS		
FROM OPERATING TRUST FUND		2,030
1198 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND	98,000	
FROM CRIMINAL JUSTICE STANDARDS		
AND TRAINING TRUST FUND		6,000
FROM FEDERAL GRANTS TRUST FUND		3,000
1199 SPECIAL CATEGORIES		
BYRNE MEMORIAL STATE LAW ENFORCEMENT		
ASSISTANCE PROGRAM		
FROM FEDERAL GRANTS TRUST FUND		7,412,678
1200 SPECIAL CATEGORIES		
GRANTS AND AID - RESIDENTIAL SUBSTANCE		
ABUSE TREATMENT PROGRAM - LOCAL UNITS OF		
GOVERNMENT		
FROM FEDERAL GRANTS TRUST FUND		1,247,724
1201 SPECIAL CATEGORIES		
GRANTS AND AID - RESIDENTIAL SUBSTANCE		
ABUSE TREATMENT PROGRAM - STATE AGENCY		
FROM FEDERAL GRANTS TRUST FUND		2,675,511
1202 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	19,518	
FROM ADMINISTRATIVE TRUST FUND		2,620
FROM CRIMINAL JUSTICE STANDARDS		
AND TRAINING TRUST FUND		2,585
FROM FEDERAL GRANTS TRUST FUND		117
FROM OPERATING TRUST FUND		17,609
1203 FIXED CAPITAL OUTLAY		
FLORIDA DEPARTMENT OF LAW ENFORCEMENT		
REGIONAL FACILITY - NORTHWEST FLORIDA -		
DMS MGD		
FROM OPERATING TRUST FUND		1,000,000
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		
FROM GENERAL REVENUE FUND	3,642,967	
FROM TRUST FUNDS		43,736,767
TOTAL POSITIONS	134.50	
TOTAL ALL FUNDS		47,379,734

PROGRAM: FLORIDA CAPITOL POLICE PROGRAM

CAPITOL POLICE SERVICES

APPROVED SALARY RATE 3,838,870

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

1204	SALARIES AND BENEFITS	POSITIONS	88.00		
	FROM GENERAL REVENUE FUND		2,478		
	FROM OPERATING TRUST FUND			5,819,985	
1205	OTHER PERSONAL SERVICES				
	FROM OPERATING TRUST FUND			28,778	
1206	EXPENSES				
	FROM OPERATING TRUST FUND			532,837	
1207	OPERATING CAPITAL OUTLAY				
	FROM OPERATING TRUST FUND			85,369	
1208	SPECIAL CATEGORIES				
	ACQUISITION OF MOTOR VEHICLES				
	FROM OPERATING TRUST FUND			30,500	
1209	SPECIAL CATEGORIES				
	CONTRACTED SERVICES				
	FROM OPERATING TRUST FUND			84,084	
1210	SPECIAL CATEGORIES				
	CAPITOL COMPLEX SECURITY				
	FROM GENERAL REVENUE FUND	7,360			
	FROM OPERATING TRUST FUND			20,000	
1211	SPECIAL CATEGORIES				
	RISK MANAGEMENT INSURANCE				
	FROM OPERATING TRUST FUND			43,662	
1212	SPECIAL CATEGORIES				
	SALARY INCENTIVE PAYMENTS				
	FROM OPERATING TRUST FUND			68,064	
1213	SPECIAL CATEGORIES				
	LEASE OR LEASE-PURCHASE OF EQUIPMENT				
	FROM OPERATING TRUST FUND			5,000	
1214	SPECIAL CATEGORIES				
	TRANSFER TO DEPARTMENT OF MANAGEMENT				
	SERVICES - HUMAN RESOURCES SERVICES				
	PURCHASED PER STATEWIDE CONTRACT				
	FROM GENERAL REVENUE FUND	323			
	FROM OPERATING TRUST FUND			25,102	
TOTAL:	CAPITOL POLICE SERVICES				
	FROM GENERAL REVENUE FUND		10,161		
	FROM TRUST FUNDS			6,743,381	
	TOTAL POSITIONS	88.00			
	TOTAL ALL FUNDS			6,753,542	
PROGRAM: INVESTIGATIONS AND FORENSIC SCIENCE PROGRAM					
CRIME LAB SERVICES					
	APPROVED SALARY RATE	24,240,019			
1215	SALARIES AND BENEFITS	POSITIONS	439.00		
	FROM GENERAL REVENUE FUND		30,743,031		
	FROM CRIMINAL JUSTICE STANDARDS				
	AND TRAINING TRUST FUND			21,783	
	FROM FEDERAL GRANTS TRUST FUND			11,216	
	FROM OPERATING TRUST FUND			4,631,853	
1216	OTHER PERSONAL SERVICES				
	FROM GENERAL REVENUE FUND		50,510		
	FROM FEDERAL GRANTS TRUST FUND			168,321	
1217	EXPENSES				
	FROM GENERAL REVENUE FUND		6,573,556		
	FROM FEDERAL GRANTS TRUST FUND			2,952,624	
	FROM FORFEITURE AND INVESTIGATIVE				
	SUPPORT TRUST FUND			60,531	
	FROM OPERATING TRUST FUND			4,071,606	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

From the funds in Specific Appropriation 1217, the Department of Law Enforcement is authorized to distribute 10,000 rape kits to local law enforcement agencies and rape crisis centers statewide at no cost. In addition, the department is authorized to use additional federal funds and any other available funds contained in Specific Appropriation 1217 for the purpose of processing rape kits, including the backlog of non-suspect rape cases.					
1218	AID TO LOCAL GOVERNMENTS				
	CRIMINAL INVESTIGATIONS				
	FROM FEDERAL GRANTS TRUST FUND			741,091	
	FROM OPERATING TRUST FUND			2,379,702	
1219	OPERATING CAPITAL OUTLAY				
	FROM GENERAL REVENUE FUND	643,183			
	FROM ADMINISTRATIVE TRUST FUND			5,000	
	FROM FEDERAL GRANTS TRUST FUND			1,327,000	
	FROM OPERATING TRUST FUND			332,000	
1220	SPECIAL CATEGORIES				
	ACQUISITION OF MOTOR VEHICLES				
	FROM GENERAL REVENUE FUND	168,960			
1221	SPECIAL CATEGORIES				
	CONTRACTED SERVICES				
	FROM GENERAL REVENUE FUND	3,904,033			
	FROM FEDERAL GRANTS TRUST FUND			1,690,200	
	FROM GRANTS AND DONATIONS TRUST				
	FUND			350,000	
	FROM OPERATING TRUST FUND			598,000	
1222	SPECIAL CATEGORIES				
	OVERTIME				
	FROM GENERAL REVENUE FUND	444,300			
	FROM FEDERAL GRANTS TRUST FUND			404,976	
	FROM GRANTS AND DONATIONS TRUST				
	FUND			5,000	
1223	SPECIAL CATEGORIES				
	RISK MANAGEMENT INSURANCE				
	FROM ADMINISTRATIVE TRUST FUND			5,000	
	FROM OPERATING TRUST FUND			64,458	
1224	SPECIAL CATEGORIES				
	LEASE OR LEASE-PURCHASE OF EQUIPMENT				
	FROM GENERAL REVENUE FUND	50,000			
1225	SPECIAL CATEGORIES				
	TRANSFER TO DEPARTMENT OF MANAGEMENT				
	SERVICES - HUMAN RESOURCES SERVICES				
	PURCHASED PER STATEWIDE CONTRACT				
	FROM GENERAL REVENUE FUND	132,618			
	FROM CRIMINAL JUSTICE STANDARDS				
	AND TRAINING TRUST FUND			175	
	FROM FEDERAL GRANTS TRUST FUND			1,641	
	FROM OPERATING TRUST FUND			2,494	
TOTAL:	CRIME LAB SERVICES				
	FROM GENERAL REVENUE FUND		42,719,191		
	FROM TRUST FUNDS			19,824,671	
	TOTAL POSITIONS	439.00			
	TOTAL ALL FUNDS			62,543,862	

INVESTIGATIVE SERVICES

From the funds in Specific Appropriations 1226 through 1239A, the Department of Law Enforcement shall investigate all deaths of inmates who are in the custody of the Department of Corrections.

From the funds in Specific Appropriations 1226 through 1239A, within existing and any new resources, the Department of Law Enforcement shall, with the agreement of the head of the local law enforcement agency, investigate all use of force incidents that occur within the state and that result in death or serious bodily injury. This requirement applies to uses of force by a law enforcement officer or a correctional officer

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

as those terms are defined in s. 943.10, F.S.

	APPROVED SALARY RATE	37,838,405	
1226	SALARIES AND BENEFITS POSITIONS	645.00	
	FROM GENERAL REVENUE FUND	35,723,663	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		32,405
	FROM FEDERAL GRANTS TRUST FUND		609,833
	FROM OPERATING TRUST FUND		17,959,379
1227	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	392,178	
	FROM ADMINISTRATIVE TRUST FUND		25,621
	FROM FEDERAL GRANTS TRUST FUND		262,486
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		42,938
	FROM OPERATING TRUST FUND		108,639
1228	EXPENSES		
	FROM GENERAL REVENUE FUND	7,604,873	
	FROM ADMINISTRATIVE TRUST FUND		132,670
	FROM FEDERAL GRANTS TRUST FUND		235,647
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		683,472
	FROM GRANTS AND DONATIONS TRUST FUND		4,500
	FROM OPERATING TRUST FUND		3,623,684
	FROM REVOLVING TRUST FUND		1,000,000
	FROM FEDERAL LAW ENFORCEMENT TRUST FUND		50,000
From the funds provided in Specific Appropriation 1228 from the Forfeiture and Investigative Support Trust Fund, up to \$25,000 per case, but not exceeding \$150,000 in total for all cases, may be expended for rewards leading to the capture of fugitives, if such funds are available.			
1229	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	117,494	
	FROM ADMINISTRATIVE TRUST FUND		5,000
	FROM FEDERAL GRANTS TRUST FUND		159,509
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		190,574
	FROM OPERATING TRUST FUND		10,000
1230	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM GENERAL REVENUE FUND	237,091	
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		580,000
1231	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	687,219	
	FROM ADMINISTRATIVE TRUST FUND		5,000
	FROM FEDERAL GRANTS TRUST FUND		297,441
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		34,624
	FROM OPERATING TRUST FUND		209,396
	FROM FEDERAL LAW ENFORCEMENT TRUST FUND		50,000
1232	SPECIAL CATEGORIES		
	DOMESTIC SECURITY		
	FROM GENERAL REVENUE FUND	1,350,267	
	FROM FEDERAL GRANTS TRUST FUND		1,522,672
1233	SPECIAL CATEGORIES		
	GRANTS AND AIDS - A CHILD IS MISSING PROGRAM		
	FROM GENERAL REVENUE FUND	232,461	
1234	SPECIAL CATEGORIES		
	GRANTS AND AIDS - SPECIAL PROJECTS		
	FROM GENERAL REVENUE FUND	5,707,894	
	FROM OPERATING TRUST FUND		300,000

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For each project or program specifically identified in proviso in Specific Appropriation 1234, the Department of Law Enforcement shall submit a report on the current status of the project or program to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee. The report shall list all performance measures and indicate whether the contractor is meeting each measure and is due by January 1, 2018.

From funds in Specific Appropriation 1234, \$100,000 in nonrecurring general revenue funds is provided to the Citizens' Crime Watch Board of Miami-Dade County for a neighborhood/youth crime watch program.

From the funds in Specific Appropriations 1234, \$334,007 in nonrecurring general revenue funds is provided to the City of Fort Myers for a community violence reduction initiative to engage the National Network for Safe Communities to develop strategies to reduce violent crime in the community.

From the funds in Specific Appropriation 1234, \$250,000 in nonrecurring general revenue funds is provided to the Jacksonville Sheriff's Office for Community Oriented Policing Services for the purpose of deploying new law enforcement officers in areas where gangs and other criminals have created the most serious spikes in violence and murder.

From the funds in Specific Appropriations 1234, \$150,000 in nonrecurring general revenue funds is provided to the City of Lauderdale Lakes for Lauderdale Lakes Innovative Crime Reduction Project to purchase public safety equipment.

From the funds in Specific Appropriation 1234, \$75,000 in nonrecurring general revenue funds is provided to the Department of Law Enforcement to support the Florida Cold Case Project.

From the funds in Specific Appropriations 1234, \$372,509 in nonrecurring general revenue funds is provided to the Martin County Sheriff's Office for a Crisis Response Unit that will assist officers in assessing situations involving mental illness and substance abuse law enforcement calls.

From the funds in Specific Appropriations 1234, \$40,000 in nonrecurring general revenue funds is provided to the Town of Callahan's Volunteer Fire Department to purchase radios.

From the funds in Specific Appropriations 1234, \$300,000 in nonrecurring general revenue funds is provided to the State of Florida Police Athletic/Activities League to provide leadership training in their Youth Director's Program.

From the funds in Specific Appropriations 1234, \$250,000 in nonrecurring general revenue funds is provided to the Jackson County Sheriff's Office to purchase an updated computer aided dispatch system.

From the funds in Specific Appropriation 1234, \$728,378 in nonrecurring general revenue funds is provided to the Palm Beach County Sheriff's Office for an Unmanned Aircraft System (UAS) program. The program will use a UAS in emergency and law enforcement activities (including search and rescue, disaster assessment and assistance, interdiction of drug and human trafficking activities, and situational awareness of a person whose life is in imminent danger) with these operational activities limited to navigable bodies of water within 25 miles of the jurisdiction of the Palm Beach County Sheriff's Office.

From the funds in Specific Appropriation 1234, \$1,900,000 in nonrecurring general revenue funds is provided to Florida State University Panama City to support participation of the Underwater Crime Scene Investigation program in the Joint Agency In-Water Strike (JAWS) Team Initiative.

From the funds in Specific Appropriations 1234, \$163,000 in nonrecurring general revenue funds is provided to purchase a bomb squad rapid response vehicle for the Sheriff's Foundation of Broward County, Inc.

From the funds in Specific Appropriations 1234, \$20,000 in

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nonrecurring general revenue funds is provided to the Village of Biscayne Park to purchase public safety equipment to detect and deter criminal activity.

From the funds in Specific Appropriation 1234, \$50,000 in nonrecurring general revenue is provided to Miami Dade College for a Cybersecurity Program.

From the funds in Specific Appropriation 1234, \$325,000 in nonrecurring general revenue is provided to the City of Jacksonville to implement a Shot-Spotter two-year Pilot Program that provides a sensor based technology that detects, locates and alerts on all outdoor urban gunfire on a real time and precise basis.

From the funds in Specific Appropriation 1234, \$50,000 in nonrecurring general revenue is provided to the Tampa Jewish Community Center to fund a security director for their facility.

From the funds in Specific Appropriations 1234, \$150,000 in nonrecurring general revenue funds is provided to the Pasco County Sheriff's Office for a Post-Traumatic Stress Disorder (PTSD) Pilot Program.

From the funds in Specific Appropriation 1234, \$100,000 in nonrecurring general revenue funds is provided to the Statewide Interoperability Project to increase situational awareness to first response agencies that will lead to more efficient response times in critical situations.

From the funds in Specific Appropriation 1234, \$350,000 in nonrecurring general revenue funds is provided to the Miami Police Department's Advanced Crime Reporting and Analytics App to reduce crime and drug use in Little Havana, Liberty City, and Overtown.

1235	SPECIAL CATEGORIES		
	OVERTIME		
	FROM ADMINISTRATIVE TRUST FUND . . .	3,013	
	FROM FEDERAL GRANTS TRUST FUND . . .	314,125	
	FROM GRANTS AND DONATIONS TRUST FUND	4,250	
	FROM FEDERAL LAW ENFORCEMENT TRUST FUND	1,018,486	
1236	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	369,535	
	FROM ADMINISTRATIVE TRUST FUND . . .	20,722	
	FROM OPERATING TRUST FUND	509,425	
1237	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	526,961	
	FROM OPERATING TRUST FUND	21,312	
1238	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	72,000	
	FROM OPERATING TRUST FUND	2,400	
1239	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	213,341	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND	1,035	
	FROM FEDERAL GRANTS TRUST FUND . . .	3,166	
	FROM OPERATING TRUST FUND	25,022	
1239A	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY		
	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	5,150,000	

Funds in Specific Appropriation 1239A, are for the following fixed

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capital outlay projects:

Expansion/Remodel of the Bay Harbor Inlands Police Department Facility.....	400,000	
Vero Beach Police Department Firearms Facility.....	300,000	
Nassau County Public Safety Training Center.....	500,000	
Desoto County Jail Land Acquisition.....	500,000	
Desoto County Critical Facility Construction.....	350,000	
Central Florida Multi-Jurisdictional Law Enforcement Training Facility.....	700,000	
Calhoun County Sheriff's Office Jail Kitchen/Administrative Building Construction.....	200,000	
Liberty County Jail Safety Renovations.....	200,000	
Clay County Public Safety Training Facility.....	1,000,000	
City of Marianna Public Safety Administration Building.....	1,000,000	

TOTAL: INVESTIGATIVE SERVICES		
FROM GENERAL REVENUE FUND	58,384,977	
FROM TRUST FUNDS		30,058,446
TOTAL POSITIONS	645.00	
TOTAL ALL FUNDS		88,443,423

MUTUAL AID AND PREVENTION SERVICES

APPROVED SALARY RATE	1,140,220	
1240 SALARIES AND BENEFITS POSITIONS	17.00	
FROM GENERAL REVENUE FUND	1,565,282	
FROM OPERATING TRUST FUND		35,754
1241 EXPENSES		
FROM GENERAL REVENUE FUND	127,251	
1242 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	9,441	
1243 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	2,406	
1244 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	6,129	
FROM OPERATING TRUST FUND		119
TOTAL: MUTUAL AID AND PREVENTION SERVICES		
FROM GENERAL REVENUE FUND	1,710,509	
FROM TRUST FUNDS		35,873
TOTAL POSITIONS	17.00	
TOTAL ALL FUNDS		1,746,382

PROGRAM: CRIMINAL JUSTICE INFORMATION PROGRAM

INFORMATION NETWORK SERVICES TO THE LAW ENFORCEMENT COMMUNITY

From the funds in Specific Appropriation 1245 through 1265, the Department of Law Enforcement shall serve as the lead Criminal Justice Information Systems coordinator and shall perform the functions necessary to allow governmental entities to use a fully isolated cloud platform that complies with the Federal Bureau of Investigation's Criminal Justice Information Services Security Policy.

APPROVED SALARY RATE	6,666,327	
1245 SALARIES AND BENEFITS POSITIONS	125.00	
FROM GENERAL REVENUE FUND	261,920	
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		14,913
FROM FEDERAL GRANTS TRUST FUND . . .		66,664
FROM OPERATING TRUST FUND		8,626,952

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1246	OTHER PERSONAL SERVICES		
	FROM ADMINISTRATIVE TRUST FUND . . .	5,869	
	FROM FEDERAL GRANTS TRUST FUND . . .	177,681	
	FROM OPERATING TRUST FUND	192,149	
1247	EXPENSES		32,750
	FROM GENERAL REVENUE FUND		
	FROM ADMINISTRATIVE TRUST FUND . . .	2,202	
	FROM FEDERAL GRANTS TRUST FUND . . .	370,423	
	FROM OPERATING TRUST FUND	9,021,689	
1248	OPERATING CAPITAL OUTLAY		
	FROM ADMINISTRATIVE TRUST FUND . . .	5,000	
	FROM FEDERAL GRANTS TRUST FUND . . .	489,099	
	FROM OPERATING TRUST FUND	2,090,518	
1249	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	137,759	
	FROM ADMINISTRATIVE TRUST FUND . . .	113,100	
	FROM FEDERAL GRANTS TRUST FUND . . .	1,815,523	
	FROM OPERATING TRUST FUND	14,747,793	
1250	SPECIAL CATEGORIES		
	OVERTIME		
	FROM OPERATING TRUST FUND	46,200	
1251	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM OPERATING TRUST FUND	24,462	
1252	SPECIAL CATEGORIES		
	DEFERRED-PAYMENT COMMODITY CONTRACTS		
	FROM OPERATING TRUST FUND	401,070	
1253	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM OPERATING TRUST FUND	10,000	
1254	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	6,179	
	FROM CRIMINAL JUSTICE STANDARDS		
	AND TRAINING TRUST FUND	1,374	
	FROM FEDERAL GRANTS TRUST FUND . . .	309	
	FROM OPERATING TRUST FUND	32,336	
TOTAL: INFORMATION NETWORK SERVICES TO THE LAW			
	ENFORCEMENT COMMUNITY		
	FROM GENERAL REVENUE FUND	438,608	
	FROM TRUST FUNDS		38,255,326
	TOTAL POSITIONS	125.00	
	TOTAL ALL FUNDS		38,693,934
PREVENTION AND CRIME INFORMATION SERVICES			
	APPROVED SALARY RATE	11,915,460	
1255	SALARIES AND BENEFITS		
	POSITIONS	296.00	
	FROM GENERAL REVENUE FUND		305,692
	FROM CRIMINAL JUSTICE STANDARDS		
	AND TRAINING TRUST FUND	19,828	
	FROM FEDERAL GRANTS TRUST FUND . . .	504,231	
	FROM OPERATING TRUST FUND	15,256,395	
1256	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	51	
	FROM ADMINISTRATIVE TRUST FUND . . .	5,026	
	FROM FEDERAL GRANTS TRUST FUND . . .	639,524	
	FROM OPERATING TRUST FUND	172,420	
1257	EXPENSES		
	FROM GENERAL REVENUE FUND	62,239	

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	FROM ADMINISTRATIVE TRUST FUND . . .		85,781
	FROM FEDERAL GRANTS TRUST FUND . . .		358,539
	FROM OPERATING TRUST FUND		2,520,348
1258	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	2,600	
	FROM FEDERAL GRANTS TRUST FUND . . .		100,000
	FROM OPERATING TRUST FUND		299,792
1259	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM OPERATING TRUST FUND		93,168
1260	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	50,000	
	FROM ADMINISTRATIVE TRUST FUND . . .		2,000
	FROM FEDERAL GRANTS TRUST FUND . . .		145,340
	FROM OPERATING TRUST FUND		2,065,140
1261	SPECIAL CATEGORIES		
	OVERTIME		
	FROM OPERATING TRUST FUND		118,946
1262	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM ADMINISTRATIVE TRUST FUND . . .		14,283
	FROM OPERATING TRUST FUND		127,742
1263	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM OPERATING TRUST FUND		5,160
1264	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	2,000	
	FROM OPERATING TRUST FUND		15,600
1265	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	1,571	
	FROM CRIMINAL JUSTICE STANDARDS		
	AND TRAINING TRUST FUND		1,250
	FROM FEDERAL GRANTS TRUST FUND . . .		2,849
	FROM OPERATING TRUST FUND		86,784
TOTAL: PREVENTION AND CRIME INFORMATION SERVICES			
	FROM GENERAL REVENUE FUND	424,153	
	FROM TRUST FUNDS		22,640,146
	TOTAL POSITIONS	296.00	
	TOTAL ALL FUNDS		23,064,299
PROGRAM: CRIMINAL JUSTICE PROFESSIONALISM			
LAW ENFORCEMENT STANDARDS COMPLIANCE			
	APPROVED SALARY RATE	2,572,006	
1266	SALARIES AND BENEFITS		
	POSITIONS	49.00	
	FROM GENERAL REVENUE FUND		45,053
	FROM CRIMINAL JUSTICE STANDARDS		
	AND TRAINING TRUST FUND		3,643,223
	FROM FEDERAL GRANTS TRUST FUND . . .		82,538
	FROM OPERATING TRUST FUND		18,282
1267	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	38,142	
	FROM CRIMINAL JUSTICE STANDARDS		
	AND TRAINING TRUST FUND		205,380
1268	EXPENSES		
	FROM GENERAL REVENUE FUND	25,000	
	FROM CRIMINAL JUSTICE STANDARDS		
	AND TRAINING TRUST FUND		418,662

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	FROM FEDERAL GRANTS TRUST FUND . . .		64,300
1269	OPERATING CAPITAL OUTLAY FROM FEDERAL GRANTS TRUST FUND . . .		47,000
1270	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM OPERATING TRUST FUND		27,981
1271	SPECIAL CATEGORIES CONTRACTED SERVICES FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND FROM FEDERAL GRANTS TRUST FUND FROM OPERATING TRUST FUND		175,741 35,000 100,000
1272	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM OPERATING TRUST FUND		11,864
1273	SPECIAL CATEGORIES GRANTS AND AIDS - SPECIAL EDUCATION AND TECHNICAL TRAINING FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		6,400,000
1274	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		6,800
1275	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND	182	16,428
TOTAL:	LAW ENFORCEMENT STANDARDS COMPLIANCE FROM GENERAL REVENUE FUND FROM TRUST FUNDS	108,377	11,253,199
	TOTAL POSITIONS	49.00	
	TOTAL ALL FUNDS		11,361,576

LAW ENFORCEMENT TRAINING AND CERTIFICATION SERVICES

From the funds in Specific Appropriations 1276 through 1285, the Department of Law Enforcement shall report on the status of development of the basic abilities test for all applicants for basic recruit training in law enforcement and corrections. The report shall include recommendations regarding statutory language necessary for implementation of the basic abilities test, including establishment of a standardized fee structure that does not deter low-income and middle-income persons from taking the test. The report and recommendations shall be provided to the Governor, President of the Senate, and Speaker of the House of Representatives by January 1, 2018.

	APPROVED SALARY RATE	2,643,628	
1276	SALARIES AND BENEFITS POSITIONS	50.50	
	FROM GENERAL REVENUE FUND	487,653	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		2,791,364
	FROM OPERATING TRUST FUND		231,570
1277	OTHER PERSONAL SERVICES FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND FROM OPERATING TRUST FUND		385,798 3,000
1278	EXPENSES FROM GENERAL REVENUE FUND	18,174	

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	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND FROM OPERATING TRUST FUND		1,313,640 61,178
1279	OPERATING CAPITAL OUTLAY FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		153,819
1280	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND FROM OPERATING TRUST FUND	1,000	743,202 36,579
1281	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ADMINISTRATIVE TRUST FUND FROM OPERATING TRUST FUND		1,000 9,114
1282	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND	4,290	5,070
1283	SPECIAL CATEGORIES TRANSFER TO CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND FROM OPERATING TRUST FUND		6,000,000
1284	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		9,000
1285	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND FROM OPERATING TRUST FUND	1,661	14,658 1,020
TOTAL:	LAW ENFORCEMENT TRAINING AND CERTIFICATION SERVICES FROM GENERAL REVENUE FUND FROM TRUST FUNDS	512,778	11,760,012
	TOTAL POSITIONS	50.50	
	TOTAL ALL FUNDS		12,272,790
TOTAL:	LAW ENFORCEMENT, DEPARTMENT OF FROM GENERAL REVENUE FUND FROM TRUST FUNDS	107,951,721	184,307,821
	TOTAL POSITIONS	1,844.00	
	TOTAL ALL FUNDS		292,259,542
	TOTAL APPROVED SALARY RATE	97,735,439	

LEGAL AFFAIRS, DEPARTMENT OF, AND ATTORNEY GENERAL

PROGRAM: OFFICE OF ATTORNEY GENERAL

VICTIM SERVICES

For all appropriations specifically identified in proviso in Specific Appropriations 1291 and 1292, the Department of Legal Affairs shall submit a report on the current status of the project or program to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee. The report shall list all performance measures and indicate whether the contractor is meeting each measure and is due by January 1, 2018.

APPROVED SALARY RATE	5,217,572

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1286	SALARIES AND BENEFITS POSITIONS	129,00	
	FROM GENERAL REVENUE FUND	149,615	
	FROM CRIMES COMPENSATION TRUST FUND		5,343,005
	FROM CRIME STOPPERS TRUST FUND		141,699
	FROM FEDERAL GRANTS TRUST FUND		1,514,700
	FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND		345,369
1287	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	22,166	
	FROM CRIMES COMPENSATION TRUST FUND		70,829
	FROM CRIME STOPPERS TRUST FUND		5,282
	FROM FEDERAL GRANTS TRUST FUND		
	FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND		57,793
1288	EXPENSES		
	FROM GENERAL REVENUE FUND	10,878	
	FROM CRIMES COMPENSATION TRUST FUND		928,400
	FROM CRIME STOPPERS TRUST FUND		88,706
	FROM FEDERAL GRANTS TRUST FUND		217,892
	FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND		99,547
1289	OPERATING CAPITAL OUTLAY		
	FROM CRIMES COMPENSATION TRUST FUND	123,407	
	FROM CRIME STOPPERS TRUST FUND	2,300	
	FROM FEDERAL GRANTS TRUST FUND	2,286	
	FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND		7,695
1290	SPECIAL CATEGORIES		
	AWARDS TO CLAIMANTS		
	FROM CRIMES COMPENSATION TRUST FUND		24,842,082
	FROM FEDERAL GRANTS TRUST FUND		13,192,000
1291	SPECIAL CATEGORIES		
	VICTIM SERVICES		
	FROM GENERAL REVENUE FUND	700,000	
	From the funds in Specific Appropriation 1291, \$200,000 in recurring general revenue funds is provided for Quigley House to provide services to victims of sexual and domestic violence.		
	From the funds in Specific Appropriation 1291, \$500,000 in recurring general revenue funds is provided to the Florida Council Against Sexual Violence. At least 95 percent of the funds provided shall be distributed to certified rape crisis centers to provide services statewide for victims of sexual assault.		
1292	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	6,175,192	
	FROM CRIMES COMPENSATION TRUST FUND		45,243
	FROM CRIME STOPPERS TRUST FUND		1,000
	FROM FEDERAL GRANTS TRUST FUND		1,730,000
	FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND		208,408
	From the funds in Specific Appropriation 1292, \$1,660,000 in recurring general revenue funds is provided to the MBF Child Safety Matters Prevention Education Program for a research-based prevention education curriculum to protect children from bullying, cyberbullying, and sexual abuse in Florida's public schools.		
	From the funds in Specific Appropriation 1292, \$800,000 in recurring		

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

general revenue funds shall be distributed to the Florida Sheriffs Association for the purpose of enhancing Crisis Intervention Team (CIT) training for law enforcement and correctional officers in local sheriff's offices and police departments. The training must include evidence-based approaches designed to improve the outcomes of law enforcement interactions with persons who have mental health issues. Agencies who have conducted minimal or no CIT training must be given priority for training. Local law enforcement agencies may use the funds to pay necessary expenditures resulting from a demonstrated financial hardship that currently prevents officers from receiving CIT training. Funds can also be provided to local community mental health providers to provide additional CIT training in partnership with local law enforcement agencies. A maximum of \$75,000 of these funds may be used by the Florida Sheriffs Association to hire a contract coordinator.

From funds in Specific Appropriation 1292, \$1,000,000 in nonrecurring general revenue funds is provided for the All Star Children's Foundation Campus of Caring.

From funds in Specific Appropriation 1292, \$700,000 in recurring general revenue funds and \$500,000 from the Federal Grants Trust Fund are provided for the Bridging Freedom Program in Pasco County to provide individualized, holistic, therapeutic safe homes for children traumatized by child sex trafficking.

From the funds in Specific Appropriation 1292, \$1,250,000 in nonrecurring general revenue funds is provided for Selah Freedom Residential Housing for Human Trafficking Survivors Program comprised of residential safe housing and case management for street and jail outreach programming.

From funds in Specific Appropriation 1292, \$75,000 in nonrecurring general revenue funds is provided for a pro-bono foreclosure and credit legal assistance program to provide foreclosure counseling, assistance with loan modification and foreclosure defense for residents of Miami-Dade County.

1293	SPECIAL CATEGORIES		
	GRANTS AND AIDS - MINORITY COMMUNITIES		
	CRIME PREVENTION PROGRAMS		
	FROM GENERAL REVENUE FUND		4,389,055
1294	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CRIME STOPPERS		
	FROM CRIME STOPPERS TRUST FUND		4,500,000
1295	SPECIAL CATEGORIES		
	GRANTS AND AIDS - JUSTICE COALITION		
	FROM GENERAL REVENUE FUND		300,000
1296	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM CRIMES COMPENSATION TRUST FUND		53,744
	FROM CRIME STOPPERS TRUST FUND		1,779
	FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND		3,870
1297	SPECIAL CATEGORIES		
	GRANTS AND AIDS - VICTIM ASSISTANCE		
	SERVICES		
	FROM FEDERAL GRANTS TRUST FUND		135,253,379

Funds in Specific Appropriation 1297 shall be held in reserve contingent upon the submission of a project plan to the Governor's Office of Policy and Budget, chair of the Senate Appropriations Committee, and chair of the House of Representatives Appropriations Committee detailing each request for funding from the Victims of Crime Act, Victim Assistance Grant Program. Such detail must include for each request the services provided, the number of persons served, use of funds above previous funding level, proposed outcomes from increased funding levels and detail of local funding commitment. The Department of Legal Affairs shall request the release of funds pursuant to the provisions of chapter 216, Florida Statutes.

By January 1, 2018, the Department of Legal Affairs shall report to the

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

chair of the Senate Appropriations Committee and the chair of the House of Representatives Appropriations Committee: the contract execution date for each funding recipient; number of persons served as of January 1, 2018; documentation of improvement in quantity and quality of services provided; and performance measures and outcomes.

1298	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	657	
	FROM CRIMES COMPENSATION TRUST FUND		38,366
	FROM CRIME STOPPERS TRUST FUND		579
	FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND		1,820
TOTAL:	VICTIM SERVICES FROM GENERAL REVENUE FUND	11,747,563	
	FROM TRUST FUNDS		188,801,340
	TOTAL POSITIONS	129.00	
	TOTAL ALL FUNDS		200,548,993
EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	APPROVED SALARY RATE	7,162,569	
1299	SALARIES AND BENEFITS POSITIONS	148.00	
	FROM GENERAL REVENUE FUND	6,466,589	
	FROM ADMINISTRATIVE TRUST FUND		3,406,875
	FROM CRIMES COMPENSATION TRUST FUND		2,104
	FROM OPERATING TRUST FUND		175,472
1300	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	78,353	
	FROM ADMINISTRATIVE TRUST FUND		163,535
1301	EXPENSES FROM GENERAL REVENUE FUND	695,923	
	FROM ADMINISTRATIVE TRUST FUND		885,935
	FROM OPERATING TRUST FUND		30,000
1302	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	84,961	
	FROM ADMINISTRATIVE TRUST FUND		472,801
1303	SPECIAL CATEGORIES ATTORNEY GENERAL'S LAW LIBRARY FROM GENERAL REVENUE FUND	442,476	
	FROM LEGAL AFFAIRS REVOLVING TRUST FUND		2,800
1304	SPECIAL CATEGORIES COMMISSION ON THE STATUS OF WOMEN FROM GENERAL REVENUE FUND	105,827	
1305	SPECIAL CATEGORIES LAW ENFORCEMENT OFFICER OF THE YEAR PROGRAM AND VICTIM SERVICES RECOGNITION AWARDS PROGRAM FROM ADMINISTRATIVE TRUST FUND		20,000
1306	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	400,807	
	FROM ADMINISTRATIVE TRUST FUND		53,268
	FROM LEGAL AFFAIRS REVOLVING TRUST FUND		73,200
	FROM OPERATING TRUST FUND		2,000

From funds in Specific Appropriation 1306, \$45,000 in nonrecurring general revenue funds is provided to the Haitian Lawyers Association to provide legal services to Kreyol-speaking residents of Miami-Dade

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

County.

From the funds in Specific Appropriation 1306, \$150,000 in nonrecurring general revenue funds is provided to the Cuban American Bar Association Pro Bono Project, Inc., to fund court costs, filing fees, litigation expenses, and direct administrative support for the free legal representation provided by the project throughout the state to individuals and families whose household income is within 125 percent of the federal poverty guidelines on matters related to, but not limited to, human trafficking, domestic violence, guardianship, probate, consumer finance, and landlord tenant disputes. These funds may not be used to pay attorneys fees or salaries or benefits.

1307	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	49,234	
	FROM ADMINISTRATIVE TRUST FUND		77,889
1308	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	292	
	FROM ADMINISTRATIVE TRUST FUND		3,696
1309	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	35,877	
	FROM ADMINISTRATIVE TRUST FUND		16,215
1310	DATA PROCESSING SERVICES OTHER DATA PROCESSING SERVICES FROM GENERAL REVENUE FUND	577,331	
	FROM ADMINISTRATIVE TRUST FUND		157,876
	FROM OPERATING TRUST FUND		126,000
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM GENERAL REVENUE FUND	8,937,670	
	FROM TRUST FUNDS		5,669,666
	TOTAL POSITIONS	148.00	
	TOTAL ALL FUNDS		14,607,336
CRIMINAL AND CIVIL LITIGATION			
	APPROVED SALARY RATE	49,519,587	
1311	SALARIES AND BENEFITS POSITIONS	997.00	
	FROM GENERAL REVENUE FUND	24,043,558	
	FROM CRIMES COMPENSATION TRUST FUND		6,691
	FROM FEDERAL GRANTS TRUST FUND		12,781,959
	FROM LEGAL SERVICES TRUST FUND		24,100,780
	FROM LEGAL AFFAIRS REVOLVING TRUST FUND		9,292,020
	FROM MOTOR VEHICLE WARRANTY TRUST FUND		1,610,970
	FROM OPERATING TRUST FUND		1,110,373
1312	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	158,612	
	FROM FEDERAL GRANTS TRUST FUND		126,827
	FROM GRANTS AND DONATIONS TRUST FUND		100,888
	FROM LEGAL SERVICES TRUST FUND		1,065,712
	FROM MOTOR VEHICLE WARRANTY TRUST FUND		86,271
1313	EXPENSES FROM GENERAL REVENUE FUND	2,643,277	
	FROM FEDERAL GRANTS TRUST FUND		2,667,849
	FROM GRANTS AND DONATIONS TRUST FUND		250,000
	FROM LEGAL SERVICES TRUST FUND		2,634,083
	FROM LEGAL AFFAIRS REVOLVING TRUST FUND		61,476

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

	FROM MOTOR VEHICLE WARRANTY TRUST FUND		427,086	
	FROM OPERATING TRUST FUND		132,830	
1314	OPERATING CAPITAL OUTLAY	313,745		
	FROM GENERAL REVENUE FUND			
	FROM FEDERAL GRANTS TRUST FUND		393,530	
	FROM GRANTS AND DONATIONS TRUST FUND		150,000	
	FROM LEGAL SERVICES TRUST FUND		883,391	
	FROM MOTOR VEHICLE WARRANTY TRUST FUND		44,114	
1315	LUMP SUM			
	ATTORNEY GENERAL RESERVE POSITIONS FOR AGENCY CONTRACTS			
	POSITIONS	50.00		
The positions in Specific Appropriation 1315 shall be released as necessary to allow the Office of the Attorney General to contract with state agencies to provide legal representation.				
1316	SPECIAL CATEGORIES			
	ACQUISITION OF MOTOR VEHICLES			
	FROM GENERAL REVENUE FUND	53,927		
	FROM FEDERAL GRANTS TRUST FUND		203,551	
1317	SPECIAL CATEGORIES			
	MEDICAID FRAUD INFORMANT REWARDS			
	FROM OPERATING TRUST FUND		2,000,000	
1318	SPECIAL CATEGORIES			
	ANTI-TRUST INVESTIGATIONS			
	FROM LEGAL AFFAIRS REVOLVING TRUST FUND		1,485,697	
1319	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND	157,884		
	FROM FEDERAL GRANTS TRUST FUND		2,769,731	
	FROM GRANTS AND DONATIONS TRUST FUND		1,500,000	
	FROM LEGAL SERVICES TRUST FUND		1,993,399	
	FROM MOTOR VEHICLE WARRANTY TRUST FUND		74,281	
	FROM OPERATING TRUST FUND		875,000	
1320	SPECIAL CATEGORIES			
	ECONOMIC CRIME LITIGATION			
	FROM LEGAL AFFAIRS REVOLVING TRUST FUND		4,889,048	
1321	SPECIAL CATEGORIES			
	LITIGATION EXPENSES			
	FROM LEGAL SERVICES TRUST FUND		46,500	
1322	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND	236,450		
	FROM FEDERAL GRANTS TRUST FUND		435,857	
	FROM LEGAL SERVICES TRUST FUND		93,528	
	FROM LEGAL AFFAIRS REVOLVING TRUST FUND		67,739	
	FROM MOTOR VEHICLE WARRANTY TRUST FUND		29,157	
1323	SPECIAL CATEGORIES			
	SALARY INCENTIVE PAYMENTS			
	FROM GENERAL REVENUE FUND	62,376		
	FROM FEDERAL GRANTS TRUST FUND		97,661	
1324	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND	1,053		
	FROM FEDERAL GRANTS TRUST FUND		351	
	FROM LEGAL SERVICES TRUST FUND		1,068	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

1325	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND	117,845		
	FROM FEDERAL GRANTS TRUST FUND		63,271	
	FROM LEGAL SERVICES TRUST FUND		111,094	
	FROM LEGAL AFFAIRS REVOLVING TRUST FUND		39,776	
	FROM MOTOR VEHICLE WARRANTY TRUST FUND		7,910	
	FROM OPERATING TRUST FUND		383	
1325A	DATA PROCESSING SERVICES			
	DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY			
	FROM GENERAL REVENUE FUND	1,383		
1326	DATA PROCESSING SERVICES			
	OTHER DATA PROCESSING SERVICES			
	FROM GENERAL REVENUE FUND	12,483		
	FROM FEDERAL GRANTS TRUST FUND		35,000	
	FROM LEGAL SERVICES TRUST FUND		223,053	
1327	DATA PROCESSING SERVICES			
	NORTHWEST REGIONAL DATA CENTER (NWRDC)			
	FROM GENERAL REVENUE FUND	503		
TOTAL:	CRIMINAL AND CIVIL LITIGATION			
	FROM GENERAL REVENUE FUND	27,803,096		
	FROM TRUST FUNDS		74,887,905	
	TOTAL POSITIONS	1,047.00		
	TOTAL ALL FUNDS		102,691,001	
PROGRAM: OFFICE OF STATEWIDE PROSECUTION				
PROSECUTION OF MULTI-CIRCUIT ORGANIZED CRIME				
	APPROVED SALARY RATE	4,636,475		
1328	SALARIES AND BENEFITS			
	POSITIONS	72.50		
	FROM GENERAL REVENUE FUND	5,678,718		
	FROM CRIMES COMPENSATION TRUST FUND		1,395	
	FROM FEDERAL GRANTS TRUST FUND		281,579	
	FROM OPERATING TRUST FUND		165,821	
1329	SPECIAL CATEGORIES			
	STATEWIDE PROSECUTION			
	FROM GENERAL REVENUE FUND	966,649		
	FROM FEDERAL GRANTS TRUST FUND		39,602	
	FROM OPERATING TRUST FUND		1,460,204	
1330	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND	12,804		
	FROM OPERATING TRUST FUND		13,466	
1331	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND	936		
1332	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND	24,473		
	FROM OPERATING TRUST FUND		2,285	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

TOTAL: PROSECUTION OF MULTI-CIRCUIT ORGANIZED CRIME		
FROM GENERAL REVENUE FUND	6,683,580	
FROM TRUST FUNDS		1,964,352
TOTAL POSITIONS	72.50	
TOTAL ALL FUNDS		8,647,932

PROGRAM: FLORIDA ELECTIONS COMMISSION

CAMPAIGN FINANCE AND ELECTION FRAUD ENFORCEMENT

APPROVED SALARY RATE		797,439	
1333	SALARIES AND BENEFITS POSITIONS	15.00	
	FROM ELECTIONS COMMISSION TRUST		
	FUND		1,115,079
1334	OTHER PERSONAL SERVICES		
	FROM ELECTIONS COMMISSION TRUST		
	FUND		76,354
1335	EXPENSES		
	FROM ELECTIONS COMMISSION TRUST		
	FUND		294,735
1336	OPERATING CAPITAL OUTLAY		
	FROM ELECTIONS COMMISSION TRUST		
	FUND		10,000
1337	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE		
	HEARINGS		
	FROM ELECTIONS COMMISSION TRUST		
	FUND		5,087
1338	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM ELECTIONS COMMISSION TRUST		
	FUND		22,533
1339	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM ELECTIONS COMMISSION TRUST		
	FUND		12,115
1340	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM ELECTIONS COMMISSION TRUST		
	FUND		5,145
TOTAL: CAMPAIGN FINANCE AND ELECTION FRAUD ENFORCEMENT			
	FROM TRUST FUNDS		1,541,048
	TOTAL POSITIONS	15.00	
	TOTAL ALL FUNDS		1,541,048
TOTAL: LEGAL AFFAIRS, DEPARTMENT OF, AND ATTORNEY GENERAL			
	FROM GENERAL REVENUE FUND	55,171,909	
	FROM TRUST FUNDS		272,864,311
	TOTAL POSITIONS	1,411.50	
	TOTAL ALL FUNDS		328,036,220
	TOTAL APPROVED SALARY RATE	67,333,642	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

TOTAL OF SECTION 4

FROM GENERAL REVENUE FUND	3,704,943,942	
FROM TRUST FUNDS		844,409,624
TOTAL POSITIONS	41,401.00	
TOTAL ALL FUNDS		4,549,353,566

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

SPECIFIC
APPROPRIATION

The moneys contained herein are appropriated from the named funds to the Department of Agriculture and Consumer Services, Department of Environmental Protection, Fish and Wildlife Conservation Commission and the Department of Transportation as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

AGRICULTURE AND CONSUMER SERVICES, DEPARTMENT OF,
AND COMMISSIONER OF AGRICULTURE

PROGRAM: OFFICE OF THE COMMISSIONER AND
ADMINISTRATION

AGRICULTURAL LAW ENFORCEMENT

	APPROVED SALARY RATE	13,954,100		
1341	SALARIES AND BENEFITS POSITIONS	303.00		
	FROM GENERAL REVENUE FUND	16,460,646		
	FROM DIVISION OF LICENSING TRUST FUND		1,166,109	
	FROM GENERAL INSPECTION TRUST FUND		1,626,019	
	FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		939,049	
1342	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND	50,039		
1343	EXPENSES			
	FROM GENERAL REVENUE FUND	1,190,918		
	FROM DIVISION OF LICENSING TRUST FUND		209,425	
	FROM FEDERAL GRANTS TRUST FUND		110,000	
	FROM GENERAL INSPECTION TRUST FUND		258,371	
	FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		50,820	
1344	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND	5,747		
	FROM DIVISION OF LICENSING TRUST FUND		18,687	
1345	SPECIAL CATEGORIES			
	ACQUISITION OF MOTOR VEHICLES			
	FROM GENERAL INSPECTION TRUST FUND		740,255	
1346	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND	131,408		
	FROM DIVISION OF LICENSING TRUST FUND		11,500	
	FROM FEDERAL GRANTS TRUST FUND		390,000	
	FROM GENERAL INSPECTION TRUST FUND		25,000	
1347	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND	226,814		
1348	SPECIAL CATEGORIES			
	SALARY INCENTIVE PAYMENTS			
	FROM GENERAL REVENUE FUND	106,242		
	FROM GENERAL INSPECTION TRUST FUND		23,916	
1349	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND	75,502		
	FROM DIVISION OF LICENSING TRUST FUND		7,643	
	FROM GENERAL INSPECTION TRUST FUND		5,674	
	FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		540	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

TOTAL: AGRICULTURAL LAW ENFORCEMENT			
FROM GENERAL REVENUE FUND	18,247,316		5,583,008
FROM TRUST FUNDS			
TOTAL POSITIONS	303.00		
TOTAL ALL FUNDS			23,830,324

AGRICULTURAL WATER POLICY COORDINATION

	APPROVED SALARY RATE	2,771,192		
1350	SALARIES AND BENEFITS POSITIONS	51.00		
	FROM GENERAL REVENUE FUND	371,324		
	FROM GENERAL INSPECTION TRUST FUND		103,646	
	FROM LAND ACQUISITION TRUST FUND		3,472,691	
1351	EXPENSES			
	FROM LAND ACQUISITION TRUST FUND		482,963	
1353	SPECIAL CATEGORIES			
	NITRATE RESEARCH AND REMEDIATION			
	FROM GENERAL INSPECTION TRUST FUND		930,000	
1354	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM LAND ACQUISITION TRUST FUND		6,995	
1355	SPECIAL CATEGORIES			
	AGRICULTURAL NONPOINT SOURCES BEST MANAGEMENT PRACTICES IMPLEMENTATION			
	FROM GENERAL REVENUE FUND	30,597,449		
	FROM GENERAL INSPECTION TRUST FUND		1,400,000	
1356	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND	650		
	FROM GENERAL INSPECTION TRUST FUND		333	
	FROM LAND ACQUISITION TRUST FUND		13,833	
1356A	FIXED CAPITAL OUTLAY			
	HYBRID WETLANDS TREATMENT PROJECTS			
	FROM GENERAL REVENUE FUND	1,000,000		

Funds in Specific Appropriation 1356A are provided for the Hogg Creek hybrid wetland/chemical treatment project located in Martin County, pursuant to section 373.4595(3)(b), Florida Statutes.

1356B	FIXED CAPITAL OUTLAY			
	OKEECHOBEE RESTORATION AGRICULTURAL PROJECTS			
	FROM GENERAL REVENUE FUND	15,700,000		
TOTAL: AGRICULTURAL WATER POLICY COORDINATION				
FROM GENERAL REVENUE FUND	47,669,423			
FROM TRUST FUNDS			6,410,461	
TOTAL POSITIONS	51.00			
TOTAL ALL FUNDS			54,079,884	

EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE	9,965,610		
1357	SALARIES AND BENEFITS POSITIONS	187.25		
	FROM GENERAL REVENUE FUND	5,407,008		
	FROM ADMINISTRATIVE TRUST FUND		6,380,275	
	FROM FEDERAL GRANTS TRUST FUND		3,757	
	FROM GENERAL INSPECTION TRUST FUND		913,040	
	FROM LAND ACQUISITION TRUST FUND		1,278,226	
1358	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND	94,155		
	FROM ADMINISTRATIVE TRUST FUND		45,643	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1359	EXPENSES			
	FROM ADMINISTRATIVE TRUST FUND . . .	1,452,191		
	FROM GENERAL INSPECTION TRUST FUND .	157,532		
	FROM AGRICULTURAL EMERGENCY			
	ERADICATION TRUST FUND	81,881		
1360	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND	3,614		
1361	SPECIAL CATEGORIES			
	TRANSFER TO DIVISION OF ADMINISTRATIVE			
	HEARINGS			
	FROM ADMINISTRATIVE TRUST FUND . . .	75,039		
1362	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND	1,000		
	FROM ADMINISTRATIVE TRUST FUND . . .	618,000		
	FROM GENERAL INSPECTION TRUST FUND .	499,574		
1363	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND	20,804		
	FROM ADMINISTRATIVE TRUST FUND . . .	83,693		
1364	SPECIAL CATEGORIES			
	SALARY INCENTIVE PAYMENTS			
	FROM GENERAL REVENUE FUND	7,500		
1365	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT			
	SERVICES - HUMAN RESOURCES SERVICES			
	PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND	34,200		
	FROM ADMINISTRATIVE TRUST FUND . . .	19,154		
	FROM GENERAL INSPECTION TRUST FUND .	339		
	FROM LAND ACQUISITION TRUST FUND . .	3,636		
1365A	FIXED CAPITAL OUTLAY			
	MAINTENANCE, REPAIRS AND CONSTRUCTION -			
	STATEWIDE			
	FROM GENERAL REVENUE FUND	1,000,000		
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	FROM GENERAL REVENUE FUND	6,568,281		
	FROM TRUST FUNDS		11,611,980	
	TOTAL POSITIONS	187.25		
	TOTAL ALL FUNDS		18,180,261	
DIVISION OF LICENSING				
	APPROVED SALARY RATE	7,944,732		
1366	SALARIES AND BENEFITS POSITIONS	231.00		
	FROM DIVISION OF LICENSING TRUST			
	FUND		12,027,290	
1367	OTHER PERSONAL SERVICES			
	FROM DIVISION OF LICENSING TRUST			
	FUND		1,297,259	
1368	EXPENSES			
	FROM DIVISION OF LICENSING TRUST			
	FUND		3,952,677	
1369	OPERATING CAPITAL OUTLAY			
	FROM DIVISION OF LICENSING TRUST			
	FUND		349,130	
1370	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM DIVISION OF LICENSING TRUST			
	FUND		11,524,203	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1371	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM DIVISION OF LICENSING TRUST			
	FUND		51,754	
1372	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT			
	SERVICES - HUMAN RESOURCES SERVICES			
	PURCHASED PER STATEWIDE CONTRACT			
	FROM DIVISION OF LICENSING TRUST			
	FUND		67,005	
TOTAL:	DIVISION OF LICENSING			
	FROM TRUST FUNDS		29,269,318	
	TOTAL POSITIONS	231.00		
	TOTAL ALL FUNDS		29,269,318	
OFFICE OF ENERGY				
	APPROVED SALARY RATE	808,359		
1373	SALARIES AND BENEFITS POSITIONS	14.00		
	FROM FEDERAL GRANTS TRUST FUND . . .		1,342,570	
1374	OTHER PERSONAL SERVICES			
	FROM FEDERAL GRANTS TRUST FUND . . .		371,728	
1375	EXPENSES			
	FROM GENERAL REVENUE FUND	47,212		
	FROM FEDERAL GRANTS TRUST FUND . . .		380,000	
1376	OPERATING CAPITAL OUTLAY			
	FROM FEDERAL GRANTS TRUST FUND . . .		2,500	
1377	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM FEDERAL GRANTS TRUST FUND . . .		52,687	
1378	SPECIAL CATEGORIES			
	NATURAL GAS FUEL FLEET VEHICLE REBATE			
	PROGRAM			
	FROM GENERAL REVENUE FUND	6,000,000		
1379	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM FEDERAL GRANTS TRUST FUND . . .		5,909	
1380	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT			
	SERVICES - HUMAN RESOURCES SERVICES			
	PURCHASED PER STATEWIDE CONTRACT			
	FROM FEDERAL GRANTS TRUST FUND . . .		3,079	
TOTAL:	OFFICE OF ENERGY			
	FROM GENERAL REVENUE FUND	6,047,212		
	FROM TRUST FUNDS		2,158,473	
	TOTAL POSITIONS	14.00		
	TOTAL ALL FUNDS		8,205,685	
PROGRAM: FOREST AND RESOURCE PROTECTION				
FLORIDA FOREST SERVICE				
	APPROVED SALARY RATE	44,474,520		
1381	SALARIES AND BENEFITS POSITIONS	1,176.50		
	FROM GENERAL REVENUE FUND	57,529,320		
	FROM FEDERAL GRANTS TRUST FUND . . .		2,608,186	
	FROM AGRICULTURAL EMERGENCY			
	ERADICATION TRUST FUND		1,047,951	
	FROM INCIDENTAL TRUST FUND		6,148,208	
1382	OTHER PERSONAL SERVICES			
	FROM FEDERAL GRANTS TRUST FUND . . .		507,563	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

	FROM INCIDENTAL TRUST FUND	471,009	
	FROM LAND ACQUISITION TRUST FUND . .	888,200	
1383	EXPENSES		
	FROM FEDERAL GRANTS TRUST FUND . . .	1,437,263	
	FROM INCIDENTAL TRUST FUND	4,974,124	
	FROM LAND ACQUISITION TRUST FUND . .	8,041,674	
1384	AID TO LOCAL GOVERNMENTS		
	AMERICA THE BEAUTIFUL PROGRAM		
	FROM FEDERAL GRANTS TRUST FUND . . .	1,747,538	
1385	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - VOLUNTEER FIRE		
	ASSISTANCE		
	FROM FEDERAL GRANTS TRUST FUND . . .	275,763	
1386	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - RURAL COMMUNITY FIRE		
	PROTECTION		
	FROM FEDERAL GRANTS TRUST FUND . . .	72,589	
1387	AID TO LOCAL GOVERNMENTS		
	STATE FOREST RECEIPT DISTRIBUTION		
	FROM INCIDENTAL TRUST FUND	595,000	
1388	OPERATING CAPITAL OUTLAY		
	FROM FEDERAL GRANTS TRUST FUND . . .	617,775	
	FROM LAND ACQUISITION TRUST FUND . .	232,299	
1389	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM FEDERAL GRANTS TRUST FUND . . .	100,000	
1390	SPECIAL CATEGORIES		
	FORESTRY WILDFIRE PROTECTION/SUPPRESSION		
	EQUIPMENT		
	FROM AGRICULTURAL EMERGENCY		
	ERADICATION TRUST FUND	3,000,000	
	FROM INCIDENTAL TRUST FUND	156,868	
	FROM LAND ACQUISITION TRUST FUND . .	838,570	
1390A	SPECIAL CATEGORIES		
	TRANSFER TO AGRICULTURAL EMERGENCY		
	ERADICATION TRUST FUND		
	FROM GENERAL REVENUE FUND	3,000,000	
1391	SPECIAL CATEGORIES		
	OFF-HIGHWAY VEHICLE RECREATION PROGRAM		
	FROM INCIDENTAL TRUST FUND	645,000	
1392	SPECIAL CATEGORIES		
	LAND MANAGEMENT		
	FROM LAND ACQUISITION TRUST FUND . .	4,886,703	
1393	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM FEDERAL GRANTS TRUST FUND . . .	1,995,993	
	FROM INCIDENTAL TRUST FUND	477,187	
	FROM LAND ACQUISITION TRUST FUND . .	802,137	
1394	SPECIAL CATEGORIES		
	ON-CALL FEES		
	FROM AGRICULTURAL EMERGENCY		
	ERADICATION TRUST FUND	333,296	
	FROM INCIDENTAL TRUST FUND	10,000	
1395	SPECIAL CATEGORIES		
	OVERTIME		
	FROM LAND ACQUISITION TRUST FUND . .	135,172	
1396	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	1,559,295	
	FROM INCIDENTAL TRUST FUND	357,436	
	FROM LAND ACQUISITION TRUST FUND . .	158,648	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1397	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	179,740	
	FROM INCIDENTAL TRUST FUND		33,819
	FROM LAND ACQUISITION TRUST FUND . .		155,511
1397A	FIXED CAPITAL OUTLAY		
	MAINTENANCE, REPAIRS AND CONSTRUCTION -		
	STATEWIDE		
	FROM GENERAL REVENUE FUND	925,000	
1397B	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND		
	NONSTATE ENTITIES - FIXED CAPITAL OUTLAY		
	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND		
	NONSTATE ENTITIES - FIXED CAPITAL OUTLAY		
	FROM FEDERAL GRANTS TRUST FUND . . .		1,200,000
TOTAL: FLORIDA FOREST SERVICE			
	FROM GENERAL REVENUE FUND	63,193,355	
	FROM TRUST FUNDS		44,861,312
	TOTAL POSITIONS	1,176.50	
	TOTAL ALL FUNDS		108,054,667
PROGRAM: AGRICULTURE MANAGEMENT INFORMATION CENTER			
OFFICE OF AGRICULTURE TECHNOLOGY SERVICES			
	APPROVED SALARY RATE	2,866,243	
1398	SALARIES AND BENEFITS	52.00	
	POSITIONS	712,284	
	FROM GENERAL REVENUE FUND		
	FROM DIVISION OF LICENSING TRUST		
	FUND		59,234
	FROM GENERAL INSPECTION TRUST FUND .		1,726,577
	FROM LAND ACQUISITION TRUST FUND . .		1,455,288
1399	OTHER PERSONAL SERVICES		
	FROM GENERAL INSPECTION TRUST FUND .		47,348
1400	EXPENSES		
	FROM GENERAL REVENUE FUND	55,000	
	FROM DIVISION OF LICENSING TRUST		
	FUND		263,632
	FROM GENERAL INSPECTION TRUST FUND .		3,299,287
1401	OPERATING CAPITAL OUTLAY		
	FROM GENERAL INSPECTION TRUST FUND .		179,000
1402	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL INSPECTION TRUST FUND .		785,505
1403	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL INSPECTION TRUST FUND .		17,042
1404	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM DIVISION OF LICENSING TRUST		
	FUND		333
	FROM GENERAL INSPECTION TRUST FUND .		8,665
	FROM LAND ACQUISITION TRUST FUND . .		6,343
1404A	SPECIAL CATEGORIES		
	REGULATORY LIFECYCLE MANAGEMENT SYSTEM		
	FROM DIVISION OF LICENSING TRUST		
	FUND		8,904,749

From the funds in Specific Appropriation 1404A, \$8,904,749 of nonrecurring funds from the Division of Licensing Trust Fund is provided for the completion of the competitive procurement and award for the

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

Regulatory Lifecycle Management System project. The Department of Agriculture and Consumer Services is authorized to award a multi-year contract for the Regulatory Lifecycle Management System project. Of these funds, \$6,678,562 shall be placed in reserve. The department is authorized to submit quarterly budget amendments to request release of the funds being held in reserve pursuant to the provisions in chapter 216, Florida Statutes.

The Department of Agriculture and Consumer Services shall submit quarterly project status reports to the Executive Office of the Governor's Office of Policy and Budget, the chair of the Senate Committee on Appropriations, and the chair of the House of Representatives Appropriations Committee, on the Regulatory Lifecycle Management System project progress for each project milestone, actual costs incurred, and any open project issues and risks being managed.

TOTAL: OFFICE OF AGRICULTURE TECHNOLOGY SERVICES		
FROM GENERAL REVENUE FUND	767,284	
FROM TRUST FUNDS		16,753,003
TOTAL POSITIONS	52.00	
TOTAL ALL FUNDS		17,520,287

PROGRAM: FOOD SAFETY AND QUALITY

FOOD SAFETY INSPECTION AND ENFORCEMENT

APPROVED SALARY RATE	12,012,638	
1405 SALARIES AND BENEFITS POSITIONS	298.00	
FROM GENERAL REVENUE FUND	1,071,264	
FROM FEDERAL GRANTS TRUST FUND		1,583,887
FROM GENERAL INSPECTION TRUST FUND		14,575,937
1406 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	341	
FROM FEDERAL GRANTS TRUST FUND		124,281
FROM GENERAL INSPECTION TRUST FUND		376,360
1407 EXPENSES		
FROM GENERAL REVENUE FUND	187,347	
FROM FEDERAL GRANTS TRUST FUND		732,195
FROM GENERAL INSPECTION TRUST FUND		1,842,027
1408 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	10,500	
FROM FEDERAL GRANTS TRUST FUND		250,747
FROM GENERAL INSPECTION TRUST FUND		47,333
1409 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM FEDERAL GRANTS TRUST FUND		26,385
1410 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	24,960	
FROM FEDERAL GRANTS TRUST FUND		370,707
FROM GENERAL INSPECTION TRUST FUND		535,000
1411 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	16,656	
FROM GENERAL INSPECTION TRUST FUND		92,265
1412 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	5,906	
FROM GENERAL INSPECTION TRUST FUND		78,825

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

TOTAL: FOOD SAFETY INSPECTION AND ENFORCEMENT		
FROM GENERAL REVENUE FUND	1,316,974	
FROM TRUST FUNDS		20,635,949
TOTAL POSITIONS	298.00	
TOTAL ALL FUNDS		21,952,923

PROGRAM: CONSUMER PROTECTION

AGRICULTURAL ENVIRONMENTAL SERVICES

APPROVED SALARY RATE	7,787,734	
1413 SALARIES AND BENEFITS POSITIONS	179.00	
FROM GENERAL REVENUE FUND	750,090	
FROM FEDERAL GRANTS TRUST FUND		440,719
FROM GENERAL INSPECTION TRUST FUND		6,919,345
FROM PEST CONTROL TRUST FUND		3,200,721
1414 OTHER PERSONAL SERVICES		
FROM FEDERAL GRANTS TRUST FUND		153,792
FROM GENERAL INSPECTION TRUST FUND		211,740
FROM PEST CONTROL TRUST FUND		42,010
1415 EXPENSES		
FROM GENERAL REVENUE FUND	14,551	
FROM FEDERAL GRANTS TRUST FUND		338,295
FROM GENERAL INSPECTION TRUST FUND		1,014,839
FROM PEST CONTROL TRUST FUND		394,514
1416 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - OPERATION CLEAN SWEEP		
FROM GENERAL INSPECTION TRUST FUND		100,000
1417 AID TO LOCAL GOVERNMENTS		
MOSQUITO CONTROL PROGRAM		
FROM GENERAL REVENUE FUND	75,000	
FROM GENERAL INSPECTION TRUST FUND		2,660,000

Of the funds provided in Specific Appropriation 1417, \$500,000 from the General Inspection Trust Fund shall be used to support personnel at the Institute of Food and Agricultural Sciences (IFAS)/Florida Medical Entomology Laboratory to perform applied research to develop and test formulations, application techniques, and procedures of pesticides and biological control agents for the control of arthropods.

Of the funds provided in Specific Appropriation 1417, \$500,000 from the General Inspection Trust Fund shall be used for competitive grants as approved by the department for applied and basic research into the practical methods of control to be used by local mosquito control agencies, including research into the prevention of mosquito-borne illnesses. The research may be conducted by any public university or college in Florida.

From the funds in Specific Appropriation 1417, \$75,000 in nonrecurring funds from the General Revenue Fund is provided for Hernando County Mosquito Control.

1418 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	1,513	
FROM FEDERAL GRANTS TRUST FUND		102,500
1419 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM FEDERAL GRANTS TRUST FUND		75,000
1420 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	107,372	
FROM FEDERAL GRANTS TRUST FUND		296,278
FROM GENERAL INSPECTION TRUST FUND		200,124
FROM PEST CONTROL TRUST FUND		206,425
1421 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	30,809	

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	FROM GENERAL INSPECTION TRUST FUND .		19,661
1422	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	16,972	
	FROM GENERAL INSPECTION TRUST FUND .		28,890
	FROM PEST CONTROL TRUST FUND		14,684
TOTAL:	AGRICULTURAL ENVIRONMENTAL SERVICES		
	FROM GENERAL REVENUE FUND	996,307	
	FROM TRUST FUNDS		16,419,537
	TOTAL POSITIONS	179.00	
	TOTAL ALL FUNDS		17,415,844

CONSUMER PROTECTION

	APPROVED SALARY RATE	10,616,717	
1423	SALARIES AND BENEFITS POSITIONS	285.00	
	FROM GENERAL INSPECTION TRUST FUND .		15,121,751
1424	OTHER PERSONAL SERVICES		
	FROM GENERAL INSPECTION TRUST FUND .		222,520
1425	EXPENSES		
	FROM GENERAL INSPECTION TRUST FUND .		2,805,245
1426	OPERATING CAPITAL OUTLAY		
	FROM GENERAL INSPECTION TRUST FUND .		75,437
1427	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM GENERAL INSPECTION TRUST FUND .		1,046,821
1428	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL INSPECTION TRUST FUND .		799,533
1429	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL INSPECTION TRUST FUND .		242,755
1430	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL INSPECTION TRUST FUND .		88,371
TOTAL:	CONSUMER PROTECTION		
	FROM TRUST FUNDS		20,402,433
	TOTAL POSITIONS	285.00	
	TOTAL ALL FUNDS		20,402,433

PROGRAM: AGRICULTURAL ECONOMIC DEVELOPMENT

FRUITS AND VEGETABLES INSPECTION AND ENFORCEMENT

	APPROVED SALARY RATE	5,135,406	
1431	SALARIES AND BENEFITS POSITIONS	125.00	
	FROM CITRUS INSPECTION TRUST FUND .		5,213,622
	FROM FEDERAL GRANTS TRUST FUND . . .		335,375
	FROM GENERAL INSPECTION TRUST FUND .		2,279,640
1432	OTHER PERSONAL SERVICES		
	FROM CITRUS INSPECTION TRUST FUND .		858,539
	FROM FEDERAL GRANTS TRUST FUND . . .		7,500
	FROM GENERAL INSPECTION TRUST FUND .		808,306
1433	EXPENSES		
	FROM CITRUS INSPECTION TRUST FUND .		983,880
	FROM FEDERAL GRANTS TRUST FUND . . .		229,982
	FROM GENERAL INSPECTION TRUST FUND .		567,529

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1434	OPERATING CAPITAL OUTLAY		
	FROM CITRUS INSPECTION TRUST FUND .		33,710
1436	SPECIAL CATEGORIES		
	AUTOMATED TESTING EQUIPMENT		
	FROM CITRUS INSPECTION TRUST FUND .		216,041
1436A	SPECIAL CATEGORIES		
	TRANSFER TO AGRICULTURAL EMERGENCY		
	ERADICATION TRUST FUND		
	FROM GENERAL REVENUE FUND	8,000,000	
1437	SPECIAL CATEGORIES		
	CITRUS RESEARCH		
	FROM AGRICULTURAL EMERGENCY		
	ERADICATION TRUST FUND		8,000,000
From the funds in Specific Appropriation 1437, \$8,000,000 in nonrecurring funds from the Agricultural Emergency Eradication Trust Fund shall be transferred to the Citrus Research and Development Foundation, Inc., to conduct, or cause to be conducted, research projects on citrus disease.			
1438	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM CITRUS INSPECTION TRUST FUND .		123,428
	FROM FEDERAL GRANTS TRUST FUND . . .		268,122
	FROM GENERAL INSPECTION TRUST FUND .		53,762
1439	SPECIAL CATEGORIES		
	GRANTS AND AIDS - MARKETING ORDERS		
	FROM CITRUS INSPECTION TRUST FUND .		3,692,237
	FROM GENERAL INSPECTION TRUST FUND .		569,082
1440	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM CITRUS INSPECTION TRUST FUND .		67,179
	FROM GENERAL INSPECTION TRUST FUND .		124,761
1440A	SPECIAL CATEGORIES		
	TRANSFER TO INSTITUTE OF FOOD AND		
	AGRICULTURAL SCIENCES (IFAS) FOR		
	BIOLOGICAL CITRUS GREENING (HLB) REDUCTION		
	TRIALS		
	FROM GENERAL REVENUE FUND	1,000,000	
1441	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM CITRUS INSPECTION TRUST FUND .		64,855
	FROM FEDERAL GRANTS TRUST FUND . . .		339
	FROM GENERAL INSPECTION TRUST FUND .		18,872
TOTAL:	FRUITS AND VEGETABLES INSPECTION AND ENFORCEMENT		
	FROM GENERAL REVENUE FUND	9,000,000	
	FROM TRUST FUNDS		24,416,761
	TOTAL POSITIONS	125.00	
	TOTAL ALL FUNDS		33,416,761

AGRICULTURAL PRODUCTS MARKETING

	APPROVED SALARY RATE	4,165,412	
1442	SALARIES AND BENEFITS POSITIONS	106.00	
	FROM GENERAL REVENUE FUND	551,194	
	FROM GENERAL INSPECTION TRUST FUND .		605,010
	FROM AGRICULTURAL EMERGENCY		
	ERADICATION TRUST FUND		1,637,207
	FROM MARKET IMPROVEMENTS WORKING		
	CAPITAL TRUST FUND		2,304,431
	FROM SALTWATER PRODUCTS PROMOTION		
	TRUST FUND		913,883
	FROM FLORIDA AGRICULTURAL		
	PROMOTION CAMPAIGN TRUST FUND . . .		46,200

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1443	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	8,600	
	FROM AGRICULTURAL EMERGENCY		
	ERADICATION TRUST FUND		27,635
	FROM MARKET IMPROVEMENTS WORKING		
	CAPITAL TRUST FUND		26,400
1444	EXPENSES		
	FROM GENERAL REVENUE FUND	148,541	
	FROM GENERAL INSPECTION TRUST FUND .		520,716
	FROM MARKET IMPROVEMENTS WORKING		
	CAPITAL TRUST FUND		848,391
	FROM SALTWATER PRODUCTS PROMOTION		
	TRUST FUND		200,959
	FROM VITICULTURE TRUST FUND		9,500
	FROM FLORIDA AGRICULTURAL		
	PROMOTION CAMPAIGN TRUST FUND . . .		223,223
1444A	AID TO LOCAL GOVERNMENTS		
	INTEGRATED LAND BASED MARINE FISH AND		
	VEGETABLE CROP PRODUCTION		
	FROM GENERAL REVENUE FUND	100,000	
1445	OPERATING CAPITAL OUTLAY		
	FROM MARKET IMPROVEMENTS WORKING		
	CAPITAL TRUST FUND		10,500
1446	SPECIAL CATEGORIES		
	GRANTS AND AIDS - VITICULTURE PROGRAM		
	FROM VITICULTURE TRUST FUND		700,000
1447	SPECIAL CATEGORIES		
	FLORIDA AGRICULTURE PROMOTION CAMPAIGN		
	FROM GENERAL REVENUE FUND	4,490,000	
	FROM AGRICULTURAL EMERGENCY		
	ERADICATION TRUST FUND		1,310,000
1448	SPECIAL CATEGORIES		
	FEDERAL VALUE OF PRODUCTION SPECIALTY CROP		
	GRANT		
	FROM FEDERAL GRANTS TRUST FUND . . .		5,000,000
1449	SPECIAL CATEGORIES		
	FEDERAL SUPPORT FOR FLORIDA AGRICULTURE		
	PROMOTIONS		
	FROM FEDERAL GRANTS TRUST FUND . . .		206,586
1450	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	15,219	
	FROM GENERAL INSPECTION TRUST FUND .		112,460
	FROM MARKET IMPROVEMENTS WORKING		
	CAPITAL TRUST FUND		28,600
	FROM SALTWATER PRODUCTS PROMOTION		
	TRUST FUND		150,000
	FROM FLORIDA AGRICULTURAL		
	PROMOTION CAMPAIGN TRUST FUND . . .		75,000
1450A	SPECIAL CATEGORIES		
	URBAN AQUAPONICS FARMING		
	FROM GENERAL REVENUE FUND	100,000	
1451	SPECIAL CATEGORIES		
	AGRICULTURAL LEADERSHIP AND EDUCATION		
	FROM GENERAL INSPECTION TRUST FUND .		300,000
1452	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	8,674	
	FROM GENERAL INSPECTION TRUST FUND .		11,005
	FROM MARKET IMPROVEMENTS WORKING		
	CAPITAL TRUST FUND		26,610
	FROM SALTWATER PRODUCTS PROMOTION		
	TRUST FUND		5,555

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1453	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	17,320	
	FROM GENERAL INSPECTION TRUST FUND .		2,056
	FROM MARKET IMPROVEMENTS WORKING		
	CAPITAL TRUST FUND		11,859
	FROM SALTWATER PRODUCTS PROMOTION		
	TRUST FUND		4,578
	FROM FLORIDA AGRICULTURAL		
	PROMOTION CAMPAIGN TRUST FUND . . .		229
1454	FIXED CAPITAL OUTLAY		
	MAINTENANCE AND REPAIRS STATE FARMERS'		
	MARKETS - STATEWIDE		
	FROM MARKET IMPROVEMENTS WORKING		
	CAPITAL TRUST FUND		500,000
1455	FIXED CAPITAL OUTLAY		
	CODE AND LIFE SAFETY - STATE FARMERS'		
	MARKETS - STATEWIDE		
	FROM MARKET IMPROVEMENTS WORKING		
	CAPITAL TRUST FUND		441,000
1455A	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND		
	NONSTATE ENTITIES - FIXED CAPITAL OUTLAY		
	AGRICULTURAL PROMOTION AND EDUCATION		
	FACILITIES		
	FROM GENERAL REVENUE FUND	4,583,850	
	From the funds provided in Specific Appropriation 1455A, \$4,583,850 in nonrecurring funds from the General Revenue Fund shall be used for the following:		
	Arcadia Equestrian Facility.....	1,000,000	
	Clay County Fairgrounds.....	200,000	
	Hardee County Fairgrounds.....	300,000	
	Pasco County Fairgrounds.....	860,000	
	Miami-Dade Cattle Show.....	98,850	
	Northeast Florida Fairgrounds.....	900,000	
	Suwannee County Agricultural Coliseum.....	225,000	
	Southeastern Livestock Pavilion.....	1,000,000	
	TOTAL: AGRICULTURAL PRODUCTS MARKETING		
	FROM GENERAL REVENUE FUND	10,023,398	
	FROM TRUST FUNDS		16,259,673
	TOTAL POSITIONS	106.00	
	TOTAL ALL FUNDS		26,283,071
	AQUACULTURE		
	APPROVED SALARY RATE	1,865,998	
1456	SALARIES AND BENEFITS		
	POSITIONS	44.00	
	FROM GENERAL REVENUE FUND	1,862,276	
	FROM GENERAL INSPECTION TRUST FUND .		832,472
1457	OTHER PERSONAL SERVICES		
	FROM FEDERAL GRANTS TRUST FUND . . .		19,700
	FROM GENERAL INSPECTION TRUST FUND .		30,532
1458	EXPENSES		
	FROM GENERAL REVENUE FUND	400,173	
	FROM FEDERAL GRANTS TRUST FUND . . .		29,000
	FROM GENERAL INSPECTION TRUST FUND .		285,966
1459	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	20,000	
	FROM GENERAL INSPECTION TRUST FUND .		12,600
1460	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM GENERAL INSPECTION TRUST FUND .		25,879

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1461	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	80,000	
	FROM FEDERAL GRANTS TRUST FUND		700
	FROM GENERAL INSPECTION TRUST FUND . .		85,000
1462	SPECIAL CATEGORIES OYSTER PLANTING		
	FROM GENERAL INSPECTION TRUST FUND . .	560,000	
1463	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	7,050	
	FROM GENERAL INSPECTION TRUST FUND . .		3,512
1464	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	11,609	
	FROM GENERAL INSPECTION TRUST FUND . .		3,369
TOTAL:	AQUACULTURE		
	FROM GENERAL REVENUE FUND	2,381,108	
	FROM TRUST FUNDS		1,888,730
	TOTAL POSITIONS	44.00	
	TOTAL ALL FUNDS		4,269,838

ANIMAL PEST AND DISEASE CONTROL

From the funds in Specific Appropriations 1465 through 1472A, the Commissioner of the Department of Agriculture and Consumer Services shall appoint a task force for the purpose of a comprehensive review of chapter 534, Florida Statutes, and other applicable law. No funds shall be expended or collected by the department for any new applications pursuant to sections 534.48 through 534.53, Florida Statutes.

	APPROVED SALARY RATE	5,381,637	
1465	SALARIES AND BENEFITS POSITIONS	118.50	
	FROM GENERAL REVENUE FUND	5,960,255	
	FROM FEDERAL GRANTS TRUST FUND		451,325
	FROM GENERAL INSPECTION TRUST FUND . .		502,125
	FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		457,667
1466	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	12,104	
	FROM FEDERAL GRANTS TRUST FUND		147,620
	FROM GENERAL INSPECTION TRUST FUND . .		117,454
1467	EXPENSES		
	FROM GENERAL REVENUE FUND	435,981	
	FROM FEDERAL GRANTS TRUST FUND		413,164
	FROM GENERAL INSPECTION TRUST FUND . .		628,888
1468	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	50,949	
	FROM FEDERAL GRANTS TRUST FUND		25,000
1470	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	30,000	
	FROM FEDERAL GRANTS TRUST FUND		495,215
	FROM GENERAL INSPECTION TRUST FUND . .		323,958
1471	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	57,614	
	FROM GENERAL INSPECTION TRUST FUND . .		56,059

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1472	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	38,798	
	FROM GENERAL INSPECTION TRUST FUND . .		5,122
1472A	FIXED CAPITAL OUTLAY CONSTRUCTION - ADDITIONS KISSIMMEE DIAGNOSTIC LAB		
	FROM GENERAL REVENUE FUND	4,087,805	
TOTAL:	ANIMAL PEST AND DISEASE CONTROL		
	FROM GENERAL REVENUE FUND	10,673,506	
	FROM TRUST FUNDS		3,623,597
	TOTAL POSITIONS	118.50	
	TOTAL ALL FUNDS		14,297,103
	PLANT PEST AND DISEASE CONTROL		
	APPROVED SALARY RATE	14,252,086	
1473	SALARIES AND BENEFITS POSITIONS	361.00	
	FROM GENERAL REVENUE FUND	8,990,998	
	FROM CITRUS INSPECTION TRUST FUND . . .		910,900
	FROM FEDERAL GRANTS TRUST FUND		5,770,930
	FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		2,952,297
	FROM PLANT INDUSTRY TRUST FUND		2,419,673
1474	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	21,941	
	FROM CITRUS INSPECTION TRUST FUND . . .		1,036
	FROM FEDERAL GRANTS TRUST FUND		1,151,249
	FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		430,752
	FROM PLANT INDUSTRY TRUST FUND		684,145
1475	EXPENSES		
	FROM GENERAL REVENUE FUND	860,617	
	FROM CITRUS INSPECTION TRUST FUND . . .		79,832
	FROM FEDERAL GRANTS TRUST FUND		1,491,848
	FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		23,748
	FROM PLANT INDUSTRY TRUST FUND		724,622
1476	OPERATING CAPITAL OUTLAY		
	FROM FEDERAL GRANTS TRUST FUND		216,195
	FROM PLANT INDUSTRY TRUST FUND		5,006
1477	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES		
	FROM GENERAL INSPECTION TRUST FUND . .		747,553
1478	SPECIAL CATEGORIES AGRICULTURAL EMERGENCIES (MEDFLY PROGRAM) FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		
			1,214,177
1479	SPECIAL CATEGORIES GRANTS AND AIDS - BOLL WEEVIL ERADICATION FROM PLANT INDUSTRY TRUST FUND		
			150,000
1480	SPECIAL CATEGORIES APIARIAN INDEMNITIES FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		
			36,000
1481	SPECIAL CATEGORIES ENDANGERED PLANT SPECIES FROM LAND ACQUISITION TRUST FUND . . .		
			216,000

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1481A	SPECIAL CATEGORIES TRANSFER TO AGRICULTURAL EMERGENCY ERADICATION TRUST FUND FROM GENERAL REVENUE FUND	1,060,000	
1482	SPECIAL CATEGORIES CITRUS HEALTH RESPONSE PROGRAM FROM FEDERAL GRANTS TRUST FUND . . . FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND	5,540,319 2,022,159	
1483	SPECIAL CATEGORIES PLANT PEST AND DISEASE CONTROL FROM FEDERAL GRANTS TRUST FUND . . .	1,000,000	
1484	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM CITRUS INSPECTION TRUST FUND . . FROM FEDERAL GRANTS TRUST FUND . . . FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND FROM PLANT INDUSTRY TRUST FUND . . .	104,481 7,144 369,953 255,000 118,049	
From the funds in Specific Appropriation 1484, \$150,000 in nonrecurring funds from the Agricultural Emergency Eradication Trust Fund is provided for removal and destruction of infested avocado trees that are acting as hosts and breeding factories for pests and disease.			
1485	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND	455,904 154,842	
1486	SPECIAL CATEGORIES TRANSFER TO UNIVERSITY OF FLORIDA/ INSTITUTE OF FOOD AND AGRICULTURAL SCIENCES FOR INVASIVE EXOTICS QUARANTINE FACILITY FROM PLANT INDUSTRY TRUST FUND . . .	720,000	
1487	SPECIAL CATEGORIES INVASIVE SPECIES CONTROL FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND	250,000	
1488	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM CITRUS INSPECTION TRUST FUND . . FROM FEDERAL GRANTS TRUST FUND . . . FROM GENERAL INSPECTION TRUST FUND . FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND FROM PLANT INDUSTRY TRUST FUND . . .	126,901 8,433 7,860 28 549 63,362	
TOTAL:	PLANT PEST AND DISEASE CONTROL FROM GENERAL REVENUE FUND FROM TRUST FUNDS	11,620,842 29,743,661	
	TOTAL POSITIONS TOTAL ALL FUNDS	361.00 41,364,503	
FOOD, NUTRITION AND WELLNESS			
	APPROVED SALARY RATE	3,788,439	
1489	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM FOOD AND NUTRITION SERVICES TRUST FUND	83.00 164,966 5,126,848	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1490	OTHER PERSONAL SERVICES FROM FOOD AND NUTRITION SERVICES TRUST FUND	282,635	
1491	EXPENSES FROM GENERAL REVENUE FUND FROM FOOD AND NUTRITION SERVICES TRUST FUND FROM GENERAL INSPECTION TRUST FUND .	50,000 1,620,966 174,160	
1492	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - SCHOOL LUNCH PROGRAM FROM FOOD AND NUTRITION SERVICES TRUST FUND	1,270,062,742	
1493	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - SCHOOL LUNCH PROGRAM - STATE MATCH FROM GENERAL REVENUE FUND	9,295,134	
1494	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - SCHOOL BREAKFAST PROGRAM FROM GENERAL REVENUE FUND	7,590,912	
1495	OPERATING CAPITAL OUTLAY FROM FOOD AND NUTRITION SERVICES TRUST FUND	57,438	
1496	SPECIAL CATEGORIES SUPPORT FOR FOOD BANK FROM GENERAL REVENUE FUND	2,000,000	
From the funds in Specific Appropriation 1496, \$1,900,000 is provided for Feeding Florida, and \$100,000 in nonrecurring funds is provided for the Treasure Coast Food Bank.			
1497	SPECIAL CATEGORIES CONTRACTED SERVICES FROM FOOD AND NUTRITION SERVICES TRUST FUND FROM GENERAL INSPECTION TRUST FUND .	7,645,665 45,840	
1498	SPECIAL CATEGORIES FARM SHARE PROGRAM FROM GENERAL REVENUE FUND	1,034,909	
1499	SPECIAL CATEGORIES GRANTS AND AIDS - EMERGENCY FEEDING ORGANIZATIONS FROM FOOD AND NUTRITION SERVICES TRUST FUND	5,981,178	
1500	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM FOOD AND NUTRITION SERVICES TRUST FUND	3,075 15,897	
1501	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM FOOD AND NUTRITION SERVICES TRUST FUND	24,403	
TOTAL:	FOOD, NUTRITION AND WELLNESS FROM GENERAL REVENUE FUND FROM TRUST FUNDS	20,138,996 1,291,037,772	
	TOTAL POSITIONS TOTAL ALL FUNDS	83.00 1,311,176,768	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

TOTAL: AGRICULTURE AND CONSUMER SERVICES, DEPARTMENT OF,
AND COMMISSIONER OF AGRICULTURE
FROM GENERAL REVENUE FUND 208,644,002
FROM TRUST FUNDS 1,541,075,668

TOTAL POSITIONS 3,614.25
TOTAL ALL FUNDS 1,749,719,670
TOTAL APPROVED SALARY RATE 147,790,823

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

PROGRAM: ADMINISTRATIVE SERVICES

EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE	12,259,126	
1502	SALARIES AND BENEFITS	POSITIONS	225.00
	FROM ADMINISTRATIVE TRUST FUND . . .	7,113,335	
	FROM INLAND PROTECTION TRUST FUND . .	200,965	
	FROM FEDERAL GRANTS TRUST FUND . . .	75,491	
	FROM GRANTS AND DONATIONS TRUST FUND	108,727	
	FROM INTERNAL IMPROVEMENT TRUST FUND	406,498	
	FROM LAND ACQUISITION TRUST FUND . .	9,507,553	
1503	OTHER PERSONAL SERVICES		
	FROM ADMINISTRATIVE TRUST FUND . . .	482,097	
	FROM INLAND PROTECTION TRUST FUND . .	205,344	
	FROM FEDERAL GRANTS TRUST FUND . . .	538,522	
	FROM INTERNAL IMPROVEMENT TRUST FUND	499,619	
1504	EXPENSES		
	FROM ADMINISTRATIVE TRUST FUND . . .	2,625,567	
	FROM INLAND PROTECTION TRUST FUND . .	74,485	
	FROM FEDERAL GRANTS TRUST FUND . . .	1,455	
	FROM INTERNAL IMPROVEMENT TRUST FUND	4,900	
	FROM LAND ACQUISITION TRUST FUND . .	16,018	
1505	OPERATING CAPITAL OUTLAY		
	FROM ADMINISTRATIVE TRUST FUND . . .	16,275	
1506	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
	FROM ADMINISTRATIVE TRUST FUND . . .	103,443	
1507	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM ADMINISTRATIVE TRUST FUND . . .	340,149	
	FROM FEDERAL GRANTS TRUST FUND . . .	483,794	
	FROM INTERNAL IMPROVEMENT TRUST FUND	2,859,188	
1508	SPECIAL CATEGORIES		
	OUTSOURCING/PRIVATIZATION		
	FROM ADMINISTRATIVE TRUST FUND . . .	250,000	
1509	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM ADMINISTRATIVE TRUST FUND . . .	107,942	
1510	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM ADMINISTRATIVE TRUST FUND . . .	38,970	
	FROM GRANTS AND DONATIONS TRUST FUND	1,258	
	FROM LAND ACQUISITION TRUST FUND . .	46,587	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1511 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
CLEAN MARINA
FROM FEDERAL GRANTS TRUST FUND . . . 3,000,000
FROM GRANTS AND DONATIONS TRUST
FUND 300,000

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 29,408,262

TOTAL POSITIONS 225.00
TOTAL ALL FUNDS 29,408,262

FLORIDA GEOLOGICAL SURVEY

	APPROVED SALARY RATE	1,402,017	
1512	SALARIES AND BENEFITS	POSITIONS	31.00
	FROM FEDERAL GRANTS TRUST FUND . . .	131,828	
	FROM INTERNAL IMPROVEMENT TRUST FUND	645,290	
	FROM LAND ACQUISITION TRUST FUND . .	622,270	
	FROM MINERALS TRUST FUND	299,815	
	FROM WATER QUALITY ASSURANCE TRUST FUND	500,342	
1513	OTHER PERSONAL SERVICES		
	FROM INTERNAL IMPROVEMENT TRUST FUND	61,257	
	FROM WATER QUALITY ASSURANCE TRUST FUND	6,823	
1514	EXPENSES		
	FROM WATER QUALITY ASSURANCE TRUST FUND	370,810	
1515	OPERATING CAPITAL OUTLAY		
	FROM MINERALS TRUST FUND	37,195	
	FROM WATER QUALITY ASSURANCE TRUST FUND	19,838	
1516	SPECIAL CATEGORIES		
	FLORIDA GEOLOGICAL SURVEY GRANTS		
	FROM FEDERAL GRANTS TRUST FUND . . .	573,844	
	FROM GRANTS AND DONATIONS TRUST FUND	292,907	
1517	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM INTERNAL IMPROVEMENT TRUST FUND	200,000	
	FROM MINERALS TRUST FUND	5,700	
	FROM WATER QUALITY ASSURANCE TRUST FUND	80,000	
1518	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM MINERALS TRUST FUND	15,398	
1519	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM INTERNAL IMPROVEMENT TRUST FUND	2,185	
	FROM LAND ACQUISITION TRUST FUND . .	2,595	
	FROM MINERALS TRUST FUND	3,778	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

TOTAL: FLORIDA GEOLOGICAL SURVEY			
FROM TRUST FUNDS		3,871,875	
TOTAL POSITIONS	31.00		
TOTAL ALL FUNDS		3,871,875	
TECHNOLOGY AND INFORMATION SERVICES			
APPROVED SALARY RATE		4,491,466	
1520 SALARIES AND BENEFITS POSITIONS	94.00		
FROM LAND ACQUISITION TRUST FUND . .		6,614,585	
1521 OTHER PERSONAL SERVICES			
FROM WORKING CAPITAL TRUST FUND . .		1,646,263	
1522 EXPENSES			
FROM LAND ACQUISITION TRUST FUND . .		971,412	
FROM WORKING CAPITAL TRUST FUND . .		2,129,346	
1523 OPERATING CAPITAL OUTLAY			
FROM WORKING CAPITAL TRUST FUND . .		50,625	
1524 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM INTERNAL IMPROVEMENT TRUST			
FUND		27,700	
FROM WORKING CAPITAL TRUST FUND . .		3,263,586	
1525 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM LAND ACQUISITION TRUST FUND . .		28,426	
1526 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT			
SERVICES - HUMAN RESOURCES SERVICES			
PURCHASED PER STATEWIDE CONTRACT			
FROM LAND ACQUISITION TRUST FUND . .		33,263	
1527A DATA PROCESSING SERVICES			
DATA PROCESSING ASSESSMENT - AGENCY FOR			
STATE TECHNOLOGY			
FROM WORKING CAPITAL TRUST FUND . .		2,324,485	
TOTAL: TECHNOLOGY AND INFORMATION SERVICES			
FROM TRUST FUNDS		17,089,691	
TOTAL POSITIONS	94.00		
TOTAL ALL FUNDS		17,089,691	
OFFICE OF EMERGENCY RESPONSE			
APPROVED SALARY RATE		578,212	
1528 SALARIES AND BENEFITS POSITIONS	7.00		
FROM COASTAL PROTECTION TRUST FUND .		404,269	
FROM INLAND PROTECTION TRUST FUND .		147,718	
1529 OTHER PERSONAL SERVICES			
FROM COASTAL PROTECTION TRUST FUND .		61,443	
1530 EXPENSES			
FROM COASTAL PROTECTION TRUST FUND .		110,921	
FROM INLAND PROTECTION TRUST FUND .		33,762	
1531 OPERATING CAPITAL OUTLAY			
FROM COASTAL PROTECTION TRUST FUND .		7,818	
1532 SPECIAL CATEGORIES			
ACQUISITION AND REPLACEMENT OF PATROL			
VEHICLES			
FROM COASTAL PROTECTION TRUST FUND .		63,594	
1533 SPECIAL CATEGORIES			
HAZARDOUS WASTE CLEANUP			
FROM COASTAL PROTECTION TRUST FUND .		751,549	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1534 SPECIAL CATEGORIES			
ON-CALL FEES			
FROM COASTAL PROTECTION TRUST FUND .		17,902	
1535 SPECIAL CATEGORIES			
PAYMENTS FOR RESTORATION AND DAMAGE			
FROM COASTAL PROTECTION TRUST FUND .		25,000	
1536 SPECIAL CATEGORIES			
ABANDONED DRUM REMOVAL AND DISPOSAL			
FROM COASTAL PROTECTION TRUST FUND .		70,000	
1537 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM INLAND PROTECTION TRUST FUND .		8,496	
1538 SPECIAL CATEGORIES			
UNDERGROUND STORAGE TANK CLEANUP			
FROM INLAND PROTECTION TRUST FUND .		80,759	
1539 SPECIAL CATEGORIES			
TRANSFER TO THE MARINE RESOURCES			
CONSERVATION TRUST FUND OR STATE GAME			
TRUST FUND IN THE FMCC FOR LAW ENFORCEMENT			
FROM COASTAL PROTECTION TRUST FUND .		11,310,256	
FROM INLAND PROTECTION TRUST FUND .		1,991,722	
FROM SOLID WASTE MANAGEMENT TRUST			
FUND		2,822,599	
1540 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT			
SERVICES - HUMAN RESOURCES SERVICES			
PURCHASED PER STATEWIDE CONTRACT			
FROM COASTAL PROTECTION TRUST FUND .		1,722	
TOTAL: OFFICE OF EMERGENCY RESPONSE			
FROM TRUST FUNDS		17,909,530	
TOTAL POSITIONS	7.00		
TOTAL ALL FUNDS		17,909,530	
PROGRAM: STATE LANDS			
LAND ADMINISTRATION AND MANAGEMENT			
APPROVED SALARY RATE		4,896,340	
1541 SALARIES AND BENEFITS POSITIONS	97.00		
FROM GENERAL REVENUE FUND		111,700	
FROM INTERNAL IMPROVEMENT TRUST			
FUND		5,556,002	
FROM LAND ACQUISITION TRUST FUND . .		1,091,107	
1542 OTHER PERSONAL SERVICES			
FROM GRANTS AND DONATIONS TRUST			
FUND		240,000	
FROM INTERNAL IMPROVEMENT TRUST			
FUND		357,243	
FROM LAND ACQUISITION TRUST FUND . .		192,163	
1543 EXPENSES			
FROM GENERAL REVENUE FUND	12,344		
FROM GRANTS AND DONATIONS TRUST			
FUND		200,000	
FROM INTERNAL IMPROVEMENT TRUST			
FUND		553,087	
FROM LAND ACQUISITION TRUST FUND . .		251,758	
1544 OPERATING CAPITAL OUTLAY			
FROM GRANTS AND DONATIONS TRUST			
FUND		10,000	
FROM INTERNAL IMPROVEMENT TRUST			
FUND		15,000	
FROM LAND ACQUISITION TRUST FUND . .		1,920	

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1545	SPECIAL CATEGORIES LAND MANAGEMENT FROM LAND ACQUISITION TRUST FUND . . .	3,634,992
1546	SPECIAL CATEGORIES CONTRACTED SERVICES FROM INTERNAL IMPROVEMENT TRUST FUND FROM LAND ACQUISITION TRUST FUND . . .	469,563 277,941
1547	SPECIAL CATEGORIES STATE LANDS STEWARDSHIP FROM INTERNAL IMPROVEMENT TRUST FUND FROM LAND ACQUISITION TRUST FUND . . .	200,000 250,000
1548	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM INTERNAL IMPROVEMENT TRUST FUND FROM LAND ACQUISITION TRUST FUND . . .	72,646 14,154
1549	SPECIAL CATEGORIES PAYMENT IN LIEU OF TAXES FROM GENERAL REVENUE FUND	1,160,000
1550	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM INTERNAL IMPROVEMENT TRUST FUND FROM LAND ACQUISITION TRUST FUND . . .	631 39,146 11,266
1551	SPECIAL CATEGORIES TRANSFER TO FLORIDA FOREVER TRUST FUND FROM LAND ACQUISITION TRUST FUND . . .	20,517,112
1552	FIXED CAPITAL OUTLAY LAND ACQUISITION, ENVIRONMENTALLY ENDANGERED, UNIQUE/ IRREPLACEABLE LANDS, STATEWIDE FROM FLORIDA FOREVER TRUST FUND . . .	15,156,206

Funds in Specific Appropriation 1552 are provided for land acquisition for projects on the approved Acquisition and Restoration Council's priority list pursuant to section 259.105, Florida Statutes. Prior to the approval by the Board of Trustees of the Internal Improvement Trust Fund for land acquisition projects, the transaction history of the most recent three transactions or ten years of the transaction history, whichever is longer, of the proposed acquisition, must be made available to the public thirty days before the Board of Trustees of the Internal Improvement Trust Fund may acquire or vote to approve such property.

Funds from Specific Appropriation 1552 may also be provided to the water management districts as provided in section 259.105(12), Florida Statutes, to fund water resource development projects intended to achieve the goal of ensuring that sufficient quantities of water are available to meet current and future needs of natural systems and the citizens of the state as specified in section 259.105(2)(a)5., Florida Statutes.

1553	FIXED CAPITAL OUTLAY LAND ACQUISITION-FLORIDA COMMUNITIES TRUST FROM FLORIDA FOREVER TRUST FUND . . .	5,360,906
1554	FIXED CAPITAL OUTLAY DEBT SERVICE FROM LAND ACQUISITION TRUST FUND . . .	146,580,964

Funds provided in Specific Appropriation 1554 are for Fiscal Year 2017-2018 debt service on bonds. These funds may be used to refinance any or all series if it is in the best interest of the state as determined by the Division of Bond Finance. If the debt service varies as a result of a change in the interest rate, timing of issuance, or

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

other circumstances, there is appropriated from the Land Acquisition Trust Fund an amount sufficient to pay such debt service.

TOTAL: LAND ADMINISTRATION AND MANAGEMENT FROM GENERAL REVENUE FUND FROM TRUST FUNDS	1,284,675 201,053,976
TOTAL POSITIONS	97.00
TOTAL ALL FUNDS	202,338,651

LAND AND RECREATION OPERATION SERVICES

APPROVED SALARY RATE	3,815,270
1555 SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM INTERNAL IMPROVEMENT TRUST FUND FROM LAND ACQUISITION TRUST FUND . . . FROM STATE PARK TRUST FUND	71.00 147,365 1,362,143 2,316,206 1,263,998
1556 OTHER PERSONAL SERVICES FROM FEDERAL GRANTS TRUST FUND . . . FROM LAND ACQUISITION TRUST FUND . . . FROM STATE PARK TRUST FUND	80,301 140,634 696,151
1557 EXPENSES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND . . . FROM INTERNAL IMPROVEMENT TRUST FUND FROM LAND ACQUISITION TRUST FUND . . . FROM STATE PARK TRUST FUND	12,344 38,545 104,586 71,748 910,433
1558 OPERATING CAPITAL OUTLAY FROM STATE PARK TRUST FUND	5,000
1559 SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM INTERNAL IMPROVEMENT TRUST FUND FROM STATE PARK TRUST FUND	115,000 130,400 300,000
1560 SPECIAL CATEGORIES OUTSOURCING/PRIVATIZATION FROM STATE PARK TRUST FUND	625,000
1561 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM INTERNAL IMPROVEMENT TRUST FUND FROM LAND ACQUISITION TRUST FUND . . . FROM STATE PARK TRUST FUND	14,338 26,403 14,408
1562 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM INTERNAL IMPROVEMENT TRUST FUND	631 328
TOTAL: LAND AND RECREATION OPERATION SERVICES FROM GENERAL REVENUE FUND FROM TRUST FUNDS	275,340 8,100,622
TOTAL POSITIONS	71.00
TOTAL ALL FUNDS	8,375,962

PROGRAM: DISTRICT OFFICES

REGULATORY DISTRICT OFFICES

APPROVED SALARY RATE	28,655,834

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1563	SALARIES AND BENEFITS	POSITIONS	558.00	
	FROM GENERAL REVENUE FUND		808,291	
	FROM ADMINISTRATIVE TRUST FUND . . .			1,154,705
	FROM AIR POLLUTION CONTROL TRUST FUND			4,880,450
	FROM COASTAL PROTECTION TRUST FUND .			882,594
	FROM INLAND PROTECTION TRUST FUND .			2,790,144
	FROM FEDERAL GRANTS TRUST FUND . . .			1,790,808
	FROM INTERNAL IMPROVEMENT TRUST FUND			742,113
	FROM LAND ACQUISITION TRUST FUND . .			13,712,745
	FROM PERMIT FEE TRUST FUND			7,537,834
	FROM SOLID WASTE MANAGEMENT TRUST FUND			1,624,850
	FROM WATER QUALITY ASSURANCE TRUST FUND			3,229,051
1564	OTHER PERSONAL SERVICES			
	FROM ADMINISTRATIVE TRUST FUND . . .			62,750
	FROM AIR POLLUTION CONTROL TRUST FUND			109,229
	FROM INLAND PROTECTION TRUST FUND .			72,455
	FROM FEDERAL GRANTS TRUST FUND . . .			109,371
	FROM PERMIT FEE TRUST FUND			12,896
	FROM WATER QUALITY ASSURANCE TRUST FUND			246,633
1565	EXPENSES		724,342	
	FROM GENERAL REVENUE FUND			402,220
	FROM ADMINISTRATIVE TRUST FUND . . .			
	FROM AIR POLLUTION CONTROL TRUST FUND			680,000
	FROM COASTAL PROTECTION TRUST FUND .			18,949
	FROM INLAND PROTECTION TRUST FUND .			396,688
	FROM FEDERAL GRANTS TRUST FUND . . .			44,016
	FROM LAND ACQUISITION TRUST FUND . .			1,228,530
	FROM PERMIT FEE TRUST FUND			694,562
	FROM SOLID WASTE MANAGEMENT TRUST FUND			189,464
	FROM WATER QUALITY ASSURANCE TRUST FUND			334,615
1566	OPERATING CAPITAL OUTLAY			
	FROM ADMINISTRATIVE TRUST FUND . . .			2,876
	FROM AIR POLLUTION CONTROL TRUST FUND			81,740
	FROM SOLID WASTE MANAGEMENT TRUST FUND			60,919
1567	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND	232,327		
	FROM ADMINISTRATIVE TRUST FUND . . .			87,585
	FROM AIR POLLUTION CONTROL TRUST FUND			21,644
	FROM INLAND PROTECTION TRUST FUND .			1,860
	FROM LAND ACQUISITION TRUST FUND . .			9,325
	FROM PERMIT FEE TRUST FUND			8,070
	FROM SOLID WASTE MANAGEMENT TRUST FUND			6,550
	FROM WATER QUALITY ASSURANCE TRUST FUND			14,145
From the funds in Specific Appropriation 1567, \$200,000 in nonrecurring funds from the General Revenue Fund is provided for a mobile vessel pumpout service to assist Monroe County with alternative funding for the Monroe County marine sewage pilot program.				
1568	SPECIAL CATEGORIES			
	HAZARDOUS WASTE CLEANUP			
	FROM COASTAL PROTECTION TRUST FUND .			120,000
1569	SPECIAL CATEGORIES			
	ON-CALL FEES			
	FROM COASTAL PROTECTION TRUST FUND .			173,625

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1570	SPECIAL CATEGORIES			
	ABANDONED DRUM REMOVAL AND DISPOSAL			
	FROM COASTAL PROTECTION TRUST FUND .			30,000
1571	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM INTERNAL IMPROVEMENT TRUST FUND			8,021
	FROM LAND ACQUISITION TRUST FUND . .			133,430
	FROM PERMIT FEE TRUST FUND			72,173
	FROM WATER QUALITY ASSURANCE TRUST FUND			3,224
1572	SPECIAL CATEGORIES			
	UNDERGROUND STORAGE TANK CLEANUP			
	FROM INLAND PROTECTION TRUST FUND .			34,000
1573	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND	11,944		
	FROM ADMINISTRATIVE TRUST FUND . . .			3,230
	FROM AIR POLLUTION CONTROL TRUST FUND			27,345
	FROM COASTAL PROTECTION TRUST FUND .			4,137
	FROM INLAND PROTECTION TRUST FUND .			14,494
	FROM FEDERAL GRANTS TRUST FUND . . .			9,583
	FROM LAND ACQUISITION TRUST FUND . .			76,842
	FROM PERMIT FEE TRUST FUND			52,998
	FROM SOLID WASTE MANAGEMENT TRUST FUND			9,250
	FROM WATER QUALITY ASSURANCE TRUST FUND			16,682
TOTAL: REGULATORY DISTRICT OFFICES				
	FROM GENERAL REVENUE FUND	1,776,904		
	FROM TRUST FUNDS			44,031,420
	TOTAL POSITIONS	558.00		
	TOTAL ALL FUNDS			45,808,324
PROGRAM: WATER POLICY AND ECOSYSTEMS RESTORATION				
WATER POLICY AND ECOSYSTEMS RESTORATION				
	APPROVED SALARY RATE		1,449,087	
1574	SALARIES AND BENEFITS	POSITIONS	24.00	
	FROM ADMINISTRATIVE TRUST FUND . . .			350,757
	FROM FEDERAL GRANTS TRUST FUND . . .			476,629
	FROM LAND ACQUISITION TRUST FUND . .			1,380,781
1575	OTHER PERSONAL SERVICES			
	FROM FEDERAL GRANTS TRUST FUND . . .			282,534
	FROM LAND ACQUISITION TRUST FUND . .			15,094
1576	EXPENSES			
	FROM ADMINISTRATIVE TRUST FUND . . .			75,392
	FROM FEDERAL GRANTS TRUST FUND . . .			2,000
	FROM LAND ACQUISITION TRUST FUND . .			143,427
1577	AID TO LOCAL GOVERNMENTS			
	GRANTS AND AIDS - NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT ENVIRONMENTAL RESOURCE PERMITTING PROGRAM			
	FROM GENERAL REVENUE FUND		1,851,231	
1578	AID TO LOCAL GOVERNMENTS			
	GRANTS AND AIDS - NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT - OPERATIONS			
	FROM GENERAL REVENUE FUND		3,360,000	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1579	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - SUWANNEE RIVER WATER MANAGEMENT DISTRICT - OPERATIONS FROM GENERAL REVENUE FUND	2,287,000	
1580	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - SUWANNEE RIVER WATER MANAGEMENT DISTRICT - ENVIRONMENTAL RESOURCE PERMITTING FROM GENERAL REVENUE FUND	453,000	
1581	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - SUWANNEE RIVER WATER MANAGEMENT DISTRICT - PAYMENT IN LIEU OF TAXES FROM GENERAL REVENUE FUND	352,909	
1582	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - WATER MANAGEMENT DISTRICTS - LAND MANAGEMENT FROM LAND ACQUISITION TRUST FUND . .	12,737,210	
	From the funds in Specific Appropriation 1582, \$1,610,000 is provided to the Northwest Florida Water Management District, \$1,777,210 is provided to the Suwannee River Water Management District, \$2,750,000 is provided to the St. Johns Water Management District, \$2,750,000 is provided to the Southwest Florida Water Management District, and \$3,850,000 is provided to the South Florida Water Management District.		
1583	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - WATER MANAGEMENT DISTRICTS - MFLS FROM GENERAL REVENUE FUND	1,946,000	
	FROM LAND ACQUISITION TRUST FUND . .	1,500,000	
	From the funds in Specific Appropriation 1583, \$1,635,000 in nonrecurring funds from the General Revenue Fund are provided to the Suwannee River Water Management District and \$311,000 in nonrecurring funds from the General Revenue Fund and \$1,500,000 from the Land Acquisition Trust Fund are provided to the Northwest Florida Water Management District for activities related to establishing minimum flows and levels.		
1584	OPERATING CAPITAL OUTLAY FROM LAND ACQUISITION TRUST FUND . .	5,000	
1585	SPECIAL CATEGORIES CONTRACTED SERVICES FROM LAND ACQUISITION TRUST FUND . .	3,000	
1586	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM LAND ACQUISITION TRUST FUND . .	6,183	
1587	SPECIAL CATEGORIES GRANTS AND AIDS - OCEAN RESEARCH AND CONSERVATION ASSOCIATION - KILROY MONITORING SYSTEMS FROM LAND ACQUISITION TRUST FUND . .	250,000	
1588	SPECIAL CATEGORIES GRANTS AND AIDS - INDIAN RIVER LAGOON AND LAKE OKEECHOBEE BASIN - OPERATIONS FROM LAND ACQUISITION TRUST FUND . .	350,000	
1589	SPECIAL CATEGORIES TRANSFER TO THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT - DISPERSED WATER STORAGE FROM LAND ACQUISITION TRUST FUND . .	5,000,000	
1590	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ADMINISTRATIVE TRUST FUND . . .	951	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

	FROM LAND ACQUISITION TRUST FUND . .	4,193	
1591	SPECIAL CATEGORIES TRANSFER TO SAVE OUR EVERGLADES TRUST FUND FROM LAND ACQUISITION TRUST FUND . .	110,401,000	
1593	FIXED CAPITAL OUTLAY DEBT SERVICE - SAVE OUR EVERGLADES BONDS FROM LAND ACQUISITION TRUST FUND . .	25,805,069	
	Funds provided in Specific Appropriation 1593 are for Fiscal Year 2017-2018 debt service on bonds authorized pursuant to section 215.619, Florida Statutes, including any other continuing payments necessary or incidental to the repayment of the bonds. These funds may be used to refinance any or all series if it is in the best interest of the state as determined by the Division of Bond Finance. If the debt service varies as a result of a change in the interest rate, timing of issuance, or other circumstances, there is appropriated from the Land Acquisition Trust Fund an amount sufficient to pay such debt service.		
1593A	FIXED CAPITAL OUTLAY DEBT SERVICE NEW ISSUES FROM LAND ACQUISITION TRUST FUND . .	2,000,000	
	From the funds provided in Specific Appropriation 1593A, \$2,000,000 in recurring funds from the Land Acquisition Trust Fund are provided for Fiscal Year 2017-2018 debt service on new bonds authorized pursuant to section 215.619 (1)(a)2., Florida Statutes, to be issued in an amount not exceeding \$25,000,000 for the purpose of financing the cost of implementing the Florida Keys Stewardship Act described in Chapter 2016-225, Laws of Florida. Funds provided in Specific Appropriation 1593A may be used to pay debt service and other payments on the new bonds or on any parity bonds, including any other continuing payments necessary or incidental to the repayment of the bonds. If the debt service is insufficient as a result of a change in the interest rate, timing of issuance, or other circumstances, there is appropriated from the Save Our Everglades Trust Fund an amount sufficient to pay such debt service.		
1593B	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AIDS - FLORIDA KEYS AREA OF CRITICAL STATE CONCERN FROM SAVE OUR EVERGLADES TRUST FUND	25,000,000	
	From the funds in Specific Appropriation 1593B, \$25,000,000 in nonrecurring funds from the Save Our Everglades Trust Fund are appropriated for the purpose of entering into financial assistance agreements with local governments located in the Florida Keys Area of Critical State Concern or the City of Key West Area of Critical State Concern to finance or refinance the cost of constructing sewage collection, treatment, and disposal facilities or building projects that protect, restore, or enhance nearshore water quality and fisheries, such as stormwater or canal restoration projects and projects to protect water resources available to the Florida Keys.		
1594	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY EVERGLADES RESTORATION FROM SAVE OUR EVERGLADES TRUST FUND	112,900,000	
	FROM LAND ACQUISITION TRUST FUND . .	32,000,000	

From the funds in Specific Appropriation 1594, \$32,000,000 from the Land Acquisition Trust Fund is provided for the Restoration Strategies Regional Water Quality Plan.

From the funds in Specific Appropriation 1594, \$86,240,213 in nonrecurring funds and \$26,659,787 in recurring funds from the Save Our Everglades Trust Fund are provided for the planning, design, engineering and construction of the Comprehensive Everglades Restoration Plan (CERP).

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1594A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY NORTHERN EVERGLADES AND ESTUARIES PROTECTION
 FROM GENERAL REVENUE FUND 5,824,918
 FROM LAND ACQUISITION TRUST FUND 28,175,082

From the funds in Specific Appropriation 1594A, \$28,175,082 from the Land Acquisition Trust Fund and \$5,824,918 from the General Revenue Fund shall be used to implement the Northern Everglades and Estuaries Protection Program, as set forth in section 373.4595, Florida Statutes.

1595 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AIDS - C-51 RESERVOIR IMPLEMENTATION
 FROM GENERAL REVENUE FUND 1,000,000

TOTAL: WATER POLICY AND ECOSYSTEMS RESTORATION
 FROM GENERAL REVENUE FUND 17,075,058
 FROM TRUST FUNDS 358,864,302

TOTAL POSITIONS 24.00
 TOTAL ALL FUNDS 375,939,360

PROGRAM: WATER RESTORATION ASSISTANCE

WATER RESTORATION ASSISTANCE

APPROVED SALARY RATE 2,519,500

1597 SALARIES AND BENEFITS POSITIONS 51.00
 FROM FEDERAL GRANTS TRUST FUND 2,497,850
 FROM LAND ACQUISITION TRUST FUND 1,055,939
 FROM MINERALS TRUST FUND 254,604
 FROM WATER QUALITY ASSURANCE TRUST FUND 187,795

1598 OTHER PERSONAL SERVICES
 FROM COASTAL PROTECTION TRUST FUND 7,065
 FROM LAND ACQUISITION TRUST FUND 85,000
 FROM WATER QUALITY ASSURANCE TRUST FUND 86,231

1599 EXPENSES
 FROM FEDERAL GRANTS TRUST FUND 224,000
 FROM LAND ACQUISITION TRUST FUND 75,370
 FROM MINERALS TRUST FUND 5,000
 FROM WATER QUALITY ASSURANCE TRUST FUND 66,700

1600 OPERATING CAPITAL OUTLAY
 FROM LAND ACQUISITION TRUST FUND 10,000

1601 SPECIAL CATEGORIES
 WATER QUALITY MANAGEMENT/PLANNING GRANTS
 FROM FEDERAL GRANTS TRUST FUND 436,006

1602 SPECIAL CATEGORIES
 TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
 FROM FEDERAL GRANTS TRUST FUND 11,153
 FROM LAND ACQUISITION TRUST FUND 3,608
 FROM MINERALS TRUST FUND 984
 FROM WATER QUALITY ASSURANCE TRUST FUND 984

1603 FIXED CAPITAL OUTLAY
 LAKE APOPKA RESTORATION
 FROM LAND ACQUISITION TRUST FUND 5,000,000

Funds in Specific Appropriation 1603 are provided to the Department of Environmental Protection and may be transferred to the Fish and Wildlife Conservation Commission and/or the St. Johns River Water Management District for Lake Apopka restoration.

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1603A FIXED CAPITAL OUTLAY
 ST. JOHNS RIVER AND KEYSTONE HEIGHTS LAKE REGION PROJECTS
 FROM LAND ACQUISITION TRUST FUND 20,000,000

Funds in Specific Appropriation 1603A are provided to the Department of Environmental Protection to be transferred to the St. Johns River Water Management District for St. Johns River and/or Keystone Heights Lake Region restoration, public access and recreation projects.

1603B FIXED CAPITAL OUTLAY
 RESTORE ACT - DEEPWATER HORIZON OIL SPILL
 FROM FEDERAL GRANTS TRUST FUND 500,000

1603C FIXED CAPITAL OUTLAY
 NATIONAL FISH AND WILDLIFE FOUNDATION - DEEPWATER HORIZON OIL SPILL
 FROM GRANTS AND DONATIONS TRUST FUND 500,000

1604 FIXED CAPITAL OUTLAY
 NATURAL RESOURCE DAMAGE RESTORATION - FINAL RESTORATION - DEEPWATER HORIZON OIL SPILL
 FROM COASTAL PROTECTION TRUST FUND 5,000,000

1605 FIXED CAPITAL OUTLAY
 BEACH RECOVERY - HURRICANES HERMINE/MATTHEW
 FROM GENERAL REVENUE FUND 50,000,000

Funds in Specific Appropriation 1605 are provided for the purpose of implementing beach nourishment, restoration and dune repair projects in response to the damages caused by Hurricanes Matthew and Hermine initially identified in the Department of Environmental Protection's December 13, 2016, Recovery Report, and continuously being refined. The funds constitute the state's share of project costs and will be used to match up to 50% of the total costs, unless otherwise specified, with the balance being covered by federal and/or local funds. These projects are specifically identified as storm-damage recovery activities.

The Department of Environmental Protection is authorized to redistribute the funds appropriated in this act among projects as necessary, to effectively implement recovery and leverage, to the maximum extent possible, matching funds, including feasibility studies for projects in the hurricane impacted areas included in the BMFAP for the 2017-18 Fiscal Year.

Funds from Specific Appropriation 1605 shall be used to implement the recovery plan until accomplished or exhausted. If funds are not sufficient to fully fund all identified and qualified recovery projects, funding shortages should be proportionately shared across all such projects. In the event funds remain after storm damage recovery, those funds shall be transferred to the Beach Management Funding Assistance Program.

Any reallocation of funds will be reported in the Department of Environmental Protection's Annual Financial Summary Report.

1606 FIXED CAPITAL OUTLAY
 SPRINGS RESTORATION
 FROM LAND ACQUISITION TRUST FUND 50,000,000

Funds in Specific Appropriation 1606 may be used for land acquisition to protect springs and for capital projects that protect the quality and quantity of water that flow from springs.

1606A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AIDS - WATER PROJECTS
 FROM GENERAL REVENUE FUND 67,346,687

From the funds in Specific Appropriation 1606A, \$67,346,687 in nonrecurring funds from the General Revenue Fund is provided for the following water projects:

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

Alachua County Newnans Lake Improvement Project Phase II....	300,000
Belleview Reduction of Nutrient Loading Study.....	150,000
Biscayne Bay Coastal Wetlands Project.....	1,500,000
Blountstown Wastewater Effluent Discharge.....	1,000,000
Brooksville Horselake Creek Southeastern Branch Drainage Restoration.....	350,000
Caloosahatchee River Valued Ecosystem Component Restoration..	1,500,000
Citrus County Suncoast Parkway II Reclaim Water Main Project	1,000,000
Cooper City Water Treatment Plant Control System Replacement	750,000
Coral Gables Stormwater Outfall Baffles.....	110,000
Dade City Dade Oaks Stormwater Retention Pond.....	1,500,000
Dade City Stormwater Retrofit.....	1,500,000
Dania Beach NW 1st Avenue Watermain and Roadway Improvement.	377,696
Deltona Lower Floridan Aquifer Well.....	292,200
Doral Stormwater Improvements.....	538,135
Dunnellon Downtown Infrastructure Improvements.....	300,000
East Palatka Drainage Cleaning Project.....	1,374,226
Escambia County Innerarity Island Water and Sewer System.....	620,000
Fellsmere Regional Stormwater Lake and Wetland.....	200,000
Fernandina Beach North Fletcher Basin Area Stormwater Treatment.....	500,000
Flagler Beach Wastewater Treatment Plant Improvements.....	500,000
Florida City Canal Outfall and Equalizer Improvements.....	750,000
Florida City Krone Avenue Water Line.....	229,140
Florida Ocean Alliance.....	300,000
Fort Lauderdale Tidal Valves and Stormwater Improvement.....	350,000
Fort Myers Billy's Creek Restoration.....	550,000
Glades County - Avenues N, O, & S Caloosahatchee River Area Wastewater Improvements.....	400,000
Hallandale Beach Production Well PW9 and Alternative Water Supply.....	400,000
Hardee County Regional Potable Water Service Improvements Phase 5.....	320,000
Hardee County Regional Wastewater Service Improvements Phase 5.....	500,000
Hialeah Gardens Central District Drainage Improvements.....	750,000
Holley by the Sea Camden Drive Outfall Improvements Phase 2.	100,000
Homestead Pump Station and Plant Construction.....	450,000
Homosassa River Restoration Project - Upper River.....	350,000
Howell Branch Creek Preserve.....	525,000
Howey-In-The-Hills Water Treatment Plant Upgrade.....	500,000
Indian River Lagoon - Osprey Acres.....	1,200,000
Inglis Sub Regional Wastewater Treatment Plan.....	500,000
Jacksonville LaSalle Street Pump Station Phase 1.....	350,000
Jacksonville Septic Tank Phase-Out.....	500,000
Kings Bay Restoration.....	2,000,000
Kissimmee Woodside Drainage Improvements.....	350,000
Lake City I-75/SR 47 Wastewater Improvement Project Phase 1.	1,201,225
Lake County Emerald Lakes Feasibility Study.....	300,000
Lake Park Lakeshore Drainage.....	250,000
Lake Worth Lagoon Initiative - Lost Tree Village Septic to Sewer.....	1,000,000
Lakeland Se7en Wetlands Wastewater Treatment Facility.....	500,000
Lauderdale Lakes Stormwater Conveyance and Water Quality Improvement.....	100,000
Lee County Artesian Well Abandonment Project.....	80,000
Lee County Caloosahatchee Tributary Canal Rehabilitation L-3	300,000
Lee County Lakes Park Littoral Zone Project.....	300,000
Lee County Wild Turkey Strand Preserve Hydrological Restoration.....	300,000
Loxahatchee River Preservation Initiative.....	1,048,426
Lynn Haven 7th Street Sewer Replacement.....	580,000
MaccLenny Sewer System Replacement.....	500,000
Manatee County Rubonia Stormwater Drainage Project.....	2,800,000
Marco Shores Alternative Water Solution.....	750,000
Margate Lemon Tree Lake Water Quality Improvement Project...	100,000
Melbourne-Tillman Water Control District Canal 82 Water Quality Improvements.....	534,320
Miami Gardens Vista Verde Drainage Improvement Project.....	300,000
Midway Phase 1 Sanitary Sewer System.....	500,000
Neptune Beach Florida Boulevard Stormwater Culvert Improvements.....	500,000
North Miami Arch Creek North/South Drainage Improvements Basin C.....	250,000
North Miami Beach Master Force Main Installation.....	500,000
North Port Inflow and Infiltration Program.....	300,000
Oak Hill/Volusia County Water Quality Septic Replacement....	1,000,000

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

Oakland Wastewater Collection System.....	250,000
Okeechobee County Taylor Creek SE 8th Avenue Stormwater Conveyance Water Quality Outfall Improvements.....	209,036
Pahokee East Lake Village Stormwater Improvements.....	750,000
Pahokee Glades Citizens Villa Stormwater Improvements.....	635,000
Palatka Drinking Water Infrastructure.....	394,951
Palm Beach County Lake Region Water Infrastructure Improvement Project.....	1,000,000
Palm Springs Drainage Improvements 10th Avenue North and Davis Road.....	337,500
Pasco County Culvert Reconditioning.....	1,000,000
Pasco County Sea Pines Flooding Abatement.....	1,500,000
Peace River Manasota Regional Water Supply Authority.....	100,000
Pembroke Park John P. Lyons Lane Stormwater Pumping Station.	500,000
Penney Farms Water System Piping Replacement.....	500,000
Pilot Projects for City South Miami and Okeechobee County Septic to Sewer.....	2,000,000
Plant City Stormwater Asset Management Plan.....	650,000
Polk County Lake Region Lakes Stormwater Improvements.....	500,000
Port St. Lucie McCarty Ranch Water Quality, Restoration and Storage Project Construction.....	900,000
Port St. Lucie McCarty Ranch Water Quality, Restoration and Storage Project Design.....	180,000
Royal Palm Beach Canal System Rehabilitation Project.....	500,000
Sanford North Water Reclamation Facility Hurricane Matthew Damage and Cleanup.....	520,958
Sanford Nutrient Reduction at Lake Jessup and Lake Monroe Watersheds.....	750,000
Sanibel Donax Wastewater Reclamation Facility Plant 1 Upgrade Project.....	1,000,000
Sanibel Jordan Marsh Water Quality Treatment Park.....	150,000
Sarasota County Dona Bay Watershed Restoration Project Phase III.....	300,000
Seminole County Wekiva Basin Spring Lake.....	500,000
Shell Key Access and Water Quality Improvement Project.....	1,200,000
South Bay Flood Control and Waterway Management.....	1,353,000
South Daytona Septic to Sewer Project.....	500,000
Southwest Ranches Drainage Project.....	340,000
St. Lucie County Culvert Replacement Project.....	900,000
St. Lucie County Teague Hammock Preserve.....	400,000
St. Pete Beach Sanitary Sewer Improvements.....	1,500,000
Suwannee I-75 / CR 136 Sewage Treatment Facility.....	500,000
Sweetwater Stormwater Improvements.....	224,766
Tarpon Springs Anclote River Dredge Project.....	920,973
Titusville 1,100-Acre Stormwater Treatment Train.....	400,000
Venice Water Main Replacement Phase 5.....	100,000
Village of El Portal - El Jardin Stormwater Improvements....	550,000
Wauhatchie Waterline Replacement Service Area 3.....	1,700,135
Weeki Wachee River Restoration Project.....	400,000
Wekiva Basin Bear Lake Chain of Lakes Water Quality Improvements.....	500,000
West Palm Beach Stormwater Improvements in Historic Pineapple Park.....	400,000
West Park Retention Pond.....	600,000

1606B GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
SITE CLEANUP / COMMUNITY DEVELOPMENT
FROM GENERAL REVENUE FUND 1,500,000

From the funds in Specific Appropriation 1606B, \$1,500,000 in
nonrecurring funds from the General Revenue Fund are provided for the
Apalachicola River Cleanup and Redevelopment Project in Calhoun County.

1606C GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - BAKER COUNTY NATURAL GAS
PIPELINE EXTENSION
FROM GENERAL REVENUE FUND 1,077,500

1607 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AID - NON-POINT SOURCE (NPS)
MANAGEMENT PLANNING GRANTS
FROM GENERAL REVENUE FUND 5,000,000
FROM FEDERAL GRANTS TRUST FUND 8,500,000

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1609 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
BEACH PROJECTS - STATEWIDE
FROM LAND ACQUISITION TRUST FUND . . . 50,000,000

Funds in Specific Appropriation 1609 are provided to the Department of Environmental Protection's Beach Management Funding Assistance Program (BMFAP), Local Government Funding Requests for Fiscal Year 2017-18, from the Beach Restoration/Nourishment and Inlet Sand Bypassing/Inlet Management Plan Implementation Projects Lists, in priority order.

Funds in Specific Appropriation 1609 shall be provided for the three highest ranked Inlet Sand Bypassing and Inlet Management Plan Implementation projects.

Funds in Specific Appropriation 1609 shall be provided for post-construction monitoring projects for Beach Restoration/Nourishment and Inlet Sand Bypassing/Inland Management projects, to be cost-shared equally, in the BMFAP.

All remaining funds in Specific Appropriation 1609 and funds that may be transferred from the 2016 Hurricane Recovery Plan shall be provided for Beach Restoration and Nourishment projects on the Fiscal Year 2017-18 list, in priority order.

Funds in Specific Appropriation 1609 shall not be provided for any activities related to beach nourishment utilizing offshore sand sources from Martin and St. Lucie counties for the Dade County Shore Protection Project. Any funds in Specific Appropriation 1609 to the Sunny Isles Segment/Dade County Shore Protection Project included in the Department of Environmental Protection's Beach Management Funding Assistance Program Fiscal Year 2017-18 Local Government Funding Requests may only utilize upland sand sources.

1609A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - MADEIRA BEACH SAND GROIN
REFURBISHMENT
FROM GENERAL REVENUE FUND 1,000,000

1610 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
DRINKING WATER FACILITY CONSTRUCTION -
STATE REVOLVING LOAN
FROM GENERAL REVENUE FUND 11,888,200
FROM DRINKING WATER REVOLVING LOAN
TRUST FUND 90,756,873

1611 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
WASTEWATER TREATMENT FACILITY CONSTRUCTION
FROM GENERAL REVENUE FUND 6,540,800
FROM WASTEWATER TREATMENT AND
STORMWATER MANAGEMENT REVOLVING
LOAN TRUST FUND 136,147,231

1613 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - INDIAN RIVER LAGOON, ST.
LUCIE AND CALOOSAHATCHEE ESTUARY
RESTORATION
FROM GENERAL REVENUE FUND 20,000,000

Funds from Specific Appropriation 1613 shall be used to offset homeowner costs that would be incurred by retrofitting or sewerage septic systems that contribute excess nutrient pollution to the Indian River Lagoon, Caloosahatchee and St. Lucie estuaries. Specifically, these funds shall be used to address the retrofitting or sewerage of septic tanks within one-quarter mile of marine waters in Indian River, Brevard, Martin, St. Lucie, Volusia and Lee counties.

1614 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
SMALL COUNTY WASTEWATER TREATMENT GRANTS
FROM GENERAL REVENUE FUND 2,000,000
FROM FEDERAL GRANTS TRUST FUND 13,000,000

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

From the funds in Specific Appropriation 1614, \$2,000,000 is provided to publicly owned utilities to remove sand and grit from wastewater treatment plants with daily flow less than 3 MGD and must remain in operation during cleaning to avoid the discharge of untreated wastewater. The Department of Environmental Protection shall coordinate the selection and administration of projects. Funds shall be distributed on a first-come, first-serve basis and require a local match of at least 50 percent, with the exception that the local match shall be waived by the department if: 1) the public utility is located in a Rural Area of Opportunity pursuant to section 288.0656, Florida Statutes; 2) the public utility is located in a county that has a poverty level equal to or greater than 20 percent as defined by the most recent federal census; or, 3) the public utility is located in and wholly serves a municipality that has a poverty level equal to or greater than 25 percent as qualified by the municipality and such qualification is accepted by the department.

TOTAL: WATER RESTORATION ASSISTANCE		
FROM GENERAL REVENUE FUND	166,353,187	
FROM TRUST FUNDS		384,412,393
TOTAL POSITIONS	51.00	
TOTAL ALL FUNDS		550,765,580

PROGRAM: ENVIRONMENTAL ASSESSMENT AND RESTORATION

WATER SCIENCE AND LABORATORY SERVICES

	APPROVED SALARY RATE	8,930,192	
1615	SALARIES AND BENEFITS POSITIONS	191.00	
	FROM FEDERAL GRANTS TRUST FUND . . .		2,795,752
	FROM INTERNAL IMPROVEMENT TRUST FUND		106,739
	FROM LAND ACQUISITION TRUST FUND . .		6,902,792
	FROM WATER QUALITY ASSURANCE TRUST FUND		2,570,815
1616	OTHER PERSONAL SERVICES		
	FROM INTERNAL IMPROVEMENT TRUST FUND		7,197
	FROM LAND ACQUISITION TRUST FUND . .		94,215
	FROM WATER QUALITY ASSURANCE TRUST FUND		218,179
1617	EXPENSES		
	FROM INLAND PROTECTION TRUST FUND .		92,773
	FROM FEDERAL GRANTS TRUST FUND . . .		239,900
	FROM LAND ACQUISITION TRUST FUND . .		1,576,091
	FROM SOLID WASTE MANAGEMENT TRUST FUND		92,774
	FROM WATER QUALITY ASSURANCE TRUST FUND		336,669
1618	OPERATING CAPITAL OUTLAY		
	FROM INLAND PROTECTION TRUST FUND .		66,267
	FROM SOLID WASTE MANAGEMENT TRUST FUND		66,267
	FROM WATER QUALITY ASSURANCE TRUST FUND		66,266
1620	SPECIAL CATEGORIES		
	GROUND WATER QUALITY MONITORING NETWORK FROM WATER QUALITY ASSURANCE TRUST FUND		2,033,191
1621	SPECIAL CATEGORIES		
	WATER MANAGEMENT DISTRICTS LABORATORY SUPPORT FROM GRANTS AND DONATIONS TRUST FUND		176,425
1622	SPECIAL CATEGORIES		
	EVERGLADES LAB SUPPORT FROM WATER QUALITY ASSURANCE TRUST FUND		231,564

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1623	SPECIAL CATEGORIES WATER QUALITY MANAGEMENT/PLANNING GRANTS FROM FEDERAL GRANTS TRUST FUND . . .	1,178,126
1624	SPECIAL CATEGORIES LABORATORY SERVICES FROM FEDERAL GRANTS TRUST FUND . . .	150,000
1625	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND 250,000 FROM INLAND PROTECTION TRUST FUND . FROM SOLID WASTE MANAGEMENT TRUST FUND FROM WATER QUALITY ASSURANCE TRUST FUND	207,353 207,354 6,852
From the funds in Specific Appropriation 1625, \$250,000 in nonrecurring funds from the General Revenue Fund shall be used for National Estuary Program activities necessary to achieve the total maximum daily load adopted by the Department of Environmental Protection for the Indian River and Banana River Lagoons. The Indian River Lagoon National Estuary Program will report to the department annually on use of these funds.		
1626	SPECIAL CATEGORIES HAZARDOUS WASTE CLEANUP FROM SOLID WASTE MANAGEMENT TRUST FUND	312,710
1627	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM LAND ACQUISITION TRUST FUND . . FROM WATER QUALITY ASSURANCE TRUST FUND	55,639 24,835
1628	SPECIAL CATEGORIES U.S. GEOLOGIC SURVEY COOPERATIVE AGREEMENT FROM WATER QUALITY ASSURANCE TRUST FUND	214,897
1629	SPECIAL CATEGORIES TRANSFER TO INSTITUTE OF FOOD AND AGRICULTURE SCIENCES (IFAS) - LAKEWATCH FROM INTERNAL IMPROVEMENT TRUST FUND	500,000
1630	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM FEDERAL GRANTS TRUST FUND . . . FROM INTERNAL IMPROVEMENT TRUST FUND FROM LAND ACQUISITION TRUST FUND . . FROM WATER QUALITY ASSURANCE TRUST FUND	11,841 636 38,500 12,688
1631	SPECIAL CATEGORIES TOTAL MAXIMUM DAILY LOADS FROM LAND ACQUISITION TRUST FUND . .	1,210,000
1632	FIXED CAPITAL OUTLAY TOTAL MAXIMUM DAILY LOADS FROM GENERAL REVENUE FUND	7,435,000
1633	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AID - NON-POINT SOURCE (NPS) MANAGEMENT PLANNING GRANTS FROM FEDERAL GRANTS TRUST FUND . . .	1,500,000

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

TOTAL:	WATER SCIENCE AND LABORATORY SERVICES FROM GENERAL REVENUE FUND	7,685,000	23,305,307
	FROM TRUST FUNDS		
	TOTAL POSITIONS	191.00	
	TOTAL ALL FUNDS		30,990,307
PROGRAM: WATER RESOURCE MANAGEMENT			
WATER RESOURCE MANAGEMENT			
	APPROVED SALARY RATE	10,462,250	
1634	SALARIES AND BENEFITS POSITIONS FROM FEDERAL GRANTS TRUST FUND . . . FROM LAND ACQUISITION TRUST FUND . . FROM MINERALS TRUST FUND FROM NON-MANDATORY LAND RECLAMATION TRUST FUND FROM PERMIT FEE TRUST FUND FROM WATER QUALITY ASSURANCE TRUST FUND	209.00	4,820,319 3,354,988 1,148,063 1,318,468 2,486,821 1,686,211
1635	OTHER PERSONAL SERVICES FROM LAND ACQUISITION TRUST FUND . . FROM MINERALS TRUST FUND FROM NON-MANDATORY LAND RECLAMATION TRUST FUND FROM WATER QUALITY ASSURANCE TRUST FUND		277,483 56,601 66,759 740,549
1636	EXPENSES FROM FEDERAL GRANTS TRUST FUND . . . FROM LAND ACQUISITION TRUST FUND . . FROM NON-MANDATORY LAND RECLAMATION TRUST FUND FROM PERMIT FEE TRUST FUND FROM WATER QUALITY ASSURANCE TRUST FUND		704,060 355,389 350,180 440,870 163,228
1637	OPERATING CAPITAL OUTLAY FROM MINERALS TRUST FUND FROM NON-MANDATORY LAND RECLAMATION TRUST FUND		1,132 40,125
1638	SPECIAL CATEGORIES WATER QUALITY MANAGEMENT/PLANNING GRANTS FROM FEDERAL GRANTS TRUST FUND . . .		872,930
1639	SPECIAL CATEGORIES NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PROGRAM FROM PERMIT FEE TRUST FUND		139,251
1640	SPECIAL CATEGORIES CONTRACTED SERVICES FROM MINERALS TRUST FUND		20,000
1641	SPECIAL CATEGORIES HAZARDOUS WASTE CLEANUP FROM WATER QUALITY ASSURANCE TRUST FUND		1,855,902
1642	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM LAND ACQUISITION TRUST FUND . . FROM MINERALS TRUST FUND FROM NON-MANDATORY LAND RECLAMATION TRUST FUND FROM PERMIT FEE TRUST FUND FROM WATER QUALITY ASSURANCE TRUST FUND		2,598 12,735 7,492 52,361 9,793

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1643	SPECIAL CATEGORIES HABITAT RESTORATION FROM NON-MANDATORY LAND RECLAMATION TRUST FUND	145,610
1644	SPECIAL CATEGORIES UNDERGROUND STORAGE TANK CLEANUP FROM INLAND PROTECTION TRUST FUND .	76,578
1645	SPECIAL CATEGORIES WATER WELL CLEANUP FROM WATER QUALITY ASSURANCE TRUST FUND	969,350
1646	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM FEDERAL GRANTS TRUST FUND . . . FROM LAND ACQUISITION TRUST FUND . . FROM MINERALS TRUST FUND FROM NON-MANDATORY LAND RECLAMATION TRUST FUND FROM PERMIT FEE TRUST FUND FROM WATER QUALITY ASSURANCE TRUST FUND	9,821 28,512 7,180 6,664 10,045 7,732
1647	SPECIAL CATEGORIES WETLANDS PROTECTION FROM FEDERAL GRANTS TRUST FUND . . .	34,459
1648	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AID - NON-POINT SOURCE (NPS) MANAGEMENT PLANNING GRANTS FROM FEDERAL GRANTS TRUST FUND . . .	2,500,000
TOTAL: WATER RESOURCE MANAGEMENT FROM TRUST FUNDS		24,780,259
TOTAL POSITIONS		209.00
TOTAL ALL FUNDS		24,780,259
PROGRAM: WASTE MANAGEMENT		
WASTE MANAGEMENT		
APPROVED SALARY RATE 9,178,042		
1649	SALARIES AND BENEFITS POSITIONS FROM INLAND PROTECTION TRUST FUND . FROM FEDERAL GRANTS TRUST FUND . . . FROM SOLID WASTE MANAGEMENT TRUST FUND FROM WATER QUALITY ASSURANCE TRUST FUND	181.00 5,092,594 2,342,068 1,994,637 3,684,955
1650	OTHER PERSONAL SERVICES FROM INLAND PROTECTION TRUST FUND . FROM FEDERAL GRANTS TRUST FUND . . . FROM SOLID WASTE MANAGEMENT TRUST FUND FROM WATER QUALITY ASSURANCE TRUST FUND	23,780 214,193 142,552 42,000
1651	EXPENSES FROM INLAND PROTECTION TRUST FUND . FROM FEDERAL GRANTS TRUST FUND . . . FROM SOLID WASTE MANAGEMENT TRUST FUND FROM WATER QUALITY ASSURANCE TRUST FUND	572,053 179,291 277,094 436,166

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1652	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - SOUTHERN WASTE INFORMATION EXCHANGE CLEARING HOUSE FROM SOLID WASTE MANAGEMENT TRUST FUND	300,000
1653	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - LOCAL HAZARDOUS WASTE COLLECTION FROM WATER QUALITY ASSURANCE TRUST FUND	509,994
1654	OPERATING CAPITAL OUTLAY FROM INLAND PROTECTION TRUST FUND . FROM SOLID WASTE MANAGEMENT TRUST FUND FROM WATER QUALITY ASSURANCE TRUST FUND	9,929 44,094 11,023
1655	SPECIAL CATEGORIES STORAGE TANK COMPLIANCE VERIFICATION FROM INLAND PROTECTION TRUST FUND .	5,900,000
1656	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF HEALTH FOR BIOMEDICAL WASTE REGULATION FROM SOLID WASTE MANAGEMENT TRUST FUND	880,000
1657	SPECIAL CATEGORIES CONTRACTED SERVICES FROM INLAND PROTECTION TRUST FUND . FROM FEDERAL GRANTS TRUST FUND . . . FROM SOLID WASTE MANAGEMENT TRUST FUND FROM WATER QUALITY ASSURANCE TRUST FUND	109,045 4,200 74,000 62,100
1658	SPECIAL CATEGORIES FEDERAL WASTE PLANNING GRANTS FROM FEDERAL GRANTS TRUST FUND . . .	954,153
1659	SPECIAL CATEGORIES HAZARDOUS WASTE CLEANUP FROM WATER QUALITY ASSURANCE TRUST FUND	1,719,108
1660	SPECIAL CATEGORIES HAZARDOUS WASTE SITES RESTORATION FROM FEDERAL GRANTS TRUST FUND . . .	1,710,385
1661	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES - MOSQUITO CONTROL PROGRAM FROM SOLID WASTE MANAGEMENT TRUST FUND	2,660,000
1662	SPECIAL CATEGORIES DRYCLEANING CONTAMINATION CLEANUP FROM WATER QUALITY ASSURANCE TRUST FUND	90,000
1663	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM INLAND PROTECTION TRUST FUND . FROM SOLID WASTE MANAGEMENT TRUST FUND FROM WATER QUALITY ASSURANCE TRUST FUND	28,923 11,375 20,630
1664	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF REVENUE - ADMINISTRATION OF LEAD ACID BATTERY FEE FROM WATER QUALITY ASSURANCE TRUST FUND	231,092

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1665	SPECIAL CATEGORIES TRANSFER TO UNIVERSITY OF FLORIDA - RESEARCH AND TESTING FROM SOLID WASTE MANAGEMENT TRUST FUND	700,000
1666	SPECIAL CATEGORIES UNDERGROUND STORAGE TANK CLEANUP FROM INLAND PROTECTION TRUST FUND . FROM FEDERAL GRANTS TRUST FUND . . .	5,624,541 3,092,467
1667	SPECIAL CATEGORIES LOCAL GOVERNMENT CLEANUP CONTRACTING FROM INLAND PROTECTION TRUST FUND .	13,000,000
1668	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM INLAND PROTECTION TRUST FUND . FROM FEDERAL GRANTS TRUST FUND . . . FROM SOLID WASTE MANAGEMENT TRUST FUND FROM WATER QUALITY ASSURANCE TRUST FUND	28,569 9,698 9,723 19,851
1669	SPECIAL CATEGORIES TRANSFER TO THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES - OPERATION CLEAN SWEEP FROM SOLID WASTE MANAGEMENT TRUST FUND	100,000
1670	FIXED CAPITAL OUTLAY DRY CLEANING SOLVENT CONTAMINATED SITE CLEANUP FROM WATER QUALITY ASSURANCE TRUST FUND	8,500,000
1671	FIXED CAPITAL OUTLAY WASTE TIRE ABATEMENT FROM SOLID WASTE MANAGEMENT TRUST FUND	750,000
1672	FIXED CAPITAL OUTLAY SOLID WASTE LANDFILL CLOSURES FROM SOLID WASTE MANAGEMENT TRUST FUND	2,000,000
1673	FIXED CAPITAL OUTLAY PETROLEUM TANKS CLEANUP FROM INLAND PROTECTION TRUST FUND .	110,000,000
1674	FIXED CAPITAL OUTLAY HAZARDOUS WASTE CONTAMINATED SITE CLEANUP FROM WATER QUALITY ASSURANCE TRUST FUND	8,500,000
1675	FIXED CAPITAL OUTLAY DEBT SERVICE - INLAND PROTECTION FINANCING CORPORATION FROM INLAND PROTECTION TRUST FUND .	9,682,063
Funds in Specific Appropriation 1675 are for Fiscal Year 2017-2018 debt service on bonds pursuant to Specific Appropriation 1733, chapter 2009-91, Laws of Florida, and any administrative expenses of the Inland Protection Financing Corporation for the purpose of rehabilitation of petroleum contamination sites pursuant to sections 376.30 through 376.317, Florida Statutes.		
1676	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY SOLID WASTE MANAGEMENT FROM SOLID WASTE MANAGEMENT TRUST FUND	3,000,000

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1677	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AIDS - OSBORNE REEF WASTE TIRE REMOVAL - BROWARD COUNTY FROM SOLID WASTE MANAGEMENT TRUST FUND	1,000,000
From the funds in Specific Appropriation 1677, \$1,000,000 in nonrecurring funds from the Solid Waste Management Trust Fund is provided for the removal of tires from Osborne Reef in Broward County.		
TOTAL: WASTE MANAGEMENT FROM TRUST FUNDS		196,348,346
TOTAL POSITIONS		181.00
TOTAL ALL FUNDS		196,348,346
PROGRAM: RECREATION AND PARKS		
STATE PARK OPERATIONS		
APPROVED SALARY RATE		33,415,077
1678	SALARIES AND BENEFITS POSITIONS FROM INTERNAL IMPROVEMENT TRUST FUND FROM LAND ACQUISITION TRUST FUND . . FROM STATE PARK TRUST FUND	992.50 1,555 28,523,725 19,816,746
1679	OTHER PERSONAL SERVICES FROM STATE PARK TRUST FUND	3,841,576
1680	EXPENSES FROM LAND ACQUISITION TRUST FUND . . FROM STATE PARK TRUST FUND	84,550 14,555,356
1681	OPERATING CAPITAL OUTLAY FROM STATE PARK TRUST FUND	1,780,986
1682	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM STATE PARK TRUST FUND	950,000
1683	SPECIAL CATEGORIES DISTRIBUTION OF SURCHARGE FEES FROM STATE PARK TRUST FUND	800,000
1684	SPECIAL CATEGORIES DISBURSE DONATIONS FROM GRANTS AND DONATIONS TRUST FUND FROM STATE PARK TRUST FUND	206,714 250,000
1685	SPECIAL CATEGORIES LAND MANAGEMENT FROM LAND ACQUISITION TRUST FUND . . FROM STATE PARK TRUST FUND	1,625,876 200,000
1686	SPECIAL CATEGORIES AMERICORPS PROGRAM FROM FEDERAL GRANTS TRUST FUND . . .	621,926
1687	SPECIAL CATEGORIES OUTSOURCING/PRIVATIZATION FROM STATE PARK TRUST FUND	5,378,591
1688	SPECIAL CATEGORIES MANAGEMENT OF WATER CONTROL STRUCTURES FROM STATE PARK TRUST FUND	150,000
1689	SPECIAL CATEGORIES CONTROL OF INVASIVE EXOTICS FROM STATE PARK TRUST FUND	314,854

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1690	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM LAND ACQUISITION TRUST FUND . . . FROM STATE PARK TRUST FUND	1,901,568 1,311,986
1691	SPECIAL CATEGORIES GREENWAYS CARL MANAGEMENT FUNDING FROM LAND ACQUISITION TRUST FUND . .	2,207,436
1692	SPECIAL CATEGORIES LAND USE PROCEEDS DISBURSEMENTS FROM STATE PARK TRUST FUND	1,200,000
1693	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM LAND ACQUISITION TRUST FUND . . FROM STATE PARK TRUST FUND	214,953 154,281
1694	FIXED CAPITAL OUTLAY STATE PARK FACILITY IMPROVEMENTS FROM STATE PARK TRUST FUND	21,000,000
From the funds in Specific Appropriation 1694, \$1,331,500 in nonrecurring funds from the State Park Trust Fund is provided for the Fakahatchee Strand State Park Visitor Center and facility improvements.		
1695	FIXED CAPITAL OUTLAY LAND MANAGEMENT FROM GENERAL REVENUE FUND FROM STATE PARK TRUST FUND	8,000,000 2,000,000
1696	FIXED CAPITAL OUTLAY STATEWIDE PARK ROAD MAINTENANCE AND REPAIRS FROM STATE PARK TRUST FUND	1,875,000
1697	FIXED CAPITAL OUTLAY REMOVE ACCESSIBILITY BARRIERS - STATEWIDE FROM STATE PARK TRUST FUND	4,000,000
1698	FIXED CAPITAL OUTLAY GRANTS AND DONATIONS SPENDING AUTHORITY FROM FEDERAL GRANTS TRUST FUND . . . FROM GRANTS AND DONATIONS TRUST FUND	3,000,000 1,000,000
1699	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY FEDERAL LAND AND WATER CONSERVATION FUND GRANTS FROM FEDERAL GRANTS TRUST FUND . . .	4,000,000
1699A	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY FLORIDA RECREATION DEVELOPMENT ASSISTANCE GRANTS FROM GENERAL REVENUE FUND	5,350,000
From the funds in Specific Appropriation 1699A, \$5,350,000 in nonrecurring funds from the General Revenue Fund is provided to fund all of the small development projects, and the remainder of that amount is provided for the following two large development projects on the Florida Recreation Development Assistance Program (FRDAP) 2017-18 Combined Applicant Priority List.		
	Edward Perry Sports Complex - Lafayette County..... Blue Run of Dunnellon Park Improvements - Marion County.....	200,000 150,000
1700	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY NATIONAL RECREATIONAL TRAIL GRANTS FROM FEDERAL GRANTS TRUST FUND . . .	2,500,000

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1700A	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY LOCAL PARKS FROM GENERAL REVENUE FUND	3,150,835
From the funds in Specific Appropriation 1700A, \$3,150,835 in nonrecurring funds from the General Revenue Fund is provided for the following local parks:		
	Clay County Camp Chowenwaw Park Improvements..... Columbia County Rum Island Restoration..... Historic Spring Park Public Access St. Johns River..... Nassau County Westside Park..... Pahokee Commissioners Park.....	952,835 150,000 600,000 898,000 550,000
1701	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY PARKS AND COMMUNITY TRAILS PROGRAM (PACT) FROM STATE PARK TRUST FUND	1,000,000
1701A	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AIDS - HOMASASSA RIVER HERITAGE PARK LAND ACQUISITION FROM GENERAL REVENUE FUND	850,000
1701B	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AIDS - MARTIN COUNTY - EAST RIDGE RESERVE - HAMM PARCEL LAND ACQUISITION FROM GENERAL REVENUE FUND	1,250,000
TOTAL:	STATE PARK OPERATIONS FROM GENERAL REVENUE FUND FROM TRUST FUNDS	18,600,835 126,467,679
	TOTAL POSITIONS TOTAL ALL FUNDS	992.50 145,068,514
COASTAL AND AQUATIC MANAGED AREAS		
	APPROVED SALARY RATE	4,682,275
1702	SALARIES AND BENEFITS POSITIONS FROM FEDERAL GRANTS TRUST FUND . . . FROM LAND ACQUISITION TRUST FUND . .	97.00 2,619,768 3,484,266
1703	OTHER PERSONAL SERVICES FROM COASTAL PROTECTION TRUST FUND . FROM FEDERAL GRANTS TRUST FUND . . . FROM LAND ACQUISITION TRUST FUND . .	77 107,438 616,116
1704	EXPENSES FROM FEDERAL GRANTS TRUST FUND . . . FROM LAND ACQUISITION TRUST FUND . .	144,600 1,052,690
1705	OPERATING CAPITAL OUTLAY FROM LAND ACQUISITION TRUST FUND . .	29,292
1706	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM FEDERAL GRANTS TRUST FUND . . .	141,135
1708	SPECIAL CATEGORIES SUBMERGED RESOURCE DAMAGED RESTORATIONS FROM WATER QUALITY ASSURANCE TRUST FUND	257,834
1709	SPECIAL CATEGORIES CONTRACTED SERVICES FROM LAND ACQUISITION TRUST FUND . .	229,443

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1710	SPECIAL CATEGORIES MARINE RESEARCH GRANTS FROM FEDERAL GRANTS TRUST FUND . . . FROM GRANTS AND DONATIONS TRUST FUND	4,419,138 862,799
1711	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM LAND ACQUISITION TRUST FUND . .	73,264
1712	SPECIAL CATEGORIES COASTAL AND AQUATIC MANAGED AREAS (CAMA) - CARL MANAGEMENT FUNDS FROM LAND ACQUISITION TRUST FUND . .	861,233
1713	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM FEDERAL GRANTS TRUST FUND . . . FROM LAND ACQUISITION TRUST FUND . .	10,702 24,538
1715	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY FLORIDA COASTAL ZONE MANAGEMENT PROGRAM FROM FEDERAL GRANTS TRUST FUND . . .	832,000
TOTAL:	COASTAL AND AQUATIC MANAGED AREAS FROM TRUST FUNDS	15,766,333
	TOTAL POSITIONS	97.00
	TOTAL ALL FUNDS	15,766,333

PROGRAM: AIR RESOURCES MANAGEMENT

UTILITIES SITING AND COORDINATION

	APPROVED SALARY RATE	280,144	
1716	SALARIES AND BENEFITS POSITIONS FROM PERMIT FEE TRUST FUND	4.00	348,951
1717	EXPENSES FROM PERMIT FEE TRUST FUND		18,055
1718	SPECIAL CATEGORIES CONTRACTED SERVICES FROM PERMIT FEE TRUST FUND		6,136
1719	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM PERMIT FEE TRUST FUND		1,262
1720	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM PERMIT FEE TRUST FUND		2,247
TOTAL:	UTILITIES SITING AND COORDINATION FROM TRUST FUNDS		376,651
	TOTAL POSITIONS	4.00	
	TOTAL ALL FUNDS		376,651

AIR RESOURCES MANAGEMENT

	APPROVED SALARY RATE	3,716,142	
1721	SALARIES AND BENEFITS POSITIONS FROM AIR POLLUTION CONTROL TRUST FUND	67.00	5,273,992
1722	OTHER PERSONAL SERVICES FROM AIR POLLUTION CONTROL TRUST FUND		3,478,755

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1723	EXPENSES FROM AIR POLLUTION CONTROL TRUST FUND	779,634
1724	OPERATING CAPITAL OUTLAY FROM AIR POLLUTION CONTROL TRUST FUND	387,680
1725	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM AIR POLLUTION CONTROL TRUST FUND	580,029
1726	SPECIAL CATEGORIES DISTRIBUTION TO COUNTIES - MOTOR VEHICLE REGISTRATION PROCEEDS FROM AIR POLLUTION CONTROL TRUST FUND	8,705,936
1727	SPECIAL CATEGORIES ASBESTOS REMOVAL PROGRAM FEES FROM AIR POLLUTION CONTROL TRUST FUND	20,000
1728	SPECIAL CATEGORIES CONTRACTED SERVICES FROM AIR POLLUTION CONTROL TRUST FUND	22,000
1729	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM AIR POLLUTION CONTROL TRUST FUND	13,838
1730	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM AIR POLLUTION CONTROL TRUST FUND	26,109
1731	FIXED CAPITAL OUTLAY VOLKSWAGEN SETTLEMENT FROM GRANTS AND DONATIONS TRUST FUND	500,000
TOTAL:	AIR RESOURCES MANAGEMENT FROM TRUST FUNDS	19,787,973
	TOTAL POSITIONS	67.00
	TOTAL ALL FUNDS	19,787,973
TOTAL:	ENVIRONMENTAL PROTECTION, DEPARTMENT OF FROM GENERAL REVENUE FUND	213,050,999
	FROM TRUST FUNDS	1,471,574,619
	TOTAL POSITIONS	2,899.50
	TOTAL ALL FUNDS	1,684,625,618
	TOTAL APPROVED SALARY RATE	130,730,974

FISH AND WILDLIFE CONSERVATION COMMISSION

PROGRAM: EXECUTIVE DIRECTION AND ADMINISTRATIVE SERVICES

OFFICE OF EXECUTIVE DIRECTION AND ADMINISTRATIVE SUPPORT SERVICES

	APPROVED SALARY RATE	10,341,701	
1732	SALARIES AND BENEFITS POSITIONS FROM ADMINISTRATIVE TRUST FUND . . . FROM LAND ACQUISITION TRUST FUND . . FROM MARINE RESOURCES CONSERVATION TRUST FUND	218.00	7,141,550 6,038,487 927,730 114,069
	FROM NON-GAME WILDLIFE TRUST FUND .		

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

	FROM STATE GAME TRUST FUND		26,994
1733	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	100,000	
	FROM ADMINISTRATIVE TRUST FUND		1,325,599
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		22,351
	FROM NON-GAME WILDLIFE TRUST FUND . .		861
	FROM STATE GAME TRUST FUND		1,490
1734	EXPENSES		
	FROM GENERAL REVENUE FUND	55,000	
	FROM ADMINISTRATIVE TRUST FUND		2,851,652
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		563,817
	FROM NON-GAME WILDLIFE TRUST FUND . .		42,622
1735	OPERATING CAPITAL OUTLAY		
	FROM ADMINISTRATIVE TRUST FUND		393,744
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		4,704
1736	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM ADMINISTRATIVE TRUST FUND		93,888
1737	SPECIAL CATEGORIES		
	FISH AND WILDLIFE CONSERVATION COMMISSION		
	YOUTH HUNTING AND FISHING PROGRAMS		
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		134,000
	FROM STATE GAME TRUST FUND		801,255
1738	SPECIAL CATEGORIES		
	NON-CARL WILDLIFE MANAGEMENT		
	FROM LAND ACQUISITION TRUST FUND . . .		72,205
1739	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
	FROM ADMINISTRATIVE TRUST FUND		37,307
1740	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	100,000	
	FROM ADMINISTRATIVE TRUST FUND		1,364,524
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		214,514
	FROM NON-GAME WILDLIFE TRUST FUND . .		1,685
	FROM STATE GAME TRUST FUND		2,825,152

From the funds in Specific Appropriation 1740, \$100,000 in nonrecurring funds from the General Revenue Fund is provided for the Fish and Wildlife Foundation of Florida Fund Raising Campaign on behalf of the Florida Fish and Wildlife Conservation Commission.

1741	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM ADMINISTRATIVE TRUST FUND		124,151
	FROM LAND ACQUISITION TRUST FUND . . .		5,315
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		12,801
	FROM STATE GAME TRUST FUND		27,680
1742	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM ADMINISTRATIVE TRUST FUND		6,828
1743	SPECIAL CATEGORIES		
	FINAL NATURAL RESOURCE DAMAGE RESTORATION - DEEPWATER HORIZON OIL SPILL		
	FROM GRANTS AND DONATIONS TRUST FUND		500,000

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1744	SPECIAL CATEGORIES		
	GULF COAST RESTORATION		
	FROM GRANTS AND DONATIONS TRUST FUND		961,649
1745	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM ADMINISTRATIVE TRUST FUND		71,454
	FROM LAND ACQUISITION TRUST FUND . . .		342
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		6,980
	FROM NON-GAME WILDLIFE TRUST FUND . .		451
1746	SPECIAL CATEGORIES		
	GRANTS AND AIDS - DEEPWATER HORIZON - STATE OPERATIONS		
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		55,000
1747	SPECIAL CATEGORIES		
	CONTRACT AND GRANT REIMBURSED ACTIVITIES		
	FROM ADMINISTRATIVE TRUST FUND		900,000
	FROM GRANTS AND DONATIONS TRUST FUND		75,000
1748A	DATA PROCESSING SERVICES		
	DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY		
	FROM ADMINISTRATIVE TRUST FUND		876,595
TOTAL: OFFICE OF EXECUTIVE DIRECTION AND ADMINISTRATIVE SUPPORT SERVICES			
	FROM GENERAL REVENUE FUND	255,000	
	FROM TRUST FUNDS		28,624,446
	TOTAL POSITIONS	218.00	
	TOTAL ALL FUNDS		28,879,446
PROGRAM: LAW ENFORCEMENT			
FISH, WILDLIFE AND BOATING LAW ENFORCEMENT			
	APPROVED SALARY RATE	49,979,148	
1750	SALARIES AND BENEFITS	POSITIONS	1,049.00
	FROM GENERAL REVENUE FUND		37,697,318
	FROM FEDERAL GRANTS TRUST FUND		5,556,925
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND		354,663
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		32,943,710
	FROM NON-GAME WILDLIFE TRUST FUND . .		327,632
	FROM STATE GAME TRUST FUND		912,639
1751	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	115,483	
	FROM FEDERAL GRANTS TRUST FUND		71,244
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		376,807
	FROM STATE GAME TRUST FUND		205,094
1752	EXPENSES		
	FROM GENERAL REVENUE FUND	1,668,874	
	FROM FEDERAL GRANTS TRUST FUND		6,351,541
	FROM LAND ACQUISITION TRUST FUND . . .		422,585
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		3,250,064
	FROM STATE GAME TRUST FUND		1,239,717
1753	OPERATING CAPITAL OUTLAY		
	FROM LAND ACQUISITION TRUST FUND . . .		62,500
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		141,891
	FROM STATE GAME TRUST FUND		74,257

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1754	SPECIAL CATEGORIES ACQUISITION AND REPLACEMENT OF PATROL VEHICLES FROM MARINE RESOURCES CONSERVATION TRUST FUND	1,222,271	
	FROM NON-GAME WILDLIFE TRUST FUND	1,256,892	
	FROM STATE GAME TRUST FUND	222,991	
1755	SPECIAL CATEGORIES ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS FROM MARINE RESOURCES CONSERVATION TRUST FUND	977,415	
1756	SPECIAL CATEGORIES ENHANCED WILDLIFE MANAGEMENT FROM LAND ACQUISITION TRUST FUND	272,166	
1757	SPECIAL CATEGORIES 800 MHZ RADIO LAW ENFORCEMENT SYSTEM EQUIPMENT AND MAINTENANCE FROM MARINE RESOURCES CONSERVATION TRUST FUND	44,760	
1758	SPECIAL CATEGORIES NUISANCE WILDLIFE CONTROL FROM LAND ACQUISITION TRUST FUND	150,000	
1759	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	689,548	
	FROM LAND ACQUISITION TRUST FUND	1,500	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	878,663	
1760	SPECIAL CATEGORIES BOAT RAMP MAINTENANCE CATEGORY FROM GENERAL REVENUE FUND	650,000	
	FROM FEDERAL GRANTS TRUST FUND	431,250	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	111,878	
	FROM STATE GAME TRUST FUND	143,750	
From the funds in Specific Appropriation 1760, \$650,000 in nonrecurring funds from the General Revenue Fund is provided for the Levy County Highway 40 Boat Ramp Improvement project.			
1761	SPECIAL CATEGORIES OVERTIME FROM GENERAL REVENUE FUND	765,000	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	2,146,685	
	FROM STATE GAME TRUST FUND	193,997	
1762	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	389,152	
	FROM FEDERAL GRANTS TRUST FUND	97,744	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	1,215,236	
	FROM STATE GAME TRUST FUND	953,148	
1763	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	142,168	
	FROM FEDERAL GRANTS TRUST FUND	14,926	
	FROM LAND ACQUISITION TRUST FUND	20,160	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	448,017	
	FROM STATE GAME TRUST FUND	154,562	
1764	SPECIAL CATEGORIES BOATING AND WATERWAYS ACTIVITIES FROM MARINE RESOURCES CONSERVATION TRUST FUND	1,926,025	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1765	SPECIAL CATEGORIES DERELICT VESSEL REMOVAL PROGRAM FROM GENERAL REVENUE FUND	1,488,550	
1766	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	55,646	
	FROM FEDERAL GRANTS TRUST FUND	7,755	
	FROM LAND ACQUISITION TRUST FUND	11,553	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	253,452	
	FROM STATE GAME TRUST FUND	45,262	
1767	SPECIAL CATEGORIES GRANTS AND AIDS - DEEPWATER HORIZON - STATE OPERATIONS FROM MARINE RESOURCES CONSERVATION TRUST FUND	20,000	
1768	SPECIAL CATEGORIES CONTRACT AND GRANT REIMBURSED ACTIVITIES FROM FEDERAL GRANTS TRUST FUND	8,528,808	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	136,450	
	FROM STATE GAME TRUST FUND	783,746	
1769	SPECIAL CATEGORIES BOATING SAFETY EDUCATION PROGRAM FROM MARINE RESOURCES CONSERVATION TRUST FUND	850,650	
1770	FIXED CAPITAL OUTLAY BOATING INFRASTRUCTURE FROM FEDERAL GRANTS TRUST FUND	3,900,000	
1771	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY FLORIDA BOATING IMPROVEMENT PROGRAM FROM MARINE RESOURCES CONSERVATION TRUST FUND	592,600	
	FROM STATE GAME TRUST FUND	1,250,000	
TOTAL: FISH, WILDLIFE AND BOATING LAW ENFORCEMENT			
	FROM GENERAL REVENUE FUND	43,661,739	
	FROM TRUST FUNDS	81,555,401	
	TOTAL POSITIONS	1,049.00	
	TOTAL ALL FUNDS	125,217,140	
PROGRAM: WILDLIFE			
HUNTING AND GAME MANAGEMENT			
	APPROVED SALARY RATE	2,115,874	
1772	SALARIES AND BENEFITS	45.00	
	FROM FEDERAL GRANTS TRUST FUND	695,158	
	FROM LAND ACQUISITION TRUST FUND	525,575	
	FROM STATE GAME TRUST FUND	1,666,996	
1773	OTHER PERSONAL SERVICES FROM STATE GAME TRUST FUND	298,186	
1774	EXPENSES FROM STATE GAME TRUST FUND	534,633	
1775	OPERATING CAPITAL OUTLAY FROM STATE GAME TRUST FUND	4,538	
1776	SPECIAL CATEGORIES ENHANCED WILDLIFE MANAGEMENT FROM LAND ACQUISITION TRUST FUND	25,579	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1777	SPECIAL CATEGORIES NON-CARL WILDLIFE MANAGEMENT FROM LAND ACQUISITION TRUST FUND . . .	115,595	
1778	SPECIAL CATEGORIES DEER MANAGEMENT PROGRAM FROM STATE GAME TRUST FUND	400,000	
1779	SPECIAL CATEGORIES CONTRACTED SERVICES FROM STATE GAME TRUST FUND	255,710	
1780	SPECIAL CATEGORIES TRANSFER DEPARTMENT OF AGRICULTURE - ALLIGATOR MARKETING AND EDUCATION FROM STATE GAME TRUST FUND	150,000	
1781	SPECIAL CATEGORIES PUBLIC DOVE FIELD DEVELOPMENT FROM STATE GAME TRUST FUND	49,000	
1782	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM LAND ACQUISITION TRUST FUND . . . FROM STATE GAME TRUST FUND	7,776 98,832	
1783	SPECIAL CATEGORIES WILDLIFE MANAGEMENT AREA USER PAY FROM STATE GAME TRUST FUND	523,266	
1784	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM LAND ACQUISITION TRUST FUND . . . FROM STATE GAME TRUST FUND	2,952 13,706	
1785	SPECIAL CATEGORIES CONTRACT AND GRANT REIMBURSED ACTIVITIES FROM FEDERAL GRANTS TRUST FUND . . . FROM GRANTS AND DONATIONS TRUST FUND FROM STATE GAME TRUST FUND	1,476,384 315,897 25,000	
1786	SPECIAL CATEGORIES WILD TURKEY PROJECTS FROM STATE GAME TRUST FUND	500,000	
TOTAL:	HUNTING AND GAME MANAGEMENT FROM TRUST FUNDS	7,684,783	
	TOTAL POSITIONS	45.00	
	TOTAL ALL FUNDS	7,684,783	

PROGRAM: HABITAT AND SPECIES CONSERVATION

HABITAT AND SPECIES CONSERVATION

APPROVED SALARY RATE 16,268,895

1787	SALARIES AND BENEFITS POSITIONS 374.50 FROM INVASIVE PLANT CONTROL TRUST FUND	2,253,732	
	FROM FEDERAL GRANTS TRUST FUND . . .	4,074,797	
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND	237,995	
	FROM GRANTS AND DONATIONS TRUST FUND	503,467	
	FROM LAND ACQUISITION TRUST FUND . .	8,563,491	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	603,345	
	FROM NON-GAME WILDLIFE TRUST FUND . .	2,051,155	
	FROM SAVE THE MANATEE TRUST FUND . .	885,399	
	FROM STATE GAME TRUST FUND	4,079,222	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1788	OTHER PERSONAL SERVICES FROM INVASIVE PLANT CONTROL TRUST FUND	568,713	
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND	221,591	
	FROM GRANTS AND DONATIONS TRUST FUND	150,987	
	FROM LAND ACQUISITION TRUST FUND . .	98,911	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	167,051	
	FROM NON-GAME WILDLIFE TRUST FUND . .	974,364	
	FROM SAVE THE MANATEE TRUST FUND . .	219,044	
	FROM STATE GAME TRUST FUND	288,016	
1789	EXPENSES FROM INVASIVE PLANT CONTROL TRUST FUND	817,822	
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND	139,912	
	FROM GRANTS AND DONATIONS TRUST FUND	89,831	
	FROM LAND ACQUISITION TRUST FUND . .	1,197,637	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	107,590	
	FROM NON-GAME WILDLIFE TRUST FUND . .	599,450	
	FROM SAVE THE MANATEE TRUST FUND . .	293,072	
	FROM STATE GAME TRUST FUND	1,195,118	
1790	OPERATING CAPITAL OUTLAY FROM INVASIVE PLANT CONTROL TRUST FUND	10,488	
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND	1,250	
	FROM LAND ACQUISITION TRUST FUND . .	10,625	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	6,250	
	FROM NON-GAME WILDLIFE TRUST FUND . .	18,278	
	FROM SAVE THE MANATEE TRUST FUND . .	8,625	
	FROM STATE GAME TRUST FUND	65,922	
1791	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND	28,742	
1792	SPECIAL CATEGORIES ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS FROM STATE GAME TRUST FUND	18,650	
1793	SPECIAL CATEGORIES ENHANCED WILDLIFE MANAGEMENT FROM LAND ACQUISITION TRUST FUND . .	9,580,246	
1794	SPECIAL CATEGORIES NON-CARL WILDLIFE MANAGEMENT FROM LAND ACQUISITION TRUST FUND . . FROM STATE GAME TRUST FUND	18,450,469 411,412	
1795	SPECIAL CATEGORIES NUISANCE WILDLIFE CONTROL FROM GENERAL REVENUE FUND	500,000	
	FROM LAND ACQUISITION TRUST FUND . .	1,224,528	
	FROM NON-GAME WILDLIFE TRUST FUND . .	400,000	
	FROM STATE GAME TRUST FUND	372,150	

From the funds in Specific Appropriation 1795, \$500,000 in nonrecurring funds from General Revenue may be distributed to counties or other local governments to cost-share the purchase of bear-resistant garbage containers. At least 60 percent of those funds shall go to counties or local governments having an ordinance in place focused on resolving issues associated with bear attractants and garbage.

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1796	SPECIAL CATEGORIES CONTRACTED SERVICES FROM INVASIVE PLANT CONTROL TRUST FUND	204,250
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND	20,912
	FROM GRANTS AND DONATIONS TRUST FUND	35,844
	FROM LAND ACQUISITION TRUST FUND . .	65,196
	FROM NON-GAME WILDLIFE TRUST FUND .	40,270
	FROM SAVE THE MANATEE TRUST FUND . .	20,771
	FROM STATE GAME TRUST FUND	50,367
1797	SPECIAL CATEGORIES LAKE RESTORATION FROM GENERAL REVENUE FUND	1,025,000
	FROM LAND ACQUISITION TRUST FUND . .	7,150,000
	From the funds in Specific Appropriation 1797, \$750,000 in nonrecurring funds from the General Revenue Fund is provided for the Jesup Basin Lake Restoration.	
	From the funds in Specific Appropriation 1797, \$275,000 in nonrecurring funds from the General Revenue Fund is provided for the Hunters Lake Clean Up in Hernando County.	
1798	SPECIAL CATEGORIES GRANTS AND AIDS - FEDERAL ENDANGERED SPECIES - SECTION 6 FROM FEDERAL GRANTS TRUST FUND . . .	1,430,819
1799	SPECIAL CATEGORIES LAND MANAGEMENT/SAVE OUR RIVERS FROM STATE GAME TRUST FUND	298,412
1800	SPECIAL CATEGORIES DUCKS UNLIMITED MARSH PROJECT FROM STATE GAME TRUST FUND	106,792
1801	SPECIAL CATEGORIES CONTROL OF INVASIVE EXOTICS FROM GENERAL REVENUE FUND	28,989,645
	FROM INVASIVE PLANT CONTROL TRUST FUND	3,626,353
	FROM LAND ACQUISITION TRUST FUND . .	5,834,002
1802	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM INVASIVE PLANT CONTROL TRUST FUND	35,548
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND	3,673
	FROM GRANTS AND DONATIONS TRUST FUND	14,370
	FROM LAND ACQUISITION TRUST FUND . .	121,197
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	9,131
	FROM NON-GAME WILDLIFE TRUST FUND .	46,568
	FROM SAVE THE MANATEE TRUST FUND . .	10,477
	FROM STATE GAME TRUST FUND	339,613
1803	SPECIAL CATEGORIES TRANSFER TO THE UNIVERSITY OF FLORIDA - COOPERATIVE AQUATIC PLANT EDUCATION PROGRAM FROM INVASIVE PLANT CONTROL TRUST FUND	25,000
1804	SPECIAL CATEGORIES HABITAT RESTORATION FROM GRANTS AND DONATIONS TRUST FUND	2,979,857
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	300,000

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1805	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES/ IFAS/INVASIVE EXOTIC PLANT RESEARCH FROM INVASIVE PLANT CONTROL TRUST FUND	844,171
1806	SPECIAL CATEGORIES GULF COAST RESTORATION FROM GRANTS AND DONATIONS TRUST FUND	399,306
1807	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM INVASIVE PLANT CONTROL TRUST FUND	11,057
	FROM FEDERAL GRANTS TRUST FUND . . .	4,906
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND	1,626
	FROM GRANTS AND DONATIONS TRUST FUND	2,697
	FROM LAND ACQUISITION TRUST FUND . .	48,002
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	1,751
	FROM NON-GAME WILDLIFE TRUST FUND .	17,651
	FROM SAVE THE MANATEE TRUST FUND . .	5,951
	FROM STATE GAME TRUST FUND	55,501
1808	SPECIAL CATEGORIES HABITAT CONSERVATION PLAN LANDS ACQUISITION PROGRAM FROM FEDERAL GRANTS TRUST FUND . . .	2,724,973
1809	SPECIAL CATEGORIES GRANTS AND AIDS - DEEPWATER HORIZON - STATE OPERATIONS FROM GRANTS AND DONATIONS TRUST FUND	177,145
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	60,000
1810	SPECIAL CATEGORIES CONTRACT AND GRANT REIMBURSED ACTIVITIES FROM FEDERAL GRANTS TRUST FUND . . .	14,138,315
	FROM GRANTS AND DONATIONS TRUST FUND	462,070
	FROM NON-GAME WILDLIFE TRUST FUND .	11,652
	FROM STATE GAME TRUST FUND	10,201
1812A	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANT AND AIDS - MANATEE COUNTY ROBINSON PRESERVE HABITAT RESTORATION FROM GENERAL REVENUE FUND	600,000
1812B	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AIDS ORPHAN VESSEL GROUNDING RESTORATION FROM GENERAL REVENUE FUND	604,735
TOTAL:	HABITAT AND SPECIES CONSERVATION FROM GENERAL REVENUE FUND	31,719,380
	FROM TRUST FUNDS	102,735,744
	TOTAL POSITIONS	374.50
	TOTAL ALL FUNDS	134,455,124
PROGRAM: FRESHWATER FISHERIES		
FRESHWATER FISHERIES MANAGEMENT		
	APPROVED SALARY RATE	2,569,861

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1813	SALARIES AND BENEFITS	POSITIONS	60.00	
	FROM FEDERAL GRANTS TRUST FUND . . .		2,410,538	
	FROM LAND ACQUISITION TRUST FUND . .		79,261	
	FROM STATE GAME TRUST FUND		1,376,252	
1814	OTHER PERSONAL SERVICES			
	FROM FEDERAL GRANTS TRUST FUND . . .		49,774	
	FROM STATE GAME TRUST FUND		32,290	
1815	EXPENSES			
	FROM FEDERAL GRANTS TRUST FUND . . .		387,680	
	FROM LAND ACQUISITION TRUST FUND . .		20,000	
	FROM STATE GAME TRUST FUND		275,321	
1816	OPERATING CAPITAL OUTLAY			
	FROM FEDERAL GRANTS TRUST FUND . . .		15,625	
	FROM STATE GAME TRUST FUND		15,914	
1817	SPECIAL CATEGORIES			
	ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS			
	FROM FEDERAL GRANTS TRUST FUND . . .		5,571	
1818	SPECIAL CATEGORIES			
	ENHANCED WILDLIFE MANAGEMENT			
	FROM LAND ACQUISITION TRUST FUND . .		40,800	
1819	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM FEDERAL GRANTS TRUST FUND . . .		37,553	
	FROM STATE GAME TRUST FUND		31,996	
1820	SPECIAL CATEGORIES			
	LAKE RESTORATION			
	FROM LAND ACQUISITION TRUST FUND . .		695,000	
1821	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM LAND ACQUISITION TRUST FUND . .		19,209	
	FROM STATE GAME TRUST FUND		65,873	
1822	SPECIAL CATEGORIES			
	LAND USE PROCEEDS DISBURSEMENTS			
	FROM STATE GAME TRUST FUND		175,000	
1823	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
	FROM STATE GAME TRUST FUND		25,018	
1824	SPECIAL CATEGORIES			
	CONTRACT AND GRANT REIMBURSED ACTIVITIES			
	FROM FEDERAL GRANTS TRUST FUND . . .		1,248,856	
	FROM GRANTS AND DONATIONS TRUST FUND		200,000	
TOTAL:	FRESHWATER FISHERIES MANAGEMENT			
	FROM TRUST FUNDS		7,207,531	
	TOTAL POSITIONS	60.00		
	TOTAL ALL FUNDS		7,207,531	
PROGRAM: MARINE FISHERIES				
MARINE FISHERIES MANAGEMENT				
	APPROVED SALARY RATE	1,636,776		
1825	SALARIES AND BENEFITS	POSITIONS	33.00	
	FROM FEDERAL GRANTS TRUST FUND . . .		602,123	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		1,696,630	
1826	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND	480		

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

	FROM MARINE RESOURCES CONSERVATION TRUST FUND		67,729	
1827	EXPENSES			
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		302,357	
1828	SPECIAL CATEGORIES			
	FISH AND WILDLIFE CONSERVATION COMMISSION YOUTH HUNTING AND FISHING PROGRAMS			
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		25,000	
1829	SPECIAL CATEGORIES			
	AQUATIC RESOURCES EDUCATION			
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		592,014	
1830	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		170,987	
1831	SPECIAL CATEGORIES			
	GULF STATES MARINE FISHERIES			
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		22,500	
1832	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		65,607	
1833	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
	FROM FEDERAL GRANTS TRUST FUND . . .		1,360	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		10,314	
1834	SPECIAL CATEGORIES			
	GRANTS AND AIDS - DEEPWATER HORIZON - STATE OPERATIONS			
	FROM GRANTS AND DONATIONS TRUST FUND		311,361	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND		3,400	
1835	SPECIAL CATEGORIES			
	CONTRACT AND GRANT REIMBURSED ACTIVITIES			
	FROM FEDERAL GRANTS TRUST FUND . . .		329,912	
	FROM GRANTS AND DONATIONS TRUST FUND		10,000	
1836	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY ARTIFICIAL FISHING REEF CONSTRUCTION PROGRAM			
	FROM GENERAL REVENUE FUND	300,000		
	FROM FEDERAL GRANTS TRUST FUND . . .		300,000	
TOTAL:	MARINE FISHERIES MANAGEMENT			
	FROM GENERAL REVENUE FUND	300,480		
	FROM TRUST FUNDS		4,511,294	
	TOTAL POSITIONS	33.00		
	TOTAL ALL FUNDS		4,811,774	
PROGRAM: RESEARCH				
FISH AND WILDLIFE RESEARCH INSTITUTE				
	APPROVED SALARY RATE	15,577,456		
1837	SALARIES AND BENEFITS	POSITIONS	339.00	
	FROM FEDERAL GRANTS TRUST FUND . . .		5,029,922	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND	228,864
	FROM GRANTS AND DONATIONS TRUST FUND	275,665
	FROM LAND ACQUISITION TRUST FUND	179,154
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	10,465,700
	FROM NON-GAME WILDLIFE TRUST FUND	1,159,619
	FROM SAVE THE MANATEE TRUST FUND	1,050,508
	FROM STATE GAME TRUST FUND	3,266,414
1838	OTHER PERSONAL SERVICES	
	FROM GENERAL REVENUE FUND	671,643
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND	51,133
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	2,501,567
	FROM NON-GAME WILDLIFE TRUST FUND	768,454
	FROM SAVE THE MANATEE TRUST FUND	516,505
	FROM STATE GAME TRUST FUND	339,491
1839	EXPENSES	
	FROM GENERAL REVENUE FUND	262,764
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND	72,241
	FROM LAND ACQUISITION TRUST FUND	3,952
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	2,459,746
	FROM NON-GAME WILDLIFE TRUST FUND	574,412
	FROM SAVE THE MANATEE TRUST FUND	470,100
	FROM STATE GAME TRUST FUND	487,861
1840	OPERATING CAPITAL OUTLAY	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	151,239
	FROM NON-GAME WILDLIFE TRUST FUND	7,335
	FROM SAVE THE MANATEE TRUST FUND	8,125
	FROM STATE GAME TRUST FUND	36,932
1841	SPECIAL CATEGORIES	
	ACQUISITION OF MOTOR VEHICLES	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	393,511
1842	SPECIAL CATEGORIES	
	ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	196,917
	FROM SAVE THE MANATEE TRUST FUND	3,500
	FROM STATE GAME TRUST FUND	17,141
1843	SPECIAL CATEGORIES	
	ENHANCED WILDLIFE MANAGEMENT	
	FROM LAND ACQUISITION TRUST FUND	80,576
1844	SPECIAL CATEGORIES	
	NUISANCE WILDLIFE CONTROL	
	FROM STATE GAME TRUST FUND	147,280
1845	SPECIAL CATEGORIES	
	CONTRACTED SERVICES	
	FROM GENERAL REVENUE FUND	350,000
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND	24,105
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	3,490,380
	FROM NON-GAME WILDLIFE TRUST FUND	166,400
	FROM SAVE THE MANATEE TRUST FUND	370,000
	FROM STATE GAME TRUST FUND	50,501
1846	SPECIAL CATEGORIES	
	RISK MANAGEMENT INSURANCE	
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND	3,990
	FROM LAND ACQUISITION TRUST FUND	3,325

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

	FROM MARINE RESOURCES CONSERVATION TRUST FUND	307,832
	FROM NON-GAME WILDLIFE TRUST FUND	43,722
	FROM SAVE THE MANATEE TRUST FUND	19,510
	FROM STATE GAME TRUST FUND	222,222
1846A	SPECIAL CATEGORIES	
	FINAL NATURAL RESOURCE DAMAGE RESTORATION - DEEPWATER HORIZON OIL SPILL	
	FROM GRANTS AND DONATIONS TRUST FUND	89,760
1847	SPECIAL CATEGORIES	
	DEFERRED-PAYMENT COMMODITY CONTRACTS	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	325,945
1848	SPECIAL CATEGORIES	
	GULF COAST RESTORATION	
	FROM GRANTS AND DONATIONS TRUST FUND	9,277,340
1849	SPECIAL CATEGORIES	
	RESTORE ACT - DEEPWATER HORIZON SPILL	
	FROM FEDERAL GRANTS TRUST FUND	200,000
1850	SPECIAL CATEGORIES	
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES	
	PURCHASED PER STATEWIDE CONTRACT	
	FROM FEDERAL GRANTS TRUST FUND	4,636
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND	1,411
	FROM LAND ACQUISITION TRUST FUND	1,201
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	95,345
	FROM NON-GAME WILDLIFE TRUST FUND	9,085
	FROM SAVE THE MANATEE TRUST FUND	6,954
	FROM STATE GAME TRUST FUND	22,747
1851	SPECIAL CATEGORIES	
	GRANTS AND AIDS - DEEPWATER HORIZON - STATE OPERATIONS	
	FROM GRANTS AND DONATIONS TRUST FUND	631,371
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	36,000
1852	SPECIAL CATEGORIES	
	RED TIDE RESEARCH	
	FROM GENERAL REVENUE FUND	640,993
1853	SPECIAL CATEGORIES	
	CONTRACT AND GRANT REIMBURSED ACTIVITIES	
	FROM FEDERAL GRANTS TRUST FUND	6,757,199
	FROM GRANTS AND DONATIONS TRUST FUND	501,941
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	2,865,616
	FROM STATE GAME TRUST FUND	250,000
1854	FIXED CAPITAL OUTLAY	
	MODULAR OFFICES	
	FROM NON-GAME WILDLIFE TRUST FUND	329,000
1855	FIXED CAPITAL OUTLAY	
	FISH AND WILDLIFE RESEARCH INSTITUTE	
	GAINESVILLE LAB COLD ROOM	
	FROM NON-GAME WILDLIFE TRUST FUND	75,000
1856	FIXED CAPITAL OUTLAY	
	LOVETT BUILDING DRIVEWAY UPGRADE	
	FROM NON-GAME WILDLIFE TRUST FUND	98,121

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1857	FIXED CAPITAL OUTLAY ROOF REPLACEMENT AND REPAIRS - STATEWIDE FROM MARINE RESOURCES CONSERVATION TRUST FUND	150,000	
1859	FIXED CAPITAL OUTLAY FLORIDA CONSERVATION AND TECHNOLOGY CENTER - CENTER FOR CONSERVATION FROM GENERAL REVENUE FUND FROM MARINE RESOURCES CONSERVATION TRUST FUND	1,750,000 1,750,000	
1859A	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY LOWRY PARK ZOO MANATEE HOSPITAL FROM GENERAL REVENUE FUND	500,000	
1859B	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY BREVARD ZOO CENTER FOR CONSERVATION RESEARCH FROM GENERAL REVENUE FUND	1,126,000	
TOTAL:	FISH AND WILDLIFE RESEARCH INSTITUTE FROM GENERAL REVENUE FUND FROM TRUST FUNDS	5,301,400 59,124,523	
	TOTAL POSITIONS TOTAL ALL FUNDS	339.00 64,425,923	
TOTAL:	FISH AND WILDLIFE CONSERVATION COMMISSION FROM GENERAL REVENUE FUND FROM TRUST FUNDS	81,237,999 291,443,722	
	TOTAL POSITIONS TOTAL ALL FUNDS TOTAL APPROVED SALARY RATE	2,118.50 372,681,721 98,489,711	

TRANSPORTATION, DEPARTMENT OF

Funds in Specific Appropriations 1869 through 1882, 1888 through 1891, 1905 through 1908, 1910 through 1925, and 1964 through 1976 are provided from the named funds to the Department of Transportation to fund the five-year Work Program developed pursuant to provisions of section 339.135, Florida Statutes. Those appropriations used by the department for grants and aids may be advanced in part or in total.

TRANSPORTATION SYSTEMS DEVELOPMENT

PROGRAM: TRANSPORTATION SYSTEMS DEVELOPMENT

	APPROVED SALARY RATE	107,731,783	
1860	SALARIES AND BENEFITS POSITIONS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND FROM TRANSPORTATION DISADVANTAGED TRUST FUND	1,771.00 144,743,545 918,539	
1861	OTHER PERSONAL SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND FROM TRANSPORTATION DISADVANTAGED TRUST FUND	176,347 6,600	
1862	EXPENSES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND FROM TRANSPORTATION DISADVANTAGED TRUST FUND	4,040,075 227,660	
1863	OPERATING CAPITAL OUTLAY FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	1,234,349	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1864	SPECIAL CATEGORIES CONSULTANT FEES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	8,143,172	
1865	SPECIAL CATEGORIES CONTRACTED SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND FROM TRANSPORTATION DISADVANTAGED TRUST FUND	4,062,196 1,267,024	
	From the funds in Specific Appropriation 1865, \$1,125,000 is provided in nonrecurring funds from the State Transportation Trust Fund for the department to contract with Syn-Tech Systems, Inc., for hardware/software/firmware upgrades to the existing fuel/fleet management system and departmental vehicles. The upgrade must include an Radio-Frequency Identification (RFID) module on every vehicle. The on board system (AIM Titanium) shall provide at a minimum, fuel consumption, fuel security (verifies fuel is actually delivered to an authorized vehicle) Driver Behavior Characteristics (aggressive driving, rapid acceleration, hard braking, maximum speeds, etc.) On-Board Diagnostic Trouble Codes (DTC's) oil & tire pressure, Oil Temperature, O2 sensors, and other data including, engine hours, total fuel usage, fuel economy/MPG, engine oil life, absolute odometer, and environmental metrics on emission tracking and idle time.		
1866	SPECIAL CATEGORIES HUMAN RESOURCES DEVELOPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	934,630	
1867	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND FROM TRANSPORTATION DISADVANTAGED TRUST FUND	192,111 3,830	
1868	SPECIAL CATEGORIES GRANTS AND AIDS - TRANSPORTATION DISADVANTAGED FROM TRANSPORTATION DISADVANTAGED TRUST FUND	55,856,668	

From the funds in Specific Appropriation 1868, \$1,750,000 of nonrecurring funds shall be allocated to community transportation coordinators who are not direct recipients of funding under the Urbanized Area Formula Program as defined by 49 U.S.C. section 5307. Funds are to be used to provide transportation services for persons with disabilities, older adults, and people with low income so they may access health care, employment, education and other life-sustaining activities. Funds allocated for this purpose shall be distributed among community transportation coordinators based upon the Transportation Disadvantaged Trip and Equipment allocation methodology established by the commission.

From the funds in Specific Appropriation 1868, \$1,750,000 in nonrecurring funds are provided to award competitive grants to community transportation coordinators to support transportation projects that: (1) enhance the access of older adults, persons with disabilities, and persons with low income to health care, shopping, education, employment, public services, and recreation; (2) assist in the development, improvement, and use of transportation systems in nonurbanized areas; (3) promote the efficient coordination of services; (4) support intercity bus transportation; and (5) encourage private transportation provider participation.

Twenty percent of the remaining funds in Specific Appropriation 1868 for trips and equipment grants shall be allocated equally among all 67 counties in the state.

The remaining trips and equipment grant funds in Specific Appropriation 1868 shall be allocated to community transportation coordinators based on a comparative ranking of all community transportation coordinators in each of the following five categories:

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1. Passenger trips. Total system passenger trips provided as a percentage of all community transportation coordinators' trips reported. This factor will represent 20 percent of the trip and equipment grant funds.

2. Vehicle miles. Total system vehicle miles traveled as a percentage of all community transportation coordinators' vehicle miles traveled and reported. This factor will represent 40 percent of the trip and equipment grant funds.

3. Population of older adults. Total county population of older adults as a percentage of the total state population of older adults of all community transportation coordinators. This factor will represent 13.33 percent of the trip and equipment grant funds. For the purpose of this allocation, the commission shall consider individuals age 60 and above as older adults.

4. Population of persons with disabilities. Total county population of persons with disabilities as a percentage of the total state population of persons with disabilities of all community transportation coordinators. This factor will represent 13.34 percent of the trip and equipment grant funds. For the purpose of this allocation, the commission shall consider individuals claiming a disability on the most recent United State Census poll.

5. Population of people with low incomes. Total county population of people with low incomes as a percentage of the total state population of people with low incomes of all community transportation coordinators. This factor will represent 13.33 percent of the trip and equipment grant funds. For the purpose of this allocation, the commission shall consider the income of individuals as reported on the most recent United State Census poll.

6. Transportation Network Companies are eligible to participate in these services pursuant to section 427.011(9), Florida Statutes.

1869 FIXED CAPITAL OUTLAY
TRANSPORTATION PLANNING CONSULTANTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 63,592,171

From the nonrecurring funds in Specific Appropriation 1869, the Department of Transportation (DOT), in consultation the Department of Highway Safety and Motor Vehicles, shall establish a Smart City Challenge Grant Program. The DOT shall develop grant criteria and a promotion plan for these grants. The department may use up to \$75,000 to establish the program.

From the nonrecurring funds in Specific Appropriation 1869, \$3,100,000 is provided for an independent third party consultant to provide to the Department of Transportation by January 1, 2018, a report on the review of a proposed design plan for a bridge to be constructed as part of a new Industrial Boulevard in Pensacola.

1870 FIXED CAPITAL OUTLAY
AVIATION DEVELOPMENT/GRANTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 257,056,200

From the nonrecurring funds in Specific Appropriation 1870, \$5,000,000 is provided to Volusia County for the infrastructure improvements on the south property of the Daytona Beach International Airport.

From the nonrecurring funds in Specific Appropriation 1870, \$1,396,069 is provided to the City of Pensacola for the Pensacola International Airport Commerce Park.

From the nonrecurring funds in Specific Appropriation 1870, \$3,000,000 is provided to the Sarasota/Manatee Airport for the Industrial Park connector road and utilities project.

1871 FIXED CAPITAL OUTLAY
PUBLIC TRANSIT DEVELOPMENT/GRANTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 565,225,555

From the nonrecurring funds in Specific Appropriation 1871, \$100,000

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

is provided to the Pinellas Suncoast Transit Authority for the Memorial Causeway Busway Project.

1872 FIXED CAPITAL OUTLAY
RIGHT-OF-WAY LAND ACQUISITION
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 585,428,538
FROM RIGHT-OF-WAY ACQUISITION AND
BRIDGE CONSTRUCTION TRUST FUND 127,660,395

A portion of the nonrecurring funds in Specific Appropriation 1872 from the State Transportation Trust Fund shall be allocated as follows:

Ludlam Trail Corridor Acquisition, Miami-Dade County..... 5,000,000
59th Avenue Extension Right of Way Purchase from Miami-Dade
Aviation Department..... 1,000,000
Underline Multi-Use Trail Right of Way Acquisition,
Miami-Dade County..... 5,000,000

1873 FIXED CAPITAL OUTLAY
SEAPORT - ECONOMIC DEVELOPMENT
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 15,000,000

1874 FIXED CAPITAL OUTLAY
SEAPORTS ACCESS PROGRAM
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 10,000,000

1875 FIXED CAPITAL OUTLAY
SEAPORT GRANTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 140,097,833

From the nonrecurring funds in Specific Appropriation 1875, \$750,000 is provided for the Seaport Security Grant Program pursuant to section 311.12(6), Florida Statutes. The funding provided shall focus on filling seaport security technology gaps utilizing devices such as situational awareness tools and enhanced cyber security devices.

From the nonrecurring funds in Specific Appropriation 1875, \$5,000,000 is provided for improvements to ship building infrastructure at the Port of Panama City.

From the nonrecurring funds in Specific Appropriation 1875, \$5,000,000 is provided to construct a floating dry dock at the Port of Saint Joe.

From the nonrecurring funds in Specific Appropriation 1875, \$1,000,000 is provided for dredging at the Port of Panama City.

From the nonrecurring funds in Specific Appropriation 1875, \$1,000,000 is provided for dredging at the Port of Saint Joe.

1876 FIXED CAPITAL OUTLAY
SEAPORT INVESTMENT PROGRAM
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 11,448,082

1877 FIXED CAPITAL OUTLAY
RAIL DEVELOPMENT/GRANTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 78,845,821

From the nonrecurring funds in Specific Appropriation 1877, no funding shall be provided to the South Florida Regional Transportation Authority for any new, extended, or renewed contract entered into on or after January 1, 2017 without prior approval from the department.

From the nonrecurring funds in Specific Appropriation 1877, \$914,572 is provided for Sunrail Quiet Zones Matching Grant Program.

From the nonrecurring funds in Specific Appropriation 1877, \$2,750,000 is provided for County Road 220 3R, Railroad and Safety Improvements.

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1878	FIXED CAPITAL OUTLAY INTERMODAL DEVELOPMENT/GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	96,332,077
1879	FIXED CAPITAL OUTLAY PRELIMINARY ENGINEERING CONSULTANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	721,349,595
Funding in Specific Appropriation 1879 reflects an increase of \$1,000,000 for the Shared-Use Nonmotorized (SUN) Trail Network as authorized in section 339.81, Florida Statutes.		
1880	FIXED CAPITAL OUTLAY RIGHT-OF-WAY SUPPORT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE CONSTRUCTION TRUST FUND	64,054,041 5,528,006
1881	FIXED CAPITAL OUTLAY TRANSPORTATION PLANNING GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	36,115,675
From the nonrecurring funds in Specific Appropriation 1881, \$500,000 is provided to the Tampa Bay Area Regional Transportation Authority for the Moving the Region Forward project.		
1882	FIXED CAPITAL OUTLAY DEBT SERVICE FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE CONSTRUCTION TRUST FUND	854,100 173,773,466
TOTAL:	PROGRAM: TRANSPORTATION SYSTEMS DEVELOPMENT FROM TRUST FUNDS	3,174,168,301
	TOTAL POSITIONS	1,771.00
	TOTAL ALL FUNDS	3,174,168,301

FLORIDA RAIL ENTERPRISE

	APPROVED SALARY RATE	203,908	
1883	SALARIES AND BENEFITS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	257,409	1.00
1884	OTHER PERSONAL SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	827	
1885	EXPENSES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	25,200	
1886	SPECIAL CATEGORIES CONSULTANT FEES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	4,089	
1887	SPECIAL CATEGORIES CONTRACTED SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	5,714	
1888	FIXED CAPITAL OUTLAY PUBLIC TRANSIT DEVELOPMENT/GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	74,439,959	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1889	FIXED CAPITAL OUTLAY BRIDGE CONSTRUCTION FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	250,000
1890	FIXED CAPITAL OUTLAY RAIL DEVELOPMENT/GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	158,872,820
From the nonrecurring funds in Specific Appropriation 1890, no funding shall be provided to the South Florida Regional Transportation Authority for any new, extended, or renewed contract entered into on or after January 1, 2017 without prior approval from the department.		
1891	FIXED CAPITAL OUTLAY INTERMODAL DEVELOPMENT/GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	2,832,566
TOTAL:	FLORIDA RAIL ENTERPRISE FROM TRUST FUNDS	236,688,584
	TOTAL POSITIONS	1.00
	TOTAL ALL FUNDS	236,688,584

TRANSPORTATION SYSTEMS OPERATIONS

PROGRAM: HIGHWAY OPERATIONS

	APPROVED SALARY RATE	153,207,642	
1892	SALARIES AND BENEFITS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	214,385,557	3,184.00
1893	OTHER PERSONAL SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	107,376	
1894	EXPENSES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	14,376,784	
1895	OPERATING CAPITAL OUTLAY FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	2,076,613	
1896	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	4,672,969	
1897	SPECIAL CATEGORIES FAIRBANKS HAZARDOUS WASTE SITE FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	400,965	
1898	SPECIAL CATEGORIES CONSULTANT FEES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	2,598,739	
1899	SPECIAL CATEGORIES CONTRACTED SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	10,535,101	
1900	SPECIAL CATEGORIES HUMAN RESOURCES DEVELOPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	994,023	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1901	SPECIAL CATEGORIES TRANSPORTATION MATERIALS AND EQUIPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	27,955,358
1902	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	344,514
1904	FIXED CAPITAL OUTLAY MINOR RENOVATIONS, REPAIRS, AND IMPROVEMENTS - STATEWIDE FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	2,204,391
1905	FIXED CAPITAL OUTLAY STATE INFRASTRUCTURE BANK LOAN REPAYMENTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	7,400,598
1906	FIXED CAPITAL OUTLAY SMALL COUNTY RESURFACE ASSISTANCE PROGRAM (SCRAP) FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	30,081,162
1907	FIXED CAPITAL OUTLAY SMALL COUNTY OUTREACH PROGRAM (SCOP) FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	64,277,893
From the funds in Specific Appropriation 1907, \$9,000,000 is appropriated for transportation projects within a rural area of opportunity designated pursuant to section 288.0656(7), Florida Statutes.		
1907A	FIXED CAPITAL OUTLAY GRANTS AND AIDS - MAJOR DISASTERS - DEPARTMENT OF TRANSPORTATION WORK PROGRAM FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	3,564,650
1908	FIXED CAPITAL OUTLAY COUNTY TRANSPORTATION PROGRAMS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	55,581,664
1909	FIXED CAPITAL OUTLAY OCALA OPERATIONS CENTER - REPAIRS/ RENOVATIONS/ADDITIONS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	1,428,894
1910	FIXED CAPITAL OUTLAY BOND GUARANTEE FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	2,195,780
1911	FIXED CAPITAL OUTLAY TRANSPORTATION HIGHWAY MAINTENANCE CONTRACTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	438,920,295

From the nonrecurring funds in Specific Appropriation 1911, \$1,000,000 is provided for the Taylor County Coastal Canal Dredging program.

The funds in Specific Appropriation 1911 reflect an increase of \$500,000 for the Road Ranger Program.

From the nonrecurring funds in Specific Appropriation 1911, \$250,000, is provided for the Sunny Isle Beach Drainage Improvements in Miami-Dade County.

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1912	FIXED CAPITAL OUTLAY INTRASTATE HIGHWAY CONSTRUCTION FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	3,035,673,506
From the nonrecurring funds in Specific Appropriation 1912, \$15,000,000 is provided for the Interstate 75 and Overpass Road Interchange in Pasco County.		
1913	FIXED CAPITAL OUTLAY ARTERIAL HIGHWAY CONSTRUCTION FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	185,069,176
A portion of the nonrecurring funds in Specific Appropriation 1913 shall be allocated as follows:		
Bartow Northern Connector, Phase II.....		10,000,000
CR 437 Realignment from Adair Avenue to State Road 44.....		3,000,000
SW 36 Street Traffic Calming Improvements from SW 32 Avenue to SW 48th Avenue.....		1,500,000
CR 184/Muscogee Roadway Reconstruction.....		1,000,000
Boutwell Road/Lake Worth Park of Commerce Improvements.....		2,000,000
Jenks Avenue Widening Project, Bay County.....		1,000,000
Williamson Boulevard 4 Lining, Daytona Beach.....		3,000,000
River Road from U.S. 41 to Interstate 75, Sarasota County...		10,000,000
City of Venice Road Improvements Phase II.....		2,000,000
City of West Park, Neighborhood Traffic Calming Plan.....		1,000,000
Santa Rosa County, I-10 Industrial Park, Phase 2		
Access Road.....		1,000,000
The Bluffs Pensacola Bridge Project.....		3,100,000
P.J. Adams Parkway Widening, Okaloosa County.....		1,000,000
1914	FIXED CAPITAL OUTLAY CONSTRUCTION INSPECTION CONSULTANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	390,781,486
1915	FIXED CAPITAL OUTLAY ENVIRONMENTAL SITE RESTORATION FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	620,000
1916	FIXED CAPITAL OUTLAY HIGHWAY SAFETY CONSTRUCTION/GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	175,706,669
From the nonrecurring funds in Specific Appropriation 1916, \$375,000 from the State Transportation Trust Fund is provided for the construction of the Southwest Ranches Safety Guardrails in Miami-Dade County.		
From the nonrecurring funds in Specific Appropriation 1916, \$635,942 from the State Transportation Trust Fund is provided for the installation of pedestrian signals, refuge islands, sidewalks, and street lighting in the City of Jacksonville.		
1917	FIXED CAPITAL OUTLAY RESURFACING FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	508,109,501
1918	FIXED CAPITAL OUTLAY BRIDGE CONSTRUCTION FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	299,184,941
FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE CONSTRUCTION TRUST FUND . .		706,976

From the nonrecurring funds in Specific Appropriation 1918, \$530,000 is provided for the Veterans Memorial Bridge Replacement in Leon County.

From the nonrecurring funds in Specific Appropriation 1918, \$11,857,125 is provided for the City of Miami Gardens Pedestrian Safety Improvements, Bridge and Tunnel Construction.

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

From the nonrecurring funds in Specific Appropriation 1918, \$1,000,000 is provided for the rehabilitation of Fort Denaud Bridge in Hendry County.

1919 FIXED CAPITAL OUTLAY
CONTRACT MAINTENANCE WITH THE DEPARTMENT
OF CORRECTIONS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 19,646,000

1920 FIXED CAPITAL OUTLAY
HIGHWAY BEAUTIFICATION GRANTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 800,000

The nonrecurring funds in Specific Appropriation 1920, \$800,000 shall be provided for Keep Florida Beautiful.

1921 FIXED CAPITAL OUTLAY
MATERIALS AND RESEARCH
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 15,186,007

1922 FIXED CAPITAL OUTLAY
BRIDGE INSPECTION
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 10,178,000

From the nonrecurring funds in Specific Appropriation 1922, \$635,000 is provided to the department to issue a competitive bid for a pilot project in the coastal counties of Wakulla, Franklin, Gulf, Bay and Walton for luminary, high mast and underwater bridge inspections utilizing unmanned aerial and submersible vehicles in order to measure the cost effectiveness of the system to the state. All employees of the successful bidder must be Florida residents. The department shall provide a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on or before January 31, 2018 to provide the data evaluation on the cost effectiveness of the pilot project.

1923 FIXED CAPITAL OUTLAY
ECONOMIC DEVELOPMENT TRANSPORTATION
PROJECTS - ROAD FUND
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 26,574,876

The nonrecurring funds provided in Specific Appropriation 1923 shall be allocated as follows:

Nassau Oaks Subdivision Roadway Improvements.....	650,000
Nassau County Sawpit Island Bike Trail.....	300,000
Port of Fernandina Multi Purpose Dock Crane and Warehouse.....	5,000,000
Town of Southwest Ranches Drainage Project, Broward County..	340,000
University Drive Resurfacing in Coral Springs.....	250,000
Sandspur Regional Connector in the City of Maitland.....	375,000
Pine Hills Road and Silver Star Road Intersection Design of Pedestrian and Bicycle Safety Improvements.....	300,000
State Road 687 (3rd and 4th Streets) and 8th/MLK Streets Downtown St. Petersburg-Preliminary Engineering Study to Convert One Way Street to Two Way Street.....	200,000
State Road 7 Pedestrian Lights, City of West Park.....	650,000
Senior Transportation Project, Pembroke Pines.....	218,181
Wilton Manors Sidewalk Connectivity, Broward County.....	300,000
City of Jacksonville-Crosswalk Countdown Traffic Signal Heads Installation.....	631,072
Virginia Drive Reconstruction and Paving, City of Lake Helen	229,000
Forward Pinellas Waterborne Transportation.....	500,000
Orchard Pond Greenway Trail, Phase II, Leon County.....	300,000
Liberty County Paving Project at Tolar School.....	129,076
City of St. Marks Railroad Trail Extension Project.....	500,000
Ranches Community Stabilization Project, Broward County.....	250,000
Multimodal Transit Station in Downtown Palmetto Bay.....	428,912
PD&E Study of Clinton Avenue Intersection Realignment at U.S. 90 and U.S. 301, Pasco County.....	1,000,000
SW 12th Street Roadway Improvements, City of North	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

Lauderdale.....	300,000
Lauderdale Lakes Comprehensive Sidewalk Improvement Project.	200,000
2nd Street from West Wyoming to Bay Avenue Stormwater Drainage Improvements, Hillsborough County.....	300,000
City of Belle Glade SW Avenue J Roadway Project.....	1,028,635
Goodland Drive Rehabilitation, Collier County.....	250,000
CR-846/Immokalee Road over Gator Canal Bridge Rehabilitation OLI-Automated / Driverless Advanced Technology Transportation Shuttle Program, Duval County.....	1,000,000
Walton County, CR 30-A, Intermodal Transportation Innovation Program.....	250,000
Bridge Road Town Center Project, Martin County.....	1,960,000
Plant City Collins Street Improvements.....	2,630,000
Northwest Industrial Business Park Access Road, Deland.....	1,125,000
Treasure Island Causeway Multimodal Improvements.....	500,000
Mapp Road Town Center Project in Palm City.....	750,000
U.S. 301/ReImagine Gall Blvd. Improvements, Downtown Zephyrhills.....	1,000,000
Solar Bus Shelters, Pinellas County.....	350,000
DIA Downtown Street Light Improvements, Duval County.....	1,000,000
Hogan's Creek Greenway.....	480,000
Northbank Riverwalk, Gefen Bridge.....	535,000
Key Biscayne Adaptive Traffic Signalization.....	200,000
	165,000

1924 FIXED CAPITAL OUTLAY
TRAFFIC ENGINEERING CONSULTANTS
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 186,516,085

From the nonrecurring funds in Specific Appropriation 1924, the Department of Transportation may contract with qualified traffic signal and traffic control device contractors to provide evaluation, installation, operations, or maintenance of traffic signals and any other traffic control devices to municipalities and counties. Municipalities and counties which receive traffic signal and traffic control device services under a department contract shall reimburse the Department of Transportation for the service costs incurred by the Department.

To ensure safe and efficient operations of roadways, a municipality or a county must respond within 60 days to requests from another municipality or county to whom they are providing services through agreement regarding the evaluation, installation, operations, or maintenance of traffic signals and any other traffic control device. Timely responses will help to ensure safer operations, improved public safety, and support compliance with standard practices related to the use of traffic control devices in Florida.

1925 FIXED CAPITAL OUTLAY
LOCAL GOVERNMENT REIMBURSEMENT
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 2,621,371

TOTAL: PROGRAM: HIGHWAY OPERATIONS
FROM TRUST FUNDS 5,741,477,920

TOTAL POSITIONS 3,184.00
TOTAL ALL FUNDS 5,741,477,920

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 40,713,688

1926 SALARIES AND BENEFITS POSITIONS 739.00
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 55,767,069

1927 OTHER PERSONAL SERVICES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 536,132

1928 EXPENSES
FROM STATE TRANSPORTATION
(PRIMARY) TRUST FUND 6,785,819

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1929	OPERATING CAPITAL OUTLAY FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	119,943
1930	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	121,249
1931	SPECIAL CATEGORIES CONSULTANT FEES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	1,255,973
1932	SPECIAL CATEGORIES CONTRACTED SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	5,040,491
1933	SPECIAL CATEGORIES HUMAN RESOURCES DEVELOPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	226,935
1934	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	7,367,660
1935	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE - OTHER FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	1,722,163
1936	SPECIAL CATEGORIES TRANSFER TO SOUTH FLORIDA WATER MANAGEMENT DISTRICT FOR EVERGLADES RESTORATION FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	7,064,000
1937	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF REVENUE FOR HIGHWAY TAX COMPLIANCE FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	34,640
1938	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	444,683
1939	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND FROM TRANSPORTATION DISADVANTAGED TRUST FUND	2,143,631 4,089
1940	FIXED CAPITAL OUTLAY MINOR RENOVATIONS, REPAIRS, AND IMPROVEMENTS - STATEWIDE FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	2,226,683
1941	FIXED CAPITAL OUTLAY MAJOR REPAIRS, RENOVATIONS AND IMPROVEMENTS TO MAJOR INSTITUTIONS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	3,600,106

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1942	FIXED CAPITAL OUTLAY FACILITIES CONSTRUCTION AND MAJOR RENOVATIONS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	1,711,552
1942A	FIXED CAPITAL OUTLAY IMPROVEMENTS TO SECURITY SYSTEMS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	470,125
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM TRUST FUNDS		96,642,943
TOTAL POSITIONS		739.00
TOTAL ALL FUNDS		96,642,943
INFORMATION TECHNOLOGY		
APPROVED SALARY RATE		10,321,938
1943	SALARIES AND BENEFITS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	200.00 13,240,503
1944	OTHER PERSONAL SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	32,998
1945	EXPENSES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	9,314,633
1946	OPERATING CAPITAL OUTLAY FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	476,724
1947	SPECIAL CATEGORIES CONTRACTED SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	27,995,667
1948	SPECIAL CATEGORIES HUMAN RESOURCES DEVELOPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	138,975
1949	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	15,879
1950A	DATA PROCESSING SERVICES DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	7,426,587
TOTAL: INFORMATION TECHNOLOGY FROM TRUST FUNDS		58,641,966
TOTAL POSITIONS		200.00
TOTAL ALL FUNDS		58,641,966
FLORIDA'S TURNPIKE SYSTEMS		
FLORIDA'S TURNPIKE ENTERPRISE		
APPROVED SALARY RATE		21,435,440
1951	SALARIES AND BENEFITS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	404.00 30,181,483

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1952	OTHER PERSONAL SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	316,769
1953	EXPENSES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	15,326,299
1954	OPERATING CAPITAL OUTLAY FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	143,611
1955	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	61,633
1956	SPECIAL CATEGORIES CONSULTANT FEES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	1,568,631
1957	SPECIAL CATEGORIES CONTRACTED SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	36,720,753
1958	SPECIAL CATEGORIES PAYMENT TO EXPRESSWAY AUTHORITIES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	4,270,420
1959	SPECIAL CATEGORIES FLORIDA HIGHWAY PATROL SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	22,337,696
1960	SPECIAL CATEGORIES HUMAN RESOURCES DEVELOPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	134,949
1961	SPECIAL CATEGORIES TRANSPORTATION MATERIALS AND EQUIPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	1,468,409
1962	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	172,740
1963	FIXED CAPITAL OUTLAY MINOR RENOVATIONS, REPAIRS, AND IMPROVEMENTS - STATEWIDE FROM TURNPIKE GENERAL RESERVE TRUST FUND	501,220
1964	FIXED CAPITAL OUTLAY TRANSPORTATION HIGHWAY MAINTENANCE CONTRACTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	61,134,245
1965	FIXED CAPITAL OUTLAY INTRASTATE HIGHWAY CONSTRUCTION FROM TURNPIKE RENEWAL AND REPLACEMENT TRUST FUND FROM TURNPIKE GENERAL RESERVE TRUST FUND FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	21,397,310 676,755,512 135,000

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

1966	FIXED CAPITAL OUTLAY CONSTRUCTION INSPECTION CONSULTANTS FROM TURNPIKE RENEWAL AND REPLACEMENT TRUST FUND FROM TURNPIKE GENERAL RESERVE TRUST FUND	18,678,361 76,196,065
1967	FIXED CAPITAL OUTLAY RIGHT-OF-WAY LAND ACQUISITION FROM TURNPIKE GENERAL RESERVE TRUST FUND FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	20,143,300 85,090
1968	FIXED CAPITAL OUTLAY RESURFACING FROM TURNPIKE RENEWAL AND REPLACEMENT TRUST FUND	151,680,623
1969	FIXED CAPITAL OUTLAY BRIDGE CONSTRUCTION FROM TURNPIKE RENEWAL AND REPLACEMENT TRUST FUND	700,000
1970	FIXED CAPITAL OUTLAY PRELIMINARY ENGINEERING CONSULTANTS FROM TURNPIKE RENEWAL AND REPLACEMENT TRUST FUND FROM TURNPIKE GENERAL RESERVE TRUST FUND FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	17,561,291 178,098,037 3,221,972
1971	FIXED CAPITAL OUTLAY RIGHT-OF-WAY SUPPORT FROM TURNPIKE GENERAL RESERVE TRUST FUND	1,601,900
1972	FIXED CAPITAL OUTLAY BRIDGE INSPECTION FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	4,411,681
1973	FIXED CAPITAL OUTLAY TRAFFIC ENGINEERING CONSULTANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	290,000
1974	FIXED CAPITAL OUTLAY TOLL OPERATION CONTRACTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	153,713,151
1975	FIXED CAPITAL OUTLAY TURNPIKE SYSTEM EQUIPMENT AND DEVELOPMENT FROM TURNPIKE GENERAL RESERVE TRUST FUND FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	19,885,000 250,000
1976	FIXED CAPITAL OUTLAY TOLLS SYSTEM EQUIPMENT AND DEVELOPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	53,540,736
TOTAL:	FLORIDA'S TURNPIKE ENTERPRISE FROM TRUST FUNDS TOTAL POSITIONS TOTAL ALL FUNDS	1,572,683,887 404.00 1,572,683,887

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

TOTAL: TRANSPORTATION, DEPARTMENT OF		
FROM TRUST FUNDS		10,880,303,601
TOTAL POSITIONS	6,299.00	
TOTAL ALL FUNDS		10,880,303,601
TOTAL APPROVED SALARY RATE	333,614,399	
TOTAL OF SECTION 5		
FROM GENERAL REVENUE FUND	502,933,000	
FROM TRUST FUNDS		14,184,397,610
TOTAL POSITIONS	14,931.25	
TOTAL ALL FUNDS		14,687,330,610

SECTION 6 - GENERAL GOVERNMENT

SPECIFIC
APPROPRIATION

The moneys contained herein are appropriated from the named funds to Administered Funds, Department of Business and Professional Regulation, Department of Citrus, Department of Economic Opportunity, Department of Financial Services, Executive Office of the Governor, Department of Highway Safety and Motor Vehicles, Legislative Branch, Department of the Lottery, Department of Management Services, Department of Military Affairs, Public Service Commission, Department of Revenue and the Department of State as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

PROGRAM: ADMINISTERED FUNDS

1979	LUMP SUM		
	HUMAN RESOURCES OUTSOURCING CONTINGENCY		
	FROM GENERAL REVENUE FUND	300,000	
1980	LUMP SUM		
	AGENCY FOR STATE TECHNOLOGY (AST) - AGENCY		
	INFORMATION TECHNOLOGY SERVICES		
	FROM TRUST FUNDS		169,637
1981	LUMP SUM		
	INFORMATION TECHNOLOGY		
	FROM GENERAL REVENUE FUND	755,869	
	FROM TRUST FUNDS		1,052,090

From the funds in Specific Appropriation 1981, \$458,412 from the General Revenue Fund and \$609,824 in trust funds are provided for the distribution into agencies' DP Assessment AST categories for the purpose of hardening to the State Data Center facility, support database and software licensing purchasing necessary to support existing data center services, and staffing realignment.

From the funds in Specific Appropriation 1981, \$112,897 in nonrecurring General Revenue funds and \$107,113 in nonrecurring trust funds is provided to compensate the Agency for State Technology to obtain information security training for the 35 state agencies and other state entities with designated Information Security Managers (ISMs) and related security staff.

From the funds in Specific Appropriation 1981, \$184,560 from the General Revenue Fund and \$335,153 in trust funds are provided for the distribution into agencies' DP Assessment - AST category to fund the additional assessment of the AST Executive Direction services.

1981A	LUMP SUM		
	STRENGTHENING DOMESTIC SECURITY		
	FROM TRUST FUNDS		41,224,929

Funds provided in Specific Appropriation 1981A are contingent on federal grants being awarded. Should the amount awarded for each federal grant be less than the amount appropriated, funds shall be awarded in priority order for the individual projects as indicated in the Fiscal Year 2017-2018 Domestic Security Funding Request of the Domestic Security Oversight Board. Once federal funding is received and projects are funded in priority order, the Board may transfer funding between any of the funded projects. Funds may be allocated to projects not listed below with approval of the Legislative Budget Commission.

State Homeland Security Program (SHSP):		
DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES		
State Agricultural Response Team (SART) Support.....		221,000
State Agricultural Response Team (SART) Training.....		28,000
DEPARTMENT OF EDUCATION		
Mass Communication Project.....		105,000
Emergency Operational Communication		237,598
DEPARTMENT OF HEALTH		
Fatality Management Training.....		80,000
DEPARTMENT OF LAW ENFORCEMENT		
Sustainment of Fusion Center Analysts.....		122,000
Fusion Centers.....		258,223
If You See Something, Say Something Campaign.....		150,000
Sustainment of LE Data sharing.....		581,435

SECTION 6 - GENERAL GOVERNMENT

Sustainment of Metadata Planners.....	200,850
Planning Meetings to Implement Domestic Security	
Coordinating Group (DSCG).....	92,700
R4 Intelligence Analysts.....	116,000
Cyber Security Training.....	236,900
DIVISION OF EMERGENCY MANAGEMENT (EOG)	
All-Hazards Training.....	411,679
R3 Terrorism Consequence Management Plan.....	91,000
R3 Evacuation Plan.....	41,300
R1 IMT Exercise.....	34,900
Sustainment of Fusion Center Analysts.....	406,000
HazMat Sustainment and Maintenance.....	694,891
HazMat Area RAE Replacement.....	300,000
R2 HazMat Cylinder Recovery Cask.....	6,000
Statewide and Regional Response and Exercise Drills.....	200,000
LE Sustainment and Maintenance.....	1,766,389
Critical Needs.....	766,628
USAR Sustainment and Maintenance.....	298,554
MARC Cache Replacement (Phase 1)	574,440
MARC Sustainment and Maintenance.....	109,040
LE Response Training and Exercise.....	94,602
HAZMAT Training and Exercise.....	184,930
US&R SWFL TF6 Equipment Enhancement.....	47,000
USAR Training and Exercise.....	573,174
Hillsborough/Polk County ISSI Gateway Project.....	311,000
R7 Miami-Dade PD Cyber Security Incident Response.....	84,000
R1 Regional Team Protection - Bear Cat.....	270,175
700 MHz Overlay Project - Region 7.....	1,764,600
Fusion Centers.....	132,500
Sustainment of LE Data Sharing.....	385,000
Sustainment of Metadata Planners.....	157,500
WEBEOC Sustainment and Buildout.....	587,631
R4 Lakeland Electric Pilot.....	125,000
R5 University of Central Florida Arena Access Control.....	240,000
R5 University of Central Florida Stadium Camera System.....	260,000
MARC Training and Exercise	40,000
R6 Skywatch Mobile Surveillance Tower.....	143,768
R3 Skywatch Mobile Surveillance Tower.....	150,000
R2 Tallahassee International Airport.....	186,248
R2 Tallahassee Community College EOC Camera Network.....	32,804
Management & Administration.....	754,756
FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION	
LE Response Training and Exercise.....	289,000
Enhancement of State's Radiological Nuclear	
Detection Capability.....	150,000
Urban Areas Security Initiative (UASI):	
Miami/Ft Lauderdale Urban Areas Security Initiative (UASI)	6,250,000
Orlando Urban Areas Security Initiative (UASI).....	13,285,595
Tampa Urban Areas Security Initiative (UASI).....	3,206,153
Management and Administration (UASI).....	1,192,742
Additional Federal Funding:	
DIVISION OF EMERGENCY MANAGEMENT	
Urban Area Security (UASI) Nonprofit Security	
Grant Program (NSGP).....	1,124,900
Operation Stonegarden (OPSG).....	1,150,084
1982A LUMP SUM	
EMPLOYEE COMPENSATION AND BENEFITS	
FROM GENERAL REVENUE FUND	185,663,659
FROM TRUST FUNDS	97,389,781
1984A LUMP SUM	
STATE MATCH FOR FEDERAL FEMA FUNDING	
FROM GENERAL REVENUE FUND	45,067,964
1985 SPECIAL CATEGORIES	
ASSOCIATION DUES	
FROM GENERAL REVENUE FUND	215,170
1986 SPECIAL CATEGORIES	
ADMINISTRATION COMMISSION AND FLORIDA LAND	
AND WATER ADJUDICATORY COMMISSION -	
ADMINISTRATIVE APPEALS	
FROM GENERAL REVENUE FUND	10,000

SECTION 6 - GENERAL GOVERNMENT

1986A SPECIAL CATEGORIES		
CONSTITUTION REVISION COMMISSION		
FROM GENERAL REVENUE FUND	2,000,000	
1986B SPECIAL CATEGORIES		
FLORIDA CRIMINAL JUSTICE REFORM TASK FORCE		
FROM GENERAL REVENUE FUND	300,000	
The nonrecurring funds provided in Specific Appropriation 1986B, are provided to the Florida Criminal Justice Reform Task Force for the purpose of conducting a comprehensive review of the state's criminal justice system, court system, and corrections system.		
1987 SPECIAL CATEGORIES		
TRANSFER TO PLANNING AND BUDGETING SYSTEM		
TRUST FUND		
FROM GENERAL REVENUE FUND	5,889,716	
TOTAL: PROGRAM: ADMINISTERED FUNDS		
FROM GENERAL REVENUE FUND	240,202,378	
FROM TRUST FUNDS		139,836,437
TOTAL ALL FUNDS		380,038,815

BUSINESS AND PROFESSIONAL REGULATION, DEPARTMENT OF

No funds are appropriated in Specific Appropriations 1988 through 2145 and section 58 for the payment of rent, lease or possession of space for offices or any other purpose or use at Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida, pursuant to State of Florida Lease Nos. 720:0139, 790:0070, 790:0083, 790:0098 or 790:M139, or any other lease, by the Department of Business and Professional Regulation, notwithstanding any lease or contract to the contrary. The Department of Business and Professional Regulation is prohibited from expending any specific appropriation from the General Revenue Fund, any trust fund or from any other source for the rent, lease or possession of any space for offices or other purpose or use at Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida, pursuant to State of Florida Lease Nos. 720:0139, 790:0070, 790:0083, 790:0098 or 790:M139, or any other lease.

PROGRAM: OFFICE OF THE SECRETARY AND ADMINISTRATION

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE	8,327,484	
1988 SALARIES AND BENEFITS	161.50	
POSITIONS		
FROM ADMINISTRATIVE TRUST FUND . . .		11,557,466
1989 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	350,486	
FROM ADMINISTRATIVE TRUST FUND . . .		759,576
1990 EXPENSES		
FROM ADMINISTRATIVE TRUST FUND . . .		1,528,709
1991 OPERATING CAPITAL OUTLAY		
FROM ADMINISTRATIVE TRUST FUND . . .		27,088
1992 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM ADMINISTRATIVE TRUST FUND . . .		20,000
1993 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE		
HEARINGS		
FROM ADMINISTRATIVE TRUST FUND . . .		228,084
1994 SPECIAL CATEGORIES		
TRANSFER TO THE OFFICE OF THE STATE		
ATTORNEY - SLOT INVESTIGATIONS AND		
PROSECUTIONS		
FROM ADMINISTRATIVE TRUST FUND . . .		223,876

SECTION 6 - GENERAL GOVERNMENT

1995	SPECIAL CATEGORIES CONTRACTED SERVICES FROM ADMINISTRATIVE TRUST FUND . . .	254,780	
1996	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM ADMINISTRATIVE TRUST FUND . . .	6,500	
1997	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ADMINISTRATIVE TRUST FUND . . .	53,317	
1998	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM ADMINISTRATIVE TRUST FUND . . .	7,650	
1999	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM ADMINISTRATIVE TRUST FUND . . .	107,506	
2000	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ADMINISTRATIVE TRUST FUND . . .	55,375	
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM GENERAL REVENUE FUND FROM TRUST FUNDS	350,486	14,829,927
	TOTAL POSITIONS	161.50	
	TOTAL ALL FUNDS		15,180,413

INFORMATION TECHNOLOGY

	APPROVED SALARY RATE	3,231,394	
2001	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND . . .	57.00 190,465	4,218,869
2002	OTHER PERSONAL SERVICES FROM ADMINISTRATIVE TRUST FUND . . .		109,265
2003	EXPENSES FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND . . .	11,878	1,498,424
2004	OPERATING CAPITAL OUTLAY FROM ADMINISTRATIVE TRUST FUND . . .		100,000
2005	SPECIAL CATEGORIES CONTRACTED SERVICES FROM ADMINISTRATIVE TRUST FUND . . .		2,420,911
2006	SPECIAL CATEGORIES FLORIDA BUSINESS INFORMATION PORTAL FROM GENERAL REVENUE FUND	292,236	
2007	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ADMINISTRATIVE TRUST FUND . . .		12,688
2008	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM ADMINISTRATIVE TRUST FUND . . .		13,501
2009	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND . . .	652	16,837

SECTION 6 - GENERAL GOVERNMENT

2010A	DATA PROCESSING SERVICES DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY FROM ADMINISTRATIVE TRUST FUND . . .		1,273,726
2011	DATA PROCESSING SERVICES NORTHWEST REGIONAL DATA CENTER (NWRDC) FROM ADMINISTRATIVE TRUST FUND . . .		212,142
TOTAL:	INFORMATION TECHNOLOGY FROM GENERAL REVENUE FUND FROM TRUST FUNDS	495,231	9,876,363
	TOTAL POSITIONS	57.00	
	TOTAL ALL FUNDS		10,371,594
PROGRAM: SERVICE OPERATION			
CUSTOMER CONTACT CENTER			
	APPROVED SALARY RATE	3,117,285	
2012	SALARIES AND BENEFITS POSITIONS FROM ADMINISTRATIVE TRUST FUND . . .	91.00	4,553,145
2013	OTHER PERSONAL SERVICES FROM ADMINISTRATIVE TRUST FUND . . .		232,713
2014	EXPENSES FROM ADMINISTRATIVE TRUST FUND . . .		506,929
2015	OPERATING CAPITAL OUTLAY FROM ADMINISTRATIVE TRUST FUND . . .		3,000
2016	SPECIAL CATEGORIES CONTRACTED SERVICES FROM ADMINISTRATIVE TRUST FUND . . .		9,000
2017	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ADMINISTRATIVE TRUST FUND . . .		21,135
2018	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM ADMINISTRATIVE TRUST FUND . . .		5,430
2019	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ADMINISTRATIVE TRUST FUND . . .		28,914
TOTAL:	CUSTOMER CONTACT CENTER FROM TRUST FUNDS		5,360,266
	TOTAL POSITIONS	91.00	
	TOTAL ALL FUNDS		5,360,266
CENTRAL INTAKE			
	APPROVED SALARY RATE	3,649,249	
2020	SALARIES AND BENEFITS POSITIONS FROM ADMINISTRATIVE TRUST FUND . . .	109.50	5,414,939
2021	OTHER PERSONAL SERVICES FROM ADMINISTRATIVE TRUST FUND . . .		430,235
2022	EXPENSES FROM ADMINISTRATIVE TRUST FUND . . .		582,375
2023	OPERATING CAPITAL OUTLAY FROM ADMINISTRATIVE TRUST FUND . . .		3,000

SECTION 6 - GENERAL GOVERNMENT

2024	SPECIAL CATEGORIES CONTRACTED SERVICES FROM ADMINISTRATIVE TRUST FUND . . .	1,000,000
2025	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ADMINISTRATIVE TRUST FUND . . .	52,046
2026	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM ADMINISTRATIVE TRUST FUND . . .	26,950
2027	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ADMINISTRATIVE TRUST FUND . . .	39,237
TOTAL:	CENTRAL INTAKE FROM TRUST FUNDS	7,548,782
	TOTAL POSITIONS	109.50
	TOTAL ALL FUNDS	7,548,782

PROGRAM: PROFESSIONAL REGULATION

COMPLIANCE AND ENFORCEMENT

	APPROVED SALARY RATE	11,543,010
2028	SALARIES AND BENEFITS POSITIONS FROM PROFESSIONAL REGULATION TRUST FUND	262.00 16,493,727
2029	OTHER PERSONAL SERVICES FROM PROFESSIONAL REGULATION TRUST FUND	1,124,410
2030	EXPENSES FROM PROFESSIONAL REGULATION TRUST FUND	3,279,322
2031	OPERATING CAPITAL OUTLAY FROM PROFESSIONAL REGULATION TRUST FUND	6,920
2032	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM PROFESSIONAL REGULATION TRUST FUND	169,900
2033	SPECIAL CATEGORIES TRANSFER TO THE PROFESSIONAL REGULATION TRUST FUND FROM GENERAL REVENUE FUND	640,000
	The funds in Specific Appropriation 2033 are provided for the Division of Drugs, Devices, and Cosmetics. The funds shall be utilized, if needed, in excess of available trust funds to support and maintain operations of the division.	
2034	SPECIAL CATEGORIES LEGAL SERVICES CONTRACT FROM PROFESSIONAL REGULATION TRUST FUND	918,385
2035	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF HEALTH FROM PROFESSIONAL REGULATION TRUST FUND	282,637
2036	SPECIAL CATEGORIES UNLICENSED ACTIVITIES FROM PROFESSIONAL REGULATION TRUST FUND	2,238,146

From the funds in Specific Appropriation 2036, up to \$500,000 from the

SECTION 6 - GENERAL GOVERNMENT

Professional Regulation Trust Fund is provided to the Department of Business and Professional Regulation to prevent and combat unlicensed real estate activity in Florida. The department shall develop and implement an unlicensed activity program in consultation with a corporation that is registered under chapter 617, Florida Statutes, as a not-for-profit corporation and qualified under the Internal Revenue Service Code as a 501(c)(6) corporation, and that represents the largest number of licensed Florida real estate professionals. Special emphasis shall be placed on the investigation and prosecution of unlicensed real estate activities. These unlicensed activity funds may not be used for media campaigns, including public service announcements.

From the funds in Specific Appropriation 2036, up to \$100,000 from the Professional Regulation Trust Fund is provided to the Department of Business and Professional Regulation to fund unlicensed activity enforcement relating to certified public accountants. Funding cannot be used for advertising or media campaigns.

From the funds in Specific Appropriation 2036, up to \$250,000 from the Professional Regulation Trust Fund is provided to the Department of Business and Professional Regulation to enhance department enforcement activities, which include stings and sweeps, relating to unlicensed construction activity in Florida. The department may not allocate overhead charges to these unlicensed activity functions.

From the funds in Specific Appropriation 2036, the Department of Business and Professional Regulation shall submit a report to the President of the Senate, the Speaker of the House of Representatives, and the Executive Office of the Governor's Office of Policy and Budget by November 1, 2017, detailing the unlicensed activity functions performed by the department during Fiscal Year 2016-2017. The report shall contain a detailed breakout of activities, revenues, and expenditures by board and/or profession, and include any relevant information to indicate the department's compliance with section 455.2281, Florida Statutes.

2037	SPECIAL CATEGORIES CLAIMS PAYMENTS FROM CONSTRUCTION RECOVERY FUND FROM PROFESSIONAL REGULATION TRUST FUND	5,000,000
2038	SPECIAL CATEGORIES CLAIMS PAYMENT/AUCTIONEER RECOVERY FUND FROM PROFESSIONAL REGULATION TRUST FUND	106,579
2039	SPECIAL CATEGORIES TRANSFER ARCHITECT & INTERIOR DESIGN ACTIVITIES CH. 2002-274 FROM PROFESSIONAL REGULATION TRUST FUND	425,239
2040	SPECIAL CATEGORIES CONTRACTED SERVICES FROM PROFESSIONAL REGULATION TRUST FUND	1,383,138
	From the funds in Specific Appropriation 2040, \$150,000 is provided to the Broward County Building Officials Association to fund the Building Code Enforcement Training Program from fees collected pursuant to the surcharge authorized in section 553.721, Florida Statutes.	
2041	SPECIAL CATEGORIES FLORIDA BUILDING CODE COMPLIANCE AND MITIGATION PROGRAM FROM PROFESSIONAL REGULATION TRUST FUND	925,000
	The funds in Specific Appropriation 2041 are provided for the Florida Building Code Compliance and Mitigation Program as authorized in section 553.841, Florida Statutes.	
2042	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM PROFESSIONAL REGULATION TRUST FUND	223,236

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2043	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM PROFESSIONAL REGULATION TRUST FUND	404,310
2044	SPECIAL CATEGORIES CLAY FORD SCHOLARSHIP PROGRAM - CERTIFIED PUBLIC ACCOUNTING MINORITY SCHOLARSHIPS FROM PROFESSIONAL REGULATION TRUST FUND	200,000
2045	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM PROFESSIONAL REGULATION TRUST FUND	83,362
2046	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM PROFESSIONAL REGULATION TRUST FUND	103,440
2047	SPECIAL CATEGORIES GRANTS AND AIDS - FLORIDA ENGINEERING MANAGEMENT CORPORATION (FEMC) CONTRACTED SERVICES FROM PROFESSIONAL REGULATION TRUST FUND	2,070,000
2048	FINANCIAL ASSISTANCE PAYMENTS REAL ESTATE RECOVERY FUND FROM PROFESSIONAL REGULATION TRUST FUND	300,000
2048A	FINANCIAL ASSISTANCE PAYMENTS REAL ESTATE SCHOLARSHIPS FROM PROFESSIONAL REGULATION TRUST FUND	150,000
TOTAL:	COMPLIANCE AND ENFORCEMENT FROM GENERAL REVENUE FUND FROM TRUST FUNDS	640,000 35,887,751
	TOTAL POSITIONS	262.00
	TOTAL ALL FUNDS	36,527,751

FLORIDA BOXING COMMISSION

	APPROVED SALARY RATE	236,462
2049	SALARIES AND BENEFITS POSITIONS FROM PROFESSIONAL REGULATION TRUST FUND	4.00 351,202
2050	OTHER PERSONAL SERVICES FROM PROFESSIONAL REGULATION TRUST FUND	110,371
2051	EXPENSES FROM PROFESSIONAL REGULATION TRUST FUND	156,920
2052	SPECIAL CATEGORIES TRANSFER TO THE PROFESSIONAL REGULATION TRUST FUND FROM GENERAL REVENUE FUND	443,675

The funds in Specific Appropriation 2052 are provided for the Florida Boxing Commission. The funds shall be utilized, if needed, in excess of available trust funds to support and maintain operations of the commission.

SECTION 6 - GENERAL GOVERNMENT

2053	SPECIAL CATEGORIES CONTRACTED SERVICES FROM PROFESSIONAL REGULATION TRUST FUND	2,000
2054	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM PROFESSIONAL REGULATION TRUST FUND	5,568
2055	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM PROFESSIONAL REGULATION TRUST FUND	3,640
TOTAL:	FLORIDA BOXING COMMISSION FROM GENERAL REVENUE FUND FROM TRUST FUNDS	443,675 629,701
	TOTAL POSITIONS	4.00
	TOTAL ALL FUNDS	1,073,376
TESTING AND CONTINUING EDUCATION		
	APPROVED SALARY RATE	1,441,817
2056	SALARIES AND BENEFITS POSITIONS FROM PROFESSIONAL REGULATION TRUST FUND	40.00 2,084,722
2057	EXPENSES FROM PROFESSIONAL REGULATION TRUST FUND	283,871
2058	OPERATING CAPITAL OUTLAY FROM PROFESSIONAL REGULATION TRUST FUND	3,000
2059	SPECIAL CATEGORIES EXAMINATION TESTING SERVICES FOR PROFESSIONAL REGULATION FROM PROFESSIONAL REGULATION TRUST FUND	658,235
2060	SPECIAL CATEGORIES CONTRACTED SERVICES FROM PROFESSIONAL REGULATION TRUST FUND	6,000
2061	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM PROFESSIONAL REGULATION TRUST FUND	1,000
2062	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM PROFESSIONAL REGULATION TRUST FUND	6,283
2063	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM PROFESSIONAL REGULATION TRUST FUND	5,211
2064	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM PROFESSIONAL REGULATION TRUST FUND	13,237

SECTION 6 - GENERAL GOVERNMENT

TOTAL: TESTING AND CONTINUING EDUCATION
FROM TRUST FUNDS 3,061,559

TOTAL POSITIONS 40.00

TOTAL ALL FUNDS 3,061,559

FARM AND CHILD LABOR REGULATION

APPROVED SALARY RATE 1,078,622

2065 SALARIES AND BENEFITS POSITIONS 30.00
FROM PROFESSIONAL REGULATION TRUST
FUND 1,626,057

2066 EXPENSES
FROM PROFESSIONAL REGULATION TRUST
FUND 160,342

2067 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM PROFESSIONAL REGULATION TRUST
FUND 45,000

2068 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PROFESSIONAL REGULATION TRUST
FUND 20,590

2069 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM PROFESSIONAL REGULATION TRUST
FUND 69,400

2070 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PROFESSIONAL REGULATION TRUST
FUND 6,012

2071 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM PROFESSIONAL REGULATION TRUST
FUND 2,648

2072 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM PROFESSIONAL REGULATION TRUST
FUND 9,204

TOTAL: FARM AND CHILD LABOR REGULATION
FROM TRUST FUNDS 1,939,253

TOTAL POSITIONS 30.00

TOTAL ALL FUNDS 1,939,253

PROGRAM: PARI-MUTUEL WAGERING

PARI-MUTUEL WAGERING

From the funds in Specific Appropriations 2073 through 2085, the Department of Business and Professional Regulation, by and through the Division of Pari-Mutuel Wagering, shall adopt rules governing the reporting of greyhound injuries sustained at pari-mutuel racetracks.

APPROVED SALARY RATE 2,832,176

2073 SALARIES AND BENEFITS POSITIONS 65.00
FROM PARI-MUTUEL WAGERING TRUST
FUND 4,033,300

2074 OTHER PERSONAL SERVICES
FROM PARI-MUTUEL WAGERING TRUST
FUND 1,692,935

SECTION 6 - GENERAL GOVERNMENT

2075 EXPENSES
FROM PARI-MUTUEL WAGERING TRUST
FUND 665,627

2076 OPERATING CAPITAL OUTLAY
FROM PARI-MUTUEL WAGERING TRUST
FUND 13,032

2077 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM PARI-MUTUEL WAGERING TRUST
FUND 40,002

2078 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PARI-MUTUEL WAGERING TRUST
FUND 27,317

2079 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM PARI-MUTUEL WAGERING TRUST
FUND 62,000

2080 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PARI-MUTUEL WAGERING TRUST
FUND 219,279

2081 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM PARI-MUTUEL WAGERING TRUST
FUND 10,063

2082 SPECIAL CATEGORIES
RACING ANIMAL MEDICAL RESEARCH
FROM PARI-MUTUEL WAGERING TRUST
FUND 100,000

2083 SPECIAL CATEGORIES
PARI-MUTUEL LABORATORY CONTRACTED SERVICES
FROM PARI-MUTUEL WAGERING TRUST
FUND 2,266,000

2084 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM PARI-MUTUEL WAGERING TRUST
FUND 40,688

2085 SPECIAL CATEGORIES
CONTRACT FOR PARI-MUTUEL WAGERING
COMPLIANCE AND AUDIT SYSTEM
FROM PARI-MUTUEL WAGERING TRUST
FUND 296,476

TOTAL: PARI-MUTUEL WAGERING
FROM TRUST FUNDS 9,466,719

TOTAL POSITIONS 65.00

TOTAL ALL FUNDS 9,466,719

SLOT MACHINE REGULATION

APPROVED SALARY RATE 2,198,053

2086 SALARIES AND BENEFITS POSITIONS 50.00
FROM PARI-MUTUEL WAGERING TRUST
FUND 3,180,169

2087 OTHER PERSONAL SERVICES
FROM PARI-MUTUEL WAGERING TRUST
FUND 10,000

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2088	EXPENSES FROM PARI-MUTUEL WAGERING TRUST FUND	275,248
2089	OPERATING CAPITAL OUTLAY FROM PARI-MUTUEL WAGERING TRUST FUND	10,863
2090	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM PARI-MUTUEL WAGERING TRUST FUND	40,000
2091	SPECIAL CATEGORIES COMPULSIVE AND ADDICTIVE GAMBLING PREVENTION CONTRACT FROM PARI-MUTUEL WAGERING TRUST FUND	930,000
Funds in Specific Appropriation 2091 shall be placed in reserve contingent upon the submission of a report to the chair of the Senate Appropriations Committee, the chair of the House Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget detailing the services that will be delivered, the expected results, and recommended performance measures to be included in the contract for the provision of services related to the prevention and reduction of compulsive and addictive gambling. The report shall also include the effectiveness of Fiscal Year 2016-2017 efforts in reducing problem gambling. No earlier than 14 days after the submission of the report, the Department of Business and Professional Regulation may request the release of funds pursuant to the provisions of chapter 216, Florida Statutes.		
2092	SPECIAL CATEGORIES TRANSFER TO THE OFFICE OF THE STATE ATTORNEY - SLOT INVESTIGATIONS AND PROSECUTIONS FROM PARI-MUTUEL WAGERING TRUST FUND	5,567
2093	SPECIAL CATEGORIES CONTRACTED SERVICES FROM PARI-MUTUEL WAGERING TRUST FUND	44,000
2094	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM PARI-MUTUEL WAGERING TRUST FUND	25,743
2095	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM PARI-MUTUEL WAGERING TRUST FUND	12,582
2096	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM PARI-MUTUEL WAGERING TRUST FUND	2,848
2097	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM PARI-MUTUEL WAGERING TRUST FUND	16,517
TOTAL:	SLOT MACHINE REGULATION FROM TRUST FUNDS	4,553,537
	TOTAL POSITIONS 50.00	
	TOTAL ALL FUNDS	4,553,537

SECTION 6 - GENERAL GOVERNMENT

PROGRAM: HOTELS AND RESTAURANTS

COMPLIANCE AND ENFORCEMENT

	APPROVED SALARY RATE	11,797,504
2098	SALARIES AND BENEFITS POSITIONS FROM HOTEL AND RESTAURANT TRUST FUND	308.00 16,876,853
2099	OTHER PERSONAL SERVICES FROM HOTEL AND RESTAURANT TRUST FUND	35,689
2100	EXPENSES FROM HOTEL AND RESTAURANT TRUST FUND	1,656,430
2101	OPERATING CAPITAL OUTLAY FROM HOTEL AND RESTAURANT TRUST FUND	8,500
2102	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM HOTEL AND RESTAURANT TRUST FUND	275,000
2102A	SPECIAL CATEGORIES TRANSFER TO FLORIDA RESTAURANT AND LODGING ASSOCIATION FROM HOTEL AND RESTAURANT TRUST FUND	1,000,000
Funds in Specific Appropriation 2102A are provided to the Department of Business and Professional Regulation to contract with the Florida Restaurant and Lodging Association, Inc., to develop a coordinated marketing, media, and events program to promote the Florida hospitality industry by residents of the state. This campaign shall require a private matching program and shall be conducted throughout the state, as approved by and monitored by the Department of Business and Professional Regulation and the Florida Restaurant and Lodging Association, Inc., for the purpose of promoting the Florida hospitality industry within the state.		
2103	SPECIAL CATEGORIES TRANSFERS TO DEPARTMENT OF HEALTH FOR EPIDEMIOLOGICAL SERVICES FROM HOTEL AND RESTAURANT TRUST FUND	607,149
2104	SPECIAL CATEGORIES GRANTS AND AIDS - SCHOOL-TO-CAREER FROM HOTEL AND RESTAURANT TRUST FUND	706,698
2105	SPECIAL CATEGORIES CONTRACTED SERVICES FROM HOTEL AND RESTAURANT TRUST FUND	70,509
2106	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM HOTEL AND RESTAURANT TRUST FUND	484,941
2107	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM HOTEL AND RESTAURANT TRUST FUND	383,667
2108	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM HOTEL AND RESTAURANT TRUST FUND	25,000

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2109	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM HOTEL AND RESTAURANT TRUST FUND	94,319
TOTAL:	COMPLIANCE AND ENFORCEMENT FROM TRUST FUNDS	22,224,755
	TOTAL POSITIONS 308.00	
	TOTAL ALL FUNDS	22,224,755
PROGRAM: ALCOHOLIC BEVERAGES AND TOBACCO		
COMPLIANCE AND ENFORCEMENT		
	APPROVED SALARY RATE 9,181,013	
2110	SALARIES AND BENEFITS POSITIONS 188.75 FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	12,895,756
2111	OTHER PERSONAL SERVICES FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	7,075
2112	EXPENSES FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND FROM FEDERAL LAW ENFORCEMENT TRUST FUND	1,517,830 141,500
2113	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	315,644
2114	SPECIAL CATEGORIES CONTRACTED SERVICES FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	42,044
2115	SPECIAL CATEGORIES OPERATION AND MAINTENANCE OF PATROL VEHICLES FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	896,017
2116	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	645,758
2117	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	172,846
2118	SPECIAL CATEGORIES TRANSFER FOR CONTRACTED DISPATCH SERVICES FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	140,000
2119	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	28,219
2120	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	59,641

SECTION 6 - GENERAL GOVERNMENT

TOTAL:	COMPLIANCE AND ENFORCEMENT FROM TRUST FUNDS	16,862,330
	TOTAL POSITIONS 188.75	
	TOTAL ALL FUNDS	16,862,330
STANDARDS AND LICENSURE		
	APPROVED SALARY RATE 2,405,493	
2121	SALARIES AND BENEFITS POSITIONS 59.50 FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	3,518,981
2122	OTHER PERSONAL SERVICES FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	84,746
2123	EXPENSES FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	550,628
2124	OPERATING CAPITAL OUTLAY FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	5,000
2125	SPECIAL CATEGORIES CONTRACTED SERVICES FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	17,733
2126	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	26,425
2127	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	12,229
2128	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	20,105
TOTAL:	STANDARDS AND LICENSURE FROM TRUST FUNDS	4,235,847
	TOTAL POSITIONS 59.50	
	TOTAL ALL FUNDS	4,235,847
TAX COLLECTION		
	APPROVED SALARY RATE 3,304,512	
2129	SALARIES AND BENEFITS POSITIONS 82.00 FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	4,844,453
2130	OTHER PERSONAL SERVICES FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	18,671
2131	EXPENSES FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	622,009
2132	SPECIAL CATEGORIES CONTRACTED SERVICES FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	21,180

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2133	SPECIAL CATEGORIES CIGARETTE TAX STAMPS FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	866,505	
2134	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	14,796	
2135	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	12,998	
2136	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	28,061	
2137A	DATA PROCESSING SERVICES DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND	12,997	
TOTAL: TAX COLLECTION FROM TRUST FUNDS		6,441,670	
	TOTAL POSITIONS	82.00	
	TOTAL ALL FUNDS	6,441,670	
PROGRAM: FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES			
COMPLIANCE AND ENFORCEMENT			
	APPROVED SALARY RATE	4,462,950	
2138	SALARIES AND BENEFITS POSITIONS FROM DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES TRUST FUND	6,355,038	110.00
2139	OTHER PERSONAL SERVICES FROM DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES TRUST FUND	44,076	
2140	EXPENSES FROM DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES TRUST FUND	903,881	
2141	OPERATING CAPITAL OUTLAY FROM DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES TRUST FUND	6,298	
2142	SPECIAL CATEGORIES CONTRACTED SERVICES FROM DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES TRUST FUND	17,500	
2143	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES TRUST FUND	28,797	

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2144	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES TRUST FUND	11,856	
2145	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES TRUST FUND	36,535	
TOTAL: COMPLIANCE AND ENFORCEMENT FROM TRUST FUNDS		7,403,981	
	TOTAL POSITIONS	110.00	
	TOTAL ALL FUNDS	7,403,981	
TOTAL: BUSINESS AND PROFESSIONAL REGULATION, DEPARTMENT OF			
	FROM GENERAL REVENUE FUND	1,929,392	
	FROM TRUST FUNDS		150,322,441
	TOTAL POSITIONS	1,618.25	
	TOTAL ALL FUNDS		152,251,833
	TOTAL APPROVED SALARY RATE	68,807,024	
PROGRAM: CITRUS, DEPARTMENT OF			
CITRUS RESEARCH			
	APPROVED SALARY RATE	944,267	
2146	SALARIES AND BENEFITS POSITIONS FROM CITRUS ADVERTISING TRUST FUND	11.00	1,185,405
2147	OTHER PERSONAL SERVICES FROM CITRUS ADVERTISING TRUST FUND		107,098
2148	EXPENSES FROM CITRUS ADVERTISING TRUST FUND		401,896
2149	OPERATING CAPITAL OUTLAY FROM CITRUS ADVERTISING TRUST FUND		251,000
2150	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	650,000	
	FROM CITRUS ADVERTISING TRUST FUND		2,820,494
2151	SPECIAL CATEGORIES PAID ADVERTISING AND PROMOTION FROM CITRUS ADVERTISING TRUST FUND		82,000
2152	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM CITRUS ADVERTISING TRUST FUND		4,869
TOTAL: CITRUS RESEARCH FROM GENERAL REVENUE FUND		650,000	
	FROM TRUST FUNDS		4,852,762
	TOTAL POSITIONS	11.00	
	TOTAL ALL FUNDS		5,502,762
EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	APPROVED SALARY RATE	1,326,964	
2153	SALARIES AND BENEFITS POSITIONS FROM CITRUS ADVERTISING TRUST FUND	19.00	1,954,987

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2154	OTHER PERSONAL SERVICES FROM CITRUS ADVERTISING TRUST FUND .	66,000	
2155	EXPENSES FROM CITRUS ADVERTISING TRUST FUND .	542,625	
2156	OPERATING CAPITAL OUTLAY FROM CITRUS ADVERTISING TRUST FUND .	119,779	
2157	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM CITRUS ADVERTISING TRUST FUND .	38,000	
2158	SPECIAL CATEGORIES CONTRACTED SERVICES FROM CITRUS ADVERTISING TRUST FUND .	257,655	
2159	SPECIAL CATEGORIES PAID ADVERTISING AND PROMOTION FROM CITRUS ADVERTISING TRUST FUND .	75,000	
2160	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM CITRUS ADVERTISING TRUST FUND .	14,469	
2161	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM CITRUS ADVERTISING TRUST FUND .	7,440	
2162A	DATA PROCESSING SERVICES DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY FROM CITRUS ADVERTISING TRUST FUND .	43,752	
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM TRUST FUNDS		3,119,707	
	TOTAL POSITIONS	19.00	
	TOTAL ALL FUNDS	3,119,707	

AGRICULTURAL PRODUCTS MARKETING

	APPROVED SALARY RATE	1,010,732	
2163	SALARIES AND BENEFITS POSITIONS FROM CITRUS ADVERTISING TRUST FUND .	9.00	1,469,423
2164	OTHER PERSONAL SERVICES FROM CITRUS ADVERTISING TRUST FUND .		17,000
2165	EXPENSES FROM CITRUS ADVERTISING TRUST FUND .		461,331
2166	SPECIAL CATEGORIES CONTRACTED SERVICES FROM CITRUS ADVERTISING TRUST FUND .		100,000
2167	SPECIAL CATEGORIES PAID ADVERTISING AND PROMOTION FROM GENERAL REVENUE FUND FROM CITRUS ADVERTISING TRUST FUND .	2,737,000	19,645,400
2168	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM CITRUS ADVERTISING TRUST FUND .		4,356

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TOTAL: AGRICULTURAL PRODUCTS MARKETING FROM GENERAL REVENUE FUND FROM TRUST FUNDS	2,737,000	21,697,510
TOTAL POSITIONS	9.00	
TOTAL ALL FUNDS		24,434,510
TOTAL: PROGRAM: CITRUS, DEPARTMENT OF FROM GENERAL REVENUE FUND FROM TRUST FUNDS	3,387,000	29,669,979
TOTAL POSITIONS	39.00	
TOTAL ALL FUNDS		33,056,979
TOTAL APPROVED SALARY RATE	3,281,963	

ECONOMIC OPPORTUNITY, DEPARTMENT OF

From the funds in Specific Appropriations 2169 through 2226V, any expenditure from the Temporary Assistance for Needy Families (TANF) Block Grant must be expended in accordance with the requirements and limitations of Part A of Title IV of the Social Security Act, as amended or any other applicable federal requirement or limitation. Before any funds are released by the Department of Children and Families, each provider shall identify the number of clients to be served and certify their eligibility under Part A of Title IV of the Social Security Act. Funds may not be released for services to any clients except those so identified and certified.

The department head or a designee must certify that controls are in place to ensure that such funds are expended in accordance with the requirements and limitations of federal law and that reporting requirements of federal law are met. It is the responsibility of any entity to which such funds are appropriated to obtain the required certification prior to any expenditure of funds.

No funds are appropriated in Specific Appropriations 2169 through 2226V, and Section 66 for the payment of rent, lease or possession of space for offices or any other purpose or use at Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida, pursuant to State of Florida Lease Nos. 720:0139, 750:0068, 790:0098, 400:0068 or 590:M139, or any other lease, except for State of Florida Lease No. 400:0070, by the Department of Economic Opportunity, including any one or more predecessor agencies, notwithstanding any lease or contract to the contrary. The Department of Economic Opportunity is prohibited from expending any specific appropriation from the General Revenue Fund, any trust fund or from any other source for the rent, lease or possession of any space for offices or other purpose or use at Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida, pursuant to State of Florida Lease Nos. 720:0139, 750:0068, 790:0098, 400:0068 or 590:M139, or any other lease, except State of Florida Lease No. 400:0070.

PROGRAM: EXECUTIVE DIRECTION AND SUPPORT SERVICES

EXECUTIVE LEADERSHIP

	APPROVED SALARY RATE	2,755,167	
2169	SALARIES AND BENEFITS POSITIONS FROM ADMINISTRATIVE TRUST FUND . . .	38.00	3,314,055
2170	OTHER PERSONAL SERVICES FROM ADMINISTRATIVE TRUST FUND . . .		115,473
2171	EXPENSES FROM ADMINISTRATIVE TRUST FUND . . .		504,993
2172	OPERATING CAPITAL OUTLAY FROM ADMINISTRATIVE TRUST FUND . . .		17,177
2173	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM ADMINISTRATIVE TRUST FUND . . .		66,560

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2174 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 133,778

Funds provided in Specific Appropriation 2174 from the Administrative Trust Fund may be used to represent the state's interest in legal matters to contract with outside legal council.

2175 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND . . . 11,136

2176 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND . . . 12,475

2177A DATA PROCESSING SERVICES
DATA PROCESSING ASSESSMENT - AGENCY FOR
STATE TECHNOLOGY
FROM ADMINISTRATIVE TRUST FUND . . . 3,516

TOTAL: EXECUTIVE LEADERSHIP
FROM TRUST FUNDS 4,179,163

TOTAL POSITIONS 38.00
TOTAL ALL FUNDS 4,179,163

FINANCE AND ADMINISTRATION

APPROVED SALARY RATE 5,460,045

2178 SALARIES AND BENEFITS POSITIONS 99.00
FROM ADMINISTRATIVE TRUST FUND . . . 6,559,076
FROM REVOLVING TRUST FUND 947,265

2179 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 49,136
FROM REVOLVING TRUST FUND 50,000

2180 EXPENSES
FROM ADMINISTRATIVE TRUST FUND . . . 625,557
FROM REVOLVING TRUST FUND 1,418,634

2181 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . 52,822

2182 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 510,198
FROM REVOLVING TRUST FUND 1,036,300

2183 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND . . . 29,913
FROM REVOLVING TRUST FUND 5,719

2184 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND . . . 22,025
FROM REVOLVING TRUST FUND 4,063

2185A DATA PROCESSING SERVICES
DATA PROCESSING ASSESSMENT - AGENCY FOR
STATE TECHNOLOGY
FROM ADMINISTRATIVE TRUST FUND . . . 104,385

2186 FIXED CAPITAL OUTLAY
REED ACT BUILDINGS PROJECTS - STATEWIDE
FROM REVOLVING TRUST FUND 512,000

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TOTAL: FINANCE AND ADMINISTRATION
FROM TRUST FUNDS 11,927,093

TOTAL POSITIONS 99.00
TOTAL ALL FUNDS 11,927,093

INFORMATION SYSTEMS AND SUPPORT SERVICES

APPROVED SALARY RATE 5,699,356

2187 SALARIES AND BENEFITS POSITIONS 93.00
FROM ADMINISTRATIVE TRUST FUND . . . 7,885,382

2188 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 132,514

2189 EXPENSES
FROM ADMINISTRATIVE TRUST FUND . . . 1,143,405

2190 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . 83,661

2191 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . 593,190

2192 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND . . . 65,068

2193 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND . . . 24,223

2194A DATA PROCESSING SERVICES
DATA PROCESSING ASSESSMENT - AGENCY FOR
STATE TECHNOLOGY
FROM ADMINISTRATIVE TRUST FUND . . . 49,201

TOTAL: INFORMATION SYSTEMS AND SUPPORT SERVICES
FROM TRUST FUNDS 9,976,644

TOTAL POSITIONS 93.00
TOTAL ALL FUNDS 9,976,644

PROGRAM: WORKFORCE SERVICES

WORKFORCE DEVELOPMENT

From the funds in Specific Appropriations 2195 through 2224, the Department of Economic Opportunity must determine if any funds provided for specific workforce programs, projects, or initiatives are not an allowable use of federal funds. If the department finds that any workforce program, project, or initiative for which funds are specifically appropriated in this act is not an allowable use of federal funds, the department must notify the Governor's Office of Policy and Budget, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee.

When allocating full-time equivalent (FTE) positions to individual regional workforce boards, the Department of Economic Opportunity must ensure that workforce services are effectively and efficiently provided throughout the state. The department is authorized to reallocate any FTE position allocated to a regional workforce board that has been or becomes vacant for more than 180 days. When reallocating a vacant FTE position, the department must give priority to a regional workforce board that would use the FTE position to provide additional services to veterans.

APPROVED SALARY RATE 25,044,535

2195 SALARIES AND BENEFITS POSITIONS 650.50
FROM EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 33,876,984

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	FROM WELFARE TRANSITION TRUST FUND	1,305,105
	FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	251,431
2196	OTHER PERSONAL SERVICES	
	FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	7,157,407
	FROM WELFARE TRANSITION TRUST FUND	65,563
	FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	108,410
2197	EXPENSES	
	FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	1,143,128
	FROM WELFARE TRANSITION TRUST FUND	1,105,389
	FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	160,387
2198	OPERATING CAPITAL OUTLAY	
	FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	109,473
	FROM WELFARE TRANSITION TRUST FUND	26,424
	FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	175,530
2198A	SPECIAL CATEGORIES	
	GRANTS AND AIDS - WORKFORCE PROJECTS	
	FROM GENERAL REVENUE FUND	810,000
	FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND	6,893,609

The nonrecurring State Enhancement and Economic Development Trust Funds provided in Specific Appropriation 2198A shall be allocated as follows:

LaunchCode Tampa - Technology Job Training and Placement.....	1,000,000
United Way of Florida (Tax Preparation Assistance).....	600,000
Recovery through Work Training Center.....	250,000
Economic Development Commission of Florida's Space Coast....	520,000
Leon Works Expo and Junior Apprenticeship Program.....	100,000
City of Riviera Beach Summer Youth Employment Program.....	1,000,000
JARC Community Works (Empowerment through Employment).....	180,000
Florida Association for Centers of Independent Living.....	
Hospitality Demonstration Project.....	151,109
Apprenticeship Tampa Bay.....	500,000
Pepin Academies Support Services - Center for Unique Abilities.....	850,000
HANDY-Helping Abused Neglected Disadvantaged Youth, Inc.....	100,000
Big Brothers and Big Sisters School to Work Mentoring Program.....	250,000
National Cyber Partnership - Cyber Training for Veterans....	749,500
Mye-Voice Mentoring Program, Orlando.....	43,000
HART Hyperlink- Downtown Tampa Zone.....	500,000
Urban Community Redevelopment Jobs & Opportunity Initiative.....	100,000

From the funds in Specific Appropriation 2198A, \$60,000 in nonrecurring general revenue is provided to IDignity for the purpose of assisting United States legal residents in obtaining legal identification including, but not limited to, birth certificates, Florida identification cards, Florida driver licenses, and social security cards.

From the funds in Specific Appropriation 2198A, \$750,000 in nonrecurring general revenue is provided for the Home Builders Institute (HBI)-Building Careers for Veterans.

The Department of Economic Opportunity shall directly contract with entities allocated funds from Specific Appropriation 2198A.

2199	SPECIAL CATEGORIES	
	NON CUSTODIAL PARENT PROGRAM	
	FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND	500,000
	FROM WELFARE TRANSITION TRUST FUND	1,416,000

Funds provided in Specific Appropriation 2199, from the Welfare Transition Trust Fund are provided to continue the Gulf Coast Jewish Family and Community Services' Non-Custodial Parent Employment Program

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in Miami-Dade, Pinellas, Pasco, and Hillsborough counties, allocated as follows: Miami-Dade County - \$666,000; and Pinellas, Pasco, and Hillsborough counties - \$750,000.

The nonrecurring State Enhancement and Economic Development Trust Funds provided in Specific Appropriation 2199 are provided for the Gulf Coast Jewish Family and Community Services Non-Custodial Parent Program in Pinellas, Pasco, and Hillsborough counties.

CareerSource Pinellas shall administer the funds.

2200	SPECIAL CATEGORIES	
	GRANTS AND AIDS - SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)	
	FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	6,300,000
	FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	3,100,000
2200A	SPECIAL CATEGORIES	
	CONTRACTED SERVICES	
	FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	2,000,000

From funds in Specific Appropriation 2200A, the nonrecurring sum of \$2,000,000 from the Special Employment Security Administration Trust Fund shall be used by the department to contract with the Department of Military Affairs for the purpose of providing the About Face and Forward March programs.

2201	SPECIAL CATEGORIES	
	GRANTS AND AIDS - CONTRACTED SERVICES	
	FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	9,918,979
	FROM WELFARE TRANSITION TRUST FUND	575,000
	FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	173,005
2202	SPECIAL CATEGORIES	
	GRANTS AND AIDS - LOCAL WORKFORCE DEVELOPMENT BOARDS	
	FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	229,344,538
	FROM WELFARE TRANSITION TRUST FUND	52,514,907

Funds provided in Specific Appropriation 2202 from the Welfare Transition Trust Fund are allocated for workforce services based on a plan approved by CareerSource Florida. The plan must maximize funds distributed directly to the regional workforce boards, and must identify any funds allocated for state-level and discretionary initiatives. The plan must equitably distribute funds to the boards based on anticipated client caseload to maximize the ability of the state to meet performance standards, including federal work participation rate requirements, and prioritize services provided to one-parent families.

From the funds provided in Specific Appropriation 2202, any expenditures by a regional workforce board for "outreach," "advertising," or "public relations" must have a direct program benefit and must be spent in strict accordance with all applicable federal regulations and guidance. For any expenditures exceeding \$5,000 for outreach purposes, a regional workforce board must obtain prior approval from the Department of Economic Opportunity before purchasing: promotional items, including but not limited to capes, blankets, and clothing; and memorabilia, models, gifts, and souvenirs.

Funds in Specific Appropriation 2202 may not be used directly or indirectly to pay for meals, food, or beverages for board members, staff, or employees of regional workforce boards, CareerSource Florida, or the Department of Economic Opportunity except as expressly authorized by state law. Preapproved, reasonable, and necessary per diem allowances and travel established in section 112.061, Florida Statutes, shall be in compliance with all applicable federal and state requirements. Funds in Specific Appropriation 2202 may not be used for entertainment costs and recreational activities for board members, staff, or employees.

Funds in Specific Appropriation 2202 may not be used for any contract exceeding \$25,000 between a regional workforce board and a member of

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that board that has any relationship with the contracting vendor, unless the contract has been reviewed by the Department of Economic Opportunity and CareerSource Florida.

2203	SPECIAL CATEGORIES GRANTS AND AIDS - DISPLACED HOMEMAKERS FROM DISPLACED HOMEMAKER TRUST FUND	2,000,000
2204	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND FROM WELFARE TRANSITION TRUST FUND	1,009,264 1,996
2205	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND FROM WELFARE TRANSITION TRUST FUND	211,354 5,014
2206A	DATA PROCESSING SERVICES DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND FROM WELFARE TRANSITION TRUST FUND	435,162 234,597
TOTAL:	WORKFORCE DEVELOPMENT FROM GENERAL REVENUE FUND FROM TRUST FUNDS TOTAL POSITIONS TOTAL ALL FUNDS	810,000 362,118,656 650.50 362,928,656
REEMPLOYMENT ASSISTANCE PROGRAM		
	APPROVED SALARY RATE	19,515,871
2207	SALARIES AND BENEFITS POSITIONS FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	504.50 31,115,345 8,485
2208	OTHER PERSONAL SERVICES FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	15,249,813
2209	EXPENSES FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	12,469,539
2210	OPERATING CAPITAL OUTLAY FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	304,795
2211	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	41,891,311
2212	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	462,620
2213	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	211,885

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2214A	DATA PROCESSING SERVICES DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	1,119,601
TOTAL:	REEMPLOYMENT ASSISTANCE PROGRAM FROM TRUST FUNDS TOTAL POSITIONS TOTAL ALL FUNDS	102,833,394 504.50 102,833,394
CAREERSOURCE FLORIDA		
	APPROVED SALARY RATE	451,384
2215	SALARIES AND BENEFITS POSITIONS FROM ADMINISTRATIVE TRUST FUND	3.00 356,574
2216	SPECIAL CATEGORIES CAREERSOURCE FLORIDA OPERATIONS FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND FROM WELFARE TRANSITION TRUST FUND FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	100,000 8,871,096 752,917 544,508
2216A	SPECIAL CATEGORIES GRANTS AND AIDS - BUSINESS PARTNERSHIPS/ SKILL ASSESSMENT AND TRAINING FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	2,500,000
Funds in Specific Appropriation 2216A may be used in the correctional facilities within the Department of Corrections for skill assessment and training for inmates with 5 years or less until release and re-entry. The facility may only authorize the skill assessment and training program to be accessed through a secure local area network with self contained data within the facility.		
2217	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ADMINISTRATIVE TRUST FUND	2,452
2218	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ADMINISTRATIVE TRUST FUND	1,854
2219	SPECIAL CATEGORIES QUICK RESPONSE TRAINING FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND	15,000,000
2220	SPECIAL CATEGORIES INCUMBENT WORKER TRAINING PROGRAM FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	3,000,000
TOTAL:	CAREERSOURCE FLORIDA FROM TRUST FUNDS TOTAL POSITIONS TOTAL ALL FUNDS	31,129,401 3.00 31,129,401
REEMPLOYMENT ASSISTANCE APPEALS COMMISSION		
	APPROVED SALARY RATE	2,483,290
2221	SALARIES AND BENEFITS POSITIONS FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	39.50 3,328,455

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2222	SPECIAL CATEGORIES REEMPLOYMENT ASSISTANCE APPEALS COMMISSION - OPERATIONS FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	765,974
2223	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	15,298
2224	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND	13,305
TOTAL:	REEMPLOYMENT ASSISTANCE APPEALS COMMISSION FROM TRUST FUNDS	4,123,032
	TOTAL POSITIONS	39.50
	TOTAL ALL FUNDS	4,123,032

PROGRAM: COMMUNITY DEVELOPMENT

HOUSING AND COMMUNITY DEVELOPMENT

	APPROVED SALARY RATE	4,257,417
2224A	SALARIES AND BENEFITS POSITIONS FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND . . . FROM FEDERAL GRANTS TRUST FUND . . . FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND FROM TOURISM PROMOTIONAL TRUST FUND	88.00 618,218 2,564,538 31,095 1,228,215 1,435,325 123,694
2224B	OTHER PERSONAL SERVICES FROM FEDERAL GRANTS TRUST FUND . . . FROM GRANTS AND DONATIONS TRUST FUND	194,883 37,233
2224C	EXPENSES FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND FROM FEDERAL GRANTS TRUST FUND . . . FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND FROM TOURISM PROMOTIONAL TRUST FUND	62,717 777,523 3,135 211,785 12,544
2224D	OPERATING CAPITAL OUTLAY FROM FEDERAL GRANTS TRUST FUND . . . FROM GRANTS AND DONATIONS TRUST FUND	4,206 1,328
2224E	SPECIAL CATEGORIES GRANTS AND AIDS - COMMUNITY SERVICES BLOCK GRANTS FROM FEDERAL GRANTS TRUST FUND . . .	21,876,498
2224F	SPECIAL CATEGORIES GRANTS AND AIDS - COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) - SMALL CITIES FROM FEDERAL GRANTS TRUST FUND . . .	36,500,000

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2224G	SPECIAL CATEGORIES GRANTS AND AIDS - BLACK BUSINESS LOAN PROGRAM FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND	2,225,000
2224H	SPECIAL CATEGORIES HISPANIC BUSINESS INITIATIVE FUND OUTREACH PROGRAM FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND	775,000
2224I	SPECIAL CATEGORIES GRANTS AND AIDS - HOME ENERGY ASSISTANCE FROM FEDERAL GRANTS TRUST FUND	78,100,000
2224J	SPECIAL CATEGORIES GRANTS AND AIDS - WEATHERIZATION ASSISTANCE PROGRAM (WAP) FROM FEDERAL GRANTS TRUST FUND	2,000,000
2224K	SPECIAL CATEGORIES GRANTS AND AIDS - WEATHERIZATION ASSISTANCE PROGRAM (WAP) - LOW INCOME HOUSING ENERGY ASSISTANCE PROGRAM (LIHEAP) FROM FEDERAL GRANTS TRUST FUND	16,000,000
2224L	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM FEDERAL GRANTS TRUST FUND FROM GRANTS AND DONATIONS TRUST FUND	1,618,322 23,000
2224M	SPECIAL CATEGORIES GRANTS AND AIDS - HOUSING AND COMMUNITY DEVELOPMENT PROJECTS FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND	27,569,569

A portion of the nonrecurring funds provided in Specific Appropriation 2224M from the State Enhancement and Economic Development Trust Fund shall be allocated as follows:

City of Pahokee Marina Improvement.....	1,200,000
City of Clearwater Ruth Eckerd Hall Expansion.....	1,000,000
Marine Statue Garden Feasibility Study.....	150,000
Lealman Community and Recreation Center in Pinellas County..	2,000,000
City of Port St. Lucie Riverwalk/Boardwalk Extension.....	600,000
City of Zolfo Springs Civic Center and Town Hall Rehabilitation.....	313,166
Apollo School Rehabilitation and Site Improvement.....	100,000
Camp Matecumbe, Pedro Pan Restoration of Historic Chapel....	275,000
Fort Myers Gulf Coast Multi-Use Trail Feasibility Study.....	1,900,000
Centennial Park Playground Equipment Replacement, Downtown Fort Myers.....	228,000
Sirenia Vista Park Utilities Extension Project.....	125,000
Madeira Beach Lighting Project.....	200,000
Beyond the Bay, The Florida Orchestra.....	950,000
Safety and Security for the Tampa Bay Jewish Community.....	92,000
City of Milton - Riverwalk/Boardwalk Expansion.....	1,000,000
General Bernardo de Galvez Monument.....	50,000
Sunny Isles Beach 'Complete Streets' Project.....	250,000
African Cultural And Community Center.....	212,000
Rapid Rehousing Program.....	500,000
Mel Fisher Maritime Heritage Society.....	475,000
Relocation of Historic Gulfview Hotel.....	300,000
Freeport Cultural Center.....	250,000
Circus Art Conservatory, Life Safety and ADA Compliance.....	1,000,000
Florida African American Heritage Preservation Network.....	450,000
Old City Hall Community Auditorium Economic Development Project.....	550,000
Smith Brown Community Center in DeSoto County.....	150,000
New Smyrna Beach Museum of East Coast Surfing (NSBMCS)....	100,000
Hotel Ponce de Leon/Molly Wiley Art Building Restoration....	1,000,000
Countryside Sports Complex, City of Clearwater.....	1,000,000
Sunshine Limitless Activity Area at the Long Center.....	500,000

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Tarpon Springs HOPE Center.....	200,000
Palm Bay - Restoring a Historic Pier & Shoreline.....	250,000
City of Apalachicola Youth Center Roof System Project.....	40,000
City of Jennings, Florida Community Center.....	673,920
Town of White Springs, Florida Community Center.....	500,000
Palm Beach Zoo and Conservation Society, Safety and Preparedness Program.....	400,000
CreationStation Digital Learning Labs in the Palm Beach County Library System.....	250,000
Post Office Renovation to Recreation Community, Oviedo.....	575,000
The Deerfield Beach African American Memorial Park.....	604,502
Highland Park Field Lights.....	500,000
Tampa Hillsborough Community Housing Solutions Center.....	1,000,000
PARC-Early Intervention Care Transportation.....	150,000
Special Needs Accessible Baseball Fields.....	250,000
Clearwater Marine Aquarium Dolphin Pool Construction.....	1,000,000
Neighborworks Florida Collaborative.....	500,000
Marjory Stoneman Douglas Biscayne Nature Center.....	200,000
Miami Downtown Development Authority-Baywalk.....	350,000
Aventura-NE 191st Street Stormwater Retrofits.....	355,981
Bal Harbor Village-Utility Master Plan.....	425,000
Pinellas Park, Pinebrook Estates Pond Improvements.....	325,000
Cuban Club Structural Stabilization, Ybor City.....	100,000

From the funds in Specific Appropriation 2224M \$1,000,000 in nonrecurring funds from the State Enhancement and Economic Development Trust Funds, is provided for the Regional Multi-Use Athletic Tournament Complex in the city of Stuart. No funds may be expended on astroturf for the improvements funded in this Specific Appropriation.

The Department of Economic Opportunity shall directly contract with entities allocated funds from Specific Appropriation 2224M.

2224N SPECIAL CATEGORIES	
RISK MANAGEMENT INSURANCE	
FROM STATE ECONOMIC ENHANCEMENT	
AND DEVELOPMENT TRUST FUND	5,432
FROM FEDERAL GRANTS TRUST FUND . . .	22,695
FROM FLORIDA INTERNATIONAL TRADE	
AND PROMOTION TRUST FUND	7
FROM GRANTS AND DONATIONS TRUST	
FUND	10,988
FROM TOURISM PROMOTIONAL TRUST	
FUND	289
2224O SPECIAL CATEGORIES	
TRANSFER TO DEPARTMENT OF MANAGEMENT	
SERVICES - HUMAN RESOURCES SERVICES	
PURCHASED PER STATEWIDE CONTRACT	
FROM STATE ECONOMIC ENHANCEMENT	
AND DEVELOPMENT TRUST FUND	3,374
FROM FEDERAL GRANTS TRUST FUND . . .	12,692
FROM FLORIDA INTERNATIONAL TRADE	
AND PROMOTION TRUST FUND	13
FROM GRANTS AND DONATIONS TRUST	
FUND	19,287
FROM TOURISM PROMOTIONAL TRUST	
FUND	50
2224P SPECIAL CATEGORIES	
RURAL COMMUNITY DEVELOPMENT	
FROM STATE ECONOMIC ENHANCEMENT	
AND DEVELOPMENT TRUST FUND	360,000
FROM ECONOMIC DEVELOPMENT TRUST	
FUND	810,000
2224Q SPECIAL CATEGORIES	
GRANTS AND AIDS - TECHNICAL AND PLANNING	
ASSISTANCE	
FROM GRANTS AND DONATIONS TRUST	
FUND	1,520,000

Funds in Specific Appropriation 2224Q must be used for technical and planning assistance activities, as required by section 163.3168, Florida Statutes, and may be used for the Department of Economic Opportunity's Competitive Florida Partnership pilot program.

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2224R SPECIAL CATEGORIES	
GRANTS AND AIDS - COMPETITIVE FLORIDA	
PARTNERSHIP PROGRAM	
FROM GRANTS AND DONATIONS TRUST	
FUND	280,000
2224S DATA PROCESSING SERVICES	
DATA PROCESSING ASSESSMENT - AGENCY FOR	
STATE TECHNOLOGY	
FROM STATE ECONOMIC ENHANCEMENT	
AND DEVELOPMENT TRUST FUND	1,780
FROM FEDERAL GRANTS TRUST FUND . . .	12,986
FROM GRANTS AND DONATIONS TRUST	
FUND	1,736
2224T GRANTS AND AIDS TO LOCAL GOVERNMENTS AND	
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY	
SPACE, DEFENSE, AND RURAL INFRASTRUCTURE	
FROM STATE ECONOMIC ENHANCEMENT	
AND DEVELOPMENT TRUST FUND	1,600,000
TOTAL: HOUSING AND COMMUNITY DEVELOPMENT	
FROM TRUST FUNDS	198,655,237
TOTAL POSITIONS	88.00
TOTAL ALL FUNDS	198,655,237

FLORIDA HOUSING FINANCE CORPORATION

2225 SPECIAL CATEGORIES	
GRANTS AND AIDS - HOUSING FINANCE	
CORPORATION (HFC) - AFFORDABLE HOUSING	
PROGRAMS	
FROM STATE HOUSING TRUST FUND . . .	37,500,000

From the funds provided in Specific Appropriation 2225, at least 50 percent shall be used to fund the construction or rehabilitation of units through the State Apartment Incentive Loan (SAIL) Program. Each SAIL development that receives an award from these funds and will be targeted to families, elderly persons, and persons who are homeless pursuant to section 420.5087 (3), Florida Statutes, must include not less than 5 percent and no more than 10 percent of its units designed, constructed, and targeted for persons with a special need condition as defined in section 420.0004 (13), Florida Statutes. Each development shall be required to enter into an agreement with at least one designated supportive services lead agency, such as the Local Center for Independent Living, the Agency for Persons with Disabilities, or any other such agency approved by the Florida Housing Finance Corporation (FHFC), for the purpose of coordinating services and housing for persons with special needs.

From the funds in Specific Appropriation 2225, \$10,000,000 of nonrecurring funds is provided to fund a competitive grant program for housing developments designed, constructed, and targeted for persons with developmental disabilities as defined in section 393.063, Florida Statutes. Private, nonprofit organizations whose primary mission includes serving persons with developmental disabilities as defined in section 393.063, Florida Statutes, shall be eligible for these grant funds. Housing projects funded with these grants may include community residential homes as defined in section 419.001, Florida Statutes, or individual housing units, and may include new construction and renovation of existing housing units. In evaluating proposals for these funds, the FHFC shall consider: the extent to which funds from local and other sources will be used by the applicant to leverage the grant funds provided under this section; employment opportunities and supports that will be available to residents of the proposed housing; a plan for residents to effectively and efficiently access community-based services, resources, and amenities; and partnerships with other supportive services agencies.

From the funds provided in Specific Appropriation 2225, and in section 67, \$40,000,000 of nonrecurring funds is provided for the SAIL program to construct workforce housing to primarily serve low-income persons, as defined in section 420.0004, Florida Statutes, and in the Florida Keys Area of Critical State Concern, to serve households with incomes not to exceed 140 percent of AMI when strategies are included in the local

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housing assistance plan to serve these households.

From the nonrecurring funds in Specific Appropriation 2225, up to \$100,000 is provided for expenses for the Affordable Housing Workgroup. The Florida Housing Finance Corporation shall provide staff and support services to the workgroup. The workgroup shall develop recommendations for addressing the state's affordable housing needs. The recommendations shall be presented to and approved by the board of directors of the Florida Housing Finance Corporation. The workgroup shall submit a report containing the approved recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1, 2018.

2226	SPECIAL CATEGORIES	
	GRANTS AND AIDS - HOUSING FINANCE CORPORATION (HFC) - STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM FROM LOCAL GOVERNMENT HOUSING TRUST FUND	124,900,000

From the funds in Specific Appropriation 2226, each local government must use a minimum of 20 percent of its allocation to serve persons with special needs as defined in section 420.0004, Florida Statutes. Before this portion of the allocation is released by the Florida Housing Finance Corporation (FHFC), a local government must certify that it will meet this requirement through existing approved strategies in the local assistance plan or submit a new local housing assistance plan strategy for this purpose to the FHFC for approval to ensure that it meets these specifications. The first priority of these special needs funds must be to serve persons with developmental disabilities as defined in section 393.063, Florida Statutes, with an emphasis on home modifications, including technological enhancements and devices, which will allow homeowners to remain independent in their own homes and maintain their homeownership.

From the funds in Specific Appropriation 2226, \$5,200,000 shall be used to provide services to homeless persons. Of the funds provided, \$5,000,000 shall be transferred to the Department of Children and Families to implement the provisions of section 420.622, Florida Statutes, and \$200,000 shall be used by the Department of Economic Opportunity to provide training and technical assistance regarding affordable housing to designated lead agencies of homeless assistance continuums of care.

From the funds in Specific Appropriation 2226, local governments may create regional partnerships across jurisdictional boundaries through the pooling of appropriated funds to address homeless housing needs identified in local housing assistance plans.

From the funds provided in Specific Appropriation 2226, \$500,000 shall be used for training and technical assistance provided through an Affordable Housing Catalyst Program created by section 420.531, Florida Statutes. The Florida Housing Finance Corporation shall directly contract with the entity that meets all of the requirements of section 420.531, Florida Statutes, to provide the training and technical assistance.

From the nonrecurring funds in Specific Appropriation 2226, \$75,000 is allocated to Florida Supportive Housing Coalition to provide supportive housing training to organizations responsible for implementing supportive housing to persons with special needs or who are homeless. Training must be provided by persons experienced in the development, management, and delivery of the housing support services and includes, but is not limited to, identifying community resources to affordable housing, assessing resident needs, coordinating care across multiple care systems, developing and managing supportive housing and measuring performance.

TOTAL: FLORIDA HOUSING FINANCE CORPORATION	
FROM TRUST FUNDS	162,400,000
TOTAL ALL FUNDS	162,400,000

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PROGRAM: STRATEGIC BUSINESS DEVELOPMENT

STRATEGIC BUSINESS DEVELOPMENT

	APPROVED SALARY RATE	1,407,401	
2226A	SALARIES AND BENEFITS POSITIONS FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND	23.00	1,586,107
	FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND		72,067
	FROM TOURISM PROMOTIONAL TRUST FUND		286,171
2226B	OTHER PERSONAL SERVICES FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND		142,610
	FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND		7,131
	FROM TOURISM PROMOTIONAL TRUST FUND		28,522
2226C	EXPENSES FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND		344,174
	FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND		17,208
	FROM TOURISM PROMOTIONAL TRUST FUND		68,834
2226D	OPERATING CAPITAL OUTLAY FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND		19,477
	FROM TOURISM PROMOTIONAL TRUST FUND		4,869
2226E	LUMP SUM ECONOMIC DEVELOPMENT TOOLS FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND		18,949,934
	FROM ECONOMIC DEVELOPMENT TRUST FUND		5,460,569

From the funds provided in Specific Appropriation 2226E, \$10,000,000 in recurring funds from the State Economic Enhancement and Development Trust Fund, \$8,949,934 in nonrecurring funds from the State Economic Enhancement and Development Trust Fund, and \$5,460,569 in nonrecurring funds from the Economic Development Trust Fund are provided to make payments and tax refunds in Fiscal Year 2017-2018 for the following programs: Qualified Target Industry (QTI) Business Tax Refund; QTI Tax Refund - Brownfield Redevelopment Bonus; Brownfield Redevelopment Tax Refund; High-Impact Business Performance (HIPI) Grant; and Qualified Defense Contractor and Space Flight (QDSC) Business Tax Refund. Payments may only be made for projects that meet the statutory eligibility requirements. Funds may not be released for any other purpose and may only be disbursed when projects are certified to have met all contracted performance requirements. Funds provided in Specific Appropriation 2226E from the Economic Development Trust Fund represent local matching funds.

The Department of Economic Opportunity must provide monthly reports, within 10 business days after the end of each month, to the Governor's Office of Policy and Budget, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee regarding all escrow activity and the repayment of any interest to the appropriate fund in the state treasury.

The Department of Economic Opportunity shall provide monthly reports to the Governor's Office of Policy and Budget, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee on the status of economic development programs administered by the department under Chapter 288, Florida Statutes.

2226F	SPECIAL CATEGORIES	
	GRANTS AND AIDS - TRIUMPH GULF COAST FROM GENERAL REVENUE FUND	300,000,000

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Funds in Specific Appropriation 2226F shall be used to fund priorities that aid in the economic recovery, diversification and enhancement of counties disproportionately affected by the Deepwater Horizon Disaster as provided in section 288.8013, Florida Statutes.

2226G SPECIAL CATEGORIES
GRANTS AND AIDS - INSTITUTE FOR THE
COMMERCIALIZATION OF PUBLIC RESEARCH
FROM STATE ECONOMIC ENHANCEMENT
AND DEVELOPMENT TRUST FUND 5,500,000

2226H SPECIAL CATEGORIES
QUICK ACTION CLOSING FUND
FROM STATE ECONOMIC ENHANCEMENT
AND DEVELOPMENT TRUST FUND 59,081,820

From the nonrecurring funds in Specific Appropriation 2226H, \$14,081,820 is provided to make performance payments in Fiscal Year 2017-2018 for the Department's Quick Action Closing Fund contracts in existence on June, 30 2017. Payments may only be made from the trust fund from which they were appropriated for projects that meet the statutory eligibility requirements. Funds may not be released for any other purpose and may only be disbursed when projects are certified to have met all contracted performance requirements. The remaining funds may be used for new projects contracted pursuant to section 288.1088, Florida Statutes. The funding in Specific Appropriation 2226H is contingent upon Senate Bill 1112 or Senate Bill 2502 becoming law.

2226I SPECIAL CATEGORIES
GRANTS AND AID - FLORIDA DEFENSE SUPPORT
TASK FORCE
FROM STATE ECONOMIC ENHANCEMENT
AND DEVELOPMENT TRUST FUND 2,000,000

2226J SPECIAL CATEGORIES
GRANTS AND AIDS - ADVOCATING INTERNATIONAL
RELATIONSHIPS
FROM FLORIDA INTERNATIONAL TRADE
AND PROMOTION TRUST FUND 600,000

The recurring funds provided in Specific Appropriation 2226J are allocated as follows:
CAMACOL - Florida Trade and Exhibition Center..... 300,000
Southeast US/Japan Association & Florida/Korea Economic
Cooperation Committee..... 300,000

The Department of Economic Opportunity shall directly contract with these entities.

2226K SPECIAL CATEGORIES
ECONOMIC DEVELOPMENT PROJECTS
FROM STATE ECONOMIC ENHANCEMENT
AND DEVELOPMENT TRUST FUND 30,900,000

The nonrecurring State Enhancement and Economic Development Trust Funds provided in Specific Appropriation 2226K shall be allocated as follows:

St. Petersburg Tech Garage Program.....	400,000
Science Center Advanced Manufacturing Institute.....	500,000
Makerspace.....	1,000,000
North Bay Village Boardwalk and Economic Revitalization....	200,000
CEDIA Violence Prevention & Economic Development Project....	750,000
StartUp FIU.....	1,250,000
Walton County Broadband Initiative Phase 2-WIFI.....	500,000
Beaver Street Enterprise Center.....	400,000
Tampa Bay Center for Innovation.....	3,000,000
FloridaMakes.....	400,000
Naples Accelerator Innovation Center and Immokalee Food & Agribusiness.....	2,800,000
Florida Atlantic University Tech Runway.....	3,000,000
Deering Estate Field Station Research Center Improvements...	1,000,000
BRIDG (ICAMR) Purchase and Install Tools-Sensor Project....	6,000,000
MOB-WOB Technology and Innovation Startup Initiative.....	650,000
National Entrepreneur Center, UCF Research Foundation.....	400,000
Florida - Israel Business Accelerator.....	750,000
The e-Factory in Tampa Bay.....	1,500,000

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Bonifay Memorial Park, Phase II.....	491,000
eMerge Americas.....	750,000
Armed Forces History Museum Artifacts, National Guard.....	1,500,000
Autonomous Vehicle Deployment Initiative.....	250,000
World Rowing Championship Benderson Park Temporary Facilities.....	2,500,000
Economic Development South Dade.....	100,000
Riverside Artist Market Phase II.....	809,000

The Department of Economic Opportunity shall directly contract with entities allocated funds from Specific Appropriation 2226K.

2226L SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM STATE ECONOMIC ENHANCEMENT
AND DEVELOPMENT TRUST FUND 1,642,026
FROM FLORIDA INTERNATIONAL TRADE
AND PROMOTION TRUST FUND 32,901
FROM TOURISM PROMOTIONAL TRUST
FUND 131,605

From the funds in Specific Appropriation 2226L, the Department of Economic Opportunity must contract for an independent third-party to verify that each business that receives an economic development incentive satisfies all of the requirements of the incentive agreement, including job creation numbers. These comprehensive performance audit functions must include reviewing: 100 percent of all incentive claims, including audit confirmations; procedures used to verify incentive eligibility; and the department's records for accuracy and completeness. The independent third-party contractor must perform all functions and conduct all of the activities necessary to verify compliance with the performance terms of economic development incentive contracts.

From the funds provided in Specific Appropriation 2226L, \$1,000,000 in nonrecurring State Economic Enhancement and Development Trust Fund is provided the Small Business Development Network Center at the University of West Florida to develop an information portal which shall, at a minimum, provide general business information and referrals to business resources to new, existing and emerging businesses in the state. Professional personnel shall be available by phone and online via chat and email to assist in answering general business questions and directing inquiries to sources of assistance, including government, institutions of higher education, and private sector resources.

From the nonrecurring funds in Specific Appropriation 2226L, \$1,000,000 is provided to Building Homes for Heroes to continue to build and modify homes for veterans.

2226M SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA SPORTS
FOUNDATION
FROM STATE ECONOMIC ENHANCEMENT
AND DEVELOPMENT TRUST FUND 1,700,000
FROM PROFESSIONAL SPORTS
DEVELOPMENT TRUST FUND 3,000,000

From the recurring funds in Specific Appropriation 2226M from the State Economic Enhancement and Development Trust Fund, \$200,000 is allocated for the Sunshine State Games and \$500,000 is allocated for the Florida International Seniors Games and State Championships.

2226N SPECIAL CATEGORIES
GRANTS AND AIDS - ENTERPRISE FLORIDA
PROGRAM
FROM STATE ECONOMIC ENHANCEMENT
AND DEVELOPMENT TRUST FUND 16,900,000
FROM FLORIDA INTERNATIONAL TRADE
AND PROMOTION TRUST FUND 6,600,000

2226O SPECIAL CATEGORIES
GRANTS AND AIDS - MILITARY BASE PROTECTION
FROM STATE ECONOMIC ENHANCEMENT
AND DEVELOPMENT TRUST FUND 1,000,000

Funds in Specific Appropriation 2226O are allocated as follows:

Military Base Protection.....	150,000

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Defense Reinvestment.....	850,000
Funds provided in Specific Appropriation 22260 may only be disbursed from the Department of Economic Opportunity directly to the grant award recipient when projects are certified to have met all contracted performance requirements.	
2226P SPECIAL CATEGORIES	
RISK MANAGEMENT INSURANCE	
FROM STATE ECONOMIC ENHANCEMENT	
AND DEVELOPMENT TRUST FUND	4,069
FROM FLORIDA INTERNATIONAL TRADE	
AND PROMOTION TRUST FUND	202
FROM TOURISM PROMOTIONAL TRUST	
FUND	814
2226Q SPECIAL CATEGORIES	
GRANTS AND AIDS - VISIT FLORIDA	
FROM STATE ECONOMIC ENHANCEMENT	
AND DEVELOPMENT TRUST FUND	52,000,000
FROM TOURISM PROMOTIONAL TRUST	
FUND	24,000,000
2226R SPECIAL CATEGORIES	
TRANSFER TO DEPARTMENT OF MANAGEMENT	
SERVICES - HUMAN RESOURCES SERVICES	
PURCHASED PER STATEWIDE CONTRACT	
FROM STATE ECONOMIC ENHANCEMENT	
AND DEVELOPMENT TRUST FUND	8,850
FROM FLORIDA INTERNATIONAL TRADE	
AND PROMOTION TRUST FUND	14
FROM TOURISM PROMOTIONAL TRUST	
FUND	2,197
2226S SPECIAL CATEGORIES	
GRANTS AND AIDS - SPACE FLORIDA	
FROM STATE ECONOMIC ENHANCEMENT	
AND DEVELOPMENT TRUST FUND	12,500,000
From the funds in Specific Appropriation 2226S, \$1,000,000 of recurring funds from the State Economic Enhancement and Development Trust Fund is provided to support collaborative research, development, and commercialization of projects related to aerospace and other technology and life sciences as further described through a Memorandum of Understanding (MOU) which Space Florida has entered into with the State of Israel.	
2226T SPECIAL CATEGORIES	
GRANTS AND AIDS - SPACE FLORIDA -	
AEROSPACE INDUSTRY FINANCING, BUSINESS	
DEVELOPMENT AND INFRASTRUCTURE NEEDS	
FROM STATE ECONOMIC ENHANCEMENT	
AND DEVELOPMENT TRUST FUND	7,000,000
From the funds in Specific Appropriation 2226T, \$2,000,000 from the State Economic Enhancement and Development Trust Fund may be used by Space Florida for the operation and maintenance of the Shuttle Landing Facility.	
2226U DATA PROCESSING SERVICES	
DATA PROCESSING ASSESSMENT - AGENCY FOR	
STATE TECHNOLOGY	
FROM STATE ECONOMIC ENHANCEMENT	
AND DEVELOPMENT TRUST FUND	15,141
FROM TOURISM PROMOTIONAL TRUST	
FUND	3,790
2226V GRANTS AND AIDS TO LOCAL GOVERNMENTS AND	
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY	
SPACE, DEFENSE, AND RURAL INFRASTRUCTURE	
FROM STATE ECONOMIC ENHANCEMENT	
AND DEVELOPMENT TRUST FUND	1,600,000
Funds provided in Specific Appropriation 2226V may only be disbursed from the Department of Economic Opportunity directly to the grant award recipient when projects are certified to have met all contracted performance requirements.	

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TOTAL: STRATEGIC BUSINESS DEVELOPMENT		
FROM GENERAL REVENUE FUND	300,000,000	
FROM TRUST FUNDS		253,211,102
TOTAL POSITIONS	23.00	
TOTAL ALL FUNDS		553,211,102
TOTAL: ECONOMIC OPPORTUNITY, DEPARTMENT OF		
FROM GENERAL REVENUE FUND	300,810,000	
FROM TRUST FUNDS		1,140,553,722
TOTAL POSITIONS	1,538.50	
TOTAL ALL FUNDS		1,441,363,722
TOTAL APPROVED SALARY RATE	67,074,466	
FINANCIAL SERVICES, DEPARTMENT OF		
PROGRAM: OFFICE OF CHIEF FINANCIAL OFFICER AND		
ADMINISTRATION		
EXECUTIVE DIRECTION AND SUPPORT SERVICES		
APPROVED SALARY RATE	6,391,113	
2258 SALARIES AND BENEFITS	122.00	
FROM ADMINISTRATIVE TRUST FUND . . .		9,132,208
2259 OTHER PERSONAL SERVICES		
FROM ADMINISTRATIVE TRUST FUND . . .		107,899
2260 EXPENSES		
FROM ADMINISTRATIVE TRUST FUND . . .		1,333,766
2261 OPERATING CAPITAL OUTLAY		
FROM ADMINISTRATIVE TRUST FUND . . .		10,000
2262 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM ADMINISTRATIVE TRUST FUND . . .		1,240,217
2263 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM ADMINISTRATIVE TRUST FUND . . .		627,325
2264 SPECIAL CATEGORIES		
OPERATION OF MOTOR VEHICLES		
FROM ADMINISTRATIVE TRUST FUND . . .		3,500
2265 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM ADMINISTRATIVE TRUST FUND . . .		77,220
2266 SPECIAL CATEGORIES		
TENANT BROKER COMMISSIONS		
FROM ADMINISTRATIVE TRUST FUND . . .		125,000
2267 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM ADMINISTRATIVE TRUST FUND . . .		144,268
2268 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM ADMINISTRATIVE TRUST FUND . . .		47,947
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		
FROM TRUST FUNDS		12,849,350
TOTAL POSITIONS	122.00	
TOTAL ALL FUNDS		12,849,350
LEGAL SERVICES		
APPROVED SALARY RATE	5,052,908	

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2269	SALARIES AND BENEFITS FROM ADMINISTRATIVE TRUST FUND . . .	POSITIONS 94.00	7,016,836
2270	OTHER PERSONAL SERVICES FROM ADMINISTRATIVE TRUST FUND . . .		279,388
2271	EXPENSES FROM ADMINISTRATIVE TRUST FUND . . .		714,736
2272	OPERATING CAPITAL OUTLAY FROM ADMINISTRATIVE TRUST FUND . . .		3,639
2273	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM ADMINISTRATIVE TRUST FUND . . .		393,848
2274	SPECIAL CATEGORIES CONTRACTED SERVICES FROM ADMINISTRATIVE TRUST FUND . . .		253,306
2275	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ADMINISTRATIVE TRUST FUND . . .		31,627
2276	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM ADMINISTRATIVE TRUST FUND . . .		17,361
2277	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ADMINISTRATIVE TRUST FUND . . .		27,365
TOTAL:	LEGAL SERVICES FROM TRUST FUNDS		8,738,106
	TOTAL POSITIONS	94.00	
	TOTAL ALL FUNDS		8,738,106
INFORMATION TECHNOLOGY			
	APPROVED SALARY RATE	7,014,597	
2278	SALARIES AND BENEFITS FROM ADMINISTRATIVE TRUST FUND . . .	POSITIONS 131.00	10,224,225
2279	OTHER PERSONAL SERVICES FROM ADMINISTRATIVE TRUST FUND . . .		98,834
2280	EXPENSES FROM ADMINISTRATIVE TRUST FUND . . .		3,175,465
2281	OPERATING CAPITAL OUTLAY FROM ADMINISTRATIVE TRUST FUND . . .		844,120
2285	SPECIAL CATEGORIES CONTRACTED SERVICES FROM ADMINISTRATIVE TRUST FUND . . .		6,866,454
2286	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM ADMINISTRATIVE TRUST FUND . . .		2,900
2287	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ADMINISTRATIVE TRUST FUND . . .		49,381
2288	SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS FROM ADMINISTRATIVE TRUST FUND . . .		184,076
2289	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM ADMINISTRATIVE TRUST FUND . . .		8,275

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2290	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ADMINISTRATIVE TRUST FUND . . .		44,244
TOTAL:	INFORMATION TECHNOLOGY FROM TRUST FUNDS		21,497,974
	TOTAL POSITIONS	131.00	
	TOTAL ALL FUNDS		21,497,974
CONSUMER ADVOCATE			
	APPROVED SALARY RATE	484,372	
2292	SALARIES AND BENEFITS FROM INSURANCE REGULATORY TRUST FUND	POSITIONS 5.00	567,995
2293	OTHER PERSONAL SERVICES FROM INSURANCE REGULATORY TRUST FUND		62,487
2294	EXPENSES FROM INSURANCE REGULATORY TRUST FUND		68,357
2295	OPERATING CAPITAL OUTLAY FROM INSURANCE REGULATORY TRUST FUND		4,000
2296	SPECIAL CATEGORIES CONTRACTED SERVICES FROM INSURANCE REGULATORY TRUST FUND		20,471
2297	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM INSURANCE REGULATORY TRUST FUND		840
2298	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM INSURANCE REGULATORY TRUST FUND		1,888
2299	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM INSURANCE REGULATORY TRUST FUND		1,712
TOTAL:	CONSUMER ADVOCATE FROM TRUST FUNDS		727,750
	TOTAL POSITIONS	5.00	
	TOTAL ALL FUNDS		727,750
INFORMATION TECHNOLOGY - FLAIR INFRASTRUCTURE			
	APPROVED SALARY RATE	4,390,414	
2300	SALARIES AND BENEFITS FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND	POSITIONS 86.00 5,654,073	503,198
2301	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	5,000	
2302	EXPENSES FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND	1,198,941	168,513

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2303	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	104,880	
2304	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND	3,683,185	1,063,415
From the funds in Specific Appropriation 2304, \$552,209 in nonrecurring funds from the General Revenue Fund are provided to the Department of Financial Services to procure additional staff augmentation support for the Florida Accounting Information Resource (FLAIR) Subsystem. The funds shall be placed in reserve. The department may submit a budget amendment to request release of the funds pursuant to the provisions of chapter 216, Florida Statutes. The budget amendment must include a detailed project plan that identifies the specific tasks and deliverables required to be provided by the additional staff augmentation and the associated costs.			
2305	SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND	221,669	25,000
2306	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	1,424	
2307	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM ADMINISTRATIVE TRUST FUND	28,316	2,774
TOTAL: INFORMATION TECHNOLOGY - FLAIR INFRASTRUCTURE			
	FROM GENERAL REVENUE FUND	10,897,488	
	FROM TRUST FUNDS		1,762,900
	TOTAL POSITIONS	86.00	
	TOTAL ALL FUNDS		12,660,388
PROGRAM: TREASURY			
DEPOSIT SECURITY			
	APPROVED SALARY RATE	990,924	
2308	SALARIES AND BENEFITS POSITIONS FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND	21.00	1,575,331
2309	OTHER PERSONAL SERVICES FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		1,500
2310	EXPENSES FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		230,113
2311	OPERATING CAPITAL OUTLAY FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		1,783
2312	SPECIAL CATEGORIES CONTRACTED SERVICES FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		95,205
2313	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		31,140

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2314	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		4,616
2315	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		6,864
TOTAL: DEPOSIT SECURITY			
	FROM TRUST FUNDS		1,946,552
	TOTAL POSITIONS	21.00	
	TOTAL ALL FUNDS		1,946,552
STATE FUNDS MANAGEMENT AND INVESTMENT			
	APPROVED SALARY RATE	1,190,188	
2316	SALARIES AND BENEFITS POSITIONS FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND	25.50	1,772,402
2317	EXPENSES FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		248,346
2318	SPECIAL CATEGORIES CONTRACTED SERVICES FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		1,222,785
2319	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		1,500
2320	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		8,345
TOTAL: STATE FUNDS MANAGEMENT AND INVESTMENT			
	FROM TRUST FUNDS		3,253,378
	TOTAL POSITIONS	25.50	
	TOTAL ALL FUNDS		3,253,378
SUPPLEMENTAL RETIREMENT PLAN			
	APPROVED SALARY RATE	480,900	
2321	SALARIES AND BENEFITS POSITIONS FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND	13.00	743,227
2322	OTHER PERSONAL SERVICES FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		20,100
2323	EXPENSES FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		107,328
2324	SPECIAL CATEGORIES CONTRACTED SERVICES FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		1,252

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2325	SPECIAL CATEGORIES DEFERRED COMPENSATION ADMINISTRATIVE SERVICES FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND	823,190	
2326	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND	1,821	
2327	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND	2,405	
2328	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND	3,401	
TOTAL:	SUPPLEMENTAL RETIREMENT PLAN FROM TRUST FUNDS	1,702,724	
	TOTAL POSITIONS	13.00	
	TOTAL ALL FUNDS	1,702,724	

PROGRAM: FINANCIAL ACCOUNTABILITY FOR PUBLIC FUNDS

STATE FINANCIAL INFORMATION AND STATE AGENCY
ACCOUNTING

	APPROVED SALARY RATE	12,751,344		
2329	SALARIES AND BENEFITS POSITIONS	218.00		
	FROM GENERAL REVENUE FUND	9,076,903		
	FROM ADMINISTRATIVE TRUST FUND . . .		2,262,348	
	FROM INSURANCE REGULATORY TRUST FUND		5,917,224	
From the funds provided in Specific Appropriations 2329, 2331 and 2337, the Department of Financial Services shall audit all court related expenditures of the Clerks of Court pursuant to sections 28.241 and 28.35, Florida Statutes. The department shall report the audit findings to the President of the Senate, the Speaker of the House of Representatives, and the Executive Office of the Governor's Office of Policy and Budget on a quarterly basis. The department shall submit a report on July 28, 2017, for the period April 1, 2017, through June 30, 2017, and quarterly thereafter.				
2330	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	22,994		
	FROM ADMINISTRATIVE TRUST FUND . . .		23,545	
2331	EXPENSES FROM GENERAL REVENUE FUND	962,972		
	FROM ADMINISTRATIVE TRUST FUND . . .		108,201	
2332	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	27,000		
2333	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	1,348,649		
	FROM ADMINISTRATIVE TRUST FUND . . .		80,000	
From the funds in Specific Appropriation 2333, up to \$50,000 shall be used to contract for the independent verification of tobacco settlement receipts received by the state.				
From the funds in Specific Appropriation 2333, \$500,000 is provided to the Department of Financial Services to procure staff augmentation services, additional hardware, and software necessary to enhance the Transparency Florida website. The purpose of the enhancement is to				

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provide the public, specifically parents, the ability to determine financial resources invested in students. The enhancement will provide estimated federal, state, and local funding generated by student based on a series of questions including, but not limited to, district, grade level, child eligibility for free or reduced meals, and English language learner. The Department of Education shall provide the department with the necessary data to support the enhanced functionality to be available on the transparency website.

2334	SPECIAL CATEGORIES FLORIDA ACCOUNTING INFORMATION RESOURCE (FLAIR) SYSTEM REPLACEMENT FROM INSURANCE REGULATORY TRUST FUND	38,908,117	

Funds in Specific Appropriation 2334 are provided for the completion of the competitive procurement and contract award for the Software and System Integrator for the replacement of all four components of the Florida Accounting Information Resource (FLAIR) subsystem and two components of the Cash Management System (CMS). The department is authorized to award a multi-year contract for the FLAIR and CMS system replacement as recommended in the March 31, 2014, Florida Department of Financial Services FLAIR Study, version 031. Of these funds, \$34,925,744 shall be placed in reserve. Contingent upon the submission of the signed contract for Software and System Integrator services, the Department of Financial Services is authorized to submit a budget amendment to release the funds in reserve.

The Department of Financial Services shall provide monthly project status reports to the chair of the Senate Appropriations Committee, the chair of the House Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget that include progress made to date for each project milestone, planned and actual deliverable completion dates, planned and actual costs incurred, and any current project issues and risks being managed.

From the funds provided in Specific Appropriation 2334, \$600,000 is provided to the Department of Financial Services to contract with a private sector provider with experience in conducting independent verification and validation of public sector Enterprise Resource Planning information technology projects to provide independent verification and validation for the replacement of the FLAIR subsystem and the CMS. The contract shall require all deliverables to be simultaneously provided to the department, the Agency for State Technology, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee. The contracted provider shall be made readily available to provide all project related data to the Agency for State Technology in support of their project oversight responsibilities pursuant to s. 282.0051, Florida Statutes.

2335	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	13,468		
	FROM ADMINISTRATIVE TRUST FUND . . .		47,902	
	FROM INSURANCE REGULATORY TRUST FUND		3,504	
2336	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	5,122		
	FROM ADMINISTRATIVE TRUST FUND . . .		13,455	
2337	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	51,113		
	FROM ADMINISTRATIVE TRUST FUND . . .		2,915	
	FROM INSURANCE REGULATORY TRUST FUND		26,009	
2338	SPECIAL CATEGORIES TRANSFER TO THE PRISON INDUSTRY ENHANCEMENT (PIE) PROGRAM FROM PRISON INDUSTRIES TRUST FUND .		1,650,000	

Funds in Specific Appropriation 2338 are provided for transfer to the

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Prison Industry Enhancement Program. Funds in the Prison Industries Trust Fund may be expended by the corporation for allowable expenditures under sections 946.522 and 946.523, Florida Statutes. Such funds may be paid by warrants drawn by the Chief Financial Officer upon receipt of a corporate resolution that has been duly authorized by the board of directors of the corporation, authorized under part II of chapter 946, Florida Statutes.

2339	SPECIAL CATEGORIES FLORIDA CLERKS OF COURT OPERATIONS CORPORATION FROM ADMINISTRATIVE TRUST FUND . . .		2,800,000
TOTAL: STATE FINANCIAL INFORMATION AND STATE AGENCY ACCOUNTING			
	FROM GENERAL REVENUE FUND	11,508,221	
	FROM TRUST FUNDS		51,843,220
	TOTAL POSITIONS	218.00	
	TOTAL ALL FUNDS		63,351,441

RECOVERY AND RETURN OF UNCLAIMED PROPERTY

	APPROVED SALARY RATE	2,600,300	
2340	SALARIES AND BENEFITS POSITIONS FROM UNCLAIMED PROPERTY TRUST FUND .	64.00	3,509,186
2341	OTHER PERSONAL SERVICES FROM UNCLAIMED PROPERTY TRUST FUND .		458,046
2342	EXPENSES FROM UNCLAIMED PROPERTY TRUST FUND .		823,421
2343	OPERATING CAPITAL OUTLAY FROM UNCLAIMED PROPERTY TRUST FUND .		7,500
2344	SPECIAL CATEGORIES CONTRACTED SERVICES FROM UNCLAIMED PROPERTY TRUST FUND .		476,794
2345	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM UNCLAIMED PROPERTY TRUST FUND .		8,971
2346	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM UNCLAIMED PROPERTY TRUST FUND .		11,524
2347	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM UNCLAIMED PROPERTY TRUST FUND .		19,382
TOTAL: RECOVERY AND RETURN OF UNCLAIMED PROPERTY FROM TRUST FUNDS			
	TOTAL POSITIONS	64.00	
	TOTAL ALL FUNDS		5,314,824

PROGRAM: FIRE MARSHAL

COMPLIANCE AND ENFORCEMENT

	APPROVED SALARY RATE	2,701,318	
2348	SALARIES AND BENEFITS POSITIONS FROM INSURANCE REGULATORY TRUST FUND	66.00	3,640,780
2349	OTHER PERSONAL SERVICES FROM INSURANCE REGULATORY TRUST FUND		15,339

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2350	EXPENSES FROM INSURANCE REGULATORY TRUST FUND		626,210
2351	OPERATING CAPITAL OUTLAY FROM INSURANCE REGULATORY TRUST FUND		9,144
2352	SPECIAL CATEGORIES ELECTRONIC COMMERCE FEES FOR COLLECTION OF REVENUE FROM INSURANCE REGULATORY TRUST FUND		13,200
2353	SPECIAL CATEGORIES CONTRACTED SERVICES FROM INSURANCE REGULATORY TRUST FUND		97,205
2354	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM INSURANCE REGULATORY TRUST FUND		33,700
2355	SPECIAL CATEGORIES SUPPLEMENTAL FIREFIGHTERS COMPENSATION FROM INSURANCE REGULATORY TRUST FUND		9,000
2356	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM INSURANCE REGULATORY TRUST FUND		13,442
2357	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM INSURANCE REGULATORY TRUST FUND		20,022
TOTAL: COMPLIANCE AND ENFORCEMENT FROM TRUST FUNDS			
	TOTAL POSITIONS	66.00	
	TOTAL ALL FUNDS		4,478,042
PROFESSIONAL TRAINING AND STANDARDS			
	APPROVED SALARY RATE	1,110,244	
2358	SALARIES AND BENEFITS POSITIONS FROM INSURANCE REGULATORY TRUST FUND	28.00	1,615,986
2359	OTHER PERSONAL SERVICES FROM INSURANCE REGULATORY TRUST FUND		242,002
2360	EXPENSES FROM INSURANCE REGULATORY TRUST FUND		513,895
2361	OPERATING CAPITAL OUTLAY FROM INSURANCE REGULATORY TRUST FUND		23,294
2362	SPECIAL CATEGORIES GRANTS AND AIDS - FIREFIGHTER ASSISTANCE GRANT PROGRAM FROM INSURANCE REGULATORY TRUST FUND		1,000,000

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2363	SPECIAL CATEGORIES ELECTRONIC COMMERCE FEES FOR COLLECTION OF REVENUE FROM INSURANCE REGULATORY TRUST FUND	13,200
2364	SPECIAL CATEGORIES CONTRACTED SERVICES FROM INSURANCE REGULATORY TRUST FUND	280,008
2365	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM INSURANCE REGULATORY TRUST FUND	22,900
2366	SPECIAL CATEGORIES SUPPLEMENTAL FIREFIGHTERS COMPENSATION FROM INSURANCE REGULATORY TRUST FUND	14,500
2367	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM INSURANCE REGULATORY TRUST FUND	20,519
2368	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM INSURANCE REGULATORY TRUST FUND	11,734
2369	FIXED CAPITAL OUTLAY STATE FIRE COLLEGE-BUILDING REPAIR AND MAINTENANCE FROM INSURANCE REGULATORY TRUST FUND	350,000
TOTAL:	PROFESSIONAL TRAINING AND STANDARDS FROM TRUST FUNDS	4,108,038
	TOTAL POSITIONS 28.00	
	TOTAL ALL FUNDS	4,108,038

FIRE MARSHAL ADMINISTRATIVE AND SUPPORT SERVICES

	APPROVED SALARY RATE	651,280
2370	SALARIES AND BENEFITS POSITIONS FROM INSURANCE REGULATORY TRUST FUND	12.00 982,177
2371	OTHER PERSONAL SERVICES FROM INSURANCE REGULATORY TRUST FUND	5,702
2372	EXPENSES FROM INSURANCE REGULATORY TRUST FUND	138,000
2372A	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - LOCAL GOVERNMENT FIRE SERVICE FROM GENERAL REVENUE FUND	5,797,500

From the funds in Specific Appropriation 2372A, \$5,700,000 in nonrecurring funds is provided for local government fire services as follows:

Charlotte County Emergency Response Equipment.....	85,500
Charlotte County Search and Rescue Equipment.....	12,000
City of East Palatka - Fire Station.....	1,000,000
City of Labelle - Fire Station Renovation and Equipment.....	843,000
City of Miramar Fire Station.....	857,000
City of Plantation Fire Station 1.....	1,500,000

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	Gulf County, Stone Mill Creek Fire Department.....	400,000
	Pembroke Pines Fire Training Facility.....	600,000
	Wakulla County Fire and EMS Station.....	500,000
2373	OPERATING CAPITAL OUTLAY FROM INSURANCE REGULATORY TRUST FUND	2,000
2374	SPECIAL CATEGORIES CONTRACTED SERVICES FROM INSURANCE REGULATORY TRUST FUND	363,189
	From the funds in Specific Appropriation 2374, \$325,000 in nonrecurring funds shall be utilized to contract for a study as specified in section 552.30, Florida Statutes, to review the established statewide ground vibration limits for construction materials mining activities and to review any legitimate claims paid for damages caused by such mining activities.	
	The study must include all the requirements of section 552.30, Florida Statutes, and the human psychological responses to the mining activities. The report shall be submitted to the President of the Senate, the Speaker of the House of Representatives, the Chief Financial Officer, and the Governor by February 1, 2018.	
2375	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM INSURANCE REGULATORY TRUST FUND	1,300
2376	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM INSURANCE REGULATORY TRUST FUND	235,655
2377	SPECIAL CATEGORIES SUPPLEMENTAL FIREFIGHTERS COMPENSATION FROM INSURANCE REGULATORY TRUST FUND	7,500
2378	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM INSURANCE REGULATORY TRUST FUND	4,485
2379	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM INSURANCE REGULATORY TRUST FUND	5,623
TOTAL:	FIRE MARSHAL ADMINISTRATIVE AND SUPPORT SERVICES FROM GENERAL REVENUE FUND	5,797,500
	FROM TRUST FUNDS	1,745,631
	TOTAL POSITIONS 12.00	
	TOTAL ALL FUNDS	7,543,131

PROGRAM: STATE PROPERTY AND CASUALTY CLAIMS

STATE SELF-INSURED CLAIMS ADJUSTMENT

	APPROVED SALARY RATE	4,583,774
2380	SALARIES AND BENEFITS POSITIONS STATE RISK MANAGEMENT TRUST FUND	116.00 6,750,783
2381	OTHER PERSONAL SERVICES STATE RISK MANAGEMENT TRUST FUND	42,098
2382	EXPENSES STATE RISK MANAGEMENT TRUST FUND	5,165,706
2383	OPERATING CAPITAL OUTLAY STATE RISK MANAGEMENT TRUST FUND	5,405

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2384	SPECIAL CATEGORIES CONTRACTED SERVICES STATE RISK MANAGEMENT TRUST FUND . .	4,352,501
2385	SPECIAL CATEGORIES CONTRACTED LEGAL SERVICES - OFFICE OF THE ATTORNEY GENERAL STATE RISK MANAGEMENT TRUST FUND . .	6,645,924
2386	SPECIAL CATEGORIES CONTRACTED LEGAL SERVICES STATE RISK MANAGEMENT TRUST FUND . .	25,476,020
2387	SPECIAL CATEGORIES CONTRACTED MEDICAL SERVICES STATE RISK MANAGEMENT TRUST FUND . .	16,585,117
The Department of Financial Services is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2387, in the event the pharmacy benefits contract costs are greater than the projected costs used to calculate the amount appropriated.		
2388	SPECIAL CATEGORIES EXCESS INSURANCE AND CLAIM SERVICE STATE RISK MANAGEMENT TRUST FUND . .	10,865,000
2389	SPECIAL CATEGORIES RISK MANAGEMENT INFORMATION CLAIMS SYSTEM STATE RISK MANAGEMENT TRUST FUND . .	569,000
2390	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE STATE RISK MANAGEMENT TRUST FUND . .	43,926
2391	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT STATE RISK MANAGEMENT TRUST FUND . .	21,531
2392	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT STATE RISK MANAGEMENT TRUST FUND . .	34,587
TOTAL:	STATE SELF-INSURED CLAIMS ADJUSTMENT FROM TRUST FUNDS	76,557,598
	TOTAL POSITIONS 116.00	
	TOTAL ALL FUNDS	76,557,598

PROGRAM: LICENSING AND CONSUMER PROTECTION

INSURANCE COMPANY REHABILITATION AND LIQUIDATION

	APPROVED SALARY RATE	197,739
2393	SALARIES AND BENEFITS POSITIONS FROM INSURANCE REGULATORY TRUST FUND	1.00 448,937
2394	OTHER PERSONAL SERVICES FROM INSURANCE REGULATORY TRUST FUND	34,771
2395	EXPENSES FROM INSURANCE REGULATORY TRUST FUND	104,364
2396	OPERATING CAPITAL OUTLAY FROM INSURANCE REGULATORY TRUST FUND	26,120

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2397	SPECIAL CATEGORIES CONTRACTED SERVICES FROM INSURANCE REGULATORY TRUST FUND	232,517
2398	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM INSURANCE REGULATORY TRUST FUND	280
2399	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM INSURANCE REGULATORY TRUST FUND	15,000
2400	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM INSURANCE REGULATORY TRUST FUND	1,592
TOTAL:	INSURANCE COMPANY REHABILITATION AND LIQUIDATION FROM TRUST FUNDS	863,581
	TOTAL POSITIONS 1.00	
	TOTAL ALL FUNDS	863,581
LICENSURE, SALES APPOINTMENT AND OVERSIGHT		
	APPROVED SALARY RATE	5,018,524
2401	SALARIES AND BENEFITS POSITIONS FROM INSURANCE REGULATORY TRUST FUND	120.00 6,947,952
2402	OTHER PERSONAL SERVICES FROM INSURANCE REGULATORY TRUST FUND	3,938
2403	EXPENSES FROM INSURANCE REGULATORY TRUST FUND	1,040,029
2404	OPERATING CAPITAL OUTLAY FROM INSURANCE REGULATORY TRUST FUND	12,500
2405	SPECIAL CATEGORIES ELECTRONIC COMMERCE FEES FOR COLLECTION OF REVENUE FROM INSURANCE REGULATORY TRUST FUND	1,075,000
2406	SPECIAL CATEGORIES CONTRACTED SERVICES FROM INSURANCE REGULATORY TRUST FUND	728,892
2407	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM INSURANCE REGULATORY TRUST FUND	5,200
2408	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM INSURANCE REGULATORY TRUST FUND	58,152
2409	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM INSURANCE REGULATORY TRUST FUND	16,534

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2410	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM INSURANCE REGULATORY TRUST FUND	42,072
TOTAL:	LICENSURE, SALES APPOINTMENT AND OVERSIGHT FROM TRUST FUNDS	9,930,269
	TOTAL POSITIONS 120.00	
	TOTAL ALL FUNDS	9,930,269

INSURANCE FRAUD

2410A	SPECIAL CATEGORIES TRANSFER TO JUSTICE ADMINISTRATION COMMISSION FOR PROSECUTION OF PROPERTY INSURANCE FRAUD FROM INSURANCE REGULATORY TRUST FUND	210,000

Funds in Specific Appropriation 2410A are provided for transfer to the Justice Administrative Commission for the specific purpose of funding attorneys and paralegals dedicated solely to the prosecution of property insurance fraud cases in Miami-Dade County. These funds may not be used for any purpose other than the funding of attorney and paralegal positions that prosecute crimes of insurance fraud.

CONSUMER ASSISTANCE

	APPROVED SALARY RATE	4,893,535	
2411	SALARIES AND BENEFITS POSITIONS FROM INSURANCE REGULATORY TRUST FUND	113.00	6,564,783
2412	OTHER PERSONAL SERVICES FROM INSURANCE REGULATORY TRUST FUND		176,789
2413	EXPENSES FROM INSURANCE REGULATORY TRUST FUND		941,105
2414	OPERATING CAPITAL OUTLAY FROM INSURANCE REGULATORY TRUST FUND		2,200
2415	SPECIAL CATEGORIES CONTRACTED SERVICES FROM INSURANCE REGULATORY TRUST FUND		595,374
2416	SPECIAL CATEGORIES HOLOCAUST VICTIMS ASSISTANCE ADMINISTRATION FROM INSURANCE REGULATORY TRUST FUND		308,007
2417	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM INSURANCE REGULATORY TRUST FUND		1,500
2418	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM INSURANCE REGULATORY TRUST FUND		26,504
2419	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM INSURANCE REGULATORY TRUST FUND		9,224

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2420	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM INSURANCE REGULATORY TRUST FUND	36,455
TOTAL:	CONSUMER ASSISTANCE FROM TRUST FUNDS	8,661,941
	TOTAL POSITIONS 113.00	
	TOTAL ALL FUNDS	8,661,941

FUNERAL AND CEMETERY SERVICES

	APPROVED SALARY RATE	1,326,411	
2421	SALARIES AND BENEFITS POSITIONS FROM REGULATORY TRUST FUND	28.00	1,885,092
2422	OTHER PERSONAL SERVICES FROM REGULATORY TRUST FUND		66,387
2423	EXPENSES FROM REGULATORY TRUST FUND		322,559
2424	OPERATING CAPITAL OUTLAY FROM REGULATORY TRUST FUND		9,500
2425	SPECIAL CATEGORIES ELECTRONIC COMMERCE FEES FOR COLLECTION OF REVENUE FROM REGULATORY TRUST FUND		39,100
2426	SPECIAL CATEGORIES CONTRACTED SERVICES FROM REGULATORY TRUST FUND		99,549
2427	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM REGULATORY TRUST FUND		8,700
2428	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM REGULATORY TRUST FUND		12,138
2429	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM REGULATORY TRUST FUND		4,162
2430	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM REGULATORY TRUST FUND		13,161
TOTAL:	FUNERAL AND CEMETERY SERVICES FROM TRUST FUNDS		2,460,348
	TOTAL POSITIONS 28.00		
	TOTAL ALL FUNDS		2,460,348

PUBLIC ASSISTANCE FRAUD

	APPROVED SALARY RATE	4,316,416	
2431	SALARIES AND BENEFITS POSITIONS FROM FEDERAL GRANTS TRUST FUND . . . FROM INSURANCE REGULATORY TRUST FUND	72.00	1,518,743
2432	OTHER PERSONAL SERVICES FROM FEDERAL GRANTS TRUST FUND . . .		289,075
2433	EXPENSES FROM FEDERAL GRANTS TRUST FUND . . .		608,069

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2434	OPERATING CAPITAL OUTLAY FROM FEDERAL GRANTS TRUST FUND . . .	20,000
2435	SPECIAL CATEGORIES CONTRACTED SERVICES FROM FEDERAL GRANTS TRUST FUND . . .	194,418
2436	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM FEDERAL GRANTS TRUST FUND . . .	20,000
2437	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM FEDERAL GRANTS TRUST FUND . . .	33,553
2438	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM FEDERAL GRANTS TRUST FUND . . .	14,900
2439	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM FEDERAL GRANTS TRUST FUND . . .	40,007
2440	DATA PROCESSING SERVICES OTHER DATA PROCESSING SERVICES FROM FEDERAL GRANTS TRUST FUND . . .	1,000
TOTAL: PUBLIC ASSISTANCE FRAUD FROM TRUST FUNDS		5,657,630
	TOTAL POSITIONS	72.00
	TOTAL ALL FUNDS	5,657,630

PROGRAM: WORKERS' COMPENSATION

WORKERS' COMPENSATION

	APPROVED SALARY RATE	12,105,192	
2441	SALARIES AND BENEFITS POSITIONS	298.00	
	FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND		16,764,110
	FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND		964,897
2442	OTHER PERSONAL SERVICES FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND		383,775
	FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND		17,550
2443	EXPENSES FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND		3,325,117
	FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND		126,870
2444	OPERATING CAPITAL OUTLAY FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND		100,021
	FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND		16,851
2445	SPECIAL CATEGORIES ELECTRONIC COMMERCE FEES FOR COLLECTION OF REVENUE FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND		188,000
2446	SPECIAL CATEGORIES TRANSFER TO DISTRICT COURTS OF APPEAL - WORKERS' COMPENSATION APPEALS FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND		1,893,368

SECTION 6 - GENERAL GOVERNMENT

Funds in Specific Appropriation 2446 are provided for transfer to the First District Court of Appeal for workload associated with workers' compensation appeals and the workers' compensation appeals unit.

2447	SPECIAL CATEGORIES TRANSFER TO THE UNIVERSITY OF SOUTH FLORIDA - OCCUPATIONAL SAFETY GRANT MATCH FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND	250,000
2448	SPECIAL CATEGORIES TRANSFER TO JUSTICE ADMINISTRATIVE COMMISSION FOR PROSECUTION OF WORKERS' COMPENSATION FRAUD FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND	614,735
The funds in Specific Appropriation 2448 from the Workers' Compensation Administration Trust Fund are provided for transfer to the Justice Administrative Commission for the specific purpose of funding attorneys and paralegals in the Eleventh, Thirteenth, Fifteenth, and Seventeenth Judicial Circuits for the prosecution of workers' compensation insurance fraud. These funds may not be used for any purpose other than the funding of attorney and paralegal positions that prosecute crimes of workers' compensation fraud.		
2449	SPECIAL CATEGORIES CONTRACTED SERVICES FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND	2,336,789
	FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND	86,360
2450	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND	84,800
2451	SPECIAL CATEGORIES PURCHASED CLIENT SERVICES FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND	990,000
2452	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND	209,629
2453	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND	62,320
	FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND	2,280
2454	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND	96,190
	FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND	6,059
TOTAL: WORKERS' COMPENSATION FROM TRUST FUNDS		28,519,721
	TOTAL POSITIONS	298.00
	TOTAL ALL FUNDS	28,519,721

PROGRAM: INVESTIGATIVE AND FORENSIC SERVICES

FIRE AND ARSON INVESTIGATIONS

APPROVED SALARY RATE	6,410,973

SECTION 6 - GENERAL GOVERNMENT

2455	SALARIES AND BENEFITS	POSITIONS	122.00	
	FROM INSURANCE REGULATORY TRUST			
	FUND			9,177,398
2456	OTHER PERSONAL SERVICES			
	FROM INSURANCE REGULATORY TRUST			
	FUND			70,942
2457	EXPENSES			
	FROM INSURANCE REGULATORY TRUST			
	FUND			1,866,584
2458	OPERATING CAPITAL OUTLAY			
	FROM INSURANCE REGULATORY TRUST			
	FUND			82,409
2459	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM INSURANCE REGULATORY TRUST			
	FUND			175,374
2460	SPECIAL CATEGORIES			
	ON-CALL FEES			
	FROM INSURANCE REGULATORY TRUST			
	FUND			350,000
2461	SPECIAL CATEGORIES			
	OPERATION OF MOTOR VEHICLES			
	FROM INSURANCE REGULATORY TRUST			
	FUND			183,900
2462	SPECIAL CATEGORIES			
	SALARY INCENTIVE PAYMENTS			
	FROM INSURANCE REGULATORY TRUST			
	FUND			103,124
2463	SPECIAL CATEGORIES			
	SUPPLEMENTAL FIREFIGHTERS COMPENSATION			
	FROM INSURANCE REGULATORY TRUST			
	FUND			8,000
2464	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM INSURANCE REGULATORY TRUST			
	FUND			41,817
2465	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT			
	SERVICES - HUMAN RESOURCES SERVICES			
	PURCHASED PER STATEWIDE CONTRACT			
	FROM INSURANCE REGULATORY TRUST			
	FUND			37,190
TOTAL: FIRE AND ARSON INVESTIGATIONS				
FROM TRUST FUNDS				12,096,738
TOTAL POSITIONS				122.00
TOTAL ALL FUNDS				12,096,738
FORENSIC SERVICES				
APPROVED SALARY RATE			471,779	
2466	SALARIES AND BENEFITS	POSITIONS	9.00	
	FROM INSURANCE REGULATORY TRUST			
	FUND			652,425
2467	OTHER PERSONAL SERVICES			
	FROM INSURANCE REGULATORY TRUST			
	FUND			14,400
2468	EXPENSES			
	FROM INSURANCE REGULATORY TRUST			
	FUND			121,754

SECTION 6 - GENERAL GOVERNMENT

2469	OPERATING CAPITAL OUTLAY			
	FROM INSURANCE REGULATORY TRUST			
	FUND			154,000
2470	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM INSURANCE REGULATORY TRUST			
	FUND			151,000
2471	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM INSURANCE REGULATORY TRUST			
	FUND			4,200
2471A	FIXED CAPITAL OUTLAY			
	STATE ARSON LABORATORY - BUILDING REPAIR			
	AND MAINTENANCE			
	FROM INSURANCE REGULATORY TRUST			
	FUND			265,000
TOTAL: FORENSIC SERVICES				
FROM TRUST FUNDS				1,362,779
TOTAL POSITIONS				9.00
TOTAL ALL FUNDS				1,362,779
INSURANCE FRAUD				
APPROVED SALARY RATE			10,261,971	
2472	SALARIES AND BENEFITS	POSITIONS	194.00	
	FROM INSURANCE REGULATORY TRUST			
	FUND			14,265,248
	FROM WORKERS' COMPENSATION			
	ADMINISTRATION TRUST FUND			210,000
From the funds in Specific Appropriation 2472, three positions with associated salary rate of 152,645 and \$210,000 from the Workers' Compensation Administration Trust Fund are provided for additional workers' compensation insurance fraud investigators. The positions and funding shall be placed in reserve and are contingent upon a grant to fund the positions. After grant funding has been obtained by the Department of Financial Services, the department shall request the release of positions and funds pursuant to the provisions of chapter 216, Florida Statutes.				
2473	OTHER PERSONAL SERVICES			
	FROM INSURANCE REGULATORY TRUST			
	FUND			45,000
2474	EXPENSES			
	FROM INSURANCE REGULATORY TRUST			
	FUND			2,078,900
	FROM FEDERAL LAW ENFORCEMENT TRUST			
	FUND			164,000
2475	OPERATING CAPITAL OUTLAY			
	FROM INSURANCE REGULATORY TRUST			
	FUND			1,700
	FROM FEDERAL LAW ENFORCEMENT TRUST			
	FUND			872,640
2477	SPECIAL CATEGORIES			
	TRANSFER TO JUSTICE ADMINISTRATIVE			
	COMMISSION FOR PROSECUTION OF PIP FRAUD			
	FROM INSURANCE REGULATORY TRUST			
	FUND			1,725,519
Funds in Specific Appropriation 2477 are provided for transfer to the Justice Administrative Commission for the specific purpose of funding attorneys and paralegals dedicated solely to the prosecution of insurance fraud cases in Duval, Orange, Miami-Dade, Hillsborough, Palm Beach, Lee and Broward counties. These funds may not be used for any purpose other than the funding of attorney and paralegal positions that prosecute crimes of insurance fraud.				

SECTION 6 - GENERAL GOVERNMENT

2478	SPECIAL CATEGORIES CONTRACTED SERVICES FROM INSURANCE REGULATORY TRUST FUND	265,315	
	FROM FEDERAL LAW ENFORCEMENT TRUST FUND	164,800	
2479	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM INSURANCE REGULATORY TRUST FUND	150,253	
2480	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM INSURANCE REGULATORY TRUST FUND	204,281	
2481	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM INSURANCE REGULATORY TRUST FUND	202,496	
2482	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM INSURANCE REGULATORY TRUST FUND	47,247	
2483	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM INSURANCE REGULATORY TRUST FUND	58,771	
TOTAL:	INSURANCE FRAUD FROM TRUST FUNDS	20,456,170	
	TOTAL POSITIONS	194.00	
	TOTAL ALL FUNDS	20,456,170	
OFFICE OF FISCAL INTEGRITY			
	APPROVED SALARY RATE	484,131	
2484	SALARIES AND BENEFITS POSITIONS FROM INSURANCE REGULATORY TRUST FUND	678,885	10.00
2485	EXPENSES FROM INSURANCE REGULATORY TRUST FUND	35,700	
2486	SPECIAL CATEGORIES CONTRACTED SERVICES FROM INSURANCE REGULATORY TRUST FUND	7,300	
2487	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM INSURANCE REGULATORY TRUST FUND	3,100	
2488	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM INSURANCE REGULATORY TRUST FUND	3,120	
TOTAL:	OFFICE OF FISCAL INTEGRITY FROM TRUST FUNDS	728,105	
	TOTAL POSITIONS	10.00	
	TOTAL ALL FUNDS	728,105	

SECTION 6 - GENERAL GOVERNMENT

PROGRAM: FINANCIAL SERVICES COMMISSION

OFFICE OF INSURANCE REGULATION

COMPLIANCE AND ENFORCEMENT - INSURANCE

	APPROVED SALARY RATE	12,758,234	
2489	SALARIES AND BENEFITS POSITIONS FROM INSURANCE REGULATORY TRUST FUND	17,311,402	251.00
2490	OTHER PERSONAL SERVICES FROM INSURANCE REGULATORY TRUST FUND	290,169	
2491	EXPENSES FROM INSURANCE REGULATORY TRUST FUND	2,362,529	
2492	OPERATING CAPITAL OUTLAY FROM INSURANCE REGULATORY TRUST FUND	98,000	
2493	SPECIAL CATEGORIES FLORIDA PUBLIC HURRICANE LOSS MODEL - OFFICE OF INSURANCE REGULATION FROM INSURANCE REGULATORY TRUST FUND	632,639	
Funds in Specific Appropriation 2493 shall be transferred to Florida International University and utilized to promote and enhance collaborative research among state universities. The Florida Public Hurricane Loss Model located at Florida International University may consult with the private sector and the Florida Catastrophic Storm Risk Management Center located at Florida State University to enhance the marketability, viability, and applications of the Florida Public Hurricane Loss Model. The Office of Insurance Regulation (Office) shall have the ability to accurately calculate hurricane risk and project catastrophic losses, and nothing shall interfere with or supersede the Office's authority to enter into agreements with Florida International University.			
2494	SPECIAL CATEGORIES FINANCIAL EXAMINATION CONTRACTS - PROPERTY AND CASUALTY EXAMINATIONS FROM INSURANCE REGULATORY TRUST FUND	3,501,763	
2495	SPECIAL CATEGORIES FINANCIAL EXAMINATION CONTRACTS - LIFE AND HEALTH EXAMINATIONS FROM INSURANCE REGULATORY TRUST FUND	1,425,000	
2496	SPECIAL CATEGORIES CONTRACTED SERVICES FROM INSURANCE REGULATORY TRUST FUND	1,338,016	
2497	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM INSURANCE REGULATORY TRUST FUND	128,297	
2498	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM INSURANCE REGULATORY TRUST FUND	18,989	
2499	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM INSURANCE REGULATORY TRUST FUND	83,069	

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TOTAL: COMPLIANCE AND ENFORCEMENT - INSURANCE FROM TRUST FUNDS		27,189,873
TOTAL POSITIONS	251.00	
TOTAL ALL FUNDS		27,189,873

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE	2,202,294	
2500 SALARIES AND BENEFITS POSITIONS FROM INSURANCE REGULATORY TRUST FUND	38.00	2,985,725
2501 EXPENSES FROM INSURANCE REGULATORY TRUST FUND		118,543
2502 SPECIAL CATEGORIES CONTRACTED SERVICES FROM INSURANCE REGULATORY TRUST FUND		92,710
2503 SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM INSURANCE REGULATORY TRUST FUND		8,414
2504 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM INSURANCE REGULATORY TRUST FUND		11,197
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM TRUST FUNDS		3,216,589
TOTAL POSITIONS	38.00	
TOTAL ALL FUNDS		3,216,589

OFFICE OF FINANCIAL REGULATION

SAFETY AND SOUNDNESS OF STATE BANKING SYSTEM

APPROVED SALARY RATE	6,787,197	
2505 SALARIES AND BENEFITS POSITIONS FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND	113.00	8,833,429
2506 OTHER PERSONAL SERVICES FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND		854,100
2507 EXPENSES FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND		1,738,752
2508 OPERATING CAPITAL OUTLAY FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND		34,130
2509 SPECIAL CATEGORIES CONTRACTED SERVICES FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND		367,012
2510 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND		33,572

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2511 SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND		28,872
2512 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND		36,447
TOTAL: SAFETY AND SOUNDNESS OF STATE BANKING SYSTEM FROM TRUST FUNDS		11,926,314
TOTAL POSITIONS	113.00	
TOTAL ALL FUNDS		11,926,314

FINANCIAL INVESTIGATIONS

APPROVED SALARY RATE	2,160,935	
2513 SALARIES AND BENEFITS POSITIONS FROM ADMINISTRATIVE TRUST FUND	39.00	2,732,801
2514 OTHER PERSONAL SERVICES FROM ADMINISTRATIVE TRUST FUND		5,321
2515 EXPENSES FROM ADMINISTRATIVE TRUST FUND		488,957
FROM FEDERAL LAW ENFORCEMENT TRUST FUND		51,758
2516 OPERATING CAPITAL OUTLAY FROM ADMINISTRATIVE TRUST FUND		20,600
2517 SPECIAL CATEGORIES CONTRACTED SERVICES FROM ADMINISTRATIVE TRUST FUND		36,354
2518 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ADMINISTRATIVE TRUST FUND		11,587
2519 SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM ADMINISTRATIVE TRUST FUND		15,809
2520 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ADMINISTRATIVE TRUST FUND		19,363
TOTAL: FINANCIAL INVESTIGATIONS FROM TRUST FUNDS		3,382,550
TOTAL POSITIONS	39.00	
TOTAL ALL FUNDS		3,382,550

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE	1,261,240	
2521 SALARIES AND BENEFITS POSITIONS FROM ADMINISTRATIVE TRUST FUND	15.00	1,810,975
2522 OTHER PERSONAL SERVICES FROM ADMINISTRATIVE TRUST FUND		250,000
2523 EXPENSES FROM ADMINISTRATIVE TRUST FUND		411,948
2524 OPERATING CAPITAL OUTLAY FROM ADMINISTRATIVE TRUST FUND		7,000

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2525	SPECIAL CATEGORIES CONTRACTED SERVICES FROM ADMINISTRATIVE TRUST FUND . . .	61,048
2526	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ADMINISTRATIVE TRUST FUND . . .	4,456
2527	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM ADMINISTRATIVE TRUST FUND . . .	10,004
2528	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ADMINISTRATIVE TRUST FUND . . .	13,419
2529	DATA PROCESSING SERVICES REGULATORY ENFORCEMENT AND LICENSING SYSTEM - OFFICE OF FINANCIAL REGULATION FROM ADMINISTRATIVE TRUST FUND . . .	3,435,807
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM TRUST FUNDS	6,004,657
	TOTAL POSITIONS	15.00
	TOTAL ALL FUNDS	6,004,657
FINANCE REGULATION		
	APPROVED SALARY RATE 5,238,778	
2530	SALARIES AND BENEFITS POSITIONS FROM REGULATORY TRUST FUND	98.00 6,812,243
2531	OTHER PERSONAL SERVICES FROM REGULATORY TRUST FUND	207,098
2532	EXPENSES FROM REGULATORY TRUST FUND	952,189
2533	OPERATING CAPITAL OUTLAY FROM REGULATORY TRUST FUND	35,631
2534	SPECIAL CATEGORIES DEFERRED PRESENTMENT PROVIDER DATABASE CONTRACT FROM REGULATORY TRUST FUND	2,930,000
2535	SPECIAL CATEGORIES CHECK CASHING TRANSACTION DATABASE CONTRACT FROM REGULATORY TRUST FUND	151,000
2536	SPECIAL CATEGORIES CONTRACTED SERVICES FROM REGULATORY TRUST FUND	111,565
2537	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM REGULATORY TRUST FUND	29,115
2538	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM REGULATORY TRUST FUND	34,995
2539	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM REGULATORY TRUST FUND	36,107

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TOTAL:	FINANCE REGULATION FROM TRUST FUNDS		11,299,943
	TOTAL POSITIONS	98.00	
	TOTAL ALL FUNDS		11,299,943
SECURITIES REGULATION			
	APPROVED SALARY RATE 4,850,251		
2540	SALARIES AND BENEFITS POSITIONS FROM REGULATORY TRUST FUND	95.00	6,645,515
2541	OTHER PERSONAL SERVICES FROM ANTI-FRAUD TRUST FUND		32,538
	FROM REGULATORY TRUST FUND		4,466
2542	EXPENSES FROM ANTI-FRAUD TRUST FUND		62,885
	FROM REGULATORY TRUST FUND		675,623
2543	OPERATING CAPITAL OUTLAY FROM ANTI-FRAUD TRUST FUND		24,528
	FROM REGULATORY TRUST FUND		4,566
2544	SPECIAL CATEGORIES CONTRACTED SERVICES FROM ANTI-FRAUD TRUST FUND		80,049
	FROM REGULATORY TRUST FUND		349,500
2545	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM REGULATORY TRUST FUND		28,224
2546	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM REGULATORY TRUST FUND		27,253
2547	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM REGULATORY TRUST FUND		28,976
TOTAL:	SECURITIES REGULATION FROM TRUST FUNDS		7,964,123
	TOTAL POSITIONS	95.00	
	TOTAL ALL FUNDS		7,964,123
TOTAL:	FINANCIAL SERVICES, DEPARTMENT OF FROM GENERAL REVENUE FUND	28,203,209	358,457,418
	FROM TRUST FUNDS		
	TOTAL POSITIONS	2,617.50	
	TOTAL ALL FUNDS		386,660,627
	TOTAL APPROVED SALARY RATE	131,139,276	
GOVERNOR, EXECUTIVE OFFICE OF THE			
PROGRAM: GENERAL OFFICE			
EXECUTIVE DIRECTION AND SUPPORT SERVICES			
2548	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	124.00 9,224,285	
	FROM GRANTS AND DONATIONS TRUST FUND		229,167
2549	LUMP SUM EXECUTIVE OFFICE OF THE GOVERNOR - EXECUTIVE/ADMINISTRATION FROM GENERAL REVENUE FUND	2,180,433	
	FROM GRANTS AND DONATIONS TRUST FUND		488,033

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2550	LUMP SUM EXECUTIVE OFFICE OF THE GOVERNOR - WASHINGTON OFFICE FROM GENERAL REVENUE FUND	116,858	
2551	SPECIAL CATEGORIES CONTINGENT - DISCRETIONARY FROM GENERAL REVENUE FUND	29,244	
2553	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM GRANTS AND DONATIONS TRUST FUND	66,222	8,843
2554	SPECIAL CATEGORIES CHILD ABUSE PREVENTION FROM GENERAL REVENUE FUND	150,000	
2555	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM GRANTS AND DONATIONS TRUST FUND	33,352	6,160
2556A	DATA PROCESSING SERVICES DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY FROM GENERAL REVENUE FUND	766,016	
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM GENERAL REVENUE FUND FROM TRUST FUNDS	12,566,410	732,203
	TOTAL POSITIONS	124.00	
	TOTAL ALL FUNDS		13,298,613
LEGISLATIVE APPROPRIATIONS SYSTEM/PLANNING AND BUDGETING SUBSYSTEM			
2557	SALARIES AND BENEFITS POSITIONS FROM PLANNING AND BUDGETING SYSTEM TRUST FUND	48.00	4,594,053
2558	LUMP SUM LEGISLATIVE APPROPRIATION SYSTEM/PLANNING AND BUDGETING SUBSYSTEM FROM PLANNING AND BUDGETING SYSTEM TRUST FUND		1,231,236
2559	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM PLANNING AND BUDGETING SYSTEM TRUST FUND		29,058
2560	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM PLANNING AND BUDGETING SYSTEM TRUST FUND		12,713
2561A	DATA PROCESSING SERVICES DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY FROM PLANNING AND BUDGETING SYSTEM TRUST FUND		1,186
2562	DATA PROCESSING SERVICES OTHER DATA PROCESSING SERVICES FROM PLANNING AND BUDGETING SYSTEM TRUST FUND		21,470

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TOTAL:	LEGISLATIVE APPROPRIATIONS SYSTEM/PLANNING AND BUDGETING SUBSYSTEM FROM TRUST FUNDS		5,889,716
	TOTAL POSITIONS	48.00	
	TOTAL ALL FUNDS		5,889,716
EXECUTIVE PLANNING AND BUDGETING			
2563	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	104.00	9,176,722
2564	LUMP SUM EXECUTIVE OFFICE OF THE GOVERNOR - OFFICE OF PLANNING AND BUDGETING FROM GENERAL REVENUE FUND		762,371
2565	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM GENERAL REVENUE FUND		19,926
2566	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND		62,958
2567	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND		31,811
TOTAL:	EXECUTIVE PLANNING AND BUDGETING FROM GENERAL REVENUE FUND	10,053,788	
	TOTAL POSITIONS	104.00	
	TOTAL ALL FUNDS		10,053,788
PROGRAM: EMERGENCY MANAGEMENT			
EMERGENCY PREVENTION, PREPAREDNESS AND RESPONSE			
The Division of Emergency Management must submit quarterly status reports on the outstanding obligations for each open federally declared disaster event to the Executive Office of the Governor, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee.			
	APPROVED SALARY RATE	7,299,641	
2568	SALARIES AND BENEFITS POSITIONS FROM ADMINISTRATIVE TRUST FUND . . . FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND FROM FEDERAL GRANTS TRUST FUND . . . FROM GRANTS AND DONATIONS TRUST FUND FROM OPERATING TRUST FUND FROM U.S. CONTRIBUTIONS TRUST FUND .	159.00	2,199,941
			2,763,021
			3,935,179
			491,461
			854,976
			1,172,435
2569	OTHER PERSONAL SERVICES FROM ADMINISTRATIVE TRUST FUND . . . FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND FROM FEDERAL GRANTS TRUST FUND . . . FROM GRANTS AND DONATIONS TRUST FUND FROM OPERATING TRUST FUND		504,161
			1,135,851
			1,465,015
			213,246
			86,709
2570	EXPENSES FROM ADMINISTRATIVE TRUST FUND . . . FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND		398,694
			1,104,447

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	FROM FEDERAL GRANTS TRUST FUND . . .	1,167,341
	FROM GRANTS AND DONATIONS TRUST FUND	501,939
	FROM OPERATING TRUST FUND	255,113
	FROM U.S. CONTRIBUTIONS TRUST FUND	218,985
2571	AID TO LOCAL GOVERNMENTS DISASTER PREPAREDNESS PLANNING AND ADMINISTRATION FROM FEDERAL GRANTS TRUST FUND . . .	6,342,270
2572	OPERATING CAPITAL OUTLAY FROM ADMINISTRATIVE TRUST FUND . . .	8,008
	FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND	17,525
	FROM FEDERAL GRANTS TRUST FUND . . .	80,415
	FROM GRANTS AND DONATIONS TRUST FUND	17,100
	FROM OPERATING TRUST FUND	4,650
2573	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND	38,000
	FROM FEDERAL GRANTS TRUST FUND . . .	38,000
2574	SPECIAL CATEGORIES GRANTS AND AIDS - PAYMENT FLORIDA WING/ CIVIL AIR PATROL FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND	49,500
2575	SPECIAL CATEGORIES CONTRACTED SERVICES FROM ADMINISTRATIVE TRUST FUND . . .	195,781
	FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND	427,709
	FROM FEDERAL GRANTS TRUST FUND . . .	1,040,595
	FROM GRANTS AND DONATIONS TRUST FUND	4,098,737
	FROM OPERATING TRUST FUND	203,722
	FROM U.S. CONTRIBUTIONS TRUST FUND	42,010

From the funds in Specific Appropriation 2575, \$3,500,000 from the Grants and Donations Trust Fund is provided to continue the development of a statewide emergency and mass notification system with the capability to provide alerts of imminent or actual hazards to all Florida's citizens, businesses and visitors.

From the nonrecurring funds in Specific Appropriation 2575, \$150,000 from the Grants and Donations Trust Fund is provided to the division to competitively bid and procure a contract for the first phase of a comprehensive mapping initiative of the state. The contract shall require the development of a statewide plan for digital acquisition and analysis for approximately 54,200 square miles of the state. The contract shall include provisions to coordinate with all state agencies that utilize the division's elevation data under the guidance of the Agency for State Technology and develop a partnership for cost sharing to generate new elevation data. The plan must prioritize the state's most vulnerable areas. On or before January 1, 2018, the division shall submit the plan to the Governor, the Senate President, and the Speaker of the House of Representatives.

2576	SPECIAL CATEGORIES GRANTS AND AIDS - EMERGENCY MANAGEMENT PROGRAMS FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND	7,309,061

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2577	SPECIAL CATEGORIES GRANTS AND AIDS - STATE DOMESTIC PREPAREDNESS PROGRAM FROM FEDERAL GRANTS TRUST FUND . . .	247,393
2578	SPECIAL CATEGORIES GRANTS AND AID - REPETITIVE FLOOD CLAIMS PROGRAM FROM FEDERAL GRANTS TRUST FUND . . .	350,000
2579	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ADMINISTRATIVE TRUST FUND . . .	17,494
	FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND	27,175
	FROM FEDERAL GRANTS TRUST FUND . . .	33,174
	FROM GRANTS AND DONATIONS TRUST FUND	15,190
	FROM OPERATING TRUST FUND	6,272
	FROM U.S. CONTRIBUTIONS TRUST FUND	12,058
2580	SPECIAL CATEGORIES GRANTS AND AIDS - STATE AND FEDERAL DISASTER RELIEF OPERATIONS - ADMINISTRATIVE FROM FEDERAL GRANTS TRUST FUND . . .	5,496,845
From the funds in Specific Appropriation 2580, \$250,000 is allocated to contract with a not-for-profit corporation to conduct a statewide public education campaign on television and radio to promote hurricane preparedness. Funds must be matched on a 3 to 1 basis for this purpose.		
2581	SPECIAL CATEGORIES COMMISSION ON COMMUNITY SERVICE FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND	300,000
2582	SPECIAL CATEGORIES STATEWIDE HURRICANE PREPAREDNESS AND PLANNING FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND	2,064,539
	FROM FEDERAL GRANTS TRUST FUND . . .	421,219
	FROM GRANTS AND DONATIONS TRUST FUND	100,971
2583	SPECIAL CATEGORIES GRANTS AND AIDS - PUBLIC ASSISTANCE FROM GRANTS AND DONATIONS TRUST FUND	30,832,415
	FROM U.S. CONTRIBUTIONS TRUST FUND	235,848,214
2584	SPECIAL CATEGORIES PUBLIC ASSISTANCE - STATE OPERATIONS FROM GRANTS AND DONATIONS TRUST FUND	12,519,840
	FROM U.S. CONTRIBUTIONS TRUST FUND	1,804,682
2585	SPECIAL CATEGORIES GRANTS AND AIDS - HAZARD MITIGATION FROM GRANTS AND DONATIONS TRUST FUND	150,000
	FROM U.S. CONTRIBUTIONS TRUST FUND	26,470,500
2586	SPECIAL CATEGORIES HAZARD MITIGATION - STATE OPERATIONS FROM GRANTS AND DONATIONS TRUST FUND	626,985
	FROM U.S. CONTRIBUTIONS TRUST FUND	1,341,132

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2587	SPECIAL CATEGORIES DISASTER ACTIVITY - STATE OBLIGATIONS FROM GRANTS AND DONATIONS TRUST FUND	938,724
2588	SPECIAL CATEGORIES GRANTS AND AIDS - SEVERE REPETITIVE LOSS PROGRAM FROM FEDERAL GRANTS TRUST FUND . . .	500,000
2589	SPECIAL CATEGORIES GRANTS AND AIDS - PREDISASTER MITIGATION FROM FEDERAL GRANTS TRUST FUND . . .	6,689,346
2590	SPECIAL CATEGORIES GRANTS AND AIDS - HURRICANE LOSS MITIGATION FROM GRANTS AND DONATIONS TRUST FUND	11,698,280

The Grants and Donations Trust Funds in the following Specific Appropriations reflect the transfer of \$7,000,000 of mitigation funds from the Florida Hurricane Catastrophe Fund pursuant to section 215.555(7), Florida Statutes, as follows:

These funds must be used for Hurricane Loss Mitigation programs as specified in section 215.559, Florida Statutes. The funds allocated in section 215.559(2)(a), Florida Statutes, must be distributed directly to Tallahassee Community College for the uses described in section 215.559(2)(b), Florida Statutes.

Salaries and Benefits.....	73,407
Other Personal Services.....	214,717
Expenses.....	178,793
Operating Capital Outlay.....	7,500
Contracted Services.....	141,532
Risk Management Services.....	1,392
Transfer to DMS - Human Resources Services.....	1,342
State Data Center - Agency for State Technology.....	9,234
Grants and Aids - Hurricane Loss Mitigation.....	6,301,581
Indirect Costs.....	70,502

From the nonrecurring funds in Specific Appropriation 2590, \$5,314,000 from the Grants and Donations Trust Fund shall be allocated as follows:

Southwest Ranches Regional Emergency Operations and Distribution Center.....	1,000,000
City of Plantation Permanent Generator at EOC Lift Station..	50,000
The Adrienne Arsht Center's Zone Emergency Response Operations Center.....	264,000
Brevard County Emergency Operation Center Construction.....	1,500,000
Indian River Shores, Hurricane Evacuation Route, Drainage Improvements.....	650,000
Tallahassee, Leon County, Pre-Disaster Mitigation Program...	1,000,000
Marine Rescue-Fire/Emergency Medical Services Facility.....	750,000
City of South Bay Emergency Shelter and Care Center.....	100,000

2591	SPECIAL CATEGORIES GRANTS AND AIDS - FLOOD MITIGATION ASSISTANCE PROGRAM FROM FEDERAL GRANTS TRUST FUND . . .	9,147,256
2592	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ADMINISTRATIVE TRUST FUND . . . FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND FROM FEDERAL GRANTS TRUST FUND . . . FROM GRANTS AND DONATIONS TRUST FUND FROM OPERATING TRUST FUND FROM U.S. CONTRIBUTIONS TRUST FUND .	11,501 17,864 21,805 9,986 4,802 7,924

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2593	SPECIAL CATEGORIES FLORIDA HAZARDOUS MATERIALS PLANNING PROGRAM FROM GRANTS AND DONATIONS TRUST FUND FROM OPERATING TRUST FUND	65,000 1,076,597
2594	SPECIAL CATEGORIES HAZARDOUS MATERIALS EMERGENCY PLANNING GRANT FROM FEDERAL GRANTS TRUST FUND . . .	814,764
2596A	DATA PROCESSING SERVICES DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY FROM ADMINISTRATIVE TRUST FUND . . . FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND FROM FEDERAL GRANTS TRUST FUND . . . FROM GRANTS AND DONATIONS TRUST FUND FROM OPERATING TRUST FUND FROM U.S. CONTRIBUTIONS TRUST FUND .	40,162 60,941 96,730 34,851 11,136 48,368
2597	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY EMERGENCY MANAGEMENT CRITICAL FACILITY NEEDS FROM GRANTS AND DONATIONS TRUST FUND	3,000,000

Funds in Specific Appropriation 2597, from the Grants and Donations Trust Fund reflect the transfer of \$3,000,000 of mitigation funds from the Hurricane Catastrophe Fund pursuant to 215.555(7)(c), Florida Statutes. These funds shall be used to retrofit existing facilities used as public hurricane shelters as specified in section 215.559(1)(b), Florida Statutes.

TOTAL: EMERGENCY PREVENTION, PREPAREDNESS AND RESPONSE FROM TRUST FUNDS	391,363,732
TOTAL POSITIONS	159.00
TOTAL ALL FUNDS	391,363,732
TOTAL: GOVERNOR, EXECUTIVE OFFICE OF THE FROM GENERAL REVENUE FUND FROM TRUST FUNDS	22,620,198 397,985,651
TOTAL POSITIONS	435.00
TOTAL ALL FUNDS	420,605,849
TOTAL APPROVED SALARY RATE	7,299,641

HIGHWAY SAFETY AND MOTOR VEHICLES, DEPARTMENT OF

PROGRAM: ADMINISTRATIVE SERVICES

EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE	10,786,261	
2598	SALARIES AND BENEFITS POSITIONS	252.00	
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND		15,481,775
	FROM LAW ENFORCEMENT TRUST FUND . .		155,109
2599	OTHER PERSONAL SERVICES		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND		98,748
2600	EXPENSES		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND		873,925
	FROM LAW ENFORCEMENT TRUST FUND . .		7,516

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2601	OPERATING CAPITAL OUTLAY FROM HIGHWAY SAFETY OPERATING TRUST FUND	125,478
2602	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM HIGHWAY SAFETY OPERATING TRUST FUND	50,000
2603	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM HIGHWAY SAFETY OPERATING TRUST FUND	23,317
2604	SPECIAL CATEGORIES CONTRACTED SERVICES FROM HIGHWAY SAFETY OPERATING TRUST FUND	2,806,893
From the funds in Specific Appropriation 2604, \$300,000 of nonrecurring funds from the Highway Safety Operating Trust Fund is provided to the American Bikers Aiming Toward Education of Florida, Inc. (ABATE) for the purpose of promoting motorcycle safety awareness through public information and education campaigns.		
2605	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM HIGHWAY SAFETY OPERATING TRUST FUND	292,766
2606	SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS FROM HIGHWAY SAFETY OPERATING TRUST FUND	84,169
2607	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM HIGHWAY SAFETY OPERATING TRUST FUND	105,724
2608	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM HIGHWAY SAFETY OPERATING TRUST FUND	84,944
2609	FIXED CAPITAL OUTLAY SPECIAL PROJECTS AND IMPROVEMENTS - ADMINISTRATIVE SERVICES FROM HIGHWAY SAFETY OPERATING TRUST FUND	2,425,000
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM TRUST FUNDS		22,615,364
TOTAL POSITIONS		252.00
TOTAL ALL FUNDS		22,615,364
PROGRAM: FLORIDA HIGHWAY PATROL		
HIGHWAY SAFETY		
APPROVED SALARY RATE 108,090,084		
2610	SALARIES AND BENEFITS POSITIONS FROM HIGHWAY SAFETY OPERATING TRUST FUND	2,193.00 157,117,142
2611	OTHER PERSONAL SERVICES FROM HIGHWAY SAFETY OPERATING TRUST FUND FROM FEDERAL GRANTS TRUST FUND . . .	7,356,206 143,189

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2612	EXPENSES FROM HIGHWAY SAFETY OPERATING TRUST FUND FROM FEDERAL GRANTS TRUST FUND . . . FROM LAW ENFORCEMENT TRUST FUND . . FROM FEDERAL LAW ENFORCEMENT TRUST FUND	11,125,002 152,370 417,965 185,923
From the funds in Specific Appropriation 2612, up to \$65,000 of nonrecurring funds from the Highway Safety Operating Trust Fund is provided for expenses associated with contracting with the University of South Florida's Center for Urban Transportation Research to chair the Law Enforcement Work Group and provide a report on the recommendations of the work group to the Governor, the President of the Senate, and the Speaker of the House of Representatives, on or before January 1, 2018.		
2613	OPERATING CAPITAL OUTLAY FROM HIGHWAY SAFETY OPERATING TRUST FUND FROM FEDERAL GRANTS TRUST FUND . . . FROM FEDERAL LAW ENFORCEMENT TRUST FUND	2,868,045 372,000 252,572
2614	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM HIGHWAY SAFETY OPERATING TRUST FUND	10,000,000
2615	SPECIAL CATEGORIES FLORIDA HIGHWAY PATROL COMMUNICATION SYSTEMS FROM HIGHWAY SAFETY OPERATING TRUST FUND FROM FEDERAL LAW ENFORCEMENT TRUST FUND	3,952,855 52,000
2616	SPECIAL CATEGORIES CONTRACTED SERVICES FROM HIGHWAY SAFETY OPERATING TRUST FUND FROM GAS TAX COLLECTION TRUST FUND . FROM LAW ENFORCEMENT TRUST FUND . .	6,779,779 258,609 50,020
From the funds in Specific Appropriation 2616, \$250,000 of nonrecurring funds from the Highway Safety Operating Trust Fund will be provided for the department to contract with Florida Polytechnic University for the Real Time Monitoring and Prediction of Reduced Visibility Events on Florida's Highways project.		
From the funds in Specific Appropriation 2616, up to \$75,000 of nonrecurring funds from the Highway Safety Operating Trust Fund is provided to contract with the University of South Florida's Center for Urban Transportation Research to chair the Law Enforcement Work Group and provide a report on the recommendations of the work group to the Governor, the President of the Senate, and the Speaker of the House of Representatives, on or before January 1, 2018.		
2617	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM HIGHWAY SAFETY OPERATING TRUST FUND	16,231,691
2618	SPECIAL CATEGORIES FLORIDA HIGHWAY PATROL AUXILIARY FROM HIGHWAY SAFETY OPERATING TRUST FUND	138,238
2619	SPECIAL CATEGORIES OVERTIME FROM HIGHWAY SAFETY OPERATING TRUST FUND FROM FEDERAL GRANTS TRUST FUND . . .	9,075,000 537,129
From the funds in Specific Appropriation 2619, the Department of Highway Safety and Motor Vehicles shall allocate funds as necessary to		

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efficiently manage overtime activities of the Florida Highway Patrol.

2620	SPECIAL CATEGORIES PAYMENT OF DEATH AND DISMEMBERMENT CLAIMS FROM HIGHWAY SAFETY OPERATING TRUST FUND	325,995
2621	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM HIGHWAY SAFETY OPERATING TRUST FUND	6,163,132
2622	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM HIGHWAY SAFETY OPERATING TRUST FUND	1,420,560
2623	SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS FROM HIGHWAY SAFETY OPERATING TRUST FUND	2,162,329
2624	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM HIGHWAY SAFETY OPERATING TRUST FUND	118,460
2625	SPECIAL CATEGORIES MOBILE DATA TERMINAL SYSTEM FROM HIGHWAY SAFETY OPERATING TRUST FUND	1,522,706
2626	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM HIGHWAY SAFETY OPERATING TRUST FUND	722,220
2627	FIXED CAPITAL OUTLAY MAINTENANCE, REPAIRS AND CONSTRUCTION - STATEWIDE FROM HIGHWAY SAFETY OPERATING TRUST FUND	379,000
TOTAL: HIGHWAY SAFETY FROM TRUST FUNDS		239,880,137
TOTAL POSITIONS 2,193.00		
TOTAL ALL FUNDS		239,880,137
EXECUTIVE DIRECTION AND SUPPORT SERVICES		
APPROVED SALARY RATE 1,812,998		
2628	SALARIES AND BENEFITS POSITIONS 24.00 FROM HIGHWAY SAFETY OPERATING TRUST FUND	2,544,992
2629	EXPENSES FROM HIGHWAY SAFETY OPERATING TRUST FUND	257,585
2630	OPERATING CAPITAL OUTLAY FROM HIGHWAY SAFETY OPERATING TRUST FUND	8,000
2631	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM HIGHWAY SAFETY OPERATING TRUST FUND	19,838
2632	SPECIAL CATEGORIES CONTRACTED SERVICES FROM HIGHWAY SAFETY OPERATING TRUST FUND	154,135
From the funds in Specific Appropriation 2632, \$150,000 in		

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nonrecurring funds from the Highway Safety Operating Trust Fund, shall be used by the Department of Highway Safety and Motor Vehicles to contract with the University of South Florida's Center for Urban Transportation Research to conduct a feasibility study to relocate the Florida Highway Patrol Academy, from Gadsden County to Polk County on the property or in the vicinity of the SunTrax facility at the Polytech University Campus. The study will include a cost analysis for the construction of a first class training facility for the Florida Highway Patrol and other law enforcement agencies statewide. This will include dorms, classrooms, cafeteria, administrative building, gymnasium/concourse, firing ranges, shooting and driving simulators, armory, K-9 training area, pursuit course and two driving pads for skid control. The study will include research into grants that are available for this purpose from the federal government. Recommendations shall be due to the Governor, President of the Senate, and Speaker of the House of Representatives on or before December 1, 2017.

2633	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM HIGHWAY SAFETY OPERATING TRUST FUND	7,790
2634	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM HIGHWAY SAFETY OPERATING TRUST FUND	67,399
2635	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM HIGHWAY SAFETY OPERATING TRUST FUND	20,315
2636	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM HIGHWAY SAFETY OPERATING TRUST FUND	3,150
2637	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM HIGHWAY SAFETY OPERATING TRUST FUND	8,002
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM TRUST FUNDS		3,091,206
TOTAL POSITIONS 24.00		
TOTAL ALL FUNDS		3,091,206
COMMERCIAL VEHICLE ENFORCEMENT		
APPROVED SALARY RATE 13,857,891		
2638	SALARIES AND BENEFITS POSITIONS 294.00 FROM HIGHWAY SAFETY OPERATING TRUST FUND	21,615,291
2639	OTHER PERSONAL SERVICES FROM HIGHWAY SAFETY OPERATING TRUST FUND	252,311
2640	EXPENSES FROM HIGHWAY SAFETY OPERATING TRUST FUND	2,684,774
2641	OPERATING CAPITAL OUTLAY FROM HIGHWAY SAFETY OPERATING TRUST FUND	1,729,513
2642	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM HIGHWAY SAFETY OPERATING TRUST FUND	1,508,511

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2643	SPECIAL CATEGORIES CONTRACTED SERVICES FROM HIGHWAY SAFETY OPERATING TRUST FUND	2,106,514
2644	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM HIGHWAY SAFETY OPERATING TRUST FUND	2,079,397
2645	SPECIAL CATEGORIES OVERTIME FROM HIGHWAY SAFETY OPERATING TRUST FUND	2,175,173
2646	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM HIGHWAY SAFETY OPERATING TRUST FUND	825,627
2647	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM HIGHWAY SAFETY OPERATING TRUST FUND	218,240
2648	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM HIGHWAY SAFETY OPERATING TRUST FUND	23,020
2649	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM HIGHWAY SAFETY OPERATING TRUST FUND	94,365
TOTAL: COMMERCIAL VEHICLE ENFORCEMENT FROM TRUST FUNDS		35,312,736
	TOTAL POSITIONS	294.00
	TOTAL ALL FUNDS	35,312,736
PROGRAM: MOTORIST SERVICES		
MOTORIST SERVICES		
	APPROVED SALARY RATE	51,118,582
2650	SALARIES AND BENEFITS POSITIONS FROM HIGHWAY SAFETY OPERATING TRUST FUND FROM FEDERAL GRANTS TRUST FUND FROM GAS TAX COLLECTION TRUST FUND	1,488.00 70,447,883 190,119 3,182,567
2651	OTHER PERSONAL SERVICES FROM HIGHWAY SAFETY OPERATING TRUST FUND FROM FEDERAL GRANTS TRUST FUND FROM GAS TAX COLLECTION TRUST FUND	871,277 422,862 11,443
2652	EXPENSES FROM HIGHWAY SAFETY OPERATING TRUST FUND FROM FEDERAL GRANTS TRUST FUND FROM GAS TAX COLLECTION TRUST FUND	11,202,912 390,335 330,509

The Department of Highway Safety and Motor Vehicles shall appoint an official inspector to conduct an audit of independent entities as defined in section 319.30(1)(g), Florida Statutes, and motor vehicle brokers as defined in section 320.27(1)(d), Florida Statutes, to ascertain compliance with licensing requirements of motor vehicle buyers pursuant to section 320.27(1)(c), Florida Statutes, and submit a report on the compliance of current statutes to the Governor, President of the Senate, and Speaker of the House of Representatives by December 30, 2017. The report shall provide examples of specific violations,

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estimated number of violations, and recommendation of the Department of Highway Safety and Motor Vehicles.		
2653	OPERATING CAPITAL OUTLAY FROM HIGHWAY SAFETY OPERATING TRUST FUND FROM FEDERAL GRANTS TRUST FUND FROM GAS TAX COLLECTION TRUST FUND	335,366 538,230 5,001
2654	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM HIGHWAY SAFETY OPERATING TRUST FUND	510,000
2655	SPECIAL CATEGORIES GRANTS AND AIDS - SAFETY DATA IMPROVEMENT GRANT PROGRAM FROM FEDERAL GRANTS TRUST FUND	67,619
2656	SPECIAL CATEGORIES CONTRACTED SERVICES FROM HIGHWAY SAFETY OPERATING TRUST FUND FROM FEDERAL GRANTS TRUST FUND FROM GAS TAX COLLECTION TRUST FUND	3,774,759 369,401 3,040
From the nonrecurring funds in Specific Appropriation 2656, \$150,000 is provided to the Department of Highway Safety and Motor Vehicles to establish and implement, in collaboration with the Agency for State Technology, secure and uniform protocols and standards for issuing an optional digital proof of a driver license, as provided in section 327.032, Florida Statutes, and procure any application programming necessary for enabling a private entity to securely manufacture a digital proof of a driver license. The department may contract with one or more private entities to develop a digital proof of a driver license system.		
2657	SPECIAL CATEGORIES DOMESTIC SECURITY FROM FEDERAL GRANTS TRUST FUND	270,000
2658	SPECIAL CATEGORIES AUTOMATED UNIFORM TRAFFIC ACCOUNTING SYSTEM FROM HIGHWAY SAFETY OPERATING TRUST FUND	913,905
2659	SPECIAL CATEGORIES PAYMENT TO OUTSIDE CONTRACTOR FROM HIGHWAY SAFETY OPERATING TRUST FUND	6,049,454
2660	SPECIAL CATEGORIES PURCHASE OF DRIVER LICENSES FROM HIGHWAY SAFETY OPERATING TRUST FUND	11,088,304
2661	SPECIAL CATEGORIES GRANTS AND AIDS - PURCHASE OF LICENSE PLATES FROM HIGHWAY SAFETY OPERATING TRUST FUND	9,575,197
2662	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM HIGHWAY SAFETY OPERATING TRUST FUND FROM GAS TAX COLLECTION TRUST FUND	1,461,274 63,278
2663	SPECIAL CATEGORIES TENANT BROKER COMMISSIONS FROM HIGHWAY SAFETY OPERATING TRUST FUND	159,804

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2664	SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS FROM HIGHWAY SAFETY OPERATING TRUST FUND	238,586	
2665	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM HIGHWAY SAFETY OPERATING TRUST FUND FROM GAS TAX COLLECTION TRUST FUND .	134,488 11,000	
2666	SPECIAL CATEGORIES TRANSFER TO TRANSPORTATION SECURITY ADMINISTRATION AND FLORIDA DEPARTMENT OF LAW ENFORCEMENT FOR BACKGROUND CHECKS FROM HIGHWAY SAFETY OPERATING TRUST FUND	1,105,556	
2667	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM HIGHWAY SAFETY OPERATING TRUST FUND	547,221	
2668	FIXED CAPITAL OUTLAY MAINTENANCE, REPAIRS AND CONSTRUCTION - STATEWIDE FROM HIGHWAY SAFETY OPERATING TRUST FUND	256,700	
TOTAL:	MOTORIST SERVICES FROM TRUST FUNDS	124,528,090	
	TOTAL POSITIONS	1,488.00	
	TOTAL ALL FUNDS	124,528,090	
PROGRAM: INFORMATION SERVICES ADMINISTRATION			
INFORMATION SERVICES ADMINISTRATION			
	APPROVED SALARY RATE	8,454,115	
2669	SALARIES AND BENEFITS POSITIONS FROM HIGHWAY SAFETY OPERATING TRUST FUND	163.00 11,306,596	
2670	OTHER PERSONAL SERVICES FROM HIGHWAY SAFETY OPERATING TRUST FUND	265,358	
2671	EXPENSES FROM HIGHWAY SAFETY OPERATING TRUST FUND FROM GAS TAX COLLECTION TRUST FUND . FROM LAW ENFORCEMENT TRUST FUND . .	4,809,361 213,265 3,752	
2672	OPERATING CAPITAL OUTLAY FROM HIGHWAY SAFETY OPERATING TRUST FUND	358,606	
2673	SPECIAL CATEGORIES CONTRACTED SERVICES FROM HIGHWAY SAFETY OPERATING TRUST FUND FROM GAS TAX COLLECTION TRUST FUND .	19,789,426 17,333	
2674	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM HIGHWAY SAFETY OPERATING TRUST FUND	49,716	
2675	SPECIAL CATEGORIES TAX COLLECTOR NETWORK - COUNTY SYSTEMS FROM HIGHWAY SAFETY OPERATING TRUST FUND	4,822,917	

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2676	SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS FROM HIGHWAY SAFETY OPERATING TRUST FUND	2,696,829	
2677	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM HIGHWAY SAFETY OPERATING TRUST FUND	10,607	
2678	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM HIGHWAY SAFETY OPERATING TRUST FUND	58,567	
2679A	DATA PROCESSING SERVICES DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY FROM HIGHWAY SAFETY OPERATING TRUST FUND	6,436,244	
2680	DATA PROCESSING SERVICES NORTHWEST REGIONAL DATA CENTER (NWRDC) FROM HIGHWAY SAFETY OPERATING TRUST FUND	740,751	
TOTAL:	INFORMATION SERVICES ADMINISTRATION FROM TRUST FUNDS	51,579,328	
	TOTAL POSITIONS	163.00	
	TOTAL ALL FUNDS	51,579,328	
TOTAL:	HIGHWAY SAFETY AND MOTOR VEHICLES, DEPARTMENT OF FROM TRUST FUNDS	477,006,861	
	TOTAL POSITIONS	4,414.00	
	TOTAL ALL FUNDS	477,006,861	
	TOTAL APPROVED SALARY RATE	194,119,931	
LEGISLATIVE BRANCH			
SENATE			
2681	LUMP SUM SENATE FROM GENERAL REVENUE FUND	52,700,096	
HOUSE OF REPRESENTATIVES			
2682	LUMP SUM HOUSE FROM GENERAL REVENUE FUND	59,945,463	
LEGISLATIVE SUPPORT SERVICES			
2683	LUMP SUM LEGISLATIVE SUPPORT SERVICES - SENATE FROM GENERAL REVENUE FUND FROM GRANTS AND DONATIONS TRUST FUND FROM LEGISLATIVE LOBBYIST REGISTRATION TRUST FUND	24,560,079 1,001,282 151,670	
2684	LUMP SUM LEGISLATIVE SUPPORT SERVICES - HOUSE FROM GENERAL REVENUE FUND FROM GRANTS AND DONATIONS TRUST FUND FROM LEGISLATIVE LOBBYIST REGISTRATION TRUST FUND	24,663,280 985,102 147,005	
2685	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	358,054	

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FROM GRANTS AND DONATIONS TRUST FUND	2,242	
FROM LEGISLATIVE LOBBYIST REGISTRATION TRUST FUND	280	
TOTAL: LEGISLATIVE SUPPORT SERVICES FROM GENERAL REVENUE FUND	49,581,413	2,287,581
FROM TRUST FUNDS		51,868,994
TOTAL ALL FUNDS		

OFFICE OF PUBLIC COUNSEL

2686 LUMP SUM PUBLIC COUNSEL FROM GENERAL REVENUE FUND	2,455,124	
2687 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	2,406	
TOTAL: OFFICE OF PUBLIC COUNSEL FROM GENERAL REVENUE FUND	2,457,530	
TOTAL ALL FUNDS		2,457,530

ETHICS, COMMISSION ON

2688 LUMP SUM LOBBY REGISTRATION FROM EXECUTIVE BRANCH LOBBY REGISTRATION TRUST FUND	221,136	
2689 LUMP SUM ETHICS COMMISSION FROM GENERAL REVENUE FUND	2,504,941	
2690 SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM GENERAL REVENUE FUND	22,045	
2691 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	3,388	
FROM EXECUTIVE BRANCH LOBBY REGISTRATION TRUST FUND	280	
TOTAL: ETHICS, COMMISSION ON FROM GENERAL REVENUE FUND	2,530,374	221,416
FROM TRUST FUNDS		2,751,790
TOTAL ALL FUNDS		

AUDITOR GENERAL

2692 LUMP SUM AUDITOR GENERAL FROM GENERAL REVENUE FUND	36,494,358	
2693 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	58,160	
TOTAL: AUDITOR GENERAL FROM GENERAL REVENUE FUND	36,552,518	
TOTAL ALL FUNDS		36,552,518

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TOTAL: LEGISLATIVE BRANCH FROM GENERAL REVENUE FUND	203,767,394	
FROM TRUST FUNDS		2,508,997
TOTAL ALL FUNDS		206,276,391

LOTTERY, DEPARTMENT OF THE

PROGRAM: LOTTERY OPERATIONS

APPROVED SALARY RATE	17,899,646	
2694 SALARIES AND BENEFITS POSITIONS FROM OPERATING TRUST FUND	420.00	27,685,257
2695 OTHER PERSONAL SERVICES FROM OPERATING TRUST FUND		200,000
2696 EXPENSES FROM OPERATING TRUST FUND		6,253,752
2697 OPERATING CAPITAL OUTLAY FROM OPERATING TRUST FUND		799,687
2698 SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM OPERATING TRUST FUND		340,000
2699 SPECIAL CATEGORIES CONTRACTED SERVICES FROM OPERATING TRUST FUND		3,722,204
2700 SPECIAL CATEGORIES INSTANT TICKET PURCHASE FROM OPERATING TRUST FUND		51,597,164

The Department of the Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2700, in the event instant ticket sales are greater than the projected sales used to calculate the amount appropriated.

2701 SPECIAL CATEGORIES ADVERTISING AGENCY FEES FROM OPERATING TRUST FUND		3,237,939
2702 SPECIAL CATEGORIES PAID ADVERTISING AND PROMOTION FROM OPERATING TRUST FUND		36,312,514

From the funds provided in Specific Appropriation 2702, the Department of the Lottery shall not expend in excess of \$200,000 for the development, publication, and distribution of any report by the department for the purpose of carrying out the provisions of section 24.1215, Florida Statutes.

2703 SPECIAL CATEGORIES TERMINAL GAMES FEES FROM OPERATING TRUST FUND		26,646,545

The Department of the Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2703 in the event terminal sales are greater than the projected sales used to calculate the amount appropriated.

The Department of the Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2703 to acquire up to 500 additional ticket terminals. Prior to the submission of any budget amendment that increases the size of the lottery retailer network, the Revenue Estimating Conference shall determine if sales will increase sufficiently to cover the cost of the terminals, offset any losses to the existing network, and generate additional revenue that benefits the state. The budget amendments will be contingent upon the department's submission of a plan that includes not only a positive Revenue Estimating Conference impact analysis, but also identifies the specific terminal needs and a plan for distribution of the additional terminals.

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2706	SPECIAL CATEGORIES RETAILER INCENTIVES FROM OPERATING TRUST FUND	2,325,000	
2706A	SPECIAL CATEGORIES LOTTERY VENDING MACHINES FROM OPERATING TRUST FUND	7,950,600	
2707	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM OPERATING TRUST FUND	346,697	
2708	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM OPERATING TRUST FUND	14,060	
2709	SPECIAL CATEGORIES CONTRACTED LEGAL SERVICES FROM OPERATING TRUST FUND	120,000	
2710	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM OPERATING TRUST FUND	225,000	
2711	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM OPERATING TRUST FUND	141,661	
2712A	DATA PROCESSING SERVICES DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY FROM OPERATING TRUST FUND	25,598	
TOTAL:	PROGRAM: LOTTERY OPERATIONS FROM TRUST FUNDS	167,943,678	
	TOTAL POSITIONS	420.00	
	TOTAL ALL FUNDS	167,943,678	
TOTAL:	LOTTERY, DEPARTMENT OF THE FROM TRUST FUNDS	167,943,678	
	TOTAL POSITIONS	420.00	
	TOTAL ALL FUNDS	167,943,678	
	TOTAL APPROVED SALARY RATE	17,899,646	

MANAGEMENT SERVICES, DEPARTMENT OF

No funds are appropriated in Specific Appropriations 2713 through 2915 and sections 61, 62, 63, 64, and 65, for the payment of rent, lease, or possession of space for offices or any other purpose or use at Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida, pursuant to State of Florida Lease No. 720:0139, or any other lease, on behalf of any department or agency of the State of Florida by the Department of Management Services, notwithstanding any lease or contract to the contrary. The Department of Management Services is prohibited from expending any specific appropriation from the General Revenue Fund, any trust fund or from any other source for the rent, lease, or possession of any space for offices or other purpose or use at Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida, pursuant to State of Florida Lease No. 720:0139, or any other lease.

PROGRAM: ADMINISTRATION PROGRAM

EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE	5,061,599	
2713	SALARIES AND BENEFITS POSITIONS	80.00	
	FROM GENERAL REVENUE FUND	163,024	
	FROM ADMINISTRATIVE TRUST FUND		6,968,291
2714	OTHER PERSONAL SERVICES FROM ADMINISTRATIVE TRUST FUND		83,164

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2715	EXPENSES FROM GENERAL REVENUE FUND	41,497	695,893
	FROM ADMINISTRATIVE TRUST FUND		
2716	OPERATING CAPITAL OUTLAY FROM ADMINISTRATIVE TRUST FUND		9,688
2717	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM ADMINISTRATIVE TRUST FUND		48,330
2718	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	51,680	208,112
	FROM ADMINISTRATIVE TRUST FUND		50,000
	FROM OPERATING TRUST FUND		
2719	SPECIAL CATEGORIES MAIL SERVICES FROM ADMINISTRATIVE TRUST FUND		58,004
2720	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ADMINISTRATIVE TRUST FUND		14,096
2721	SPECIAL CATEGORIES CONTRACTED LEGAL SERVICES FROM ADMINISTRATIVE TRUST FUND		891,000
2722	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM ADMINISTRATIVE TRUST FUND		14,427
2723	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ADMINISTRATIVE TRUST FUND		29,777
2724A	DATA PROCESSING SERVICES DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY FROM GENERAL REVENUE FUND	30,103	318,986
	FROM ADMINISTRATIVE TRUST FUND		
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM GENERAL REVENUE FUND	286,304	9,389,768
	FROM TRUST FUNDS		
	TOTAL POSITIONS	80.00	
	TOTAL ALL FUNDS		9,676,072

STATE EMPLOYEE LEASING

	APPROVED SALARY RATE	62,359	
2725	SALARIES AND BENEFITS POSITIONS	1.00	85,778
	FROM ADMINISTRATIVE TRUST FUND		
2726	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ADMINISTRATIVE TRUST FUND		755
TOTAL:	STATE EMPLOYEE LEASING FROM TRUST FUNDS		86,533
	TOTAL POSITIONS	1.00	
	TOTAL ALL FUNDS		86,533

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PROGRAM: FACILITIES PROGRAM

FACILITIES MANAGEMENT

	APPROVED SALARY RATE	9,288,042		
2727	SALARIES AND BENEFITS FROM SUPERVISION TRUST FUND	256.50	13,648,750	
2728	OTHER PERSONAL SERVICES FROM SUPERVISION TRUST FUND		267,000	
2729	EXPENSES FROM SUPERVISION TRUST FUND		5,176,035	
2730	OPERATING CAPITAL OUTLAY FROM SUPERVISION TRUST FUND		73,727	
2731	SPECIAL CATEGORIES TRANSFER TO THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT - CAPITOL POLICE FROM SUPERVISION TRUST FUND		6,721,055	
2732	SPECIAL CATEGORIES CONTRACTED SERVICES FROM SUPERVISION TRUST FUND		10,474,427	
2733	SPECIAL CATEGORIES DEPARTMENT OF MANAGEMENT SERVICES PROVISIONS FOR FACILITIES SECURITY FROM SUPERVISION TRUST FUND		1,148,387	
2734	SPECIAL CATEGORIES INTERIOR REFURBISHMENT - LEASE SPACE FROM SUPERVISION TRUST FUND		1,931,819	
2735	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM SUPERVISION TRUST FUND		205,727	
2736	SPECIAL CATEGORIES STATE UTILITY PAYMENTS FROM SUPERVISION TRUST FUND		15,311,129	
The Department of Management Services is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2736 in the event utility costs exceed the amount appropriated.				
2737	SPECIAL CATEGORIES SHARED SAVINGS PAYMENTS FOR ENERGY EFFICIENCY UPGRADES FROM SUPERVISION TRUST FUND		250,000	
2738	SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS FROM SUPERVISION TRUST FUND		1,657,550	
2739	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM SUPERVISION TRUST FUND		97,570	
2740	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM SUPERVISION TRUST FUND		78,437	
2741	SPECIAL CATEGORIES STATE CAPITOL - MAINTENANCE AND REPAIRS FROM SUPERVISION TRUST FUND		50,000	
2742A	DATA PROCESSING SERVICES DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY FROM SUPERVISION TRUST FUND		418,945	

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2742B	FIXED CAPITAL OUTLAY CONSTRUCTION OF FLORIDA DEPARTMENT OF LAW ENFORCEMENT REGIONAL FACILITY - NORTHWEST FLORIDA - DMS MGD FROM PUBLIC FACILITIES FINANCING TRUST FUND		26,500,000	
Funds in Specific Appropriation 2742B are provided to the Department of Management Services for site development and construction of the Florida Department of Law Enforcement Pensacola Regional Operations Center on a site adjacent to the Chappie James Building in Pensacola, Florida. The facility shall be constructed to a sustainable building rating or a national model green building code.				
2743	FIXED CAPITAL OUTLAY COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT FROM GENERAL REVENUE FUND		1,814,047	
Funds in Specific Appropriations 2743 through 2745 shall be held in reserve contingent upon the submission of a project plan to the chair of the Senate Appropriations Committee, the chair of the House Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget detailing the request for building repair, code correction, and other deficiency projects. The project plan must include all high priority deficiency issues and all issues affecting life, health and safety. The project plan shall also include the facility, location and estimated cost for each project and shall be submitted by August 1, 2017. The Department of Management Services shall request the release of funds pursuant to the provisions of chapter 216, Florida Statutes.				
2744	FIXED CAPITAL OUTLAY LIFE SAFETY CODE COMPLIANCE PROJECTS STATEWIDE - DMS MGD FROM GENERAL REVENUE FUND		4,450,000	
2745	FIXED CAPITAL OUTLAY STATEWIDE CAPITAL DEPRECIATION - GENERAL - DMS MGD FROM GENERAL REVENUE FUND FROM SUPERVISION TRUST FUND		18,914,148	9,747,011
2746	FIXED CAPITAL OUTLAY DEBT SERVICE FROM FLORIDA FACILITIES POOL CLEARING TRUST FUND			26,778,494
2746A	FIXED CAPITAL OUTLAY DEBT SERVICE NEW ISSUES FROM GENERAL REVENUE FUND		1,715,000	
TOTAL: FACILITIES MANAGEMENT			26,893,195	
FROM GENERAL REVENUE FUND				120,536,063
FROM TRUST FUNDS				
TOTAL POSITIONS		256.50		
TOTAL ALL FUNDS			147,429,258	
BUILDING CONSTRUCTION				
Funds provided in Specific Appropriations 2747 through 2753A from the Architects Incidental Trust Fund are based on an assessment against each fixed capital outlay appropriation in which the Department of Management Services serves as the owner-representative on behalf of the state. The assessments for appropriations made for the 2017-2018 fiscal year shall be calculated in accordance with the formula submitted by the Department of Management Services to the Executive Office of the Governor on October 7, 1991, as required by chapter 91-193, Laws of Florida.				
	APPROVED SALARY RATE	610,435		
2747	SALARIES AND BENEFITS FROM ARCHITECTS INCIDENTAL TRUST FUND	11.00		860,750

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2748	EXPENSES FROM ARCHITECTS INCIDENTAL TRUST FUND	122,002	
2749	SPECIAL CATEGORIES CONTRACTED SERVICES FROM ARCHITECTS INCIDENTAL TRUST FUND	46,341	
2750	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ARCHITECTS INCIDENTAL TRUST FUND	2,725	
2751	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM ARCHITECTS INCIDENTAL TRUST FUND	1,613	
2752	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ARCHITECTS INCIDENTAL TRUST FUND	3,498	
2753A	DATA PROCESSING SERVICES DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY FROM ARCHITECTS INCIDENTAL TRUST FUND	9,845	
TOTAL:	BUILDING CONSTRUCTION FROM TRUST FUNDS	1,046,774	
	TOTAL POSITIONS		11.00
	TOTAL ALL FUNDS	1,046,774	
PROGRAM: SUPPORT PROGRAM			
FEDERAL PROPERTY ASSISTANCE			
	APPROVED SALARY RATE	148,876	
2754	SALARIES AND BENEFITS POSITIONS FROM SURPLUS PROPERTY REVOLVING TRUST FUND	253,855	5.00
2755	EXPENSES FROM SURPLUS PROPERTY REVOLVING TRUST FUND	82,938	
2756	SPECIAL CATEGORIES CONTRACTED SERVICES FROM SURPLUS PROPERTY REVOLVING TRUST FUND	6,379	
2757	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM SURPLUS PROPERTY REVOLVING TRUST FUND	1,351	
2758	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM SURPLUS PROPERTY REVOLVING TRUST FUND	1,437	
2759A	DATA PROCESSING SERVICES DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY FROM SURPLUS PROPERTY REVOLVING TRUST FUND	1,862	

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TOTAL:	FEDERAL PROPERTY ASSISTANCE FROM TRUST FUNDS	347,822	
	TOTAL POSITIONS		5.00
	TOTAL ALL FUNDS	347,822	
MOTOR VEHICLE AND WATERCRAFT MANAGEMENT			
	APPROVED SALARY RATE	339,995	
2760	SALARIES AND BENEFITS POSITIONS FROM OPERATING TRUST FUND	502,445	6.00
2761	EXPENSES FROM OPERATING TRUST FUND	58,708	
2762	SPECIAL CATEGORIES CONTRACTED SERVICES FROM OPERATING TRUST FUND	453,295	
From the funds in Specific Appropriation 2762, the Department of Management Services shall procure a commercially available solution to support a centralized Fleet Management Information System with the capacity to manage all state-owned and leased equipment pursuant to section 287.16, Florida Statutes. The solution shall replace the existing fleet management application with a solution that, at a minimum, shall have the capability to: a) manage the state-owned and leased fleet, including all equipment currently required to be tracked and the ability to track optional equipment such as heavy trucks, tractors, trailers, forklifts, heavy equipment, marine engines, and other mobile equipment; b) provide the ability to monitor and report utilization of the fleet; c) provide centralized motor vehicle replacement planning and budgeting; d) facilitate an optimized fleet acquisition process; e) manage and maintain records of the maintenance and repair of the fleet; f) monitor and manage the disposal of fleet assets; and g) provide a standard methodology for reporting fuel data. All agencies utilizing the existing fleet management application or assessed service charges for required assets will be required to transition to the new Fleet Management Information System. Additionally, the Department of Management Services shall contract with a third party consulting firm with experience in conducting independent verification and validation assessments to provide independent verification and validation for the Fleet Management Information System replacement. The contract for independent verification and validation assessment shall not exceed \$100,000. The Department of Management Services shall provide written, quarterly project status reports with the first report due on September 30, 2017, to the chair of the Senate Appropriations Committee, the chair of the House Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget.			
2763	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM OPERATING TRUST FUND	863	
2764	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM OPERATING TRUST FUND	1,247	
2765	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM OPERATING TRUST FUND	2,589	
2766	SPECIAL CATEGORIES PAYMENT OF EXPENSES FROM SALE OF AGENCY VEHICLES FROM OPERATING TRUST FUND	695,000	
2767A	DATA PROCESSING SERVICES DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY FROM OPERATING TRUST FUND	135,917	

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TOTAL: MOTOR VEHICLE AND WATERCRAFT MANAGEMENT
FROM TRUST FUNDS 1,850,064

TOTAL POSITIONS 6.00
TOTAL ALL FUNDS 1,850,064

PURCHASING OVERSIGHT

From the funds provided in Specific Appropriations 2768 through 2780A, the Department of Management Services may establish state term contracts for airline travel, from multiple providers, for travel by state employees traveling to and from Tallahassee.

	APPROVED SALARY RATE	2,945,928		
2768	SALARIES AND BENEFITS	POSITIONS	49.00	
	FROM OPERATING TRUST FUND			4,088,522
2769	OTHER PERSONAL SERVICES			
	FROM OPERATING TRUST FUND			10,000
2770	EXPENSES			
	FROM OPERATING TRUST FUND			391,418
2771	OPERATING CAPITAL OUTLAY			
	FROM OPERATING TRUST FUND			15,859
2772	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM OPERATING TRUST FUND			88,847
2773	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM OPERATING TRUST FUND			9,469
2774	SPECIAL CATEGORIES			
	CONTRACTED LEGAL SERVICES			
	FROM OPERATING TRUST FUND			30,000
2775	SPECIAL CATEGORIES			
	WEB-BASED E-PROCUREMENT SYSTEM			
	FROM OPERATING TRUST FUND			10,509,600

From the funds in Specific Appropriation 2775, the Department of Management Services shall prepare an annual report on the utilization of the MyFloridaMarketPlace System. The report shall include, but not be limited to: the utilization by agency, plans for increasing utilization of the MyFloridaMarketPlace System, the amount of funds spent by agency, and the estimated return on investment for the MyFloridaMarketPlace System. The annual report shall be provided to the President of the Senate, the Speaker of the House of Representatives, and the Executive Office of the Governor's Office of Policy and Budget. The Department of Management Services shall submit the report by June 30, 2018.

2776	SPECIAL CATEGORIES			
	PROJECT MANAGEMENT PROFESSIONAL - TRAINING			
	FROM OPERATING TRUST FUND			60,000
2777	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM OPERATING TRUST FUND			4,000
2778	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT			
	SERVICES - HUMAN RESOURCES SERVICES			
	PURCHASED PER STATEWIDE CONTRACT			
	FROM OPERATING TRUST FUND			14,905
2779	SPECIAL CATEGORIES			
	TRANSFER TO THE DEPARTMENT OF FINANCIAL			
	SERVICES			
	FROM OPERATING TRUST FUND			3,000,000

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2780A DATA PROCESSING SERVICES
DATA PROCESSING ASSESSMENT - AGENCY FOR
STATE TECHNOLOGY
FROM OPERATING TRUST FUND 194,456

TOTAL: PURCHASING OVERSIGHT
FROM TRUST FUNDS 18,417,076

TOTAL POSITIONS 49.00
TOTAL ALL FUNDS 18,417,076

OFFICE OF SUPPLIER DIVERSITY

	APPROVED SALARY RATE	214,984		
2781	SALARIES AND BENEFITS	POSITIONS	6.00	
	FROM OPERATING TRUST FUND			342,591
2782	EXPENSES			
	FROM OPERATING TRUST FUND			55,641
2783	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM OPERATING TRUST FUND			11,573
2784	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM OPERATING TRUST FUND			840
2785	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT			
	SERVICES - HUMAN RESOURCES SERVICES			
	PURCHASED PER STATEWIDE CONTRACT			
	FROM OPERATING TRUST FUND			3,087
2786A	DATA PROCESSING SERVICES			
	DATA PROCESSING ASSESSMENT - AGENCY FOR			
	STATE TECHNOLOGY			
	FROM OPERATING TRUST FUND			14,187
TOTAL:	OFFICE OF SUPPLIER DIVERSITY			
	FROM TRUST FUNDS			427,919
	TOTAL POSITIONS		6.00	
	TOTAL ALL FUNDS			427,919

PRIVATE PRISON MONITORING

	APPROVED SALARY RATE	772,221		
2787	SALARIES AND BENEFITS	POSITIONS	15.00	
	FROM GENERAL REVENUE FUND			1,019,678
	FROM OPERATING TRUST FUND			93,987
2788	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND			15,200
2789	EXPENSES			
	FROM GENERAL REVENUE FUND			76,046
	FROM OPERATING TRUST FUND			18,221
2790	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND			3,890
2791	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND			11,556
2792	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND			7,333
2793	SPECIAL CATEGORIES			
	CONTRACTED LEGAL SERVICES			
	FROM GENERAL REVENUE FUND			23,169

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2794	SPECIAL CATEGORIES ADMINISTRATIVE OVERHEAD FROM GENERAL REVENUE FUND	113,489	
2795	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	2,767	
2796	SPECIAL CATEGORIES PRIVATE PRISONS - MAINTENANCE AND REPAIR REIMBURSEMENT FROM OPERATING TRUST FUND	1,500,000	
2797	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM OPERATING TRUST FUND	4,516	387
2798A	DATA PROCESSING SERVICES DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY FROM GENERAL REVENUE FUND	9,056	
2799	FIXED CAPITAL OUTLAY FACILITIES REPAIRS AND MAINTENANCE FROM OPERATING TRUST FUND	1,131,489	
TOTAL:	PRIVATE PRISON MONITORING FROM GENERAL REVENUE FUND FROM TRUST FUNDS	1,286,700	2,744,084
	TOTAL POSITIONS	15.00	
	TOTAL ALL FUNDS		4,030,784

WORKFORCE PROGRAMS

PROGRAM: INSURANCE BENEFITS ADMINISTRATION

	APPROVED SALARY RATE	1,274,447	
2800	SALARIES AND BENEFITS POSITIONS FROM PRETAX BENEFITS TRUST FUND . . FROM STATE EMPLOYEES LIFE INSURANCE TRUST FUND FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND FROM STATE EMPLOYEES DISABILITY INSURANCE TRUST FUND	22.00	386,698 21,845 1,394,016 28,595
2801	OTHER PERSONAL SERVICES FROM PRETAX BENEFITS TRUST FUND . . FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND		14,935 142,027
2802	EXPENSES FROM PRETAX BENEFITS TRUST FUND . . FROM STATE EMPLOYEES LIFE INSURANCE TRUST FUND FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND FROM STATE EMPLOYEES DISABILITY INSURANCE TRUST FUND		47,531 1,984 294,096 2,875
2803	OPERATING CAPITAL OUTLAY FROM PRETAX BENEFITS TRUST FUND . . FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND		10,000 8,000
2804	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND		40,275

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2805	SPECIAL CATEGORIES POST PAYMENT CLAIMS AUDIT SERVICES FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND	400,000	
The Department of Management Services is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2805 in the event the contractor identifies claim overpayments that result in compensation that exceeds the amount appropriated.			
2806	SPECIAL CATEGORIES CONTRACTED SERVICES FROM PRETAX BENEFITS TRUST FUND . . FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND	348,505	2,159,157
From the funds provided in Specific Appropriation 2806, the Department of Management Services shall use certified or licensed professionals who are providing solicited services to other clients when contracting with benefit or actuarial consultants.			
From the funds in Specific Appropriation 2806, up to \$1,000,000 from the State Employee Health Insurance Trust Fund may be used for third-party eligibility verification services to review documentation that independently substantiates the relationship between enrollees of the State Group Health Insurance Program and their spouses and child dependents pursuant to the program's eligibility requirements.			
From the funds in Specific Appropriation 2806, \$60,000 from the State Employee Health Insurance Trust Fund shall be used to procure a system for document imaging, workflow, retrieval, and cloud-based storage for the dependent documentation approval process.			
2807	SPECIAL CATEGORIES ADMINISTRATIVE SERVICES ONLY CONTRACT FOR HEALTH INSURANCE FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND	51,100,000	
The Department of Management Services is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2807 in the event administrative service payments for health insurance exceed the amount appropriated.			
2808	SPECIAL CATEGORIES PRESCRIPTION DRUG CLAIMS ADMINISTRATION FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND	4,406,020	
2809	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM PRETAX BENEFITS TRUST FUND . . FROM STATE EMPLOYEES LIFE INSURANCE TRUST FUND FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND	1,461	382 9,138
2810	SPECIAL CATEGORIES CONTRACTED LEGAL SERVICES FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND	50,000	
2811	SPECIAL CATEGORIES PAYMENT OF EMPLOYER CONTRIBUTIONS TO HEALTH SAVINGS ACCOUNT CUSTODIAN FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND	1,508,000	
2812	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND	6,435	

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2813	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM PRETAX BENEFITS TRUST FUND . . . FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND	3,729 10,647
2814A	DATA PROCESSING SERVICES DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY FROM PRETAX BENEFITS TRUST FUND . . . FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND	 3,597 11,197
TOTAL:	PROGRAM: INSURANCE BENEFITS ADMINISTRATION FROM TRUST FUNDS	 62,411,145
	TOTAL POSITIONS 22.00	
	TOTAL ALL FUNDS	62,411,145

PROGRAM: RETIREMENT BENEFITS ADMINISTRATION

APPROVED SALARY RATE 7,771,117

2815	SALARIES AND BENEFITS POSITIONS 192.00 FROM GENERAL REVENUE FUND 817,118 FROM OPERATING TRUST FUND FROM OPTIONAL RETIREMENT PROGRAM TRUST FUND FROM POLICE AND FIREFIGHTER'S PREMIUM TAX TRUST FUND FROM RETIREE HEALTH INSURANCE SUBSIDY TRUST FUND	 9,901,019 207,505 813,350 131,793

From the funds provided in Specific Appropriation 2815, the Department of Management Services shall expend available cash balances from the Police and Firefighter's Premium Tax Trust Fund prior to the use of general revenue funds.

Funds provided in Specific Appropriations 2815 through 2825 from the Optional Retirement Program Trust Fund are based on an assessment of .01 percent of the participants' salaries and shall be used only for administration of the Optional Retirement Program.

2816	OTHER PERSONAL SERVICES FROM OPERATING TRUST FUND	 231,029
2817	EXPENSES FROM OPERATING TRUST FUND FROM OPTIONAL RETIREMENT PROGRAM TRUST FUND FROM POLICE AND FIREFIGHTER'S PREMIUM TAX TRUST FUND FROM RETIREE HEALTH INSURANCE SUBSIDY TRUST FUND	 2,627,066 28,011 83,389 17,817
2818	OPERATING CAPITAL OUTLAY FROM OPERATING TRUST FUND	 100,000
2819	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM OPERATING TRUST FUND	 17,382
2820	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND 65,500 FROM OPERATING TRUST FUND FROM OPTIONAL RETIREMENT PROGRAM TRUST FUND FROM POLICE AND FIREFIGHTER'S PREMIUM TAX TRUST FUND FROM RETIREE HEALTH INSURANCE SUBSIDY TRUST FUND	 7,685,724 26,000 212,055 40,000

Funds in Specific Appropriation 2820 are provided for the completion

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of the competitive procurement and contract award for the continued outsourced support of the maintenance and enhancements of all existing applications supporting the Florida Retirement System (FRS). The department is authorized to award a multi-year contract for the FRS applications support. Of these funds, \$2,092,936 shall be placed in reserve. Contingent upon the submission of the signed contract for the ongoing support of the FRS applications, the Department of Management Services is authorized to submit a budget amendment to release the funds in reserve.

From the funds in Specific Appropriation 2820, \$1,418,207 shall be placed in reserve. The funds may be released upon the completion of the competitive procurement for the administration of the retirement system should a new service provider be chosen. The funds shall be used to support costs necessary to transition all components related to the system and support to a new service provider. The department may submit budget amendments for the release of these funds in accordance with chapter 216, Florida Statutes.

2821	SPECIAL CATEGORIES OVERTIME FROM OPERATING TRUST FUND	 122,571
2822	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM OPERATING TRUST FUND	 63,906
2823	SPECIAL CATEGORIES CONTRACTED LEGAL SERVICES FROM OPERATING TRUST FUND	 148,891
2824	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM OPERATING TRUST FUND FROM POLICE AND FIREFIGHTER'S PREMIUM TAX TRUST FUND	 23,571 2,000
2825	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND 309 FROM OPERATING TRUST FUND FROM OPTIONAL RETIREMENT PROGRAM TRUST FUND FROM POLICE AND FIREFIGHTER'S PREMIUM TAX TRUST FUND FROM RETIREE HEALTH INSURANCE SUBSIDY TRUST FUND	 51,264 1,220 3,831 1,017
2826A	DATA PROCESSING SERVICES DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY FROM OPERATING TRUST FUND	 442,034
2827	PENSIONS AND BENEFITS DISABILITY BENEFITS TO JUSTICES AND JUDGES FROM GENERAL REVENUE FUND	 1,179,340
2828	PENSIONS AND BENEFITS FLORIDA NATIONAL GUARD FROM GENERAL REVENUE FUND	 15,914,898
2829	PENSIONS AND BENEFITS STATE OFFICERS AND EMPLOYEES (NON- CONTRIBUTORY) FROM GENERAL REVENUE FUND	 299,825
TOTAL:	PROGRAM: RETIREMENT BENEFITS ADMINISTRATION FROM GENERAL REVENUE FUND 18,276,990 FROM TRUST FUNDS	 22,982,445
	TOTAL POSITIONS 192.00	
	TOTAL ALL FUNDS	41,259,435

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PROGRAM: STATE PERSONNEL POLICY ADMINISTRATION

APPROVED SALARY RATE	1,144,080	
2830 SALARIES AND BENEFITS POSITIONS 17.00		
FROM STATE PERSONNEL SYSTEM TRUST FUND		1,514,748

Funds provided in Specific Appropriations 2830 through 2838A from the State Personnel System Trust Fund are based upon a human resources services assessment to state entities at the following rates:

FTE	\$338.14
OPS	\$110.41
Justice Administrative Commission	\$240.04
State Court System	\$207.55
County Health Department	\$240.04

2831 OTHER PERSONAL SERVICES		
FROM STATE PERSONNEL SYSTEM TRUST FUND		3,500
2832 EXPENSES		
FROM STATE PERSONNEL SYSTEM TRUST FUND		120,241
2833 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM STATE PERSONNEL SYSTEM TRUST FUND		22,576
2834 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM STATE PERSONNEL SYSTEM TRUST FUND		21,138
2835 SPECIAL CATEGORIES		
CONTRACTED LEGAL SERVICES		
FROM STATE PERSONNEL SYSTEM TRUST FUND		100,000
2836 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM STATE PERSONNEL SYSTEM TRUST FUND		3,191
2837 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM STATE PERSONNEL SYSTEM TRUST FUND		7,338
2838A DATA PROCESSING SERVICES		
DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY		
FROM STATE PERSONNEL SYSTEM TRUST FUND		27,639
TOTAL: PROGRAM: STATE PERSONNEL POLICY ADMINISTRATION		
FROM TRUST FUNDS		1,820,371
TOTAL POSITIONS	17.00	
TOTAL ALL FUNDS		1,820,371

PROGRAM: PEOPLE FIRST

APPROVED SALARY RATE	969,085	
2839 SALARIES AND BENEFITS POSITIONS 15.00		
FROM STATE PERSONNEL SYSTEM TRUST FUND		1,358,258
2840 EXPENSES		
FROM STATE PERSONNEL SYSTEM TRUST FUND		104,006

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2841 OPERATING CAPITAL OUTLAY		
FROM STATE PERSONNEL SYSTEM TRUST FUND		1,500
2842 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM STATE PERSONNEL SYSTEM TRUST FUND		21,075
2843 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM STATE PERSONNEL SYSTEM TRUST FUND		4,493
2844 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM STATE PERSONNEL SYSTEM TRUST FUND		1,860
2845 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM STATE PERSONNEL SYSTEM TRUST FUND		5,894
2846 SPECIAL CATEGORIES		
HUMAN RESOURCES SERVICES / STATEWIDE CONTRACT		
FROM STATE PERSONNEL SYSTEM TRUST FUND		32,054,977
2847A DATA PROCESSING SERVICES		
DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY		
FROM STATE PERSONNEL SYSTEM TRUST FUND		13,890
TOTAL: PROGRAM: PEOPLE FIRST		
FROM TRUST FUNDS		33,565,953
TOTAL POSITIONS	15.00	
TOTAL ALL FUNDS		33,565,953

PROGRAM: TECHNOLOGY PROGRAM

TELECOMMUNICATIONS SERVICES

From the funds provided in Specific Appropriation 2848 through 2863A for Telecommunications Services, the Department of Management Services shall allow agencies that made significant financial investments in premise-based telephony equipment infrastructure to continue to purchase maintenance and equipment refresh services needed to maintain their telephony systems. The Department of Management Services shall review and make a recommendation on all agency requests to purchase telephony and call center systems maintenance and equipment refresh needs from the original vendors awarded contracts under the SUNCOM telephony equipment premises services (STEPS) Invitation to Negotiate 6-730-000-Y, issued March 3, 2008, using Department of Management of Services' approved contract vehicles or approved alternate contract source agreements including contracts let by the federal government, another state, or a political subdivision as authorized by chapter 287, Florida Statutes.

APPROVED SALARY RATE	3,888,510	
2848 SALARIES AND BENEFITS POSITIONS 70.00		
FROM COMMUNICATIONS WORKING		
CAPITAL TRUST FUND		5,088,942
FROM EMERGENCY COMMUNICATIONS		
NUMBER 911 SYSTEM TRUST		379,498
2849 OTHER PERSONAL SERVICES		
FROM COMMUNICATIONS WORKING		
CAPITAL TRUST FUND		376,812
FROM EMERGENCY COMMUNICATIONS		
NUMBER 911 SYSTEM TRUST		84,914

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2850	EXPENSES FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND	725,821
	FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST	514,339
2851	AID TO LOCAL GOVERNMENTS DISTRIBUTIONS TO COUNTIES - WIRELESS 911 TELEPHONE SYSTEMS FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST	60,289,120
2852	AID TO LOCAL GOVERNMENTS DISTRIBUTIONS TO SERVICE PROVIDERS - WIRELESS 911 TELEPHONE SYSTEMS FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST	10,000,000
2853	AID TO LOCAL GOVERNMENTS DISTRIBUTIONS TO COUNTIES - NON-WIRELESS E911 FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST	38,146,673
2854	AID TO LOCAL GOVERNMENTS DISTRIBUTION OF COUNTY PREPAID WIRELESS 911 FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST	27,100,000
2855	OPERATING CAPITAL OUTLAY FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND	92,159
	FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST	3,600
2856	SPECIAL CATEGORIES CENTREX AND SUNCOM PAYMENTS FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND	108,035,421
The Department of Management Services is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2856, in the event that payments for telecommunications services exceed the amount appropriated.		
2857	SPECIAL CATEGORIES CONTRACTED SERVICES FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND	2,054,404
	FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST	250,827
2858	SPECIAL CATEGORIES FLORIDA INFORMATION RESOURCE NETWORK/ DISTRICT BANDWIDTH SUPPORT FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND	7,451,217
2859	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND	22,142
2860	SPECIAL CATEGORIES CONTRACTED LEGAL SERVICES FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST	92,159
2861	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND	1,989
	FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST	1,149

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2862	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND	22,499
2863A	DATA PROCESSING SERVICES DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND	659,769
	FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST	4,815
TOTAL: TELECOMMUNICATIONS SERVICES FROM TRUST FUNDS		261,398,269
	TOTAL POSITIONS	70.00
	TOTAL ALL FUNDS	261,398,269
WIRELESS SERVICES		
	APPROVED SALARY RATE	745,132
2864	SALARIES AND BENEFITS POSITIONS FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND	932,441
2865	OTHER PERSONAL SERVICES FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND	92,402
2866	EXPENSES FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND	263,436
2867	OPERATING CAPITAL OUTLAY FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND	22,000
2868	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND	60,000
2868A	SPECIAL CATEGORIES GRANTS AND AIDS - STATE AND LOCAL IMPLEMENTATION GRANT PROGRAM FROM OPERATING TRUST FUND	620,099
2869	SPECIAL CATEGORIES CONTRACTED SERVICES FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND	3,642,220
From the funds in Specific Appropriation 2869, \$1,142,220 of nonrecurring funds from the Law Enforcement Radio System Trust Fund is provided for the Department of Management Services to acquire and maintain the necessary staff augmentation support and subject matter experts to assist the department in the competitive solicitation and providing other services as determined necessary by the department for the procurement of a land mobile radio support system based upon a Project 25 Phase II delivery methodology. The system will provide communication services for state and local public safety agencies. The procurement shall accomplish, but not be limited to: improved coverage, audio clarity, interoperability, and enhanced system features including GPS location service, text messaging, and central device management. The scope of the services provided by the staff augmentation support and subject matter experts should include, but not be limited to, assisting the department in completing the following tasks identified in the study referenced in Specific Appropriation 2904A of chapter 2014-51, Laws of Florida: (1) project planning and management; (2) consultation and providing technical expertise to the department; (3) assist department as requested in the evaluation of responses; and (4) negotiation with		

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procurement respondents as requested by the department.

Additionally, the Department of Management Services shall contract with a third-party consulting firm with experience in conducting independent verification and validation assessments to provide independent verification and validation support on the procurement, award, and development of the Statewide Law Enforcement Radio System (SLERS) replacement. The contract for independent verification and validation assessment support shall not exceed \$150,000.

The department shall provide written, quarterly status reports to the chair of the Senate Appropriations Committee, the chair of the House Appropriations Committee, and the Governor's Office of Policy and Budget on the competitive solicitation and the results of the independent verification and validation assessments.

2869A SPECIAL CATEGORIES
SEMINOLE COUNTY COMPUTER AIDED DISPATCH
SYSTEM
FROM GENERAL REVENUE FUND 2,000,000

2870 SPECIAL CATEGORIES
FLORIDA INTEROPERABILITY NETWORK
FROM GENERAL REVENUE FUND 1,384,943

The funds in Specific Appropriation 2870 are provided for the Florida Interoperability Network only to provide funding, if needed, in excess of available federal funding to support and maintain the Florida Interoperability Network.

2871 SPECIAL CATEGORIES
MUTUAL AID BUILD-OUT
FROM GENERAL REVENUE FUND 606,476

The funds in Specific Appropriation 2871 are provided for the Mutual Aid Build-Out only to provide funding, if needed, in excess of available federal funding to support and maintain the Mutual Aid Build-Out.

2872 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM LAW ENFORCEMENT RADIO SYSTEM
TRUST FUND 1,633

2873 SPECIAL CATEGORIES
STATEWIDE LAW ENFORCEMENT RADIO SYSTEM
CONTRACT PAYMENT
FROM LAW ENFORCEMENT RADIO SYSTEM
TRUST FUND 18,220,000

2874 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM LAW ENFORCEMENT RADIO SYSTEM
TRUST FUND 1,394

2875 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM LAW ENFORCEMENT RADIO SYSTEM
TRUST FUND 4,086

2876A DATA PROCESSING SERVICES
DATA PROCESSING ASSESSMENT - AGENCY FOR
STATE TECHNOLOGY
FROM LAW ENFORCEMENT RADIO SYSTEM
TRUST FUND 3,100

TOTAL: WIRELESS SERVICES
FROM GENERAL REVENUE FUND 3,991,419
FROM TRUST FUNDS 23,862,811

TOTAL POSITIONS 11.00
TOTAL ALL FUNDS 27,854,230

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PROGRAM: PUBLIC EMPLOYEES RELATIONS COMMISSION

PUBLIC EMPLOYEES RELATIONS

	APPROVED SALARY RATE	1,746,697	
2877 SALARIES AND BENEFITS POSITIONS		24.00	
FROM GENERAL REVENUE FUND		1,394,336	
FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND			1,280,551
2878 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND		149,277	
FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND			53,628
2879 EXPENSES			
FROM GENERAL REVENUE FUND		57,094	
FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND			345,814
2880 OPERATING CAPITAL OUTLAY			
FROM GENERAL REVENUE FUND		37,399	
FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND			5,721
2881 SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS			
FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND			16,534
2882 SPECIAL CATEGORIES CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND		35,070	
FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND			32,500
2883 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND		2,914	
FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND			4,469
2884 SPECIAL CATEGORIES ADMINISTRATIVE OVERHEAD			
FROM GENERAL REVENUE FUND		34,314	
2885 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
FROM GENERAL REVENUE FUND		5,068	
FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND			4,941
2886A DATA PROCESSING SERVICES DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY			
FROM GENERAL REVENUE FUND		17,339	
FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND			17,619
TOTAL: PUBLIC EMPLOYEES RELATIONS			
FROM GENERAL REVENUE FUND		1,732,811	
FROM TRUST FUNDS			1,761,777
TOTAL POSITIONS	24.00		
TOTAL ALL FUNDS			3,494,588

PROGRAM: COMMISSION ON HUMAN RELATIONS

HUMAN RELATIONS

APPROVED SALARY RATE 2,242,944

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2887	SALARIES AND BENEFITS FROM GENERAL REVENUE FUND	POSITIONS 52.00 3,243,034	
2888	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM OPERATING TRUST FUND	62,440 41,040	
2889	EXPENSES FROM GENERAL REVENUE FUND FROM OPERATING TRUST FUND	125,243 282,536	
2890	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND FROM OPERATING TRUST FUND	11,736 5,000	
2891	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM GENERAL REVENUE FUND	496,443	
2892	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM OPERATING TRUST FUND	53,506 16,000	
2893	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM OPERATING TRUST FUND	41,277 95,452	
2894	SPECIAL CATEGORIES ADMINISTRATIVE OVERHEAD FROM OPERATING TRUST FUND	111,769	
2895	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM OPERATING TRUST FUND	49,163	
2896	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM OPERATING TRUST FUND	15,522 5,502	
2897A	DATA PROCESSING SERVICES DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY FROM OPERATING TRUST FUND	70,374	
TOTAL:	HUMAN RELATIONS FROM GENERAL REVENUE FUND FROM TRUST FUNDS	4,049,201 676,836	
	TOTAL POSITIONS TOTAL ALL FUNDS	52.00 4,726,037	
ADMINISTRATIVE HEARINGS			
PROGRAM: ADJUDICATION OF DISPUTES			
	APPROVED SALARY RATE	5,431,427	
2898	SALARIES AND BENEFITS FROM OPERATING TRUST FUND	65.00 7,063,938	
2899	OTHER PERSONAL SERVICES FROM OPERATING TRUST FUND	18,082	
2900	EXPENSES FROM OPERATING TRUST FUND	1,025,647	
2901	OPERATING CAPITAL OUTLAY FROM OPERATING TRUST FUND	65,000	

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2902	SPECIAL CATEGORIES CONTRACTED SERVICES FROM OPERATING TRUST FUND		185,495
2903	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM OPERATING TRUST FUND		25,115
2904	SPECIAL CATEGORIES CONTRACTED LEGAL SERVICES FROM OPERATING TRUST FUND		1,000
2905	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM OPERATING TRUST FUND		31,500
2906	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM OPERATING TRUST FUND		20,703
TOTAL:	PROGRAM: ADJUDICATION OF DISPUTES FROM TRUST FUNDS		8,436,480
	TOTAL POSITIONS	65.00	
	TOTAL ALL FUNDS		8,436,480
PROGRAM: WORKERS' COMPENSATION APPEALS - JUDGES OF COMPENSATION CLAIMS			
	APPROVED SALARY RATE	9,556,592	
2907	SALARIES AND BENEFITS FROM OPERATING TRUST FUND	176.00	13,667,864
2908	OTHER PERSONAL SERVICES FROM OPERATING TRUST FUND		17,836
2909	EXPENSES FROM OPERATING TRUST FUND		2,695,842
2910	OPERATING CAPITAL OUTLAY FROM OPERATING TRUST FUND		64,916
2911	SPECIAL CATEGORIES CONTRACTED SERVICES FROM OPERATING TRUST FUND		1,023,324
2912	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM OPERATING TRUST FUND		64,019
2913	SPECIAL CATEGORIES CONTRACTED LEGAL SERVICES FROM OPERATING TRUST FUND		1,279
2914	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM OPERATING TRUST FUND		44,000
2915	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM OPERATING TRUST FUND		60,316
TOTAL:	PROGRAM: WORKERS' COMPENSATION APPEALS - JUDGES OF COMPENSATION CLAIMS FROM TRUST FUNDS		17,639,396
	TOTAL POSITIONS	176.00	
	TOTAL ALL FUNDS		17,639,396

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PROGRAM: AGENCY FOR STATE TECHNOLOGY

No funds are appropriated in Specific Appropriations 2916 through 2944 for the payment of rent, lease or possession of space for offices or any other purpose or use at Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida, pursuant to State of Florida Lease Nos. 720:0139, 590:1998, 590:2226, 590:2348, 590:2523, 590:2664, 590:2681, 590:2720 or 590:M139, or any other lease, by the Agency for State Technology, including any one or more predecessor agencies, notwithstanding any lease or contract to the contrary. The Agency for State Technology is prohibited from expending any specific appropriation from the General Revenue Fund, any trust fund or from any other source for the rent, lease or possession of any space for offices or other purpose or use at Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida, pursuant to State of Florida Lease Nos. 720:0139, 590:1998, 590:2226, 590:2348, 590:2523, 590:2664, 590:2681, 590:2720 or 590:M139, or any other lease.

Funds in Specific Appropriation 2916 through 2944 are provided for the delivery of information technology governance activities and data center services to customer entities. All services provided to customer entities by the Agency for State Technology shall be documented in a service level agreement with each customer as defined in chapter 282.201, Florida Statutes. The Agency for State Technology shall negotiate with customer entities and finalize a revised service level agreement by June 30, 2018. The Agency for State Technology shall submit quarterly reports on the status of negotiations and finalization of revised Service Level Agreements with all customers. At a minimum, the report shall include by customer: services available, the scope of services provided, service levels, duration, estimated utilization and cost, and any issues impacting the finalization of the service level agreement. The report shall be submitted to the chair of the Senate Appropriations Committee, the chair of the House Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget beginning September 1, 2017.

EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE	2,573,832		
2916	SALARIES AND BENEFITS	POSITIONS	29.00	
	FROM WORKING CAPITAL TRUST FUND . .			3,454,300
From the funds and positions in Specific Appropriation 2916, four positions with associated salary rate \$359,334 and \$468,707 in recurring funds from the Working Capital Trust Fund are contingent upon Senate Bill 362, or similar legislation, becoming law, which contains provisions to create a Geographic Information System office and Chief Data Officer office.				
2917	EXPENSES			
	FROM WORKING CAPITAL TRUST FUND . .			252,894
2918	OPERATING CAPITAL OUTLAY			
	FROM WORKING CAPITAL TRUST FUND . .			10,000
2919	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM WORKING CAPITAL TRUST FUND . .			317,627
2920	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM WORKING CAPITAL TRUST FUND . .			3,504
2921	SPECIAL CATEGORIES			
	ADMINISTRATIVE OVERHEAD			
	FROM WORKING CAPITAL TRUST FUND . .			10,000
2922	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT			
	SERVICES - HUMAN RESOURCES SERVICES			
	PURCHASED PER STATEWIDE CONTRACT			
	FROM WORKING CAPITAL TRUST FUND . .			9,162

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2923A	DATA PROCESSING SERVICES			
	DATA PROCESSING ASSESSMENT - AGENCY FOR			
	STATE TECHNOLOGY			
	FROM WORKING CAPITAL TRUST FUND . .			33,571
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	FROM TRUST FUNDS			4,091,058
	TOTAL POSITIONS	29.00		
	TOTAL ALL FUNDS			4,091,058
DATA CENTER ADMINISTRATION				
	APPROVED SALARY RATE	1,154,104		
2924	SALARIES AND BENEFITS	POSITIONS	17.00	
	FROM WORKING CAPITAL TRUST FUND . .			1,857,219
2925	OTHER PERSONAL SERVICES			
	FROM WORKING CAPITAL TRUST FUND . .			195,594
2926	EXPENSES			
	FROM WORKING CAPITAL TRUST FUND . .			741,408
2927	OPERATING CAPITAL OUTLAY			
	FROM WORKING CAPITAL TRUST FUND . .			27,000
2928	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM WORKING CAPITAL TRUST FUND . .			472,620
2929	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM WORKING CAPITAL TRUST FUND . .			13,942
2930	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM WORKING CAPITAL TRUST FUND . .			7,102
2931	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT			
	SERVICES - HUMAN RESOURCES SERVICES			
	PURCHASED PER STATEWIDE CONTRACT			
	FROM WORKING CAPITAL TRUST FUND . .			6,151
TOTAL:	DATA CENTER ADMINISTRATION			
	FROM TRUST FUNDS			3,321,036
	TOTAL POSITIONS	17.00		
	TOTAL ALL FUNDS			3,321,036
STATE DATA CENTER				
	APPROVED SALARY RATE	10,767,883		
2932	SALARIES AND BENEFITS	POSITIONS	181.00	
	FROM WORKING CAPITAL TRUST FUND . .			14,818,210
2933	OTHER PERSONAL SERVICES			
	FROM WORKING CAPITAL TRUST FUND . .			372,235
2934	EXPENSES			
	FROM WORKING CAPITAL TRUST FUND . .			2,598,345
2935	OPERATING CAPITAL OUTLAY			
	FROM WORKING CAPITAL TRUST FUND . .			129,334
2936	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM WORKING CAPITAL TRUST FUND . .			22,574,444
From the funds provided in Specific Appropriation 2936, \$500,000 shall be held in reserve. The agency is authorized to submit budget amendments requesting the release of funds pursuant to the provisions of chapter 216, Florida Statutes. Any request for release of funds shall include a plan for how the funds will be expended for increases in customer				

SECTION 6 - GENERAL GOVERNMENT

services.

2937	SPECIAL CATEGORIES CLOUD COMPUTING SERVICES FROM WORKING CAPITAL TRUST FUND . .	100,000
2938	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM WORKING CAPITAL TRUST FUND . .	27,997
2939	SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS FROM WORKING CAPITAL TRUST FUND . .	4,731,376
2940	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM WORKING CAPITAL TRUST FUND . .	4,744,246
2941	SPECIAL CATEGORIES DISASTER RECOVERY SERVICE FROM WORKING CAPITAL TRUST FUND . .	4,527,033

Funds in Specific Appropriation 2941 are provided for the delivery of disaster recovery services. The Agency for State Technology shall submit quarterly reports on disaster recovery services that include: current customers and customers in negotiation, functions or applications supported, recovery levels, description of how service is provided, status and dates of all testing, and any incidents that initiated the utilization of the disaster recovery services. The report shall be submitted to the chair of the Senate Appropriations Committee, the chair of the House Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget by September 1, 2017.

2942	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM WORKING CAPITAL TRUST FUND . .	62,487
2944	DATA PROCESSING SERVICES OTHER DATA PROCESSING SERVICES FROM WORKING CAPITAL TRUST FUND . .	5,677,485
TOTAL:	STATE DATA CENTER FROM TRUST FUNDS	60,363,192
	TOTAL POSITIONS	181.00
	TOTAL ALL FUNDS	60,363,192
TOTAL:	MANAGEMENT SERVICES, DEPARTMENT OF FROM GENERAL REVENUE FUND	56,516,620
	FROM TRUST FUNDS	657,176,872
	TOTAL POSITIONS	1,300.50
	TOTAL ALL FUNDS	713,693,492
	TOTAL APPROVED SALARY RATE	68,710,289

MILITARY AFFAIRS, DEPARTMENT OF

PROGRAM: READINESS AND RESPONSE

DRUG INTERDICTION AND PREVENTION

2945	EXPENSES FROM FEDERAL GRANTS TRUST FUND . . .	75,000
	FROM FEDERAL LAW ENFORCEMENT TRUST FUND	305,000
2946	OPERATING CAPITAL OUTLAY FROM FEDERAL LAW ENFORCEMENT TRUST FUND	200,000
2947	SPECIAL CATEGORIES PROJECTS, CONTRACTS AND GRANTS FROM FEDERAL GRANTS TRUST FUND . . .	6,600,000

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2948	SPECIAL CATEGORIES GRANTS AND AIDS TO COMMUNITY SERVICES FROM FEDERAL LAW ENFORCEMENT TRUST FUND	100,000
2949	SPECIAL CATEGORIES CONTRACTED SERVICES FROM FEDERAL LAW ENFORCEMENT TRUST FUND	10,000
2950	SPECIAL CATEGORIES MAINTENANCE AND OPERATIONS CONTRACTS FROM FEDERAL LAW ENFORCEMENT TRUST FUND	10,000
2951	FIXED CAPITAL OUTLAY REHABILITATION OF COUNTER DRUG TRAINING ACADEMY CAMP BLANDING TRAINING SITE - STARKE, FLORIDA FROM FEDERAL LAW ENFORCEMENT TRUST FUND	930,000
TOTAL:	DRUG INTERDICTION AND PREVENTION FROM TRUST FUNDS	8,230,000
	TOTAL ALL FUNDS	8,230,000

MILITARY READINESS AND RESPONSE

	APPROVED SALARY RATE	4,161,539
2952	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	100.00
	FROM CAMP BLANDING MANAGEMENT TRUST FUND	4,786,072
2954	EXPENSES FROM GENERAL REVENUE FUND	4,690,563
	FROM CAMP BLANDING MANAGEMENT TRUST FUND	60,202
2955	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	137,810
2956	LUMP SUM STRENGTHENING DOMESTIC SECURITY FROM GENERAL REVENUE FUND	2,000,000
2957	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM GENERAL REVENUE FUND	40,000
	FROM CAMP BLANDING MANAGEMENT TRUST FUND	63,678
2958	SPECIAL CATEGORIES NATIONAL GUARD TUITION ASSISTANCE FROM GENERAL REVENUE FUND	3,956,900

From the recurring funds in Specific Appropriation 2958, the Department of Military Affairs shall establish an application period for each semester under the Florida National Guard Tuition Assistance Program. After the requirements of section 250.10 (8)(a), Florida Statutes are met, qualified Florida National Guard members seeking undergraduate degrees, as well as other applicants seeking postgraduate degrees in the fields of science, technology, engineering, or math (STEM), shall be prioritized and approved during each application period prior to any applications for postgraduate education is approved. All funds provided are available to meet the demand for applications for undergraduate degrees; however, no more than \$450,000 may be used to fund tuition assistance for qualified Florida National Guard members seeking non STEM postgraduate education, and the funding for postgraduate education must be matched at a rate of fifty percent by the applicant.

SECTION 6 - GENERAL GOVERNMENT

2959	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	413,500	
	FROM CAMP BLANDING MANAGEMENT TRUST FUND		25,000
2960	SPECIAL CATEGORIES MAINTENANCE AND OPERATIONS CONTRACTS FROM GENERAL REVENUE FUND	171,000	
	FROM CAMP BLANDING MANAGEMENT TRUST FUND		205,000
2961	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM CAMP BLANDING MANAGEMENT TRUST FUND		249,390
2962	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	28,876	
	FROM CAMP BLANDING MANAGEMENT TRUST FUND		8,240
2963	FIXED CAPITAL OUTLAY MAINTENANCE, REPAIRS AND CONSTRUCTION - STATEWIDE FROM GENERAL REVENUE FUND	2,000,000	
2964	FIXED CAPITAL OUTLAY FLORIDA READINESS CENTERS REVITALIZATION PLAN - STATEWIDE FROM GENERAL REVENUE FUND	6,000,000	
TOTAL:	MILITARY READINESS AND RESPONSE FROM GENERAL REVENUE FUND	24,224,721	
	FROM TRUST FUNDS		1,829,190
	TOTAL POSITIONS	108.00	
	TOTAL ALL FUNDS		26,053,911

EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE	1,942,004	
2965	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	26.00	2,727,793
2966	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND		36,630
2967	EXPENSES FROM GENERAL REVENUE FUND		698,015
2968	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND		108,126
2969	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM GENERAL REVENUE FUND		25,000
2970	SPECIAL CATEGORIES INFORMATION TECHNOLOGY FROM GENERAL REVENUE FUND		48,437
2971	SPECIAL CATEGORIES LEGAL SERVICES CONTRACT FROM GENERAL REVENUE FUND		5,000
2972	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND		30,200

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2973	SPECIAL CATEGORIES MAINTENANCE AND OPERATIONS CONTRACTS FROM GENERAL REVENUE FUND	22,000	
2974	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	10,000	
2975	SPECIAL CATEGORIES WORKER'S COMPENSATION FOR STATE ACTIVE DUTY - FLORIDA NATIONAL GUARD FROM GENERAL REVENUE FUND	134,145	
2976	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	8,372	
2977A	DATA PROCESSING SERVICES DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY FROM GENERAL REVENUE FUND	23,800	
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM GENERAL REVENUE FUND	3,877,518	
	TOTAL POSITIONS	26.00	
	TOTAL ALL FUNDS		3,877,518

FEDERAL/STATE COOPERATIVE AGREEMENTS

The funds in Specific Appropriations 2978 through 2988 are appropriated to support the Youth Challenge Program. The department shall report, for the previous five fiscal years, the number of cadets enrolled in the program and the number that have successfully completed the program. In addition, the report shall include the number of cadets that earned a General Educational Development (GED) certificate or high school diploma, attained employment (including armed forces), or enrolled in secondary education at program completion. The report shall be submitted to the Executive Office of the Governor's Office of Policy and Budget, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee by October 30, 2017.

	APPROVED SALARY RATE	10,599,124	
2978	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	319.00	464,374
	FROM FEDERAL GRANTS TRUST FUND		14,770,019
2979	OTHER PERSONAL SERVICES FROM FEDERAL GRANTS TRUST FUND		87,000
2980	EXPENSES FROM GENERAL REVENUE FUND	771,540	
	FROM FEDERAL GRANTS TRUST FUND		12,389,070
From the funds in Specific Appropriation 2980 \$250,000 of nonrecurring general revenue funds will be provided for the Youth Challenge Program to maintain the current state match amount.			
2981	OPERATING CAPITAL OUTLAY FROM FEDERAL GRANTS TRUST FUND		677,030
2982	FOOD PRODUCTS FROM FEDERAL GRANTS TRUST FUND		500,000
2983	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM FEDERAL GRANTS TRUST FUND		349,500
2984	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	143,150	
	FROM FEDERAL GRANTS TRUST FUND		6,978,115

From funds in Specific Appropriation 2984, \$2,000,000 of nonrecurring

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funds from the Federal Grants Trust Fund is provided for the Forward March and About Face Programs. These funds are contingent upon the execution of a contractual agreement between the Department of Military Affairs and the Department of Economic Opportunity. The program is to be funded with funds transferred from the Department of Economic Opportunity.

2985	SPECIAL CATEGORIES MAINTENANCE AND OPERATIONS CONTRACTS FROM FEDERAL GRANTS TRUST FUND . . .		920,000
2986	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM FEDERAL GRANTS TRUST FUND . . .		30,000
2987	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM FEDERAL GRANTS TRUST FUND . . .		106,064
2988	FIXED CAPITAL OUTLAY FEDERAL GRANTS TRUST FUND - MINOR CONSTRUCTION FROM FEDERAL GRANTS TRUST FUND . . .		10,000,000
TOTAL:	FEDERAL/STATE COOPERATIVE AGREEMENTS FROM GENERAL REVENUE FUND FROM TRUST FUNDS	1,379,064	46,806,798
	TOTAL POSITIONS	319.00	
	TOTAL ALL FUNDS		48,185,862
TOTAL:	MILITARY AFFAIRS, DEPARTMENT OF FROM GENERAL REVENUE FUND FROM TRUST FUNDS	29,481,303	56,865,988
	TOTAL POSITIONS	453.00	
	TOTAL ALL FUNDS		86,347,291
	TOTAL APPROVED SALARY RATE	16,702,667	

PUBLIC SERVICE COMMISSION

PROGRAM: COMMISSIONERS AND ADMINISTRATIVE SERVICES

PUBLIC SERVICE COMMISSIONERS

	APPROVED SALARY RATE	1,492,802	
2989	SALARIES AND BENEFITS POSITIONS FROM REGULATORY TRUST FUND	18.00	2,135,713
2990	EXPENSES FROM REGULATORY TRUST FUND		341,722
2991	SPECIAL CATEGORIES CONTRACTED SERVICES FROM REGULATORY TRUST FUND		6,859
2992	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM REGULATORY TRUST FUND		5,266
2993	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM REGULATORY TRUST FUND		5,304

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TOTAL:	PUBLIC SERVICE COMMISSIONERS FROM TRUST FUNDS		2,494,864
	TOTAL POSITIONS	18.00	
	TOTAL ALL FUNDS		2,494,864

EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE	3,057,581	
2994	SALARIES AND BENEFITS POSITIONS FROM REGULATORY TRUST FUND	56.00	4,154,459
2995	OTHER PERSONAL SERVICES FROM REGULATORY TRUST FUND		97,258
2996	EXPENSES FROM REGULATORY TRUST FUND		1,076,576
2997	OPERATING CAPITAL OUTLAY FROM REGULATORY TRUST FUND		266,200
2998	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM REGULATORY TRUST FUND		100,000
2999	SPECIAL CATEGORIES CONTRACTED SERVICES FROM REGULATORY TRUST FUND		263,067
3000	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM REGULATORY TRUST FUND		17,597
3001	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM REGULATORY TRUST FUND		23,221
3002A	DATA PROCESSING SERVICES DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY FROM REGULATORY TRUST FUND		9,677
3003	DATA PROCESSING SERVICES OTHER DATA PROCESSING SERVICES FROM REGULATORY TRUST FUND		45,699
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM TRUST FUNDS		6,053,754
	TOTAL POSITIONS	56.00	
	TOTAL ALL FUNDS		6,053,754

LEGAL SERVICES

	APPROVED SALARY RATE	1,681,520	
3004	SALARIES AND BENEFITS POSITIONS FROM REGULATORY TRUST FUND	27.00	2,150,889
3005	OTHER PERSONAL SERVICES FROM REGULATORY TRUST FUND		17,000
3006	EXPENSES FROM REGULATORY TRUST FUND		348,768
3007	SPECIAL CATEGORIES CONTRACTED SERVICES FROM REGULATORY TRUST FUND		37,955
3008	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM REGULATORY TRUST FUND		8,614

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3009 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM REGULATORY TRUST FUND 9,698

TOTAL: LEGAL SERVICES
FROM TRUST FUNDS 2,572,924

TOTAL POSITIONS 27.00
TOTAL ALL FUNDS 2,572,924

PROGRAM: UTILITY REGULATION AND CONSUMER
ASSISTANCE

UTILITY REGULATION

APPROVED SALARY RATE 7,406,054

3010 SALARIES AND BENEFITS POSITIONS 145.00
FROM REGULATORY TRUST FUND 9,812,905

3011 OTHER PERSONAL SERVICES
FROM REGULATORY TRUST FUND 86,330

3012 EXPENSES
FROM REGULATORY TRUST FUND 1,299,063

3013 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM REGULATORY TRUST FUND 181,968

3014 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM REGULATORY TRUST FUND 44,011

3015 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM REGULATORY TRUST FUND 44,436

TOTAL: UTILITY REGULATION
FROM TRUST FUNDS 11,468,713

TOTAL POSITIONS 145.00
TOTAL ALL FUNDS 11,468,713

AUDITING AND PERFORMANCE ANALYSIS

APPROVED SALARY RATE 1,423,778

3016 SALARIES AND BENEFITS POSITIONS 27.00
FROM REGULATORY TRUST FUND 1,919,180

3017 EXPENSES
FROM REGULATORY TRUST FUND 375,375

3018 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM REGULATORY TRUST FUND 12,955

3019 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM REGULATORY TRUST FUND 8,904

3020 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM REGULATORY TRUST FUND 9,690

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TOTAL: AUDITING AND PERFORMANCE ANALYSIS
FROM TRUST FUNDS 2,326,104

TOTAL POSITIONS 27.00
TOTAL ALL FUNDS 2,326,104

TOTAL: PUBLIC SERVICE COMMISSION
FROM TRUST FUNDS 24,916,359

TOTAL POSITIONS 273.00
TOTAL ALL FUNDS 24,916,359
TOTAL APPROVED SALARY RATE 15,061,735

REVENUE, DEPARTMENT OF

No funds are appropriated in Specific Appropriations 3021 through 3074 for the payment of rent, lease or possession of space for offices or any other purpose or use at Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida, pursuant to State of Florida Lease Nos. 720:0139, 730:0239 or 730:M139, or any other lease, by the Department of Revenue, notwithstanding any lease or contract to the contrary. The Department of Revenue is prohibited from expending any specific appropriation from the General Revenue Fund, any trust fund or from any other source for the rent, lease or possession of any space for offices or other purpose or use at Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida, pursuant to State of Florida Lease Nos. 720:0139, 730:0239 or 730:M139, or any other lease.

PROGRAM: ADMINISTRATIVE SERVICES PROGRAM

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 13,745,082

3021 SALARIES AND BENEFITS POSITIONS 262.00
FROM GENERAL REVENUE FUND 10,437,045
FROM FEDERAL GRANTS TRUST FUND 6,029,693
FROM OPERATING TRUST FUND 2,375,655

3022 OTHER PERSONAL SERVICES
FROM OPERATING TRUST FUND 73,740

3023 EXPENSES
FROM GENERAL REVENUE FUND 355,008
FROM FEDERAL GRANTS TRUST FUND 461,726
FROM OPERATING TRUST FUND 1,324,170

3024 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 6,929
FROM OPERATING TRUST FUND 17,985

3025 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE
HEARINGS
FROM GENERAL REVENUE FUND 1,110,472
FROM FEDERAL GRANTS TRUST FUND 2,155,622
FROM OPERATING TRUST FUND 26,285

3026 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 318,346
FROM FEDERAL GRANTS TRUST FUND 281,028
FROM OPERATING TRUST FUND 1,153,170

3027 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 29,334
FROM FEDERAL GRANTS TRUST FUND 6,630
FROM OPERATING TRUST FUND 58,680

3028 SPECIAL CATEGORIES
TENANT BROKER COMMISSIONS
FROM OPERATING TRUST FUND 350,000

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3029	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	16,864	
3030	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND . . . FROM OPERATING TRUST FUND	1,324,902	149,278 226,388
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM GENERAL REVENUE FUND FROM TRUST FUNDS	13,598,900	14,690,050
	TOTAL POSITIONS TOTAL ALL FUNDS	262.00	28,288,950
PROPERTY TAX OVERSIGHT			
	APPROVED SALARY RATE	7,759,585	
3031	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM CERTIFICATION PROGRAM TRUST FUND	168.00 10,778,483	211,816
3032	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	21,170	
3033	EXPENSES FROM GENERAL REVENUE FUND	885,509	
3034	AID TO LOCAL GOVERNMENTS AERIAL PHOTOGRAPHY AND MAPPING FROM GENERAL REVENUE FUND FROM CERTIFICATION PROGRAM TRUST FUND	167,299	876,266
From the funds in Specific Appropriation 3034, \$167,299 in nonrecurring funds from the General Revenue Fund is provided to the Department of Revenue to fund aerial photography and mapping for counties with a population of 50,000 or less.			
3035	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	16,012	
3036	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM GENERAL REVENUE FUND	60,000	
3037	SPECIAL CATEGORIES PROPERTY APPRAISER AND TAX COLLECTOR CERTIFICATION PROGRAM FROM CERTIFICATION PROGRAM TRUST FUND		485,000
3038	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	258,311	
3039	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	150,522	
3040	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	22,000	
3041	SPECIAL CATEGORIES FISCALLY CONSTRAINED COUNTIES - CONSERVATION LANDS FROM GENERAL REVENUE FUND	519,742	

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3042	SPECIAL CATEGORIES FISCALLY CONSTRAINED COUNTIES FROM GENERAL REVENUE FUND	25,631,501	
TOTAL:	PROPERTY TAX OVERSIGHT FROM GENERAL REVENUE FUND FROM TRUST FUNDS	38,510,549	1,573,082
	TOTAL POSITIONS TOTAL ALL FUNDS	168.00	40,083,631
CHILD SUPPORT ENFORCEMENT			
	APPROVED SALARY RATE	75,138,674	
3043	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND FROM FEDERAL GRANTS TRUST FUND . . .	2,288.00 35,709,029	1,510,453 72,250,242
3044	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND FROM FEDERAL GRANTS TRUST FUND . . .	283,006	177,462 982,498
3045	EXPENSES FROM GENERAL REVENUE FUND FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND FROM FEDERAL GRANTS TRUST FUND . . .	7,449,348	13,336 14,581,378
3046	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND . . .	189,648	368,140
3047	SPECIAL CATEGORIES TRANSFER GENERAL REVENUE TO CHILD SUPPORT ENFORCEMENT FROM GENERAL REVENUE FUND	2,241,987	
3048	SPECIAL CATEGORIES CHILD SUPPORT ENFORCEMENT ANNUAL FEE FROM GENERAL REVENUE FUND	2,080,000	
3048A	SPECIAL CATEGORIES CHILD SUPPORT EMPLOYMENT AND VERIFICATION TOOL FROM GENERAL REVENUE FUND	800,000	
From the funds in Specific Appropriation 3048A, \$800,000 in nonrecurring general revenue is provided to the Department of Revenue to contract with a third-party vendor that provides asset information such as income, payment history, loans, and location of individuals for the purpose of collecting delinquent child support funds. The contract shall be awarded based upon a competitive solicitation process pursuant to section 287.057, Florida Statutes.			
3049	SPECIAL CATEGORIES PURCHASE OF SERVICES - CHILD SUPPORT ENFORCEMENT FROM GENERAL REVENUE FUND FROM CHILD SUPPORT INCENTIVE TRUST FUND FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND FROM CLERK OF THE COURT CHILD SUPPORT ENFORCEMENT COLLECTION SYSTEM TRUST FUND FROM FEDERAL GRANTS TRUST FUND . . .	16,264,435	32,782,300 1,192,103 954,031 65,309,456
From the funds in Specific Appropriation 3049, \$85,000 from the Child			

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Support Application and Program Fee Trust Fund and \$165,000 from the Federal Grants Trust Fund are provided to the Department of Revenue to fund a review of the child support guidelines, which will be conducted by the Office of Economic and Demographic Research. From the funds provided for this purpose, the department shall reimburse the Office of Economic and Demographic Research for contractual costs incurred to review the Florida child support guideline schedule. The review shall consider how accurately the guidelines reflect the costs of raising children in Florida. A final report is due to the Governor, the President of the Senate, and Speaker of the House of Representatives by November 1, 2017. The Office of Economic and Demographic Research may contract with a state university or a nationally recognized organization for the purpose of collecting and analyzing the economic data necessary to review the child support guidelines.

3050	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	470,955	914,201
3051	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	98,994	192,164
3052	FINANCIAL ASSISTANCE PAYMENTS CHILD SUPPORT INCENTIVE PAYMENTS - POLITICAL SUBDIVISIONS FROM CHILD SUPPORT INCENTIVE TRUST FUND		750,000
3053A	DATA PROCESSING SERVICES DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	45,895	89,101
3054	DATA PROCESSING SERVICES NORTHWEST REGIONAL DATA CENTER (NWRDC) FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	381,065	739,713
TOTAL:	CHILD SUPPORT ENFORCEMENT FROM GENERAL REVENUE FUND FROM TRUST FUNDS	66,014,362	192,806,578
	TOTAL POSITIONS TOTAL ALL FUNDS	2,288.00	258,820,940
GENERAL TAX ADMINISTRATION			
	APPROVED SALARY RATE	92,722,075	
3055	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM OPERATING TRUST FUND	2,233.00 80,849,169	19,980,804 30,497,559
3056	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM OPERATING TRUST FUND	6,292	72,100
3057	EXPENSES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM OPERATING TRUST FUND	1,543,383	4,440,366 13,618,860
3058	AID TO LOCAL GOVERNMENTS GRANTS AND AID TO LOCAL GOVERNMENT/ DISTRIBUTION TO CLERKS OF COURT FROM THE CLERKS OF THE COURT TRUST FUND		40,902,734
3059	AID TO LOCAL GOVERNMENTS EMERGENCY DISTRIBUTIONS FROM LOCAL GOVERNMENT HALF-CENT SALES TAX CLEARING TRUST FUND		22,307,042

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3060	AID TO LOCAL GOVERNMENTS INMATE SUPPLEMENTAL DISTRIBUTION FROM LOCAL GOVERNMENT HALF-CENT SALES TAX CLEARING TRUST FUND		592,958
3061	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM OPERATING TRUST FUND	64,556	27,701 608,081
3062	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM OPERATING TRUST FUND	4,193,292	1,357,735 2,912,229
3063	SPECIAL CATEGORIES PURCHASE OF SERVICES - COLLECTION AGENCIES FROM OPERATING TRUST FUND		2,500,000
3064	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM OPERATING TRUST FUND	560,025	485,552
3065	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND FROM OPERATING TRUST FUND	214,749	127,251
TOTAL:	GENERAL TAX ADMINISTRATION FROM GENERAL REVENUE FUND FROM TRUST FUNDS	87,431,466	140,430,972
	TOTAL POSITIONS TOTAL ALL FUNDS	2,233.00	227,862,438
PROGRAM: INFORMATION SERVICES PROGRAM			
INFORMATION TECHNOLOGY			
	APPROVED SALARY RATE	7,646,158	
3066	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM OPERATING TRUST FUND	170.00 4,498,914	2,171,505 4,037,105
3067	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM OPERATING TRUST FUND	173,001	121,291 29,377
3068	EXPENSES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM OPERATING TRUST FUND	1,000	218,073 2,049,004
3069	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM OPERATING TRUST FUND	2,233	227,029 274,310
3070	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM OPERATING TRUST FUND	681,257	1,977,349 1,332,100
3071	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM OPERATING TRUST FUND	2,444	12,641 13,225

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3072	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM FEDERAL GRANTS TRUST FUND FROM OPERATING TRUST FUND		7,100 240,000
3073A	DATA PROCESSING SERVICES DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM OPERATING TRUST FUND	277,999	27,064 1,263,223
3074	DATA PROCESSING SERVICES NORTHWEST REGIONAL DATA CENTER (NWRDC) FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM OPERATING TRUST FUND	1,498,654	146,260 1,306,701
TOTAL:	INFORMATION TECHNOLOGY FROM GENERAL REVENUE FUND FROM TRUST FUNDS	7,135,502	15,453,357
	TOTAL POSITIONS TOTAL ALL FUNDS	170.00	22,588,859
TOTAL:	REVENUE, DEPARTMENT OF FROM GENERAL REVENUE FUND FROM TRUST FUNDS	212,690,779	364,954,039
	TOTAL POSITIONS TOTAL ALL FUNDS TOTAL APPROVED SALARY RATE	5,121.00	577,644,818
		197,011,574	

STATE, DEPARTMENT OF

No funds are appropriated in Specific Appropriations 3075 through 3144A for the payment of rent, lease or possession of space for offices or any other purpose or use at Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida pursuant to State of Florida Lease Nos. 720:0139 or 450:0110, or any other lease, by the Department of State, notwithstanding any lease or contract to the contrary. The Department of State is prohibited from expending any specific appropriation from the General Revenue Fund, any trust fund or from any other source for the rent, lease or possession of any space for offices or other purpose or use at Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida, pursuant to State of Florida Lease Nos. 720:0139 or 450:0110, or any other lease.

PROGRAM: OFFICE OF THE SECRETARY AND
ADMINISTRATIVE SERVICES

EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE	5,364,730	
3075	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND FROM RECORDS MANAGEMENT TRUST FUND	96.00 5,732,376	1,386,886 87,449
3076	OTHER PERSONAL SERVICES FROM FEDERAL GRANTS TRUST FUND FROM LAND ACQUISITION TRUST FUND		12,661 67,733
3077	EXPENSES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	541,538	6,555
3078	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	1,250	
3079	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND		168,475

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3080	SPECIAL CATEGORIES LITIGATION EXPENSES FROM GENERAL REVENUE FUND		266,667
3081	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND		33,467
3082	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND		28,529
3083	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND		25,758 3,912
3084A	DATA PROCESSING SERVICES DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY FROM GENERAL REVENUE FUND		1,831,536
3085	DATA PROCESSING SERVICES OTHER DATA PROCESSING SERVICES FROM GENERAL REVENUE FUND		15,000
3085A	DATA PROCESSING SERVICES NORTHWEST REGIONAL DATA CENTER (NWRDC) FROM GENERAL REVENUE FUND		61,891
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM GENERAL REVENUE FUND FROM TRUST FUNDS		8,706,487 1,565,196
	TOTAL POSITIONS TOTAL ALL FUNDS	96.00	10,271,683
PROGRAM: ELECTIONS			
ELECTIONS			
	APPROVED SALARY RATE	2,155,709	
3086	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND	56.00 1,188,249	1,962,954
3087	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND		87,448 319,284
3088	EXPENSES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND		725,950 604,437
3089	AID TO LOCAL GOVERNMENTS SPECIAL ELECTIONS FROM GENERAL REVENUE FUND		1,228,003
3090	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND		10,086 3,125
3091	SPECIAL CATEGORIES VOTING SYSTEMS ASSISTANCE FROM FEDERAL GRANTS TRUST FUND		525,000
3092	SPECIAL CATEGORIES STATEWIDE VOTER REGISTRATION SYSTEM - HELP AMERICA VOTE ACT (HAVA) FROM FEDERAL GRANTS TRUST FUND		2,787,751

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3093 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 358,502
FROM FEDERAL GRANTS TRUST FUND 300,058

From the funds in Specific Appropriation 3093, \$25,000 of nonrecurring general revenue will be used as a one-time membership fee to The Electronic Registration Information Center (ERIC) and \$50,000 of recurring general revenue will be used for annual use fees for a data sharing system that allows election officials to keep up-to-date records for voter registration files.

3094 SPECIAL CATEGORIES
ASSISTANCE FOR INDIVIDUALS WITH
DISABILITIES
FROM FEDERAL GRANTS TRUST FUND 800,000

3095 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 193,106

3096 SPECIAL CATEGORIES
ELECTION FRAUD PREVENTION
FROM GENERAL REVENUE FUND 445,379

3097 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 29,669

3098 SPECIAL CATEGORIES
GRANTS AND AIDS - FEDERAL ELECTION
ACTIVITIES (HELP AMERICA VOTE ACT)
FROM FEDERAL GRANTS TRUST FUND 2,000,000

Funds in Specific Appropriation 3098 shall be distributed to county supervisors of elections to be used for election administration activities such as voter education; pollworker training; standardizing elections results reporting; or other federal election administrative activities as approved by the Department of State.

County supervisors of elections will receive funds only after providing the Department of State a detailed description of the programs that will be implemented. Funds distributed to county supervisors of elections require a certification from the county that matching funds will be provided in an amount equal to fifteen percent of the amount to be received from the state.

Also, before a county supervisor of elections receives funds for any software or hardware technology, including, but not limited to any emerging technology that enhances or facilitates the delivery of absentee ballots, the casting and counting of valid votes, voting system audits or recount processes, and the certification of accurate and complete official election results, the software or technology must first be certified or approved, whichever is applicable by the Department of State. Additionally, before the supervisor can receive funds for emerging or enhancing technology, the county supervisor of elections and the chairperson of the county governing body must certify that the county has purchased and made available sufficient equipment for casting and counting ballots to meet the needs of the county electors including reducing the wait time at the polls during the early voting period and on election day for the next regularly scheduled general election.

To be eligible, a county must segregate federal funds and required county matching dollars in a separate account established to hold only such funds. Funds in this account must be used only for the activities for which the funds were received. Funds shall remain in the account to be used for the same purposes for subsequent years or until such funds are expended. Supervisors of elections shall report to the Department of State any unspent funds remaining on June 30 of each fiscal year.

3099 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 7,817

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FROM FEDERAL GRANTS TRUST FUND 5,626

3100A DATA PROCESSING SERVICES
DATA PROCESSING ASSESSMENT - AGENCY FOR
STATE TECHNOLOGY
FROM GENERAL REVENUE FUND 112,092
FROM FEDERAL GRANTS TRUST FUND 67,594

TOTAL: ELECTIONS
FROM GENERAL REVENUE FUND 4,386,301
FROM TRUST FUNDS 9,375,829

TOTAL POSITIONS 56.00
TOTAL ALL FUNDS 13,762,130

PROGRAM: HISTORICAL RESOURCES

HISTORICAL RESOURCES PRESERVATION AND EXHIBITION

APPROVED SALARY RATE 2,010,007

3101 SALARIES AND BENEFITS POSITIONS 53.00
FROM GENERAL REVENUE FUND 51,706
FROM FEDERAL GRANTS TRUST FUND 349,344
FROM LAND ACQUISITION TRUST FUND 2,583,621

3102 OTHER PERSONAL SERVICES
FROM FEDERAL GRANTS TRUST FUND 391,447
FROM LAND ACQUISITION TRUST FUND 1,419,592

3103 EXPENSES
FROM FEDERAL GRANTS TRUST FUND 471,690
FROM LAND ACQUISITION TRUST FUND 1,112,549

3104 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND 15,625
FROM LAND ACQUISITION TRUST FUND 186,250

3105 LUMP SUM
HISTORIC PROPERTIES MAINTENANCE
FROM LAND ACQUISITION TRUST FUND 500,000

3106 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM FEDERAL GRANTS TRUST FUND 39,245
FROM LAND ACQUISITION TRUST FUND 791,561

3107 SPECIAL CATEGORIES
GRANTS AND AIDS - HISTORIC PRESERVATION
GRANTS
FROM GENERAL REVENUE FUND 500,000
FROM FEDERAL GRANTS TRUST FUND 118,250
FROM GRANTS AND DONATIONS TRUST
FUND 1,516,308
FROM LAND ACQUISITION TRUST FUND 2,587,190

From the funds in Specific Appropriation 3107, \$1,500,000 of recurring funds from the Land Acquisition Trust Fund and \$118,250 from the Federal Grants Trust Fund, are provided for the 2017-2018 Small Matching Grants ranked list as provided on the Department of State website.

For the next Historic Preservation Grant List application submission period, the list will be separated into two lists. The first list will include all projects that are in a Rural Area of Opportunity (RAO), as defined in section 288.0656, Florida Statutes. The second list will include all projects in non-RAOs. The ranking process will continue to be the same for both lists.

From the nonrecurring funds in Specific Appropriation 3107, \$396,400 from the Grants and Donations Trust Fund is provided for the restoration completion of the Historic Hernando School.

From the nonrecurring funds in Specific Appropriation 3107, \$497,250 from the Grants and Donations Trust Fund is provided to the Cape Canaveral Lighthouse for the reconstruction of the lighthouse keeper's cottages.

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From the nonrecurring funds in Specific Appropriation 3107, \$272,658 is provided from the Grants and Donations Trust Fund for the Historic Cocoa Village Playhouse, Inc., in Brevard County.

From the nonrecurring funds in Specific Appropriation 3107, \$50,000 is provided from the Grants and Donations Trust Fund for the Dixie Highway Landing Column Reconstruction in the City of Lakeland.

From the nonrecurring funds in Specific Appropriation 3107, \$300,000 is provided from the Grants and Donations Trust Fund for the St. Marks Lighthouse Structure Preservation in Wakulla County.

From the nonrecurring funds in Specific Appropriation 3107, \$500,000 is provided from general revenue for the McCollum Hall Preservation, Phase III in Lee County.

3108	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM LAND ACQUISITION TRUST FUND . .	44,142	
3109	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM FEDERAL GRANTS TRUST FUND . . . FROM LAND ACQUISITION TRUST FUND . .	3,931 20,641	
3110	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM FEDERAL GRANTS TRUST FUND . . . FROM LAND ACQUISITION TRUST FUND . .	1,916 18,808	
3111	DATA PROCESSING SERVICES OTHER DATA PROCESSING SERVICES FROM LAND ACQUISITION TRUST FUND . .		34,746
3112	FIXED CAPITAL OUTLAY FACILITIES REPAIRS AND MAINTENANCE FROM LAND ACQUISITION TRUST FUND . .		350,000
3112A	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AIDS - SPECIAL CATEGORIES - ACQUISITION, RESTORATION OF HISTORIC PROPERTIES FROM GENERAL REVENUE FUND		9,474,139

From the funds in Specific Appropriation 3112A, \$9,124,139 of nonrecurring general revenue funds is provided for the 2017-2018 Special Categories Grants ranked list, as provided on the Department of State website.

From the funds in Specific Appropriation 3112A, \$350,000 of nonrecurring general revenue funds is provided for the Happy Workers Learning Center Rehabilitation/Restoration in Pinellas County.

For the next Fixed Capital Outlay - Acquisition, Restoration of Historic Properties Grant List application submission period, the list will be separated into two lists. The first list will include all projects that are in a Rural Area of Opportunity (RAO), as defined in section 288.0656, Florida Statutes. The second list will include all projects in non-RAOs. The ranking process will continue to be the same for both lists.

TOTAL:	HISTORICAL RESOURCES PRESERVATION AND EXHIBITION FROM GENERAL REVENUE FUND FROM TRUST FUNDS	10,025,845 12,556,856	
	TOTAL POSITIONS	53.00	
	TOTAL ALL FUNDS		22,582,701

PROGRAM: CORPORATIONS

COMMERCIAL RECORDINGS AND REGISTRATIONS

APPROVED SALARY RATE 3,658,029

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3113	SALARIES AND BENEFITS FROM GENERAL REVENUE FUND	102.00 5,193,583	
3114	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND		615
3115	EXPENSES FROM GENERAL REVENUE FUND		1,703,802
3116	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND		6,715
3117	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND		143,954
3118	SPECIAL CATEGORIES RICO ACT - ALIEN CORPORATIONS FROM GENERAL REVENUE FUND		261,369
3119	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND		18,894
3120	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND		5,880
3121	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND		37,376
3122A	DATA PROCESSING SERVICES DATA PROCESSING ASSESSMENT - AGENCY FOR STATE TECHNOLOGY FROM GENERAL REVENUE FUND		52,146
TOTAL:	COMMERCIAL RECORDINGS AND REGISTRATIONS FROM GENERAL REVENUE FUND		7,424,334
	TOTAL POSITIONS	102.00	
	TOTAL ALL FUNDS		7,424,334

PROGRAM: LIBRARY AND INFORMATION SERVICES

LIBRARY, ARCHIVES AND INFORMATION SERVICES

	APPROVED SALARY RATE	2,875,085	
3123	SALARIES AND BENEFITS FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND . . . FROM RECORDS MANAGEMENT TRUST FUND .	70.00 1,402,660	1,484,681 1,079,572
3124	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND . . . FROM RECORDS MANAGEMENT TRUST FUND .	73,757	236,306 72,254
3125	EXPENSES FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND . . . FROM RECORDS MANAGEMENT TRUST FUND .	1,601,831	426,392 423,206
3126	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - LIBRARY COOPERATIVES FROM GENERAL REVENUE FUND		2,000,000
3127	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - LIBRARY GRANTS FROM GENERAL REVENUE FUND FROM FEDERAL GRANTS TRUST FUND . . .	30,251,785	2,950,606

From the funds in Specific Appropriation 3127, \$7,952,951 in

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nonrecurring general revenue is provided to the department for the Library Technology Grant Program. The Department of State shall create a matching grant program for public libraries to apply for funding based on a 1:1 matching ratio. Eligible uses of grant funds include: expanding services for learning and access to information and educational resources for individuals of all ages; developing library services that provide all users access to information through local, state, regional, national, and international electronic networks; creating centers for simulations and audio/video recording; providing centers for homeschooling, small business conference and training rooms, and creating partnerships with CareerSource Florida, Inc., the Regional Workforce Boards, the Small Business Development Center, and other entities to provide small business guidance and assistance with new and emerging business issues. The department may grant funds to entities meeting these eligibility requirements in an amount up to \$500,000 per entity annually.

From the funds in Specific Appropriation 3127, \$100,000 of nonrecurring funds is provided for the Parkland Library Master Plan Expansion in Broward County.

3128	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND	24,960		
	FROM FEDERAL GRANTS TRUST FUND		40,498	
	FROM RECORDS MANAGEMENT TRUST FUND		9,740	
3129	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND	226,633		
	FROM FEDERAL GRANTS TRUST FUND		501,966	
	FROM RECORDS MANAGEMENT TRUST FUND		187,059	
3130	SPECIAL CATEGORIES			
	LIBRARY RESOURCES			
	FROM GENERAL REVENUE FUND	484,388		
	FROM FEDERAL GRANTS TRUST FUND		3,304,848	
3131	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND	20,656		
3132	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND	18,101		
	FROM FEDERAL GRANTS TRUST FUND		7,308	
	FROM RECORDS MANAGEMENT TRUST FUND		3,724	
3133	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT			
	SERVICES - HUMAN RESOURCES SERVICES			
	PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND	16,107		
	FROM FEDERAL GRANTS TRUST FUND		8,372	
	FROM RECORDS MANAGEMENT TRUST FUND		7,691	
3133A	FIXED CAPITAL OUTLAY			
	LIBRARY CONSTRUCTION GRANTS			
	FROM GENERAL REVENUE FUND	5,880,000		

Funds in Specific Appropriation 3133A are provided for the 2017-2018 Library Construction Grants ranked list, as provided on the Department of State website.

For the next Library Construction Grant List application submission period, the list will be separated into two lists. The first list will include all projects that are in a Rural Area of Opportunity (RAO), as defined in section 288.0656, Florida Statutes. The second list will include all projects in non-RAOs. The ranking process will continue to be the same for both lists.

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TOTAL: LIBRARY, ARCHIVES AND INFORMATION SERVICES		
FROM GENERAL REVENUE FUND	42,000,878	
FROM TRUST FUNDS		10,744,223
TOTAL POSITIONS	70.00	
TOTAL ALL FUNDS		52,745,101

PROGRAM: CULTURAL AFFAIRS

CULTURAL AFFAIRS

	APPROVED SALARY RATE	1,251,557		
3134	SALARIES AND BENEFITS	POSITIONS	35.00	
	FROM GENERAL REVENUE FUND		712,085	
	FROM FEDERAL GRANTS TRUST FUND			453,119
	FROM LAND ACQUISITION TRUST FUND			730,806
3135	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND	14,163		
	FROM LAND ACQUISITION TRUST FUND			90,272
3136	EXPENSES			
	FROM GENERAL REVENUE FUND	153,370		
	FROM FEDERAL GRANTS TRUST FUND			24,568
	FROM LAND ACQUISITION TRUST FUND			651,418
3137	AID TO LOCAL GOVERNMENTS			
	GRANTS AND AIDS - ARTS GRANTS			
	FROM FEDERAL GRANTS TRUST FUND			232,231
3138	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND	1,100		
3138A	SPECIAL CATEGORIES			
	GRANTS AND AIDS - CULTURE BUILDS FLORIDA			
	FROM GENERAL REVENUE FUND	2,320,109		

For the next Culture Builds Florida Grant List application submission period, the list will be separated into two lists. The first list will include all projects that are in a Rural Area of Opportunity (RAO), as defined in section 288.0656, Florida Statutes. The second list will include all projects in non-RAOs. The ranking process will continue to be the same for both lists.

3139	SPECIAL CATEGORIES			
	GRANTS AND AIDS - CULTURAL AND MUSEUM			
	GRANTS			
	FROM GENERAL REVENUE FUND	20,040,046		

From the funds in Specific Appropriation 3139, \$5,000,000 of recurring general revenue funds, and \$13,190,046 of nonrecurring general revenue funds are provided for the 2017-2018 General Program Support ranked list, as provided on the Department of State website.

The remaining nonrecurring general revenue funds in Specific Appropriation 3139 shall be allocated as follows

St. Petersburg Warehouse Arts District Project.....	500,000
Great Explorations Children's Museum.....	500,000
African Museum of Arts and Culture Center.....	500,000
African American History Museum at Historic Roosevelt High School, Palm Beach County.....	350,000

For the next Cultural and Museum Grant List application submission period, the list will be separated into two lists. The first list will include all projects that are in a Rural Area of Opportunity (RAO), as defined in section 288.0656, Florida Statutes. The second list will include all projects in non-RAOs. The ranking process will continue to be the same for both lists.

For the next Fine Arts Endowment Grant List application submission period, the list will be separated into two lists. The first list will include all projects that are in a Rural Area of Opportunity (RAO), as defined in section 288.0656, Florida Statutes. The second list will include all projects in non-RAOs. The ranking process will continue to be the same for both lists.

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be the same for both lists.

3139A SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA AFRICAN-AMERICAN
HERITAGE PRESERVATION NETWORK
FROM GENERAL REVENUE FUND 350,000

From the funds in Specific Appropriation 3139A, \$350,000 from nonrecurring general revenue shall be provided to the Florida African American Heritage Preservation Network (FAAHPN) to be used as follows: (a) 70 percent for grants to its affiliate organizations for technology and equipment acquisitions, content and exhibit development, preservation of documents and artifacts, or other eligible expenses as determined by the FAAHPN; (b) 15 percent for FAAHPN activities that serve affiliates, including, but not limited to, informational and technical assistance, professional development, marketing and promotions, regional or statewide conferences, or other activities that benefit the organization or its affiliates; and (c) 15 percent for FAAHPN administrative costs. The FAAHPN shall submit an annual report of expenditures, including grant funds disbursed, to the Department of State in a format approved by the department. No affiliate organization may be awarded more than 5 percent of the total amount of grants awarded pursuant to this appropriation. From these funds, \$100,000 is to be utilized for the James and Rosamond Johnson Birthplace Project.

3140 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 90,709
FROM FEDERAL GRANTS TRUST FUND 18,000
FROM LAND ACQUISITION TRUST FUND 25,000

3141 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 31,883

3141A SPECIAL CATEGORIES
FLORIDA HOLOCAUST MUSEUM - ST. PETERSBURG
FROM GENERAL REVENUE FUND 750,000

3142 SPECIAL CATEGORIES
HOLOCAUST DOCUMENTATION AND EDUCATION
CENTER
FROM GENERAL REVENUE FUND 257,000

3143 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 2,094
FROM LAND ACQUISITION TRUST FUND 5,796

3144 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 10,775
FROM FEDERAL GRANTS TRUST FUND 1,761

3144A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - SPECIAL CATEGORIES -
CULTURAL FACILITIES PROGRAM
FROM GENERAL REVENUE FUND 7,211,940

From the funds in Specific Appropriation 3144A, \$7,211,940 of nonrecurring general revenue funds is provided for the 2017-2018 Cultural Facilities ranked list in its entirety, as provided on the Department of State website.

For the next Cultural Facilities Program Grant List application submission period, the list will be separated into two lists. The first list will include all projects that are in a Rural Area of Opportunity (RAO), as defined in section 288.0656, Florida Statutes. The second list will include all projects in non-RAOs. The ranking process will continue to be the same for both lists.

SECTION 6 - GENERAL GOVERNMENT

TOTAL: CULTURAL AFFAIRS
FROM GENERAL REVENUE FUND 31,945,274
FROM TRUST FUNDS 2,232,971

TOTAL POSITIONS 35.00
TOTAL ALL FUNDS 34,178,245

TOTAL: STATE, DEPARTMENT OF
FROM GENERAL REVENUE FUND 104,489,119
FROM TRUST FUNDS 36,475,075

TOTAL POSITIONS 412.00
TOTAL ALL FUNDS 140,964,194
TOTAL APPROVED SALARY RATE 17,315,117

TOTAL OF SECTION 6
FROM GENERAL REVENUE FUND 1,204,097,392
FROM TRUST FUNDS 4,004,673,517

TOTAL POSITIONS 18,641.75
TOTAL ALL FUNDS 5,208,770,909

SECTION 7 - JUDICIAL BRANCH

SPECIFIC
APPROPRIATION

The moneys contained herein are appropriated from the named funds to the State Courts System as the amounts to be used to pay salaries, other operational expenditures and fixed capital outlay.

STATE COURT SYSTEM

PROGRAM: SUPREME COURT

COURT OPERATIONS - SUPREME COURT

APPROVED SALARY RATE		6,266,347	
3145	SALARIES AND BENEFITS POSITIONS	99.00	
	FROM GENERAL REVENUE FUND	4,854,247	
	FROM STATE COURTS REVENUE TRUST FUND		3,547,251
3146	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	272,655	
	FROM STATE COURTS REVENUE TRUST FUND		60,186
3147	EXPENSES		
	FROM GENERAL REVENUE FUND	646,873	
3148	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	19,371	
3149	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	381,205	
3150	SPECIAL CATEGORIES		
	DISCRETIONARY FUNDS OF THE CHIEF JUSTICE		
	FROM GENERAL REVENUE FUND	15,000	
Funds in Specific Appropriation 3150 may be spent at the discretion of the Chief Justice to carry out the official duties of the court. These funds shall be disbursed by the Chief Financial Officer upon receipt of vouchers authorized by the Chief Justice.			
3151	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	44,472	
3152	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	14,418	
3153	SPECIAL CATEGORIES		
	SUPREME COURT LAW LIBRARY		
	FROM GENERAL REVENUE FUND	248,018	
3154	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	29,308	
3155	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	21,831	
TOTAL: COURT OPERATIONS - SUPREME COURT			
	FROM GENERAL REVENUE FUND	6,547,398	
	FROM TRUST FUNDS		3,607,437
	TOTAL POSITIONS	99.00	
	TOTAL ALL FUNDS		10,154,835

SECTION 7 - JUDICIAL BRANCH

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE		10,413,433	
3156	SALARIES AND BENEFITS POSITIONS	188.50	
	FROM GENERAL REVENUE FUND	6,052,426	
	FROM ADMINISTRATIVE TRUST FUND		347,715
	FROM STATE COURTS REVENUE TRUST FUND		5,056,032
	FROM COURT EDUCATION TRUST FUND		1,288,181
	FROM FEDERAL GRANTS TRUST FUND		1,326,480
3157	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	236,706	
	FROM ADMINISTRATIVE TRUST FUND		225,992
	FROM STATE COURTS REVENUE TRUST FUND		31,596
	FROM COURT EDUCATION TRUST FUND		105,957
	FROM FEDERAL GRANTS TRUST FUND		115,455
3158	EXPENSES		
	FROM GENERAL REVENUE FUND	1,620,852	
	FROM ADMINISTRATIVE TRUST FUND		284,676
	FROM COURT EDUCATION TRUST FUND		1,904,449
	FROM FEDERAL GRANTS TRUST FUND		552,006
	FROM GRANTS AND DONATIONS TRUST FUND		142,355
3159	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	176,329	
	FROM ADMINISTRATIVE TRUST FUND		50,000
	FROM COURT EDUCATION TRUST FUND		10,000
	FROM FEDERAL GRANTS TRUST FUND		111,376
3160	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	342,390	
	FROM ADMINISTRATIVE TRUST FUND		151,000
	FROM COURT EDUCATION TRUST FUND		106,105
	FROM FEDERAL GRANTS TRUST FUND		352,893
	FROM GRANTS AND DONATIONS TRUST FUND		102,000
3161	SPECIAL CATEGORIES		
	FLORIDA CASES SOUTHERN 2ND REPORTER		
	FROM GENERAL REVENUE FUND	625,344	
3162	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	29,409	
3163	SPECIAL CATEGORIES		
	COMPUTER SUBSCRIPTION SERVICES		
	FROM GENERAL REVENUE FUND	181,450	
3164	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND	11,648	
	FROM COURT EDUCATION TRUST FUND		7,500
	FROM FEDERAL GRANTS TRUST FUND		5,500
3165	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	33,293	
	FROM ADMINISTRATIVE TRUST FUND		196
	FROM COURT EDUCATION TRUST FUND		3,655
	FROM FEDERAL GRANTS TRUST FUND		3,734
3166	DATA PROCESSING SERVICES		
	OTHER DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	2,115,345	
	FROM ADMINISTRATIVE TRUST FUND		150,000
	FROM FEDERAL GRANTS TRUST FUND		80,000

SECTION 7 - JUDICIAL BRANCH

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		
FROM GENERAL REVENUE FUND	11,425,192	
FROM TRUST FUNDS		12,514,773
TOTAL POSITIONS	188.50	
TOTAL ALL FUNDS		23,939,965

ADMINISTERED FUNDS - JUDICIAL

COURT OPERATIONS - ADMINISTERED FUNDS

3166A SPECIAL CATEGORIES		
COURTHOUSE EMERGENCY RENOVATION AND		
REPAIRS		
FROM GENERAL REVENUE FUND	700,000	

From the funds in Specific Appropriation 3166A, \$500,000 in nonrecurring general revenue funds shall be used to fund repairs to the Nassau County Courthouse and \$200,000 in nonrecurring general revenue funds shall be used to fund repairs to the Liberty County Courthouse.

3167 SPECIAL CATEGORIES		
DUE PROCESS CONTINGENCY FUND		
POSITIONS	9.00	

The positions authorized in Specific Appropriation 3167 shall be held in reserve as a contingency in the event the state courts determine that some portion of Article V due process services needs to be shifted from a contractual basis to an employee model in one or more judicial circuits. The Chief Justice of the Supreme Court may request transfer of these positions to the salaries and benefits appropriation category within any of the state courts budget entities, consistent with requests for transfers of funds into those same budget entities. Such transfers are subject to the notice, review, and objection provisions of section 216.177, Florida Statutes.

PROGRAM: DISTRICT COURTS OF APPEAL

COURT OPERATIONS - APPELLATE COURTS

APPROVED SALARY RATE	30,469,006	
3168 SALARIES AND BENEFITS	445.00	
FROM GENERAL REVENUE FUND	27,885,460	
FROM ADMINISTRATIVE TRUST FUND . . .		1,883,507
FROM STATE COURTS REVENUE TRUST		
FUND		12,140,336
3169 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	140,007	
3170 EXPENSES		
FROM GENERAL REVENUE FUND	3,398,286	
FROM ADMINISTRATIVE TRUST FUND . . .		94,669
3171 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	113,364	
FROM ADMINISTRATIVE TRUST FUND . . .		27,000
3172 SPECIAL CATEGORIES		
COMPENSATION TO RETIRED JUDGES		
FROM GENERAL REVENUE FUND	51,790	
3173 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	673,574	
3174 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	100,919	
3175 SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM STATE COURTS REVENUE TRUST		
FUND		8,190

SECTION 7 - JUDICIAL BRANCH

3176 SPECIAL CATEGORIES		
DISTRICT COURT OF APPEAL LAW LIBRARY		
FROM GENERAL REVENUE FUND		162,797
3177 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND		62,686
3178 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND		90,852
FROM ADMINISTRATIVE TRUST FUND . . .		1,968
3179 DATA PROCESSING SERVICES		
OTHER DATA PROCESSING SERVICES		
FROM GENERAL REVENUE FUND		171,100
3179A FIXED CAPITAL OUTLAY		
3RD DCA - COURT BUILDING REMODELING FOR		
SECURITY AND BUILDING SYSTEM UPGRADES -		
DMS MGD		
FROM GENERAL REVENUE FUND		100,000
TOTAL: COURT OPERATIONS - APPELLATE COURTS		
FROM GENERAL REVENUE FUND	32,950,835	
FROM TRUST FUNDS		14,155,670
TOTAL POSITIONS	445.00	
TOTAL ALL FUNDS		47,106,505

PROGRAM: TRIAL COURTS

COURT OPERATIONS - CIRCUIT COURTS

APPROVED SALARY RATE	204,846,495	
3180 SALARIES AND BENEFITS	3,019.00	
FROM GENERAL REVENUE FUND	231,652,492	
FROM ADMINISTRATIVE TRUST FUND . . .		273,196
FROM STATE COURTS REVENUE TRUST		
FUND		46,974,099
FROM FEDERAL GRANTS TRUST FUND . . .		6,796,754
3181 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	912,951	
FROM STATE COURTS REVENUE TRUST		
FUND		164,243
FROM FEDERAL GRANTS TRUST FUND . . .		25,930
3182 EXPENSES		
FROM GENERAL REVENUE FUND	6,577,818	
FROM ADMINISTRATIVE TRUST FUND . . .		3,928
FROM FEDERAL GRANTS TRUST FUND . . .		110,616
From the funds in Specific Appropriation 3182, \$100,000 in nonrecurring general revenue funds is provided to the Broward County Courthouse for courthouse furnishings.		
3183 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	263,082	
3184 SPECIAL CATEGORIES		
CIVIL TRAFFIC INFRACTION HEARING OFFICERS		
FROM GENERAL REVENUE FUND	2,042,854	
3185 SPECIAL CATEGORIES		
GRANTS AND AIDS - CHILD ADVOCACY CENTERS		
FROM GENERAL REVENUE FUND	4,943,240	
From the funds in Specific Appropriation 3185, \$3,500,000 in recurring general revenue funds and \$500,000 in nonrecurring general revenue funds shall be distributed to the 27 Children's Advocacy Centers throughout Florida based on the proportion of children served by each center during calendar year 2016. This funding may not be used to supplant local		

SECTION 7 - JUDICIAL BRANCH

government reductions in Children's Advocacy Center funding. Any reductions in local government funding for the centers shall result in the withholding of funds appropriated in this specific appropriation.

From the funds in Specific Appropriation 3185, the Florida Network of Children's Advocacy Centers may spend up to \$213,240 for administration and up to \$80,000 for contract monitoring and oversight.

From the funds in Specific Appropriation 3185, \$100,000 in recurring general revenue funds is provided to the Walton County Children's Advocacy Center for child advocacy services.

From the funds in Specific Appropriation 3185, \$300,000 in recurring general revenue funds shall be used to support child protection teams operating in Children's Advocacy Centers. These funds may not be used for administrative support.

From the funds in Specific Appropriation 3185, \$250,000 in nonrecurring general revenue funds is provided to the Nancy J. Cotterman Children's Advocacy and Rape Crisis Center for child advocacy services.

3186 SPECIAL CATEGORIES
COMPENSATION TO RETIRED JUDGES
FROM GENERAL REVENUE FUND 2,265,249

From the funds in Specific Appropriation 3186, \$250,000 in nonrecurring general revenue funds is provided to fund senior judge hours in Flagler County.

3187 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 14,429,504

From the funds in Specific Appropriation 3187, \$5,000,000 in recurring general revenue funds and \$2,500,000 in nonrecurring general revenue funds are provided for naltrexone extended-release injectable medication to treat alcohol- or opioid-addicted individuals involved in the criminal justice system, individuals who have a high likelihood of criminal justice involvement, or who are in court-ordered, community-based drug treatment. The Office of the State Courts Administrator shall use the funds to contract with a non-profit entity for the purpose of distributing the medication.

From the funds in Specific Appropriation 3187, \$124,421 in nonrecurring general revenue funds is provided for drug court treatment services in Seminole County.

From the funds in Specific Appropriation 3187, \$175,000 in nonrecurring general revenue funds is provided to the Grove Counseling Center to provide treatment services for the Seminole County Juvenile Drug Court.

From the funds in Specific Appropriation 3187, \$5,000,000 in recurring general revenue funds is provided for treatment services for offenders in post-adjudicatory drug court programs in Broward, Escambia, Hillsborough, Marion, Okaloosa, Orange, Pinellas, Polk, and Volusia counties. Each program shall serve prison-bound offenders (at least 50 percent of participants shall have Criminal Punishment Code scores of greater than 44 points but no more than 60 points) and shall make residential treatment beds available for clients needing residential treatment.

From the funds in Specific Appropriation 3187, \$200,000 in nonrecurring general revenue funds is provided for gap funding for housing and wraparound behavioral health treatment services provided by the Miami-Dade Homeless Trust for individuals referred by the 11th Judicial Circuit Criminal Mental Health Project and participating in jail diversion programs.

From the funds in Specific Appropriation 3187, \$750,000 in nonrecurring general revenue funds is provided for electronic monitoring of offenders referred to the Storesavers Shoplifting Diversion Program.

SECTION 7 - JUDICIAL BRANCH

3188 SPECIAL CATEGORIES
DOMESTIC VIOLENCE OFFENDER MONITORING
PROGRAM
FROM GENERAL REVENUE FUND 316,000

The funds in Specific Appropriation 3188 are provided to the Eighteenth Judicial Circuit to continue its program to protect victims of domestic violence with Active Global Positioning Satellite (GPS) technology.

3189 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,172,652

3190 SPECIAL CATEGORIES
STATEWIDE GRAND JURY - EXPENSES
FROM GENERAL REVENUE FUND 143,310

3191 SPECIAL CATEGORIES
VETERANS COURT
FROM GENERAL REVENUE FUND 2,229,495

Recurring general revenue funds in Specific Appropriation 3191 are provided to the following counties for felony and/or misdemeanor pretrial or post-adjudicatory veterans' treatment intervention programs:

Alachua.....	150,000
Clay.....	150,000
Duval.....	200,000
Escambia.....	150,000
Leon.....	125,000
Okaloosa.....	150,000
Orange.....	200,000
Pasco.....	150,000
Pinellas.....	150,000

Nonrecurring general revenue funds in Specific Appropriation 3191 are provided to the following counties for felony and/or misdemeanor pretrial or post-adjudicatory veterans' treatment intervention programs:

Lake.....	200,000
Leon.....	50,000
Marion.....	50,000
Miami-Dade.....	150,500
Nassau.....	150,000
Seminole.....	116,149

From the funds in Specific Appropriation 3191, \$86,000 in nonrecurring general revenue funds is provided to the Collier County Veterans' Treatment Court to divert veterans with mental health and substance abuse treatment needs from the criminal justice system. The funds shall be used to reimburse the David Lawrence Mental Health Center, Inc., in Collier County for all program costs including the salary and benefits of full-time program staff; mileage for required travel; housing, treatment, medications, drug screens, and other supportive services to participants; and program administration.

3192 SPECIAL CATEGORIES
LEASE OR LEASE-PURCHASE OF EQUIPMENT
FROM GENERAL REVENUE FUND 91,655

3193 SPECIAL CATEGORIES
MEDIATION/ARBITRATION SERVICES
FROM GENERAL REVENUE FUND 3,164,359

3194 SPECIAL CATEGORIES
STATE COURTS DUE PROCESS COSTS
FROM GENERAL REVENUE FUND 19,955,792
FROM ADMINISTRATIVE TRUST FUND 1,104,930

3195 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 592,860
FROM FEDERAL GRANTS TRUST FUND 29,057

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3196	DATA PROCESSING SERVICES OTHER DATA PROCESSING SERVICES FROM GENERAL REVENUE FUND	9,796,221	
TOTAL:	COURT OPERATIONS - CIRCUIT COURTS FROM GENERAL REVENUE FUND FROM TRUST FUNDS	300,549,534	55,482,753
	TOTAL POSITIONS	3,019.00	
	TOTAL ALL FUNDS		356,032,287
COURT OPERATIONS - COUNTY COURTS			
	APPROVED SALARY RATE	57,313,280	
3197	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND FROM STATE COURTS REVENUE TRUST FUND	644.00 79,669,938	5,661,456
3198	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	15,000	
3199	EXPENSES FROM GENERAL REVENUE FUND	3,067,094	
3200	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	15,000	
3201	SPECIAL CATEGORIES ADDITIONAL COMPENSATION FOR COUNTY JUDGES FROM GENERAL REVENUE FUND	75,000	
3202	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	238,000	
3203	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	107,674	
3204	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND	71,610	
3205	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	127,327	
TOTAL:	COURT OPERATIONS - COUNTY COURTS FROM GENERAL REVENUE FUND FROM TRUST FUNDS	83,386,643	5,661,456
	TOTAL POSITIONS	644.00	
	TOTAL ALL FUNDS		89,048,099

PROGRAM: JUDICIAL QUALIFICATIONS COMMISSION

JUDICIAL QUALIFICATIONS COMMISSION OPERATIONS

	APPROVED SALARY RATE	286,805	
3206	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	4.00 371,300	
3207	EXPENSES FROM GENERAL REVENUE FUND	160,205	
3208	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	1,638	
3209	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	240,475	

SECTION 7 - JUDICIAL BRANCH

3210	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	560	
3211	SPECIAL CATEGORIES LITIGATION EXPENSES FROM GENERAL REVENUE FUND	231,294	
Funds in Specific Appropriation 3211 are to be used only for case expenditures associated with the filing and prosecution of formal charges. These costs shall consist of attorney's fees, court reporting fees, investigators' fees, and similar charges associated with the adjudicatory process.			
3212	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	984	
TOTAL:	JUDICIAL QUALIFICATIONS COMMISSION OPERATIONS FROM GENERAL REVENUE FUND	1,006,456	
	TOTAL POSITIONS	4.00	
	TOTAL ALL FUNDS		1,006,456
TOTAL:	STATE COURT SYSTEM FROM GENERAL REVENUE FUND FROM TRUST FUNDS	436,566,058	91,422,089
	TOTAL POSITIONS	4,408.50	
	TOTAL ALL FUNDS		527,988,147
	TOTAL APPROVED SALARY RATE	309,595,366	
TOTAL OF SECTION 7			
	FROM GENERAL REVENUE FUND	436,566,058	
	FROM TRUST FUNDS		91,422,089
	TOTAL POSITIONS	4,408.50	
	TOTAL ALL FUNDS		527,988,147

SECTION 8. EMPLOYEE COMPENSATION AND BENEFITS - FISCAL YEAR 2017-2018

Statement of Purpose

This section provides instructions for implementing the Fiscal Year 2017-2018 salary and benefit adjustments provided in this act. All allocations, distributions, and uses of these funds are to be made in strict accordance with the provisions of this act.

Pay Grade and Pay Band Adjustments

It is the intent of the Legislature that the minimum for each pay grade and pay band shall not be adjusted during the 2017-2018 fiscal year and that the maximum for each pay grade and pay band shall be adjusted upward by six percent, effective July 1, 2017. In addition, the intent is for all eligible employees to receive the increases specified herein, even if the implementation of such increase results in an employee's salary exceeding the adjusted pay grade maximum. Salary increases provided under this section shall be pro-rated based on the full-time equivalency of the employee's position. Employees classified as other personnel services employees are not eligible for an increase based on the implementation of increases authorized in this section.

(1) LAW ENFORCEMENT COMPENSATION ADJUSTMENTS

(a) Effective July 1, 2017, funds are provided in Specific Appropriation 1982A to grant a competitive pay adjustment of five percent of each eligible law enforcement employee's base rate of pay on June 30, 2017, in the departments of Legal Affairs, Agriculture and Consumer Services, Financial Services, Law Enforcement, Highway Safety and Motor Vehicles, Corrections, Business and Professional Regulation, and the Lottery; the Fish and Wildlife Conservation Commission; the offices of the State Attorneys; the Florida School for the Deaf and Blind; and the Commission on Offender Review.

(b) For purposes of this subsection, the term "law enforcement employee" means:

1. Sworn officers of the Law Enforcement, Florida Highway Patrol, Special Agent, and Lottery Law Enforcement bargaining units in classification codes: Law Enforcement Officer (8515); Law Enforcement Corporal (8517); Law Enforcement Sergeant (8519); Law Enforcement Investigator I (8540); Law Enforcement Investigator II (8541); Law Enforcement Airplane Pilot I (8532); Law Enforcement Airplane Pilot II (8534); Special Agent Trainee (8580); Special Agent (8581); Special Agent I (2724); Special Agent II (2608); Security Agent - FDLE (8593); and Security Agent Supervisor - FDLE (8596).

2. Sworn officers in the Career Service in classification codes: Law Enforcement Lieutenant (8522); Law Enforcement Captain (8525 and 8632); Law Enforcement Major (8526, 8626, and 8630); Special Agent Supervisor (8584); Inspector - FDLE (8590); Inspector - DC (8026); Inspector Supervisor - DC (8029); Senior Inspector - DC (8028); and Security and Law Enforcement Chief - FSDB (8520).

3. Sworn officers in the Selected Exempt Service in classification codes: Chief of Investigative Services - DACS (7788); Chief of Uniform Services - DACS (7858); Asst. Director of Law Enforcement (8551); Asst. Director, Division of Insurance Fraud (9776); Chief of Law Enforcement - DBPR (8613); Law Enforcement Manager - FWC (8565); Deputy Dir. Of Law Enforcement - FWC (9498); Law Enforcement Program Administrator (8798); Law Enforcement Section Leader (9154); Law Enforcement Troop Commander - HSMV (7650); Chief of Florida Highway Patrol (7981); Deputy Dir. Of Commercial Vehicle Enforcement (7935); Deputy Dir. Of Support Services (7964); Deputy Dir. Of Florida Highway Patrol (7932); Deputy Inspector General - HSMV (8587); Chief of Law Enforcement Services - FDLE (8383); Chief of Investigations - FDLE (8530); Asst. Chief of Investigations - DC (9019); Chief of Investigations - DC (9032); and Deputy Inspector General - DC (8019).

4. Sworn officers in the Senior Management Service in classification codes: Director of Agricultural Law Enforcement - DACS (8542); Inspector General - DACS (9721); Director, Division of Insurance Fraud (9779); Director of Law Enforcement - FWC (9694); Dir. LE Relations, Victim Services & Crim. Jus. Pro. (7949); Director of Florida Highway Patrol - HSMV (9762); Director - FDLE (8529); Executive Director - FDLE (9825); Asst. Executive Director - FDLE (9883); Dir. Capitol Police - FDLE (9736); and Director, Criminal Justice Prof. Program - FDLE (9828).

5. Sworn officers in the Lottery Pay Plan in classification codes: Director of Security - Lottery (2601); Deputy Director of Security - Lottery (2603); Manager - Forensics and Security - Lottery (1123); and Special Agent Supervisor - Lottery (1126).

6. Sworn officers in the State Attorneys Pay Plan in classification codes: Investigator I (6661); Investigator II (6662); Investigator III (6663); Investigator IV (6664); Investigator V (6665); and Investigator VI (6666).

(2) DEPARTMENT OF CORRECTIONS COMPENSATION ADJUSTMENTS

(a) Effective July 1, 2017, the Department of Corrections shall adjust the minimum base rate of pay for its positions in the correctional officer classification series as follows:

1. Correctional officer (8003) to \$33,500;
2. Correctional officer sergeant (8005) to \$36,850;
3. Correctional officer lieutenant (8011) to \$40,535; and
4. Correctional officer captain (8013) to \$44,589.

(b) Effective July 1, 2017, funds are provided in Specific Appropriation 1982A to fund the adjustments to the minimum base rates of pay authorized in paragraph (a) and to fund competitive pay adjustments to all other employees of the Department of Corrections filling a position in the correctional officer classification series (class codes 8003, 8005, 8011, and 8013). The adjustments to the base rate of pay shall be the amount necessary to increase the employee's base rate of pay as of June 30, 2017, to the applicable class minimum specified in paragraph (a) or by \$2,500, whichever amount is greater.

(3) PUBLIC DEFENDER COMPENSATION ADJUSTMENTS

Effective July 1, 2017, funds are provided in Specific Appropriation 1982A to grant a competitive pay adjustment of six percent of each eligible employee's base rate of pay as of June 30, 2017, eligible assistant public defender (class code 5901) and each eligible assistant public defender chief (class code 5909). For purposes of this subsection, references to an "eligible" employee means an employee filling a position as an assistant public defender (class code 5909) or as an assistant public defender chief (class code 5909) who has completed at least 3 years of service as an attorney in the circuit in which the attorney is currently employed. In no event shall the implementation of this competitive pay adjustment cause the base rate of pay for an assistant public defender or assistant public defender chief to exceed \$153,140.

(4) COMPENSATION ADJUSTMENTS FOR ELECTED OFFICERS AND FULL-TIME MEMBERS OF COMMISSIONS:

The elected officers, members of commissions, and designated employees shall be paid at the annual rate, listed below, for the 2017-2018 fiscal year; however, these salaries may be reduced on a voluntary basis.

	7/1/17	10/1/17
Governor.....	130,273	130,273
Lieutenant Governor.....	124,851	124,851
Chief Financial Officer.....	128,972	128,972
Attorney General.....	128,972	128,972
Agriculture, Commissioner of.....	128,972	128,972
Supreme Court Justice.....	192,945	192,945
Judges - District Courts of Appeal.....	183,298	183,298
Judges - Circuit Courts.....	173,651	173,651
Judges - County Courts.....	164,003	164,003
State Attorneys.....	154,140	155,140
Public Defenders.....	154,140	155,140
Commissioner - Public Service Commission.....	131,036	132,036
Public Employees Relations Commission Chair.....	96,789	97,789
Public Employees Relations Commission Commissioners.....	45,862	46,362
Commissioner - Parole.....	91,724	92,724
Criminal Conflict and Civil Regional Counsels.....	115,000	115,000

None of the officers, commission members, or employees whose salaries have been fixed in this section shall receive any supplemental salary or benefits from any county or municipality.

(5) EMPLOYEE AND OFFICER COMPENSATION ADJUSTMENTS

(a) For purposes of this subsection, "competitive pay adjustment" means:

1. For employees with a base rate of pay of \$40,000 or less on September 30, 2017, an annual increase of \$1,400.

2. For employees with a base rate of pay greater than \$40,000 on September 30, 2017, an annual increase of \$1,000; provided however, in no instance shall an employee's base rate of pay be increased to an annual amount less than \$41,400.

For the purpose of determining the applicable increase for part-time employees, the full-time equivalent value of the base rate of pay on September 30, 2017, shall be used; but the amount of the annual increase for a part-time employee shall be proportional to the full-time equivalency of the employee's position.

(b) For purposes of this subsection, references to "eligible" employees refer to employees who are, at a minimum, meeting their required performance standards, if applicable. If an ineligible employee achieves performance standards subsequent to the salary increase implementation date but on or before the end of the fiscal year, the employee may receive an increase; however, such increase shall be effective on the date the employee becomes eligible, but not retroactively. In addition, the salary increase provided under this section shall be pro-rated based on the full-time equivalency of the employee's position. Employees classified as being other personnel services employees are not eligible for an increase.

(c) Effective October 1, 2017, funds are provided in Specific Appropriation 1982A to grant competitive pay adjustments for all eligible employees in the Career Service, Selected Exempt Service, Senior Management Service, the Lottery pay plan, the judicial branch pay plan, and the pay plans administered by the Justice Administration Commission, except:

1. Those employees receiving compensation adjustments pursuant to subsections (1) or (2) of this section in excess of this adjustment.

2. Those employees receiving a compensation adjustment pursuant to subsection (3) of this section without the application of the \$153,140 cap on maximum base rate of pay; however, an employee whose base rate of pay is \$153,140 after the application of the competitive pay adjustment authorized in subsection (3) may receive a portion of the competitive pay adjustment authorized in this subsection to the extent the employee's base rate of pay does not exceed what would have been the employee's new base rate of pay pursuant to subsection (3) without the application of the cap, or \$154,140, whichever is less.

3. Elected officers and full-time members of commissions whose salaries are set pursuant to subsection (4) of this section.

4. Those employees receiving a salary adjustment pursuant to paragraph (6)(c).

(6) SPECIAL PAY ISSUES

(a) The Department of Highway Safety and Motor Vehicles is authorized to increase the minimum annual salaries of current and new employees hired to fill positions in the law enforcement officer class (class code 8515) to \$36,222.68. This paragraph is effective upon becoming a law.

(b) From funds in Specific Appropriation 551, the Department of Veterans' Affairs is authorized to implement its competitive pay plan proposed in the department's initial legislative budget request to address recruitment and retention of its employees who hold an active nursing assistant certification and fill a position in one of the following classification codes: certified nursing assistant (class code 5707); senior certified nursing assistant (class code 5708); therapy aide I (class code 5556); and therapy aide II (class code 5557).

(c) From funds in Specific Appropriation 803, the Justice Administrative Commission is authorized to implement the salary adjustment proposed in its initial legislative budget request for the Statewide Guardian Ad Litem Program. To be eligible to receive this competitive pay adjustment, the employee must be an employee of the Statewide Guardian Ad Litem Program and must fill a position in one of the following classification codes: child advocate manager (class code 8401); senior

child advocate manager (class code 8402), volunteer recruiter (class code 8403); program attorney (class code 8700), and senior program attorney (class code 8701).

(7) BENEFITS: HEALTH, LIFE, AND DISABILITY INSURANCE

(a) State Life Insurance and State Disability Insurance

Funds are provided in each agency's budget to continue paying the state share of the current State Life Insurance Program and the State Disability Insurance Program premiums.

(b) State Health Insurance Plans and Benefits

1. For the period July 1, 2017, through June 30, 2018, the Department of Management Services shall continue within the State Group Insurance Program State Group Health Insurance Standard Plans, State Group Health Insurance High Deductible Plans, State Group Health Maintenance Organization Standard Plans and State Group Health Maintenance Organization High Deductible Plans.

2. For the period July 1, 2017, through June 30, 2018, the benefits provided under each of the plans shall be those benefits as provided in the current State Employees' PPO Plan Group Health Insurance Plan Booklet and Benefit Document, current Health Maintenance Organization contracts and benefit documents, and other such health benefits as approved by the Legislature.

3. Beginning January 1, 2018, for the 2018 plan year, each of the plans shall add an additional benefit for occupational therapy. The PPO Plan will include a benefit which allows coverage for 21 visits per six month period. The HMO plans will include a benefit which allows coverage for 60 visits per injury.

4. Effective July 1, 2017, the state health insurance plans, as defined in subsection (7)(b), shall limit plan participant cost sharing (deductibles, coinsurance, and copayments) for covered in-network medical services, the amount of which shall not exceed the annual cost sharing limitations for individual coverage or for family coverage as provided by the U.S. Department of Health and Human Services pursuant to the provisions of the federal Patient Protection and Affordable Care Act of 2010 and the Internal Revenue Code. Medical and prescription drug cost sharing amounts incurred by a plan participant for covered in-network services shall be aggregated to record the participant's total amount of plan cost sharing, which shall not exceed the annual cost sharing limitations. The plan shall pay 100 percent of covered in-network services for a plan participant during the applicable calendar year once the federal cost share limitations are reached.

5. The high deductible health plans shall continue to include an Integrated Health Savings Account (HSA). Such plans and accounts shall be administered in accordance with the requirements and limitations of federal provisions related to the Medicare Prescription Drug Improvement and Modernization Act of 2003. The state shall make a monthly contribution to an employee's health savings account, as authorized in section 110.123(12), Florida Statutes, of \$41.66 for employees with individual coverage and \$83.33 for employees with family coverage.

6. a. The Department of Management Services shall initiate a pilot program within the PPO plan and the self-insured HMO plans to provide coverage for the treatment and management of obesity and related condition during the 2018 plan year.

b. The participation in the pilot program will be limited to 2,000 members. The department shall establish criteria, which shall include, but not be limited to:

i. Member of the PPO plan or a self-insured HMO during the 2017 and 2018 plan year;

ii. Completion of a health risk assessment through the PPO plan during the 2017 plan year;

iii. Consent to provide personal and medical information to the department;

iv. Referral and supervision of a physician participating in the PPO network during the 2017 plan year;

v. Enrollment in a department-approved wellness program during the 2018 plan year.

By January 15, 2018, the Department of Management Services will report to the legislature the number of individuals who applied to participate in the pilot program and the number of participants who enrolled in the pilot program.

c. Members participating in the pilot program will be responsible for all applicable copayments, coinsurance, deductibles, and other out-of-pocket expenses. The pilot program will provide coverage for all Federal Drug Administration-approved medications for chronic weight management for patients.

d. The Department of Management Services shall review the results and outcomes of the pilot program beginning June 30, 2018. The department shall provide a final report by December 15, 2018, to be submitted to the legislature. The report shall include, at a minimum, a discussion of whether members participating in the pilot program have experienced a reduction in body mass index, and if so, the average amount of reduction; and the reduction or elimination of co-morbidities, and if so, which co-morbidities were reduced or eliminated. In addition, the report should determine the average cost to the state employee health insurance program on a per member per month basis and the total cost of each participant's annual health care costs prior to entering the pilot program, and upon completion of the pilot program. The department must include recommendations to treat, reduce and prevent obesity in the state employee population.

(c) State Health Insurance Premiums for the Period July 1, 2017, through June 30, 2018.

1. State Paid Premiums

a. For the coverage period beginning August 1, 2017, through April 30, 2018, the state share of the State Group Health Insurance Standard and High Deductible Health Plan premiums to the executive, legislative and judicial branch agencies shall continue at \$642.84 per month for individual coverage and \$1,379.60 per month for family coverage.

b. For the coverage period beginning May 1, 2018, the state share of the State Group Health Insurance Standard and High Deductible Health Plan premiums to the executive, legislative, and judicial branch agencies shall increase, effective April 1, 2018, from \$642.84 to \$684.42 per month for individual coverage and from \$1,379.60 to \$1,473.18 for family coverage.

c. Funds are provided in each state agency and university's budget to continue paying the state share of the State Group Health Insurance Program premiums for the fiscal year. Funds are provided in Specific Appropriation 1982A to pay the incremental cost of the premium increase, effective April 1, 2018.

d. The agencies shall continue to pay premiums on behalf of employees who have enhanced benefits as follows, including those employees participating in the Spouse Program in accordance with section 60P-2.0036, Florida Administrative Code, and those employees filling positions with "agency pay-all" benefits.

i. For the coverage period beginning August 1, 2017, through April 30, 2018, the state share of the State Group Health Insurance Standard Plan Premiums to the executive, legislative, and judicial branch agencies for employees with enhanced benefits, excluding Spouse Program participants, shall continue to be \$684.50 per month for individual coverage and \$1,529.60 per month for family coverage.

ii. For the coverage period beginning May 1, 2018, the state share of the State Group Health Insurance Standard Plan premiums to the executive, legislative, and judicial branch agencies for employees with enhanced benefits, excluding Spouse Program participants, shall increase, effective April 1, 2018, from \$684.50 to \$726.06 per month for individual coverage and from \$1,529.60 to \$1,623.18 for family coverage.

iii. For the coverage period beginning August 1, 2017, through April 30, 2018, the state share of the State Group Health Insurance Standard Plan Premiums to the executive, legislative, and judicial branch agencies, for each employee participating in the Spouse Program shall continue to be \$764.80 per month for family coverage.

iv. For the coverage period beginning May 1, 2018, the state share of the State Group Health Insurance Standard Plan premiums to the executive, legislative, and judicial branch agencies, for each employee participating in the Spouse Program shall increase, effective April 1, 2018, from \$764.80 to \$811.60 per month for family coverage.

v. For the coverage period beginning August 1, 2017, through April 30, 2018, the state share of the State Group Health Insurance High Deductible Plan premiums to the executive, legislative, and judicial branch agencies for employees with enhanced benefits, excluding Spouse Program participants, shall continue to be \$649.50 per month for individual coverage and \$1,413.90 per month for family coverage.

vi. For the coverage period beginning May 1, 2018, the state share of the State Group Health Insurance High Deductible Plan premiums to the executive, legislative, and judicial branch agencies, for employees with enhanced benefits, excluding Spouse Program participants, shall increase, effective April 1, 2018, from \$649.50 to \$688.98 per month for individual coverage and from \$1,413.90 to \$1,500.54 per month for family coverage.

vii. For the coverage period beginning August 1, 2017, through April 30, 2018, the state share of the State Group Health Insurance High Deductible Plan Program premiums to the executive, legislative, and judicial branch agencies, for each employee participating in the Spouse Program shall continue to be \$706.96 per month for family coverage.

viii. For the coverage period beginning May 1, 2018, the state share of the State Group Health Insurance High Deductible Plan Program premiums to the executive, legislative, and judicial branch agencies, for each employee participating in the Spouse Program shall increase, effective April 1, 2018, from \$706.96 to \$750.28 per month for family coverage.

2. Premiums Paid by Employees

a. For the coverage period beginning August 1, 2017, the employee's share of the health insurance premiums for the standard plans shall continue to be \$50 per month for individual coverage and \$180 per month for family coverage.

b. For the coverage period beginning August 1, 2017, the employee's share of the health insurance premiums for the high deductible health plans shall continue to be \$15 per month for individual coverage and \$64.30 per month for family coverage.

c. For the coverage period beginning August 1, 2017, the employee's share of the health insurance premiums for the standard plans and the high deductible health plans shall continue to be \$8.34 for individual coverage and \$30 per month for family coverage for employees filling positions with "agency pay all" benefits.

d. For the coverage period beginning August 1, 2017, the employee's share of the health insurance premiums for the standard plans and the high deductible plans shall continue to be \$15 per month for each employee participating in the Spouse Program in accordance with section 60P-2.0036, Florida Administrative Code.

3. Premiums paid by Medicare Participants

a. For the coverage period beginning August 1, 2017, through April 30, 2018, the monthly premiums for Medicare participants participating in the State Group Health Insurance Standard Plan shall continue to be \$388.38 for "one eligible," \$1,119.85 for "one under/one over," and \$776.76 for "both eligible."

b. For the coverage period beginning May 1, 2018, the monthly premiums for Medicare participants participating in the State Group Health Insurance Standard Plan shall increase, effective April 1, 2018, from \$388.38 to \$411.68 for "one eligible," from \$1,119.85 to \$1,187.04 for "one under/one over," and from \$776.76 to \$823.37 for both eligible.

c. For the coverage period beginning August 1, 2017, through April 30, 2018, the monthly premiums for Medicare participants participating in the State Group Health Insurance High Deductible Plan shall continue to be \$292.76 for "one eligible," \$917.13 for "one under/one over," and \$585.51 for "both eligible."

d. For the coverage period beginning May 1, 2018, the monthly premiums for Medicare participants participating in the State Group High

Deductible Plan shall increase, effective April 1, 2018, from \$292.76 to \$310.33 for "one eligible," from \$917.13 to \$972.16 for "one under/one over," and from \$585.51 to \$620.64 for "both eligible."

e. For the coverage period beginning August 1, 2017, the monthly premiums for Medicare participants enrolled in a Health Maintenance Organization Standard Plan or High Deductible Health Plan shall be equal to the negotiated monthly premium for the selected state-contracted Health Maintenance Organization.

4. Premiums paid by "Early Retirees"

a. For the coverage period beginning August 1, 2017, an "early retiree" participating in the State Group Health Insurance Standard Plan shall continue to pay a monthly premium equal to 100 percent of the total premium charged (state and employee contributions) for an active employee participating in the standard plan.

b. For the coverage period beginning August 1, 2017, through April 30, 2018, an "early retiree" participating in the State Group Health Insurance High Deductible Plan shall continue to pay a monthly premium equal to \$616.18 for individual coverage and \$1,360.57 for family coverage.

c. For the coverage period beginning May 1, 2018, the monthly premiums for an "early retiree" participating in the State Group Health Insurance High Deductible Plan shall increase, effective April 1, 2018, from \$616.18 to \$653.15 for individual coverage and from \$1,360.57 to \$1,442.20 for family coverage.

5. Premiums paid by COBRA participants

a. For the coverage period beginning August 1, 2017, a COBRA participant participating in the State Group Health Insurance Program shall continue to pay a premium equal to 102 percent of the total premium charged (state and employee contributions) for an active employee participating in the Program.

(d) The State Employees' Prescription Drug Program shall be governed by the provisions of s. 110.12315, Florida Statutes.

(8) OTHER BENEFITS

(a) The following items shall be implemented in accordance with the provisions of this act and with the applicable negotiated collective bargaining agreement:

1. The state shall provide up to six (6) credit hours of tuition-free courses per term at a state university, state college or community college to full-time employees on a space available basis as authorized by law.

2. The state shall continue to reimburse, at current levels, for replacement of personal property.

3. Each agency, at the discretion of the agency head, may expend funds provided in this act for bar dues and for legal education courses for employees who are required to be a member of the Florida Bar as a condition of employment.

4. The state shall continue to provide, at current levels, clothing allowances and uniform maintenance and shoe allowances.

(b) All state branches, departments, and agencies which have established or approved personnel policies for the payment of accumulated and unused annual leave shall not provide payment which exceeds a maximum of 480 hours of actual payment to each employee for accumulated and unused annual leave.

(c) Upon termination of employees in the Senior Management Service, Selected Exempt Service, or positions with comparable benefits, payments for unused annual leave credits accrued on the member's last anniversary date shall be prorated at 1/12th of the last annual amount credited for each month, or portion thereof, worked subsequent to the member's last anniversary date.

(9) PAY ADDITIVES AND OTHER INCENTIVE PROGRAMS

The following pay additives and other incentive programs are authorized

for the 2017-2018 fiscal year from existing agency resources consistent with provisions of sections 110.2035 and 216.251, Florida Statutes, the applicable rules promulgated by the Department of Management Services, and negotiated collective bargaining agreements.

(a) Each agency is authorized to continue to pay, at the levels in effect on June 30, 2007, on-call fees and shift differentials as necessary to perform normal operations of the agency.

(b) Each agency that had a training program in existence on June 30, 2006, which included granting pay additives to participating employees, is authorized to continue such training program for the 2017-2018 fiscal year. Such additives shall be granted under the provisions of the law, administrative rules, and collective bargaining agreements.

(c) Each agency is authorized to continue to grant temporary special duties pay additives to employees assigned additional duties as a result of another employee being absent from work pursuant to the Family Medical Leave Act or authorized military leave. The notification process described in section 110.2035(6)(c) Florida Statutes, does not apply to additives authorized in this paragraph.

(d) Contingent upon the availability of funds, and at the agency head's discretion, each agency is authorized to grant competitive pay adjustments to a cohort of 10 or fewer employees sharing the same job classification or job occupations to address retention, pay inequities, or other staffing issues. The agency is responsible for retaining sufficient documentation justifying any adjustments provided herein to an employee's compensation. The authority granted by this paragraph may be used only once by each agency during this fiscal year.

(e) Contingent upon the availability of funds, and at the agency head's discretion, each agency is authorized to grant competitive pay adjustment to an employee to address retention, pay inequities, or other staffing issues. The agency is responsible for retaining sufficient documentation justifying any adjustments provided herein to an employee's compensation.

(f) Each agency is authorized to grant merit pay increases based on the employee's exemplary performance as evidenced by a performance evaluation conducted pursuant to chapter 60L-35, Florida Administrative Code, or a similar performance evaluation applicable to other pay plans. The Chief Justice may exempt judicial branch employees from the performance evaluation requirements of this paragraph.

(g) Contingent upon the availability of funds and at the agency head's discretion, each agency is authorized to grant a temporary special duties pay additive, of up to 15 percent of the employee's base rate of pay, to each employee temporarily deployed to a facility or area closed due to emergency conditions from another area of the state that is not closed.

(h) The Fish and Wildlife Conservation Commission may continue to grant temporary special duty pay additives to law enforcement officers who perform additional duties as K-9 handlers, regional recruiters/media coordinators, and breath test operators/inspectors, and may grant temporary special duty pay additives to law enforcement officers who perform additional duties as offshore patrol vessel crew members, special operations group members, and long-term covert investigators.

(i) The Fish and Wildlife Conservation Commission is authorized to grant critical market pay additives to employees residing in and assigned to Lee County, Collier County, Monroe County, Broward County, or Miami-Dade County, at the levels that the employing agency granted salary increases for similar purposes prior to July 1, 2006. These pay additives shall be granted only during the time in which the employee resides in, and is assigned to duties within, those counties. In no instance may the employee receive an adjustment to the employee's base rate of pay and a critical market pay additive based on the employee residing in and being assigned in the specified counties.

(j) The Department of Highway Safety and Motor Vehicles is authorized to grant critical market pay additives to sworn law enforcement officers residing in and assigned to:

1. Lee County, Collier County, or Monroe County, at the levels that the employing agency granted salary increases for similar purposes prior to July 1, 2006;

2. Hillsborough, Orange, Pinellas, Duval, Marion, and Escambia counties, at \$5,000, or, in lieu thereof, an equivalent salary adjustment that was made during Fiscal Year 2015-2016;

3. Pasco County at \$5,000.

These critical market pay additives and equivalent salary adjustment may be granted only during the time in which the employee resides in, and is assigned to duties within, those counties. In no instance may the employee receive an adjustment to the employee's base rate of pay and a critical market pay additive based on the employee residing in and being assigned in the specified counties.

(k) The Department of Highway Safety and Motor Vehicles may grant special duty pay additives of \$2,000 for law enforcement officers who perform additional duties as K-9 handlers; felony officers; criminal interdiction officers; criminal investigation and intelligence officers; new recruit background checks and training, and technical support officers; drug recognition experts; hazardous material squad members; compliance investigation squad members; motorcycle squad members; Quick Response Force Team; or Florida Advanced Investigation and Reconstruction Teams.

(l) The Department of Highway Safety and Motor Vehicles may provide a critical market pay additive of \$1,300 to non-sworn Florida Highway Patrol personnel working and residing in Miami-Dade and Broward counties. These critical market pay additives shall be granted during the time the employee resides in, and is assigned duties within, those counties.

(m) The Department of Highway Safety and Motor Vehicles is authorized to continue to grant a pay additive of \$162.50 per pay period for law enforcement officers assigned to the Office of Motor Carrier Compliance who maintain certification by the Commercial Vehicle Safety Alliance.

(n) The Department of Transportation is authorized to continue its training program for employees in the areas of transportation engineering, right-of-way acquisition, relocation benefits administration, right-of-way property management, real estate appraisal, and business valuation under the same guidelines established for the training program prior to June 30, 2006.

(o) The Department of Corrections may continue to grant hazardous duty additives, as necessary, to those employees assigned to the Department of Corrections institutions' Rapid Response Teams (including the baton, shotgun, and chemical agent teams) and the Correctional Emergency Response Teams.

(p) The Department of Corrections is authorized to award a temporary special duties pay additive of up to ten percent of the employee's base rate of pay for each certified correctional officer (class code 8003), certified correctional officer sergeant (class code 8005), certified correctional officer lieutenant (class code 8011), and certified correctional officer captain (class code 8013). For purposes of eligibility for this special pay additive, the term "certified" means the employee has obtained a correctional behavioral mental health certification as provided through the American Correctional Association. Such additive may be awarded only during the time the certified officer is employed in an assigned mental health unit post.

(q) The Department of Corrections is authorized to award a one-time \$1,000 hiring bonus to newly-hired correctional officers (class code 8003) who are hired to fill positions at a correctional institution that had a vacancy rate for such positions over ten percent for the preceding calendar quarter. The bonus may not be awarded prior to the officer obtaining his or her correctional officer certification. Current employees and former employees who have had a break in service with the Department of Corrections of 31 days or less, are not eligible for this bonus.

(10) COLLECTIVE BARGAINING

All collective bargaining issues at impasse relating to mandatory subjects of collective bargaining shall be resolved by the Legislature.

SECTION 9. Pursuant to section 1013.40, Florida Statutes, the specified Florida College System institutions are authorized to acquire or construct the following facilities from non-PECO sources, which could require general revenue funds for operation and maintenance. If existing

facilities are part of these projects, each such building or site must be certified to be free of asbestos or other hazardous materials before the stated college may acquire or expend construction funds on the facility. If the property to be acquired is not adjacent to an existing approved center or campus, then all necessary approvals from the State Board of Education must be received before any funds may be expended to acquire the property.

Broward College - Construct Auto/Marine facility (building 98, approximately 19,000 gross square feet) from local funds at the State Board of Education approved South Campus.

College of Central Florida - Acquire donated land/facilities and construct/remodel/renovate facilities for classrooms, labs, offices, support space, and parking for the State Board of Education approved Site 5 Ocala-Agribusiness and Equine Special Purpose Center using local funds.

Florida Keys Community College - Acquire land/facilities and construct/remodel/renovate facilities for classrooms, labs, offices, support space and parking for future growth and development of a new campus/center in Key Largo, Monroe County, Florida, subject to State Board of Education approval, using local funds.

Gulf Coast State College - Acquire land to support future growth and development at the State Board of Education approved Panama City Campus using local funds.

Indian River State College - Acquire land/facilities and construct/remodel/renovate facilities for classrooms, labs, offices, support space, and parking for the State Board of Education approved Main (Ft. Pierce) Campus, Chastain (Stuart) Center, Mueller (Vero Beach) Special Purpose Center, Pruitt (Port St. Lucie) Center, Marine Science Special Purpose Center, Human Development & Resources Special Purpose Center, and the Dixon Hendry (Okeechobee) Center using local funds.

Florida Gateway College - Acquire land to support future growth and development at the State Board of Education approved Olustee Special Purpose Center using local funds.

State College of Florida, Manatee-Sarasota - Acquire land/facilities and construct/remodel/renovate facilities for classrooms, labs, offices, support space, and parking, for future growth and development of a new campus/center in Manatee County and/or Sarasota County, subject to State Board of Education approval using local funds.

Miami Dade College - Acquire land/facilities and construct/remodel/renovate facilities for classrooms, labs, offices, support space, and parking for the State Board of Education approved North Campus, Kendall Campus, Wolfson Campus, Medical Campus, Homestead Campus, Interamerican Campus, Hialeah Campus, West Campus, and Entrepreneurial Educational Center using local funds.

Miami Dade College - Acquire land/facilities and construct/remodel/renovate facilities for classrooms, labs, offices, support space, and parking, for future growth and development of a new campus/center in Northwest Miami-Dade County, Northeast Miami-Dade County, and/or Miami Beach, subject to State Board of Education approval using local funds.

Pensacola State College - Construct a Health, Wellness and Counseling Center Building from local funds at the State Board of Education approved Pensacola Campus.

St. Petersburg College - Construct Library facility (approximately 43,789 gross square feet) as a joint-use project with the City of Clearwater from local funds at the State Board of Education approved Clearwater Campus.

Seminole State College of Florida - Acquire land with or without facilities and construct/remodel/renovate facilities for offices, meeting rooms, auditorium, support space and parking, utilizing private-public partnership funding, as an annex of the State Board of Education approved Main (Sanford/Lake Mary) Campus and Altamonte Springs Campus.

Valencia College - Acquire land/facilities and construct/remodel/renovate facilities for classrooms, labs, offices, support space and parking, from local funds at the State Board of

Education approved campuses, centers, and special purpose centers.

Valencia College - Acquire land/facilities from local funds for future growth and development of a new campus/center in Southwest Orange County, Southeast Orange County, and/or Northeast Osceola County, subject to State Board of Education approval.

SECTION 10. Pursuant to section 1013.74 and section 1013.78, Florida Statutes, the following facilities may be constructed or acquired from non-appropriated sources, which upon completion will require general revenue funds for operation of Education and General space within the building. Main campus unless otherwise noted:

University of Florida - J Wayne Reitz Union Career Resource Center Addition & Renovations - Renovation of existing space and addition of 5,500 gsf.

UF - IFAS/Administrative Services Building (B0089) - Will be used to relocate main campus administrative offices so that space can be converted to teaching and research functions, 11,780 gsf.

UF - IFAS/ Research Office Nature Coast Biological Station (B1851) - Research office building needed for Nature Coast Biological Station research activities and outreach programs, 10,269 gsf. Located at Cedar Key.

UF - IFAS/Equipment Storage Ordway-Swisher Biological Station (B2261) - Newly acquired equipment storage building supporting research at the Ordway-Swisher Biological Station, 440 gsf. Located in Hawthorne.

UF - IFAS/Equipment Storage Gulf Coast REC (B5223) - New equipment storage building supporting research at the Gulf Coast Research and Education Center, 10,000 gsf. Located in Balm.

UF - IFAS/Greenhouse Gulf Coast REC (B5224) - Greenhouse supporting research at the Gulf Coast Research and Education Center, 7,200 gsf. Located in Balm.

UF - IFAS/Screen House Lake Alfred (B7132) - Greenhouse supporting research at the Citrus Research and Education Center, 396 gsf. Located in Lake Alfred.

UF - IFAS/Turf Facility Ft Lauderdale REC - Will be used in support of research conducted at the Southwest Florida Research and Education Center, 4,000 gsf. Located in Ft Lauderdale.

UF - IFAS/Greenhouse Southwest Florida REC (B7756) - Greenhouse supporting research at the Southwest Florida Research and Education Center, 8,000 gsf. Located in Immokalee.

UF - IFAS/Headhouse Southwest Florida REC (B7757) - Greenhouse supporting research at the Southwest Florida Research and Education Center, 1,660 gsf. Located in Immokalee.

UF - IFAS/Research Building Range Cattle REC (B8116) - New research building supporting research at Range Cattle Research and Education Center, 2,824 gsf. Located in Ona.

UF - IFAS/Office/lab Building (addition) Tropical REC (B8219) - The addition will support research at the Tropical Research and Education Center, 960 gsf. Located in Homestead.

UF - IFAS/Entomology/Pathology Building (addition) Tropical REC (B8235) - The addition will support research at the Tropical Research and Education Center, 1,252 gsf. Located in Homestead.

UF - IFAS/Bio-Technology Building (addition) Tropical REC (B8253) - The addition will support research at the Tropical Research and Education Center, 840 gsf. Located in Homestead.

UF - IFAS/Hydrology Building (addition) Tropical REC (B8266) - The addition will support research at the Tropical Research and Education Center, 840 gsf. Located in Homestead.

UF - IFAS/Conference Facility (addition) Suwannee Valley Agriculture Extension Center (B8329) - The addition will support research at the Suwannee Valley Agriculture Extension Center, 1,000 gsf. Located in Live Oak.

UF - IFAS/Graduate Residence (addition) West Florida REC (B8424) - The addition will support research at the West Florida Research and Education Center, 8,000 gsf. Located in Jay.

UF - IFAS/Admin/Classroom/Storage/Shop Animal Sciences - Beef Teaching Unit North - The new building will support beef research and teaching conducted at the Beef Teaching Unit, 10,000 gsf. Located in Gainesville.

UF - IFAS/Equipment Storage (addition) Animal Sciences - Beef Teaching Unit North (B0894) - The addition will support beef research and teaching conducted at the Beef Teaching Unit, 3,000 gsf. Located in Gainesville.

UF - IFAS/Equipment Storage Animal Sciences - Dairy Unit - The new building will support dairy research conducted at the Dairy Unit, 200 gsf. Located in Hague.

Florida State University - Teaching Pavilion - Will provide teaching space for outdoor programs and academic activities, 400 gsf.

Florida State University - Administrative Annex West College Avenue - Property being acquired through the university's land acquisition program, will be used to house E&G functions, 6,500 gsf.

Florida State University - Academic Annex South Duval Street - Project being acquired through the university's land acquisition program, will be used to house E&G functions, 16,316 gsf.

Florida State University - Research Annex Maryland Circle - Project being acquired through the university's land acquisition program, will be used to house E&G functions, 33,500 gsf.

Florida State University - College of Medicine Annex South Appleyard Drive - Project being acquired through the university's land acquisition program, will be used to house E&G functions, 6,500 gsf.

Florida State University - Visitors Center Expansion - Addition will support expanding performing and visual arts programs at the Ringling Cultural Center, 7,000 gsf.

Florida A&M University - Foundation Building Upgrades - Will house E&G entities, 19,418 gsf.

Florida A&M University - Brooksville Agricultural & Environmental Research Station (FAMU-BAERS) - Sub-tropical agricultural and environmental research station, 56,000 gsf.

University of South Florida - USF Sarasota Manatee Central Energy Plant Expansion (SMP-3071) - Offices, emergency operations center, 6,283 gsf.

University of South Florida - USF Sarasota Manatee Modular Research Lab (SMA-3076) - STEM research lab, 599 gsf.

University of South Florida - USF Sarasota Manatee Modular Research Lab (SMB-3077) - STEM research lab, 599 gsf.

University of South Florida - USF Sarasota Manatee Modular Office Building (SMD-3078) - Offices, academic support, 2,520 gsf.

Florida Atlantic University - Schmidt Family Complex - Academic Support Center - Will provide classrooms, computer labs, and study rooms, 17,875 gsf.

Florida Atlantic University - College of Medicine Simulation Center & Clinical Skills Lab - Offices and teaching labs, used for simulation training and testing, 14,764 gsf.

University of West Florida - University Park Building (2nd Floor Academic) - 2nd floor academic space shared between FSU School of Medicine and UWF College of Health, 15,200 gsf.

University of West Florida - Pensacola Museum of Art - Educational museum space located in historic building downtown Pensacola, 16,778 gsf.

University of West Florida - Anna Simpson House - Historic house will be museum supporting Arcadia Mill, 2,336 gsf.

University of West Florida - Anna Simpson Shed - Classroom/workshop supporting Archaeology and History programs, 280 gsf.

University of West Florida - Robinson/Hall Farm House - 1860s farm house will be restored as a museum, 1,204 gsf.

University of West Florida - Robinson/Hall Shed 1 - Shed supporting museum function, 320 gsf.

University of West Florida - Robinson/Hall Shed 2 - Shed supporting museum function, 880 gsf.

University of West Florida - Robinson/Hall Shed 3 - Shed supporting museum function, 168 gsf.

University of West Florida - Robinson/Hall Shed 4 - Shed supporting museum function, 90 gsf.

University of West Florida - Robinson/Hall Feed House - Shed supporting museum function, 72 gsf.

University of Central Florida - Florida Advanced Manufacturing Research Facility - Research labs, wet labs, collaboration rooms, and offices, 81,750 gsf.

University of Central Florida - Optics Materials Lab Addition - Research labs, 5,530 gsf.

University of Central Florida Library Expansion Phase I - Automatic Retrieval Center, 8,800 gsf.

University of Central Florida - New Trevor Colbourn Hall - Offices, classrooms, 135,600 gsf.

University of Central Florida - Coastal Biology - Research 3,000 gsf.

University of Central Florida - Arboretum Green House - Teaching lab, 800 gsf.

University of Central Florida - Brand Building - Teaching labs and offices, 6,000 gsf.

University of Central Florida - CREOL Expansion Phase II - Research labs and offices, 13,900 gsf.

SECTION 11. Pursuant to section 1010.62 and section 1013.171, Florida Statutes, and section 11(d) and (f), Art. VII of the State Constitution, the following fixed capital outlay projects may be constructed, acquired, and financed by a university or university direct support organization. Financing mechanisms include any form of approved debt or bonds authorized by the Board of Governors.

No state appropriation of funds will be associated with these projects. The Legislature has provided the Board of Governors general authority to consider debt financing for most classes of projects. However, certain athletic and commercial facilities require specific legislative authorization as a prerequisite condition for these projects. Legislative authorization does not supersede any of the requirements for Board of Governors review and approval of all projects to be financed from debt.

University of South Florida - USF St. Petersburg Housing/Conference Space

University of Central Florida - Wayne Densch Sports Center Expansion

University of Central Florida - Baseball Stadium Expansion Phase II

University of Central Florida - Softball Stadium Expansion and Renovation

University of Central Florida - Bright House Networks Stadium Expansion and Improvements Phase I

University of Central Florida - Baseball Clubhouse Expansion and Renovation

University of Central Florida - Bright House Networks Stadium Expansion and Improvements Phase II

University of Central Florida - Football Building

Florida International University - Hotel/Conference/Alumni Center

Florida International University - Wolfsonian Annex Sublease.

SECTION 12. From the unexpended balance of funds appropriated in Specific Appropriation 27 of Chapter 2014-51, Laws of Florida, for Broward College for Remodel/Renovate Building 32 Instruction and Support - Downtown for \$3,500,000, the lesser of the unexpended balance or \$3,500,000 shall revert immediately and is appropriated to Broward College for the Rem/Ren Bldg 33 Instruction & Support - Downtown project.

SECTION 13. From the unexpended balance of funds appropriated in Specific Appropriation 21 of Chapter 2016-66, Laws of Florida, for Broward College for Rem/Ren Bldg 32 Instructional & Support-Downtown for \$5,000,000, the lesser of the unexpended balance or \$5,000,000 shall revert immediately and is appropriated to Broward College for the Rem/Ren Bldg 33 Instruction & Support - Downtown project.

SECTION 14. From the unexpended balance of funds appropriated in Specific Appropriation 21 of Chapter 2016-66, Laws of Florida, for Florida Gateway College for Ren/Ren Bldgs 8 & 9 Math Sci & Aud-Lake City for \$1,000,000, the lesser of the unexpended balance or \$1,000,000 shall revert immediately and is appropriated to Florida Gateway College for the Replace Bldgs 8 & 9 Math Sci & Aud-Lake City project. The college has completed analysis indicating the existing structures need to be replaced.

SECTION 15. From the unexpended balance of funds appropriated in Specific Appropriation 21 of Chapter 2016-66, Laws of Florida, for Indian River State College for Rem/Ren Fac No. 8 Industrial Tech-Main for \$1,500,000, the lesser of the unexpended balance or \$1,500,000 shall revert immediately and is appropriated to Indian River State College for the Replace Fac 8 Industrial Tech-Ft. Pierce project. The college has completed analysis indicating the existing structure needs to be replaced.

SECTION 16. From the unexpended balance of funds appropriated in Specific Appropriation 27 of Chapter 2014-51, Laws of Florida, for Miami-Dade College for Gymnasium-North for \$5,000,000, the lesser of the unexpended balance or \$5,000,000 shall revert immediately and is appropriated to Miami-Dade College for the Rem/Ren Fac 14 (Gym) for Justice Center-North project. The scope and budget of this project has not changed, however, the name change better reflects the project's purpose.

SECTION 17. From the unexpended balance of funds appropriated in Specific Appropriation 26A of Chapter 2015-232, Laws of Florida, for Pensacola State WSRE-TV/Replacement of Emergency Generator for \$45,000, the lesser of the unexpended balance or \$45,000 shall revert immediately and is appropriated to WSRE-TV/Life Safety Repairs.

SECTION 18. From the unexpended balance of funds appropriated in Specific Appropriation 21 of Chapter 2016-66, Laws of Florida, for Florida Keys Community College for Renovate/Remodel Chillers, Towers, Air-Handling Units, Energy Management System-Main for \$4,500,000, the lesser of the unexpended balance or \$2,500,000, shall revert immediately and is appropriated to Florida Keys Community College to Acquire land/facilities and construct/remodel/renovate facilities for classrooms, labs, offices, support space and parking for a new campus/center in Key Largo.

SECTION 19. The Legislature hereby adopts by reference for the 2016-2017 fiscal year the alternate compliance calculation amounts as the reduction calculation to the class size operating categorical fund required by section 1003.03(4), Florida Statutes, as set forth in Budget Amendment EOG 00090 as submitted on February 15, 2017, by the Governor on behalf of the Commissioner of Education for approval by the Legislative Budget Commission. The Commissioner of Education shall modify payments to school districts as required by section 1003.03(4), Florida Statutes, for the 2016-2017 fiscal year. This section is effective upon becoming law.

SECTION 20. The sum of \$2,857,001 from the General Revenue Fund in Specific Appropriation 95 of chapter 2016-66, Laws of Florida, for Class Size Reduction is hereby reverted.

SECTION 21. The unexpended balance of funds provided to the Department of Education for the Gardiner Scholarship Program in Section 10 of chapter 2016-2, Laws of Florida, is hereby reverted and is appropriated for Fiscal Year 2017-2018 for the same purpose.

SECTION 22. The funds in Specific Appropriations 126B - 126H are provided for the implementation of the new State Board of Community Colleges. Of the amounts provided, 14 Positions, \$998,941 in salary rate, and \$1,747,673 are contingent upon SB 374 or similar legislation becoming law. The remaining amounts, 34 positions, \$2,140,583 in salary rate, and \$2,763,700, shall be transferred by the Office of Planning and Budgeting to the State Board of Education budget entity should SB 374 or similar legislation fail to become law.

SECTION 23. The sum of \$1,957,486,926 is appropriated from the Education and General Student and Other Fees Trust Fund to the State University System. The funds provided in this section are based on undergraduate tuition, the tuition for graduate and professional programs, and the out-of-state fees for all programs established pursuant to Part II of Chapter 1009, Florida Statutes.

Funds in this section from the Education and General Student and Other Fees Trust Fund shall be allocated for education and general activities as follows:

University of Florida.....	340,500,302
Florida State University.....	238,310,768
Florida A&M University.....	67,801,614
University of South Florida.....	199,948,108
University of South Florida, St. Petersburg.....	25,616,811
University of South Florida, Sarasota/Manatee.....	9,599,637
Florida Atlantic University.....	136,074,256
University of West Florida.....	61,126,485
University of Central Florida.....	392,637,031
Florida International University.....	263,389,167
University of North Florida.....	69,884,501
Florida Gulf Coast University.....	69,063,276
New College of Florida.....	6,783,402
Florida Polytechnic University.....	6,545,693

Funds in this section from the Education and General Student and Other Fees Trust Fund shall be allocated as Aid to Local Government - Grants in Aid as follows:

University of Florida - Health Science Center.....	38,463,434
Florida State University - Medical School.....	13,019,086
University of South Florida - Health Science Center.....	64,697,620
University of Central Florida - Medical School.....	15,720,082
Florida International University - Medical School.....	18,657,406
Florida Atlantic University - Medical School.....	9,648,247

SECTION 24. From the funds appropriated in Specific Appropriations 193 through 237 of chapter 2016-66, Laws of Florida, the amounts of \$52,437,780 from the General Revenue Fund provided to the Agency for Health Care Administration are hereby reverted from the unexpended balances. This section shall take effect upon becoming law.

SECTION 25. The sum of \$710,284 in nonrecurring funds from the General Revenue Fund is appropriated for Fiscal Year 2016-2017 to the Agency for Health Care Administration to cover deficits in the Florida KidCare Program. This section shall take effect upon becoming law.

SECTION 26. The nonrecurring sums of \$35,629,294 from the Grant and Donations Trust Fund and \$32,028 from the Refugee Assistance Trust Fund are appropriated for Fiscal Year 2016-2017 to the Agency for Health Care Administration to support Fiscal Year 2015-2016 expenditures in the Florida Medicaid Program. This section shall take effect upon becoming law.

SECTION 27. The nonrecurring sums of \$55,767,821 from the General Revenue Fund, \$110,262,268 from the Medical Care Trust Fund and \$19,400,000 from the Tobacco Settlement Trust Fund are appropriated to compensate Medicaid Managed Care Organizations for the underpayments due to incorrect capitation rates between the Supplemental Security Income and Temporary Assistance for Needy Families eligibility groups. This section shall take effect upon becoming law.

SECTION 28. The sum of \$10,000,000 from the Medical Care Trust Fund is

provided to the Agency for Health Care Administration for the implementation of Specific Appropriation 214 of chapter 2016-66, Laws of Florida. This section shall take effect upon becoming law.

SECTION 29. The unexpended balance of funds appropriated in Specific Appropriation 201A of chapter 2016-066, Laws of Florida, to the Agency for Health Care Administration for the Sylvester Comprehensive Cancer Center is reverted and is appropriated for the same purpose for Fiscal Year 2017-2018.

SECTION 30. The unexpended balance of funds appropriated in section 18 of chapter 2016-234, Laws of Florida, to the Agency for Health Care Administration for Transparency in Health Care is reverted and appropriated for the same purpose for Fiscal Year 2017-2018.

SECTION 31. The sum of \$6,369,667 from the General Revenue Fund provided to the Agency for Persons with Disabilities in Section 31 of chapter 2016-66, Laws of Florida, shall be released from the Lump Sum - Home and Community Based Services Waiver category and transferred to the Home and Community Based Services Waiver category for Fiscal Year 2016-2017. The nonrecurring sum of \$10,226,651 is appropriated to the Agency for Persons with Disabilities from the Operations and Maintenance Trust Fund to the Home and Community Based Services Waiver category for Fiscal Year 2016-2017. The nonrecurring sum of \$16,596,318 from the Medical Care Trust Fund is appropriated to the Agency for Health Care Administration in the Home and Community Based Services Waiver category for Fiscal Year 2016-2017. These funds are provided to ensure compliance with section 393.0662(1)(c), Florida Statutes. This section shall take effect upon becoming law.

SECTION 32. The sum of \$7,253,858 from the General Revenue Fund provided to the Agency for Persons with Disabilities in Section 32 of chapter 2016-66, Laws of Florida, shall revert and is appropriated to the Agency for Persons with Disabilities in the Home and Community Based Services Waiver category to address increases in Medicaid Home and Community Based Services Waiver costs. The nonrecurring sum of \$11,646,241 from the Operations and Maintenance Trust Fund is appropriated to the Agency for Persons with Disabilities in the Home and Community Based Services Waiver category. The nonrecurring sum of \$18,900,099 from the Medical Care Trust Fund is appropriated to the Agency for Health Care Administration in the Home and Community Based Services Waiver category. These funds are provided to ensure compliance with section 393.0662(1)(c), Florida Statutes.

SECTION 33. The sum of \$10,000,000 from the General Revenue Fund in Section 32 of chapter 2016-66, Laws of Florida, provided to the Agency for Persons with Disabilities for the Home and Community Based Services Waiver shall revert and is appropriated for Fiscal Year 2017-2018 in the Lump Sum - Home and Community Based Services Waiver category. The agency is authorized to submit budget amendments requesting the release of funds pursuant to the provisions of chapter 216, Florida Statutes. Any requests for release of funds shall include a plan for how the funds will be expended for increases in Medicaid Home and Community Based Services Waiver costs.

SECTION 34. The unexpended balance of funds provided in Specific Appropriation 259 of chapter 2016-66, Laws of Florida, provided to the Agency for Persons with Disabilities for the Home and Community Based Services Waiver shall revert and is appropriated for Fiscal Year 2017-2018 in the Lump Sum - Home and Community Based Services Waiver category. The agency is authorized to submit budget amendments requesting the release of funds pursuant to chapter 216, Florida Statutes. Any request for release of funds shall include a plan for how the funds will be expended for increases in Medicaid Home and Community Based Services Waiver costs.

SECTION 35. The unexpended balance in Section 34, chapter 2016-66, Laws of Florida, provided to the Agency for Persons with Disabilities for the Client Data Management System and Electronic Visit Verification system shall revert and is appropriated to the Agency for Persons with Disabilities for Fiscal Year 2017-2018 in the Client Data Management System and Electronic Visit Verification Qualified Expenditure Category. The agency is authorized to submit budget amendments requesting release of funds pursuant to the provisions of chapter 216, Florida Statutes. Any request for release of funds shall include a detailed operational work plan and spending plan.

SECTION 36. The nonrecurring sum of \$100,000 from the Social Services Block Grant Trust Fund is appropriated to the Agency for Persons with

Disabilities for independent consulting services for Fiscal Year 2016-2017. This section shall take effect upon becoming law.

SECTION 37. The unexpended balance of funds provided to the Department of Children and Families in Specific Appropriation 334 and Section 35, chapter 2016-66, Laws of Florida, for motor vehicle insurance for children in foster care, shall revert and is appropriated to the department for Fiscal Year 2017-2018 for the same purpose.

SECTION 38. The unexpended balance of funds appropriated to the Department of Children and Families in Specific Appropriation 338 and section 41, chapter 2016-66, Laws of Florida, for state employee adoption benefits shall revert and is appropriated to the department for Fiscal Year 2017-2018 for the same purpose.

SECTION 39. The unexpended balance of funds provided in Specific Appropriation 361 of chapter 2016-66, Laws of Florida, and distributed to the Department of Children and Families to the Challenge Grant Program authorized by section 420.622(4), Florida Statutes, shall revert and is appropriated to the department for Fiscal Year 2017-2018 for the same purpose.

SECTION 40. The nonrecurring sum of \$16,019,955 from the Federal Grants Trust Fund is appropriated to the Department of Health for Federal Nutrition Programs for Fiscal Year 2016-2017. This section shall take effect upon becoming law.

SECTION 41. The nonrecurring sum of \$4,985,407 from the Federal Grants Trust Fund is appropriated to the Department of Health for Women, Infants, and Children (WIC) for Fiscal Year 2016-2017. This section shall take effect upon becoming law.

SECTION 42. The unexpended balance of funds from the General Revenue Fund in Section 50 and in Specific Appropriation 597 of chapter 2016-66, Laws of Florida, provided to the Department of Veterans' Affairs for Workforce Training shall revert and is appropriated to the department for Fiscal Year 2017-2018 for the same purpose.

SECTION 43. The unexpended balance of funds provided to the Department of Corrections in Specific Appropriation 750 of chapter 2016-66, Laws of Florida, for the Bethel Empowerment Foundation Reentry Program shall revert and is appropriated for Fiscal Year 2017-2018 for the same purpose.

SECTION 44. The unexpended balance of \$375,000 in general revenue funds appropriated to the Public Defenders in Section 52 of chapter 2016-66, Laws of Florida, for the development of a uniform statewide public defender caseload management network shall revert and is appropriated for Fiscal Year 2017-2018 for the same purpose.

SECTION 45. The unexpended balance of nonrecurring general revenue funds appropriated in Specific Appropriation 940 of chapter 2016-66, Laws of Florida, for Vincent House treatment services shall revert and is appropriated for Fiscal Year 2017-18 for the same purpose.

SECTION 46. The following reversions and appropriations apply to Specific Appropriations of chapter 2016-66, Laws of Florida, as follows: from Specific Appropriation 785, Due Process Contingency Fund, \$500,000 in general revenue funds is reverted and is appropriated to Specific Appropriation 780, Criminal Conflict Case Costs, for Fiscal Year 2016-2017; from Specific Appropriation 785, Due Process Contingency Fund, \$500,000 in general revenue funds is reverted and is appropriated to Specific Appropriation 776, Child Dependency and Civil Conflict Case Costs, for Fiscal Year 2016-2017. This section is effective upon becoming law.

SECTION 47. Effective upon becoming law, the Chief Financial Officer is hereby authorized to transfer, using nonoperating authority, the nonrecurring sum of \$25,000,000 from the General Revenue Fund to the Clerks of the Court Trust Fund in the Department of Revenue to address the Clerks of the Courts' projected budget deficits for court-related functions in County Fiscal Year 2016-2017.

SECTION 48. Contingent upon the passage of SB 448, HB 367 or similar legislation, the nonrecurring sum of \$200,000 from the General Revenue Fund shall be appropriated to the Clerks of the Court Trust Fund in the Department of Revenue to address clerk costs associated with adult prearrest diversion programs.

SECTION 49. The unexpended balance of funds appropriated to the City

of Clewiston in the Department of Law Enforcement, in Specific Appropriation 1224 of chapter 2016-66, Laws of Florida, shall revert and is appropriated in the Grants and Aids to Local Governments and Non-state Entities - Fixed Capital Outlay category for Fiscal Year 2017-2018 for the purpose of facility design, engineering, renovation and/or construction or the purchase of a new police station for the City of Clewiston. This section shall take effect upon becoming law.

SECTION 50. The unexpended balance of funds appropriated for domestic security issues in Specific Appropriation 1961C of chapter 2016-66, Laws of Florida and subsequently distributed to the Department of Law Enforcement pursuant to budget amendment EOG #B2017-0014, shall revert and is appropriated for Fiscal Year 2017-18 for the same purpose.

SECTION 51. The unexpended balance of funds appropriated for domestic security in section 56 of chapter 2016-66, Laws of Florida, and subsequently distributed to the Department of Law Enforcement pursuant to EOG #B2017-0005, is reverted and is appropriated for Fiscal Year 2017-2018 for the purpose of the original appropriation within the Department of Law Enforcement.

SECTION 52. The unexpended balance of funds provided to the Florida Department of Law Enforcement in Specific Appropriation 1245 of chapter 2016-66, Laws of Florida for the replacement of the Computerized Criminal History System (CCH) in the Qualified Expenditure Category, shall revert and is appropriated to the Department of Law Enforcement for Fiscal Year 2017-2018 for the same purpose in the following categories: \$100,000 Operating Capital Outlay and \$166,923 Contracted Services.

SECTION 53. The unexpended balance of funds provided to the Department of Legal Affairs in Specific Appropriation 1297 of Chapter 2016-66, Laws of Florida, for the Virgil Hawkins Justice Foundation shall revert and is appropriated for Fiscal Year 2017-2018 for the same purpose.

SECTION 54. The unexpended balance of funds from the General Revenue Fund appropriated to the Department of Legal Affairs in Specific Appropriation 1283 of chapter 2016-66, Laws of Florida, shall revert and is appropriated in the Grants and Aids to Local Governments and Non-state Entities - Fixed Capital Outlay category for Fiscal Year 2017-2018 for the Bridging Freedom program in Pasco County for the purpose of facility construction.

SECTION 55. The unexpended balance of funds provided to the Department of Agriculture and Consumer Services for storm damages associated with Tropical Storm Debby pursuant to budget amendment EOG #B2013-0213, and subsequently distributed to the Department of Agriculture and Consumer Services pursuant to budget amendment EOG #B2017-0005, shall revert and is appropriated for Fiscal Year 2017-2018 to the department for the same purpose.

SECTION 56. The unexpended balance of funds provided to the Department of Agriculture and Consumer Services for domestic security issues in Specific Appropriation 1961C of chapter 2016-66, Laws of Florida, and subsequently distributed to the Department of Agriculture and Consumer Services pursuant to budget amendment EOG #B2017-0004, shall revert and is appropriated for Fiscal Year 2017-2018 to the department for the same purpose.

SECTION 57. The unexpended balance of funds provided to the Department of Agriculture and Consumer Services from the Federal Grants Trust Fund for the Bio-fuel Infrastructure Partnership Program in Specific Appropriation 1366A of chapter 2016-66, Laws of Florida, shall revert and is appropriated for Fiscal Year 2017-2018 to the department for the same purpose.

SECTION 58. The unexpended balance of funds from the General Revenue Fund provided to Department of Business and Professional Regulation in Specific Appropriation 1968 of chapter 2016-66, Laws of Florida, for the payment of legal services shall revert and is appropriated to the department for Fiscal Year 2017-2018 for the same purpose.

SECTION 59. The sum of \$515,776 from the funds released to the Department of Financial Services in Specific Appropriation 2331A of chapter 2015-232, Laws of Florida, for the Pre-Design, Development, and Implementation phase of the replacement of the Florida Accounting Information Resource (FLAIR) Subsystem and Cash Management Subsystem (CMS) is hereby reverted. This section is effective upon becoming law.

SECTION 60. The unexpended balance of funds from Specific Appropriation 2501 of chapter 2016-66, Laws of Florida, provided to the Department of Financial Services for the Regulatory Enforcement and Licensing System (REAL) within the Office of Financial Regulation, shall revert and is appropriated to the department for Fiscal Year 2017-2018 for the same purpose.

SECTION 61. The unexpended balance of funds from the Communications Working Capital Trust Fund provided to the Department of Management Services in Specific Appropriation 2827 and section 77, of chapter 2016-66, Laws of Florida, for staff augmentation services to transition to a new contract for the SUNCOM Network shall revert and is appropriated to the department for Fiscal Year 2017-2018 for the same purpose.

SECTION 62. The unexpended balance of funds from the Operating Trust Fund provided to the Department of Management Services in Specific Appropriation 2791 of chapter 2016-66, Laws of Florida, for procurement support for rebidding information technology operations shall revert and is appropriated to the department for Fiscal Year 2017-2018 for the same purpose.

SECTION 63. The unexpended balance of funds reappropriated to the Department of Highway Safety and Motor Vehicles for the FirstNet State and Local Implementation Grant in section 84, chapter 2016-66, Laws of Florida, and transferred to the Department of Management Services through budget amendment EOG# B2016-0116, by the Legislative Budget Commission, for reassignment of the FirstNet State and Local Implementation Grant from the Department of Highway Safety and Motor Vehicles to the Department of Management Services, shall revert and is appropriated to the Department of Management Services for Fiscal Year 2017-2018 for the same purpose.

SECTION 64. The unexpended balance of funds appropriated in Specific Appropriation 1965A of chapter 2016-66, Laws of Florida, for the acquisition of a statewide travel management system shall revert and is appropriated for Fiscal Year 2017-2018 to the Department of Management Services for the same purpose.

SECTION 65. The unexpended balance of funds provided to the Department of Management Services in Specific Appropriation 2734 of chapter 2016-66, Laws of Florida, for the procurement of a commercially available solution to support a centralized Fleet Management System with the capacity to manage all state-owned and leased equipment pursuant to section 287.16, Florida Statutes, shall revert and is appropriated for Fiscal Year 2017-2018 to the Department of Management Services for the same purpose.

SECTION 66. The unexpended balance of funds provided to the Department of Economic Opportunity for Tampa Heights Youth Civic Center Relocation in Specific Appropriation 2216 of Ch. 2016-66, Laws of Florida, in the amount of \$1,200,000, is reverted and reappropriated for the same purpose.

SECTION 67. The unobligated funds in the Florida Housing Finance Corporation Guarantee Fund Program shall be used by the Florida Housing Finance Corporation for the State Apartment Incentive Loan (SAIL) Program. This section shall take effect upon becoming a law.

SECTION 68. The unexpended balance of funds provided to the Department of Highway Safety and Motor Vehicles for the advanced data analytics and quality assurance service contract in Specific Appropriation 2627 of chapter 2016-66, Laws of Florida, in the amount of \$1,750,000, is reverted and is appropriated for the purpose of automating data analysis and optimizing resources within the department's issuance systems.

SECTION 69. Airport/Roadway Infrastructure Improvements in Specific Appropriation 1996 of Ch. 2016-66, Laws of Florida, in the amount of \$1,000,000 is reverted and is appropriated for the same purpose to AA Acquisitions, LLC. The Department of Transportation shall contract with the entity for the named project.

SECTION 70. The sum of \$1,122,273 from the General Revenue Fund is appropriated for Fiscal Year 2016-2017 for costs associated with the Constitution Revision Commission. This section shall take effect upon becoming law.

SECTION 71. Pursuant to section 215.32(2)(b)4.a., Florida Statutes,

\$284,000,000 from unobligated cash balance amounts specified from the following trust funds shall be transferred to the General Revenue Fund for Fiscal Year 2017-2018:

AGENCY FOR HEALTH CARE ADMINISTRATION	
Medical Care Trust Fund.....	25,000,000
Health Care Trust Fund.....	5,000,000
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION	
Division of Florida Condominiums, Timeshares and Mobile Homes Trust Fund.....	4,000,000
Professional Regulation Trust Fund.....	4,000,000
Hotel and Restaurant Trust Fund.....	1,000,000
DEPARTMENT OF ECONOMIC OPPORTUNITY	
Local Government Housing Trust Fund.....	80,000,000
State Housing Trust Fund.....	50,000,000
Displaced Homemaker Trust Fund.....	2,500,000
SEED Trust Fund.....	20,000,000
DEPARTMENT OF ENVIRONMENTAL PROTECTION	
Inland Protection Trust Fund.....	51,000,000
Solid Waste Management Trust Fund.....	3,000,000
DEPARTMENT OF FINANCIAL SERVICES	
Anti-Fraud Trust Fund.....	500,000
Regulatory Trust Fund/Office of Financial Regulation.....	10,000,000
DEPARTMENT OF HEALTH	
Medical Quality Assurance Trust Fund.....	13,000,000
DEPARTMENT OF MANAGEMENT SERVICES	
Operating Trust Fund - Purchasing.....	5,000,000
EXEC OFFICE OF THE GOVERNOR - Division of Emergency Mgmt	
Emergency Management Preparedness and Assistance Trust Fund	5,000,000
FLORIDA DEPARTMENT OF LAW ENFORCEMENT	
Operating Trust Fund.....	5,000,000

Funds specified above from each trust fund shall be transferred in four equal installments on a quarterly basis during the fiscal year, except for funds from the Local Government Housing Trust Fund and the State Housing Trust Fund, which shall transfer 50 percent by March 1, 2018, and 50 percent by June 30, 2018.

This section shall take effect upon becoming law.

SECTION 72. The Chief Financial Officer is hereby authorized to transfer \$32,100,000 from the General Revenue Fund to the Budget Stabilization Fund for Fiscal Year 2017-2018, as required by s.19(g) Article III of the Constitution of the State of Florida.

SECTION 73. Any section of this act, or any appropriation herein contained, if found to be invalid shall in no way affect other sections or specific appropriations contained in this act.

SECTION 74. Except as otherwise provided herein, this act shall take effect July 1, 2017, or upon becoming law, whichever occurs later; however, if this act becomes law after July 1, 2017, then it shall operate retroactively to July 1, 2017.

TOTAL THIS GENERAL APPROPRIATION ACT

FROM GENERAL REVENUE FUND	31,573,293,406
FROM TRUST FUNDS	51,590,742,636
TOTAL POSITIONS	113,548.32
TOTAL ALL FUNDS	83,164,036,042
TOTAL APPROVED SALARY RATE	5,009,301,939

ITEMIZATION OF EXPENDITURE TOTALS
(FOR INFORMATION ONLY)SPB 2500 FY 17-18
(\$ IN MILLIONS)

	GENERAL REVENUE	LOTTERY	PECO	TOBACCO	OTHER TRUST	ALL FUNDS	POSITIONS
<u>OPERATING</u>							
A - STATE OPERATIONS	5,673.3	.0	.0	69.0	7,469.6	13,211.9	113,548.32
B - AID TO LOC GOV - OPERATION	14,973.4	1,101.6	.0	.0	3,790.8	19,865.8	.00
C - PYMT OF PEN, BEN & CLAIMS	420.4	456.7	.0	.0	54.2	931.2	.00
D - PASS THRU/ST & FED FUNDS	2,923.3	103.8	.0	.0	4,044.7	7,071.8	.00
E - MEDICAID AND TANF	7,092.7	.0	.0	299.1	20,766.2	28,157.9	.00
H - TRANS TO OTHER ENTITIES	72.4	.0	.0	.0	222.6	295.0	.00
TOTAL OPERATING	31,155.5	1,662.1	.0	368.1	36,348.1	69,533.7	113,548.32
<u>FIXED CAPITAL OUTLAY</u>							
I - STATE CAPITAL OUTLAY - DMS	24.0	.0	.0	.0	75.9	99.9	.00
J - ST CAPITAL OUTLAY - AGENCY	125.0	.0	.0	.0	310.1	435.1	.00
K - STATE CAPITAL OUTLAY - DOT	.0	.0	.0	.0	9,932.4	9,932.4	.00
L - STATE CAPITAL OUTLAY-PECO	15.7	.0	599.8	.0	45.0	660.6	.00
M - AID TO LOC GOVT-CAP OUTLAY	193.9	.0	.0	.0	525.7	719.6	.00
N - DEBT SERVICE	59.1	320.8	875.2	.0	527.6	1,782.8	.00
TOTAL FIXED CAPITAL OUTLAY	417.8	320.8	1,475.0	.0	11,416.7	13,630.3	.00
TOTAL ITEM. OF EXPENDITURES	31,573.3	1,982.9	1,475.0	368.1	47,764.7	83,164.0	113,548.32

NOTE: AMOUNTS ACROSS AND DOWN MAY NOT EQUAL DUE TO ROUNDING.

SUMMARY BY SECTION
(FOR INFORMATION ONLY)

SPB 2500 FY 17-18

	GEN REVENUE	TRUST FUNDS	ALL FUNDS
<u>SECTION 1 - EDUCATION ENHANCEMENT</u>			
<u>OPERATING</u>			
AID TO LOC GOV - OPERATION			
STATE FUNDS - NONMATCHING		1,101,639,565	1,101,639,565
TOTAL AID TO LOC GOV - OPERATION		1,101,639,565	1,101,639,565
PYMT OF PEN, BEN & CLAIMS			
STATE FUNDS - NONMATCHING		456,683,491	456,683,491
TOTAL PYMT OF PEN, BEN & CLAIMS		456,683,491	456,683,491
PASS THRU/ST & FED FUNDS			
STATE FUNDS - NONMATCHING		103,776,356	103,776,356
TOTAL PASS THRU/ST & FED FUNDS		103,776,356	103,776,356
<u>FIXED CAPITAL OUTLAY</u>			
DEBT SERVICE			
STATE FUNDS - NONMATCHING		320,800,587	320,800,587
TOTAL DEBT SERVICE		320,800,587	320,800,587
TOTAL SECTION 1		1,982,899,999	1,982,899,999
FUNDING SOURCE RECAP			
STATE FUNDS - NONMATCHING		1,982,899,999	1,982,899,999
TOTAL SPENDING AUTHORIZATIONS			
OPERATING		1,662,099,412	1,662,099,412
FIXED CAPITAL OUTLAY		320,800,587	320,800,587
<u>SECTION 2 - EDUCATION (ALL OTHER FUNDS)</u>			
<u>OPERATING</u>			
STATE OPERATIONS			
STATE FUNDS - NONMATCHING	189,787,953	50,848,042	240,635,995
STATE FUNDS - MATCHING	46,099,300	595,000	46,694,300
FEDERAL FUNDS		297,150,619	297,150,619
TRANS/RECIPIENT/FED FUNDS		507,312	507,312
POSITIONS			2,341.75
TOTAL STATE OPERATIONS	235,887,253	349,100,973	584,988,226
AID TO LOC GOV - OPERATION			
STATE FUNDS - NONMATCHING	12,397,811,430	79,710,630	12,477,522,060
STATE FUNDS - MATCHING	203,419,324		203,419,324
FEDERAL FUNDS		543,272,254	543,272,254
TOTAL AID TO LOC GOV - OPERATION	12,601,230,754	622,982,884	13,224,213,638
PYMT OF PEN, BEN & CLAIMS			
STATE FUNDS - NONMATCHING	387,673,033	1,564,605	389,237,638
FEDERAL FUNDS		105,000	105,000
TOTAL PYMT OF PEN, BEN & CLAIMS	387,673,033	1,669,605	389,342,638

SUMMARY BY SECTION
(FOR INFORMATION ONLY)

SPB 2500 FY 17-18

	GEN REVENUE	TRUST FUNDS	ALL FUNDS

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

OPERATING

PASS THRU/ST & FED FUNDS			
STATE FUNDS - NONMATCHING	2,911,793,531	86,161,098	2,997,954,629
FEDERAL FUNDS		1,792,990,985	1,792,990,985
TOTAL PASS THRU/ST & FED FUNDS	2,911,793,531	1,879,152,083	4,790,945,614

TRANS TO OTHER ENTITIES			
STATE FUNDS - NONMATCHING	4,029,267	4,633,275	8,662,542
STATE FUNDS - MATCHING	106,453		106,453
FEDERAL FUNDS		2,126,265	2,126,265
TOTAL TRANS TO OTHER ENTITIES	4,135,720	6,759,540	10,895,260

FIXED CAPITAL OUTLAY

STATE CAPITAL OUTLAY-PECO			
STATE FUNDS - NONMATCHING	15,749,910	644,845,959	660,595,869
TOTAL STATE CAPITAL OUTLAY-PECO	15,749,910	644,845,959	660,595,869

AID TO LOC GOVT-CAP OUTLAY			
STATE FUNDS - NONMATCHING	12,384,139		12,384,139
TOTAL AID TO LOC GOVT-CAP OUTLAY	12,384,139		12,384,139

DEBT SERVICE			
STATE FUNDS - NONMATCHING		1,017,367,257	1,017,367,257
TOTAL DEBT SERVICE		1,017,367,257	1,017,367,257

TOTAL SECTION 2	16,168,854,340	4,521,878,301	20,690,732,641

FUNDING SOURCE RECAP			
STATE FUNDS - NONMATCHING	15,919,229,263	1,885,130,866	17,804,360,129
STATE FUNDS - MATCHING	249,625,077	595,000	250,220,077
FEDERAL FUNDS		2,635,645,123	2,635,645,123
TRANS/RECIPIENT/FED FUNDS		507,312	507,312

TOTAL SPENDING AUTHORIZATIONS			
OPERATING	16,140,720,291	2,859,665,085	19,000,385,376
FIXED CAPITAL OUTLAY	28,134,049	1,662,213,216	1,690,347,265

SECTION 3 - HUMAN SERVICES

OPERATING

STATE OPERATIONS			
STATE FUNDS - NONMATCHING	237,011,775	713,533,899	950,545,674
STATE FUNDS - MATCHING	474,728,995	311,282,662	786,011,657
FEDERAL FUNDS		1,534,473,476	1,534,473,476
TRANS/RECIPIENT/FED FUNDS		111,940,244	111,940,244

TOTAL STATE OPERATIONS	711,740,770	2,671,230,281	3,382,971,051

SUMMARY BY SECTION
(FOR INFORMATION ONLY)

SPB 2500 FY 17-18

	GEN REVENUE	TRUST FUNDS	ALL FUNDS

SECTION 3 - HUMAN SERVICES

OPERATING

AID TO LOC GOV - OPERATION			
STATE FUNDS - NONMATCHING	541,702,418	97,949,567	639,651,985
STATE FUNDS - MATCHING	1,154,804,717	74,458,838	1,229,263,555
FEDERAL FUNDS		1,877,921,713	1,877,921,713
TRANS/RECIPIENT/FED FUNDS		91,348,739	91,348,739

TOTAL AID TO LOC GOV - OPERATION	1,696,507,135	2,141,678,857	3,838,185,992

PYMT OF PEN, BEN & CLAIMS			
STATE FUNDS - NONMATCHING	5,070,718	950,000	6,020,718
STATE FUNDS - MATCHING	10,243,619	5,572,480	15,816,099
TRANS/RECIPIENT/FED FUNDS		28,017	28,017

TOTAL PYMT OF PEN, BEN & CLAIMS	15,314,337	6,550,497	21,864,834

PASS THRU/ST & FED FUNDS			
STATE FUNDS - NONMATCHING	9,000,000		9,000,000
FEDERAL FUNDS		21,754,358	21,754,358

TOTAL PASS THRU/ST & FED FUNDS	9,000,000	21,754,358	30,754,358

MEDICAID AND TANF			
STATE FUNDS - NONMATCHING	800,000		800,000
STATE FUNDS - MATCHING	7,091,850,068	4,216,843,815	11,308,693,883
FEDERAL FUNDS		16,127,754,389	16,127,754,389
TRANS/RECIPIENT/FED FUNDS		720,671,614	720,671,614

TOTAL MEDICAID AND TANF	7,092,650,068	21,065,269,818	28,157,919,886

TRANS TO OTHER ENTITIES			
STATE FUNDS - NONMATCHING	9,883,452	3,644,071	13,527,523
STATE FUNDS - MATCHING	4,037,142	588,747	4,625,889
FEDERAL FUNDS		2,488,107	2,488,107
TRANS/RECIPIENT/FED FUNDS		346,933	346,933

TOTAL TRANS TO OTHER ENTITIES	13,920,594	7,067,858	20,988,452

FIXED CAPITAL OUTLAY

STATE CAPITAL OUTLAY - DMS			
STATE FUNDS - MATCHING	500,000	13,542,792	14,042,792
FEDERAL FUNDS		25,150,900	25,150,900

TOTAL STATE CAPITAL OUTLAY - DMS	500,000	38,693,692	39,193,692

ST CAPITAL OUTLAY - AGENCY			
STATE FUNDS - NONMATCHING	7,728,920	7,316,135	15,045,055
STATE FUNDS - MATCHING		1,500,000	1,500,000

TOTAL ST CAPITAL OUTLAY - AGENCY	7,728,920	8,816,135	16,545,055

AID TO LOC GOVT-CAP OUTLAY			
STATE FUNDS - NONMATCHING	8,536,850		8,536,850

TOTAL AID TO LOC GOVT-CAP OUTLAY	8,536,850		8,536,850

SUMMARY BY SECTION
(FOR INFORMATION ONLY)

SPB 2500 FY 17-18

	GEN REVENUE	TRUST FUNDS	ALL FUNDS
SECTION 3 - HUMAN SERVICES			
POSITIONS			
TOTAL SECTION 3	9,555,898,674	25,961,061,496	31,824,073,516,960,170
FUNDING SOURCE RECAP			
STATE FUNDS - NONMATCHING	819,734,133	823,393,672	1,643,127,805
STATE FUNDS - MATCHING	8,736,164,541	4,623,789,334	13,359,953,875
FEDERAL FUNDS		19,589,542,943	19,589,542,943
TRANS/RECIPIENT/FED FUNDS		924,335,547	924,335,547
TOTAL SPENDING AUTHORIZATIONS			
OPERATING	9,539,132,904	25,913,551,669	35,452,684,573
FIXED CAPITAL OUTLAY	16,765,770	47,509,827	64,275,597
SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS			
OPERATING			
STATE OPERATIONS			
STATE FUNDS - NONMATCHING	3,341,575,695	414,205,529	3,755,781,224
STATE FUNDS - MATCHING	7,234,848	10,950,843	18,185,691
FEDERAL FUNDS		50,635,124	50,635,124
TRANS/RECIPIENT/FED FUNDS		50,529,580	50,529,580
POSITIONS			
TOTAL STATE OPERATIONS	3,348,810,543	526,321,076	3,875,131,619
AID TO LOC GOV - OPERATION			
STATE FUNDS - NONMATCHING	260,229,907	36,540,627	296,770,534
STATE FUNDS - MATCHING	108,640		108,640
FEDERAL FUNDS		57,808,703	57,808,703
TRANS/RECIPIENT/FED FUNDS		1,049,069	1,049,069
TOTAL AID TO LOC GOV - OPERATION	260,338,547	95,398,399	355,736,946
PYMT OF PEN, BEN & CLAIMS			
STATE FUNDS - NONMATCHING		24,842,082	24,842,082
FEDERAL FUNDS		13,192,000	13,192,000
TOTAL PYMT OF PEN, BEN & CLAIMS		38,034,082	38,034,082
PASS THRU/ST & FED FUNDS			
STATE FUNDS - NONMATCHING		6,400,000	6,400,000
FEDERAL FUNDS		153,914,402	153,914,402
TOTAL PASS THRU/ST & FED FUNDS		160,314,402	160,314,402
TRANS TO OTHER ENTITIES			
STATE FUNDS - NONMATCHING	11,833,794	1,087,101	12,920,895
STATE FUNDS - MATCHING	19,010	23,221	42,231
FEDERAL FUNDS		22,164,427	22,164,427
TRANS/RECIPIENT/FED FUNDS		66,916	66,916
TOTAL TRANS TO OTHER ENTITIES	11,852,804	23,341,665	35,194,469
FIXED CAPITAL OUTLAY			
STATE CAPITAL OUTLAY - DMS			
STATE FUNDS - NONMATCHING		1,000,000	1,000,000
TOTAL STATE CAPITAL OUTLAY - DMS		1,000,000	1,000,000

SUMMARY BY SECTION
(FOR INFORMATION ONLY)

SPB 2500 FY 17-18

	GEN REVENUE	TRUST FUNDS	ALL FUNDS
SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS			
FIXED CAPITAL OUTLAY			
ST CAPITAL OUTLAY - AGENCY			
STATE FUNDS - NONMATCHING	17,585,673		17,585,673
TOTAL ST CAPITAL OUTLAY - AGENCY	17,585,673		17,585,673
AID TO LOC GOVT-CAP OUTLAY			
STATE FUNDS - NONMATCHING	8,950,000		8,950,000
TOTAL AID TO LOC GOVT-CAP OUTLAY	8,950,000		8,950,000
DEBT SERVICE			
STATE FUNDS - NONMATCHING	57,406,375		57,406,375
TOTAL DEBT SERVICE	57,406,375		57,406,375
POSITIONS			
TOTAL SECTION 4	3,704,943,942	844,409,624	4,549,353,566
FUNDING SOURCE RECAP			
STATE FUNDS - NONMATCHING	3,697,581,444	484,075,339	4,181,656,783
STATE FUNDS - MATCHING	7,362,498	10,974,064	18,336,562
FEDERAL FUNDS		297,714,656	297,714,656
TRANS/RECIPIENT/FED FUNDS		51,645,565	51,645,565
TOTAL SPENDING AUTHORIZATIONS			
OPERATING	3,621,001,894	843,409,624	4,464,411,518
FIXED CAPITAL OUTLAY	83,942,048	1,000,000	84,942,048
SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION			
OPERATING			
STATE OPERATIONS			
STATE FUNDS - NONMATCHING	238,142,528	1,312,192,151	1,550,334,679
STATE FUNDS - MATCHING	1,376,597	41,322,963	42,699,560
FEDERAL FUNDS		178,174,250	178,174,250
TRANS/RECIPIENT/FED FUNDS		2,029,383	2,029,383
POSITIONS			
TOTAL STATE OPERATIONS	239,519,125	1,533,718,747	1,773,237,872
AID TO LOC GOV - OPERATION			
STATE FUNDS - NONMATCHING	21,280,898	100,300,191	121,581,089
STATE FUNDS - MATCHING	9,165,197		9,165,197
FEDERAL FUNDS		8,077,068	8,077,068
TOTAL AID TO LOC GOV - OPERATION	30,446,095	108,377,259	138,823,354
PASS THRU/ST & FED FUNDS			
STATE FUNDS - NONMATCHING		10,644,202	10,644,202
FEDERAL FUNDS		1,272,787,715	1,272,787,715
TOTAL PASS THRU/ST & FED FUNDS		1,283,431,917	1,283,431,917

SUMMARY BY SECTION
(FOR INFORMATION ONLY)

SPB 2500 FY 17-18

	GEN REVENUE	TRUST FUNDS	ALL FUNDS
SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION			
OPERATING			
TRANS TO OTHER ENTITIES			
STATE FUNDS - NONMATCHING	1,576,450	163,533,270	165,109,720
STATE FUNDS - MATCHING		390	390
FEDERAL FUNDS		153,131	153,131
TOTAL TRANS TO OTHER ENTITIES	1,576,450	163,686,791	165,263,241
FIXED CAPITAL OUTLAY			
ST CAPITAL OUTLAY - AGENCY			
STATE FUNDS - NONMATCHING	89,897,805	277,248,204	367,146,009
FEDERAL FUNDS		7,400,000	7,400,000
TOTAL ST CAPITAL OUTLAY - AGENCY	89,897,805	284,648,204	374,546,009
STATE CAPITAL OUTLAY - DOT			
STATE FUNDS - NONMATCHING		6,915,992,257	6,915,992,257
STATE FUNDS - MATCHING		65,426,800	65,426,800
FEDERAL FUNDS		2,950,966,187	2,950,966,187
TOTAL STATE CAPITAL OUTLAY - DOT		9,932,385,244	9,932,385,244
AID TO LOC GOVT-CAP OUTLAY			
STATE FUNDS - NONMATCHING	122,897,858	255,217,682	378,115,540
STATE FUNDS - MATCHING	18,595,667		18,595,667
FEDERAL FUNDS		264,236,104	264,236,104
TOTAL AID TO LOC GOVT-CAP OUTLAY	141,493,525	519,453,786	660,947,311
DEBT SERVICE			
STATE FUNDS - NONMATCHING		358,695,662	358,695,662
TOTAL DEBT SERVICE		358,695,662	358,695,662
POSITIONS			14,931.25
TOTAL SECTION 5	502,933,000	14,184,397,610	14,687,330,610
FUNDING SOURCE RECAP			
STATE FUNDS - NONMATCHING	473,795,539	9,393,823,619	9,867,619,158
STATE FUNDS - MATCHING	29,137,461	106,750,153	135,887,614
FEDERAL FUNDS		4,681,794,455	4,681,794,455
TRANS/RECIPIENT/FED FUNDS		2,029,383	2,029,383
TOTAL SPENDING AUTHORIZATIONS			
OPERATING	271,541,670	3,089,214,714	3,360,756,384
FIXED CAPITAL OUTLAY	231,391,330	11,095,182,896	11,326,574,226
SECTION 6 - GENERAL GOVERNMENT			
OPERATING			
STATE OPERATIONS			
STATE FUNDS - NONMATCHING	660,111,894	1,963,650,272	2,623,768,166
STATE FUNDS - MATCHING	46,595,056	35,035,911	81,630,967
FEDERAL FUNDS		324,304,552	324,304,552
TRANS/RECIPIENT/FED FUNDS		43,835,075	43,835,075
POSITIONS			18,641.75
TOTAL STATE OPERATIONS	706,706,950	2,366,831,810	3,073,538,760

SUMMARY BY SECTION
(FOR INFORMATION ONLY)

SPB 2500 FY 17-18

	GEN REVENUE	TRUST FUNDS	ALL FUNDS
SECTION 6 - GENERAL GOVERNMENT			
OPERATING			
AID TO LOC GOV - OPERATION			
STATE FUNDS - NONMATCHING	363,684,911	259,299,887	622,984,798
STATE FUNDS - MATCHING	16,264,435	8,588,277	24,852,712
FEDERAL FUNDS		553,410,519	553,410,519
TRANS/RECIPIENT/FED FUNDS		1,036,300	1,036,300
TOTAL AID TO LOC GOV - OPERATION	379,949,346	822,334,983	1,202,284,329
PYMT OF PEN, BEN & CLAIMS			
STATE FUNDS - NONMATCHING	17,394,063	7,898,581	25,292,644
TOTAL PYMT OF PEN, BEN & CLAIMS	17,394,063	7,898,581	25,292,644
PASS THRU/ST & FED FUNDS			
STATE FUNDS - NONMATCHING	2,519,742	320,727,835	323,247,577
STATE FUNDS - MATCHING		30,982,415	30,982,415
FEDERAL FUNDS		348,342,468	348,342,468
TOTAL PASS THRU/ST & FED FUNDS	2,519,742	700,052,718	702,572,460
TRANS TO OTHER ENTITIES			
STATE FUNDS - NONMATCHING	38,575,952	17,719,649	56,295,601
STATE FUNDS - MATCHING	1,492,065	31,479	1,523,544
FEDERAL FUNDS		3,790,741	3,790,741
TRANS/RECIPIENT/FED FUNDS		188,862	188,862
TOTAL TRANS TO OTHER ENTITIES	40,068,017	21,730,731	61,798,748
FIXED CAPITAL OUTLAY			
STATE CAPITAL OUTLAY - DMS			
STATE FUNDS - NONMATCHING	23,364,148	36,247,011	59,611,159
TOTAL STATE CAPITAL OUTLAY - DMS	23,364,148	36,247,011	59,611,159
ST CAPITAL OUTLAY - AGENCY			
STATE FUNDS - NONMATCHING	9,814,047	5,157,189	14,971,236
FEDERAL FUNDS		10,930,000	10,930,000
TRANS/RECIPIENT/FED FUNDS		512,000	512,000
TOTAL ST CAPITAL OUTLAY - AGENCY	9,814,047	16,599,189	26,413,236
AID TO LOC GOVT-CAP OUTLAY			
STATE FUNDS - NONMATCHING	22,566,079	3,200,000	25,766,079
STATE FUNDS - MATCHING		3,000,000	3,000,000
TOTAL AID TO LOC GOVT-CAP OUTLAY	22,566,079	6,200,000	28,766,079
DEBT SERVICE			
STATE FUNDS - NONMATCHING	1,715,000	26,778,494	28,493,494
TOTAL DEBT SERVICE	1,715,000	26,778,494	28,493,494

SUMMARY BY SECTION
(FOR INFORMATION ONLY)

SPB 2500 FY 17-18

	GEN REVENUE	TRUST FUNDS	ALL FUNDS
SECTION 6 - GENERAL GOVERNMENT			
POSITIONS			
TOTAL SECTION 6	1,204,097,392	4,004,673,517	18,641,755,288,770,909
FUNDING SOURCE RECAP			
STATE FUNDS - NONMATCHING	1,139,745,836	2,640,684,918	3,780,430,754
STATE FUNDS - MATCHING	64,351,556	77,638,082	141,989,638
FEDERAL FUNDS		1,240,778,280	1,240,778,280
TRANS/RECIPIENT/FED FUNDS		45,572,237	45,572,237
TOTAL SPENDING AUTHORIZATIONS			
OPERATING	1,146,638,118	3,918,848,823	5,065,486,941
FIXED CAPITAL OUTLAY	57,459,274	85,824,694	143,283,968
SECTION 7 - JUDICIAL BRANCH			
OPERATING			
STATE OPERATIONS			
STATE FUNDS - NONMATCHING	430,655,671	81,158,647	511,814,318
FEDERAL FUNDS		2,182,969	2,182,969
TRANS/RECIPIENT/FED FUNDS		8,041,863	8,041,863
POSITIONS			
TOTAL STATE OPERATIONS	430,655,671	91,383,479	4,408.50522,039,150
AID TO LOC GOV - OPERATION			
STATE FUNDS - NONMATCHING	4,943,240		4,943,240
TOTAL AID TO LOC GOV - OPERATION	4,943,240		4,943,240
TRANS TO OTHER ENTITIES			
STATE FUNDS - NONMATCHING	867,147	5,819	872,966
FEDERAL FUNDS		3,734	3,734
TRANS/RECIPIENT/FED FUNDS		29,057	29,057
TOTAL TRANS TO OTHER ENTITIES	867,147	38,610	905,757
FIXED CAPITAL OUTLAY			
STATE CAPITAL OUTLAY - DMS			
STATE FUNDS - NONMATCHING	100,000		100,000
TOTAL STATE CAPITAL OUTLAY - DMS	100,000		100,000
POSITIONS			
TOTAL SECTION 7	436,566,058	91,422,089	4,408.50527,988,147
FUNDING SOURCE RECAP			
STATE FUNDS - NONMATCHING	436,566,058	81,164,466	517,730,524
FEDERAL FUNDS		2,186,703	2,186,703
TRANS/RECIPIENT/FED FUNDS		8,070,920	8,070,920
TOTAL SPENDING AUTHORIZATIONS			
OPERATING	436,466,058	91,422,089	527,888,147
FIXED CAPITAL OUTLAY	100,000		100,000

SUMMARY FOR ALL SECTIONS
(FOR INFORMATION ONLY)

SPB 2500 FY 17-18

	GEN REVENUE	TRUST FUNDS	ALL FUNDS
ALL SECTIONS			
OPERATING			
STATE OPERATIONS			
STATE FUNDS - NONMATCHING	5,097,285,516	4,535,594,540	9,632,880,056
STATE FUNDS - MATCHING	576,034,796	399,187,379	975,222,175
FEDERAL FUNDS		2,386,920,990	2,386,920,990
TRANS/RECIPIENT/FED FUNDS		216,883,457	216,883,457
POSITIONS			
TOTAL STATE OPERATIONS	5,673,320,312	7,538,586,366	113,548.3213,211,906,678
AID TO LOC GOV - OPERATION			
STATE FUNDS - NONMATCHING	13,589,652,804	1,675,440,467	15,265,093,271
STATE FUNDS - MATCHING	1,383,762,313	83,047,115	1,466,809,428
FEDERAL FUNDS		3,040,490,257	3,040,490,257
TRANS/RECIPIENT/FED FUNDS		93,434,108	93,434,108
TOTAL AID TO LOC GOV - OPERATION	14,973,415,117	4,892,411,947	19,865,827,064
PYMT OF PEN, BEN & CLAIMS			
STATE FUNDS - NONMATCHING	410,137,814	491,938,759	902,076,573
STATE FUNDS - MATCHING	10,243,619	5,572,480	15,816,099
FEDERAL FUNDS		13,297,000	13,297,000
TRANS/RECIPIENT/FED FUNDS		28,017	28,017
TOTAL PYMT OF PEN, BEN & CLAIMS	420,381,433	510,836,256	931,217,689
PASS THRU/ST & FED FUNDS			
STATE FUNDS - NONMATCHING	2,923,313,273	527,709,491	3,451,022,764
STATE FUNDS - MATCHING		30,982,415	30,982,415
FEDERAL FUNDS		3,589,789,928	3,589,789,928
TOTAL PASS THRU/ST & FED FUNDS	2,923,313,273	4,148,481,834	7,071,795,107
MEDICAID AND TANF			
STATE FUNDS - NONMATCHING	800,000		800,000
STATE FUNDS - MATCHING	7,091,850,068	4,216,843,815	11,308,693,883
FEDERAL FUNDS		16,127,754,389	16,127,754,389
TRANS/RECIPIENT/FED FUNDS		720,671,614	720,671,614
TOTAL MEDICAID AND TANF	7,092,650,068	21,065,269,818	28,157,919,886
TRANS TO OTHER ENTITIES			
STATE FUNDS - NONMATCHING	66,766,062	190,623,185	257,389,247
STATE FUNDS - MATCHING	5,654,670	643,837	6,298,507
FEDERAL FUNDS		30,726,405	30,726,405
TRANS/RECIPIENT/FED FUNDS		631,768	631,768
TOTAL TRANS TO OTHER ENTITIES	72,420,732	222,625,195	295,045,927
FIXED CAPITAL OUTLAY			
STATE CAPITAL OUTLAY - DMS			
STATE FUNDS - NONMATCHING	23,464,148	37,247,011	60,711,159
STATE FUNDS - MATCHING	500,000	13,542,792	14,042,792
FEDERAL FUNDS		25,150,900	25,150,900
TOTAL STATE CAPITAL OUTLAY - DMS	23,964,148	75,940,703	99,904,851

SUMMARY FOR ALL SECTIONS
(FOR INFORMATION ONLY)

SPB 2500 FY 17-18

	GEN REVENUE	TRUST FUNDS	ALL FUNDS
ALL SECTIONS			
<u>FIXED CAPITAL OUTLAY</u>			
ST CAPITAL OUTLAY - AGENCY			
STATE FUNDS - NONMATCHING	125,026,445	289,721,528	414,747,973
STATE FUNDS - MATCHING		1,500,000	1,500,000
FEDERAL FUNDS		18,330,000	18,330,000
TRANS/RECIPIENT/FED FUNDS		512,000	512,000
TOTAL ST CAPITAL OUTLAY - AGENCY	125,026,445	310,063,528	435,089,973
STATE CAPITAL OUTLAY - DOT			
STATE FUNDS - NONMATCHING		6,915,992,257	6,915,992,257
STATE FUNDS - MATCHING		65,426,800	65,426,800
FEDERAL FUNDS		2,950,966,187	2,950,966,187
TOTAL STATE CAPITAL OUTLAY - DOT		9,932,385,244	9,932,385,244
STATE CAPITAL OUTLAY-PECO			
STATE FUNDS - NONMATCHING	15,749,910	644,845,959	660,595,869
TOTAL STATE CAPITAL OUTLAY-PECO	15,749,910	644,845,959	660,595,869
AID TO LOC GOVT-CAP OUTLAY			
STATE FUNDS - NONMATCHING	175,334,926	258,417,682	433,752,608
STATE FUNDS - MATCHING	18,595,667		21,595,667
FEDERAL FUNDS		264,236,104	264,236,104
TOTAL AID TO LOC GOVT-CAP OUTLAY	193,930,593	525,653,786	719,584,379
DEBT SERVICE			
STATE FUNDS - NONMATCHING	59,121,375	1,723,642,000	1,782,763,375
TOTAL DEBT SERVICE	59,121,375	1,723,642,000	1,782,763,375
POSITIONS			113,548.32
TOTAL ALL SECTIONS	31,573,293,406	51,590,742,636	83,164,036,042
FUNDING SOURCE RECAP			
STATE FUNDS - NONMATCHING	22,486,652,273	17,291,172,879	39,777,825,152
STATE FUNDS - MATCHING	9,086,641,133	4,819,746,633	13,906,387,766
FEDERAL FUNDS		28,447,662,160	28,447,662,160
TRANS/RECIPIENT/FED FUNDS		1,032,160,964	1,032,160,964
TOTAL SPENDING AUTHORIZATIONS			
OPERATING	31,155,500,935	38,378,211,416	69,533,712,351
FIXED CAPITAL OUTLAY	417,792,471	13,212,531,220	13,630,323,691

SUMMARY BY SECTION BY DEPARTMENT
(FOR INFORMATION ONLY)SPB 2500 FY 17-18
(\$ IN MILLIONS)

	GENERAL REVENUE	LOTTERY	PECO	TOBACCO	OTHER TRUST	ALL FUNDS	POSITIONS
<u>OPERATING</u>							
SECTION 1 - EDUCATION ENHANCEMENT							
EDUCATION, DEPT OF.....	.0	1,662.1	.0	.0	.0	1,662.1	.00
TOTAL SECTION 1	.0	1,662.1	.0	.0	.0	1,662.1	.00
SECTION 2 - EDUCATION (ALL OTHER FUNDS)							
EDUCATION, DEPT OF.....	16,140.7	.0	.0	.0	2,859.7	19,000.4	2,341.75
TOTAL SECTION 2	16,140.7	.0	.0	.0	2,859.7	19,000.4	2,341.75
EDUCATION RECAP							
EDUCATION/EARLY LEARNING...	571.9	.0	.0	.0	525.3	1,097.2	100.00
EDUCATION/PUBLIC SCHOOLS...	11,218.6	716.0	.0	.0	1,965.8	13,900.5	.00
EDUCATION/FL COLLEGES.....	918.3	231.8	.0	.0	.3	1,150.4	48.00
EDUCATION/UNIVERSITIES.....	2,854.1	257.6	.0	.0	5.1	3,116.9	.00
EDUCATION/OTHER.....	577.8	456.7	.0	.0	363.0	1,397.6	2,193.75
TOTAL EDUCATION RECAP	16,140.7	1,662.1	.0	.0	2,859.7	20,662.5	2,341.75
SECTION 3 - HUMAN SERVICES							
AGENCY/HEALTH CARE ADMIN....	6,598.1	.0	.0	299.1	20,782.2	27,679.4	1,546.50
AGENCY/PERSONS WITH DISABL...	544.6	.0	.0	.0	781.4	1,326.0	2,711.50
CHILDREN & FAMILIES.....	1,715.0	.0	.0	.0	1,435.3	3,150.3	11,944.50
ELDER AFFAIRS, DEPT OF.....	141.9	.0	.0	.0	173.6	315.5	439.50
HEALTH, DEPT OF.....	529.8	.0	.0	69.0	2,882.2	2,882.9	14,064.57
VETERANS' AFFAIRS, DEPT OF...	9.8	.0	.0	.0	88.7	98.5	1,117.50
TOTAL SECTION 3	9,539.1	.0	.0	368.1	25,545.5	35,452.7	31,824.07
SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS							
CORRECTIONS, DEPT OF.....	2,299.5	.0	.0	.0	74.1	2,373.5	24,238.00
FL COMMISM/OFFENDER REVIEW...	10.1	.0	.0	.0	.1	10.2	132.00
JUSTICE ADMINISTRATION.....	747.6	.0	.0	.0	154.3	901.8	10,506.00
JUVENILE JUSTICE, DEPT OF....	405.9	.0	.0	.0	158.8	564.7	3,269.50
LAW ENFORCEMENT, DEPT OF....	102.8	.0	.0	.0	183.3	286.1	1,844.00
LEGAL AFFAIRS/ATTY GENERAL...	55.2	.0	.0	.0	272.9	328.0	1,411.50
TOTAL SECTION 4	3,621.0	.0	.0	.0	843.4	4,464.4	41,401.00
SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION							
AGRIC/CONSUMER SVCS/COMMR...	181.3	.0	.0	.0	1,538.9	1,720.3	3,614.25
ENVIR PROTECTION, DEPT OF....	13.8	.0	.0	.0	506.8	520.6	2,899.50
FISH/WILDLIFE CONSERV COMM...	76.4	.0	.0	.0	283.0	359.4	2,118.50
TRANSPORTATION, DEPT OF.....	.0	.0	.0	.0	760.5	760.5	6,299.00
TOTAL SECTION 5	271.5	.0	.0	.0	3,089.2	3,360.8	14,931.25
SECTION 6 - GENERAL GOVERNMENT							
ADMINISTERED FUNDS.....	240.2	.0	.0	.0	139.8	380.0	.00
BUSINESS/PROFESSIONAL REG...	1.9	.0	.0	.0	150.3	152.3	1,618.25
CITRUS, DEPT OF.....	3.4	.0	.0	.0	29.7	33.1	39.00
ECONOMIC OPPORTUNITY.....	300.8	.0	.0	.0	1,136.8	1,437.7	1,538.50
FINANCIAL SERVICES.....	28.2	.0	.0	.0	357.8	386.0	2,617.50

NOTE: AMOUNTS ACROSS AND DOWN MAY NOT EQUAL DUE TO ROUNDING.

SUMMARY BY SECTION BY DEPARTMENT
(FOR INFORMATION ONLY)SPB 2500 FY 17-18
(\$ IN MILLIONS)

	GENERAL REVENUE	LOTTERY	PECO	TOBACCO	OTHER TRUST	ALL FUNDS	POSITIONS
<u>OPERATING</u>							
<u>SECTION 6 - GENERAL GOVERNMENT</u>							
GOVERNOR, EXECUTIVE OFFICE...	22.6	.0	.0	.0	395.0	417.6	435.00
HIWAY SAFETY/MTR VEH, DEPT...	.0	.0	.0	.0	473.9	473.9	4,414.00
LEGISLATIVE BRANCH.....	203.8	.0	.0	.0	2.5	206.3	.00
LOTTERY, DEPARTMENT OF THE...	.0	.0	.0	.0	167.9	167.9	420.00
MANAGEMENT SRVCS, DEPT OF...	29.6	.0	.0	.0	593.0	622.6	1,300.50
MILITARY AFFAIRS, DEPT OF...	21.5	.0	.0	.0	45.9	67.4	453.00
PUBLIC SERVICE COMMISSION...	.0	.0	.0	.0	24.9	24.9	273.00
REVENUE, DEPARTMENT OF.....	212.7	.0	.0	.0	365.0	577.6	5,121.00
STATE, DEPT OF.....	81.9	.0	.0	.0	36.1	118.0	412.00
TOTAL SECTION 6	1,146.6	.0	.0	.0	3,918.8	5,065.5	18,641.75
<u>SECTION 7 - JUDICIAL BRANCH</u>							
STATE COURT SYSTEM.....	436.5	.0	.0	.0	91.4	527.9	4,408.50
TOTAL SECTION 7	436.5	.0	.0	.0	91.4	527.9	4,408.50
TOTAL OPERATING	31,155.5	1,662.1	.0	368.1	36,348.1	69,533.7	113,548.32
<u>FIXED CAPITAL OUTLAY</u>							
<u>SECTION 1 - EDUCATION ENHANCEMENT</u>							
EDUCATION, DEPT OF.....	.0	320.8	.0	.0	.0	320.8	.00
TOTAL SECTION 1	.0	320.8	.0	.0	.0	320.8	.00
<u>SECTION 2 - EDUCATION (ALL OTHER FUNDS)</u>							
EDUCATION, DEPT OF.....	28.1	.0	1,475.0	.0	187.2	1,690.3	.00
TOTAL SECTION 2	28.1	.0	1,475.0	.0	187.2	1,690.3	.00
<u>EDUCATION RECAP</u>							
EDUCATION/EARLY LEARNING...	.0	.0	.0	.0	.0	.0	.00
EDUCATION/PUBLIC SCHOOLS...	2.4	.0	.0	.0	.0	2.4	.00
EDUCATION/FL COLLEGES.....	.0	.0	.0	.0	.0	.0	.00
EDUCATION/UNIVERSITIES.....	.0	.0	.0	.0	.0	.0	.00
EDUCATION/OTHER.....	25.7	320.8	1,475.0	.0	187.2	2,008.7	.00
TOTAL EDUCATION RECAP	28.1	320.8	1,475.0	.0	187.2	2,011.1	.00
<u>SECTION 3 - HUMAN SERVICES</u>							
AGENCY/PERSONS WITH DISABL...	3.4	.0	.0	.0	4.1	7.5	.00
CHILDREN & FAMILIES.....	11.5	.0	.0	.0	2.5	14.0	.00
HEALTH, DEPT OF.....	1.4	.0	.0	.0	.2	1.6	.00
VETERANS' AFFAIRS, DEPT OF...	.5	.0	.0	.0	40.7	41.2	.00
TOTAL SECTION 3	16.8	.0	.0	.0	47.5	64.3	.00
<u>SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS</u>							
CORRECTIONS, DEPT OF.....	64.5	.0	.0	.0	.0	64.5	.00
JUSTICE ADMINISTRATION.....	1.0	.0	.0	.0	.0	1.0	.00
JUVENILE JUSTICE, DEPT OF...	13.3	.0	.0	.0	.0	13.3	.00
LAW ENFORCEMENT, DEPT OF...	5.2	.0	.0	.0	1.0	6.2	.00

NOTE: AMOUNTS ACROSS AND DOWN MAY NOT EQUAL DUE TO ROUNDING.

SUMMARY BY SECTION BY DEPARTMENT
(FOR INFORMATION ONLY)SPB 2500 FY 17-18
(\$ IN MILLIONS)

	GENERAL REVENUE	LOTTERY	PECO	TOBACCO	OTHER TRUST	ALL FUNDS	POSITIONS
<u>FIXED CAPITAL OUTLAY</u>							
<u>SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS</u>							
TOTAL SECTION 4	83.9	.0	.0	.0	1.0	84.9	.00
<u>SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION</u>							
AGRIC/CONSUMER SVCS/COMMR....	27.3	.0	.0	.0	2.1	29.4	.00
ENVIOR PROTECTION, DEPT OF...	199.2	.0	.0	.0	964.8	1,164.0	.00
FISH/WILDLIFE CONSERV COMM...	4.9	.0	.0	.0	8.4	13.3	.00
TRANSPORTATION, DEPT OF.....	.0	.0	.0	.0	10,119.8	10,119.8	.00
TOTAL SECTION 5	231.4	.0	.0	.0	11,095.2	11,326.6	.00
<u>SECTION 6 - GENERAL GOVERNMENT</u>							
ECONOMIC OPPORTUNITY.....	.0	.0	.0	.0	3.7	3.7	.00
FINANCIAL SERVICES.....	.0	.0	.0	.0	.6	.6	.00
GOVERNOR, EXECUTIVE OFFICE...	.0	.0	.0	.0	3.0	3.0	.00
HIWAY SAFETY/MTR VEH, DEPT...	.0	.0	.0	.0	3.1	3.1	.00
MANAGEMENT SRVCS, DEPT OF...	26.9	.0	.0	.0	64.2	91.1	.00
MILITARY AFFAIRS, DEPT OF...	8.0	.0	.0	.0	10.9	18.9	.00
STATE, DEPT OF.....	22.6	.0	.0	.0	.4	22.9	.00
TOTAL SECTION 6	57.5	.0	.0	.0	85.8	143.3	.00
<u>SECTION 7 - JUDICIAL BRANCH</u>							
STATE COURT SYSTEM.....	.1	.0	.0	.0	.0	.1	.00
TOTAL SECTION 7	.1	.0	.0	.0	.0	.1	.00
TOTAL FIXED CAPITAL OUTLAY	417.8	320.8	1,475.0	.0	11,416.7	13,630.3	.00
<u>OPERATING AND FIXED CAPITAL OUTLAY</u>							
<u>SECTION 1 - EDUCATION ENHANCEMENT</u>							
EDUCATION, DEPT OF.....	.0	1,982.9	.0	.0	.0	1,982.9	.00
TOTAL SECTION 1	.0	1,982.9	.0	.0	.0	1,982.9	.00
<u>SECTION 2 - EDUCATION (ALL OTHER FUNDS)</u>							
EDUCATION, DEPT OF.....	16,168.9	.0	1,475.0	.0	3,046.8	20,690.7	2,341.75
TOTAL SECTION 2	16,168.9	.0	1,475.0	.0	3,046.8	20,690.7	2,341.75
<u>EDUCATION RECAP</u>							
EDUCATION/EARLY LEARNING...	571.9	.0	.0	.0	525.3	1,097.2	100.00
EDUCATION/PUBLIC SCHOOLS...	11,221.0	716.0	.0	.0	1,965.8	13,902.9	.00
EDUCATION/FL COLLEGES.....	918.3	231.8	.0	.0	.3	1,150.4	48.00
EDUCATION/UNIVERSITIES.....	2,854.1	257.6	.0	.0	5.1	3,116.9	.00
EDUCATION/OTHER.....	603.6	777.5	1,475.0	.0	550.2	3,406.3	2,193.75
TOTAL EDUCATION RECAP	16,168.9	1,982.9	1,475.0	.0	3,046.8	22,673.6	2,341.75

NOTE: AMOUNTS ACROSS AND DOWN MAY NOT EQUAL DUE TO ROUNDING.

SUMMARY BY SECTION BY DEPARTMENT
(FOR INFORMATION ONLY)SPB 2500 FY 17-18
(\$ IN MILLIONS)

	GENERAL REVENUE	LOTTERY	PECO	TOBACCO	OTHER TRUST	ALL FUNDS	POSITIONS
<u>OPERATING AND FIXED CAPITAL OUTLAY</u>							
SECTION 3 - HUMAN SERVICES							
AGENCY/HEALTH CARE ADMIN.	6,598.1	.0	.0	299.1	20,782.2	27,679.4	1,546.50
AGENCY/PERSONS WITH DISABL.	548.0	.0	.0	.0	785.5	1,333.5	2,711.50
CHILDREN & FAMILIES.	1,726.5	.0	.0	.0	1,437.8	3,164.3	11,944.50
ELDER AFFAIRS, DEPT OF.	141.9	.0	.0	.0	173.6	315.5	439.50
HEALTH, DEPT OF.	531.1	.0	.0	69.0	2,284.4	2,884.5	14,064.57
VETERANS' AFFAIRS, DEPT OF.	10.3	.0	.0	.0	129.4	139.7	1,117.50
TOTAL SECTION 3	9,555.9	.0	.0	368.1	25,593.0	35,517.0	31,824.07
SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS							
CORRECTIONS, DEPT OF.	2,363.9	.0	.0	.0	74.1	2,438.0	24,238.00
FL COMMISS/OFFENDER REVIEW.	10.1	.0	.0	.0	.1	10.2	132.00
JUSTICE ADMINISTRATION.	748.6	.0	.0	.0	154.3	902.8	10,506.00
JUVENILE JUSTICE, DEPT OF.	419.2	.0	.0	.0	158.8	578.0	3,269.50
LAW ENFORCEMENT, DEPT OF.	108.0	.0	.0	.0	184.3	292.3	1,844.00
LEGAL AFFAIRS/ATTY GENERAL.	55.2	.0	.0	.0	272.9	328.0	1,411.50
TOTAL SECTION 4	3,704.9	.0	.0	.0	844.4	4,549.4	41,401.00
SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION							
AGRIC/CONSUMER SVCS/COMMR.	208.6	.0	.0	.0	1,541.1	1,749.7	3,614.25
ENVIR PROTECTION, DEPT OF.	213.1	.0	.0	.0	1,471.6	1,684.6	2,899.50
FISH/WILDLIFE CONSERV COMM.	81.2	.0	.0	.0	291.4	372.7	2,118.50
TRANSPORTATION, DEPT OF.	.0	.0	.0	.0	10,880.3	10,880.3	6,299.00
TOTAL SECTION 5	502.9	.0	.0	.0	14,184.4	14,687.3	14,931.25
SECTION 6 - GENERAL GOVERNMENT							
ADMINISTERED FUNDS.	240.2	.0	.0	.0	139.8	380.0	.00
BUSINESS/PROFESSIONAL REG.	1.9	.0	.0	.0	150.3	152.3	1,618.25
CITRUS, DEPT OF.	3.4	.0	.0	.0	29.7	33.1	39.00
ECONOMIC OPPORTUNITY.	300.8	.0	.0	.0	1,140.6	1,441.4	1,538.50
FINANCIAL SERVICES.	28.2	.0	.0	.0	358.5	386.7	2,617.50
GOVERNOR, EXECUTIVE OFFICE.	22.6	.0	.0	.0	398.0	420.6	435.00
HIWAY SAFETY/MTR VEH, DEPT.	.0	.0	.0	.0	477.0	477.0	4,414.00
LEGISLATIVE BRANCH.	203.8	.0	.0	.0	2.5	206.3	.00
LOTTERY, DEPARTMENT OF THE.	.0	.0	.0	.0	167.9	167.9	420.00
MANAGEMENT SRVCS, DEPT OF.	56.5	.0	.0	.0	657.2	713.7	1,300.50
MILITARY AFFAIRS, DEPT OF.	29.5	.0	.0	.0	56.9	86.3	453.00
PUBLIC SERVICE COMMISSION.	.0	.0	.0	.0	24.9	24.9	273.00
REVENUE, DEPARTMENT OF.	212.7	.0	.0	.0	365.0	577.6	5,121.00
STATE, DEPT OF.	104.5	.0	.0	.0	36.5	141.0	412.00
TOTAL SECTION 6	1,204.1	.0	.0	.0	4,094.7	5,208.8	18,641.75
SECTION 7 - JUDICIAL BRANCH							
STATE COURT SYSTEM.	436.6	.0	.0	.0	91.4	528.0	4,408.50
TOTAL SECTION 7	436.6	.0	.0	.0	91.4	528.0	4,408.50
TOTAL OPERATING AND FCO	31,573.3	1,982.9	1,475.0	368.1	47,764.7	83,164.0	113,548.32

NOTE: AMOUNTS ACROSS AND DOWN MAY NOT EQUAL DUE TO ROUNDING.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: SB 2502

INTRODUCER: Appropriations Committee

SUBJECT: Implementing the 2017-2018 General Appropriations Act

DATE: April 6, 2017

REVISED: _____

ANALYST

McVaney

STAFF DIRECTOR

Hansen

REFERENCE

ACTION

AP Submitted as Comm. Bill/Fav

I. Summary:

SB 2502 provides the statutory authority necessary to implement and execute the General Appropriations Act for Fiscal Year 2017-2018. Statutory changes are temporary and expire on July 1, 2018.

The bill provides an effective date of July 1, 2017, except as otherwise provided.

II. Present Situation:

Article III, s. 12 of the Florida Constitution provides that “[l]aws making appropriations for salaries of public officers and other current expenses of the state shall contain provisions on no other subject.” This language has been interpreted to defeat proviso language attached to appropriations that have the effect of changing general law.¹ For this reason, when general law changes are required to effectuate appropriations, those changes are placed in a general bill implementing the appropriations act instead of in the general appropriations act. The statutory changes are effective only for one year and either expire on July 1 of the next fiscal year or the language of the amended statute reverts to that which existed before the changes made by the bill.

III. Effect of Proposed Changes:

Section 1 provides legislative intent that the implementing and administering provisions of this act apply to the General Appropriations Act for Fiscal Year 2017-2018.

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 91.

¹ *Brown v. Firestone*, 382 So.2d 654 (Fla. 1980); *Chiles v. Milligan*, 659 So.2d 1055 (Fla. 1995).

Sections 4 amends s. 1008.46, F.S., to change the date for the Board of Governors annual accountability report from December 31 to March 15.

Section 5 amends s. 1011.62, F.S., relating to the Florida Digital Classrooms Allocation within the Florida Education Finance Program. This section changes the minimum allocation per district from \$250,000 to \$400,000 for Fiscal Year 2017-2018.

Sections 6 amends s. 1004.345, F.S., to extend the date by which Florida Polytechnic University must meet statutory deadlines by one year.

Section 7 reenacts s. 1009.986, F.S., to authorize Florida ABLE, Inc., to determine whether to require residency as a condition of participation based on market research and estimated operating revenues and costs.

Section 8 reverts the language of s. 1009.986, F.S., to the text in effect on June 30, 2016.

Section 9 authorizes the Dixie Middle School/High School special facilities project to exceed the cost per student station.

Section 10 provides that the calculations of the Medicaid Low-Income Pool, Disproportionate Share Hospital, and hospital reimbursement programs for the 2017-2018 fiscal year contained in the document titled “Medicaid Hospital Funding Programs,” dated March 30, 2017, and filed with the Secretary of the Senate, are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with the requirements of state law, in making appropriations for the Medicaid Low-Income Pool, Disproportionate Share Hospital, and hospital reimbursement programs.

Section 11 authorizes the Agency for Health Care Administration (AHCA) to submit a budget amendment to realign funding between the AHCA and the Department of Health, for the Children’s Medical Services (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 12 provides requirements to the Agency for Persons with Disabilities for setting iBudget amounts for clients receiving Home and Community-Based Waiver services. It also provides parameters under which a client’s iBudget amount may be increased.

Section 13 directs the Agency for Persons with Disabilities to hire an independent consultant to review increases in Home and Community-Based Services Waiver costs to determine the underlying factors behind the growth in expenditures. It requires a report to the Legislature and Governor by December 15, 2017.

Section 14 directs the Agency for Persons with Disabilities to hire an independent consultant to examine the state’s transportation disadvantaged services. It creates the Task Force on Transportation Disadvantaged Services to examine the design and use of transportation disadvantaged services.

Section 15 amends s. 296.37(3), F.S., for the 2017-2018 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, 2017.

Section 16 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 2017-2018 General Appropriations Act.

Section 17 amends s. 409.9113, F.S., to provide that, notwithstanding the provisions of s. 409.9113, F.S., for the 2017-2018 state fiscal year, the AHCA must make disproportionate share payments to teaching hospitals, as defined in s. 408.07, as provided in the 2017-2018 General Appropriations Act.

Section 18 amends s. 409.9119, F.S., to provide that, notwithstanding the provisions of s. 409.9119, F.S., for the 2017-2018 state fiscal year, for hospitals achieving full compliance under 409.9119(3), the AHCA must make disproportionate share payments to specialty hospitals for children as provided in the 2017-2018 General Appropriations Act.

Section 19 amends s. 893.055(17), F.S., to provide that, for the 2017-2018 fiscal year only, the Department of Health may use state funds appropriated in the 2017-2018 General Appropriations Act to administer the prescription drug monitoring program. It 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 20 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 2017-2018 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 21 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 22 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 23 amends s. 215.18, F.S., to provide the Chief Justice the authority to request a trust fund loan.

Section 24 authorizes the Department of Corrections 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 25 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.

Section 26 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 2017-2018.

Sections 27 amends 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 28 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.

Sections 29 creates a 28-member Florida Criminal Justice Reform Task Force for conducting a comprehensive review of the state's criminal justice system, court system, and corrections system. The task force must submit a report of its findings, conclusions, and recommendations for proposed legislation to the President of the Senate and the Speaker of the House of Representatives by January 9, 2018. The task force will be assigned legislative support staff under an appointed executive director. The task force expires January 31, 2018. The section appropriates \$300,000 for task force member travel and other related expenses.

Section 30 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, 2020.

Section 31 amends 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 and maintaining a representative from the Department of Agriculture and Consumer Services.

Section 32 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 2017-2018 fiscal year only.

Section 33 prohibits an agency from transferring funds from a data processing category to any category other than another data processing category.

Section 34 provides that the EOG is authorized to transfer funds in the specific appropriation category “Data Processing Assessment - Agency for State Technology” between agencies, in order to align the budget authority granted with the Agency for State Technology estimated billing cycle and methodology.

Section 35 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 36 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 37 authorizes the EOG to transfer funds in the appropriation category “Special Categories - Transfer to DMS - Human Resources Services Purchased Per Statewide Contract” of the 2017-2018 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 38 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 39 amends s. 259.105, F.S., relating to the distribution of proceeds in the Florida Forever Trust Fund, to provide: \$10,156,206 to only the Division of State Lands within the Department of Environmental Protection (DEP) for the Board of Trustees Florida Forever Priority List land acquisition projects and \$5 million for land acquisition within the Florida Keys Area of Critical State Concern.

Section 40 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.

Section 41 amends s. 206.9935, F.S., to 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 support the expenditures within the trust fund.

Section 42 amends s. 403.7095, F.S., to require the DEP to award, in Fiscal Year 2017-2018, \$3 million of grant funds 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 43 amends s. 215.18, 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 2017-2018 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 44 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.

Section 45 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.

Section 46 creates the Law Enforcement Workgroup within the Department of Highway Safety and Motor Vehicles and requires the workgroup to review the Florida Highway Patrol's (FHP) response to calls for service and the resources available for these services. The workgroup is also required to compare FHP resources to those of local law enforcement entities and other state highway patrol agencies to determine whether additional resources are necessary to improve response times.

Section 47 creates s. 316.0898, F.S., to require the Department of Transportation (DOT) to create a Smart Cities Grant program to provide funds to applicants who submit projects that demonstrate and document the adoption of emerging technologies and their impact on the transportation system.

Section 48 amends s. 341.302, F.S., authorize the DOT to approve and provide matching grant funding for railroad quiet zones for the 2017-2018 fiscal year.

Section 49 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 50 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 2017-2018, a notice of fund availability for \$40 million for loans to construct workforce housing to serve primarily low-income persons.

Section 51 creates the Affordable Housing Workgroup within the Florida Housing Finance Corporation. The workgroup is required to develop recommendations for addressing the state's affordable housing needs. The recommendations shall include a review of: market rate developments; housing developments; land use for affordable housing developments; building codes for affordable housing developments; the state's implementation of the low-income housing tax credit; private and public sector development and construction industries; the rental market for assisted rental housing; and development of strategies and pathways for low-income housing.

Section 52 amends s. 427.013, F.S., to authorize the Commission for the Transportation Disadvantaged to make distributions, during Fiscal Year 2017-2018, 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 53 amends s. 321.04, F.S., to provide that for the 2017-2018 fiscal year, 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.

Section 54 directs the State Library Council, the Florida Historical Commission, and the Florida Council on Arts and Culture to sort the applications received by each entity into two groups for ranking and funding purposes, those received from counties that are rural areas of opportunity as defined in s. 288.0656(2)(d), Florida Statutes, and those received from all other counties. The two groups of applications shall be ranked separately, but otherwise in the same manner, and submitted for approval by the Secretary of State.

Section 55 amends s. 288.1201, F.S., to direct the Department of Economic Opportunity to return to the State Treasury all funds held by any entity pursuant to a contract executed for the Quick Action Closing Fund, which are unexpended as of June 30, 2017. Such unexpended funds shall be deposited into the State Economic Enhancement and Development Trust Fund.

Section 56 amends s. 311.07, F.S., to exempt seaport projects added by a specific appropriation from matching and eligibility requirements provided in s. 311.07, F.S.

Section 57 amends s. 339.135, F.S., to require the Department of Transportation to reduce all work program items identified as a reserve box in order to fund specific appropriations added to the work program in the 2017-2018 General Appropriations Act.

Section 58 amends s. 216.292(2)(a), F.S., to grant broader legislative review of any “five percent” budget transfers. For the 2017-2018 fiscal year, the legislature is authorized to object to a proposed action that exceeds delegated authority or is contrary to legislative policy and intent.

Section 59 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 the assigned employee.

Section 60 maintains legislative salaries at the July 1, 2010, level.

Section 61 amends 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 2017-2018 General Appropriations Act.

Section 62 reverts the language of s. 215.32(2)(b), F.S., to the text in effect on June 30, 2016.

Section 63 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 2017-2018 fiscal year should be implemented and is in the best interest of the state.

Section 64 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 65 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 66 amends s. 110.12315, F.S., to modify copayments associated with the state employees' group health insurance program.

Section 67 reverts the language of s. 110.12315, F.S., to the text in effect on June 30, 2017.

Section 68 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 69 specifies that no section of the bill shall take effect if the appropriations and proviso to which it relates are vetoed.

Section 70 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 71 provides a severability clause.

Section 72 provides an effective date.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

Because SB 2502 implements provisions of SPB 2500, the Senate Proposed General Appropriations Act for Fiscal Year 2017-2018, no direct fiscal impacts are created by this bill.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 27.5304, 110.12315, 112.24, 206.9935, 215.18, 216.181, 216.262, 216.292, 259.105, 282.709, 288.1201, 296.37, 311.07, 321.04, 339.135, 341.302, 393.0662, 403.7095, 409.911, 409.9113, 409.9119, 420.5087, 420.9072, 427.013, 893.055, 932.7055, 1004.345, 1008.46, 1009.986, and 1011.62.

This bill creates section 316.0898 of the Florida Statutes.

This bill creates undesignated sections of Florida Law.

This bill reenacts the following provisions of the Florida Statutes: 215.32 and 1009.986.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

FOR CONSIDERATION By the Committee on Appropriations

576-01997D-17

20172502pb

1 A bill to be entitled
 2 An act implementing the 2017-2018 General
 3 Appropriations Act; providing legislative intent;
 4 incorporating by reference certain calculations of the
 5 Florida Education Finance Program; providing that
 6 funds for instructional materials must be released and
 7 expended as required in specified proviso language;
 8 amending s. 1008.46, F.S.; revising the date by which
 9 the Board of Governors must submit its annual
 10 accountability report for the 2017-2018 fiscal year;
 11 amending s. 1011.62, F.S.; revising the minimum amount
 12 of funding for the Florida Digital Classrooms
 13 Allocation for the 2017-2018 fiscal year; authorizing
 14 a school district to use a portion of its allocation
 15 towards specified expenses if certain conditions are
 16 met; amending s. 1004.345, F.S.; extending the date by
 17 which the Florida Polytechnic University must meet
 18 certain criteria established by the Board of
 19 Governors; reenacting s. 1009.986(4)(b), F.S.,
 20 relating to the Florida ABLE program; extending by 1
 21 fiscal year provisions regarding the participation
 22 agreement for the program; providing for the future
 23 expiration and reversion of specified statutory text;
 24 providing an exception from cost per student station
 25 limitations for the Dixie County Middle/High School
 26 special facility project; incorporating by reference
 27 certain calculations of the Medicaid Low-Income Pool,
 28 Disproportionate Share Hospital, and Hospital
 29 Reimbursement programs; authorizing the Agency for

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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30 Health Care Administration, in consultation with the
 31 Department of Health, to submit a budget amendment to
 32 realign funding for a component of the Children's
 33 Medical Services program based upon a specified model,
 34 methodology, and framework; specifying requirements
 35 for such realignment; authorizing the agency to
 36 request nonoperating budget authority for transferring
 37 certain federal funds to the Department of Health;
 38 specifying criteria to be used by the Agency for
 39 Persons with Disabilities in the event that an
 40 allocation algorithm and methodology for the iBudget
 41 system is no longer in effect; amending s. 393.0662,
 42 F.S.; requiring the Agency for Persons with
 43 Disabilities to contract for an independent consultant
 44 to study and make recommendations on certain aspects
 45 of the home and community-based services Medicaid
 46 waiver program; requiring the agency to submit the
 47 independent consultant's recommendations to the
 48 Governor and the Legislature by a specified date;
 49 requiring the Agency for Persons with Disabilities to
 50 contract with an independent consultant to conduct a
 51 study of transportation disadvantaged services;
 52 creating the Task Force on Transportation
 53 Disadvantaged Services; specifying the purpose of the
 54 task force; providing for the composition and duties
 55 of the task force; requiring the task force to submit
 56 a report to the Governor and the Legislature by a
 57 specified date; providing for termination of the task
 58 force; amending s. 296.37, F.S.; extending for 1

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59 fiscal year the requirement that certain residents of
 60 a veterans' nursing home contribute to their
 61 maintenance and support; amending s. 409.911, F.S.;
 62 extending for 1 fiscal year the requirement that the
 63 Agency for Health Care Administration distribute
 64 moneys to hospitals that provide a disproportionate
 65 share of Medicaid or charity care services as set
 66 forth in the General Appropriations Act; amending s.
 67 409.9113, F.S.; extending for 1 fiscal year the
 68 requirement that the Agency for Health Care
 69 Administration make disproportionate share payments to
 70 teaching hospitals as set forth in the General
 71 Appropriations Act; amending s. 409.9119, F.S.;
 72 extending for 1 fiscal year the requirement that the
 73 Agency for Health Care Administration make
 74 disproportionate share payments to specialty hospitals
 75 for children as set forth in the General
 76 Appropriations Act; amending s. 893.055, F.S.;
 77 extending for 1 fiscal year the authority of the
 78 Department of Health to use certain funds for the
 79 administration of the prescription drug monitoring
 80 program; prohibiting the use of funds received from a
 81 settlement agreement to administer the program;
 82 amending s. 216.262, F.S.; extending for 1 fiscal year
 83 the authority of the Department of Corrections to
 84 submit a budget amendment for additional positions and
 85 appropriations under certain circumstances;
 86 authorizing the Department of Legal Affairs to expend
 87 certain appropriated funds on programs that were

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88 funded by the department from specific appropriations
 89 in general appropriations acts in previous years;
 90 amending s. 932.7055, F.S.; extending for 1 fiscal
 91 year the authority for a municipality to expend funds
 92 from its special law enforcement trust fund to
 93 reimburse its general fund for certain moneys advanced
 94 from the general fund; amending s. 215.18, F.S.;
 95 extending for 1 fiscal year the authority and related
 96 repayment requirements for temporary trust fund loans
 97 to the state court system which are sufficient to meet
 98 the system's appropriation; authorizing the Department
 99 of Corrections to submit certain budget amendments to
 100 transfer funds into the Inmate Health Services
 101 category; providing that such transfers are subject to
 102 notice, review, and objection procedures; requiring
 103 the Department of Juvenile Justice to review county
 104 juvenile detention payments to determine whether the
 105 county has met specified financial responsibilities;
 106 requiring amounts owed by the county for such
 107 financial responsibilities to be deducted from certain
 108 county funds; requiring the Department of Revenue to
 109 transfer withheld funds to a specified trust fund;
 110 requiring the Department of Revenue to ensure that
 111 such reductions in amounts distributed do not reduce
 112 distributions below amounts necessary for certain
 113 payments due on bonds and comply with bond covenants;
 114 requiring the Department of Revenue to notify the
 115 Department of Juvenile Justice if bond payment
 116 requirements require a reduction in deductions for

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117 amounts owed by a county; prohibiting the Department
 118 of Juvenile Justice from providing to certain
 119 nonfiscally constrained counties reimbursements or
 120 credits against identified juvenile detention center
 121 costs under specified circumstances; prohibiting a
 122 nonfiscally constrained county from applying,
 123 deducting, or receiving such reimbursements or
 124 credits; amending s. 27.5304, F.S.; establishing
 125 certain limitations on compensation for private court-
 126 appointed counsel for the 2017-2018 fiscal year;
 127 requiring the Justice Administrative Commission to
 128 provide funds to the clerks of the circuit court for
 129 specified uses related to juries; providing procedures
 130 for clerks of the circuit court to receive such funds;
 131 providing an apportionment methodology if funds are
 132 estimated to be insufficient to pay all amounts
 133 requested; requiring the clerks of the circuit court
 134 to pay amounts in excess of appropriated amounts;
 135 creating the Florida Criminal Justice Reform Task
 136 Force; specifying the purpose of the task force;
 137 providing for the composition and duties of the task
 138 force; requiring the task force to submit a report to
 139 the Legislature by a specified date; requiring the
 140 Department of Management Services to use tenant broker
 141 services to renegotiate or reprocur certain private
 142 lease agreements for office or storage space;
 143 requiring the Department of Management Services to
 144 provide a report to the Governor and Legislature by a
 145 specified date; amending s. 282.709, F.S.; revising

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146 the composition of the Joint Task Force on State
 147 Agency Law Enforcement Communications; specifying the
 148 amount of the transaction fee to be collected for use
 149 of the online procurement system; prohibiting an
 150 agency from transferring funds from a data processing
 151 category to another category that is not a data
 152 processing category; authorizing the Executive Office
 153 of the Governor to transfer funds appropriated for
 154 data processing services between departments for a
 155 specified purpose; authorizing the Executive Office of
 156 the Governor to transfer certain funds between
 157 agencies in order to allocate a reduction relating to
 158 SUNCOM Network services; authorizing the Executive
 159 Office of the Governor to transfer funds between
 160 departments for purposes of aligning amounts paid for
 161 risk management insurance and for human resource
 162 management services; requiring the Department of
 163 Financial Services to replace specified components of
 164 the Florida Accounting Information Resource Subsystem
 165 (FLAIR) and the Cash Management Subsystem (CMS);
 166 specifying certain actions to be taken by the
 167 Department of Financial Services regarding FLAIR and
 168 CMS replacement; providing for the composition of an
 169 executive steering committee to oversee FLAIR and CMS
 170 replacement; prescribing duties and responsibilities
 171 of the executive steering committee; amending s.
 172 259.105, F.S.; revising provisions governing the
 173 distribution of certain proceeds from cash payments or
 174 bonds issued pursuant to the Florida Forever Act;

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175 amending s. 216.181, F.S.; extending for 1 fiscal year
 176 the authority for the Legislative Budget Commission to
 177 increase amounts appropriated to the Fish and Wildlife
 178 Conservation Commission or the Department of
 179 Environmental Protection for certain fixed capital
 180 outlay projects from specified sources; amending s.
 181 206.9935, F.S.; exempting specified revenues from the
 182 calculation of the unobligated balance of the Water
 183 Quality Assurance Trust Fund for the 2017-2018 fiscal
 184 year; amending s. 403.7095, F.S.; extending for 1
 185 fiscal year a requirement that the Department of
 186 Environmental Protection award a certain sum of grant
 187 funds for specified solid waste management programs to
 188 counties that meet certain criteria; amending s.
 189 215.18, F.S.; extending for 1 fiscal year the
 190 authority of the Governor, if there is a specified
 191 deficiency in a land acquisition trust fund in the
 192 Department of Agriculture and Consumer Services, the
 193 Department of Environmental Protection, the Department
 194 of State, or the Fish and Wildlife Conservation
 195 Commission, to transfer funds from other trust funds
 196 in the State Treasury as a temporary loan to such
 197 trust fund; providing procedures for the repayment of
 198 a temporary loan; requiring the Department of
 199 Environmental Protection to transfer designated
 200 proportions of the revenues deposited in the Land
 201 Acquisition Trust Fund within the department to land
 202 acquisition trust funds in the Department of
 203 Agriculture and Consumer Services, the Department of

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204 State, and the Fish and Wildlife Conservation
 205 Commission according to specified parameters and
 206 calculations; defining the term "department";
 207 requiring the Department of Environmental Protection
 208 to retain a proportionate share of revenues;
 209 specifying a limit on distributions; requiring the
 210 Department of Highway Safety and Motor Vehicles to
 211 contract with a specified corporation to manufacture
 212 current or newly redesigned license plates; requiring
 213 that the price for such contract be the same as in the
 214 previous fiscal year; creating a law enforcement
 215 workgroup within the Department of Highway Safety and
 216 Motor Vehicles; specifying the composition of the
 217 workgroup; authorizing reimbursement for per diem and
 218 travel expenses; prescribing duties of the workgroup;
 219 requiring the Department of Highway Safety and Motor
 220 Vehicles to provide administrative support and
 221 contract with the University of South Florida's Center
 222 for Urban Transportation Research; requiring the
 223 workgroup chair to submit recommendations to the
 224 Governor and the Legislature by a specified date;
 225 providing for termination of the workgroup; creating
 226 s. 316.0898, F.S.; requiring the Department of
 227 Transportation, in consultation with the Department of
 228 Highway Safety and Motor Vehicles, to develop the
 229 Florida Smart City Challenge grant program; specifying
 230 requirements for applicants to the grant program;
 231 establishing goals for the grant program; requiring
 232 the Department of Transportation to develop specified

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233 criteria for project grants and a plan for promotion
 234 of the grant program; requiring the Department of
 235 Transportation to submit certain information regarding
 236 the grant program to the Governor and the Legislature
 237 by a specified date; amending s. 341.302, F.S.;
 238 specifying duties and responsibilities for the
 239 Department of Transportation in its administration of
 240 the rail program for the 2017-2018 fiscal year;
 241 amending s. 420.9072, F.S.; extending for 1 fiscal
 242 year provisions authorizing each county and eligible
 243 municipality to use its portion of the local housing
 244 distribution under the State Housing Initiatives
 245 Partnership Program for certain purposes; amending s.
 246 420.5087, F.S.; extending for 1 fiscal year certain
 247 provisions specifying the reservation of funds for the
 248 tenant groups within each notice of fund availability
 249 with respect to the State Apartment Incentive Loan
 250 Program; revising the funding amount for loans to
 251 construct workforce housing as issued in a notice of
 252 funds availability by the Florida Housing Finance
 253 Corporation; creating a workgroup on affordable
 254 housing assigned to the Florida Housing Finance
 255 Corporation; specifying the composition of the
 256 workgroup; requiring the Florida Housing Finance
 257 Corporation to provide administrative and staff
 258 support; authorizing reimbursement for per diem and
 259 travel expenses for workgroup members; requiring the
 260 workgroup to develop recommendations regarding the
 261 state's affordable housing needs; requiring submission

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262 of a report to the Governor and the Legislature by a
 263 specified date; providing for termination of the
 264 workgroup; amending s. 427.013, F.S.; extending for 1
 265 fiscal year a requirement that the Commission for the
 266 Transportation Disadvantaged allocate and award
 267 appropriated funds for specified purposes; amending s.
 268 321.04, F.S.; requiring the Department of Highway
 269 Safety and Motor Vehicles to assign the patrol officer
 270 assigned to the Office of the Governor to the
 271 Lieutenant Governor for the 2017-2018 fiscal year;
 272 requiring the department to assign a patrol officer to
 273 a Cabinet member under certain circumstances;
 274 requiring the Department of State to direct the State
 275 Library Council, the Florida Historical Commission,
 276 and the Florida Council on Arts and Culture to sort
 277 applications received from counties for ranking and
 278 funding purposes for the 2017-2018 fiscal year;
 279 prescribing procedures; amending s. 288.1201, F.S.;
 280 requiring the Department of Economic Opportunity to
 281 retain state funds for specified programs in the State
 282 Economic Enhancement and Development Trust Fund until
 283 certain conditions are met; requiring the department
 284 to return to the State Treasury unexpended funds from
 285 the Quick Action Closing Fund which are held by
 286 certain entities; requiring the department to comply
 287 by a certain date; requiring the department to provide
 288 notification of compliance to the Governor and the
 289 Legislature by a certain date; amending s. 311.07,
 290 F.S.; waiving certain requirements regarding matching

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291 funds and project eligibility for projects funded
 292 through the Florida Seaport Transportation and
 293 Economic Development Program; amending s. 339.135,
 294 F.S.; providing legislative intent regarding the
 295 Department of Transportation's work program; requiring
 296 the Department of Transportation to submit certain
 297 documents to the Legislative Budget Commission with
 298 its work program amendment; amending s. 216.292, F.S.;
 299 specifying that the required review of certain
 300 transfers of appropriations ensure compliance with ch.
 301 216, F.S., and are not contrary to legislative policy
 302 and intent; amending s. 112.24, F.S.; extending for 1
 303 fiscal year the authorization, subject to specified
 304 requirements, for the assignment of an employee of a
 305 state agency under an employee interchange agreement;
 306 providing that the annual salaries of the members of
 307 the Legislature shall be maintained at a specified
 308 level; reenacting s. 215.32(2)(b), F.S., relating to
 309 the source and use of certain trust funds; providing
 310 for the future expiration and reversion of statutory
 311 text; providing a legislative declaration that the
 312 issuance of new debt is in the best interest of the
 313 state; limiting the use of travel funds to activities
 314 that are critical to an agency's mission; providing
 315 exceptions; placing a monetary cap on lodging expenses
 316 for state employee travel to certain meetings
 317 organized or sponsored by a state agency or the
 318 judicial branch; authorizing employees to expend their
 319 own funds for lodging expenses in excess of the

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320 monetary caps; amending s. 110.12315, F.S.; revising
 321 copayment and coinsurance amounts for the State Group
 322 Health Insurance Standard Plan and the State Group
 323 Health Insurance High Deductible Plan under the state
 324 employees' prescription drug program; providing for
 325 the future expiration and reversion of statutory text;
 326 prohibiting state agencies from entering into
 327 contracts containing certain nondisclosure agreements;
 328 providing conditions under which the veto of certain
 329 appropriations or proviso language in the General
 330 Appropriations Act voids language that implements such
 331 appropriation; providing for the continued operation
 332 of certain provisions notwithstanding a future repeal
 333 or expiration provided by the act; providing
 334 severability; providing effective dates.

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

338 Section 1. It is the intent of the Legislature that the
 339 implementing and administering provisions of this act apply to
 340 the General Appropriations Act for the 2017-2018 fiscal year.

341 Section 2. In order to implement Specific Appropriations 7,
 342 8, 9, 91, and 92 of the 2017-2018 General Appropriations Act,
 343 the calculations of the Florida Education Finance Program for
 344 the 2017-2018 fiscal year included in the document titled
 345 "Public School Funding: The Florida Education Finance Program,"
 346 dated March 30, 2017, and filed with the Secretary of the
 347 Senate, are incorporated by reference for the purpose of
 348 displaying the calculations used by the Legislature, consistent

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with the requirements of state law, in making appropriations for the Florida Education Finance Program. This section expires July 1, 2018.

Section 3. In order to implement Specific Appropriations 7 and 91 of the 2017-2018 General Appropriations Act, and notwithstanding ss. 1002.20, 1003.02, 1006.28-1006.42, 1011.62(6)(b)5., and 1011.67, Florida Statutes, relating to the expenditure of funds provided for instructional materials, for the 2017-2018 fiscal year, funds provided for instructional materials shall be released and expended as required in the proviso language for Specific Appropriation 91 of the 2017-2018 General Appropriations Act. This section expires July 1, 2018.

Section 4. In order to implement Specific Appropriation 154 of the 2017-2018 General Appropriations Act, upon the expiration and reversion of the amendment to section 1008.46, Florida Statutes, pursuant to section 11 of chapter 2016-62, Laws of Florida, subsection (1) of section 1008.46, Florida Statutes, is amended to read:

1008.46 State university accountability process.—It is the intent of the Legislature that an accountability process be implemented that provides for the systematic, ongoing evaluation of quality and effectiveness of state universities. It is further the intent of the Legislature that this accountability process monitor performance at the system level in each of the major areas of instruction, research, and public service, while recognizing the differing missions of each of the state universities. The accountability process shall provide for the adoption of systemwide performance standards and performance goals for each standard identified through a collaborative

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

(1) (a) By December 31 of each year, the Board of Governors shall submit an annual accountability report providing information on the implementation of performance standards, actions taken to improve university achievement of performance goals, the achievement of performance goals during the prior year, and initiatives to be undertaken during the next year. The accountability reports shall be designed in consultation with the Governor's Office, the Office of Program Policy Analysis and Government Accountability, and the Legislature.

(b) Notwithstanding paragraph (a), for the 2017-2018 fiscal year, the Board of Governors shall submit the annual accountability report by March 15, 2018.

Section 5. In order to implement Specific Appropriations 7 and 91 of the 2017-2018 General Appropriations Act, paragraph (g) of subsection (12) of section 1011.62, Florida Statutes, is amended to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the

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annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(12) FLORIDA DIGITAL CLASSROOMS ALLOCATION.—

(g) 1. For the ~~2017-2018~~ ~~2016-2017~~ fiscal year, notwithstanding paragraph (c), each school district shall be provided a minimum of ~~\$400,000~~ ~~\$500,000~~, with the remaining balance of the allocation to be distributed based on each district's proportion of the total K-12 full-time equivalent enrollment.

2. Notwithstanding paragraph (a) and for the 2017-2018 fiscal year, if a district school superintendent certifies to the Commissioner of Education that the requirements of the school district's 2017-2018 digital classrooms plan have been met, the school district may expend from the remaining balance of the current allocation, including any carry-forward funds, up to \$250,000 or 25 percent of the allocation, whichever amount is greater, for the purposes identified in s. 1011.71(2) Each district's digital classrooms allocation plan must give preference to funding the number of devices that comply with the requirements of s. 1001.20(4)(a)1.b. and that are needed to allow each school to administer the Florida Standards Assessments to an entire grade at the same time. If the district's digital classrooms allocation plan does not include the purchase of devices, the district must certify in the plan that the district currently has sufficient devices to allow each school to administer the Florida Standards Assessments in the manner described in this paragraph.

3. This paragraph expires July 1, ~~2018~~ ~~2017~~.

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Section 6. In order to implement Specific Appropriation 141 of the 2017-2018 General Appropriations Act, upon the expiration and reversion of the amendment to section 1004.345, Florida Statutes, pursuant to section 36 of chapter 2016-62, Laws of Florida, subsection (1) of section 1004.345, Florida Statutes, is amended to read:

1004.345 The Florida Polytechnic University.—

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

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

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

(c) Seek discipline-specific accreditation for programs;

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

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

(f) Have the ability to provide, either directly or where feasible through a shared services model, administration of financial aid, admissions, student support, information technology, and finance and accounting with an internal audit function.

Section 7. In order to implement Specific Appropriation 69

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of the 2017-2018 General Appropriations Act, and notwithstanding the expiration date in section 36 of chapter 2016-62, Laws of Florida, paragraph (b) of subsection (4) of section 1009.986, Florida Statutes, is reenacted to read:

1009.986 Florida ABLE program.—

(4) FLORIDA ABLE PROGRAM.—

(b) The participation agreement must include provisions specifying:

1. The participation agreement is only a debt or obligation of the Florida ABLE program and the Florida ABLE Program Trust Fund and, as provided under paragraph (f), is not a debt or obligation of the Florida Prepaid College Board or the state.

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

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

a. Market research; and

b. Estimated operating revenues and costs.

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

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

6. The state is a creditor of ABLE accounts as, and to the

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extent, set forth in s. 529A of the Internal Revenue Code.

7. Material misrepresentations by a party to the participation agreement, other than Florida ABLE, Inc., in the application for the participation agreement or in any communication with Florida ABLE, Inc., regarding the Florida ABLE program may result in the involuntary liquidation of the ABLE account. If an account is involuntarily liquidated, the designated beneficiary is entitled to a refund, subject to any fees or penalties provided by the participation agreement and the Internal Revenue Code.

Section 8. The text of s. 1009.986(4)(b), Florida Statutes, as carried forward from chapter 2016-62, Laws of Florida, in this act, expires July 1, 2018, and the text of that paragraph shall revert to that in existence on June 30, 2016, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 9. In order to implement Specific Appropriation 22 of the 2017-2018 General Appropriations Act, for the 2017-2018 fiscal year only and notwithstanding s. 1013.64(2)(a)6., Florida Statutes, the Dixie County Middle/High School special facility project may exceed the cost per student station.

Section 10. In order to implement Specific Appropriations 198, 199, 200, 203, and 207 of the 2017-2018 General Appropriations Act, the calculations for the Medicaid Low-Income Pool, Disproportionate Share Hospital, and Hospital Reimbursement programs, for the 2017-2018 fiscal year contained in the document titled "Medicaid Hospital Funding Programs,"

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dated March 30, 2017, and filed with the Secretary of the Senate, are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with the requirements of state law, in making appropriations for the Medicaid Low-Income Pool, Disproportionate Share Hospital, and Hospital Reimbursement programs. This section expires July 1, 2018.

Section 11. In order to implement Specific Appropriations 190 through 212A and 522 of the 2017-2018 General Appropriations Act, and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the Agency for Health Care Administration, in consultation with the Department of Health, may submit a budget amendment, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes, to realign funding within and between agencies based on implementation of the Managed Medical Assistance component of the Statewide Medicaid Managed Care program for the Children's Medical Services program of the Department of Health. The funding realignment shall reflect the actual enrollment changes due to the transfer of beneficiaries from fee-for-service to the capitated Children's Medical Services Network. The Agency for Health Care Administration may submit a request for nonoperating budget authority to transfer the federal funds to the Department of Health pursuant to s. 216.181(12), Florida Statutes. This section expires July 1, 2018.

Section 12. In order to implement Specific Appropriation 241 of the 2017-2018 General Appropriations Act:

(1) If during the 2017-2018 fiscal year, the Agency for Persons with Disabilities ceases to have an allocation algorithm

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and methodology adopted by valid rule pursuant to s. 393.0662, Florida Statutes, the agency shall use the following until it adopts a new allocation algorithm and methodology:

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

(b) The Agency for Persons with Disabilities shall determine the iBudget for a client newly enrolled in the home and community-based services waiver program using the same allocation algorithm and methodology used for the iBudgets determined between January 1, 2017, and June 30, 2017.

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

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

(4) This section expires July 1, 2018.

Section 13. Effective upon this act becoming a law and in order to implement Specific Appropriation 249 of the 2017-2018 General Appropriations Act, subsection (8) is added to section 393.0662, Florida Statutes, to read:

393.0662 Individual budgets for delivery of home and community-based services; iBudget system established.—The Legislature finds that improved financial management of the existing home and community-based Medicaid waiver program is

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necessary to avoid deficits that impede the provision of services to individuals who are on the waiting list for enrollment in the program. The Legislature further finds that clients and their families should have greater flexibility to choose the services that best allow them to live in their community within the limits of an established budget. Therefore, the Legislature intends that the agency, in consultation with the Agency for Health Care Administration, shall manage the service delivery system using individual budgets as the basis for allocating the funds appropriated for the home and community-based services Medicaid waiver program among eligible enrolled clients. The service delivery system that uses individual budgets shall be called the iBudget system.

(8) The agency shall contract for an independent consultant who shall:

(a) Conduct reviews of significant additional need requests and support coordinator workload and referral processes;

(b) Evaluate trends in waiver service requests and denials, regional trends, provider specific trends, and any other indicators that are identified with increased requests; and

(c) Review significant additional needs requests approved by the agency which meet the following criteria:

1. Significant additional need requests that have been submitted by a support coordinator for more than 20 percent of his or her caseload in any of the past three fiscal years.

2. Regions with the highest growth in submitted significant additional need requests in any of the past three fiscal years.

3. Increases in the intensity of behavioral services and residential habilitation behavioral services.

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(d) The independent consultant shall make recommendations to the agency which focus on improving the iBudget process or the significant additional need submission and approval process, including, but not limited to, process improvement, utilization review, best practices, and training for support coordinators or agency staff. The agency shall submit the independent consultant's recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 15, 2017.

(e) This subsection expires on July 1, 2018.

Section 14. Effective upon this act becoming a law and in order to implement Specific Appropriation 249 of the 2017-2018 General Appropriations Act:

(1) The Agency for Persons with Disabilities shall contract with an independent consultant to examine the state's transportation disadvantaged services, how such services are provided in urban and nonurbanized areas and how to assist in the development and use of different provider models.

(2) There is created the Task Force on Transportation Disadvantaged Services, a task force as defined in s. 20.03, Florida Statutes. The task force is assigned to the Agency for Persons with Disabilities; however, the Commission for the Transportation Disadvantaged shall also assist the task force in carrying out its duties and responsibilities. The purpose of the task force is to examine the design and use of transportation disadvantaged services, considering at least the following:

(a) The use of regional fare payment systems;

(b) The improvement of transportation disadvantaged services in both urban and nonurbanized areas;

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639 (c) The use of intercity and intercounty bus
 640 transportation; and
 641 (d) The use of private providers or transportation network
 642 companies.
 643 (3) The task force is composed of the following members:
 644 (a) The director of the Agency for Persons with
 645 Disabilities or his or her designee.
 646 (b) The executive director of the Commission for the
 647 Transportation Disadvantaged or his or her designee.
 648 (c) The community transportation coordinators for Alachua,
 649 Jackson, Miami-Dade, and Pinellas Counties.
 650 (d) Two individuals who currently use transportation
 651 disadvantaged services, one appointed by the agency director and
 652 the other appointed by the executive director of the commission.
 653 (e) A representative of the Florida Developmental
 654 Disabilities Council.
 655 (f) A representative of Family Care Council Florida.
 656 (4) At a minimum, the task force shall consider:
 657 (a) Routing improvement to minimize passenger transfers or
 658 wait times;
 659 (b) The ability to provide transportation disadvantaged
 660 services between specific origins and destinations selected by
 661 the individual user at a time that is agreed upon by the user
 662 and the provider of the service; and
 663 (c) The provision of transportation disadvantaged services
 664 to individual users to allow them to access health care, places
 665 of employment, education, and other life-sustaining activities
 666 in a cost-effective and efficient manner, while reducing
 667 fragmentation and duplication of services.

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668 (5) The task force shall submit a report that, at a
 669 minimum, includes its findings and recommendations to the
 670 Governor, the President of the Senate, and the Speaker of the
 671 House of Representatives by December 15, 2017, at which time the
 672 task force shall terminate.
 673 Section 15. In order to implement Specific Appropriations
 674 551 through 562 of the 2017-2018 General Appropriations Act,
 675 subsection (3) of section 296.37, Florida Statutes, is amended
 676 to read:
 677 296.37 Residents; contribution to support.—
 678 (3) Notwithstanding subsection (1), each resident of the
 679 home who receives a pension, compensation, or gratuity from the
 680 United States Government, or income from any other source, of
 681 more than \$105 per month shall contribute to his or her
 682 maintenance and support while a resident of the home in
 683 accordance with a payment schedule determined by the
 684 administrator and approved by the director. The total amount of
 685 such contributions shall be to the fullest extent possible, but,
 686 in no case, shall exceed the actual cost of operating and
 687 maintaining the home. This subsection expires July 1, 2018 ~~2017~~.
 688 Section 16. In order to implement Specific Appropriation
 689 199 of the 2017-2018 General Appropriations Act, subsection (10)
 690 of section 409.911, Florida Statutes, is amended to read:
 691 409.911 Disproportionate share program.—Subject to specific
 692 allocations established within the General Appropriations Act
 693 and any limitations established pursuant to chapter 216, the
 694 agency shall distribute, pursuant to this section, moneys to
 695 hospitals providing a disproportionate share of Medicaid or
 696 charity care services by making quarterly Medicaid payments as

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required. Notwithstanding the provisions of s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for hospitals serving a disproportionate share of low-income patients.

(10) Notwithstanding any provision of this section to the contrary, for the 2017-2018 ~~2016-2017~~ state fiscal year, the agency shall distribute moneys to hospitals providing a disproportionate share of Medicaid or charity care services as provided in the 2017-2018 ~~2016-2017~~ General Appropriations Act. This subsection expires July 1, 2018 ~~2017~~.

Section 17. In order to implement Specific Appropriation 199 of the 2017-2018 General Appropriations Act, subsection (3) of section 409.9113, Florida Statutes, is amended to read:

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

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hospitals shall be distributed as provided in the General Appropriations Act. The funds provided for family practice teaching hospitals shall be distributed equally among family practice teaching hospitals.

(3) Notwithstanding any provision of this section to the contrary, for the 2017-2018 ~~2016-2017~~ state fiscal year, the agency shall make disproportionate share payments to teaching hospitals, as defined in s. 408.07, as provided in the 2017-2018 ~~2016-2017~~ General Appropriations Act. This subsection expires July 1, 2018 ~~2017~~.

Section 18. In order to implement Specific Appropriation 199 of the 2017-2018 General Appropriations Act, subsection (4) of section 409.9119, Florida Statutes, is amended to read:

409.9119 Disproportionate share program for specialty hospitals for children.—In addition to the payments made under s. 409.911, the Agency for Health Care Administration shall develop and implement a system under which disproportionate share payments are made to those hospitals that are licensed by the state as specialty hospitals for children and were licensed on January 1, 2000, as specialty hospitals for children. This system of payments must conform to federal requirements and must distribute funds in each fiscal year for which an appropriation is made by making quarterly Medicaid payments. Notwithstanding s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for hospitals that serve a disproportionate share of low-income patients. The agency may make disproportionate share payments to specialty hospitals for children as provided for in the General Appropriations Act.

(4) Notwithstanding any provision of this section to the

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contrary, for the 2017-2018 ~~2016-2017~~ state fiscal year, for hospitals achieving full compliance under subsection (3), the agency shall make disproportionate share payments to specialty hospitals for children as provided in the 2017-2018 ~~2016-2017~~ General Appropriations Act. This subsection expires July 1, 2018 ~~2017~~.

Section 19. In order to implement Specific Appropriations 494 through 517 of the 2017-2018 General Appropriations Act, subsection (17) of section 893.055, Florida Statutes, is amended to read:

893.055 Prescription drug monitoring program.—

(17) Notwithstanding subsection (10), and for the 2017-2018 ~~2016-2017~~ fiscal year only, the department may use state funds appropriated in the 2017-2018 ~~2016-2017~~ General Appropriations Act to administer the prescription drug monitoring program. Neither the Attorney General nor the department may use funds received as part of a settlement agreement to administer the prescription drug monitoring program. This subsection expires July 1, 2018 ~~2017~~.

Section 20. In order to implement Specific Appropriations 582 through 708 and 722 through 756 of the 2017-2018 General Appropriations Act, subsection (4) of section 216.262, Florida Statutes, is amended to read:

216.262 Authorized positions.—

(4) Notwithstanding the provisions of this chapter relating to increasing the number of authorized positions, and for the 2017-2018 ~~2016-2017~~ fiscal year only, if the actual inmate population of the Department of Corrections exceeds the inmate population projections of the February 23, 2017 ~~December 17,~~

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~~2015~~, Criminal Justice Estimating Conference by 1 percent for 2 consecutive months or 2 percent for any month, the Executive Office of the Governor, with the approval of the Legislative Budget Commission, shall immediately notify the Criminal Justice Estimating Conference, which shall convene as soon as possible to revise the estimates. The Department of Corrections may then submit a budget amendment requesting the establishment of positions in excess of the number authorized by the Legislature and additional appropriations from unallocated general revenue sufficient to provide for essential staff, fixed capital improvements, and other resources to provide classification, security, food services, health services, and other variable expenses within the institutions to accommodate the estimated increase in the inmate population. All actions taken pursuant to this subsection are subject to review and approval by the Legislative Budget Commission. This subsection expires July 1, 2018 ~~2017~~.

Section 21. In order to implement Specific Appropriations 1293 and 1294 of the 2017-2018 General Appropriations Act, the Department of Legal Affairs may expend appropriated funds in those specific appropriations on the same programs that were funded by the department pursuant to specific appropriations made in general appropriations acts in previous years. This section expires July 1, 2018.

Section 22. In order to implement Specific Appropriations 1228 and 1234 of the 2017-2018 General Appropriations Act, paragraph (d) of subsection (4) of section 932.7055, Florida Statutes, is amended to read:

932.7055 Disposition of liens and forfeited property.—

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813 (4) The proceeds from the sale of forfeited property shall
 814 be disbursed in the following priority:
 815 (d) Notwithstanding any other provision of this subsection,
 816 and for the 2017-2018 ~~2016-2017~~ fiscal year only, the funds in a
 817 special law enforcement trust fund established by the governing
 818 body of a municipality may be expended to reimburse the general
 819 fund of the municipality for moneys advanced from the general
 820 fund to the special law enforcement trust fund before October 1,
 821 2001. This paragraph expires July 1, 2018 ~~2017~~.
 822 Section 23. In order to implement Specific Appropriations
 823 3145 through 3212 of the 2017-2018 General Appropriations Act,
 824 subsection (2) of section 215.18, Florida Statutes, is amended
 825 to read:
 826 215.18 Transfers between funds; limitation.-
 827 (2) The Chief Justice of the Supreme Court may receive one
 828 or more trust fund loans to ensure that the state court system
 829 has funds sufficient to meet its appropriations in the 2017-2018
 830 ~~2016-2017~~ General Appropriations Act. If the Chief Justice
 831 accesses the loan, he or she must notify the Governor and the
 832 chairs of the legislative appropriations committees in writing.
 833 The loan must come from other funds in the State Treasury which
 834 are for the time being or otherwise in excess of the amounts
 835 necessary to meet the just requirements of such last-mentioned
 836 funds. The Governor shall order the transfer of funds within 5
 837 days after the written notification from the Chief Justice. If
 838 the Governor does not order the transfer, the Chief Financial
 839 Officer shall transfer the requested funds. The loan of funds
 840 from which any money is temporarily transferred must be repaid
 841 by the end of the 2017-2018 ~~2016-2017~~ fiscal year. This

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842 subsection expires July 1, 2018 ~~2017~~.
 843 Section 24. In order to implement Specific Appropriation
 844 727, and notwithstanding s. 216.292, Florida Statutes, the
 845 Department of Corrections is authorized to submit budget
 846 amendments to transfer funds from categories within the
 847 department other than fixed capital outlay categories into the
 848 Inmate Health Services category in order to continue the current
 849 level of care in the provision of health services. Such
 850 transfers are subject to the notice, review, and objection
 851 procedures of s. 216.177, Florida Statutes. This section expires
 852 July 1, 2018.
 853 Section 25. (1) In order to implement Specific
 854 Appropriations 1104 through 1116A of the 2017-2018 General
 855 Appropriations Act, the Department of Juvenile Justice is
 856 required to review county juvenile detention payments to ensure
 857 that counties fulfill their financial responsibilities required
 858 in s. 985.686, Florida Statutes. If the Department of Juvenile
 859 Justice determines that a county has not met its obligations,
 860 the department shall direct the Department of Revenue to deduct
 861 the amount owed to the Department of Juvenile Justice from the
 862 funds provided to the county under s. 218.23, Florida Statutes.
 863 The Department of Revenue shall transfer the funds withheld to
 864 the Shared County/State Juvenile Detention Trust Fund.
 865 (2) As an assurance to holders of bonds issued by counties
 866 before July 1, 2016, for which distributions made pursuant to s.
 867 218.23, Florida Statutes, are pledged, or bonds issued to refund
 868 such bonds which mature no later than the bonds they refunded
 869 and which result in a reduction of debt service payable in each
 870 fiscal year, the amount available for distribution to a county

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871 shall remain as provided by law and continue to be subject to
 872 any lien or claim on behalf of the bondholders. The Department
 873 of Revenue must ensure, based on information provided by an
 874 affected county, that any reduction in amounts distributed
 875 pursuant to subsection (1) does not reduce the amount of
 876 distribution to a county below the amount necessary for the
 877 timely payment of principal and interest when due on the bonds
 878 and the amount necessary to comply with any covenant under the
 879 bond resolution or other documents relating to the issuance of
 880 the bonds. If a reduction to a county's monthly distribution
 881 must be decreased in order to comply with this subsection, the
 882 Department of Revenue must notify the Department of Juvenile
 883 Justice of the amount of the decrease, and the Department of
 884 Juvenile Justice must send a bill for payment of such amount to
 885 the affected county.

886 (3) This section expires July 1, 2018.

887 Section 26. In order to implement Specific Appropriations
 888 1104 through 1116A of the 2017-2018 General Appropriations Act,
 889 the Department of Juvenile Justice may not provide, make, pay,
 890 or deduct, and a nonfiscally constrained county may not apply,
 891 deduct, or receive any reimbursement or any credit for any
 892 previous overpayment of juvenile detention care costs related to
 893 or for any previous state fiscal year, against the juvenile
 894 detention care costs due from the nonfiscally constrained county
 895 in the 2017-2018 fiscal year pursuant to s. 985.686, Florida
 896 Statutes, or any other law. This section expires July 1, 2018.

897 Section 27. In order to implement Specific Appropriation
 898 782 of the 2017-2018 General Appropriations Act, subsection (13)
 899 is added to section 27.5304, Florida Statutes, to read:

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900 27.5304 Private court-appointed counsel; compensation;
 901 notice.-

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

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

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

910 (c) For life felonies represented at the trial level:
 911 \$15,000.

912 (d) For capital cases represented at the trial level:
 913 \$25,000. For purposes of this paragraph, a "capital case" is any
 914 offense for which the potential sentence is death and the state
 915 has not waived seeking the death penalty.

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

917 (f) This subsection expires July 1, 2018.

918 Section 28. In order to implement Specific Appropriation
 919 774 of the 2017-2018 General Appropriations Act, and
 920 notwithstanding ss. 28.35 and 40.24, Florida Statutes, the
 921 Justice Administrative Commission shall provide funds to the
 922 clerks of the circuit court to pay compensation to jurors, for
 923 meals or lodging provided to jurors, and for jury-related
 924 personnel costs as provided in this section. Each clerk of the
 925 circuit court shall forward to the Justice Administrative
 926 Commission a quarterly estimate of funds necessary to pay
 927 compensation to jurors and for meals or lodging provided to
 928 jurors. The Florida Clerks of Court Operations Corporation shall

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forward to the Justice Administrative Commission a quarterly estimate of jury-related personnel costs necessary to pay each clerk of the circuit court personnel costs related to jury management. Upon receipt of such estimates, the Justice Administrative Commission shall endorse the amount deemed necessary for payment to the clerks of the circuit court during the quarter and shall submit a request for payment to the Chief Financial Officer. If the Justice Administrative Commission believes that the amount appropriated by the Legislature is insufficient to meet such costs during the remaining part of the state fiscal year, the commission may apportion the funds appropriated in the General Appropriations Act for those purposes among the several counties, basing the apportionment upon the amount expended for such purposes in each county during the prior fiscal year. In that case, the Chief Financial Officer shall only issue the appropriate apportioned amount by warrant to each county. The clerks of the circuit court are responsible for any costs of compensation to jurors, for meals or lodging provided to jurors, and for jury-related personnel costs that exceed the funding provided in the General Appropriations Act for these purposes. This section expires July 1, 2018.

Section 29. In order to implement Specific Appropriation 1986B in the 2017-2018 General Appropriations Act:

(1) There is created the Florida Criminal Justice Reform Task Force within the Legislature. The task force is created for the purpose of conducting a comprehensive review of the state's criminal justice system, court system, and corrections system.

(2) The task force is composed of the following members:

(a) Two members of the Senate, appointed by the President

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of the Senate.

(b) Two members of the House of Representatives, appointed by the Speaker of the House of Representatives.

(c) Two circuit judges, one of whom must have presided over a mental health court or drug court, appointed by the chair of the Conference of Circuit Judges of Florida.

(d) Two county court judges, appointed by the chair of the Conference of County Court Judges of Florida.

(e) A justice of the Supreme Court or judge of a district court of appeal, appointed by the Chief Justice of the Supreme Court.

(f) A representative of the Florida State University Project on Accountable Justice, appointed by the chair of the project's executive board.

(g) A representative of a victim's advocacy group, appointed by the Governor from a list of three nominees recommended by the chairs of the committees in the Senate and the House of Representatives with jurisdiction over criminal justice matters.

(h) Two county commissioners, appointed by the Florida Association of Counties.

(i) A formerly incarcerated individual who has demonstrated exceptional commitment to rehabilitation and community improvement, appointed by the Governor from a list of three nominees jointly recommended by the chairs of the committees in the Senate and the House of Representatives with jurisdiction over criminal justice matters.

(j) Two representatives of the faith community, either clergy or employees of faith-based policy organizations,

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appointed by the Governor from a list of three nominees jointly recommended by the chairs of the committees in the Senate and the House of Representatives with jurisdiction over criminal justice matters.

(k) The chairs of the committees of the Senate and the House of Representatives with jurisdiction over criminal justice matters or their designees.

(l) Two designees of the Executive Office of the Governor with demonstrated knowledge in the criminal justice field.

(m) The Attorney General or his or her designee.

(n) The Secretary of Corrections or his or her designee.

(o) The Secretary of Juvenile Justice or his or her designee.

(p) The president of the Florida Prosecuting Attorneys Association or his or her designee.

(q) The president of the Florida Public Defenders Association or his or her designee.

(r) The president of the Florida Association of Criminal Defense Lawyers or his or her designee.

(s) The president of the Florida Sheriffs Association or his or her designee.

(t) The president of the Florida Police Chiefs Association or his or her designee.

(3) The task force shall use a data-driven approach to study, evaluate, analyze, and undertake a comprehensive review of the state's adult criminal justice system and develop sentencing and corrections policy recommendations for proposed legislation to carry out the goals of reducing correctional populations and associated correctional spending by focusing

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prison capacity on serious offenses and violent criminals, holding offenders accountable more efficiently by implementing or expanding research-based supervision and sentencing practices, and reinvesting savings into strategies shown to decrease recidivism, including reentry outcomes.

(4) The task force shall submit a report of its findings, conclusions, and recommendations for proposed legislation to the President of the Senate and the Speaker of the House of Representatives by the date of convening of the 2018 Regular Session of the Legislature.

(5) This section expires July 1, 2018.

Section 30. In order to implement appropriations used to pay existing lease contracts for private lease space in excess of 2,000 square feet in the 2017-2018 General Appropriations Act, the Department of Management Services, with the cooperation of the agencies having the existing lease contracts for office or storage space, shall use tenant broker services to renegotiate or reprocur all private lease agreements for office or storage space expiring between July 1, 2017, and June 30, 2020, in order to reduce costs in future years. The department shall incorporate this initiative into its 2017 master leasing report required under s. 255.249(7), Florida Statutes, and may use tenant broker services to explore the possibilities of collocating office or storage space, to review the space needs of each agency, and to review the length and terms of potential renewals or renegotiations. The department shall provide a report to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives by November 1, 2017, which lists each lease contract for private

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office or storage space, the status of renegotiations, and the savings achieved. This section expires July 1, 2018.

Section 31. In order to implement Specific Appropriations 2864 through 2876A of the 2017-2018 General Appropriations Act, upon the expiration and reversion of the amendment to section 282.709, Florida Statutes, pursuant to section 72 of chapter 2016-62, Laws of Florida, paragraph (a) of subsection (2) of section 282.709, Florida Statutes, is amended to read:

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

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

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

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

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

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

4. A representative of the Fish and Wildlife Conservation

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

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

6. A representative ~~of the Division of Investigative and Forensic Services~~ of the Department of Financial Services who shall be appointed by the Chief Financial Officer.

~~7. A representative of the Department of Transportation who shall be appointed by the secretary of the department.~~

~~8.~~ A representative of the Department of Agriculture and Consumer Services who shall be appointed by the Commissioner of Agriculture.

Section 32. In order to implement Specific Appropriations 2768 through 2780A of the 2017-2018 General Appropriations Act, and notwithstanding rule 60A-1.031, Florida Administrative Code, the transaction fee collected for use of the online procurement system, authorized in ss. 287.042(1)(h)1. and 287.057(22)(c), Florida Statutes, is seven-tenths of 1 percent for the 2017-2018 fiscal year only. This section expires July 1, 2018.

Section 33. In order to implement appropriations authorized in the 2017-2018 General Appropriations Act for data center services, and notwithstanding s. 216.292(2)(a), Florida Statutes, an agency may not transfer funds from a data processing category to a category other than another data processing category. This section expires July 1, 2018.

Section 34. In order to implement the appropriation of funds in the appropriation category "Data Processing Assessment-Agency for State Technology" in the 2017-2018 General Appropriations Act, and pursuant to the notice, review, and

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objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in that category between departments in order to align the budget authority granted based on the estimated billing cycle and methodology used by the Agency for State Technology for data processing services provided. This section expires July 1, 2018.

Section 35. In order to implement Specific Appropriation 2856 of the 2017-2018 General Appropriations Act, the Executive Office of the Governor may transfer funds appropriated in the appropriation category "Expenses" of the 2017-2018 General Appropriations Act between agencies in order to allocate a reduction relating to SUNCOM Network services. This section expires July 1, 2018.

Section 36. In order to implement the appropriation of funds in the appropriation category "Special Categories-Risk Management Insurance" in the 2017-2018 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in that category between departments in order to align the budget authority granted with the premiums paid by each department for risk management insurance. This section expires July 1, 2018.

Section 37. In order to implement the appropriation of funds in the appropriation category "Special Categories-Transfer to Department of Management Services-Human Resources Services Purchased per Statewide Contract" in the 2017-2018 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated

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in that category between departments in order to align the budget authority granted with the assessments that must be paid by each agency to the Department of Management Services for human resource management services. This section expires July 1, 2018.

Section 38. In order to implement Specific Appropriation 2334 of the 2017-2018 General Appropriations Act:

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

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

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

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

(a) Take into consideration the cost and implementation data identified for Option 3 as recommended in the March 31,

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1161 2014, Florida Department of Financial Services FLAIR Study,
1162 version 031.

1163 (b) Ensure that all business requirements and technical
1164 specifications have been provided to all state agencies for
1165 their review and input and approved by the executive steering
1166 committee established in paragraph (c).

1167 (c) Implement a project governance structure that includes
1168 an executive steering committee composed of:

1169 1. The Chief Financial Officer or the executive sponsor of
1170 the project.

1171 2. A representative of the Division of Treasury of the
1172 Department of Financial Services, appointed by the Chief
1173 Financial Officer.

1174 3. A representative of the Division of Information Systems
1175 of the Department of Financial Services, appointed by the Chief
1176 Financial Officer.

1177 4. Four employees from the Division of Accounting and
1178 Auditing of the Department of Financial Services, appointed by
1179 the Chief Financial Officer. Each employee must have experience
1180 relating to at least one of the four main components that
1181 compose FLAIR.

1182 5. Two employees from the Executive Office of the Governor,
1183 appointed by the Governor. One employee must have experience
1184 relating to the Legislative Appropriations System/Planning and
1185 Budgeting Subsystem.

1186 6. One employee from the Department of Revenue, appointed
1187 by the executive director, who has experience relating to the
1188 department's SUNTAX system.

1189 7. Two employees from the Department of Management

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1190 Services, appointed by the Secretary of Management Services. One
1191 employee must have experience relating to the department's
1192 personnel information subsystem and one employee must have
1193 experience relating to the department's purchasing subsystem.

1194 8. Three state agency administrative services directors,
1195 appointed by the Governor. One director must represent a
1196 regulatory and licensing state agency and one director must
1197 represent a health care-related state agency.

1198 (3) The Chief Financial Officer or the executive sponsor of
1199 the project shall serve as chair of the executive steering
1200 committee, and the committee shall take action by a vote of at
1201 least eight affirmative votes with the Chief Financial Officer
1202 or the executive sponsor of the project voting on the prevailing
1203 side. A quorum of the executive steering committee consists of
1204 at least 10 members.

1205 (4) The executive steering committee has the overall
1206 responsibility for ensuring that the project to replace FLAIR
1207 and CMS meets its primary business objectives and shall:

1208 (a) Identify and recommend to the Executive Office of the
1209 Governor, the President of the Senate, and the Speaker of the
1210 House of Representatives any statutory changes needed to
1211 implement the replacement subsystem that will standardize, to
1212 the fullest extent possible, the state's financial management
1213 business processes.

1214 (b) Review and approve any changes to the project's scope,
1215 schedule, and budget which do not conflict with the requirements
1216 of subsection (1).

1217 (c) Ensure that adequate resources are provided throughout
1218 all phases of the project.

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1219 (d) Approve all major project deliverables.
 1220 (e) Approve all solicitation-related documents associated
 1221 with the replacement of FLAIR and CMS.
 1222

1223 This section expires July 1, 2018.

1224 Section 39. In order to implement Specific Appropriation
 1225 1552 of the 2017-2018 General Appropriations Act, paragraph (m)
 1226 of subsection (3) of section 259.105, Florida Statutes, is
 1227 amended to read:

1228 259.105 The Florida Forever Act.—

1229 (3) Less the costs of issuing and the costs of funding
 1230 reserve accounts and other costs associated with bonds, the
 1231 proceeds of cash payments or bonds issued pursuant to this
 1232 section shall be deposited into the Florida Forever Trust Fund
 1233 created by s. 259.1051. The proceeds shall be distributed by the
 1234 Department of Environmental Protection in the following manner:

1235 (m) Notwithstanding paragraphs (a)-(j), and for the 2017-
 1236 2018 2016-2017 fiscal year only:

1237 1. The amount of \$10,156,206 ~~\$15,156,206~~ to only the
 1238 Division of State Lands within the Department of Environmental
 1239 Protection for the Board of Trustees Florida Forever Priority
 1240 List land acquisition projects.

1241 2. Five Thirty-five million dollars shall be spent on land
 1242 acquisition within the Florida Keys Area of Critical State
 1243 Concern as authorized pursuant to s. 259.045 to the Department
 1244 of Agriculture and Consumer Services for the acquisition of
 1245 agricultural lands through perpetual conservation easements and
 1246 other perpetual less than fee techniques, which will achieve the
 1247 objectives of Florida Forever and s. 570.71.

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1248 ~~3.a. Notwithstanding any allocation required pursuant to~~
 1249 ~~paragraph (c), \$10 million shall be allocated to the Florida~~
 1250 ~~Communities Trust for projects acquiring conservation or~~
 1251 ~~recreation lands to enhance recreational opportunities for~~
 1252 ~~individuals with unique abilities.~~

1253 ~~b. The Department of Environmental Protection may waive the~~
 1254 ~~local government matching fund requirement of paragraph (c) for~~
 1255 ~~projects acquiring conservation or recreation lands to enhance~~
 1256 ~~recreational opportunities for individuals with unique~~
 1257 ~~abilities.~~

1258 ~~e. Notwithstanding sub-subparagraphs a. and b., any funds~~
 1259 ~~required to be used to acquire conservation or recreation lands~~
 1260 ~~to enhance recreational opportunities for individuals with~~
 1261 ~~unique abilities which have not been awarded for those purposes~~
 1262 ~~by May 1, 2017, may be awarded to redevelop or renew outdoor~~
 1263 ~~recreational facilities on public lands, including recreational~~
 1264 ~~trails, parks, and urban open spaces, together with improvements~~
 1265 ~~required to enhance recreational enjoyment and public access to~~
 1266 ~~public lands, if such redevelopment and renewal is primarily~~
 1267 ~~geared toward enhancing recreational opportunities for~~
 1268 ~~individuals with unique abilities. The department may waive the~~
 1269 ~~local matching requirement of paragraph (c) for such~~
 1270 ~~redevelopment and renewal projects.~~

1271
 1272 This paragraph expires July 1, 2018 ~~2017~~.

1273 Section 40. In order to implement Specific Appropriations
 1274 1603B, 1603C, and 1604 of the 2017-2018 General Appropriations
 1275 Act, paragraph (d) of subsection (11) of section 216.181,
 1276 Florida Statutes, is amended to read:

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1277 216.181 Approved budgets for operations and fixed capital
 1278 outlay.—
 1279 (11)
 1280 (d) Notwithstanding paragraph (b) and paragraph (2)(b), and
 1281 for the 2017-2018 ~~2016-2017~~ fiscal year only, the Legislative
 1282 Budget Commission may increase the amounts appropriated to the
 1283 Fish and Wildlife Conservation Commission or the Department of
 1284 Environmental Protection for fixed capital outlay projects,
 1285 including additional fixed capital outlay projects, using funds
 1286 provided to the state from the Gulf Environmental Benefit Fund
 1287 administered by the National Fish and Wildlife Foundation; funds
 1288 provided to the state from the Gulf Coast Restoration Trust Fund
 1289 related to the Resources and Ecosystems Sustainability, Tourist
 1290 Opportunities, and Revived Economies of the Gulf Coast Act of
 1291 2012 (RESTORE Act); or funds provided by the British Petroleum
 1292 Corporation (BP) for natural resource damage assessment
 1293 restoration projects. Concurrent with submission of an amendment
 1294 to the Legislative Budget Commission pursuant to this paragraph,
 1295 any project that carries a continuing commitment for future
 1296 appropriations by the Legislature must be specifically
 1297 identified, together with the projected amount of the future
 1298 commitment associated with the project and the fiscal years in
 1299 which the commitment is expected to commence. This paragraph
 1300 expires July 1, 2018 ~~2017~~.
 1301
 1302 The provisions of this subsection are subject to the notice and
 1303 objection procedures set forth in s. 216.177.
 1304 Section 41. In order to implement specific appropriations
 1305 from the Water Quality Assurance Trust Fund within the

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1306 Department of Environmental Protection contained in the 2017-
 1307 2018 General Appropriations Act, upon the expiration and
 1308 reversion of the amendment to section 206.9935, Florida
 1309 Statutes, pursuant to section 87 of chapter 2016-62, Laws of
 1310 Florida, paragraph (b) of subsection (2) of section 206.9935,
 1311 Florida Statutes, is amended to read:
 1312 206.9935 Taxes imposed.—
 1313 (2) TAX FOR WATER QUALITY.—
 1314 (b) The excise tax shall be the applicable rate as
 1315 specified in subparagraph 1. per barrel or per unit of
 1316 pollutant, or equivalent measure as established by the
 1317 department, produced in or imported into the state. If the
 1318 unobligated balance of the Water Quality Assurance Trust Fund is
 1319 or falls below \$3 million, the tax shall be increased to the
 1320 applicable rates specified in subparagraph 2. and shall remain
 1321 at said rates until the unobligated balance in the fund exceeds
 1322 \$5 million, at which time the tax shall be imposed at the rates
 1323 specified in subparagraph 1. If the unobligated balance of the
 1324 fund exceeds \$12 million, the levy of the tax shall be
 1325 discontinued until the unobligated balance of the fund falls
 1326 below \$5 million, at which time the tax shall be imposed at the
 1327 rates specified in subparagraph 1. Changes in the tax rates
 1328 pursuant to this paragraph shall take effect on the first day of
 1329 the month after 30 days' notification to the Department of
 1330 Revenue when the unobligated balance of the fund falls below or
 1331 exceeds a limit set pursuant to this paragraph. The unobligated
 1332 balance of the Water Quality Assurance Trust Fund as it relates
 1333 to determination of the applicable excise tax rate shall exclude
 1334 the unobligated balances of funds of the Dry Cleaning, Operator

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Certification, and nonagricultural nonpoint source programs, and other required reservations of fund balance. The unobligated balance in the Water Quality Assurance Trust Fund is based upon the current unreserved fund balance, projected revenues, authorized legislative appropriations, and funding for the department's base budget for the subsequent fiscal year. For the 2017-2018 fiscal year only, revenues for penalties collected pursuant to s. 403.121(11) and all moneys recovered under s. 373.430(7) are exempt from the calculation of the unobligated balance of the Water Quality Assurance Trust Fund. Determination of the unobligated balance of the Water Quality Assurance Trust Fund shall be performed annually subsequent to the annual legislative appropriations becoming law.

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

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

Section 42. In order to implement Specific Appropriation 1676 of the 2017-2018 General Appropriations Act, subsection (3) of section 403.7095, Florida Statutes, is amended to read:

403.7095 Solid waste management grant program.—

(3) Notwithstanding any other provision of this section, and for the 2017-2018 ~~2016-2017~~ fiscal year only, the Department of Environmental Protection shall award the sum of \$3 million in grants in the 2017-2018 ~~2016-2017~~ fiscal year equally to

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counties having populations of fewer than 110,000 for waste tire and litter prevention, recycling education, and general solid waste programs. This subsection expires July 1, 2018 ~~2017~~.

Section 43. In order to implement specific appropriations from the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, and the Fish and Wildlife Conservation Commission, which are contained in the 2017-2018 General Appropriations Act, subsection (3) of section 215.18, Florida Statutes, is amended to read:

215.18 Transfers between funds; limitation.—

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

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review, and objection procedures of s. 216.177, and the Governor shall provide notice of such action at least 7 days before the effective date of the transfer of trust funds, except that during July ~~2017~~ ~~2016~~, notice of such action shall be provided at least 3 days before the effective date of a transfer unless such 3-day notice is waived by the chair and vice-chair of the Legislative Budget Commission. Any transfer of trust funds to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission must be repaid to the trust funds from which the moneys were loaned by the end of the 2017-2018 ~~2016-2017~~ fiscal year. The Legislature has determined that the repayment of the other trust fund moneys temporarily loaned to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission pursuant to this subsection is an allowable use of the moneys in a land acquisition trust fund because the moneys from other trust funds temporarily loaned to a land acquisition trust fund shall be expended solely and exclusively in accordance with s. 28, Art. X of the State Constitution. This subsection expires July 1, 2018 ~~2017~~.

Section 44. (1) In order to implement specific appropriations from the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, and the Fish and Wildlife Conservation Commission, which are contained in the 2017-2018 General Appropriations Act, the Department of

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Environmental Protection shall transfer revenues from the Land Acquisition Trust Fund within the department to the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission, as provided in this section. As used in this section, the term "department" means the Department of Environmental Protection.

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

(3) This section expires July 1, 2018.

Section 45. In order to implement Specific Appropriation

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2661 of the 2017-2018 General Appropriations Act, the Department of Highway Safety and Motor Vehicles shall contract with the corporation organized pursuant to part II of chapter 946, Florida Statutes, to manufacture the current or newly redesigned license plates, with such contract being in the same manner and for the same price as that paid by the department during the 2016-2017 fiscal year.

Section 46. In order to implement Specific Appropriations 2612 and 2616 of the 2017-2018 General Appropriations Act:

(1) There is created a law enforcement workgroup assigned to the Department of Highway Safety and Motor Vehicles.

(2) The workgroup shall convene no later than September 1, 2017, and shall be composed of the following members:

(a) A representative of the University of South Florida's Center for Urban Transportation Research, who shall serve as the chair of the workgroup.

(b) Three representatives of the Florida Sheriffs Association, appointed by the association's executive director.

(c) Three representatives of the Florida Highway Patrol (FHP), appointed by the Director Colonel of the FHP.

(d) Three representatives of the Florida Police Chiefs Association, appointed by the president of the association's executive board.

(e) The executive director of the Florida Association of Counties, or his or her designee.

(f) The director of the Division of Emergency Management, or his or her designee.

(g) The president of the Florida Police Benevolent Association, or his or her designee.

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(h) A representative of the Office of the Attorney General, appointed by the Attorney General.

(3) Members of the workgroup shall serve without compensation but are entitled to reimbursement for per diem and travel expenses in accordance with s. 112.061, Florida Statutes. Per diem and travel expenses incurred by a member of the workgroup shall be paid from funds budgeted to the state agency or entity that the member represents.

(4) The workgroup shall review the FHP's response to calls for service, including current resource allocation. The workgroup shall also compare FHP resources to those of local law enforcement entities and other state highway patrol agencies to determine whether additional resources are necessary to improve the response time to calls for service and to perform other duties outlined in chapter 321, Florida Statutes. In addition, the workgroup shall identify potential partnerships with local law enforcement entities and consider optional funding sources for those agencies to address needs associated with traffic crash investigations.

(5) The Department of Highway Safety and Motor Vehicles shall provide administrative support to the workgroup and shall contract with the University of South Florida's Center for Urban Transportation Research to perform the duties of the independent third-party chair.

(6) The chair of the workgroup shall provide the workgroup's consensus recommendations in a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1, 2018, at which time the workgroup shall terminate.

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1509 Section 47. In order to implement Specific Appropriation
 1510 1869 of the 2017-2018 General Appropriations Act, section
 1511 316.0898, Florida Statutes, is created to read:
 1512 316.0898 Florida Smart City Challenge grant program.—
 1513 (1) The Department of Transportation, in consultation with
 1514 the Department of Highway Safety and Motor Vehicles, shall
 1515 develop the Florida Smart City Challenge grant program and shall
 1516 establish grant award requirements for municipalities or regions
 1517 for the purpose of receiving grant awards. Grant applicants must
 1518 demonstrate and document the adoption of emerging technologies
 1519 and their impact on the transportation system and must address
 1520 at least the following focus areas:
 1521 (a) Autonomous vehicles.
 1522 (b) Connected vehicles.
 1523 (c) Sensor-based infrastructure.
 1524 (d) Collecting and using data.
 1525 (e) Addressing urban delivery.
 1526 (f) Developing strategic models and partnerships.
 1527 (g) Advancing the adoption and use of smart grid
 1528 technology, roadway electrification, and electric vehicles.
 1529 (h) Connecting citizens.
 1530 (2) The goals of the grant program include, but are not
 1531 limited to:
 1532 (a) Identifying transportation challenges and identifying
 1533 how emerging technologies can address those challenges.
 1534 (b) Determining the emerging technologies and strategies
 1535 that have the potential to provide the most significant impacts.
 1536 (c) Encouraging municipalities to take significant steps to
 1537 integrate emerging technologies into their day-to-day

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1538 operations.
 1539 (d) Identifying the barriers to implementing the grant
 1540 program and communicating those barriers to the Legislature and
 1541 appropriate agencies and organizations.
 1542 (e) Leveraging the initial grant to attract additional
 1543 public and private investments.
 1544 (f) Increasing the state's competitiveness in the pursuit
 1545 of grants from the United States Department of Transportation,
 1546 the United States Department of Energy, and other federal
 1547 agencies.
 1548 (g) Committing to the continued operation of programs
 1549 implemented in connection with the grant.
 1550 (h) Serving as a model for municipalities nationwide.
 1551 (i) Documenting the costs and impacts of the grant program
 1552 and lessons learned during implementation.
 1553 (3) The Department of Transportation shall develop
 1554 eligibility, application, and selection criteria for the program
 1555 grants and a plan for the promotion of the grant program to
 1556 municipalities or regions of this state as an opportunity to
 1557 compete for grant funding.
 1558 (4) On or before January 1, 2018, the Department of
 1559 Transportation shall submit the grant program guidelines and
 1560 plans for promotion of the grant program to the Governor, the
 1561 President of the Senate, and the Speaker of the House of
 1562 Representatives.
 1563 (5) This section expires July 1, 2018.
 1564 Section 48. In order to implement Specific Appropriation
 1565 1890 of the 2017-2018 General Appropriations Act, upon the
 1566 expiration and reversion of the amendment to section 341.302,

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Florida Statutes, pursuant to section 100 of chapter 2016-62, Laws of Florida, subsection (10) of section 341.302, Florida Statutes, is amended to read:

341.302 Rail program; duties and responsibilities of the department.—The department, in conjunction with other governmental entities, including the rail enterprise and the private sector, shall develop and implement a rail program of statewide application designed to ensure the proper maintenance, safety, revitalization, and expansion of the rail system to assure its continued and increased availability to respond to statewide mobility needs. Within the resources provided pursuant to chapter 216, and as authorized under federal law, the department shall:

(10) (a) Administer rail operating and construction programs, which programs shall include the regulation of maximum train operating speeds, the opening and closing of public grade crossings, the construction and rehabilitation of public grade crossings, and the installation of traffic control devices at public grade crossings, and administration ~~the administering~~ of the programs by the department, including participation in the cost of the programs.

(b) For the 2017-2018 fiscal year only:

1. Approve and implement quiet zones, including participating in the cost of the programs.

2. Provide grant funding to assist with the implementation of quiet zones that have been approved by the department. Such funding may not exceed 50 percent of the nonfederal and nonprivate share of the total costs of any quiet zone capital improvement project.

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3. Coordinate and work closely with local, state, and federal agencies to provide technical support to local agencies for the development of quiet zone plans.

4. Monitor crossing incidents at approved quiet zone locations and suspend the operation of a quiet zone at any time the department determines that a significant deterioration has resulted from quiet zone implementation.

Section 49. In order to implement Specific Appropriations 2225 and 2226 of the 2017-2018 General Appropriations Act, subsection (10) of section 420.9072, Florida Statutes, is amended to read:

420.9072 State Housing Initiatives Partnership Program.—The State Housing Initiatives Partnership Program is created for the purpose of providing funds to counties and eligible municipalities as an incentive for the creation of local housing partnerships, to expand production of and preserve affordable housing, to further the housing element of the local government comprehensive plan specific to affordable housing, and to increase housing-related employment.

(10) Notwithstanding ss. 420.9071(26) and 420.9075(5) and subsection (7), for the 2017-2018 ~~2016-2017~~ fiscal year:

(a) The term “rent subsidies” means ongoing monthly rental assistance.

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

(c) A county or an eligible municipality may expend its portion of the local housing distribution to provide the

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following types of rental assistance and rent subsidies:

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

(d) This subsection expires July 1, 2018 ~~2017~~.

Section 50. In order to implement Specific Appropriation 2225 of the 2017-2018 General Appropriations Act, subsection (10) of section 420.5087, Florida Statutes, is amended to read:
420.5087 State Apartment Incentive Loan Program.—There is hereby created the State Apartment Incentive Loan Program for the purpose of providing first, second, or other subordinated mortgage loans or loan guarantees to sponsors, including for-profit, nonprofit, and public entities, to provide housing affordable to very-low-income persons.

(10) (a) Notwithstanding subsection (3), for the 2017-2018 ~~2016-2017~~ fiscal year, the reservation of funds for the tenant groups within each notice of fund availability shall be:

1. Not less than 10 percent of the funds available at that time for the following tenant groups:
 - a. Families;
 - b. Persons who are homeless;
 - c. Persons with special needs; and
 - d. Elderly persons.

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

(b) Notwithstanding any other provision of this section for the 2017-2018 ~~2016-2017~~ fiscal year, the corporation shall issue a notice of funds availability of \$40 ~~\$20~~ million for loans to construct workforce housing to serve primarily low-income persons, as defined in s. 420.0004, and, in the Florida Keys Area of Critical State Concern, to serve households with incomes not to exceed 140 percent of area median income when strategies are included in the local housing assistance plan to serve these households.

(c) This subsection expires July 1, 2018 ~~2017~~.

Section 51. In order to implement Specific Appropriation 2225 of the 2017-2018 General Appropriations Act:

(1) There is created a workgroup on affordable housing. The workgroup is assigned to the Florida Housing Finance Corporation for administrative purposes only.

(2) The workgroup shall convene no later than September 1, 2017, and shall be composed of the following members:

(a) The executive director of the Florida Housing Finance Corporation, who shall serve as chair of the workgroup.

(b) The executive director of the Department of Economic Opportunity or his or her designee.

(c) Five members appointed by the Governor. Of the five members, one must be an advocate for the homeless, one must be an advocate of the needs of individuals with disabling conditions and persons with special needs as defined in s. 420.0004, Florida Statutes, one must represent the building or

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1683 development community, and one must be a realtor licensed in
 1684 this state.

1685 (d) Two members appointed by the President of the Senate.

1686 (e) Two members appointed by the Speaker of the House of
 1687 Representatives.

1688 (f) The executive director of the Florida Association of
 1689 Counties or his or her designee.

1690 (g) The executive director of the Florida League of Cities
 1691 or his or her designee.

1692 (3) (a) The Florida Housing Finance Corporation shall
 1693 provide administrative and staff support services to the
 1694 workgroup which relate to its functions.

1695 (b) Members of the workgroup shall serve without
 1696 compensation but are entitled to reimbursement for per diem and
 1697 travel expenses in accordance with s. 112.061, Florida Statutes.
 1698 Per diem and travel expenses incurred by a member of the
 1699 workgroup shall be paid from funds budgeted to the state agency
 1700 or entity that the member represents.

1701 (4) (a) The workgroup shall develop recommendations for
 1702 addressing the state's affordable housing needs. The
 1703 recommendations shall be presented to and approved by the board
 1704 of directors of the Florida Housing Finance Corporation. The
 1705 recommendations shall include, but need not be limited to:

1706 1. A review of market rate developments.

1707 2. A review of affordable housing developments.

1708 3. A review of land use for affordable housing
 1709 developments.

1710 4. A review of building codes for affordable housing
 1711 developments.

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1712 5. A review of the state's implementation of the low-income
 1713 housing tax credit.

1714 6. A review of private and public sector development and
 1715 construction industries.

1716 7. A review of the rental market for assisted rental
 1717 housing.

1718 8. The development of strategies and pathways for low-
 1719 income housing.

1720 (b) The workgroup shall submit a report including its
 1721 recommendations to the Governor, the President of the Senate,
 1722 and the Speaker of the House of Representatives by January 1,
 1723 2018, at which time the workgroup shall terminate.

1724 Section 52. In order to implement Specific Appropriation
 1725 1868 of the 2017-2018 General Appropriations Act, subsection
 1726 (30) of section 427.013, Florida Statutes, is amended to read:

1727 427.013 The Commission for the Transportation
 1728 Disadvantaged; purpose and responsibilities.—The purpose of the
 1729 commission is to accomplish the coordination of transportation
 1730 services provided to the transportation disadvantaged. The goal
 1731 of this coordination is to assure the cost-effective provision
 1732 of transportation by qualified community transportation
 1733 coordinators or transportation operators for the transportation
 1734 disadvantaged without any bias or presumption in favor of
 1735 multioperator systems or not-for-profit transportation operators
 1736 over single operator systems or for-profit transportation
 1737 operators. In carrying out this purpose, the commission shall:

1738 (30) For the 2017-2018 ~~2016-2017~~ fiscal year and
 1739 notwithstanding any other provision of this section:

1740 (a) Allocate, from funds provided in the General

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Appropriations Act, to community transportation coordinators who do not receive Urbanized Area Formula funds pursuant to 49 U.S.C. s. 5307 to provide transportation services for persons with disabilities, older adults, and low-income persons so they may access health care, employment, education, and other life-sustaining activities. Funds allocated for this purpose shall be distributed among community transportation coordinators based upon the Transportation Disadvantaged Trip and Equipment allocation methodology established by the commission.

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

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

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

3. Promote the efficient coordination of services;

4. Support inner-city bus transportation; and

5. Encourage private transportation providers to participate.

(c) This subsection expires July 1, 2018 ~~2017~~.

Section 53. In order to implement Specific Appropriation 2610 of the 2017-2018 General Appropriations Act, upon the expiration and reversion of the amendment to section 321.04, Florida Statutes, pursuant to section 110 of chapter 2016-62, Laws of Florida, subsection (3) of section 321.04, Florida Statutes, is amended, and subsection (4) is added to that section, to read:

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

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

(b) For the 2017-2018 fiscal year only, the patrol officer shall be assigned to the Lieutenant Governor.

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

Section 54. In order to implement Specific Appropriations 3107, 3112A, 3133A, 3138A, 3139, and 3144A of the 2017-2018 General Appropriations Act, and notwithstanding ss. 257.191, 265.286, and 267.0617, Florida Statutes, the Department of State shall direct the State Library Council, the Florida Historical Commission, and the Florida Council on Arts and Culture to sort the applications received by each entity into two groups for ranking and funding purposes, those received from counties that are rural areas of opportunity as defined in s. 288.0656(2)(d), Florida Statutes, and those received from all other counties.

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1799 The two groups of applications shall be ranked separately, but
 1800 otherwise in the same manner, and submitted for approval by the
 1801 Secretary of State. This section applies only to applications
 1802 received during the 2017-2018 fiscal year. This section expires
 1803 July 1, 2018.

1804 Section 55. In order to implement Specific Appropriation
 1805 2226H of the 2017-2018 General Appropriations Act, subsection
 1806 (4) is added to section 288.1201, Florida Statutes, to read:
 1807 288.1201 State Economic Enhancement and Development Trust
 1808 Fund.—

1809 (4) (a) Beginning July 1, 2017, the department shall retain
 1810 in the trust fund any state funds appropriated for any program
 1811 created under this chapter which is funded in the General
 1812 Appropriations Act until the performance requirements
 1813 established under contract or by law for such incentives are
 1814 submitted to and verified by the department.

1815 (b) The department shall return to the State Treasury all
 1816 funds held by any entity pursuant to a contract executed for the
 1817 Quick Action Closing Fund which are unexpended as of June 30,
 1818 2017. Such unexpended funds shall be deposited into the State
 1819 Economic Enhancement and Development Trust Fund. The department
 1820 shall take all steps necessary to comply with this paragraph by
 1821 September 1, 2017. The department shall notify the Governor, the
 1822 President of the Senate, and the Speaker of the House of
 1823 Representatives of the status of compliance with this paragraph
 1824 by October 1, 2017.

1825 (c) This subsection expires July 1, 2018.

1826 Section 56. In order to implement Specific Appropriation
 1827 1875 of the 2017-2018 General Appropriations Act, paragraph (d)

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1828 is added to subsection (3) of section 311.07, Florida Statutes,
 1829 to read:

1830 311.07 Florida seaport transportation and economic
 1831 development funding.—

1832 (3)

1833 (d) Notwithstanding paragraphs (a), (b), and (c), and for
 1834 the 2017-2018 fiscal year only, projects that are funded through
 1835 a specific appropriation in the 2017-2018 General Appropriations
 1836 Act are not required to match state funds in accordance with
 1837 paragraph (a) or to meet project eligibility requirements
 1838 specified in paragraph (b) or paragraph (c). This paragraph
 1839 expires July 1, 2018.

1840 Section 57. In order to implement Specific Appropriations
 1841 1869 through 1882, 1888 through 1891, 1905 through 1908, 1910
 1842 through 1925, and 1964 through 1976 of the General
 1843 Appropriations Act, paragraphs (d) and (e) are added to
 1844 subsection (5) of section 339.135, Florida Statutes, to read:

1845 339.135 Work program; legislative budget request;
 1846 definitions; preparation, adoption, execution, and amendment.—

1847 (5) ADOPTION OF THE WORK PROGRAM.—

1848 (d) It is the intent of the Legislature that the department
 1849 maintain fiscal solvency and make prudent use of all available
 1850 fiscal resources to minimize any project, or a phase thereof,
 1851 from being deferred within the work program. It is further the
 1852 intent of the Legislature that the department, to the maximum
 1853 extent feasible, reduce financial projects not programmed for
 1854 contract letting as identified with a work program contract
 1855 class code 8 and the box code RV to add projects to the 2017-
 1856 2018 work program which are identified by a specific

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appropriation in the 2017-2018 General Appropriations Act. This paragraph expires July 1, 2018.

(e) The department shall provide to the Legislative Budget Commission the documents specified in subparagraphs 1.-8. when submitting the department's work program amendment to request approval to realign the work program appropriation categories to the 2017-2018 General Appropriations Act pursuant to subsection (7). In addition, any subsequent work program amendment submitted to the Legislative Budget Commission which results in a reduced project commitment level for the 2017-2018 fiscal year due to a reduction in state revenues must include the following documents:

1. A proposed finance plan, as balanced to the requested work program amendment to realign the work program categories to the 2017-2018 General Appropriations Act, or any other amendments that reduce work program commitments;

2. A proposed cash forecast as balanced to the requested work program amendment to realign the work program categories to the 2017-2018 General Appropriations Act, or any other amendments that reduce work program commitments;

3. An adopted finance plan, as of July 1, 2017;

4. An adopted cash forecast, as of July 1, 2017;

5. A complete list of projects, or phases thereof, deferred or deleted from the impact of the projects identified by a specific appropriation in the 2017-2018 General Appropriations Act for the 2017-2018 through 2021-2022 work program;

6. The department's methodology for identifying projects, or phases thereof, for deferral or deletion for the 2017-2018 through 2021-2022 work program;

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7. A letter of concurrence or nonconcurrence from the affected metropolitan planning organization or, for nonmetropolitan areas, the board of county commissioners with impacted project selections; and

8. A complete list of financial projects not programmed for contract letting as identified with a work program contract class code 8 and the box code RV included in fiscal years 2017-2018 through 2021-2022, as of July 1, 2017.

This paragraph expires July 1, 2018.

Section 58. In order to implement the salaries and benefits, expenses, other personal services, contracted services, special categories, and operating capital outlay categories of the 2017-2018 General Appropriations Act, upon the expiration and reversion of the amendment to section 216.292, Florida Statutes, pursuant to section 112 of chapter 2016-62, Laws of Florida, paragraph (a) of subsection (2) of section 216.292, Florida Statutes, is amended to read:

216.292 Appropriations nontransferable; exceptions.—

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

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

1. Between categories of appropriations within a budget

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

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

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

4. Notice of proposed transfers under subparagraphs 1. and 2. shall be provided to the Executive Office of the Governor and the chairs of the legislative appropriations committees at least 3 days prior to agency implementation in order to provide an opportunity for review. The review shall be limited to ensuring that the transfer is in compliance with the requirements of this paragraph.

5. For the 2017-2018 fiscal year, the review shall ensure that transfers proposed pursuant to this paragraph comply with this chapter and are not contrary to legislative policy and intent. This subparagraph expires July 1, 2018.

Section 59. In order to implement appropriations for salaries and benefits in the 2017-2018 General Appropriations Act, subsection (6) of section 112.24, Florida Statutes, is amended to read:

112.24 Intergovernmental interchange of public employees.—

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

(6) For the 2017-2018 ~~2016-2017~~ fiscal year only, the assignment of an employee of a state agency as provided in this

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section may be made if recommended by the Governor or Chief Justice, as appropriate, and approved by the chairs of the legislative appropriations committees. Such actions shall be deemed approved if neither chair provides written notice of objection within 14 days after receiving notice of the action pursuant to s. 216.177. This subsection expires July 1, 2018 ~~2017~~.

Section 60. In order to implement Specific Appropriations 2681 and 2682 of the 2017-2018 General Appropriations Act, and notwithstanding s. 11.13(1), Florida Statutes, the authorized salaries for members of the Legislature for the 2017-2018 fiscal year shall be set at the same level in effect on July 1, 2010. This section expires July 1, 2018.

Section 61. In order to implement the transfer of funds to the General Revenue Fund from trust funds for the 2017-2018 General Appropriations Act, and notwithstanding the expiration date contained in section 117 of chapter 2016-62, Laws of Florida, paragraph (b) of subsection (2) of section 215.32, Florida Statutes, is reenacted to read:

215.32 State funds; segregation.-

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

(b)1. The trust funds shall consist of moneys received by the state which under law or under trust agreement are segregated for a purpose authorized by law. The state agency or branch of state government receiving or collecting such moneys is responsible for their proper expenditure as provided by law. Upon the request of the state agency or branch of state government responsible for the administration of the trust fund,

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the Chief Financial Officer may establish accounts within the trust fund at a level considered necessary for proper accountability. Once an account is established, the Chief Financial Officer may authorize payment from that account only upon determining that there is sufficient cash and releases at the level of the account.

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

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

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

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

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

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

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

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recipients.

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

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

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

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

b. This subparagraph does not apply to trust funds required by federal programs or mandates; trust funds established for bond covenants, indentures, or resolutions whose revenues are legally pledged by the state or public body to meet debt service or other financial requirements of any debt obligations of the

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state or any public body; the Division of Licensing Trust Fund in the Department of Agriculture and Consumer Services; the State Transportation Trust Fund; the trust fund containing the net annual proceeds from the Florida Education Lotteries; the Florida Retirement System Trust Fund; trust funds under the management of the State Board of Education or the Board of Governors of the State University System, where such trust funds are for auxiliary enterprises, self-insurance, and contracts, grants, and donations, as those terms are defined by general law; trust funds that serve as clearing funds or accounts for the Chief Financial Officer or state agencies; trust funds that account for assets held by the state in a trustee capacity as an agent or fiduciary for individuals, private organizations, or other governmental units; and other trust funds authorized by the State Constitution.

Section 62. The amendment to s. 215.32(2)(b), Florida Statutes, as carried forward by this act from chapter 2011-47, Laws of Florida, expires July 1, 2018, and the text of that paragraph shall revert to that in existence on June 30, 2011, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 63. In order to implement the issuance of new debt authorized in the 2017-2018 General Appropriations Act, and pursuant to s. 215.98, Florida Statutes, the Legislature determines that the authorization and issuance of debt for the 2017-2018 fiscal year should be implemented and is in the best interest of the state. This section expires July 1, 2018.

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2089 Section 64. In order to implement appropriations in the
 2090 2017-2018 General Appropriations Act for state employee travel,
 2091 the funds appropriated to each state agency which may be used
 2092 for travel by state employees are limited during the 2017-2018
 2093 fiscal year to travel for activities that are critical to each
 2094 state agency's mission. Funds may not be used for travel by
 2095 state employees to foreign countries, other states, conferences,
 2096 staff training activities, or other administrative functions
 2097 unless the agency head has approved, in writing, that such
 2098 activities are critical to the agency's mission. The agency head
 2099 shall consider using teleconferencing and other forms of
 2100 electronic communication to meet the needs of the proposed
 2101 activity before approving mission-critical travel. This section
 2102 does not apply to travel for law enforcement purposes, military
 2103 purposes, emergency management activities, or public health
 2104 activities. This section expires July 1, 2018.

2105 Section 65. In order to implement appropriations in the
 2106 2017-2018 General Appropriations Act for state employee travel
 2107 and notwithstanding s. 112.061, Florida Statutes, costs for
 2108 lodging associated with a meeting, conference, or convention
 2109 organized or sponsored in whole or in part by a state agency or
 2110 the judicial branch may not exceed \$150 per day. An employee may
 2111 expend his or her own funds for any lodging expenses in excess
 2112 of \$150 per day. This section expires July 1, 2018.

2113 Section 66. In order to implement section 8 of the 2017-
 2114 2018 General Appropriations Act, upon the expiration and
 2115 reversion of the amendments made to section 110.12315, Florida
 2116 Statutes, pursuant to section 123 of chapter 2016-62, Laws of
 2117 Florida, subsection (7) of section 110.12315, Florida Statutes,

576-01997D-17

20172502pb

2118 is amended to read:

2119 110.12315 Prescription drug program.—The state employees'
 2120 prescription drug program is established. This program shall be
 2121 administered by the Department of Management Services, according
 2122 to the terms and conditions of the plan as established by the
 2123 relevant provisions of the annual General Appropriations Act and
 2124 implementing legislation, subject to the following conditions:

2125 (7) ~~Under the state employees' prescription drug program~~
 2126 ~~copayments must be made as follows:~~

2127 (a) Effective July 1, 2017 ~~January 1, 2006~~, for the State
 2128 Group Health Insurance Standard Plan, copayments must be made as
 2129 follows:

2130 1. For a supply for up to 30 days from a retail pharmacy:
 2131 a. For generic drug with card.....\$7 ~~\$10.~~
 2132 b.2. For preferred brand name drug with card.....\$30 ~~\$25.~~
 2133 c.3. For nonpreferred brand name drug with card.....\$50 ~~\$40.~~
 2134 2. For a supply for up to 90 days from a mail order
 2135 pharmacy or a retail pharmacy participating in a 90-day supply
 2136 network:

2137 a.4. For generic mail order drug.....\$14 ~~\$20.~~
 2138 b.5. For preferred brand name mail order drug.....\$60 ~~\$50.~~
 2139 c.6. For nonpreferred brand name mail order drug...\$100 ~~\$80.~~

2140 (b) Effective July 1, 2017 ~~January 1, 2006~~, for the State
 2141 Group Health Insurance High Deductible Plan, coinsurance must be
 2142 paid as follows:

2143 1. For a supply for up to 30 days from a retail pharmacy:
 2144 a. Retail coinsurance For generic drug with card.....30%.
 2145 b.2. Retail coinsurance For preferred brand name drug with
 2146 card.....30%.

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2147 ~~c.3. Retail coinsurance~~ For nonpreferred brand name drug
 2148 ~~with card.....50%.~~
 2149 2. For a supply for up to 90 days from a mail order
 2150 pharmacy or a retail pharmacy participating in a 90-day supply
 2151 network:
 2152 ~~a.4. Mail order coinsurance~~ For generic drug.....30%.
 2153 ~~b.5. Mail order coinsurance~~ For preferred brand name
 2154 drug.....30%.
 2155 ~~c.6. Mail order coinsurance~~ For nonpreferred brand name
 2156 drug 50%.
 2157 Section 67. The amendment made by this act to s.
 2158 110.12315(7), Florida Statutes, shall expire July 1, 2018, and
 2159 the text of that subsection shall revert to that in existence on
 2160 June 30, 2017, except that any amendments to such text enacted
 2161 other than by this act shall be preserved and continue to
 2162 operate to the extent that such amendments are not dependent
 2163 upon the portions of text which expire pursuant to this section.
 2164 Section 68. In order to implement the appropriation of
 2165 funds in the special categories, contracted services, and
 2166 expenses categories of the 2017-2018 General Appropriations Act,
 2167 a state agency may not enter into a contract containing a
 2168 nondisclosure clause that prohibits the contractor from
 2169 disclosing information relevant to the performance of the
 2170 contract to members or staff of the Senate or the House of
 2171 Representatives. This section expires July 1, 2018.
 2172 Section 69. Any section of this act which implements a
 2173 specific appropriation or specifically identified proviso
 2174 language in the 2017-2018 General Appropriations Act is void if
 2175 the specific appropriation or specifically identified proviso

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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2176 language is vetoed. Any section of this act which implements
 2177 more than one specific appropriation or more than one portion of
 2178 specifically identified proviso language in the 2017-2018
 2179 General Appropriations Act is void if all the specific
 2180 appropriations or portions of specifically identified proviso
 2181 language are vetoed.
 2182 Section 70. If any other act passed during the 2017 Regular
 2183 Session of the Legislature contains a provision that is
 2184 substantively the same as a provision in this act, but that
 2185 removes or is otherwise not subject to the future repeal applied
 2186 to such provision by this act, the Legislature intends that the
 2187 provision in the other act takes precedence and continues to
 2188 operate, notwithstanding the future repeal provided by this act.
 2189 Section 71. If any provision of this act or its application
 2190 to any person or circumstance is held invalid, the invalidity
 2191 does not affect other provisions or applications of the act
 2192 which can be given effect without the invalid provision or
 2193 application, and to this end the provisions of this act are
 2194 severable.
 2195 Section 72. Except as otherwise expressly provided in this
 2196 act and except for this section, which shall take effect upon
 2197 this act becoming a law, this act shall take effect July 1,
 2198 2017; or, if this act fails to become a law until after that
 2199 date, it shall take effect upon becoming a law and shall operate
 2200 retroactively to July 1, 2017.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: SB 2504

INTRODUCER: Appropriations Committee

SUBJECT: Collective Bargaining

DATE: April 6, 2017

REVISED: _____

ANALYST

McVaney

STAFF DIRECTOR

Hansen

REFERENCE

ACTION

AP Submitted as Comm. Bill/Fav

I. Summary:

SB 2504 directs the resolution of the collective bargaining issues at impasse for the 2017-2018 fiscal year regarding state employees. These issues will be resolved based on the spending decisions included in the General Appropriations Act for the 2017-2018 fiscal year.

This bill is effective July 1, 2017.

II. Present Situation:

Chapter 447, F.S., specifies the process for collective bargaining for public employees. The bargaining agent and the negotiator for the state must bargain collectively in the determination of the wages, hours, terms, and conditions of employment of the employees within the bargaining unit. Any collective bargaining agreement reached must be reduced to writing, signed by the chief executive officer for the state and the bargaining agent for the union, and submitted to the members of the bargaining unit for ratification.

Upon execution of the collective bargaining agreement, the Governor must request the Legislature to appropriate amounts sufficient to fund the provisions of the agreement. If the Legislature appropriates funds that are not sufficient to fund the agreement, the agreement must be administered on the basis of the amounts actually appropriated.

Typically, at the state level, an agreement is not reached. In that instance, and pursuant to s. 216.163(6), F.S., an impasse is declared on all unresolved issues when the Governor's budget recommendations are released to the Legislature. Within five days of the start of the impasse period, each party is required to notify the presiding officers of the Legislature of the unresolved issues. A joint select committee of members of the Florida House of Representatives and the Senate is appointed to review the positions of the parties. The committee's recommendation to the Legislature regarding the resolution of those issues is presented to the presiding officers no later than 10 days before the start of the regular legislative session. During the session, the

Legislature may take action to address the issues. Any actions taken by the Legislature are binding upon the parties.

Following the resolution of the impasse issues, the parties are required to reduce to writing an agreement that includes those issues agreed to by the parties as well as those issues resolved by the Legislature. The agreement must be signed by the chief executive officer and the bargaining agent and then presented to the members of the bargaining unit for ratification.

If the members ratify the agreement, all the provisions of the agreement take effect. If the members do not ratify the agreement, the issues resolved by the Legislature take effect for the first fiscal year which was the subject of the negotiations.

The certified bargaining units for state employees and the respective bargaining agents include:

- **American Federation of State, County and Municipal Employees, Council 79.**
 - Administrative and Clerical Unit.
 - Operational Services Unit.
 - Human Services Unit.
 - Professional Unit.
- **Florida Nurses Association.**
 - Professional Health Care Unit.
- **Police Benevolent Association.**
 - Special Agent Unit.
 - Law Enforcement Unit.
 - Lottery Law Enforcement Unit.
 - Florida Highway Patrol Unit.
 - Security Services Unit.
- **Florida State Fire Service Association.**
 - Fire Service Unit.
- **Federation of Physicians and Dentists.**
 - Supervisory Nonprofessional Unit.
 - Physicians Unit.
 - State Employees Attorneys Guild.
- **Federation of Public Employees.**
 - Lottery Administrative and Support Unit.

III. Effect of Proposed Changes:

Section 1 provides that all collective bargaining issues at impasse for the 2017-2018 fiscal year regarding state employees will be resolved pursuant to the spending decisions contained in the General Appropriations Act for the 2017-2018 fiscal year.

Section 2 provides an effective date of July 1, 2017.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates an undesignated section of Florida law.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

FOR CONSIDERATION By the Committee on Appropriations

576-02788-17

20172504pb

A bill to be entitled

An act relating to state employees; providing for the resolution of collective bargaining issues at impasse between the state and certified bargaining units of state employees; providing an effective date.

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

Section 1. All collective bargaining issues for which negotiations have reached an impasse for the 2017-2018 fiscal year between the state and the legal representatives of the certified bargaining units for state employees shall be resolved pursuant to the instructions provided in the General Appropriations Act and the relevant provisions of any legislation enacted to implement the General Appropriations Act for the 2017-2018 fiscal year.

Section 2. This act shall take effect July 1, 2017.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: SB 7022

INTRODUCER: Governmental Oversight and Accountability Committee

SUBJECT: State-administered Retirement Systems

DATE: April 4, 2017

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
Ferrin	Ferrin		GO Submitted as Committee Bill
1. Davis, McVane	Hansen	AP	Favorable

I. Summary:

SB 7022 establishes the contribution rates paid by employers participating in the Florida Retirement System (FRS) beginning July 1, 2017. These rates are intended to fund the full normal cost and the amortization of the unfunded actuarial liability of the FRS. With these modifications to employer contribution rates, the FRS Trust Fund will receive roughly \$149.5 million more revenue on an annual basis beginning July 1, 2017. The public employers that will incur these additional costs are state agencies, state universities and colleges, school districts, counties, and certain municipalities and other governmental entities.

II. Present Situation:

The Florida Retirement System

The Florida Retirement System (FRS) was established in 1970 when the Legislature consolidated the Teachers' Retirement System, the State and County Officers and Employees' Retirement System, and the Highway Patrol Pension Fund. In 1972, the Judicial Retirement System was consolidated into the FRS, and in 2007, the Institute of Food and Agricultural Sciences Supplemental Retirement Program was consolidated under the Regular Class of the FRS as a closed group.¹ The FRS is a contributory system, with most members contributing three percent of their salaries.²

The FRS is a multi-employer, contributory plan, governed by the Florida Retirement System Act in Chapter 121, F.S. As of June 30, 2016, the FRS had 630,350 active members, 394,907 annuitants, 16,248 disabled retirees, and 29,602 active participants of the Deferred Retirement

¹ Florida Retirement System Comprehensive Annual Financial Report Fiscal Year Ended June 30, 2016, at p. 29. Available online at: https://www.rol.frs.state.fl.us/forms/2015-16_CAFR.pdf.

² Prior to 1975, members of the FRS were required to make employee contributions of either 4 percent for Regular Class employees or 6 percent for Special Risk Class members. Employees were again required to contribute to the system after July 1, 2011. Members in the Deferred Retirement Option Program do not contribute to the system.

Option Program (DROP).³ As of June 30, 2016, the FRS consisted of 1,029 total employers; it is the primary retirement plan for employees of state and county government agencies, district school boards, Florida College institutions, and state universities, and also includes the 193 cities and 270 special districts that have elected to join the system.⁴

The membership of the FRS is divided into five membership classes:

- The Regular Class⁵ consists of 545,680 active members, plus 3,709 in renewed membership;
- The Special Risk Class⁶ includes 70,695 active members;
- The Special Risk Administrative Support Class⁷ has 76 active members;
- The Elected Officers' Class⁸ has 2,026 active members, plus 115 in renewed membership; and
- The Senior Management Service Class⁹ has 7,876 members, plus 143 in renewed membership.¹⁰

Each class is funded separately based upon the costs attributable to the members of that class.

Members of the FRS have two primary plan options available for participation:

- The defined contribution plan, also known as the Investment Plan; and
- The defined benefit plan, also known as the Pension Plan.

Investment Plan

In 2000, the Legislature created the Public Employee Optional Retirement Program (investment plan), a defined contribution plan offered to eligible employees as an alternative to the FRS Pension Plan.

Benefits under the investment plan accrue in individual member accounts funded by both employee and employer contributions and earnings. Benefits are provided through employee-directed investments offered by approved investment providers.

A member vests immediately in all employee contributions paid to the investment plan.¹¹ With respect to the employer contributions, a member vests after completing one work year of

³ Florida Retirement System Comprehensive Annual Financial Report Fiscal Year Ended June 30, 2016, at 120.

⁴ *Id.*, at 154.

⁵ The Regular Class is for all members who are not assigned to another class. Section 121.021(12), F.S.

⁶ The Special Risk Class is for members employed as law enforcement officers, firefighters, correctional officers, probation officers, paramedics and emergency technicians, among others. Section 121.0515, F.S.

⁷ The Special Risk Administrative Support Class is for a special risk member who moved or was reassigned to a nonspecial risk law enforcement, firefighting, correctional, or emergency medical care administrative support position with the same agency, or who is subsequently employed in such a position under the Florida Retirement System. Section 121.0515(8), F.S.

⁸ The Elected Officers' Class is for elected state and county officers, and for those elected municipal or special district officers whose governing body has chosen Elected Officers' Class participation for its elected officers. Section 121.052, F.S.

⁹ The Senior Management Service Class is for members who fill senior management level positions assigned by law to the Senior Management Service Class or authorized by law as eligible for Senior Management Service designation. Section 121.055, F.S.

¹⁰ All figures from Florida Retirement System Comprehensive Annual Financial Report Fiscal Year Ended June 30, 2016, at 123.

¹¹ Section 121.4501(6)(a), F.S.

employment with an FRS employer.¹² Vested benefits are payable upon termination or death as a lump-sum distribution, direct rollover distribution, or periodic distribution.¹³ The investment plan also provides disability coverage for both in-line-of-duty and regular disability retirement benefits.¹⁴ An FRS member who qualifies for disability while enrolled in the investment plan must apply for benefits as if the employee were a member of the pension plan. If approved for retirement disability benefits, the member is transferred to the pension plan.¹⁵

The State Board of Administration (SBA) is primarily responsible for administering the investment plan.¹⁶ The SBA is comprised of the Governor as chair, the Chief Financial Officer, and the Attorney General.¹⁷

Pension Plan

The pension plan is administered by the secretary of the Department of Management Services through the Division of Retirement.¹⁸ Investment management is handled by the State Board of Administration.

Any member initially enrolled in the pension plan before July 1, 2011, vests in the pension plan after completing six years of service with an FRS employer.¹⁹ For members enrolled on or after July 1, 2011, the member vests in the pension plan after eight years of creditable service.²⁰ Benefits payable under the pension plan are calculated based on the member's years of creditable service multiplied by the service accrual rate multiplied by the member's average final compensation.²¹ For most members of the pension plan, normal retirement (when first eligible for unreduced benefits) occurs at the earliest attainment of 30 years of service or age 62.²² For public safety employees in the Special Risk and Special Risk Administrative Support Classes, normal retirement is the earliest of 25 years of service or age 55.²³ Members initially enrolled in the pension plan on or after July 1, 2011, have longer service requirements. For members initially enrolled after that date, the member must complete 33 years of service or attain age 65, and members in the Special Risk classes must complete 30 years of service or attain age 60.²⁴

¹² If a member terminates employment before vesting in the investment plan, the nonvested money is transferred from the member's account to the SBA for deposit and investment by the SBA in its suspense account for up to five years. If the member is not reemployed as an eligible employee within five years, then any nonvested accumulations transferred from a member's account to the SBA's suspense account are forfeited. Section 121.4501(6)(b)-(d), F.S.

¹³ Section 121.591, F.S.

¹⁴ See s. 121.4501(16), F.S.

¹⁵ Pension plan disability retirement benefits, which apply for investment plan members who qualify for disability, compensate an in-line-of-duty disabled member up to 65 percent of the average monthly compensation as of the disability retirement date for special risk class members. Other members may receive up to 42 percent of the member's average monthly compensation for disability retirement benefits. If the disability occurs other than in the line of duty, the monthly benefit may not be less than 25 percent of the average monthly compensation as of the disability retirement date. Section 121.091(4)(f), F.S.

¹⁶ Section 121.4501(8), F.S.

¹⁷ FLA CONST. art. IV, s. 4.

¹⁸ Section 121.025, F.S.

¹⁹ Section 121.021(45)(a), F.S.

²⁰ Section 121.021(45)(b), F.S.

²¹ Section 121.091, F.S.

²² Section 121.021(29)(a)1., F.S.

²³ Section 121.021(29)(b)1., F.S.

²⁴ Sections 121.021(29)(a)2. and (b)2., F.S.

Optional Retirement Programs

Eligible employees may choose to participate in one of three retirement programs instead of participating in the FRS:

- Members of the Senior Management Service Class may elect to enroll in the Senior Management Service Optional Annuity Program;²⁵
- Members in specified positions in the State University System may elect to enroll in the State University System Optional Retirement Program;²⁶ and
- Members in specified positions at a Florida College institution may elect to enroll in the State Community College System Optional Retirement Program.²⁷

Contribution Rates

FRS employers are responsible for contributing a specified percentage of the member's monthly compensation to the Division of Retirement to be distributed into the FRS Contributions Clearing Trust Fund. The employer contribution rate is a blended contribution rate set by statute, which is the same percentage regardless of whether the member participates in the pension plan or the investment plan.²⁸ The rate is determined annually based on an actuarial study by the Department of Management Services that calculates the necessary level of funding to support all of the benefit obligations under both FRS retirement plans.

In the annual actuarial valuation of the Florida Retirement System based on July 1, 2016, plan assets and liabilities, Milliman, Inc., the state actuary, determined the following key data relating to the FRS pension plan.²⁹

	Valuation Results (in \$ billions)			
	July 1, 2013	July 1, 2014	July 1, 2015	July 1, 2016
Actuarial Liability	\$153.3	\$160.1	\$165.5	\$170.4
Actuarial Value of Assets	\$131.7	\$138.6	\$143.2	\$145.5
Unfunded Actuarial Liability	\$ 21.6	\$21.5	\$22.3	\$24.9
Funded Percentage (Actuarial Value of Assets/Actuarial Liability)	85.9%	86.6%	86.5%	85.4%

²⁵ The Senior Management Service Optional Annuity Program (SMSOAP) was established in 1986 for members of the Senior Management Service Class. Employees in eligible positions may irrevocably elect to participate in the SMSOAP rather than the FRS. Section 121.055(6), F.S.

²⁶ Eligible participants of the State University System Optional Retirement Program (SUSORP) are automatically enrolled in the SUSORP. However, the member must execute a contract with a SUSORP provider within the first 90 days of employment or the employee will default into the pension plan. If the employee decides to remain in the SUSORP, the decision is irrevocable and the member must remain in the SUSORP as long as the member remains in a SUSORP-eligible position. Section 121.35, F.S.

²⁷ If the member is eligible for participation in a State Community College System Optional Retirement Program, the member must elect to participate in the program within 90 days of employment. Unlike the other optional programs, an employee who elects to participate in this optional retirement program has one opportunity to transfer to the FRS. Section 1012.875, F.S.

²⁸ Section 121.70(1), F.S.

²⁹ Florida Retirement System Comprehensive Annual Financial Report Fiscal Year Ended June 30, 2016, at 101.

The state actuary determines a rate associated with the normal cost of the pension plan (funding the prospective benefits) and a rate necessary to amortize the unfunded actuarial liabilities (UAL) over a thirty year period. The following are the current employer contribution rates³⁰ for each class and the blended rates recommended by the state actuary beginning in July 2017:³¹

Membership Class	Current Rates Effective July 1, 2016		Recommended Rates to be effective July 1, 2017	
	Normal Cost	UAL Rate	Normal Cost	UAL Rate
Regular Class	2.97%	2.83%	2.89%	3.30%
Special Risk Class	11.80%	9.05%	11.81%	9.57%
Special Risk Administrative Support Class	3.87%	22.47%	3.81%	29.08%
Elected Officer's Class	6.63%	33.75%	6.41%	42.69%
• Legislators, Governor, Lt. Governor, Cabinet Officers, State Attorneys, Public Defenders				
• Justices and Judges	11.68%	23.30%	11.66%	26.25%
• County Officers	8.55%	32.20%	8.48%	35.24%
Senior Management Service Class	4.38%	15.67%	4.28%	16.70%
Deferred Retirement Option Program	4.23%	7.10%	4.17%	7.43%

For all membership classes, except the DROP and certain members with renewed membership, employees contribute three percent of their compensation towards retirement.³²

After employer and employee contributions are placed into the FRS Contributions Clearing Trust Fund, the allocations under the investment plan are transferred to third-party administrators to be placed in the employee's individual investment accounts, whereas contributions under the pension plan are transferred into the FRS Trust Fund.³³

III. Effect of Proposed Changes:

The bill modifies the employer-paid contributions for FRS retirement benefits.

Section 1 amends s. 121.71, F.S., to set the employer-paid contributions to the Florida Retirement System Trust Fund for each membership class of the FRS.

Section 2 provides findings that the bill fulfills an important state interest.

³⁰ Section 121.71(4) and (5), F.S.

³¹ Letter to Ms. Elizabeth Stevens, *Re: Blended Proposed Statutory Rates for the 2017-2018 Plan Year Reflecting a Uniform UAL Rate for All Membership Classes and DROP*, dated December 2, 2016 (on file with the Senate Committee on Governmental Accountability and Oversight).

³² Section 121.71(3), F.S.

³³ See ss. 121.4503 and 121.72(1), F.S.

The bill provides an effective date of July 1, 2017.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Article VII, s. 18(a) of the Florida Constitution provides that: “No county or municipality shall be bound by any general law requiring such county or municipality to spend funds...unless the legislature has determined that such law fulfills an important state interest and unless: ...the expenditure is required to comply with a law that applies to all persons similarly situated...”

This bill includes legislative findings that the bill fulfills important state interests, and the bill applies to all persons similarly situated (those employers participating in the Florida Retirement System), including state agencies, school boards, community colleges, counties, and municipalities.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

Florida Retirement System

The aggregate employer contributions anticipated to be paid into the Florida Retirement System Trust Fund in Fiscal Year 2017-2018 will increase by approximately \$149.5 million when compared to the employer contributions paid in Fiscal Year 2016-2017. The impacts by employer group for Fiscal Year 2017-2018 are noted below.

Employer Group	Additional Contributions
State Agencies	\$25.2 m
Universities	\$18.3 m
Colleges	\$4.9 m
School Boards	\$54.1 m
Counties	\$39.3 m
Other	\$7.7 m
Total	\$149.5 m

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 121.71 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By the Committee on Governmental Oversight and Accountability

585-02137-17

20177022__

A bill to be entitled

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

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

Section 1. Subsections (4) and (5) of section 121.71, Florida Statutes, are amended to read:

121.71 Uniform rates; process; calculations; levy.—

(4) Required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System for both retirement plans are as follows:

	Percentage of Gross Compensation, Effective July 1, <u>2017</u> ~~2016~~
Membership Class	
Regular Class	<u>2.89%</u> ~~2.97%~~
Special Risk Class	<u>11.81%</u> ~~11.80%~~

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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20177022__

Special Risk

Administrative

Support Class 3.81% ~~3.87%~~

Elected Officers' Class—

Legislators, Governor,

Lt. Governor,

Cabinet Officers,

State Attorneys,

Public Defenders 6.41% ~~6.63%~~

Elected Officers' Class—

Justices, Judges 11.66% ~~11.68%~~

Elected Officers' Class—

County Elected Officers 8.48% ~~8.55%~~

Senior Management Class 4.28% ~~4.38%~~

DROP 4.17% ~~4.23%~~

(5)

In order to address unfunded actuarial liabilities of the system, the required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System for both retirement plans are as follows:

Membership Class	Percentage of

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20177022__

Gross
Compensation,
Effective
July 1, 2017 ~~2016~~

Regular Class	<u>3.30%</u> ~~2.83%~~
Special Risk Class	<u>9.57%</u> ~~9.05%~~
Special Risk Administrative Support Class	<u>29.08%</u> ~~22.47%~~
Elected Officers' Class— Legislators, Governor, Lt. Governor, Cabinet Officers, State Attorneys, Public Defenders	<u>42.69%</u> ~~33.75%~~
Elected Officers' Class— Justices, Judges	<u>26.25%</u> ~~23.30%~~
Elected Officers' Class— County Elected Officers	<u>35.24%</u> ~~32.20%~~
Senior Management Service	<u>16.70%</u> ~~15.67%~~

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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20177022__

Class

DROP 7.43% ~~7.10%~~

Section 2. The Legislature finds that a proper and legitimate state interest is served when employees, officers, and retirees of the state and its political subdivisions, and the dependents, survivors, and beneficiaries of such employees, officers, and retirees, are extended the basic protections afforded by governmental retirement systems. These persons must be provided benefits that are fair and adequate and that are managed, administered, and funded in an actuarially sound manner, as required by s. 14, Article X of the State Constitution and part VII of chapter 112, Florida Statutes. Therefore, the Legislature determines and declares that this act fulfills an important state interest.

Section 3. This act shall take effect July 1, 2017.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By The Professional Staff of the Committee on Appropriations

BILL: SB 2506

INTRODUCER: Committee on Appropriations

SUBJECT: Clerks of the Court

DATE: April 6, 2017

REVISED: _____

ANALYST

Harkness

STAFF DIRECTOR

Hansen

REFERENCE

ACTION

AP Submitted as Comm. Bill/Fav

I. Summary:

SB 2506 redirects revenue from certain fines, filing fees, and penalties from the General Revenue Fund to the clerks of the court to address their revenue shortfalls. The bill also modifies the duties of the Florida Clerks of the Court Operations Corporation with respect to the budget process, removes the Legislative Budget Commission's limitation to consider only Article V revenue projections when approving clerk budgets, and clarifies the use of Public Records Modernization Trust Fund revenues. SPB 2506 also codifies current implementing bill language allowing the clerks to receive reimbursement for juror costs.

The Revenue Estimating Impact Conference estimates that this bill will have a \$24.9 million negative fiscal impact to the General Revenue Fund in Fiscal Year 2017-2018 and thereafter.

The bill takes effect upon becoming law.

II. Present Situation:

Article V of the State Constitution establishes the judicial branch of state government, including the trial and appellate courts. The Florida Constitution describes the responsibilities and functions of officials involved in the courts system, including judges, state attorneys, public defenders, and the clerks of the court.

In 1998, voters approved a revision to Article V, referenced as Revision 7, which allocated more state court costs to the state. Subsequent to that revision, Article V, section 14 of the Florida Constitution specifies the state and county responsibilities for funding the state courts system by providing that the Supreme Court and the District Courts of Appeal must be fully funded by the state, and the trial courts (the circuit and county courts) are jointly funded by the state and counties. Article V, section 14(b) provides that:

All funding for the offices of the clerks of the circuit and county courts performing court-related functions, except as otherwise provided . . . shall

be provided by adequate and appropriate filing fees for judicial proceedings and service charges and costs for performing court-related functions as required by general law. Selected salaries, costs, and expenses of the state courts system may be funded from appropriate filing fees for judicial proceedings and service charges and costs for performing court-related functions, as provided by general law.

Pursuant to authority granted in Article V, section 14(b) of the Florida Constitution, the list of court-related functions clerks may perform is limited to those functions expressly authorized by statute or court rule and must include the following:

- Case maintenance;
- Records management;
- Court preparation and attendance;
- Processing the assignment, reopening, and reassignment of cases;
- Processing of appeals;
- Collection and distribution of fines, fees, service charges, and court costs;
- Processing of bond forfeiture payments;
- Payment of jurors and witnesses;
- Payment of expenses for meals or lodging provided to jurors;
- Data collection and reporting;
- Processing of jurors;
- Determinations of indigent status; and
- Reasonable administrative support costs to enable the clerk of the court to carry out these court-related functions.¹

Post-Article V Revisions: 2004-2008

Revision 7 required the 67 clerks of court to fund their offices using revenues derived from service charges, court costs, filing fees and fines assessed in civil and criminal proceedings. Clerks collected these revenues and deposited them into their local fine and forfeiture funds.² The clerks retained necessary revenues to fund their operations while other portions were distributed from the fine and forfeiture fund to the state General Revenue Fund and other state trust funds. For example, the clerks were required to remit one-third of all fines, fees, service charges, and costs collected for court-related functions to the Department of Revenue for deposit into the Clerk of the Court Trust Fund.³

Clerks had discretion to set their individual budgets based on anticipated revenues and expenditures; however, the legislature created the Florida Clerks of Court Corporation (corporation) to review and certify budgets to ensure completeness and compliance with budget procedures.⁴ The clerks' proposed budgets were required to be balanced, with estimated revenues equaling or exceeding anticipated expenditures. Upon review and certification of the individual

¹ Section 28.35(3)(a), F.S.

² Section 142.01, F.S.

³ Section 28.37(2), F.S. (2008).

⁴ Chapter 2003-402, L.O.F. created the corporation to provide accountability for the revenues collected by the clerks. All clerks of the court are members of the corporation and hold their position and authority in an ex officio capacity.

clerk of court budgets by the corporation, revenue in excess of the amount needed to fund each approved clerk of court budget was deposited in the General Revenue Fund. If a clerk estimated that available funds plus projected revenues were insufficient to meet anticipated expenditures for court-related functions, statutory budget procedures allowed clerks to access revenues from the Clerks of the Court Trust Fund to address their deficits.⁵

The legislature's involvement in the clerks' budgets was limited prior to 2009. The Legislative Budget Commission (LBC) had authority to approve increases to the maximum annual budgets approved for individual clerks if the additional funding was necessary to pay the cost of performing new or additional functions required by changes in law or court rule or additional funding was necessary to pay the cost of supporting increases in the number of judges or magistrates authorized by the legislature.⁶

Clerks in the General Appropriations Act: 2009-2012

In an effort to gain greater oversight and accountability for the operations and funding of the clerks, the legislature passed chapter 2009-204, L.O.F., during the 2009 Legislative Session. This bill substantially amended the clerks' statutory budget process and procedures, most noticeably by bringing the clerks into the state budget and appropriating their funding in the annual General Appropriations Act. The law provided that all revenues received by the clerks from court-related fees, fines, costs and service charges were considered state funds and were remitted to the Department of Revenue for deposit into the Clerks of Court Trust Fund within the Justice Administrative Commission (JAC).⁷ The law permitted the clerks, however, to deposit ten percent of all court-related fines in the Public Records Modernization Trust Fund to be used in addition to state appropriations for operational needs.⁸

In 2009, revenues accruing to the Clerks of Court Trust Fund began to decline due to the downturn in the economy and the reduction in foreclosure filings. As a result, the legislature reinforced the clerks' budgets with additional moneys from the General Revenue Fund. The 2011 Legislature appropriated \$44.2 million from the General Revenue Fund to address FY 2010-2011 revenue deficits and the 2012 Legislature appropriated \$57.6 million to address FY 2011-2012 deficits.

Return to Pre-2009 Funding Model: 2013-Present

In 2013, the legislature reversed many of the funding model changes made in chapter 2009-204, L.O.F., related to the clerks' budgets but expanded the oversight and accountability in the clerks' budget process. Chapter 2013-44, L.O.F., required clerks to submit monthly all revenues collected in the prior month that were in excess of one-twelfth of the clerk's total budget to Department of Revenue for deposit into the department's Clerks of the Court Trust Fund. The

⁵ Section 28.36(4), F.S. (2008).

⁶ Section 28.36(6), F.S. (2008).

⁷ Section 43.16, F.S., authorizes the Justice Administrative Commission, which administratively serves 49 judicial-related entities, as well as provides compliance and financial review of billings for services provided by private court-appointed attorneys representing indigent citizens and associated due process vendors. The clerks' budgets were appropriated within the JAC budget from 2009-2012.

⁸ Section 28.37(5), F.S.

law required that revenue in excess of that needed to fund the authorized budgets for the clerks had to be transferred from the Clerks of Court Trust Fund to the General Revenue Fund each January, unless the Revenue Estimating Conference's official estimate of the funds accruing to the trust fund prepared for the current fiscal year or the next fiscal year was less than the total budgeted amount from the trust fund for the current fiscal year.

The law also enhanced the responsibilities of, and oversight by, the corporation. The law directed the corporation to conduct annual base budget reviews, conduct cost-comparisons of similarly situated clerks, report pay and benefit issues, and provide explanation of any clerk expenditure increases over 3 percent.⁹ The law also required the corporation to use the official Article V Revenue Estimating Conference revenue estimates for the clerks' budget process.¹⁰

Chapter 2013-44, L.O.F., also enhanced the role and responsibilities of the Legislative Budget Commission. The law directed the LBC to consider the budgets of the clerks and to approve, disapprove, or amend and approve the budgets by October 1 of each year.¹¹

Current budget process

In June of each year, each individual clerk must prepare, summarize and submit to the corporation his/her proposed budgets. The corporation undertakes an extensive review of the clerks' budgets using financial and performance information, such as cost comparisons with similarly situated clerks, a base budget review, and estimates of available revenues. These budgets must be balanced in such a way that aggregate estimated revenues equals or exceeds the total anticipated expenditures.¹² The official revenue estimate is determined by the Article V Revenue Estimating Conference projection of clerk revenues.¹³ Clerks who estimate that projected revenues will be insufficient to meet the anticipated expenditures must report the revenue deficit to the corporation. The corporation verifies the deficit and notifies the Department of Revenue that the specific clerk is authorized to draw down revenues from the Clerk of the Court Trust Fund to cover the deficit. For County Fiscal Year 2016-17, 47 of the 67 clerks are "funded" clerks, meaning that they generate less revenue than they need to cover expenditures and must draw down excess funds deposited into the Clerk of the Court Trust Fund from the remaining clerks.

By August 1 of each year, the corporation must submit to the Legislative Budget Commission the proposed budgets of the clerks. While individual clerk budgets may have revenue deficits, the clerks' combined budgets must be balanced and may not exceed the Article V Revenue Estimating Conference projection of clerk revenues. The commission shall approve, disapprove, or amend and approve the total of the clerks' combined budgets or any individual clerk's budget. The budget procedures do not permit the commission to approve a budget in which the aggregate

⁹ Section 28.35(2)(f), F.S.

¹⁰ Section 28.35(2)(f)6., F.S.

¹¹ Section 11.90(6)(d), F.S.

¹² Section 28.36(2)(b), F.S.

¹³ Section 216.136(3), F.S. authorizes Revenue Estimating Conferences (REC) to develop official information on anticipated state and local government revenues for state budgeting purposes. The Article V Fees and Transfers REC is one of at least 17 RECs and generally meets three times a year to estimate revenues from court fines, fees, penalties, and service charges. The results of the July Article V REC are used to set the budget for the clerks.

expenditures exceed the Article V Revenue Estimating Conference revenue projection nor may the commission approve additional resources to address clerk deficits. The commission may only approve increases to budgets to pay the cost of new or additional functions required by law or court rule or to support increases in the number of judges or magistrates authorized by the legislature.

Current budget problems

Since the passage of Chapter 2013-44, L.O.F., revenues to support the budgets of the clerks have not materialized as projected. As the housing market has improved, fewer foreclosure filings have resulted in reduced filing fee revenues accruing to the clerks. In addition, law enforcement officers have been issuing fewer traffic tickets resulting in declines in civil traffic revenues. The clerks reported 2,927,266 civil traffic cases in County Fiscal Year (CFY) 2015-16, which represents a 24 percent decline since CFY 2011-12. The clerks rely heavily on civil traffic revenues to sustain their budgets; these cases represented 27 percent of total clerk revenues in CFY 2015-16 but only represented a fraction of total workload. Revenues from civil traffic cases support other case types, like circuit criminal cases, that require more workload to complete than their revenues generate.

In September 2015, the commission approved a CFY 2015-16 clerk budget of \$447.9 million based on the July 2015 projected Article V revenues combined with the “ten percent” funds accruing to the Public Records Modernization Trust Fund.¹⁴ However, for all of CFY 2015-16, the clerks reported the actual Article V revenues and all “ten percent” funds totaled \$419.3 million, a shortfall of \$28.6 million. The 2016 Legislature made a supplemental appropriation of \$12.9 million to help address the deficit, but the clerks were obligated to reduce their expenditures to address the remaining shortfall.¹⁵

The clerks’ revenue picture for CFY 2016-17 does not show signs of improvement. In September 2016, the commission approved a budget of \$422.1 million for the clerks, a \$27.8 million reduction from the prior year’s approved budget, which was based on the July 2016 Article V Revenue Estimating Conference showing continued declines in clerk revenues over the forecasted period. In February 2017, the Article V Revenue Estimating Conference revised downward its CFY 2016-17 estimate of projected revenues for the clerks by another \$10 million, observing continued weakness in traffic and foreclosure revenues.

Juror Cost Reimbursement

Under Revision 7, juror compensation and related expenses were initially a state court system responsibility and paid for with state revenues appropriated by general law.¹⁶ The 2004 Legislature amended s. 28.35, F.S., to require the clerks to pay the payment of jurors and witnesses as well as juror meals and lodging.¹⁷ Each clerk prepared quarterly estimates of

¹⁴ Section 28.37(5) permits the clerk to deposit ten percent of all court-related fines, with two exceptions, into the Public Records Modernization Trust Fund for court-related operational needs and program enhancements. The commission counts these funds as clerk revenue when approving the clerks’ budgets.

¹⁵ Ch. 2016-66, s. 62, Laws of Fla.

¹⁶ Ch. 2003-402, s. 40, Laws of Fla.

¹⁷ Ch. 2004-265, Laws of Fla.

needed funds for the Office of State Court Administrator (OSCA). Based on these estimates, OSCA endorsed the payment and approved funds for each clerk. In 2008, the legislature amended the law to clarify that the clerks were financially responsible for paying juror meals and lodging as well as juror and witness payments.¹⁸ Section 28.35, F.S., currently authorizes the clerks to pay for juror meals and lodging as well as juror and witness payments from filing fees, service charges, costs, and fines.

In recognition of ongoing clerk revenue deficits, the 2016 Legislature passed a provision to reimburse the clerks for juror expenses and jury-related personnel costs during the 2016-2017 fiscal year.¹⁹ The legislature also appropriated \$11.7 million in recurring general revenue in the General Appropriations Act to fund these expenses.

III. Effect of Proposed Changes:

Fee Adjustments to Generate Additional Clerk Revenue (Sections 1, 6, 7, and 8)

Four sections of the bill redirect revenue from certain fines, filing fees, and penalties from the General Revenue Fund to the clerks of court to address revenue deficits.

- **Section 1** amends s. 28.241, F.S., to redirect the \$295 fee paid by a party who files a pleading for affirmative relief by cross-claim, counterclaim, counterpetition, or third-party complaint from the General Revenue Fund to the clerk's fine and forfeiture fund.
- **Section 6** amends s. 318.18, F.S., to redirect to the clerks' funds collected for certain civil violations. Persons who fail to pay required penalties pursuant to ss. 318.14 and s. 318.17, F.S., must pay an additional \$16 civil penalty specified in s. 318.18 (8)(a), F.S. The bill redirects \$6.50 of this \$16 penalty from the General Revenue Fund to the clerks' fine and forfeiture fund. In addition, drivers who commit civil traffic violations specified in s. 316.074(1), F.S., or s. 316.075(1)(c)1., F.S., must pay a \$60 fine, of which \$30 currently goes to the General Revenue Fund. This section redirects the \$30 to the clerks' fine and forfeiture fund.
- **Section 7** amends s. 318.21(2)(a) and (f), F.S., which distributes civil penalties for traffic infractions committed under chapter 318, F.S. Currently, 20.6 percent of the funds from the penalties goes to the General Revenue Fund and five-tenths percent (0.5%) goes to the clerk for administrative costs. The section redirects 10 percent of the funds from the General Revenue Fund to the clerks for deposit into the fine and forfeiture fund.
- **Section 8** amends s. 775.083(1), F.S., which sets fine limitations for certain designated crimes and for noncriminal violations. The revenues from fines imposed by this subsection currently are available to the clerks, except for fines imposed when adjudication is withheld, in which case the funds are deposited into the General Revenue Fund. The bill removes the exception for adjudication withheld thereby directing all revenue from the fines in this subsection to the clerks.

¹⁸ Ch. 2008-111, Laws of Fla.

¹⁹ Ch. 2016-62, s. 66, Laws of Fla.

Modification of Clerk Duties and Budget Procedures (Sections 2, 3 and 4)

Collectively, these three sections of the bill modify the duties of the Florida Clerks of the Court Operations Corporation with respect to the budget process, remove the Legislative Budget Commission's limitation to consider only Article V revenue projections in approving clerk budgets, and clarifies the use of the Public Records Modernization Trust Fund revenues. These changes are intended to give the corporation and commission more budgetary flexibility within the existing clerk budget procedures.

Section 2 amends s. 28.35, F.S., to add to the duties of the corporation. This section permits the corporation to recommend a budget in excess of the Article V Revenue Estimating Conference revenue estimate, with the caveat that the budget funds only its required court-related functions. Currently, the revenue in the proposed budget is limited to the Article V Revenue Estimating Conference estimate, typically established in July each year. In addition, this section directs the corporation to certify the amounts of additional revenues necessary to fund the clerks' budgets.

This section also moves paragraph (h) of s. 28.35, F.S., which describes the budget process, to s. 28.36, F.S., which relates directly to the clerks' budget procedures. The changes to this language are discussed below in Section 3 of the analysis.

Section 3 amends s. 28.36, F.S., relating to the clerks' budget procedures. First, this section allows the corporation to certify the amount necessary to fund the clerks' expenditures if the corporation determines that total anticipated expenditures will exceed the Article V REC projection. This language mirrors language added in the section 2 of the bill.

Second, this section of the bill includes current provisions moved from s. 28.35(h), F.S., which directs the corporation to submit its budget and the clerks' budgets to the Legislative Budget Commission by August 1 of each year. Before October 1 each year, the commission shall approve, disapprove, or amend and approve the corporation's budget and the combined clerks' budgets or the budget of any individual clerk. If the commission fails to approve or amend and approve the budgets by October 1, the clerks continue to perform their court-related functions based on the budget from the previous county fiscal year.

Third, this section permits the commission to approve a budget that includes a deficit, meaning a budget in which the clerks' anticipated expenditures exceed the official Article V Revenue Estimating Conference revenue estimates and the corporation certifies that additional revenues are needed to perform court-related functions. The commission may approve a deficit budget if it determines that the budget is justified based on the budget information collected by the corporation under s. 28.35(2)(f), F.S. This includes information such as cost comparisons of similarly-situated counties, workload measure data, annual base budget information, and detailed explanations of expenditure increases that exceed 3% compared to the prior fiscal year.

Fourth, the section permits the corporation to request funds to address deficits. The corporation may request that the legislature approve an appropriation to the Clerks of the Court Trust Fund equal to the difference between the total clerk anticipated expenditures and total estimated revenues, not to exceed the budget approved by the commission. For example, at the time the clerks submit their budgets, the corporation certifies that the clerks' total expenditures are \$400

million and the Article V REC estimated revenues are \$380 million. The corporation may then certify that \$20 million in additional revenues are needed to fund the clerks' expenditures. If the commission agrees and approves a \$400 million budget, the corporation may request, during the next legislative session, an appropriation of \$20 million to address the deficit.

In addition, if the official revenue estimate is reduced from the estimate available when the commission approved the budget, the clerks may request that, during the next legislative session, the legislature approve general revenue to address the difference between the two revenue projections. For example, the official Article V REC estimate in July used to set the clerks' budget is \$400 million. A later Article V REC projection reduces that estimate to \$385 million. The bill language allows the corporation to submit a budget request, during the next session, for the \$15 million difference between the two estimates.

Section 4 amends s. 28.37, F.S., to direct court-related fines collected in this section to the clerks' fine and forfeiture fund in a similar manner to other remittances of fines, fees, and service charges in statutes. Currently, these revenues are deposited in the Public Records Modernization Trust Fund. The language also clarifies that these revenues are to be used for court-related functions like the clerks' other fines, fees, and service charges.

Codification of Juror Cost Reimbursement Language (Section 5)

Section 5 creates s. 40.29(5), F.S., to allow the clerk to receive reimbursement for juror costs. The 2016 Legislature appropriated \$11.7 million in recurring general revenue funds in the General Appropriations Act reimbursing the clerks for juror costs and jury-related personnel costs. The 2016 Legislature also passed an implementing bill provision that set forth the process for clerk reimbursement of juror costs, which only lasts for one fiscal year.²⁰ The language requires the clerks to send a quarterly estimate of juror costs to the Justice Administrative Commission. The Justice Administrative Commission determines the amount deemed necessary for payment to the clerks during the upcoming quarter and submits a request for payment to the Chief Financial Officer.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

²⁰ Ch. 2016-62, s. 66, Laws of Fla.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

As determined by the Article V Revenue Impact Conference, SB 2506 will reduce revenues deposited into the General Revenue Fund by \$24.9 million beginning in Fiscal Year 2017-18. Revenues deposited into the clerks fine and forfeiture funds will increase by a like amount.

The following chart summarizes the impact of the bill on the General Revenue Fund, by bill section:

Section 1 - Redirects the \$295 fee for cross-claim, counterclaim, counterpetition, or third-party complaint (s. 28.241, F.S.).	\$6.1 million
Section 6 – Redirects funds collected for certain civil violations (s. 318.18 (8)(a), F.S.).	\$6.8 million
Section 6 – Redirects fees paid for civil traffic violations specified in s. 316.074(1) or s. 316.075(1)(c)1. (s. 318.18 (15)(a)1., F.S.).	\$2.2 million
Section 7 – Redistributes civil penalties for traffic infractions committed under chapter 318, F.S. (s.318.21, F.S.)	\$5.6 million
Section 8 – Redirects fines imposed when adjudication is withheld (s. 775.083, F.S.).	\$4.3 million
Total negative fiscal impact of the bill on the General Revenue Fund	\$24.9 million

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 28.214, 28.35, 28.36, 28.37, 40.29, 318.18, and 775.083.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

FOR CONSIDERATION By the Committee on Appropriations

576-02252B-17

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1 A bill to be entitled
 2 An act relating to clerks of the court; amending s.
 3 28.241, F.S.; requiring that certain filing fees for
 4 trial and appellate proceedings be deposited into
 5 clerks of the circuit court fine and forfeiture funds,
 6 rather than into the General Revenue Fund; amending s.
 7 28.35, F.S.; authorizing the Florida Clerks of the
 8 Court Operations Corporation to recommend budgets that
 9 are in excess of the official estimate under certain
 10 circumstances; requiring the corporation to certify
 11 the amounts of additional revenues necessary to fund
 12 certain budgets; conforming provisions to changes made
 13 by the act; amending s. 28.36, F.S.; requiring the
 14 corporation to certify the revenue deficit and report
 15 the amount necessary to fund anticipated expenditures
 16 to the commission; conforming provisions to changes
 17 made by the act; authorizing the Legislative Budget
 18 Commission to approve a budget that includes an
 19 anticipated deficit under certain circumstances;
 20 authorizing the corporation to request that the
 21 Legislature approve an appropriation of general
 22 revenue to the Clerks of the Court Trust Fund under
 23 certain circumstances; limiting the amount the
 24 corporation may request; amending s. 28.37, F.S.;
 25 revising the fund into which certain fines collected
 26 by the clerk are to be deposited; amending s. 40.29,
 27 F.S.; requiring the Justice Administrative Commission
 28 to provide funds to the clerks of court for certain
 29 jury-related costs; requiring the clerks of court and

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30 the corporation to submit quarterly estimates of
 31 certain expenses to the commission; providing the
 32 procedure for securing such funds and distributing
 33 them to the clerks; providing for the apportionment of
 34 costs if funds appropriated by the Legislature are
 35 estimated to be insufficient to pay all amounts
 36 requested; requiring the clerks of court to pay
 37 amounts in excess of appropriated amounts; amending s.
 38 318.18, F.S.; redirecting a portion of the revenue
 39 derived from the civil penalty for certain traffic
 40 infractions from the General Revenue Fund to the fine
 41 and forfeiture fund; removing obsolete provisions;
 42 amending s. 318.21, F.S.; revising the distribution
 43 and payment of civil penalties received by a county
 44 court pursuant to ch. 318, F.S.; amending s. 775.083,
 45 F.S.; deleting a provision requiring a clerk to remit
 46 certain fines under a specified circumstance to the
 47 Department of Revenue; providing an effective date.
 48
 49 Be It Enacted by the Legislature of the State of Florida:
 50
 51 Section 1. Paragraph (c) of subsection (1) and subsection
 52 (2) of section 28.241, Florida Statutes, are amended to read:
 53 28.241 Filing fees for trial and appellate proceedings.—
 54 (1) Filing fees are due at the time a party files a
 55 pleading to initiate a proceeding or files a pleading for
 56 relief. Reopen fees are due at the time a party files a pleading
 57 to reopen a proceeding if at least 90 days have elapsed since
 58 the filing of a final order or final judgment with the clerk. If

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a fee is not paid upon the filing of the pleading as required under this section, the clerk shall pursue collection of the fee pursuant to s. 28.246.

(c)1. A party in addition to a party described in sub-subparagraph (a)1.a. who files a pleading in an original civil action in circuit court for affirmative relief by cross-claim, counterclaim, counterpetition, or third-party complaint shall pay the clerk of court a fee of \$395. A party in addition to a party described in sub-subparagraph (a)1.b. who files a pleading in an original civil action in circuit court for affirmative relief by cross-claim, counterclaim, counterpetition, or third-party complaint shall pay the clerk of court a fee of \$295. The clerk shall deposit ~~remit~~ the fee ~~to the Department of Revenue for deposit~~ into the fine and forfeiture fund established pursuant to s. 142.01 General Revenue Fund.

2. A party in addition to a party described in subparagraph (a)2. who files a pleading in an original civil action in circuit court for affirmative relief by cross-claim, counterclaim, counterpetition, or third-party complaint shall pay the clerk of court a graduated fee of:

a. Three hundred and ninety-five dollars in all cases in which the value of the pleading is \$50,000 or less;

b. Nine hundred dollars in all cases in which the value of the pleading is more than \$50,000 but less than \$250,000; or

c. One thousand nine hundred dollars in all cases in which the value of the pleading is \$250,000 or more.

The clerk shall deposit ~~remit~~ the fees collected under this subparagraph ~~to the Department of Revenue for deposit~~ into the

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fine and forfeiture fund established pursuant to s. 142.01

~~General Revenue Fund.~~

(2) Upon the institution of any appellate proceeding from any lower court to the circuit court of any such county, including appeals filed by a county or municipality as provided in s. 34.041(5), or from the circuit court to an appellate court of the state, the clerk shall charge and collect from the party or parties instituting such appellate proceedings a filing fee not to exceed \$280 for filing a notice of appeal from the county court to the circuit court and, in addition to the filing fee required under s. 25.241 or s. 35.22, \$100 for filing a notice of appeal from the circuit court to the district court of appeal or to the Supreme Court. If the party is determined to be indigent, the clerk shall defer payment of the fee. ~~The clerk shall remit the first \$80 to the Department of Revenue for deposit into the General Revenue Fund.~~

Section 2. Paragraphs (f) and (h) of subsection (2) of section 28.35, Florida Statutes, are amended to read:

28.35 Florida Clerks of Court Operations Corporation.—

(2) The duties of the corporation shall include the following:

(f) Reviewing, certifying, and recommending proposed budgets submitted by clerks of the court pursuant to s. 28.36. As part of this process, the corporation shall:

1. Calculate the minimum amount of revenue necessary for each clerk of the court to efficiently perform the list of court-related functions specified in paragraph (3)(a). The corporation shall apply the workload measures appropriate for determining the individual level of review required to fund the

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117 clerk's budget.

118 2. Prepare a cost comparison of similarly situated clerks
119 of the court, based on county population and numbers of filings,
120 using the standard list of court-related functions specified in
121 paragraph (3) (a).

122 3. Conduct an annual base budget review and an annual
123 budget exercise examining the total budget of each clerk of the
124 court. The review shall examine revenues from all sources,
125 expenses of court-related functions, and expenses of noncourt-
126 related functions as necessary to determine that court-related
127 revenues are not being used for noncourt-related purposes. The
128 review and exercise shall identify potential targeted budget
129 reductions in the percentage amount provided in Schedule VIII-B
130 of the state's previous year's legislative budget instructions,
131 as referenced in s. 216.023(3), or an equivalent schedule or
132 instruction as may be adopted by the Legislature.

133 4. Identify those proposed budgets containing funding for
134 items not included on the standard list of court-related
135 functions specified in paragraph (3) (a).

136 5. Identify those clerks projected to have court-related
137 revenues insufficient to fund their anticipated court-related
138 expenditures.

139 6. Use revenue estimates based on the official estimate for
140 funds accruing to the clerks of the court made by the Revenue
141 Estimating Conference. However, the corporation may recommend
142 budgets that are in excess of the official estimate if such
143 budgets fund only those court-related functions specified in
144 paragraph (3) (a).

145 7. Identify and report pay and benefit increases in any

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146 proposed clerk budget, including, but not limited to, cost of
147 living increases, merit increases, and bonuses.

148 8. Provide detailed explanation for increases in
149 anticipated expenditures in any clerk budget that exceeds the
150 current year budget by more than 3 percent.

151 9. Identify and report the budget of any clerk which
152 exceeds the average budget of similarly situated clerks by more
153 than 10 percent.

154 10. Certify the amounts of additional revenues necessary to
155 fund the budgets recommended by the corporation and the combined
156 budgets submitted by the clerks.

157 ~~(h) Beginning August 1, 2014, and each August 1 thereafter,~~
158 ~~submitting to the Legislative Budget Commission, as provided in~~
159 ~~s. 11.90, its proposed budget and the information described in~~
160 ~~paragraph (f), as well as the proposed budgets for each clerk of~~
161 ~~the court. Before October 1 of each year beginning in 2014, the~~
162 ~~Legislative Budget Commission shall consider the submitted~~
163 ~~budgets and shall approve, disapprove, or amend and approve the~~
164 ~~corporation's budget and shall approve, disapprove, or amend and~~
165 ~~approve the total of the clerks' combined budgets or any~~
166 ~~individual clerk's budget. If the Legislative Budget Commission~~
167 ~~fails to approve or amend and approve the corporation's budget~~
168 ~~or the clerks' combined budgets before October 1, the clerk~~
169 ~~shall continue to perform the court-related functions based upon~~
170 ~~the clerk's budget for the previous county fiscal year.~~

171 Section 3. Paragraph (b) of subsection (2) of section
172 28.36, Florida Statutes, is amended, present subsection (4) of
173 that section is redesignated as subsection (5), and a new
174 subsection (4) is added to that section, to read:

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28.36 Budget procedure.—There is established a budget procedure for the court-related functions of the clerks of the court.

(2) Each proposed budget shall further conform to the following requirements:

(b) The proposed budget must be balanced such that the total of the estimated revenues available equals or exceeds the total of the anticipated expenditures. Such revenues include revenue projected to be received from fees, service charges, costs, and fines for court-related functions during the fiscal period covered by the budget. The anticipated expenditures must be itemized as required by the corporation. If the corporation determines that the clerks' total anticipated expenditures exceed the clerks' total estimated revenues as determined by the Revenue Estimating Conference, the corporation shall certify the amount necessary to fund anticipated expenditures to the Legislative Budget Commission as part of the budget process pursuant to subsection (4).

(4)(a) Annually, on or before August 1, the corporation shall submit to the Legislative Budget Commission, as provided in s. 11.90, its proposed budget and the information described in s. 28.35(2)(f), as well as the proposed budgets for each clerk of the court. Before October 1 of each year, the commission shall consider the submitted budgets and shall approve, disapprove, or amend and approve the corporation's budget and shall approve, disapprove, or amend and approve the total of the clerks' combined budgets or any individual clerk's budget. The commission may approve a budget that includes an anticipated deficit based on the official estimates of revenues

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projected pursuant to ss. 216.133-216.138 if it determines that the requested budget is justified based on data reported by the corporation pursuant to s. 28.35(2)(f). If the commission fails to approve or amend and approve the corporation's budget or the clerks' combined budgets before October 1, the clerk shall continue to perform the court-related functions based upon the clerk's budget for the previous county fiscal year.

(b) The corporation may request that, during the next legislative session, the Legislature approve an appropriation of general revenue funds to the Clerks of the Court Trust Fund within the Department of Revenue equal to the difference between the clerks' total estimated expenditures and the total estimated revenues, as provided in the proposed budgets. The total spending authority requested may not exceed that established pursuant to paragraph (a).

(c) If the official estimate of revenues accruing to the clerks' fine and forfeiture funds, established pursuant to s. 142.01, is reduced below the official estimate available to the commission at the time the corporation submitted proposed budgets pursuant to paragraph (a), the corporation may request that, during the next legislative session, the Legislature approve an appropriation of general revenue funds to the Clerks of the Court Trust Fund within the Department of Revenue equal to the difference between the most recent official estimate of revenues and the clerks' combined budgets. The total spending authority requested may not exceed that established pursuant to paragraph (a).

Section 4. Subsection (5) of section 28.37, Florida Statutes, is amended to read:

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233 28.37 Fines, fees, service charges, and costs remitted to
234 the state.—

235 (5) Ten percent of all court-related fines collected by the
236 clerk, except for penalties or fines distributed to counties or
237 municipalities under s. 316.0083(1)(b)3. or s. 318.18(15)(a),
238 shall be deposited into the fine and forfeiture clerk's Public
239 ~~Records Modernization Trust~~ fund to be used exclusively for
240 additional clerk court-related functions, as provided in s.
241 28.35(3)(a) operational needs and program enhancements.

242 Section 5. Subsection (5) is added to section 40.29,
243 Florida Statutes, to read:

244 40.29 Payment of due-process costs.—

245 (5) The Justice Administrative Commission shall provide
246 funds to the clerks of the court to compensate jurors, to pay
247 for meals or lodging provided to jurors, and to pay for jury-
248 related personnel costs as provided in this section. Each clerk
249 of the court shall forward to the Justice Administrative
250 Commission a quarterly estimate of funds necessary to compensate
251 jurors and pay for meals or lodging provided to jurors during
252 the upcoming quarter. The Florida Clerks of Court Operations
253 Corporation shall forward to the Justice Administrative
254 Commission a quarterly estimate of the amount necessary to
255 reimburse each clerk of the court for its personnel and other
256 costs related to jury management. Upon receipt of such
257 estimates, the Justice Administrative Commission shall determine
258 the amount deemed necessary for payment to the clerks of the
259 court during the upcoming quarter and submit a request for
260 payment to the Chief Financial Officer. If the Justice
261 Administrative Commission believes that the amount appropriated

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262 by the Legislature is insufficient to meet such costs during the
263 remaining part of the state fiscal year, the commission may
264 apportion the funds appropriated in the General Appropriations
265 Act for those purposes among the several counties, basing the
266 apportionment upon the amount expended for such purposes in each
267 county during the prior fiscal year, in which case, the Chief
268 Financial Officer shall issue the appropriate apportioned amount
269 by warrant to each county. The clerks of the court are
270 responsible for any compensation to jurors, for payments for
271 meals or lodging provided to jurors, and for jury-related
272 personnel costs that exceed the funding provided in the General
273 Appropriations Act for these purposes.

274 Section 6. Paragraph (a) of subsection (8) and paragraph
275 (a) of subsection (15) of section 318.18, Florida Statutes, are
276 amended to read:

277 318.18 Amount of penalties.—The penalties required for a
278 noncriminal disposition pursuant to s. 318.14 or a criminal
279 offense listed in s. 318.17 are as follows:

280 (8)(a) Any person who fails to comply with the court's
281 requirements or who fails to pay the civil penalties specified
282 in this section within the 30-day period provided for in s.
283 318.14 must pay an additional civil penalty of \$16, \$6.50 of
284 which must be deposited into the fine and forfeiture fund
285 established pursuant to s. 142.01 remitted to the Department of
286 Revenue for deposit in the General Revenue Fund, and \$9.50 of
287 which must be remitted to the Department of Revenue for deposit
288 in the Highway Safety Operating Trust Fund. ~~Of this additional~~
289 civil penalty of \$16, \$4 is not revenue for purposes of s. 28.36
290 and may not be used in establishing the budget of the clerk of

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291 ~~the court under that section or s. 28.35.~~ The department shall
 292 contract with the Florida Association of Court Clerks, Inc., to
 293 design, establish, operate, upgrade, and maintain an automated
 294 statewide Uniform Traffic Citation Accounting System to be
 295 operated by the clerks of the court which shall include, but not
 296 be limited to, the accounting for traffic infractions by type, a
 297 record of the disposition of the citations, and an accounting
 298 system for the fines assessed and the subsequent fine amounts
 299 paid to the clerks of the court. ~~On or before December 1, 2001,~~
 300 The clerks of the court shall ~~must~~ provide the information
 301 required by this chapter to be transmitted to the department by
 302 electronic transmission pursuant to the contract.

303 (15)(a)1. One hundred and fifty-eight dollars for a
 304 violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver
 305 has failed to stop at a traffic signal and when enforced by a
 306 law enforcement officer. Sixty dollars shall be distributed as
 307 provided in s. 318.21, \$30 shall be deposited into the fine and
 308 forfeiture fund established pursuant to s. 142.01 ~~distributed to~~
 309 ~~the General Revenue Fund~~, \$3 shall be remitted to the Department
 310 of Revenue for deposit into the Brain and Spinal Cord Injury
 311 Trust Fund, and the remaining \$65 shall be remitted to the
 312 Department of Revenue for deposit into the Emergency Medical
 313 Services Trust Fund of the Department of Health.

314 2. One hundred and fifty-eight dollars for a violation of
 315 s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
 316 stop at a traffic signal and when enforced by the department's
 317 traffic infraction enforcement officer. One hundred dollars
 318 shall be remitted to the Department of Revenue for deposit into
 319 the General Revenue Fund, \$45 shall be distributed to the county

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320 for any violations occurring in any unincorporated areas of the
 321 county or to the municipality for any violations occurring in
 322 the incorporated boundaries of the municipality in which the
 323 infraction occurred, \$10 shall be remitted to the Department of
 324 Revenue for deposit into the Department of Health Emergency
 325 Medical Services Trust Fund for distribution as provided in s.
 326 395.4036(1), and \$3 shall be remitted to the Department of
 327 Revenue for deposit into the Brain and Spinal Cord Injury Trust
 328 Fund.

329 3. One hundred and fifty-eight dollars for a violation of
 330 s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
 331 stop at a traffic signal and when enforced by a county's or
 332 municipality's traffic infraction enforcement officer. Seventy-
 333 five dollars shall be distributed to the county or municipality
 334 issuing the traffic citation, \$70 shall be remitted to the
 335 Department of Revenue for deposit into the General Revenue Fund,
 336 \$10 shall be remitted to the Department of Revenue for deposit
 337 into the Department of Health Emergency Medical Services Trust
 338 Fund for distribution as provided in s. 395.4036(1), and \$3
 339 shall be remitted to the Department of Revenue for deposit into
 340 the Brain and Spinal Cord Injury Trust Fund.

341 Section 7. Paragraphs (a) and (f) of subsection (2) of
 342 section 318.21, Florida Statutes, are amended to read:

343 318.21 Disposition of civil penalties by county courts.—All
 344 civil penalties received by a county court pursuant to the
 345 provisions of this chapter shall be distributed and paid monthly
 346 as follows:

347 (2) Of the remainder:

348 (a) Ten ~~Twenty~~ and six-tenths percent shall be remitted to

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the Department of Revenue for deposit into the General Revenue Fund of the state, except that the first \$300,000 shall be deposited into the Grants and Donations Trust Fund in the Justice Administrative Commission for administrative costs, training costs, and costs associated with the implementation and maintenance of Florida foster care citizen review panels in a constitutional charter county as provided for in s. 39.702.

(f) Ten and five-tenths percent shall be deposited into the fine and forfeiture fund established pursuant to s. 142.01 paid to the clerk of the court for administrative costs.

Section 8. Subsection (1) of section 775.083, Florida Statutes, is amended to read:

775.083 Fines.—

(1) A person who has been convicted of an offense other than a capital felony may be sentenced to pay a fine in addition to any punishment described in s. 775.082; when specifically authorized by statute, he or she may be sentenced to pay a fine in lieu of any punishment described in s. 775.082. A person who has been convicted of a noncriminal violation may be sentenced to pay a fine. Fines for designated crimes and for noncriminal violations shall not exceed:

(a) \$15,000, when the conviction is of a life felony.

(b) \$10,000, when the conviction is of a felony of the first or second degree.

(c) \$5,000, when the conviction is of a felony of the third degree.

(d) \$1,000, when the conviction is of a misdemeanor of the first degree.

(e) \$500, when the conviction is of a misdemeanor of the

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second degree or a noncriminal violation.

(f) Any higher amount equal to double the pecuniary gain derived from the offense by the offender or double the pecuniary loss suffered by the victim.

(g) Any higher amount specifically authorized by statute.

Fines imposed in this subsection shall be deposited by the clerk of the court in the fine and forfeiture fund established pursuant to s. 142.01, ~~except that the clerk shall remit fines imposed when adjudication is withheld to the Department of Revenue for deposit in the General Revenue Fund.~~ If a defendant is unable to pay a fine, the court may defer payment of the fine to a date certain. As used in this subsection, the term "convicted" or "conviction" means a determination of guilt which is the result of a trial or the entry of a plea of guilty or nolo contendere, regardless of whether adjudication is withheld.

Section 9. This act shall take effect upon becoming a law.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: SB 2508

INTRODUCER: Appropriations Committee

SUBJECT: State Group Insurance Program

DATE: April 6, 2017

REVISED: _____

ANALYST

McVaney

STAFF DIRECTOR

Hansen

REFERENCE

ACTION

AP Submitted as Comm. Bill/Fav

I. Summary:

SB 2508 authorizes the Department of Management Services (DMS) to implement certain cost-savings measures related to the State Group Insurance Program. The two main cost-savings measures are the contract for a dependent eligibility verification audit and the implementation of formulary management practices of the State Employees' Prescription Drug Program.

In terms of the dependent eligibility audit, the DMS is required to put all enrollees of the State Group Health Insurance Plan on notice regarding the eligibility requirements for dependents. Through the next open enrollment period for the plan, enrollees can remove dependents who are no longer eligible for coverage. Beginning in December 2017, a contractor will begin the eligibility audits, requesting and reviewing documents on each dependent to ensure eligibility requirements have been met. The documents submitted for this audit must be retained until June 30, 2019. After that date, the documents are no longer useful and may be destroyed.

In terms of the implementation of formulary management, the DMS is permitted to submit recommendations to exclude prescription drugs and supplies from coverage during the next plan year. The DMS may also propose to move prescription drugs and supplies between copayment tiers each quarter. Each proposed change is subject to the notice, review, and objection procedures pursuant to section 216.177, Florida Statutes, which allows legislative oversight of budgetary actions.

The fiscal impact of this bill is indeterminate; however, the DMS anticipates that significant costs may be avoided by eliminating ineligible dependents, excluding certain high cost drugs when suitable lower cost alternatives exist, and implementing a managed formulary that may result in more rebates paid by pharmaceutical manufacturers.

II. Present Situation:

State Group Insurance Program

Overview

The State Group Insurance Program (state program) is created by s. 110.123, F.S., and is administered by the Division of State Group Insurance (DSGI) within the DMS. The state program is an optional benefit for all state employees including all state agencies, state universities, the court system, and the Legislature. The program includes health, life, dental, vision, disability, and other supplemental insurance benefits.

State Health Insurance Plans

The state program provides four options for employees and retirees to choose as their health plan. The first two are the PPO Standard Health Plan and the PPO High Deductible Health Plan. These PPO plans are administered by Florida Blue as the third party administrator. The second two are the HMO Standard Health Plan and the HMO High Deductible Health Plan. The HMO plans are administered by Aetna, AvMed, and United Health Care as self-insured plans based on geographic regions of the state with two fully-insured HMO plans (Capital Health Plan and Florida Health Plan) offered in other areas of the state.

Florida Blue, as the third party administrator of the PPO Plans, receives an administrative services organization (ASO) fee for its work. For the 2016-2017 fiscal year, \$17.6 million is appropriated to pay this fee. With 83,829 enrollees and 77,594 covered dependents, this fee equates to roughly \$17.50 per enrollee per month.

Likewise, the HMOs (Aetna, AvMed, and United Health Care) that administer the self-insured HMO plans also receive an ASO fee. For the 2016-2017 fiscal year, \$28.1 million is appropriated for these providers. With a combined membership of 59,731 enrollees and 77,349 covered dependents, this combined fee equates to an average of \$39.20 per enrollee per month for these providers.

Capital Health Plan and Florida Health Plan administer fully-insured HMO plans where those entities bear the health claims risk. Their premiums charged to the DMS include the costs of administration. Combined, the membership of the fully-insured HMOs is 32,714 enrollees and 36,464 covered dependents.

Pharmacy Benefit

The state program also has a pharmacy benefit for members of the plan. The program covers all federal legend drugs (open formulary) for covered medical conditions, and employs very limited utilization review and clinical review for traditional or specialty prescription drugs. Specialty drugs are high-cost prescription medications used to treat complex, chronic conditions such as cancer, rheumatoid arthritis and multiple sclerosis. Specialty drugs often require special handling (e.g., refrigeration during shipping) and administration (such as injection or infusion).

The federal out-of-pocket limit applies to members of the state group self-insured health plans and insured HMOs, all of which include prescription drug coverage. The prescription drugs and

supplies are placed in copayment tiers to determine the amount of the out-of-pocket costs the members must bear. The tiers are shown in the table below:

Tier	Standard Plans		High Deductible Plans	
	Copayment for Retail ¹ Pharmacy	Copayment for Mail Order ² Pharmacy	Coinsurance for Retail Pharmacy	Coinsurance for Mail Order Pharmacy
Generic	\$7	\$14	30%	30%
Preferred brand name drugs	\$30	\$60	30%	30%
Nonpreferred brand name drugs	\$50	\$100	50%	50%

CVS Caremark has contracted with the DMS to be the pharmacy benefit manager for most members of the state program. CVS Caremark receives about \$4.4 million annually to manage the prescription drug program. The table below shows the financial impact of the prescription drug program.

	2016-17	2017-18	2018-19	2019-20	2020-21
PPO-PBM Rebates	\$54.0	\$56.2	\$57.8	\$59.6	\$61.4
HMO-PBM Rebates	\$43.2	\$50.2	\$53.4	\$56.9	\$60.7
Total Rebates	\$97.2	\$106.4	\$111.2	\$116.5	\$122.1
PPO Pharmacy Claims	\$337.7	\$373.5	\$426.3	\$491.3	\$566.1
HMO Pharmacy Claims	\$261.8	\$301.8	\$354.9	\$423.5	\$505.2
Total Pharmacy Claims	\$599.5	\$675.3	\$781.2	\$914.8	\$1,071.3

Employer and Employee Contributions

The monthly premium contributions paid by the employing state agencies and employees are established in the General Appropriations Act each year. The following chart shows the monthly contributions of the state and the employee for health insurance premium as of January 1, 2017. These premiums cover the cost of health claims as well as pharmacy claims.

Subscriber Category	Coverage Type	Standard Health Plan			High Deductible Health Plan		
		Employer	Enrollee	Total	Employer	Employee	Total
Career Service	Single	\$642.84	\$50.00	\$692.84	\$642.84	\$15.00	\$657.84
	Family	\$1,379.60	\$180.00	\$1,559.60	\$1,379.60	\$64.30	\$1,443.90
	Spouse	\$1,529.60	\$30.00	\$1,559.60	\$1,413.92	\$30.00	\$1,443.92
SES/SMS	Single	\$684.50	\$8.34	\$692.84	\$649.50	\$8.34	\$657.84
	Family	\$1,529.60	\$30.00	\$1,559.60	\$1,413.90	\$30.00	\$1,443.90
COBRA	Single	0	\$706.70	\$706.70	0	\$628.50	\$628.50
	Family	0	\$1,590.79	\$1,590.79	0	\$1,387.78	\$1,387.78
Early Retiree	Single	0	\$692.84	\$692.84	0	\$616.18	\$616.18
	Family	0	\$1,559.60	\$1,559.60	0	\$1,360.57	\$1,360.57
Over-age Dependents	Single	0	\$692.84	\$692.84	0	\$616.18	\$616.18

¹ For up to a 30-day supply of prescription drugs and supplies.

² For up to a 90-day supply of prescription drugs and supplies.

Plan Enrollment

The state program has 366,681 covered lives and 176,274 policyholders. According to data submitted by the DMS, there are 78,806 spouses and 112,601 other covered dependents listed as covered dependents in the state plan's records.

Dependent Eligibility

The state program covers employees and retirees of state agencies and their eligible dependents. Based on the relationship to the member, a dependent may be eligible for coverage as:

- A current spouse to whom the member is legally married;
- A biological child or adopted child of the member through the calendar year in which the child turns age 26;
- A child of the member who is permanently mentally or physically disabled. The member's child may continue health insurance coverage after reaching 26 years of age if the child is unmarried and dependent on the member for care and financial support;
- A stepchild – a child of the member's current spouse through the calendar year in which the child turns age 26;
- A foster child placed in the member's home through the calendar year in which the child turns age 26;
- A newborn dependent of a member's covered child for up to 18 months of age as long as the newborn's parent remains covered; and
- An over-age dependent until the calendar year in which the child turns age 30, if unmarried.

Dependents may be added as covered dependents during open enrollment each year or in the event of a qualifying status change. Minimal information is collected by the DMS to determine eligibility.

III. Effect of Proposed Changes:

Section 1 amends s. 110.12301, F.S., to direct the DMS to contract with a vendor to verify the eligibility of all dependents participating in the state program. The DMS must notify all members of the Health Insurance Plan regarding the eligibility criteria for dependents. During the 2017 Open Enrollment period, members will have the opportunity to update their dependents – eliminating any that are no longer eligible for participation in the program.

Beginning December 2017 (after open enrollment has closed), the DMS' vendor will begin asking for documents to verify dependent eligibility. This section specifies certain information that the vendor may request to verify certain dependent relationships. The vendor is allowed to request additional records if the records are exempt from public inspection and copying. The section requires the submitted documents to be retained until July 1, 2019, but destroyed as soon as practicable thereafter.

Section 2 amends s. 110.12315, F.S., to update the state employee Prescription Drug Program. This section makes various changes to codify permanent changes made to the program since 2010 on an annual basis in the bill implementing the general appropriations act. These updates:

- Allow a retail pharmacy to fill 90-day supply for prescription drugs and supplies;

- Require the pharmacy dispensing fee to be negotiated by the DMS; and
- Continue the current drug copayment tiers and amounts at the current year levels rather than the higher copayment levels that would be applicable beginning July 1, 2017.

Section 2 also makes a major policy change to the prescription drug program by directing the DMS to formulary management. The section:

- Codifies the current DMS practice of moving drugs among the copayment tiers as necessary on a quarterly basis. However, under the bill, the DMS is required to provide information to the Governor and Legislature regarding the impacts to members and the health insurance plan. Adjustments to copayment tiers are allowed quarterly.
- Allows the DMS to implement a closed formulary, which allows some prescription drugs and supplies to be excluded from coverage under the program.
- To exclude a drug, the DMS must propose the exclusion and provide information regarding the impact on employees and the health insurance plan. The exclusion must be approved by the Governor's Office and is subject to objection by the presiding officers or the Legislative Budget Commission (LBC) chair and vice chair. New exclusions are allowed once a year unless the Legislature directs otherwise.

Section 3 repeals s. 8 of ch. 99-255, L.O.F., which had prohibited the use of a prior authorization program or a restricted formulary for members in the PPO Plan.

Section 4 provides that the act takes effect July 1, 2017.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The fiscal impact of SB 2508 is indeterminate; however, the DMS anticipates that significant costs may be avoided by eliminating ineligible dependents, excluding certain high cost drugs when suitable lower cost alternatives exist, and implementing a managed formulary that may result in more rebates paid by pharmaceutical manufacturers.

SB 2500, the Senate's General Appropriations Act for the 2017-2018 fiscal year, appropriates up to \$1 million to contract for the dependent eligibility audits. The DMS has suggested that it would require a "claw back" provision in the contract to ensure that the savings resulting from the audit exceeds the \$1 million appropriation.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 110.12301 and 110.12315.

This bill repeals section 8 of chapter 99-255, Laws of Florida.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

FOR CONSIDERATION By the Committee on Appropriations

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1 A bill to be entitled
 2 An act relating to the Division of State Group
 3 Insurance; amending s. 110.12301, F.S.; removing a
 4 requirement that a contract for dependent eligibility
 5 verification services for the state group insurance
 6 program be contingency-based; requiring the division
 7 to notify subscribers of dependent eligibility rules
 8 by a certain date; requiring the division to hold a
 9 subscriber harmless for past claims of ineligible
 10 dependents for a specified timeframe; providing for
 11 applicability; removing a requirement that the
 12 Department of Management Services submit budget
 13 amendments pursuant to ch. 216, F.S., regarding vendor
 14 payments for dependent eligibility verification
 15 services; authorizing the contractor providing
 16 dependent eligibility verification services to request
 17 certain information from subscribers; requiring the
 18 division and the contractor to disclose to subscribers
 19 that dependent eligibility verification information
 20 may be subject to disclosure and inspection under
 21 public records requirements under certain
 22 circumstances; specifying requirements for marriage
 23 licenses or certificates or birth certificates
 24 submitted for dependent eligibility verification;
 25 requiring the contractor to retain documentation
 26 obtained for dependent eligibility verification
 27 services for a specified timeframe; requiring the
 28 department and the contractor to destroy such
 29 documentation after a specified date; amending s.

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30 110.12315, F.S.; providing that retail, mail order,
 31 and specialty pharmacies participating in the program
 32 shall be reimbursed as established by contract;
 33 revising supply limitations under the program;
 34 providing that the pharmacy dispensing fee be
 35 negotiated by the department; revising provisions
 36 governing the reimbursement schedule for prescription
 37 drugs and supplies dispensed under the program;
 38 requiring the department to maintain certain lists;
 39 establishing supply limitations for maintenance drugs
 40 and supplies; specifying pricing of certain copayments
 41 by health plan members; deleting a provision requiring
 42 the department to implement additional cost-saving
 43 measures and adjustments; revising copayment and
 44 coinsurance amounts for the State Group Health
 45 Insurance Standard Plan and the State Group Health
 46 Insurance High Deductible Plan; requiring the
 47 department to implement formulary management for
 48 prescription drugs and supplies by a specified date;
 49 requiring that certain prescription drugs and supplies
 50 remain available unless specifically excluded from the
 51 list of approved prescription drugs and supplies;
 52 providing that prescription drugs and supplies first
 53 made available after a specified date may not be
 54 covered by the prescription drug program unless
 55 otherwise approved; requiring the department to submit
 56 the list of excluded prescription drugs and supplies
 57 to the Executive Office of the Governor by a specified
 58 date; requiring the list of excluded prescription

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drugs and supplies approved by the Executive Office of the Governor to be submitted to the Legislature by a specified date; authorizing the department to implement the exclusions if no objection is submitted by the Legislature by a certain date; authorizing the department to propose additional exclusions from coverage, make modifications to the formulary, and move drugs and supplies between copayment tiers; prescribing procedures and requirements with respect to the proposal of additional exclusions or modifications; requiring the department to submit certain information regarding the initial formulary and any subsequent modifications to the Executive Office of the Governor and the Legislature; repealing s. 8 of chapter 99-255, Laws of Florida; repealing a provision prohibiting the department from implementing a prior authorization program or a restricted formulary program that meets certain criteria; providing an effective date.

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

Section 1. Section 110.12301, Florida Statutes, is amended to read:

110.12301 Competitive procurement of postpayment claims review services.—The Division of State Group Insurance is directed to competitively procure:

(1) Postpayment claims review services for the state group health insurance plans established pursuant to s. 110.123.

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Compensation under the contract shall be paid from amounts identified as claim overpayments that are made by or on behalf of the health plans and that are recovered by the vendor. The vendor may retain that portion of the amount recovered as provided in the contract. The contract must require the vendor to maintain all necessary documentation supporting the amounts recovered, retained, and remitted to the division; and

(2) A ~~contingency-based~~ contract for dependent eligibility verification services for the state group insurance program; however, compensation under the contract may not exceed historical claim costs for the prior 12 months for the dependent populations disenrolled as a result of the contractor's ~~vendor's~~ services.

(a) 1. By September 1, 2017, the division shall notify all subscribers regarding the eligibility rules for dependents. Through November 30, 2017, the division must ~~may establish a 3-~~ month grace period and hold subscribers harmless for past claims of ineligible dependents if such dependents are removed from plan membership before December 1, 2017.

2. Subparagraph 1. does not apply to any dependent identified as ineligible before July 1, 2017, for which the department has notified the state agency employing the associated subscriber ~~The Department of Management Services shall submit budget amendments pursuant to chapter 216 in order to obtain budget authority necessary to expend funds from the State Employees' Group Health Self-Insurance Trust Fund for payments to the vendor as provided in the contract.~~

(b) The contractor providing dependent eligibility verification services may request the following information from

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117 subscribers:

118 1. To prove a spouse's eligibility:

119 a. If married less than 12 months and the subscriber and
120 his or her spouse have not filed a joint federal income tax
121 return, a government-issued marriage certificate; or

122 b. If married for 12 or more months, a transcript of the
123 most recently filed federal income tax return.

124 2. To prove a biological child's or a newborn grandchild's
125 eligibility, a government-issued birth certificate.

126 3. To prove an adopted child's eligibility:

127 a. An adoption certificate; or

128 b. An adoption placement agreement and a petition for
129 adoption.

130 4. To prove a stepchild's eligibility:

131 a. A government-issued birth certificate for the stepchild;
132 and

133 b. The transcript of the subscriber's most recently filed
134 federal income tax return.

135 5. Any other information necessary to verify the
136 dependent's eligibility for enrollment in the state group
137 insurance program.

138 (c) If a document requested from a subscriber is not
139 confidential or exempt from public records requirements, the
140 division and the contractor shall disclose to all subscribers
141 that such information submitted to verify the eligibility of
142 dependents may be subject to disclosure and inspection under
143 chapter 119.

144 (d) A government-issued marriage license or marriage
145 certificate submitted for dependent eligibility verification

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146 must include the date of the marriage between the subscriber and
147 the spouse.

148 (e) A government-issued birth certificate submitted for
149 dependent eligibility verification must list the parents' names.

150 (f) All documentation obtained by the contractor to conduct
151 the dependent eligibility verification services must be retained
152 until June 30, 2019. The department or the contractor are not
153 required to retain such documentation after June 30, 2019, and
154 shall destroy such documentation as soon as practicable after
155 such date.

156 Section 2. Upon the expiration and reversion of the
157 amendments made to section 110.12315, Florida Statutes, pursuant
158 to section 123 of chapter 2016-62, Laws of Florida, section
159 110.12315, Florida Statutes, is amended to read:

160 110.12315 Prescription drug program.—The state employees'
161 prescription drug program is established. This program shall be
162 administered by the Department of Management Services, according
163 to the terms and conditions of the plan as established by the
164 relevant provisions of the annual General Appropriations Act and
165 implementing legislation, subject to the following conditions:

166 (1) The department shall allow prescriptions written by
167 health care providers under the plan to be filled by any
168 licensed pharmacy and reimbursed pursuant to subsection (2)
169 ~~contractual claims-processing provisions. Nothing in~~ This
170 section may not be construed as prohibiting a mail order
171 prescription drug program distinct from the service provided by
172 retail pharmacies.

173 (2) In providing for reimbursement of pharmacies for
174 prescription drugs and supplies ~~medicines~~ dispensed to members

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of the state group health insurance plan and their dependents under the state employees' prescription drug program:

(a) Retail, mail order, and specialty pharmacies participating in the program must be reimbursed as established by contract and at a uniform rate and subject to uniform conditions, according to the terms and conditions of the plan.

(b) There is shall be a 30-day supply limit for retail pharmacy fills, a 90-day supply limit for mail order fills, and a 90-day supply limit for fills by retail pharmacies participating in a 90-day supply network prescription card purchases and 90-day supply limit for mail order or mail order prescription drug purchases. This paragraph may not be construed to prohibit fills at any amount less than the applicable supply limit.

(c) The ~~current~~ pharmacy dispensing fee shall be negotiated by the department remains in effect.

(d) ~~(3)~~ The department ~~of Management Services~~ shall establish the reimbursement schedule for prescription drugs and supplies pharmaceuticals dispensed under the program. Reimbursement rates for a prescription drug or supply pharmaceutical must be based on the cost of the generic equivalent drug or supply if a generic equivalent exists, unless the physician, advanced registered nurse practitioner, or physician assistant prescribing the drug or supply pharmaceutical clearly states on the prescription that the brand name drug or supply is medically necessary or that the drug or supply product is included on the formulary of drugs and supplies drug products that may not be interchanged as provided in chapter 465, in which case reimbursement must be based on the

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cost of the brand name drug or supply as specified in the reimbursement schedule adopted by the department ~~of Management Services~~.

(3) The department shall maintain the generic, preferred brand name, and the nonpreferred brand name lists of drugs and supplies to be used in the administration of the state employees' prescription drug program.

(4) The department shall maintain a list of maintenance drugs and supplies.

(a) Preferred provider organization health plan members may have prescriptions for maintenance drugs and supplies filled up to 3 times as a supply for up to 30 days through a retail pharmacy; thereafter, prescriptions for the same maintenance drug or supply must be filled for up to 90 days either through the department's contracted mail order pharmacy or through a retail pharmacy participating in a 90-day supply network.

(b) Health maintenance organization health plan members may have prescriptions for maintenance drugs and supplies filled for up to 90 days either through a mail order pharmacy or through a retail pharmacy participating in a 90-day supply network.

(5) Copayments made by health plan members for a supply for up to 90 days through a retail pharmacy participating in a 90-day supply network shall be the same as copayments made for a similar supply through the department's contracted mail order pharmacy.

~~(6)~~ ~~(4)~~ The department ~~of Management Services~~ shall conduct a prescription utilization review program. In order to participate in the state employees' prescription drug program, retail pharmacies dispensing prescription drugs and supplies

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medicines to members of the state group health insurance plan or their covered dependents, or to subscribers or covered dependents of a health maintenance organization plan under the state group insurance program, shall make their records available for this review.

~~(5) The Department of Management Services shall implement such additional cost-saving measures and adjustments as may be required to balance program funding within appropriations provided, including a trial or starter dose program and dispensing of long-term maintenance medication in lieu of acute therapy medication.~~

~~(7)(6)~~ Participating pharmacies must use a point-of-sale device or an online computer system to verify a participant's eligibility for coverage. The state is not liable for reimbursement of a participating pharmacy for dispensing prescription drugs and supplies to any person whose current eligibility for coverage has not been verified by the state's contracted administrator or by the department of Management Services.

~~(7) Under the state employees' prescription drug program copayments must be made as follows:~~

(8)(a) Effective July 1, 2017 January 1, 2006, for the State Group Health Insurance Standard Plan, copayments must be made as follows:

1. For a supply for up to 30 days from a retail pharmacy:

a. For generic drug with card.....\$7 \$10.

b.2- For preferred brand name drug with card.....\$30 \$25.

c.3- For nonpreferred brand name drug with card.....\$50 \$40.

2. For a supply for up to 90 days from a mail order

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pharmacy or a retail pharmacy participating in a 90-day supply network:

a.4- For generic mail order drug.....\$14 \$20.

b.5- For preferred brand name mail order drug.....\$60 \$50.

c.6- For nonpreferred brand name mail order drug...\$100 \$80.

(b) Effective July 1, 2017 January 1, 2006, for the State Group Health Insurance High Deductible Plan, coinsurance must be paid as follows:

1. For a supply for up to 30 days from a retail pharmacy:

a. Retail coinsurance For generic drug with card.....30%.

b.2- Retail coinsurance For preferred brand name drug with card.....30%.

c.3- Retail coinsurance For nonpreferred brand name drug with card.....50%.

2. For a supply for up to 90 days from a mail order pharmacy or a retail pharmacy participating in a 90-day supply network:

a.4- Mail order coinsurance For generic drug.....30%.

b.5- Mail order coinsurance For preferred brand name drug.....30%.

c.6- Mail order coinsurance For nonpreferred brand name drug.....50%.

(9)(a) Beginning January 1, 2018, the department shall implement formulary management for prescription drugs and supplies but may not restrict access to the most clinically appropriate, clinically effective, and lowest net cost prescription drugs and supplies. Prescription drugs and supplies available for coverage through the prescription drug program as of July 1, 2017, must remain available unless specifically

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291 excluded from coverage in accordance with the list developed
 292 pursuant to this subsection. Prescription drugs and supplies
 293 first made available after July 1, 2017, may not be covered by
 294 the prescription drug program unless specifically included in
 295 the list of approved prescription drugs and supplies.

296 (b) The department must submit the list of excluded
 297 prescription drugs and supplies to the Executive Office of the
 298 Governor for review and approval by July 21, 2017. The approved
 299 formulary must be submitted to the Legislature for review by
 300 August 18, 2017. The implementation of the initial list of
 301 excluded prescription drugs and supplies shall be treated as an
 302 action subject to the notice, review, and objection procedures
 303 under s. 216.177. If no objection is submitted in writing by
 304 September 15, 2017, the department may implement the exclusions,
 305 as approved by the Executive Office of the Governor, beginning
 306 January 1, 2018.

307 (c) The department may propose additional exclusions from
 308 coverage under the prescription drug program once each plan
 309 year, for implementation on January 1 of the next plan year or
 310 as otherwise directed by the Legislature. The department must
 311 submit its proposed exclusions to the Executive Office of the
 312 Governor for review and approval at least 30 days before the
 313 date the Governor's recommended budget is required to be
 314 submitted to the Legislature. Any recommendations by the
 315 Governor to exclude drugs or supplies from coverage under the
 316 prescription drug program must be submitted to the Legislature
 317 with the Governor's recommended budget.

318 (d) The department may propose modifications to the
 319 formulary to include prescription drugs or supplies not covered

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320 under the program or to move the drugs or supplies between
 321 copayment tiers. Such modifications may be implemented on
 322 January 1, April 1, July 1, or October 1 of the plan year.

323 (e) With each proposed change to the status of prescription
 324 drugs and supplies under the program, the department shall
 325 submit the following information to the Executive Office of the
 326 Governor and the Legislature:

327 1. The drugs and supplies excluded or proposed for a change
 328 in copayment tier;

329 2. The drugs that remain available under the program as a
 330 substitute for the excluded drug;

331 3. The number of prescriptions written for the affected
 332 drug or supply during the prior plan year and the current plan
 333 year and the number of plan members affected by the change;

334 4. The expected financial impact to the prescription drug
 335 program, including the impact by drug on plan payments and
 336 rebates to the plan; and

337 5. The expected financial impact to the plan members,
 338 including the impact on member copayments and coinsurance, and
 339 the cost of the drug to the plan members if the drug is
 340 excluded.

341 ~~(e) The Department of Management Services shall create a~~
 342 ~~preferred brand name drug list to be used in the administration~~
 343 ~~of the state employees' prescription drug program.~~

344 Section 3. Section 8 of ch. 99-255, Laws of Florida, is
 345 repealed.

346 Section 4. This act shall take effect July 1, 2017.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: SB 2510

INTRODUCER: Appropriations Committee

SUBJECT: Public Records/Dependent Eligibility Verification Audit

DATE: April 6, 2017

REVISED: _____

ANALYST

McVaney

STAFF DIRECTOR

Hansen

REFERENCE

ACTION

AP Submitted as Comm. Bill/Fav

I. Summary:

SB 2510 makes confidential and exempt from public inspection and copying most documents submitted to the Department of Management Services or its vendor providing dependent eligibility verification services. If a document is collected by the department for another purpose and is not exempt in that situation, that same document submitted for dependent eligibility verification purposes will not be exempt from public inspection and copying.

The bill includes a constitutionally required public necessity statement. The exemption will stand repealed on October 2, 2022, pursuant to the Open Government Sunset Review Act, unless it is reenacted.

This bill requires a two-thirds vote from each chamber for passage.

The bill has no fiscal impact.

The bill takes effect on the same date that SB 2508 takes effect (July 1, 2017).

II. Present Situation:

Public Records Law

The Florida Constitution provides that the public has the right to inspect or copy records made or received in connection with official governmental business.¹ This applies to the official business of any public body, officer or employee of the state, including all three branches of state government, local governmental entities, and any person acting on behalf of the government.²

¹ FLA. CONST., art. I, s. 24(a).

² *Id.*

In addition to the Florida Constitution, the Florida Statutes provide that the public may access legislative and executive branch records.³ Chapter 119, F.S., constitutes the main body of public records laws, and is known as the Public Records Act.⁴ The Public Records Act states that

[i]t is the policy of this state that all state, county and municipal records are open for personal inspection and copying by any person. Providing access to public records is a duty of each agency.⁵

According to the Public Records Act, a public record includes virtually any document or recording, regardless of its physical form or how it may be transmitted.⁶ The Florida Supreme Court has interpreted public records as being “any material prepared in connection with official agency business which is intended to perpetuate, communicate or formalize knowledge of some type.”⁷ A violation of the Public Records Act may result in civil or criminal liability.⁸

The Legislature may create an exemption to public records requirements.⁹ An exemption must pass by a two-thirds vote of both the House and the Senate.¹⁰ In addition, an exemption must explicitly lay out the public necessity justifying the exemption and must be no broader than necessary to accomplish the stated purpose of the exemption.¹¹ A statutory exemption that does not meet these criteria may be unconstitutional and may not be judicially saved.¹²

When creating a public records exemption, the Legislature may provide that a record is “confidential and exempt” or “exempt.”¹³ Records designated as “confidential and exempt” may be released by the records custodian only under the circumstances defined by the Legislature. Records designated as “exempt” are not required to be made available for public inspection, but may be released at the discretion of the records custodian under certain circumstances.¹⁴

³ The Public Records Act does not apply to legislative or judicial records. *Locke v. Hawkes*, 595 So. 2d 32 (Fla. 1992). Also see *Times Pub. Co. v. Ake*, 660 So. 2d 255 (Fla. 1995). The Legislature’s records are public pursuant to s. 11.0431, F.S. Public records exemptions for the Legislatures are primarily located in s. 11.0431(2)-(3), F.S.

⁴ Public records laws are found throughout the Florida Statutes.

⁵ Section 119.01(1), F.S.

⁶ Section 119.011(12), F.S., defines “public record” to mean “all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.” Section 119.011(2), F.S., defines “agency” to mean as “any state, county, district, authority, or municipal officer, department, division, board, bureau, commission, or other separate unit of government created or established by law including, for the purposes of this chapter, the Commission on Ethics, the Public Service Commission, and the Office of Public Counsel, and any other public or private agency, person, partnership, corporation, or business entity acting on behalf of any public agency.”

⁷ *Shevin v. Byron, Harless, Schaffer, Reid and Assoc. Inc.*, 379 So. 2d 633, 640 (Fla. 1980).

⁸ Section 119.10, F.S. Public records laws are found throughout the Florida Statutes, as are the penalties for violating those laws.

⁹ FLA. CONST., art. I, s. 24(c).

¹⁰ *Id.*

¹¹ *Id.*

¹² *Halifax Hosp. Medical Center v. New-Journal Corp.*, 724 So. 2d 567 (Fla. 1999). See also *Baker County Press, Inc., v. Baker County Medical Services, Inc.*, 870 So. 2d 189 (Fla. 1st DCA 2004).

¹³ If the Legislature designates a record as confidential, such record may not be released to anyone other than the persons or entities specifically designated in the statutory exemption. *WFTV, Inc., v. The School Board of Seminole*, 874 So. 2d 48 (Fla. 5th DCA 2004).

¹⁴ *Williams v. City of Minneola*, 575 So. 2d 683, 687 (Fla. 5th DCA 1991).

Open Government Sunset Review Act

The Open Government Sunset Review Act (referred to hereafter as the “OGSR”) prescribes a legislative review process for newly created or substantially amended public records or open meetings exemptions.¹⁵ The OGSR provides that an exemption automatically repeals on October 2nd of the fifth year after creation or substantial amendment; in order to save an exemption from repeal, the Legislature must reenact the exemption.¹⁶

The OGSR provides that a public records or open meetings exemption may be created or maintained only if it serves an identifiable public purpose and is no broader than is necessary.¹⁷ An exemption serves an identifiable purpose if it meets one of the following purposes *and* the Legislature finds that the purpose of the exemption outweighs open government policy and cannot be accomplished without the exemption:

- It allows the state or its political subdivision to effectively and efficiently administer a program, and administration would be significantly impaired without the exemption;¹⁸
- Releasing sensitive personal information would be defamatory or would jeopardize an individual’s safety. If this public purpose is cited as the basis of an exemption, however, only personal identifying information is exempt;¹⁹ or
- It protects trade or business secrets.²⁰

The OGSR also requires specified questions to be considered during the review process.²¹ In examining an exemption, the OGSR asks the Legislature to carefully question the purpose and necessity of reenacting the exemption.

If, in reenacting an exemption, the exemption is expanded, then a public necessity statement and a two-thirds vote for passage are required.²² If the exemption is reenacted without substantive changes or if the exemption is narrowed, then a public necessity statement and a two-thirds vote for passage are *not* required. If the Legislature allows an exemption to sunset, the previously exempt records will remain exempt unless provided for by law.²³

¹⁵ Section 119.15, F.S. Section 119.15(4)(b), F.S., provides that an exemption is considered to be substantially amended if it is expanded to include more information or to include meetings. The OGSR does not apply to an exemption that is required by federal law or that applies solely to the Legislature or the State Court System pursuant to s. 119.15(2), F.S.

¹⁶ Section 119.15(3), F.S.

¹⁷ Section 119.15(6)(b), F.S.

¹⁸ Section 119.15(6)(b)1., F.S.

¹⁹ Section 119.15(6)(b)2., F.S.

²⁰ Section 119.15(6)(b)3., F.S.

²¹ Section 119.15(6)(a), F.S. The specified questions are:

1. What specific records or meetings are affected by the exemption?
2. Whom does the exemption uniquely affect, as opposed to the general public?
3. What is the identifiable public purpose or goal of the exemption?
4. Can the information contained in the records or discussed in the meeting be readily obtained by alternative means?
If so, how?
5. Is the record or meeting protected by another exemption?
6. Are there multiple exemptions for the same type of record or meeting that it would be appropriate to merge?

²² FLA. CONST., art. I, s. 24(c).

²³ Section 119.15(7), F.S.

Current Relevant Public Record Exemptions

Personal identifying information of a dependent child²⁴ of a current or former officer or employee of an agency is exempt from public disclosure if the child is insured by an agency group insurance plan.²⁵

Social security number held by an agency are confidential and exempt from public disclosure.²⁶

Most birth records are confidential and exempt from public disclosure.²⁷

Papers and records of any governmental agency relating to adoptions are exempt from public disclosure.²⁸

The names of spouse and children of certain personnel are exempt from public disclosure.²⁹

Dependent Eligibility Verification Audit

Specific Appropriation 2086 of SB 2500, the Senate's General Appropriations Act for the 2017-2018 fiscal year, appropriates \$1 million to the Department of Management Services to contract for a dependent eligibility verification audit. SB 2508 directs the DMS to conduct the audit and provides the authority to request and receive certain documents. In the audit, the DMS or its vendor will be requesting various documents to verify dependent eligibility. The documents include tax transcripts from the Internal Revenue Service, marriage licenses, birth certificates, adoption documents, and other documents.

III. Effect of Proposed Changes:

This bill makes confidential and exempt from public inspection and copying most documents submitted to the Department of Management Services or its vendor providing dependent eligibility verification services. If a document is collected by the department for another purpose and is not exempt in that situation, that same document submitted for dependent eligibility verification purposes will not be exempt from public inspection and copying.

The bill includes a constitutionally required public necessity statement. The exemption will stand repealed on October 2, 2022, pursuant to the Open Government Sunset Review Act, unless it is reenacted.

This bill requires a two-thirds vote from each chamber for passage.

²⁴ As defined in s. 409.2554(2), F.S.

²⁵ Section 119.071(4)(b)2.a., F.S.

²⁶ Section 119.071(5)(a)5., F.S.

²⁷ Section 382.025, F.S.

²⁸ Section 63.162, F.S.

²⁹ Section 119.071(4), F.S. The personnel include law enforcement officers, investigative personnel at the departments of Financial Services and Business and Professional Regulation, state attorneys and statewide prosecutors, personnel involved in human resources, labor relations, and employee relations, code enforcement officers, guardians ad litem, juvenile justice workers, public defenders, agency inspector general staff, and others.

The bill takes effect on the same date that SB 2508 takes effect (July 1, 2017).

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

Vote Requirement

Article I, s. 24(c) of the State Constitution requires a two-thirds vote of the members present and voting for final passage of a newly created public record exemption. The bill creates a public record exemption; thus, it requires a two-thirds vote for final passage.

Public Necessity Statement

Article I, s. 24(c) of the State Constitution requires a public necessity statement for a newly created public record exemption. The bill creates a public record exemption and includes a public necessity statement.

Breadth of Exemption

Article I, s. 24(c) of the State Constitution requires a newly created public record exemption to be no broader than necessary to accomplish the stated purpose of the law. Based on the legislative findings in the statement of public necessity, the bill does not appear to be in conflict with this constitutional requirement.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 110.12301 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

FOR CONSIDERATION By the Committee on Appropriations

576-02620-17

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A bill to be entitled

An act relating to public records; amending s. 110.12301, F.S.; creating an exemption from public records requirements for records collected for dependent eligibility verification services for the state group insurance program and held by the Department of Management Services; providing for construction; providing for future legislative review and repeal; providing a statement of public necessity; providing a contingent effective date.

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

Section 1. Section 110.12301, Florida Statutes, is amended to read:

110.12301 Competitive procurement of postpayment claims review services; public records exemption.—

(1) The Division of State Group Insurance is directed to competitively procure:

(a) ~~(1)~~ Postpayment claims review services for the state group health insurance plans established pursuant to s. 110.123. Compensation under the contract shall be paid from amounts identified as claim overpayments that are made by or on behalf of the health plans and that are recovered by the vendor. The vendor may retain that portion of the amount recovered as provided in the contract. The contract must require the vendor to maintain all necessary documentation supporting the amounts recovered, retained, and remitted to the division; and

(b) ~~(2)~~ A contingency-based contract for dependent

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eligibility verification services for the state group insurance program; however, compensation under the contract may not exceed historical claim costs for the prior 12 months for the dependent populations disenrolled as a result of the vendor's services. The division may establish a 3-month grace period and hold subscribers harmless for past claims of ineligible dependents. The Department of Management Services shall submit budget amendments pursuant to chapter 216 in order to obtain budget authority necessary to expend funds from the State Employees' Group Health Self-Insurance Trust Fund for payments to the vendor as provided in the contract.

(2) Records collected for purposes of dependent eligibility verification services conducted for the state group insurance program, as authorized under paragraph (1) (b), and held by the department are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This subsection does not apply to records that are otherwise open for inspection and copying which are held by the department for purposes other than for the performance of dependent eligibility verification services. This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2022, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. (1) The Legislature finds that it is a public necessity that records collected for purposes of dependent eligibility verification services conducted for the state group insurance program, authorized under s. 110.12301(1) (b), Florida Statutes, and held by the Department of Management Services be confidential and exempt from s. 119.07(1), Florida Statutes, and

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s. 24(a), Article I of the State Constitution. Enrollment in the state group insurance program is available to all state employees, their children, their adult dependents, and, in certain circumstances, even their grandchildren. Eligible enrollees for the program include officers and employees from all three branches of state government and represent numerous professions. Employees are required to produce sensitive and personal information related to the state employees' and their dependents' health, finances, and personal relationships to verify their eligibility to participate in the state group insurance program. Eligibility verification can require state employees to produce a variety of documentation, including proof of marriages and divorces, child custody, children's education status, as well as the mental and medical records related to their children with disabilities. Absent the public records exemption, state employees subject to the verification process may be hesitant or less cooperative in producing documents or information out of fear that they or their families would be exposed to public ridicule or humiliation because the details of their personal lives would be subject to public disclosure. Personnel may also be uncooperative if they are concerned that they or their families may be exposed to public scorn or be subject to legal action for inappropriately or mistakenly claiming ineligible dependents. Protecting such information helps to protect state employees and their families from criminal or inappropriate use of their personal information. Enrollees and their families would be at increased risk of identity theft and fraud if the public had unfettered access to documents requested by the Department of Management Services to

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verify dependent eligibility.

(2) The Legislature further recognizes that some of the records produced to verify dependent eligibility are not exempt or confidential and exempt from public records requirements when held by other agencies under existing law. Through this act, the Legislature does not intend to make such records exempt or confidential and exempt from public records requirements other than for records held by the Department of Management Services for the express purpose of dependent eligibility verification. The verification program ensures that taxpayer money and resources of the state group insurance program are spent appropriately on eligible dependents. This exemption will promote effective and efficient administration of the program which would otherwise be significantly impaired without the exemption.

Section 3. This act shall take effect on the same date that SB 2508 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes law.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: SB 2512

INTRODUCER: Appropriations Committee

SUBJECT: Capitol Complex Advisory Council

DATE: April 6, 2017

REVISED: _____

ANALYST

McVaney

STAFF DIRECTOR

Hansen

REFERENCE

ACTION

AP Submitted as Comm. Bill/Fav

I. Summary:

SB 2512 creates a Capitol Complex Advisory Council within the legislative branch. The five member council may make recommendations on:

- The operation, maintenance, preservation, and protection of the structures and the grounds of the Capitol Complex;
- The design, development, or location of any monuments or temporary exhibits or installations within the Capitol Complex;
- Security updates and security improvements to the Capitol Complex; and
- Budgetary needs to support the recommendations of the council.

These recommendations will be submitted to the Governor, the presiding officers of the Legislature, the secretary of the Department of Management Services (DMS), and the executive director of the Department of Law Enforcement.

The DMS is directed to brief the council periodically on actions to be undertaken regarding the Capitol Complex.

For purposes of this bill, Capitol Complex is limited to the downtown area of Tallahassee and does not include the State Capital Circle Office Complex.

The bill is not expected to impact state revenues or expenditures.

II. Present Situation:

Section 281.01, F.S., defines the Capitol Complex to include the Capitol, the Historic Capitol, the Senate Office Building, the House Office Building, the Knott Building, the Pepper Building, the Holland Building, and the curtilage of each, including the state-owned lands and public streets adjacent thereto. The term also includes the State Capital Circle Office Complex located in Leon County.

Section 281.07, F.S., grants the Department of Management Services rulemaking authority relating to the administration, operation, and management of the Facilities Program (state-owned buildings) and to regulate traffic and parking on state-owned property, including the Capitol Complex.

Section 265.111, F.S., prohibits the construction and placement of a monument on the Capitol Complex premises unless authorized by law and the design and placement is approved by the Department of Management Services.

Section 943.61, F.S., creates the Capitol Police within the Department of Law Enforcement. The Capitol Police serve as a security and law enforcement agency serving the Capitol Complex and the state. The Capitol Police are required to develop, in consultation with the Governor, Cabinet Officers, and the presiding officers of the Legislature, written operational plans for basic and enhanced security measures and actions related to the Capitol Complex. Before these operational plans are implemented, the plans must be approved by the Governor and the presiding officers of the Legislature.

The DMS oversees state-owned facilities to ensure that the buildings are maintained in appropriate condition. The DMS projects include ADA facility upgrades, life safety improvements (fire alarm upgrades) and general projects (elevator replacements, parking garages, security renovations, etc.)

III. Effect of Proposed Changes:

This bill creates a Capitol Complex Advisory Council within the legislative branch. The five member council may make recommendations on:

- The operation, maintenance, preservation, and protection of the structures and the grounds of the Capitol Complex;
- The design, development, or location of any monuments or temporary exhibits or installations within the Capitol Complex;
- Security updates and security improvements to the Capitol Complex; and
- Budgetary needs to support the recommendations of the council.

These recommendations will be submitted to the Governor, the presiding officers of the Legislature, the secretary of the Department of Management Services (DMS), and the executive director of the Department of Law Enforcement.

The DMS is directed to brief the council periodically on actions to be undertaken regarding the Capitol Complex.

For purposes of this bill, Capitol Complex is limited to the downtown area of Tallahassee and does not include the State Capital Circle Office Complex.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates an undesignated section of Florida Law.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



690854

LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
04/06/2017	.	
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The Committee on Appropriations (Grimsley) recommended the following:

Senate Amendment

Delete lines 27 - 29
and insert:

(3) For purposes of this section, the term "Capitol Complex" means the portion of Tallahassee, Leon County, Florida, commonly referred to as the Capitol, the Historic Capitol, the Senate Office Building, the House Office Building, the Knott Building, the Pepper Building, the Holland Building, and the curtilage of each, including the state-owned lands and public



690854

11 streets adjacent thereto within an area bounded by and including
12 Monroe Street, Jefferson Street, Duval Street, and Gaines
13 Street.

FOR CONSIDERATION By the Committee on Appropriations

576-02789-17

20172512pb

A bill to be entitled

An act relating to the Capitol Complex Advisory Council; creating the advisory council within the legislative branch; specifying the composition of the advisory council; defining the term "Capitol Complex"; authorizing the advisory council to consult with specified persons in furtherance of its duties; prescribing reporting requirements; requiring the Department of Management Services to periodically brief the advisory council with respect to planned actions regarding the Capitol Complex; providing an effective date.

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

Section 1. Section 1. Capitol Complex Advisory Council.—

(1) The Capitol Complex Advisory Council is created within the legislative branch. The advisory council is composed of:

(a) One person appointed by the President of the Senate.

(b) One person appointed by the Speaker of the House of Representatives.

(c) One person appointed by the Governor.

(d) The Sergeant at Arms of the Senate.

(e) The Sergeant at Arms of the House of Representatives.

(2) The members of the advisory council shall designate a chair.

(3) For purposes of this section, the term "Capitol Complex" has the same meaning as provided in s. 281.01, Florida Statutes.

576-02789-17

20172512pb

(4) In furtherance of its duties, the advisory council may consult with the director of the Capitol Police, the Florida Historic Capitol Museum Director, the clerk and the marshal of the Supreme Court, the State Courts Administrator, the facilities manager of the Capitol Complex, the city manager of the City of Tallahassee, and other persons as it may deem appropriate.

(5) The advisory council shall periodically report to the Governor, the presiding officers of both houses of the Legislature, the Secretary of Management Services, and the executive director of the Department of Law Enforcement and may include recommendations on:

(a) The operation, maintenance, preservation, and protection of the structures and the grounds of the Capitol Complex.

(b) The design, development, or location of any monuments, as defined under s. 265.111, Florida Statutes, or temporary exhibits or installations within the Capitol Complex.

(c) Security updates and security improvements to the Capitol Complex.

(d) Budgetary needs to support the recommendations described in paragraphs (a), (b), and (c).

(6) The Department of Management Services shall periodically brief the advisory group on actions it plans to take regarding the Capitol Complex.

Section 2. This act shall take effect July 1, 2017.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: SB 2514

INTRODUCER: Appropriations Committee

SUBJECT: Health Care

DATE: April 6, 2017

REVISED: _____

ANALYST

Williams

STAFF DIRECTOR

Hansen

REFERENCE

ACTION

AP Submitted as Comm. Bill/Fav

I. Summary:

SB 2514 revises various statutes relating to aspects of multiple health care programs and services, including:

- Pediatric cancer research;
- A framework for maximizing revenue for behavioral health services;
- The definition of “rural hospital;”
- Authority for various Medicaid waivers and transition of enrollees into Statewide Medicaid Managed Care, Long-term Care Managed Care;
- Reimbursement of Medicaid providers, including:
 - Transition to a prospective payment system for nursing home providers, and
 - A one-year delay, from July 1, 2017 to July 1, 2018, for the transition of a prospective payment system for Medicaid hospital outpatient services;
- Disproportionate Share Hospital programs; and
- The Program for All-Inclusive Care for the Elderly (PACE).

The bill conforms health care statutes to the funding policies used in Senate Bill 2500, the Senate General Appropriations Act for Fiscal Year 2017-2018.

II. Present Situation:

The Medicaid Program

The Florida Medicaid program is a partnership between the federal and state governments. Each state operates its own Medicaid program under a state plan approved by the federal Centers for Medicare & Medicaid Services (CMS). The state plan outlines Medicaid eligibility standards, policies, and reimbursement methodologies.

Florida Medicaid is administered by the Agency for Health Care Administration (AHCA) and financed with federal and state funds. Approximately 4 million Floridians are currently enrolled

in Medicaid, and the program's estimated expenditures for the 2016-2017 fiscal year are over \$26.0 billion.¹

Eligibility for Florida Medicaid is based on a number of factors, including age, household or individual income, and assets. State Medicaid eligibility payment guidelines are provided in s. 409.903, F.S., (Mandatory Payments for Eligible Persons) and s. 409.904, F.S., (Optional Payments for Eligible Persons). Minimum coverage thresholds are established in federal law for certain population groups, such as children.

Statewide Medicaid Managed Care

Part IV of ch. 409, F.S., was created in 2011 by ch. 2011-134, L.O.F., and governs the Statewide Medicaid Managed Care program (SMMC). The SMMC, authorized under federal Medicaid waivers, is designed for the AHCA to issue invitations to negotiate² and competitively procure contracts with managed care plans in 11 regions of the state to provide comprehensive Medicaid coverage for most of the state's enrollees in the Medicaid program. SMMC has two components: managed medical assistance (MMA) and long-term care managed care (LTCMC).

The LTCMC component began enrolling Medicaid recipients in August 2013 and completed its statewide roll-out in March 2014. The MMA component began enrolling Medicaid recipients in May 2014 and finished its roll-out in August 2014. As of February 2017, 3.96 million Medicaid recipients were enrolled in an SMMC plan while 720,243 were enrolled in Medicaid on a fee-for-service basis.³

Voluntary Enrollment in LTC Managed Care

Some individuals who are enrolled in waiver programs or other coverages may enroll in the LTC program, but are not required to, and those include:

- Developmental Disabilities waiver program;
- Traumatic Brain and Spinal Cord Injury waiver;
- Project AIDS Care (PAC) waiver;
- Adult Cystic Fibrosis waiver;
- Program of All-Inclusive Care for the Elderly (PACE);
- Familial Dysautonomia waiver;
- Model waiver; or
- Other creditable coverage, excluding Medicare.⁴

¹ Social Services Estimating Conference, Medicaid Caseloads and Expenditures, February 17, February 27, and March 9, 2017--Executive Summary: <http://edr.state.fl.us/Content/conferences/medicaid/execsummary.pdf> (last visited March 24, 2017).

² An "invitation to negotiate" is a written or electronically posted solicitation for vendors to submit competitive, sealed replies for the purpose of selecting one or more vendors with which to commence negotiations for the procurement of commodities or contractual services. See s. 287.012(17), F.S.

³ The Agency for Health Care Administration, "Florida Statewide Medicaid Monthly Enrollment Report," March 2017, available at http://ahca.myflorida.com/Medicaid/Finance/data_analytics/enrollment_report/index.shtml (last visited March 31, 2017).

⁴ See s. 409.972, F.S.

Prior to the implementation of SMMC, at least 14 different waivers provided home and community based services (HCBS) to these same groups of beneficiaries, in both the voluntary and mandatory enrollment groups, at a cost of \$1.47 billion to state agencies in the Fiscal Year 2012-2013.⁵

Adult Cystic Fibrosis Waiver

The AHCA administers and the Department of Health (DOH) operates the waiver for individuals with a diagnosis of cystic fibrosis, a chronic, progressive, and terminal genetic disorder that affects a person's lungs and digestive system.⁶ To be eligible for the waiver, an individual must:

- Be 18 years of age or older;
- Be Medicaid eligible;
- Have a cystic fibrosis diagnosis; and
- Meet inpatient hospital level of care.⁷

The waiver includes services such as case management, counseling, skilled nursing, prescribed drugs, respite care, therapies, dental, meal delivery, and specialized medical equipment.⁸ There are approximately 140 people enrolled in this waiver.⁹

Project AIDS Care (PAC) Waiver

Preventing or delaying the institutionalizing through the promotion, maintenance, and optimization of the health of persons living with AIDS is the goal of the Project AIDS Care waiver. The waiver provides HCBS services to Medicaid eligible persons with a documented diagnosis of AIDS that choose to live at home or in the community.¹⁰

The PAC waiver provides services to recipients who:

- Are Medicaid eligible;
- Have an income of no more than 300 percent of the Social Security Income Federal Benefits Rate (approximately 222 percent of the federal poverty level);
- Have a diagnosis of Acquired Immune Deficiency Syndrome (AIDS);
- Have an AIDS-related opportunistic infection;
- Have been determined disabled by the Social Security Administration;
- Are not enrolled in a Medicaid managed care plan; and

⁵ Office of Program Policy Analysis and Government Accountability, *Profile of Florida's Medicaid Home and Community-Based Services Waivers*, Report No. 13-07, March 2013, <http://www.oppaga.state.fl.us/MonitorDocs/Reports/pdf/1307rpt.pdf> (last viewed Mar. 31, 2017).

⁶ Id.

⁷ Id.

⁸ Agency for Health Care Administration, *Adult Cystic Fibrosis Waiver Services - Procedures Codes and Fee Schedule - October 2013*, http://ahca.myflorida.com/medicaid/review/Reimbursement/2013_10_31_Adult_Cystic_Fibrosis_FS_Adoption.pdf (last viewed Mar. 31, 2017).

⁹ Agency for Health Care Administration, *Senate Bill 694 Analysis*, p. 4, (March 7, 2017) (on file with the Senate Committee on Health Policy).

¹⁰ Agency for Health Care Administration, *Project AIDS Care Waiver Services Coverage and Limitations Handbook* (July 2003) http://ahca.myflorida.com/medicaid/review/Specific/CL_06_051201_Waiver_PAC_ver1_1.pdf (last visited Mar. 31, 2017).

- Meet hospital or nursing facility level of care.¹¹

The recipients enrolled in the PAC waiver are primarily receiving case management services while service utilization remains low due to the advances made over the past decade. The waiver facilitates coverage for Medicaid for those who might not otherwise have access. Some of the other services that are covered are chore services, home delivered meals, personal care, skilled nursing, specialized equipment and supplies, day health, and restorative massage.¹² Currently, approximately 7,800 people are enrolled in the PAC waiver.¹³

Traumatic Brain and Spinal Cord Injury Waiver

The Department of Health (DOH) operates the TBI/SCI waiver, which provides services for individuals with traumatic brain injuries and spinal cord injuries. To be eligible for the waiver, an individual must:

- Be 18 year of age or older;
- Be Medicaid eligible;
- Have one of the following injuries:
 - traumatic brain injury, defined as an insult to the skull, brain, or its covering from external trauma, which produces an altered state of consciousness or anatomic, motor, or sensory, or cognitive/behavioral deficits; or
 - spinal cord injury, defined as a lesion to the spinal cord or cauda equine resulting from external trauma with evidence of significant involvement of two of the following: motor deficit, sensory deficit, or bowel or bladder dysfunction;
- Meet nursing home level of care;
- Be referred to the state's Brain and Spinal Cord Injury Program's central registry in accordance with s. 381.75, F.S.¹⁴

Individuals enrolled in the waiver receive services and supports such as assistive technology, attendant care, counseling, life skills training, medical supplies, personal care, behavioral programming, and adaptive health and wellness.¹⁵

The TBI/SCI population is already eligible for enrollment in the LTC program as a voluntary population. Currently, approximately 300 people are enrolled in the TBI/SCI waiver with an additional 350 on the waitlist.¹⁶

Rural Hospitals

Part III of ch. 395, F.S., governs rural hospitals. A rural hospital is defined in s. 395.602(2)(e), F.S., as a licensed, acute care hospital having 100 or fewer licensed beds and an emergency room which is:

¹¹ *Supra* note 9.

¹² *Supra* note 10.

¹³ *Supra* note 9, at 3.

¹⁴ *Supra* note 9, at 11.

¹⁵ *Id.*

¹⁶ *Supra* note 9, at 3.

- The sole provider in a county with a population density no greater than 100 persons per square mile;
- An acute care hospital in a county with a population density no greater than 100 persons per square mile which is at least 30 minutes of travel time from any other acute care hospital in the same county;
- A hospital supported by a tax district or sub-district whose boundaries encompass an area of 100 persons or fewer per square mile;
- A hospital with a service area of fewer than 100 persons per square mile, with service area being defined as the fewest number of zip codes that account for 75 percent of the hospital's discharges for the most recent five-year period; or
- A hospital designated as a critical access hospital under s. 408.07(15), F.S.¹⁷

An acute care hospital that has not previously been designated as a rural hospital and that meets the criteria of the definition will be granted rural hospital status upon submitting an application, including supporting documentation, to the Agency for Health Care Administration (AHCA).¹⁸

Currently, 28 hospitals meet the statutory definition of rural hospitals:

Rural Hospital	County	City	Beds
Baptist Medical Center - Nassau	Nassau	Fernandina Beach	62
Calhoun-Liberty Hospital	Calhoun	Blountstown	25
Campbellton-Graceville Hospital	Jackson	Graceville	25
Desoto Memorial Hospital	Desoto	Arcadia	49
Doctors Memorial Hospital	Holmes	Bonifay	20
Doctors' Memorial Hospital Inc.	Taylor	Perry	48
Ed Fraser Memorial Hospital	Baker	MacClenny	25
Fishermen's Hospital	Monroe	Marathon	25
Florida Hospital Flagler	Flagler	Palm Coast	99
Florida Hospital Wauchula	Hardee	Wauchula	25
George E Weems Memorial Hospital	Franklin	Apalachicola	25
Healthmark Regional Medical Center	Walton	Defuniak Springs	50
Hendry Regional Medical Center	Hendry	Clewiston	25
Jackson Hospital	Jackson	Marianna	100
Jay Hospital	Santa Rosa	Jay	49
Lake Butler Hospital Hand Surgery Center	Union	Lake Butler	25
Lakeside Medical Center	Palm Beach	Belle Glade	70
Madison County Memorial Hospital	Madison	Madison	25
Mariners Hospital	Monroe	Tavernier	25
Northwest Florida Community Hospital	Washington	Chipley	59
Putnam Community Medical Center	Putnam	Palatka	99
Raulerson Hospital	Okeechobee	Okeechobee	100
Regional General Hospital Williston ¹⁹	Levy	Williston	40
Sacred Heart Hospital On The Emerald Coast	Walton	Miramar Beach	58
Sacred Heart Hospital On The Gulf	Gulf	Port Saint Joe	19

¹⁷ Section 408.07(15), F.S., defines a critical access hospital as “a hospital that meets the definition of ‘critical access hospital’ in s. 1861(mm)(1) of the Social Security Act and that is certified by the Secretary of Health and Human Services as a critical access hospital.”

¹⁸ See s. 395.602(2)(e), F.S.

¹⁹ Formerly known as Tri County Hospital - Williston.

Rural Hospital	County	City	Beds
Shands Lake Shore Regional Medical Center	Columbia	Lake City	99
Shands Live Oak Regional Medical Center	Suwannee	Live Oak	25
Shands Starke Regional Medical Center	Bradford	Starke	49

Rural hospitals are eligible to participate in Medicaid’s rural hospital financial assistance programs under s. 409.9116, F.S. Rural hospitals may also receive special consideration in the General Appropriations Act for Medicaid reimbursement due to their rural status.

Sole Community Hospitals

The federal Medicare program classifies a hospital as a “sole community hospital” based on criteria specified in title 42, s. 412.92, of the Code of Federal Regulations, including whether the hospital is situated in a federally-designated rural area, the hospital’s capacity, and the hospital’s distance from other hospitals. A sole community hospital is given special treatment and is eligible for payment adjustments from the Medicare program due to the federal government’s consideration of the hospital’s accessibility to residents of rural areas who have limited options for hospital services.

Florida contains seven sole community hospitals.²⁰ In 2014, the Legislature amended the definition of rural hospital to include hospitals classified as sole community hospitals having up to 340 licensed beds, beginning in the 2014-2015 fiscal year.²¹ Prior to the 2014-2015 fiscal year, two of Florida’s sole community hospitals did not qualify under Florida statutes as rural hospitals.²² The 2014 legislation had the effect of classifying all seven sole community hospitals as rural hospitals. However, one year later, the Legislature amended the definition once again to remove the provision added in 2014, which means the two sole community hospitals newly classified as rural in Fiscal Year 2014-2015 no longer meet the definition.

Disproportionate Share Hospital Programs

Federal law requires state Medicaid programs to make Disproportionate Share Hospital (DSH) payments to qualifying hospitals that serve a large number of Medicaid recipients and uninsured individuals. The federal government annually provides a limited DSH allotment to each state. States may appropriate these federal funds based on the amount of state dollars appropriated as matching funds for the federal DSH allotment, up to but not exceeding the federal limit. The legislature determines each year how DSH funds will be distributed to each eligible facility in the General Appropriations Act and according to parameters within the Florida Statutes.

For states to receive DSH payments, federal law requires states to submit an independent certified audit and an annual report to the secretary of the U.S. Department of Health and Human Services, describing DSH payments made to each DSH hospital. Florida law requires the AHCA

²⁰ The sole community hospitals in Florida are: Desoto Memorial Hospital (Arcadia); Doctors’ Memorial Hospital (Perry); Ed Fraser Memorial Hospital (MacClenny); Flagler Hospital (St. Augustine); Raulerson Hospital (Okeechobee); Jackson Hospital (Marianna); and Lower Keys Medical Center (Key West).

²¹ See ch. 2014-57, Laws of Florida.

²² Flagler Hospital and Lower Keys Medical Center.

to use audited data from specified years to determine the amount of Medicaid and charity care to be used in calculating DSH payments.²³

Medicaid Nursing Home Reimbursement

AHCA currently reimburses nursing facility care using facility-specific, cost-based per diem rates. As of September 1, 2015, these rates are updated yearly. Prior to September 1st of each year, annual rates are calculated using inflated historical facility-specific cost information. The rates and reimbursements may be adjusted post-payment if cost reports for the timeframe in which services were rendered are audited or adjusted. For rate year 2016/17, which started on September 1, 2016, these per diem rates ranged from \$161.25 to \$308.35 per patient day. The unweighted (each facility counted once) average per diem was \$228.79. Thus, the facility with the lowest per diem receives 70 percent of the statewide average and the facility with the highest per diem receives 135 percent of the statewide average.

The nursing facility industry in Florida is sizeable and is heavily dependent on Medicaid reimbursement. As of September 1, 2016, there were 658 nursing facilities participating in the Florida Medicaid program. These nursing facilities account for a total of 81,835 beds, with an average of 124 beds per facility. These facilities account for over 26.35 million resident days a year, of which over 16 million, or 61 percent are Medicaid days, corresponding to a Medicaid daily census of approximately 44,070 individuals statewide. The number of beds per facility ranges from a minimum of 20 to a maximum of 438. Statewide, the average occupancy rate for a Medicaid participating nursing facility is 88 percent. The fiscal year 2016-2017 estimated total Medicaid spend for nursing facility care is approximately \$3.6 billion.

Since 2013, nearly all long term care for Florida Medicaid has been administered through Medicaid managed care. The managed care plans are required to pay nursing facilities the same rates that are calculated for Medicaid fee-for-service. The specific language that documents this requirement in the AHCA-to-managed care plan contract is,

“The Agency will set facility-specific payment rates based on the rate methodology outlined in the most recent version of the Florida Title XIX Long-term Care Reimbursement Plan. The Managed Care Plan shall pay nursing facilities an amount no less than the nursing facility specific payment rates set by the Agency and published on the Agency website. The Managed Care Plan shall use the published facility-specific rates as a minimum payment level for all payments.”

Thus, the calculated per diem rates currently apply to both the Medicaid fee-for-service and managed care programs.

Current statutory provisions specific to Medicaid reimbursement are found in s. 409.908(2), F.S. The Fiscal Year 2016-2017 General Appropriations Act (GAA) directed AHCA to explore a prospective payment system for Medicaid nursing facility reimbursement. The specific direction for the study directed AHCA to:

²³ See s. 409.911(2), F.S.

“...contract with an independent consultant to develop a plan to convert Medicaid payments for nursing facility services from a cost-based reimbursement methodology to a prospective payment system. The study shall identify steps necessary for the transition to be completed in a budget neutral manner.”

The legislation directed that the study be completed and submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than January 1, 2017. The legislative request also included a review of hospice rates, which are currently derived from nursing facility rates. The AHCA contracted with Navigant Consulting to complete this study. The report was submitted on December 29, 2016.²⁴

As noted above, the language in the 2016-2017 GAA required consideration of a prospective payment system that is not cost-based. The instructions also indicated that the new prospective payment method should be designed in a budget neutral manner in aggregate for the entire Medicaid nursing facility program. The report outlined the design of a new nursing facility payment method that is both prospective and budget neutral. The design described in the report took into consideration the impact of Medicaid reimbursement on nursing facilities and the unique circumstances for the nursing facility industry in Florida – most notably, the relatively high minimum staffing requirements. The payment method design also takes into consideration the goals of AHCA and feedback from the Florida nursing facility industry. AHCA’s goals for this new payment method were communicated via five meetings between Navigant and AHCA’s internal “Nursing home Prospective Payment System (NPPS) Governance Committee” which comprised all affected members of AHCA’s management team. Feedback from the Florida nursing facility industry was garnered over a six month period through six formal public meetings and from numerous less formal meetings with individual stakeholders.

The proposed new method described in report balances financial incentives for high quality care with incentives for efficiency. The payment method also attempts to provide fair and equitable payments for similar services. More specifically, the new payment method contains the following components:

- Standardized rates, some with pricing floors, for Direct Care, Indirect Care, and Operations components of per diems. This will reward facilities that operate and provide care most efficiently;
- Facility peer groupings, which account for higher costs in South Florida;
- A Quality Incentive Program, which uses quality metrics to increase reimbursement to high performing facilities. Facilities with, for example, low infection rates, high star ratings, Gold Seal status, and/or external industry quality accreditation can earn higher rates. The new system projects to provide approximately \$10 million in additional reimbursement to four star, five star, and Gold Seal facilities in the first year of implementation, given the quality scores we have modelled to date;
- A fair rental value property component, which pays a reasonable amount to providers for well-maintained and updated facilities;
- A transition period that allows facilities to adjust to the new incentive structure;

²⁴ See report entitled: Nursing Facility Payment Method Recommendations Report; prepared for Florida Agency for Health Care Administration by Navigant, on file with Appropriations Committee staff.

- No case mix adjustment; and
- Additional payments for specific high cost services to promote access to care.

With these outlined components, the report indicated that all providers have the opportunity to earn higher rates through demonstration of high quality and/or increased efficiency.

The report's recommendations reflected 18 decision areas, and a total of 28 options selected in these decision areas.

Mental Health and Substance Abuse

Mental illness creates enormous social and economic costs.²⁵ Unemployment rates for persons with mental disorders are high relative to the overall population.²⁶ People with severe mental illness have exceptionally high rates of unemployment, between 60 percent and 100 percent.²⁷ Mental illness increases a person's risk of homelessness in America threefold.²⁸ Studies show that approximately 33 percent of our nation's homeless live with a serious mental disorder, such as schizophrenia, for which they are not receiving treatment.²⁹ Often the combination of homelessness and mental illness leads to incarceration, which further decreases a person's chance of receiving proper treatment and leads to future re-offenses.³⁰

According to the National Alliance on Mental Illness (NAMI), approximately 50 percent of individuals with severe mental health disorders are affected by substance abuse.³¹ NAMI also estimates that 29 percent of all people diagnosed as mentally ill abuse alcohol or other drugs.³² When mental health disorders are left untreated, substance abuse is likely to increase. When substance abuse increases, mental health symptoms often increase as well or new symptoms may be triggered. This could also be due to discontinuation of taking prescribed medications or the contraindications for substance abuse and mental health medications. When taken with other medications, mental health medications can become less effective.³³

Mental illness affects millions of people in the United States each year. Only about 17% of adults in the United States are considered to be in a state of optimal mental health.³⁴

²⁵ Mental Illness: The Invisible Menace, *Economic Impact* <http://www.mentalmenace.com/economicimpact.php>

²⁶ Mental Illness: The Invisible Menace, *More impacts and facts* <http://www.mentalmenace.com/impactsfacts.php>

²⁷ *Id.*

²⁸ Family Guidance Center, *How does Mental Illness Impact Rates of Homelessness?* (February 4, 2014) available at <http://www.familyguidance.org/how-does-mental-illness-impact-rates-of-homelessness/>

²⁹ *Id.*

³⁰ *Id.*

³¹ Donna M. White, LPCI, CACP, Psych Central.com, *Living with Co-Occurring Mental & Substance Abuse Disorders*, (October 2, 2013) available at <http://psychcentral.com/blog/archives/2013/10/02/living-with-co-occurring-mental-substance-abuse-disorders/>

³² *Id.*

³³ *Id.*

³⁴ Mental illness can range in severity from no or mild impairment to significantly disabling impairment. Serious mental illness is a mental disorder that has resulted in a functional impairment which substantially interferes with or limits one or more major life activities. *Any Mental Illness (AMI) Among Adults*, National Institute of Health. <http://nimh.nih.gov/health/statistics/prevalence/any-mental-illness-ami-among-adult.shtml> (last viewed on March 16, 2016).

Significant social and economic costs are associated with mental illness. Persons diagnosed with a serious mental illness experience significantly higher rates of unemployment compared with the general population.³⁵

Mental Health and Substance Abuse Services in Florida

The Office of Substance Abuse and Mental Health (SAMH) is housed in the Department of Children and Families (DCF) and serves as the single state authority for mental health and substance abuse services. The Office of Substance Abuse and Mental Health administers a statewide system of safety-net services for substance abuse and mental health prevention, treatment, and recovery services. This system serves children and adults who are otherwise unable to obtain mental health and substance abuse treatment services. This group includes individuals who are eligible for Medicaid, Medicaid enrolled individuals who require services not covered under Florida Medicaid, and those who are not financially able to cover medical expenses independently.

Florida law requires DCF to implement a system of care to provide substance abuse treatment and mental health services as follows:

- Adults who have substance abuse disorders and a history of intravenous drug use;
- Individuals diagnosed as having co-occurring substance abuse and mental health disorders;
- Parents whose substance abuse disorder puts their children at risk for involvement in the dependency system;
- Individuals who have a substance abuse disorder and have been ordered by the court to receive treatment;
- Children at risk for initiating drug use;
- Children under state supervision;
- Children who have a substance abuse disorder but who are not under the supervision of a court or in the custody of a state agency; and
- Individuals identified as being part of a priority population as a condition for receiving services funded through federal Substance Abuse Treatment and Prevention Block Grants.

The DCF's system of care is required to prevent and remediate the consequences of substance abuse for persons with substance abuse disorders through the provision of a comprehensive continuum of accessible and quality substance abuse prevention, intervention, and treatment services in the least restrictive environment of optimum care (see s. 394.67, F.S.). The system of care is comprised of the following broad categories of substance abuse services:

- Prevention services,
- Assessment services,
- Intervention services,
- Rehabilitation services, and
- Ancillary services, including:
 - Self-help and other support groups and activities;
 - Aftercare provided in a structured, therapeutic environment;
 - Supported housing;

³⁵ *Account for Unemployment Among People with Mental Illness*, Baron RC, Salzer MS, Behav. Sci. Law., 2002;20(6):585-99 <http://ncbi.nlm.nih.gov/pubmed12465129> (last viewed on March 16, 2016).

- Supported employment;
- Vocational services; and
- Educational services.

In 2008, the legislature required the department to implement a system of behavioral health managing entities that would serve as regional agencies to manage and pay for mental health and substance abuse services.³⁶ Prior to this time, the department, through its regional offices, contracted directly with behavioral health service providers. The legislature found that a management structure that places the responsibility for publicly-financed behavioral health treatment and prevention services within a single private, nonprofit entity at the local level would promote improved access to care, promote service continuity, and provide for more efficient and effective delivery of substance abuse and mental health services. There are currently seven managing entities across the state.³⁷

The SMMC program requires the AHCA to create an integrated managed care program for Medicaid enrollees to provide all the mandatory and optional Medicaid benefits for primary and acute care through a Managed Medical Assistance (MMA) program. Behavioral health care is covered by Medicaid managed care plans for MMA program enrollees.

Mental Health and Substance Abuse Revenue Maximization

Section 394.761, F.S., requires AHCA and the Department of Children and Families (DCF) to develop a plan to obtain federal approval for increasing the availability of federal Medicaid funding for behavioral health care. The plan was provided December 31, 2016, and identified the funding appropriated for mental health and substance abuse services that could be used as state Medicaid match to increase federal funding.³⁸ The plan also evaluated alternative uses of increased Medicaid funding and identified the advantages and disadvantages of each alternative.

According to the report, DCF has identified \$412,411,814 in general revenue funding appropriated during fiscal year 2016-2017 for mental health and substance abuse services that may be eligible to be used as state match to receive additional Medicaid funding depending on the delivery system enhancements implemented.

DCF is currently spending general revenue funds on these services for individuals with serious mental illness or substance use disorder. DCF offers several services that are funded above the service level provided under Florida Medicaid. Such services include: assessments, group and individual therapy, day treatment, medical services, case management, substance abuse inpatient detoxification, and inpatient hospital services.

Eliminating the service limitations that are in place under Florida Medicaid for these eight services provided by DCF would eliminate the need for Medicaid recipients to access these services through the managing entities. If AHCA is directed to cover these services, the receipt

³⁶ See s. 394.9082, F.S., as created by Chapter 2008-243, Laws of Fla.

³⁷ Department of Children and Families website, <http://www.myflfamilies.com/service-programs/substance-abuse/managing-entities>, (last visited Jan. 11, 2016).

³⁸ See report entitled: Behavioral Health Services Revenue Maximization Plan, Report to the Florida Legislature Pursuant to Section 394.761(5), Florida Statutes; on file with Appropriations Committee staff.

of federal matching funds would free up general revenue. AHCA would be eligible to receive approximately 60 percent of the cost of services provided from the federal government. This would make it possible to replace prior general revenue expenditures on those services provided through the managing entities.

DCF also offers certain services that are not covered at all under Florida Medicaid using state general revenue funding. The most heavily used of these services by Medicaid recipients are: residential services, room and board with supervision, incidental expenses, crisis stabilization, residential detoxification, supportive housing and supportive employment. AHCA could pursue authority through a Section 1115 waiver to provide these non-covered services through the managing entities to Medicaid recipients contending with a serious mental illnesses or substance use disorder.

Other options to be considered by AHCA to increase Medicaid funding for Medicaid enrollees with Chronic Mental Illness and Substance Use Disorders include:

- Adjustment of the capitation rate for Medicaid enrollees
- Increase reimbursement rates for behavioral health services
- Increase reimbursement rates to providers through incentive payments
- Make supplemental payments to providers
- Use of intergovernmental transfers from counties, local taxing districts, county health departments, publicly funded hospitals, and in some cases other state agencies to AHCA
- Use certified public expenditures to draw down federal funds to account for uncompensated costs for medical care provided to Medicaid recipients
- Create designated state health programs to provide safety-net health care services for low-income or uninsured individuals.

Program of All-Inclusive Care for the Elderly (PACE)

PACE is a capitated benefit model³⁹ authorized by the federal Balanced Budget Act of 1997 that features a comprehensive service delivery system and integrated federal Medicare and state Medicaid financing. The model was tested through the federal Centers for Medicare and Medicaid Services (CMS) demonstration projects that began in the mid-1980s. The PACE model was developed to address the needs of long-term care clients, providers, and payers.

For most participants, the comprehensive service package permits them to continue living at home while receiving services rather than receiving services in other more costly long term care settings. Capitated financing allows providers to deliver all the services that participants need rather than being limited to those services reimbursable under the Medicare and Medicaid fee-for-service systems.

The Balanced Budget Act of 1997 established the PACE model of care as a permanent entity within the Medicare program and enabled states to provide the PACE services to Medicaid recipients as a state option without a Medicaid waiver. The state plan must include PACE as an

³⁹ Under such a model, the contracted provider entity is paid a set dollar amount per month to see patients regardless of how many treatments or the number of services the patient receives. The agreement is that the provider will get a flat, prearranged payment in advance per member per month.

optional Medicaid benefit before the state and federal governments can enter into program agreements with PACE providers.

A PACE organization is a not-for-profit private or public entity that is primarily engaged in providing the PACE services and must:

- Have a governing board that includes community representation;
- Be able to provide the complete service package regardless of frequency or duration of services;
- Have a physical site to provide adult day services;
- Have a defined service area;
- Have safeguards against conflicts of interest;
- Have demonstrated fiscal soundness; and
- Have a formal participant bill of rights.

PACE is a unique federal/state partnership. The federal government establishes the PACE organization requirements and application process. The state Medicaid agency or other state agency is responsible for oversight of the entire application process, which includes reviewing the initial application and providing an on-sight readiness review before a PACE organization can be authorized to serve patients. An approved PACE organization must sign a contract with the CMS and the state Medicaid agency.

Florida PACE Project

The Florida PACE project is one project among many that provide alternative, long-term care options for elders who qualify for Medicare and the state Medicaid program. The PACE project was initially authorized in ch. 98-327, L.O.F., and was codified in s. 430.707(2), F.S. The PACE model targets individuals who would otherwise qualify for Medicaid nursing home placement and provides them with a comprehensive array of home and community based services at a cost less than the cost of nursing home care. The PACE project is administered by the Department of Elder Affairs in consultation with the AHCA.

In addition to receiving the necessary legislative authority, the development of a new PACE organization or the expansion of an existing program is a lengthy process that includes: identifying a service area, acquiring and renovating a PACE facility, and processing the PACE application through the state and the federal review systems.

PACE projects have been approved and are operational in several Florida counties, including Lee, Miami-Dade, Pinellas, Polk, Highlands, Hardee, Palm Beach, Manatee, Sarasota, Desoto, and Broward. Most recently, PACE projects have been approved and are in various stages of the application process in Escambia and surrounding counties, Duval and surrounding counties, and Lake, Orange, and Hillsborough counties.

Cigarette Tax: Biomedical Research

Section 210.20(c), F.S., provides for the payment of monthly distributions from 1.0 percent of the net cigarette tax collections received by the Division of Alcoholic Beverages and Tobacco in the Department of Business and Professional Regulation which are deposited into the Cigarette

Tax Collection Trust Fund and transferred to the Biomedical Research Trust Fund in the Department of Health. These funds are appropriated annually in an amount not to exceed \$3 million for the purpose of establishing activities and grant opportunities in relation to biomedical research. The Department of Health and the Sanford Burnham Prebys Medical Discovery Institute are required to use the funding to work in conjunction for these purposes.

Pediatric Cancer Research

According to the National Cancer Institute, cancer remains the leading cause of death from disease among children. The major types of cancers in children ages 0 to 14 years, which account for over half of pediatric cancer incidence, are:

- Acute lymphocytic leukemia;
- Brain and other central nervous system (CNS) tumors; and
- Neuroblastoma.⁴⁰

Pediatric cancer death rates have dropped considerably in the last several decades; however, even when long-term survival is achieved, many survivors of childhood cancer may experience long-term adverse effects from the disease or its treatment. Research is needed to develop treatments for childhood cancer that are more effective and safe for children.

Pediatric cancer is relatively uncommon, representing less than one percent of all new cases of cancer diagnosed in the United States each year.⁴¹ This presents a major challenge in conducting pediatric cancer research, especially considering the unique nature of certain types of pediatric cancers with respect to the types of cancer that present in children compared to adults and the need for less toxic treatments that cause fewer adverse effects.

Pediatric clinical trials are an essential component of the research process that ensures new treatments are found to be safe and effective in treating disease before the treatment is made widely available to patients. The substantial progress that has been made in identifying curative therapies for pediatric cancers is directly attributable to the success of clinical trials.⁴² Strong collaboration amongst pediatric cancer centers is vital to the continued success of clinical trials due to the unique nature, and low prevalence, of many types of pediatric cancers. Securing adequate funding to support pediatric cancer research and clinical trials is a challenge.

In 2014, pediatric cancer research awarded by the National Institutes of Health totaled approximately \$200 million,⁴³ which represented only 5.9 percent of the total funding allocated for research.⁴⁴ Florida received a fraction of the total amount awarded for pediatric cancer research with only \$8,498,573 awarded to Florida-based institutions in 2014.⁴⁵

⁴⁰ See <https://www.cancer.gov/types/childhood-cancers> (last viewed Mar. 31, 2017)

⁴¹ See <https://www.cancer.gov/research/areas/childhood> (last viewed Mar. 31, 2017)

⁴² *Id.*

⁴³ See <https://fundedresearch.cancer.gov/nciportfolio/search/SearchForm> (last viewed Mar. 31, 2017)

⁴⁴ National Cancer Institute Budget Fact Book for Fiscal Year 2014 (Page 5). See <https://www.cancer.gov/about-nci/budget/fact-book/archive/2014-fact-book.pdf> (last viewed Mar. 31, 2017)

⁴⁵ *Supra* note 42.

Bankhead-Coley Program

In 2006, the Legislature created the William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program (Bankhead-Coley Program) within the Department of Health (DOH). The purpose of the program was to advance progress towards cures for cancer through grant awards.

The funds are distributed as grants to researchers seeking cures for cancer, with emphasis given to the efforts that significantly expand cancer research capacity in the state.⁴⁶ The goals of the Bankhead-Coley Program are to expand significantly cancer research capacity and cancer treatment in the state by:

- Identifying ways to attract new research talent and attendant national grant-producing researchers to cancer research facilities in this state;
- Implementing a peer-reviewed, competitive process to identify and fund the best proposals to expand cancer research institutes in this state;
- Funding, through available resources, proposals that demonstrate the greatest opportunity to attract federal research grants and private financial support;
- Encouraging the employment of bioinformatics in order to create a cancer informatics infrastructure that enhances information and resource exchange and integration through researchers working in diverse disciplines to facilitate the full spectrum of cancer investigations;
- Facilitating the technical coordination, business development, and support of intellectual property as it relates to the advancement of cancer research;
- Aiding in other multidisciplinary, research-support activities for the advancement of cancer research;
- Improving both research and treatment through greater participation in clinical trials networks; and
- Reducing the impact of cancer on disparate groups.

The Biomedical Research Advisory Council (BRAC) is responsible for assisting in developing guidelines for fairness, neutrality, principles of merit, and quality in the conduct of the Bankhead-Coley Program, and develops guidelines, criteria and standards for the solicitation, review, and award of research grants and fellowships.⁴⁷

The Bankhead-Coley Program distributes multi-year grant awards based on the recommendation of the State Surgeon General, after consultation with the BRAC.⁴⁸ Unspent awards are deposited back into the Biomedical Research Trust Fund after five years.⁴⁹ Any university or research institute in Florida may apply for grant funding to support the goals of the Bankhead-Coley Program. All qualified investigators in the state, regardless of the institution, have an equal opportunity to compete for funding. The following types of applications may be considered for funding:

- Investigator-initiated research grants;
- Institutional research grants; and

⁴⁶ Section 381.921, F.S.

⁴⁷ Section 215.5602(3), F.S.

⁴⁸ Section 215.5602(5)(b), F.S.

⁴⁹ Section 20.435(7)(c), F.S.

- Collaborative research grants, including those that advance the finding of cures through basic or applied research.⁵⁰

In Fiscal Year 2016-2017, the Bankhead-Coley Program received \$10 million from funds in the Biomedical Research Trust Fund.⁵¹

The Department of Health has experience with other research programs besides the Bankhead-Coley Cancer Research Program, such as the James and Esther King Biomedical Research Program for tobacco-related diseases, and the Ed and Ethel Moore Alzheimer's Disease research program.

Research that has resulted from Bankhead-Coley and other DOH biomedical research programs has been leveraged by Florida-based researchers to bring in an additional \$260 million of federal funding to our state.⁵²

The appropriation of additional funding for pediatric cancer research hopefully will result in a similar return on investment seen with other biomedical research programs recently established by the legislature, such as the Ed and Ethel Moore Alzheimer's Disease Research Program. Federal funding for Alzheimer's research in our state increased by over \$10 million in 2015, making Florida the 7th highest funded state, up from 12th the year before.⁵³

III. Effect of Proposed Changes:

Section 1 amends s. 212.20(2)(c), F.S., relating to the distribution of cigarette tax revenue for biomedical research purposes, to redirect the cigarette tax distribution funds that would otherwise be used for the Sanford Burnham Prebys Medical Discovery Institute for distribution to National Cancer Institute research entities under s. 381.915, F.S., for advancement of cures for cancers impacting pediatric populations through basic or applied research, including but not limited to, clinical, trials and nontoxic drug discovery.

Section 2 amends s. 381.922 (2), F.S., relating to the Bankhead-Coley Cancer Research Program, and specifically grants thereunder, to stipulate that efforts to improve both research and treatment through greater participation in clinical trials networks shall include identifying ways to increase pediatric and adult enrollment in clinical trials. In addition, the Live Like Bella Initiative is created within the Bankhead-Coley Program to advance progress toward curing pediatric cancer by awarding grants according to the peer-reviewed, competitive process established under subsection (3) of this section. The implementation of this new initiative is subject to an annual appropriation.

Section 3 amends s. 394.9082, F.S., relating to behavioral health managing entities, to provide for a Substance Abuse and Mental Health (SAMH) Safety Net Network. The Department of Children and Families (DCF) and the Agency for Health Care Administration (AHCA) are

⁵⁰ Section 381.922(3)(a), F.S.

⁵¹ Chapter 2016-66, Laws of Florida. See Specific Appropriation 470.

⁵² Presentation by Surgeon General Dr. Celeste Philip to Senate Subcommittee on Health and Human Services. (February 15, 2017).

⁵³ Id.

directed to establish the SAMH Network by adding specific services currently provided by managing entities to the state Medicaid plan and by adjusting the amount of units of services for specific Medicaid services to better serve target populations. The DCF is directed to submit general revenue expenditure documentation to the agency for state match for services and for the agency to pay managing entities the federal Medicaid share for services rendered. The state share of funding for implementation of these provisions is to be re-directed general revenue funds in the DCF that are used to fund SAMN services, excluding residential services. The need for these state-only funds will be offset by the infusion of federal funds made available to the Safety Net.

Section 4 directs the AHCA, in conjunction with DCF, to seek federal authority for administrative claiming for Community Action Teams and Family Intensive Treatment Teams, for Community Based Care case management activities, and central receiving facilities.

Section 5 directs DCF, in collaboration with AHCA, to document the extent to which local funding is used for behavioral health services, and directs AHCA to seek federal matching funds for this local contribution as certified public expenditures.

Section 6 amends s. 395.602, F.S., to provide that a hospital classified as a sole community hospital is included in the definition of “rural hospital” regardless of its bed size.

Section 7 amends s. 409.904(11), F.S., to expand optional payments for eligible persons in Medicaid, to add as a person for whom Medicaid payment may be made someone who meets the following criteria: a person who is diagnosed with acquired immune deficiency syndrome (AIDS); who has an AIDS-related opportunistic infection and is at risk of hospitalization; and whose income is at or below 300 percent of the federal benefit rate.

Section 8 amends s. 409.908, F.S., relating to reimbursement of Medicaid providers, to direct that, beginning October 1, 2017, and ending September 30, 2020, the Agency reimburse nursing home providers the greater of their September 2016 cost-based reimbursement rate or their prospective payment rate. Effective October 1, 2020, the Agency shall reimburse providers the greater of 95 percent of their cost-based rate or their rebased prospective rate, using the most recently audited cost report for each facility. Pediatric, Florida Department of Veterans Affairs, and government-owned facilities are exempt from this new pricing model. Related provisions are modified to keep in place applicable rate-setting ceilings and targets for those facilities that remain on cost-based reimbursement. Changes are made for calculations of direct care costs, and other patient care costs. Prospective rates are to be rebased every four years, and direct care supplemental payments may be made under specified circumstances.

This section specifies that Medicaid reimbursement will be provided for deductibles and coinsurance for Medicare Part B services provided for mobile x-ray services rendered to a person who is Medicare and Medicaid dually eligible when such services are delivered in an assisted living facility or a home, just as such reimbursement is presently provided for a nursing home resident.

Section 9 amends s. 409.9082(4), F.S., relating to the uses of revenue generated by the quality assessment on nursing home facilities, to authorize as a use the partial funding of the quality incentive program for nursing facilities that exceed quality benchmarks, in lieu of use for that

portion for the facilities' rate not otherwise addressed by the subsection provisions relating to rate reduction and assessment amounts.

Section 10 amends s. 409.909, F.S., to modify the Statewide Medicaid Residency Program such that a qualifying institution, as defined under the program, may receive the same types of program payments as hospitals. Under the program, a qualifying institution is defined as a Federally Qualified Health Center which holds an Accreditation Council for Graduate Medical Education institutional accreditation.

Section 11 amends s. 409.911, F.S., relating to the Regular Disproportionate Share Program, to require the AHCA to use the average of the 2009, 2010, and 2011 audited disproportionate share hospital (DSH) data to determine each hospital's Medicaid days and charity care for the 2017-2018 fiscal year.

Section 12 amends s. 409.9119, F.S., to modify the specialty children's hospitals that qualify for funds under this section to include those that have a specific federal certification number, and meet Medicare and Medicaid day criteria. There is an update of the year referenced for fund distribution purposes.

Section 13 amends s. 409.913 (36), F.S., relating to oversight of the integrity of the Medicaid program and the sharing of explanation of medical benefits with service recipients, to authorize that such documents be shared with recipients on a sampling basis rather than to all recipients, other than the exemptions already provided from such distributions.

Section 14 amends s. 409.975, F.S., relating to managed care plan accountability, to direct AHCA to contract with the Safety Net to plan, coordinate, and contract for the delivery of certain community SAMN services. The contract must require the managing entities to provide specified services to Medicaid-eligible services. Prior to contracting, the AHCA, with participation by the DCF, shall conduct a readiness review based on specified criteria. The AHCA is directed to work with the DCF and the managing entities in developing rates for contracted services.

Section 15 amends s. 409.979, F.S., relating to eligibility for Long-term Care Managed Care program, to include those who meet hospital level of care for individuals with cystic fibrosis. In addition, this section specifies that those individuals enrolled in the Traumatic Brain and Spinal Cord Injury Waiver, the Adult Cystic Fibrosis Waiver, and the Project AIDS Care Waiver who meet all applicable criteria shall be transitioned to Long-term Care Managed Care program by January 1, 2018. Once all such persons have been transitioned out of their waiver, the agency may seek federal authorization to terminate these waivers.

Section 16 directs the AHCA, subject to federal approval to become a PACE site, to contract with an additional not-for-profit organization located in Miami-Dade County. The organization shall have a history of primarily serving the Hispanic community by providing primary care services, nutrition, meals, and adult day care to senior citizens. The applicant organization shall leverage existing community-based care providers and health care organizations to provide PACE services. The AHCA, in conjunction with the Department of Elder Affairs and subject to a subsequent appropriation, shall approve up to 250 initial enrollees in this PACE program.

Section 17, notwithstanding section 27 of chapter 2016-65, Florida Statutes, directs the AHCA, subject to federal approval to become a PACE site, to contract with a not-for-profit organization formed by a partnership with a not-for-profit hospital, not-for-profit agency serving seniors, and a not-for-profit hospice in Leon County. The organization is authorized to serve eligible enrollees in Leon, Jefferson, Gadsden, and Wakulla counties. The AHCA, in conjunction with the Department of Elder Affairs and subject to a subsequent appropriation, shall approve up to 300 initial enrollees in this PACE program.

Section 18 amends section 17 of chapter 2011-61, Laws of Florida, to authorize the existing PACE provider in Palm Beach County to expand services to eligible enrollees in Martin, St. Lucie, Okeechobee, and Indian River Counties. The initial 150 enrollees were residents of Palm Beach County, and the enrollment in Martin County can be up to 150 persons.

Section 19, effective June 30, 2017, amends section 9 of chapter 2016-65, Laws of Florida, which amended s. 409.905, F.S., relating to Medicaid mandatory services, to delay from July 1, 2017 to July 1, 2018, the implementation of a prospective payment system for Medicaid outpatient hospital services, referred to as enhanced ambulatory payment group (or EAPGs).

Section 20 amends section 29 of chapter 2016-65, Laws of Florida, to authorize the Lake County hospice-based PACE provider to expand services into the Orlando area with an initial enrollment of 150.

Section 21 directs the AHCA, subject to federal approval to become a PACE site, to contract with one not-for-profit organization that satisfies specific criteria to provide PACE services to frail and elderly persons who reside in Alachua County. The AHCA, in conjunction with the Department of Elder Affairs and subject to a subsequent appropriation, shall approve up to 150 initial enrollees in this PACE program.

Section 22 directs the AHCA, subject to federal approval to become a PACE site, to contract with an organization located in Miami-Dade County that owns and operates primary care medical centers in South Florida. The organization shall leverage its existing community-based providers to provide PACE services to frail elders who reside in Broward, Miami-Dade, and Palm Beach Counties. The AHCA, in conjunction with the Department of Elder Affairs and subject to a subsequent appropriation, shall approve up to 300 initial enrollees in this PACE program.

Section 23 provides that, except as otherwise expressly provided in the act, and this section, which shall take effect upon becoming law, the bill has an effective date of July 1, 2017.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Sole community hospitals that meet the definition of “rural hospital” under SB 2514 may receive increased Medicaid reimbursements.

C. Government Sector Impact:

SB 2500, the Senate General Appropriations Act for Fiscal Year 2017-2018, contains the following appropriations relating to the changes made in this bill:

- The regular Disproportionate Share Hospital (DSH) program is appropriated \$8,515,536 of recurring general revenue, \$82,713,189 of recurring funds from the Grants and Donations Trust Fund, and \$219,313,128 of recurring federal matching funds;
- \$5,000,000 in recurring funds from the General Revenue Fund, \$17,115,783 in recurring funds from the Grants and Donations Trust Fund and \$35,507,414 in recurring funds from the Medical Care Trust Fund are provided to fund a three year transition period to implement the prospective payment system, guaranteeing all providers the greater of their 2016 cost based rate or the PPS rate calculated in accordance with the new methodology. Provider gains are capped at 4.075 percent so that all potential losses can be prevented;
- \$20,214,906 is provided from the Medical Care Trust Fund for a rate increase for certain Medicaid behavioral health services. These funds are to be paid to the Substance Abuse and Mental Health Safety Net Network for services provided, contingent on passage of legislation creating this network.
- \$256,087 from the General Revenue Fund and \$411,155 from the Operations and Maintenance Trust Fund are provided to fund 50 slots for PACE in Clay, Duval, St. Johns, Baker, and Nassau counties, effective July 1, 2017;
- \$349,460 from the General Revenue Fund and \$561,066 from the Operations and Maintenance Trust Fund are provided to increase the Program for PACE by 30 slots in Miami-Dade County, and 75 slots in Broward County effective July 1, 2017;
- \$312,721 from the General Revenue Fund and \$502,081 from the Operations and Maintenance Trust Fund are provided to increase the Program for PACE by 30 slots in Collier County, effective July 1, 2017;
- Reduces \$95,950 from the General Revenue Fund and \$154,050, from the Medical Care Trust Fund because of the modification of requirements for Medicaid explanation of medical benefits;

- \$2,400,000 from the Biomedical Research Trust Fund for the Florida Consortium of National Cancer Institute Centers Program for the advancement of cures for cancers afflicting pediatric populations;
- \$2,000,000 in nonrecurring funds from the Biomedical Research Trust Fund for the Live Like Bella Initiative to be administratively housed within the Bankhead-Coley Cancer Research Program. This initiative shall award grants on a peer-reviewed, competitive basis to advance progress toward curing pediatric cancer;
- Requires the DCF to transfer up to \$17,241,519 of general revenue funds from the Grants and Aids - Community Mental Health Services and the Grants and Aids - Community Substance Abuse Services appropriation categories to AHCA to be used as state matching funds for the purpose of eliminating Medicaid service limitations for certain behavioral health services and substance abuse targeted case management services; and also
- Requires DCF to transfer up to \$7,758,481 of general revenue funds from the Grants and Aids - Community Mental Health Services and the Grants and Aids - Community Substance Abuse Services appropriation categories to AHCA to be used as state matching funds for a rate increase for certain Medicaid behavioral health services.

VI. Technical Deficiencies:

None.

VII. Related Issues:

The AHCA must submit amendments to the federally-required state plans for Medicaid for federal approval to implement the Medicaid service changes relating to behavioral health services.

VIII. Statutes Affected:

The bill substantially amends the following sections of the Florida Statutes: 210.20, 381.922, 394.9082, 395.602, 409.904, 409.908, 409.9082, 409.909, 409.911, 409.9119, 409.913, 409.975, and 409.979.

The bill amends two sections of Florida Law.

The bill creates seven undesignated sections of Florida Law.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



577536

LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
04/06/2017	.	
	.	
	.	
	.	

The Committee on Appropriations (Flores) recommended the following:

Senate Amendment

Delete lines 177 - 184
and insert:
Trust Fund for the advancement of cures for cancers afflicting
pediatric populations through basic or applied research,
including, but not limited to, clinical trials and nontoxic drug
discovery. These funds are not included in the calculation for
the distribution of funds pursuant to s. 381.915; however, these
funds shall be distributed to cancer centers participating in



577536

11 the Florida Consortium of National Cancer Institute Centers
12 Program in the same proportion as is allocated to each cancer
13 center in accordance with s. 381.915 and are in addition to any
14 funds distributed pursuant to that section ~~Department of Health~~
15 ~~and the Sanford-Burnham Medical Research Institute to work in~~
16 ~~conjunction for the purpose of establishing activities and grant~~
17 ~~opportunities in relation to biomedical research.~~



587490

LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
04/06/2017	.	
	.	
	.	
	.	

The Committee on Appropriations (Grimsley) recommended the following:

Senate Amendment (with title amendment)

Between lines 1213 and 1214
insert:

Section 22. Subject to federal approval of the application to be a site for the Program of All-inclusive Care for the Elderly (PACE), the Agency for Health Care Administration shall contract with an organization located in Miami-Dade County that owns and operates primary care medical centers in South Florida. The organization shall leverage its existing community-based



587490

care providers to provide PACE services to frail elders who
reside in Broward, Miami-Dade, and Palm Beach Counties. The
organization is exempt from the requirements of chapter 641,
Florida Statutes. The agency, in consultation with the
Department of Elderly Affairs and subject to an appropriation of
funds by the Legislature, shall approve up to 300 initial
enrollees in the PACE site established by the organization for
frail elders who reside in Broward, Miami-Dade, and Palm Beach
Counties. The agency may seek any necessary waiver or state plan
amendments to implement this section.

===== T I T L E A M E N D M E N T =====
And the title is amended as follows:

 Delete lines 153 - 154
and insert:
 enrollees in PACE at the new site, subject to certain
 conditions; requiring the agency to contract with an
 organization that meets certain criteria to offer
 specified services to frail elders who reside in
 certain counties, subject to federal approval;
 exempting the organization from ch. 641, F.S.,
 relating to health care service programs; requiring
 the agency, in consultation with the department, to
 approve a certain number of initial enrollees in PACE
 at the new site, subject to certain conditions;
 providing that the agency may seek any necessary
 waiver or state plan amendments to serve a certain
 purpose; providing effective dates.

FOR CONSIDERATION By the Committee on Appropriations

576-02557C-17

20172514pb

1 A bill to be entitled
 2 An act relating to health care; amending s. 210.20,
 3 F.S.; providing that a specified percentage of the
 4 cigarette tax, up to a specified amount, be paid
 5 annually to the Florida Consortium of National Cancer
 6 Institute Centers Program, rather than the Sanford-
 7 Burnham Medical Research Institute; requiring that the
 8 funds be used to advance cures for cancers afflicting
 9 pediatric populations through basic or applied
 10 research; amending s. 381.922, F.S.; revising the
 11 goals of the William G. "Bill" Bankhead, Jr., and
 12 David Coley Cancer Research Program to include
 13 identifying ways to increase pediatric enrollment in
 14 cancer clinical trials; establishing the Live Like
 15 Bella Initiative to advance progress toward curing
 16 pediatric cancer, subject to an appropriation;
 17 amending s. 394.9082, F.S.; creating the Substance
 18 Abuse and Mental Health (SAMH) Safety Net Network;
 19 providing legislative intent; requiring the Department
 20 of Children and Families and the Agency for Health
 21 Care Administration to determine the scope of services
 22 to be offered through providers contracted with the
 23 SAMH Safety Net Network; authorizing the SAMH Safety
 24 Net Network to provide Medicaid reimbursable services
 25 beyond the limits of the state Medicaid plan under
 26 certain circumstances; providing that general revenue
 27 matching funds for the services shall be derived from
 28 the existing unmatched general revenue funds within
 29 the substance abuse and mental health program and

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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20172514pb

30 documented through general revenue expenditure
 31 submissions by the department; requiring the agency,
 32 in consultation with the department, to seek federal
 33 authorization for administrative claiming pursuant to
 34 a specified federal program to fund certain
 35 interventions, case managers, and facility services;
 36 requiring the department, in collaboration with the
 37 agency, to document local funding of behavioral health
 38 services; requiring the agency to seek certain federal
 39 matching funds; amending s. 395.602, F.S.; revising
 40 the definition of the term "rural hospital" to include
 41 a hospital classified as a sole community hospital,
 42 regardless of the number of licensed beds; amending s.
 43 409.904, F.S.; authorizing the agency to make payments
 44 for medical assistance and related services on behalf
 45 of a person diagnosed with acquired immune deficiency
 46 syndrome who meets certain criteria, subject to the
 47 availability of moneys and specified limitations;
 48 amending s. 409.908, F.S.; revising requirements
 49 related to the long-term care reimbursement plan and
 50 cost reporting system; requiring the calculation of
 51 separate prices for each patient care subcomponent
 52 based on specified cost reports; providing that
 53 certain ceilings and targets apply only to providers
 54 being reimbursed on a cost-based system; expanding the
 55 direct care subcomponent to include allowable therapy
 56 and dietary costs; specifying that allowable ancillary
 57 costs are included in the indirect care cost
 58 subcomponent; requiring the agency to establish, by a

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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20172514pb

59 specified date, a technical advisory council to assist
 60 in ongoing development and refining of quality
 61 measures used in the nursing home prospective payment
 62 system; providing for membership; requiring that
 63 nursing home prospective payment rates be rebased at a
 64 specified interval; authorizing the payment of a
 65 direct care supplemental payment to certain providers;
 66 specifying the amount providers will be reimbursed for
 67 a specified period of time, which may be a cost-based
 68 rate or a prospective payment rate; providing for
 69 expiration of this reimbursement mechanism on a
 70 specified date; requiring the agency to reimburse
 71 providers on a cost-based rate or a rebased
 72 prospective payment rate, beginning on a specified
 73 date; requiring that Medicaid pay deductibles and
 74 coinsurance for certain X-ray services provided in an
 75 assisted living facility or in the patient's home;
 76 amending s. 409.909, F.S.; providing that the agency
 77 shall make payments and distribute funds to qualifying
 78 institutions in addition to hospitals under the
 79 Statewide Medicaid Residency Program; amending s.
 80 409.9082; revising the uses of quality assessment and
 81 federal matching funds to include the partial funding
 82 of the quality incentive payment program for nursing
 83 facilities that exceed quality benchmarks; amending s.
 84 409.911, F.S.; updating obsolete language; amending s.
 85 409.9119, F.S.; revising criteria for the
 86 participation of hospitals in the disproportionate
 87 share program for specialty hospitals for children;

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

576-02557C-17

20172514pb

88 amending s. 409.913, F.S.; removing a requirement that
 89 the agency provide each Medicaid recipient with an
 90 explanation of benefits; authorizing the agency to
 91 provide an explanation of benefits to a sample of
 92 Medicaid recipients or their representatives; amending
 93 s. 409.975, F.S.; authorizing, rather than requiring,
 94 a managed care plan to offer a network contract to
 95 certain medical equipment and supplies providers in
 96 the region; requiring the agency to contract with the
 97 SAMH Safety Net Network; specifying that the contract
 98 must require managing entities to provide specified
 99 services to certain individuals; requiring the agency
 100 to conduct a comprehensive readiness assessment before
 101 contracting with the SAMH Safety Net Network;
 102 requiring the agency and the department to develop
 103 performance measures for the SAMH Safety Net Network;
 104 requiring the agency and the department to develop
 105 performance measures to evaluate the SAMH Safety Net
 106 Network and its services; requiring the agency, in
 107 consultation with the department and managing
 108 entities, to determine the rates for services added to
 109 the state Medicaid plan; amending s. 409.979, F.S.;
 110 expanding eligibility for long-term care services to
 111 include hospital level of care for certain individuals
 112 diagnosed with cystic fibrosis; revising eligibility
 113 for certain Medicaid recipients in the long-term care
 114 managed care program; requiring the agency to contract
 115 with an additional, not-for-profit organization that
 116 meets certain conditions and offers specified services

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117 to frail elders who reside in Miami-Dade County,
 118 subject to federal approval; exempting the
 119 organization from ch. 641, F.S., relating to health
 120 care service programs; requiring the agency, in
 121 consultation with the Department of Elderly Affairs,
 122 to approve a certain number of initial enrollees in
 123 the Program of All-inclusive Care for the Elderly
 124 (PACE); requiring the agency to contract with a
 125 specified not-for-profit organization, a not-for-
 126 profit agency serving elders, and a not-for-profit
 127 hospice in Leon County to be a site for PACE, subject
 128 to federal approval; authorizing PACE to serve
 129 eligible enrollees in Gadsden, Jefferson, Leon, and
 130 Wakulla Counties; requiring the agency, in
 131 consultation with the department, to approve a certain
 132 number of initial enrollees in PACE at the new site,
 133 subject to an appropriation; amending s. 17 of chapter
 134 2011-61, Laws of Florida; requiring the agency, in
 135 consultation with the department, to approve a certain
 136 number of initial enrollees in PACE to serve frail
 137 elders who reside in certain counties; amending s. 9
 138 of chapter 2016-65, Laws of Florida; revising an
 139 effective date; revising the date that rates for
 140 hospital outpatient services must take effect;
 141 amending s. 29 of chapter 2016-65, Laws of Florida;
 142 requiring the agency, in consultation with the
 143 department, to approve a certain number of enrollees
 144 in the PACE established to serve frail elders who
 145 reside in Hospice Service Area 7; requiring the agency

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146 to contract with a not-for-profit organization that
 147 meets certain criteria to offer specified services to
 148 frail elders who reside in Alachua County, subject to
 149 federal approval; exempting the organization from ch.
 150 641, F.S., relating to health care service programs;
 151 requiring the agency, in consultation with the
 152 department, to approve a certain number of initial
 153 enrollees in PACE at the new site, subject to certain
 154 conditions; providing effective dates.

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

157
 158 Section 1. Paragraph (c) of subsection (2) of section
 159 210.20, Florida Statutes, is amended to read:

160 210.20 Employees and assistants; distribution of funds.—
 161 (2) As collections are received by the division from such
 162 cigarette taxes, it shall pay the same into a trust fund in the
 163 State Treasury designated "Cigarette Tax Collection Trust Fund"
 164 which shall be paid and distributed as follows:

165 (c) Beginning July 1, 2017 ~~2013~~, and continuing through
 166 June 30, 2033, the division shall from month to month certify to
 167 the Chief Financial Officer the amount derived from the
 168 cigarette tax imposed by s. 210.02, less the service charges
 169 provided for in s. 215.20 and less 0.9 percent of the amount
 170 derived from the cigarette tax imposed by s. 210.02, which shall
 171 be deposited into the Alcoholic Beverage and Tobacco Trust Fund,
 172 specifying an amount equal to 1 percent of the net collections,
 173 not to exceed \$3 million annually, and that amount shall be
 174 deposited into the Biomedical Research Trust Fund in the

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Department of Health. These funds are appropriated annually ~~in an amount not to exceed \$3 million~~ from the Biomedical Research Trust Fund and distributed pursuant to s. 381.915 for the advancement of cures for cancers afflicting pediatric populations through basic or applied research, including, but not limited to, clinical trials and nontoxic drug discovery ~~Department of Health and the Sanford-Burnham Medical Research Institute to work in conjunction for the purpose of establishing activities and grant opportunities in relation to biomedical research.~~

Section 2. Subsection (2) of section 381.922, Florida Statutes, is amended to read:

381.922 William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program.—

(2) The program shall provide grants for cancer research to further the search for cures for cancer.

(a) Emphasis shall be given to the following goals, as those goals support the advancement of such cures:

1. Efforts to significantly expand cancer research capacity in the state by:

a. Identifying ways to attract new research talent and attendant national grant-producing researchers to cancer research facilities in this state;

b. Implementing a peer-reviewed, competitive process to identify and fund the best proposals to expand cancer research institutes in this state;

c. Funding through available resources for those proposals that demonstrate the greatest opportunity to attract federal research grants and private financial support;

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d. Encouraging the employment of bioinformatics in order to create a cancer informatics infrastructure that enhances information and resource exchange and integration through researchers working in diverse disciplines, to facilitate the full spectrum of cancer investigations;

e. Facilitating the technical coordination, business development, and support of intellectual property as it relates to the advancement of cancer research; and

f. Aiding in other multidisciplinary research-support activities as they inure to the advancement of cancer research.

2. Efforts to improve both research and treatment through greater participation in clinical trials networks by:

a. Identifying ways to increase pediatric and adult enrollment in cancer clinical trials;

b. Supporting public and private professional education programs designed to increase the awareness and knowledge about cancer clinical trials;

c. Providing tools to cancer patients and community-based oncologists to aid in the identification of cancer clinical trials available in the state; and

d. Creating opportunities for the state's academic cancer centers to collaborate with community-based oncologists in cancer clinical trials networks.

3. Efforts to reduce the impact of cancer on disparate groups by:

a. Identifying those cancers that disproportionately impact certain demographic groups; and

b. Building collaborations designed to reduce health disparities as they relate to cancer.

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(b) Preference may be given to grant proposals that foster collaborations among institutions, researchers, and community practitioners, as such proposals support the advancement of cures through basic or applied research, including clinical trials involving cancer patients and related networks.

(c) There is established within the program the Live Like Bella Initiative. The purpose of the initiative is to advance progress toward curing pediatric cancer by awarding grants through the peer-reviewed, competitive process established under subsection (3). This paragraph is subject to the annual appropriation of funds by the Legislature.

Section 3. Subsection (11) is added to section 394.9082, Florida Statutes, to read:

394.9082 Behavioral health managing entities.—

(11) SUBSTANCE ABUSE AND MENTAL HEALTH (SAMH) SAFETY NET NETWORK.—

(a) It is the intent of the Legislature to create the Substance Abuse and Mental Health (SAMH) Safety Net Network to support and enhance the community mental health and substance abuse services currently provided by managing entities. The SAMH Safety Net Network as used in this section means the managing entities and their contracted network of providers. Contracted providers are considered vendors and not subrecipients, as defined in s. 215.97. Managing entities and their contracted providers are not public employees for purposes of chapter 112.

(b) The department and the agency shall establish the SAMH Safety Net Network by adding specific behavioral health services currently provided by managing entities to the state Medicaid plan and adjusting the amount of units of services for specific

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Medicaid services to better serve Medicaid-eligible individuals with severe and persistent mental health or substance use disorders, and their families, who are currently served by managing entities. It is the intent of the Legislature to have the department submit documentation of general revenue expenditures to the agency for the state match for the services and for the agency to pay managing entities the federal Medicaid portion for services provided.

1. Behavioral health services currently funded by managing entities through the substance abuse and mental health program shall be added by the agency to the state Medicaid plan through a state plan amendment. These services shall be provided exclusively through the providers contracted with the SAMH Safety Net Network. The department and the agency shall determine which services are essential for individuals served by managing entities through coordinated systems of care and which services will most efficiently use state and federal resources.

2. The state Medicaid plan currently limits the amount of behavioral health services that may be provided to a covered individual. However, the SAMH Safety Net Network is authorized to provide Medicaid reimbursable services beyond these limits when providing services, including, but not limited to, assessment, group therapy, individual therapy, psychosocial rehabilitation, day treatment, medication management, therapeutic onsite services, substance abuse inpatient or residential detoxification, inpatient hospital services, and crisis stabilization unit or as appropriate in lieu of services.

(c) The required general revenue matching funds for the services shall be derived from the existing unmatched general

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revenue funds within the substance abuse and mental health program and documented through general revenue expenditure submissions by the department. The Medicaid reimbursement for services provided by the SAMH Safety Net Network shall be limited to the availability of general revenue matching funds within the substance abuse and mental health program for such purpose.

(d) Except as otherwise provided in this part, the state share of funds sufficient to implement the provisions of this act shall be redirected from existing general revenue funds in the department which are used for funding mental health and substance abuse services, excluding funding for residential services. The need for these state-only funds must be offset by the infusion of federal funds made available to the SAMH Safety Net Network under the provisions of this act.

Section 4. The Agency for Health Care Administration, in consultation with the Department of Children and Families, shall seek federal authorization for administrative claiming pursuant to the Medicaid Administrative Claiming program to fund:

(1) The department's team-based interventions, including, but not limited to, community action treatment teams and family intervention treatment teams, which focus on the entire family to prevent out-of-home placements in the child welfare, behavioral health, and criminal justice systems.

(2) Case managers employed by the department's child welfare community-based care lead agency who are responsible for locating, coordinating, and monitoring necessary and appropriate services extending beyond direct services for Medicaid-eligible children, including, but not limited to, outreach, referral,

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eligibility determination, and case management.

(3) Central receiving facility services for individuals with mental health or substance use disorders.

Section 5. The Department of Children and Families, in collaboration with the Agency for Health Care Administration, shall document the extent to which behavioral health services are funded with contributions from units of local government. The agency shall seek federal authority to have these funds qualify for federal matching funds as certified public expenditures.

Section 6. Paragraph (e) of subsection (2) of section 395.602, Florida Statutes, is amended to read:

395.602 Rural hospitals.—

(2) DEFINITIONS.—As used in this part, the term:

(e) "Rural hospital" means an acute care hospital licensed under this chapter, having 100 or fewer licensed beds and an emergency room, which is:

1. The sole provider within a county with a population density of up to 100 persons per square mile;

2. An acute care hospital, in a county with a population density of up to 100 persons per square mile, which is at least 30 minutes of travel time, on normally traveled roads under normal traffic conditions, from any other acute care hospital within the same county;

3. A hospital supported by a tax district or subdistrict whose boundaries encompass a population of up to 100 persons per square mile;

4. A hospital classified as a sole community hospital under 42 C.F.R. s. 412.92, regardless of the number of ~~which has up to~~

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349 ~~175~~ licensed beds;

350 5. A hospital with a service area that has a population of
351 up to 100 persons per square mile. As used in this subparagraph,
352 the term "service area" means the fewest number of zip codes
353 that account for 75 percent of the hospital's discharges for the
354 most recent 5-year period, based on information available from
355 the hospital inpatient discharge database in the Florida Center
356 for Health Information and Transparency at the agency; or

357 6. A hospital designated as a critical access hospital, as
358 defined in s. 408.07.

359
360 Population densities used in this paragraph must be based upon
361 the most recently completed United States census. A hospital
362 that received funds under s. 409.9116 for a quarter beginning no
363 later than July 1, 2002, is deemed to have been and shall
364 continue to be a rural hospital from that date through June 30,
365 2021, if the hospital continues to have up to 100 licensed beds
366 and an emergency room. An acute care hospital that has not
367 previously been designated as a rural hospital and that meets
368 the criteria of this paragraph shall be granted such designation
369 upon application, including supporting documentation, to the
370 agency. A hospital that was licensed as a rural hospital during
371 the 2010-2011 or 2011-2012 fiscal year shall continue to be a
372 rural hospital from the date of designation through June 30,
373 2021, if the hospital continues to have up to 100 licensed beds
374 and an emergency room.

375 Section 7. Subsection (11) is added to section 409.904,
376 Florida Statutes, to read:

377 409.904 Optional payments for eligible persons.—The agency

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378 may make payments for medical assistance and related services on
379 behalf of the following persons who are determined to be
380 eligible subject to the income, assets, and categorical
381 eligibility tests set forth in federal and state law. Payment on
382 behalf of these Medicaid eligible persons is subject to the
383 availability of moneys and any limitations established by the
384 General Appropriations Act or chapter 216.

385 (11) Subject to federal waiver approval, a person diagnosed
386 with acquired immune deficiency syndrome (AIDS) who has an AIDS-
387 related opportunistic infection and is at risk of
388 hospitalization as determined by the agency and whose income is
389 at or below 300 percent of the Federal Benefit Rate.

390 Section 8. Subsections (2) and (14) of section 409.908,
391 Florida Statutes, are amended to read:

392 409.908 Reimbursement of Medicaid providers.—Subject to
393 specific appropriations, the agency shall reimburse Medicaid
394 providers, in accordance with state and federal law, according
395 to methodologies set forth in the rules of the agency and in
396 policy manuals and handbooks incorporated by reference therein.
397 These methodologies may include fee schedules, reimbursement
398 methods based on cost reporting, negotiated fees, competitive
399 bidding pursuant to s. 287.057, and other mechanisms the agency
400 considers efficient and effective for purchasing services or
401 goods on behalf of recipients. If a provider is reimbursed based
402 on cost reporting and submits a cost report late and that cost
403 report would have been used to set a lower reimbursement rate
404 for a rate semester, then the provider's rate for that semester
405 shall be retroactively calculated using the new cost report, and
406 full payment at the recalculated rate shall be effected

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407 retroactively. Medicare-granted extensions for filing cost
 408 reports, if applicable, shall also apply to Medicaid cost
 409 reports. Payment for Medicaid compensable services made on
 410 behalf of Medicaid eligible persons is subject to the
 411 availability of moneys and any limitations or directions
 412 provided for in the General Appropriations Act or chapter 216.
 413 Further, nothing in this section shall be construed to prevent
 414 or limit the agency from adjusting fees, reimbursement rates,
 415 lengths of stay, number of visits, or number of services, or
 416 making any other adjustments necessary to comply with the
 417 availability of moneys and any limitations or directions
 418 provided for in the General Appropriations Act, provided the
 419 adjustment is consistent with legislative intent.

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

424 2. Unless otherwise limited or directed in the General
 425 Appropriations Act, reimbursement to hospitals licensed under
 426 part I of chapter 395 for the provision of swing-bed nursing
 427 home services must be made on the basis of the average statewide
 428 nursing home payment, and reimbursement to a hospital licensed
 429 under part I of chapter 395 for the provision of skilled nursing
 430 services must be made on the basis of the average nursing home
 431 payment for those services in the county in which the hospital
 432 is located. When a hospital is located in a county that does not
 433 have any community nursing homes, reimbursement shall be
 434 determined by averaging the nursing home payments in counties
 435 that surround the county in which the hospital is located.

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436 Reimbursement to hospitals, including Medicaid payment of
 437 Medicare copayments, for skilled nursing services shall be
 438 limited to 30 days, unless a prior authorization has been
 439 obtained from the agency. Medicaid reimbursement may be extended
 440 by the agency beyond 30 days, and approval must be based upon
 441 verification by the patient's physician that the patient
 442 requires short-term rehabilitative and recuperative services
 443 only, in which case an extension of no more than 15 days may be
 444 approved. Reimbursement to a hospital licensed under part I of
 445 chapter 395 for the temporary provision of skilled nursing
 446 services to nursing home residents who have been displaced as
 447 the result of a natural disaster or other emergency may not
 448 exceed the average county nursing home payment for those
 449 services in the county in which the hospital is located and is
 450 limited to the period of time which the agency considers
 451 necessary for continued placement of the nursing home residents
 452 in the hospital.

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

461 1. The agency shall amend the long-term care reimbursement
 462 plan and cost reporting system to create direct care and
 463 indirect care subcomponents of the patient care component of the
 464 per diem rate. These two subcomponents together shall equal the

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patient care component of the per diem rate. Separate prices
~~cost-based ceilings~~ shall be calculated for each patient care
 subcomponent, initially based on the September 2016 rate setting
 cost reports and subsequently based on the most recently audited
 cost report used during a rebasing year. The direct care
 subcomponent of the per diem rate for any providers still being
 reimbursed on a cost basis shall be limited by the cost-based
 class ceiling, and the indirect care subcomponent may be limited
 by the lower of the cost-based class ceiling, the target rate
 class ceiling, or the individual provider target. The ceilings
and targets apply only to providers being reimbursed on a cost-
based system.

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

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

4. On July 1 of each year, the agency shall report to the

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Legislature direct and indirect care costs, including average
 direct and indirect care costs per resident per facility and
 direct care and indirect care salaries and benefits per category
 of staff member per facility.

5. Before December 31, 2017, the agency must establish a
technical advisory council to assist in ongoing development and
refining of the quality measures used in the nursing home
prospective payment system. The advisory council must include,
but need not be limited to, representatives of nursing home
providers and other interested stakeholders. In order to offset
the cost of general and professional liability insurance, the
agency shall amend the plan to allow for interim rate
adjustments to reflect increases in the cost of general or
professional liability insurance for nursing homes. This
provision shall be implemented to the extent existing
appropriations are available.

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

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

8. For the period beginning on October 1, 2017, and ending
 on September 30, 2020, the agency shall reimburse providers the
 greater of their September 2016 cost-based rate or their
 prospective payment rate. Effective October 1, 2020, the agency
 shall reimburse providers the greater of 95 percent of their

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cost-based rate or their rebased prospective payment rate, using the most recently audited cost report for each facility. This subsection shall expire September 30, 2022.

9. Pediatric, Florida Department of Veterans Affairs, and government-owned facilities are exempt from the pricing model established in this subsection and shall remain on a cost-based prospective payment system. Effective October 1, 2018, the agency shall set rates for all facilities remaining on a cost-based prospective payment system using each facility's most recently audited cost report, eliminating retroactive settlements.

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

(14) Medicare premiums for persons eligible for both Medicare and Medicaid coverage shall be paid at the rates established by Title XVIII of the Social Security Act. For Medicare services rendered to Medicaid-eligible persons, Medicaid shall pay Medicare deductibles and coinsurance as

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follows:

(a) Medicaid's financial obligation for deductibles and coinsurance payments shall be based on Medicare allowable fees, not on a provider's billed charges.

(b) Medicaid will pay no portion of Medicare deductibles and coinsurance when payment that Medicare has made for the service equals or exceeds what Medicaid would have paid if it had been the sole payor. The combined payment of Medicare and Medicaid shall not exceed the amount Medicaid would have paid had it been the sole payor. The Legislature finds that there has been confusion regarding the reimbursement for services rendered to dually eligible Medicare beneficiaries. Accordingly, the Legislature clarifies that it has always been the intent of the Legislature before and after 1991 that, in reimbursing in accordance with fees established by Title XVIII for premiums, deductibles, and coinsurance for Medicare services rendered by physicians to Medicaid eligible persons, physicians be reimbursed at the lesser of the amount billed by the physician or the Medicaid maximum allowable fee established by the Agency for Health Care Administration, as is permitted by federal law. It has never been the intent of the Legislature with regard to such services rendered by physicians that Medicaid be required to provide any payment for deductibles, coinsurance, or copayments for Medicare cost sharing, or any expenses incurred relating thereto, in excess of the payment amount provided for under the State Medicaid plan for such service. This payment methodology is applicable even in those situations in which the payment for Medicare cost sharing for a qualified Medicare beneficiary with respect to an item or service is reduced or

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eliminated. This expression of the Legislature is in clarification of existing law and shall apply to payment for, and with respect to provider agreements with respect to, items or services furnished on or after the effective date of this act. This paragraph applies to payment by Medicaid for items and services furnished before the effective date of this act if such payment is the subject of a lawsuit that is based on the provisions of this section, and that is pending as of, or is initiated after, the effective date of this act.

(c) Notwithstanding paragraphs (a) and (b):

1. Medicaid payments for Nursing Home Medicare part A coinsurance are limited to the Medicaid nursing home per diem rate less any amounts paid by Medicare, but only up to the amount of Medicare coinsurance. The Medicaid per diem rate shall be the rate in effect for the dates of service of the crossover claims and may not be subsequently adjusted due to subsequent per diem rate adjustments.

2. Medicaid shall pay all deductibles and coinsurance for Medicare-eligible recipients receiving freestanding end stage renal dialysis center services.

3. Medicaid payments for general and specialty hospital inpatient services are limited to the Medicare deductible and coinsurance per spell of illness. Medicaid payments for hospital Medicare Part A coinsurance shall be limited to the Medicaid hospital per diem rate less any amounts paid by Medicare, but only up to the amount of Medicare coinsurance. Medicaid payments for coinsurance shall be limited to the Medicaid per diem rate in effect for the dates of service of the crossover claims and may not be subsequently adjusted due to subsequent per diem

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adjustments.

4. Medicaid shall pay all deductibles and coinsurance for Medicare emergency transportation services provided by ambulances licensed pursuant to chapter 401.

5. Medicaid shall pay all deductibles and coinsurance for portable X-ray Medicare Part B services provided in a nursing home, in an assisted living facility, or in the patient's home.

Section 9. Subsection (4) of section 409.9082, Florida Statutes, is amended to read:

409.9082 Quality assessment on nursing home facility providers; exemptions; purpose; federal approval required; remedies.—

(4) The purpose of the nursing home facility quality assessment is to ensure continued quality of care. Collected assessment funds shall be used to obtain federal financial participation through the Medicaid program to make Medicaid payments for nursing home facility services up to the amount of nursing home facility Medicaid rates as calculated in accordance with the approved state Medicaid plan in effect on December 31, 2007. The quality assessment and federal matching funds shall be used exclusively for the following purposes and in the following order of priority:

(a) To reimburse the Medicaid share of the quality assessment as a pass-through, Medicaid-allowable cost;

(b) To increase to each nursing home facility's Medicaid rate, as needed, an amount that restores rate reductions effective on or after January 1, 2008, as provided in the General Appropriations Act; and

(c) To partially fund the quality incentive payment program

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~~for nursing facilities that exceed quality benchmarks increase each nursing home facility's Medicaid rate that accounts for the portion of the total assessment not included in paragraphs (a) and (b) which begins a phase-in to a pricing model for the operating cost component.~~

Section 10. Section 409.909, Florida Statutes, is amended to read:

409.909 Statewide Medicaid Residency Program.—

(1) The Statewide Medicaid Residency Program is established to improve the quality of care and access to care for Medicaid recipients, expand graduate medical education on an equitable basis, and increase the supply of highly trained physicians statewide. The agency shall make payments to hospitals licensed under part I of chapter 395 and to qualifying institutions as defined in paragraph (2)(c) for graduate medical education associated with the Medicaid program. This system of payments is designed to generate federal matching funds under Medicaid and distribute the resulting funds to participating hospitals on a quarterly basis in each fiscal year for which an appropriation is made.

(2) On or before September 15 of each year, the agency shall calculate an allocation fraction to be used for distributing funds to participating hospitals and to qualifying institutions as defined in paragraph (2)(c). On or before the final business day of each quarter of a state fiscal year, the agency shall distribute to each participating hospital one-fourth of that hospital's annual allocation calculated under subsection (4). The allocation fraction for each participating hospital is based on the hospital's number of full-time

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equivalent residents and the amount of its Medicaid payments. As used in this section, the term:

(a) "Full-time equivalent," or "FTE," means a resident who is in his or her residency period, with the initial residency period defined as the minimum number of years of training required before the resident may become eligible for board certification by the American Osteopathic Association Bureau of Osteopathic Specialists or the American Board of Medical Specialties in the specialty in which he or she first began training, not to exceed 5 years. The residency specialty is defined as reported using the current residency type codes in the Intern and Resident Information System (IRIS), required by Medicare. A resident training beyond the initial residency period is counted as 0.5 FTE, unless his or her chosen specialty is in primary care, in which case the resident is counted as 1.0 FTE. For the purposes of this section, primary care specialties include:

1. Family medicine;
2. General internal medicine;
3. General pediatrics;
4. Preventive medicine;
5. Geriatric medicine;
6. Osteopathic general practice;
7. Obstetrics and gynecology;
8. Emergency medicine;
9. General surgery; and
10. Psychiatry.

(b) "Medicaid payments" means the estimated total payments for reimbursing a hospital for direct inpatient services for the

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fiscal year in which the allocation fraction is calculated based on the hospital inpatient appropriation and the parameters for the inpatient diagnosis-related group base rate, including applicable intergovernmental transfers, specified in the General Appropriations Act, as determined by the agency. Effective July 1, 2017, the term "Medicaid payments" means the estimated total payments for reimbursing a hospital and qualifying institutions as defined in paragraph (2)(c) for direct inpatient and outpatient services for the fiscal year in which the allocation fraction is calculated based on the hospital inpatient appropriation and outpatient appropriation and the parameters for the inpatient diagnosis-related group base rate, including applicable intergovernmental transfers, specified in the General Appropriations Act, as determined by the agency.

(c) "Qualifying institution" means a federally Qualified Health Center holding an Accreditation Council for Graduate Medical Education institutional accreditation.

(d) "Resident" means a medical intern, fellow, or resident enrolled in a program accredited by the Accreditation Council for Graduate Medical Education, the American Association of Colleges of Osteopathic Medicine, or the American Osteopathic Association at the beginning of the state fiscal year during which the allocation fraction is calculated, as reported by the hospital to the agency.

(3) The agency shall use the following formula to calculate a participating hospital's and qualifying institution's allocation fraction:

$$\text{HAF} = [0.9 \times (\text{HFTE}/\text{TFTE})] + [0.1 \times (\text{HMP}/\text{TMP})]$$

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Where:

HAF=A hospital's and qualifying institution's allocation fraction.

HFTE=A hospital's and qualifying institution's total number of FTE residents.

TFTE=The total FTE residents for all participating hospitals and qualifying institutions.

HMP=A hospital's and qualifying institution's Medicaid payments.

TMP=The total Medicaid payments for all participating hospitals and qualifying institutions.

(4) A hospital's and qualifying institution's annual allocation shall be calculated by multiplying the funds appropriated for the Statewide Medicaid Residency Program in the General Appropriations Act by that hospital's and qualifying institution's allocation fraction. If the calculation results in an annual allocation that exceeds two times the average per FTE resident amount for all hospitals and qualifying institutions, the hospital's and qualifying institution's annual allocation shall be reduced to a sum equaling no more than two times the average per FTE resident. The funds calculated for that hospital and qualifying institution in excess of two times the average per FTE resident amount for all hospitals and qualifying institutions shall be redistributed to participating hospitals and qualifying institutions whose annual allocation does not exceed two times the average per FTE resident amount for all hospitals and qualifying institutions, using the same

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methodology and payment schedule specified in this section.

(5) The Graduate Medical Education Startup Bonus Program is established to provide resources for the education and training of physicians in specialties which are in a statewide supply-and-demand deficit. Hospitals and qualifying institutions as defined in paragraph (2)(c) eligible for participation in subsection (1) are eligible to participate in the Graduate Medical Education Startup Bonus Program established under this subsection. Notwithstanding subsection (4) or an FTE's residency period, and in any state fiscal year in which funds are appropriated for the startup bonus program, the agency shall allocate a \$100,000 startup bonus for each newly created resident position that is authorized by the Accreditation Council for Graduate Medical Education or Osteopathic Postdoctoral Training Institution in an initial or established accredited training program that is in a physician specialty in statewide supply-and-demand deficit. In any year in which funding is not sufficient to provide \$100,000 for each newly created resident position, funding shall be reduced pro rata across all newly created resident positions in physician specialties in statewide supply-and-demand deficit.

(a) Hospitals and qualifying institutions as defined in paragraph (2)(c) applying for a startup bonus must submit to the agency by March 1 their Accreditation Council for Graduate Medical Education or Osteopathic Postdoctoral Training Institution approval validating the new resident positions approved on or after March 2 of the prior fiscal year through March 1 of the current fiscal year for the physician specialties identified in a statewide supply-and-demand deficit as provided

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in the current fiscal year's General Appropriations Act. An applicant hospital or qualifying institution as defined in paragraph (2)(c) may validate a change in the number of residents by comparing the number in the prior period Accreditation Council for Graduate Medical Education or Osteopathic Postdoctoral Training Institution approval to the number in the current year.

(b) Any unobligated startup bonus funds on April 15 of each fiscal year shall be proportionally allocated to hospitals and to qualifying institutions as defined in paragraph (2)(c) participating under subsection (3) for existing FTE residents in the physician specialties in statewide supply-and-demand deficit. This nonrecurring allocation shall be in addition to the funds allocated in subsection (4). Notwithstanding subsection (4), the allocation under this subsection may not exceed \$100,000 per FTE resident.

(c) For purposes of this subsection, physician specialties and subspecialties, both adult and pediatric, in statewide supply-and-demand deficit are those identified in the General Appropriations Act.

(d) The agency shall distribute all funds authorized under the Graduate Medical Education Startup Bonus Program on or before the final business day of the fourth quarter of a state fiscal year.

(6) Beginning in the 2015-2016 state fiscal year, the agency shall reconcile each participating hospital's total number of FTE residents calculated for the state fiscal year 2 years before with its most recently available Medicare cost reports covering the same time period. Reconciled FTE counts

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shall be prorated according to the portion of the state fiscal year covered by a Medicare cost report. Using the same definitions, methodology, and payment schedule specified in this section, the reconciliation shall apply any differences in annual allocations calculated under subsection (4) to the current year's annual allocations.

(7) The agency may adopt rules to administer this section.

Section 11. Paragraph (a) of subsection (2) of section 409.911, Florida Statutes, is amended, and paragraph (b) of that subsection is republished, to read:

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

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

(a) The average of the 2009, 2010, and 2011 ~~2007, 2008, and 2009~~ audited disproportionate share data to determine each hospital's Medicaid days and charity care for the 2017-2018 ~~2015-2016~~ state fiscal year.

(b) If the Agency for Health Care Administration does not

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have the prescribed 3 years of audited disproportionate share data as noted in paragraph (a) for a hospital, the agency shall use the average of the years of the audited disproportionate share data as noted in paragraph (a) which is available.

Section 12. Section 409.9119, Florida Statutes, is amended to read:

409.9119 Disproportionate share program for specialty hospitals for children.—In addition to the payments made under s. 409.911, the Agency for Health Care Administration shall develop and implement a system under which disproportionate share payments are made to those hospitals that are separately licensed by the state as specialty hospitals for children, have a federal Centers for Medicare and Medicaid Services certification number in the 3300-3399 range, have Medicaid days that exceed 55 percent of their total days and Medicare days that are less than 5 percent of their total days, and were licensed on January 1, 2012 ~~January 1, 2000~~, as specialty hospitals for children. This system of payments must conform to federal requirements and must distribute funds in each fiscal year for which an appropriation is made by making quarterly Medicaid payments. Notwithstanding s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for hospitals that serve a disproportionate share of low-income patients. The agency may make disproportionate share payments to specialty hospitals for children as provided for in the General Appropriations Act.

(1) Unless specified in the General Appropriations Act, the agency shall use the following formula to calculate the total amount earned for hospitals that participate in the specialty

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871 hospital for children disproportionate share program:

872

873 $TAE = DSR \times BMPD \times MD$

874

875 Where:

876 TAE = total amount earned by a specialty hospital for
877 children.

878 DSR = disproportionate share rate.

879 BMPD = base Medicaid per diem.

880 MD = Medicaid days.

881

882 (2) The agency shall calculate the total additional payment
883 for hospitals that participate in the specialty hospital for
884 children disproportionate share program as follows:

885

886 $TAP = (TAE \times TA) \div STAE$

887

888 Where:

889 TAP = total additional payment for a specialty hospital for
890 children.

891 TAE = total amount earned by a specialty hospital for
892 children.

893 TA = total appropriation for the specialty hospital for
894 children disproportionate share program.

895 STAE = sum of total amount earned by each hospital that
896 participates in the specialty hospital for children
897 disproportionate share program.

898

899 (3) A hospital may not receive any payments under this

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900 section until it achieves full compliance with the applicable
901 rules of the agency. A hospital that is not in compliance for
902 two or more consecutive quarters may not receive its share of
903 the funds. Any forfeited funds must be distributed to the
904 remaining participating specialty hospitals for children that
905 are in compliance.

906 (4) Notwithstanding any provision of this section to the
907 contrary, for the 2017-2018 ~~2016-2017~~ state fiscal year, for
908 hospitals achieving full compliance under subsection (3), the
909 agency shall make disproportionate share payments to specialty
910 hospitals for children as provided in the 2017-2018 ~~2016-2017~~
911 General Appropriations Act. This subsection expires July 1, 2018
912 ~~2017~~.

913 Section 13. Subsection (36) of section 409.913, Florida
914 Statutes, is amended to read:

915 409.913 Oversight of the integrity of the Medicaid
916 program.—The agency shall operate a program to oversee the
917 activities of Florida Medicaid recipients, and providers and
918 their representatives, to ensure that fraudulent and abusive
919 behavior and neglect of recipients occur to the minimum extent
920 possible, and to recover overpayments and impose sanctions as
921 appropriate. Beginning January 1, 2003, and each year
922 thereafter, the agency and the Medicaid Fraud Control Unit of
923 the Department of Legal Affairs shall submit a joint report to
924 the Legislature documenting the effectiveness of the state's
925 efforts to control Medicaid fraud and abuse and to recover
926 Medicaid overpayments during the previous fiscal year. The
927 report must describe the number of cases opened and investigated
928 each year; the sources of the cases opened; the disposition of

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929 the cases closed each year; the amount of overpayments alleged
 930 in preliminary and final audit letters; the number and amount of
 931 fines or penalties imposed; any reductions in overpayment
 932 amounts negotiated in settlement agreements or by other means;
 933 the amount of final agency determinations of overpayments; the
 934 amount deducted from federal claiming as a result of
 935 overpayments; the amount of overpayments recovered each year;
 936 the amount of cost of investigation recovered each year; the
 937 average length of time to collect from the time the case was
 938 opened until the overpayment is paid in full; the amount
 939 determined as uncollectible and the portion of the uncollectible
 940 amount subsequently reclaimed from the Federal Government; the
 941 number of providers, by type, that are terminated from
 942 participation in the Medicaid program as a result of fraud and
 943 abuse; and all costs associated with discovering and prosecuting
 944 cases of Medicaid overpayments and making recoveries in such
 945 cases. The report must also document actions taken to prevent
 946 overpayments and the number of providers prevented from
 947 enrolling in or reenrolling in the Medicaid program as a result
 948 of documented Medicaid fraud and abuse and must include policy
 949 recommendations necessary to prevent or recover overpayments and
 950 changes necessary to prevent and detect Medicaid fraud. All
 951 policy recommendations in the report must include a detailed
 952 fiscal analysis, including, but not limited to, implementation
 953 costs, estimated savings to the Medicaid program, and the return
 954 on investment. The agency must submit the policy recommendations
 955 and fiscal analyses in the report to the appropriate estimating
 956 conference, pursuant to s. 216.137, by February 15 of each year.
 957 The agency and the Medicaid Fraud Control Unit of the Department

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958 of Legal Affairs each must include detailed unit-specific
 959 performance standards, benchmarks, and metrics in the report,
 960 including projected cost savings to the state Medicaid program
 961 during the following fiscal year.

962 (36) ~~At least three times a year,~~ The agency ~~may~~ shall
 963 provide to a sample of each Medicaid recipients recipient or
 964 their representatives through the distribution of explanations
 965 his or her representative an explanation of benefits information
 966 about services reimbursed by the Medicaid program for goods and
 967 services to such recipients, including in the form of a letter
 968 that is mailed to the most recent address of the recipient on
 969 the record with the Department of Children and Families. The
 970 explanation of benefits must include the patient's name, the
 971 name of the health care provider and the address of the location
 972 where the service was provided, a description of all services
 973 billed to Medicaid in terminology that should be understood by a
 974 reasonable person, and information on how to report
 975 inappropriate or incorrect billing to the agency or other law
 976 enforcement entities for review or investigation. At least once
 977 a year, the letter also must include information on how to
 978 report criminal Medicaid fraud to, the Medicaid Fraud Control
 979 Unit's toll-free hotline number, and information about the
 980 rewards available under s. 409.9203. The explanation of benefits
 981 may not be mailed for Medicaid independent laboratory services
 982 as described in s. 409.905(7) or for Medicaid certified match
 983 services as described in ss. 409.9071 and 1011.70.

984 Section 14. Paragraph (e) of subsection (1) of section
 985 409.975, Florida Statutes, is amended, and subsection (7) is
 986 added to that section, to read:

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987 409.975 Managed care plan accountability.—In addition to
 988 the requirements of s. 409.967, plans and providers
 989 participating in the managed medical assistance program shall
 990 comply with the requirements of this section.

991 (1) PROVIDER NETWORKS.—Managed care plans must develop and
 992 maintain provider networks that meet the medical needs of their
 993 enrollees in accordance with standards established pursuant to
 994 s. 409.967(2)(c). Except as provided in this section, managed
 995 care plans may limit the providers in their networks based on
 996 credentials, quality indicators, and price.

997 (e) Each managed care plan may ~~must~~ offer a network
 998 contract to each home medical equipment and supplies provider in
 999 the region which meets quality and fraud prevention and
 1000 detection standards established by the plan and which agrees to
 1001 accept the lowest price previously negotiated between the plan
 1002 and another such provider.

1003 (7) SUBSTANCE ABUSE AND MENTAL HEALTH (SAMH) SAFETY NET
 1004 NETWORK.—

1005 (a) The agency shall contract with the Substance Abuse and
 1006 Mental Health (SAMH) Safety Net Network, established under s.
 1007 394.9082(11), to plan, coordinate, and contract for delivering
 1008 certain community mental health and substance abuse services,
 1009 thereby improving access to behavioral health care, promoting
 1010 the continuity of such services, and supporting efficient and
 1011 effective delivery of such services under this section. The
 1012 contract must require managing entities to provide specified
 1013 services to Medicaid-eligible individuals with specified
 1014 behaviors, diagnoses, or addictions.

1015 (b) Before contracting, the agency must conduct a

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1016 comprehensive readiness assessment to ensure that the SAMH
 1017 Safety Net Network has the necessary infrastructure, financial
 1018 resources, and relevant experience to implement the contract.
 1019 The agency and the department shall develop performance measures
 1020 to evaluate the impact of the SAMH Safety Net Network and to
 1021 determine the adequacy, timeliness, and quality of the services
 1022 provided for specified target populations and the efficiency of
 1023 the services in addressing mental health and substance use
 1024 disorders within a community.

1025 (c) The agency, in consultation with the department and
 1026 managing entities, shall determine the rates for services added
 1027 to the state Medicaid plan. The rates shall be developed based
 1028 on the full cost of the services and reasonable administrative
 1029 costs for providers and managing entities.

1030 Section 15. Subsection (1) and (2) of section 409.979,
 1031 Florida Statutes, are amended to read:

1032 409.979 Eligibility.—

1033 (1) PREREQUISITE CRITERIA FOR ELIGIBILITY.—Medicaid
 1034 recipients who meet all of the following criteria are eligible
 1035 to receive long-term care services and must receive long-term
 1036 care services by participating in the long-term care managed
 1037 care program. The recipient must be:

1038 (a) Sixty-five years of age or older, or age 18 or older
 1039 and eligible for Medicaid by reason of a disability.

1040 (b) Determined by the Comprehensive Assessment Review and
 1041 Evaluation for Long-Term Care Services (CARES) preadmission
 1042 screening program to require:

- 1043 1. Nursing facility care as defined in s. 409.985(3); or
 1044 2. Hospital level of care for individuals diagnosed with

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cystic fibrosis.

(2) ENROLLMENT OFFERS.—Subject to the availability of funds, the Department of Elderly Affairs shall make offers for enrollment to eligible individuals based on a wait-list prioritization. Before making enrollment offers, the agency and the Department of Elderly Affairs shall determine that sufficient funds exist to support additional enrollment into plans.

(a) A Medicaid recipient enrolled in one of the following Medicaid home and community-based services waiver programs who meets the eligibility criteria established in subsection (1) is eligible to participate in the long-term care managed care program and must be transitioned into the long-term care managed care program by January 1, 2018:

1. Traumatic Brain and Spinal Cord Injury Waiver.

2. Adult Cystic Fibrosis Waiver.

3. Project AIDS Care Waiver.

(b) The agency shall seek federal approval to terminate the Traumatic Brain and Spinal Cord Injury Waiver, the Adult Cystic Fibrosis Waiver, and the Project AIDS Care Waiver once all eligible Medicaid recipients have transitioned into the long-term care managed care program.

Section 16. Subject to federal approval of the application to be a site for the Program of All-inclusive Care for the Elderly (PACE), the Agency for Health Care Administration shall contract with an additional not-for-profit organization to serve individuals and families in Miami-Dade County. The not-for-profit organization must have a history of serving primarily the Hispanic population by providing primary care services,

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nutrition, meals, and adult day care to senior citizens. The not-for-profit organization shall leverage existing community-based care providers and health care organizations to provide PACE services to frail elders who reside in Miami-Dade County. The organization is exempt from the requirements of chapter 641, Florida Statutes. The agency, in consultation with the Department of Elderly Affairs and subject to an appropriation, shall approve up to 250 initial enrollees in the additional PACE site established by this organization to serve frail elders who reside in Miami-Dade County.

Section 17. Notwithstanding section 27 of chapter 2016-65, Laws of Florida, and subject to federal approval of the application to be a site for the Program of All-inclusive Care for the Elderly (PACE), the Agency for Health Care Administration shall contract with a not-for-profit organization, formed by a partnership with a not-for-profit hospital, a not-for-profit agency serving elders, and a not-for-profit hospice in Leon County. The not-for-profit PACE shall serve eligible PACE enrollees in Gadsden, Jefferson, Leon, and Wakulla Counties. The Agency for Health Care Administration, in consultation with the Department of Elderly Affairs and subject to an appropriation, shall approve up to 300 initial enrollees for the additional PACE site.

Section 18. Section 17 of chapter 2011-61, Laws of Florida, is amended to read:

Section 17. Notwithstanding s. 430.707, Florida Statutes, and subject to federal approval of the application to be a site for the Program of All-inclusive Care for the Elderly, the Agency for Health Care Administration shall contract with one

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private health care organization, the sole member of which is a private, not-for-profit corporation that owns and manages health care organizations which provide comprehensive long-term care services, including nursing home, assisted living, independent housing, home care, adult day care, and care management, with a board-certified, trained geriatrician as the medical director. This organization shall provide these services to frail and elderly persons who reside in Indian River, Martin, Okeechobee, Palm Beach, and St. Lucie Counties County. The organization is exempt from the requirements of chapter 641, Florida Statutes. The agency, in consultation with the Department of Elderly Affairs and subject to an appropriation, shall approve up to 150 initial enrollees who reside in Palm Beach County and up to 150 initial enrollees who reside in Martin County in the Program of All-inclusive Care for the Elderly established by this organization to serve elderly persons ~~who reside in Palm Beach County~~.

Section 19. Effective June 30, 2017, section 9 of chapter 2016-65, Laws of Florida, is amended to read:

Section 9. Effective July 1, 2018 ~~2017~~, paragraph (b) of subsection (6) of section 409.905, Florida Statutes, is amended to read:

409.905 Mandatory Medicaid services.—The agency may make payments for the following services, which are required of the state by Title XIX of the Social Security Act, furnished by Medicaid providers to recipients who are determined to be eligible on the dates on which the services were provided. Any service under this section shall be provided only when medically necessary and in accordance with state and federal law.

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Mandatory services rendered by providers in mobile units to Medicaid recipients may be restricted by the agency. Nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, number of services, or any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216.

(6) HOSPITAL OUTPATIENT SERVICES.—

(b) The agency shall implement a prospective payment methodology for establishing reimbursement rates for outpatient hospital services. Rates shall be calculated annually and take effect July 1, 2018 ~~2017~~, and July 1 of each year thereafter. The methodology shall categorize the amount and type of services used in various ambulatory visits which group together procedures and medical visits that share similar characteristics and resource utilization.

1. Adjustments may not be made to the rates after July 31 of the state fiscal year in which the rates take effect.

2. Errors in source data or calculations discovered after July 31 of each state fiscal year must be reconciled in a subsequent rate period. However, the agency may not make any adjustment to a hospital's reimbursement more than 5 years after a hospital is notified of an audited rate established by the agency. The prohibition against adjustments more than 5 years after notification is remedial and applies to actions by providers involving Medicaid claims for hospital services. Hospital reimbursement is subject to such limits or ceilings as may be established in law or described in the agency's hospital

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reimbursement plan. Specific exemptions to the limits or ceilings may be provided in the General Appropriations Act.

Section 20. Section 29 of chapter 2016-65, Laws of Florida, is amended to read:

Section 29. Subject to federal approval of the application to be a site for the Program of All-inclusive Care for the Elderly (PACE), the Agency for Health Care Administration shall contract with one private, not-for-profit hospice organization located in Lake County which operates health care organizations licensed in Hospice Areas 7B and 3E and which provides comprehensive services, including hospice and palliative care, to frail elders who reside in these service areas. The organization is exempt from the requirements of chapter 641, Florida Statutes. The agency, in consultation with the Department of Elderly Affairs and subject to the appropriation of funds by the Legislature, shall approve up to 150 initial enrollees in the Program of All-inclusive Care for the Elderly established by the organization to serve frail elders who reside in Hospice Service Areas 7B and 3E. The agency, in consultation with the department and subject to an appropriation, shall approve up to 150 enrollees in the Program of All-inclusive Care for the Elderly established by this organization to serve frail elders who reside in Hospice Service Area 7C.

Section 21. Subject to federal approval of the application to be a site for the Program of All-inclusive Care for the Elderly (PACE), the Agency for Health Care Administration shall contract with one not-for-profit organization that satisfies each of the following conditions:

(1) The organization is exempt from federal income taxation

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as an entity described in s. 501(c)(3) of the Internal Revenue Code of 1986, as amended;

(2) The organization is licensed pursuant to part IV of chapter 400, Florida Statutes, to provide hospice services in the Agency for Health Care Administration Areas 3 and 4 and operates inpatient hospice care centers in each of the following counties within those regions: Alachua, Citrus, Clay, Columbia, and Putnam;

(3) The organization has more than 30 years of experience as a licensed hospice provider in this state; and

(4) The organization is affiliated, through common ownership or control, with other not-for-profit organizations licensed by the agency to provide home health services, to operate a nursing home, and to operate an assisted living facility.

The approved not-for-profit organization shall provide PACE services to frail and elderly persons who reside in Alachua County. The organization is exempt from the requirements of chapter 641, Florida Statutes. The agency, in consultation with the Department of Elder Affairs and subject to an appropriation, shall approve up to 150 initial enrollees in the PACE site established by this organization to serve frail and elderly persons who reside in Alachua County.

Section 22. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect July 1, 2017.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: SB 2516

INTRODUCER: Appropriations Committee

SUBJECT: Education Funding

DATE: April 6, 2017

REVISED: _____

ANALYST

Sikes

STAFF DIRECTOR

Hansen

REFERENCE

ACTION

AP Submitted as Comm. Bill/Fav

I. Summary:

SB 2516 conforms various education funding statutes to the policies used to implement the funding decisions contained in SB 2500, the Senate General Appropriations Act for Fiscal Year 2017-2018.

The bill:

- Modifies the policy regarding the “extra hour of reading” at the 300 lowest-performing elementary schools by:
 - Permanently codifying the program in statute, rather than relying on annual reauthorization. The program was established for three years beginning in the 2012-2013 fiscal year but has been extended annually in the implementing bill since the 2015-2016 fiscal year.
 - Expanding the program to allow schools that improve performance to the extent that they are no longer on the most current list of 300 lowest-performing schools to maintain the program for two additional academic years.
 - Expanding the requirements of the program to include a 60-hour summer school component.
 - Codifying the methodology for calculating the allocation of Supplemental Academic Instruction (SAI) funds, which includes funds for the “extra hour of reading” requirement.
 - Requiring school districts to delineate the implementation design and reading intervention strategies for the program as part of their comprehensive reading plan.
- Modifies the small, isolated high schools provision of the Florida Education Finance Program (FEFP) by expanding its application to elementary schools and establishing the criteria by which elementary schools may qualify.
- Permanently codifies the sparsity supplement calculation used to compute the sparsity supplement for 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 (rather than three as used for other districts). This calculation has been in the implementing bill since the 2015-2016 fiscal year.

- Modifies the federally connected student supplement to allow for recalculation throughout the year based on actual student membership and the tax-exempt valuation from the most recent assessment roll.
- Permanently codifies a provision that prohibits a school district from seeking a positive allocation adjustment in the current fiscal year because of an under allocation for a prior fiscal year caused by district error.
- Modifies the qualification requirements and funding methodology for the High Growth District Capital Outlay Assistance Grant Program.
- Requires the Auditor General to conduct an annual financial audit of the Florida School for the Deaf and the Blind.
- Extends the repeal date for the Florida Endowment Foundation for Vocational Rehabilitation, which serves as the direct-support organization of the Division of Vocational Rehabilitation within the Florida Department of Education by one year, to October 1, 2018.

This bill does not have a fiscal impact on state and local revenues and expenditures. However, based on these statutory modifications, the following funding decisions have been made:

- Funding for additional requirements for the additional hour of intensive reading instruction at the lowest-performing elementary schools is provided in the supplemental academic instruction and the research-based reading instruction allocation categoricals within the Florida Education Finance Program (FEFP). The Senate General Appropriations Act for Fiscal Year 2017-2018, SB 2500, includes \$27 million for the 60-hour summer component and \$23 million for schools to continue to provide an additional hour of instruction for two subsequent academic years after the school improves performance such that it is no longer classified as one of the 300 lowest performing elementary schools.
- The bill modifies the federally connected student supplement calculation within the FEFP. The school districts eligible for funding through the categorical will receive their proportional share of the appropriated \$13 million, as proposed in SB 2500, allocated through the FEFP.
- SB 2500 appropriates \$3 million for the High Growth District Capital Outlay Assistance Grant Program.
- SB 2500 appropriates \$549,823 to the Florida Endowment Foundation for Vocational Rehabilitation.

The bill provides for an effective date of July 1, 2016.

II. Present Situation:

Auditor General

The Auditor General serves as Florida's independent external auditor. Specifically, the Auditor General:¹

¹ Florida Auditor General, *2016 Auditor General Annual Report*, available at http://www.myflorida.com/audgen/pages/pdf_files/annual%20report%202016.pdf

- Audits financial statements to provide the legislature and other users with independent assurance of the reliability of the financial statement information.
- Identifies and audits those operating units, programs, activities, functions, and transactions considered most vulnerable should a significant breakdown in internal control occur.
- Communicates the legislature's expectation that public entity management and employees are accountable for the proper administration of public funds.
- Reports on whether federal, state, and local expenditures serve a public purpose and are made in compliance with applicable laws, rules, regulations, contracts, grant agreements, best practices, and other guidelines.
- Reports on whether governmental entities have established proper internal controls that reasonably ensure that financial records are reliable and fraud, waste, abuse, and noncompliance are prevented and detected.

As it relates to public educational entities, the Auditor General is responsible for:²

- Annually conducting financial audits of all state universities and state colleges.
- Annually conducting financial audits of the accounts and records of all district school boards in counties with populations of fewer than 150,000, according to the most recent federal decennial statewide census, and the Florida School for the Deaf and the Blind.
- Once every 3 years, conducting financial audits of the accounts and records of all district school boards in counties that have populations of 150,000 or more, according to the most recent federal decennial statewide census.
- At least every 3 years, conducting operational audits of the accounts and records of state agencies, state universities, state colleges, district school boards, and the Florida School for the Deaf and the Blind.

The requirement for the Auditor General to conduct an annual financial audit of the Florida School for the Deaf and the Blind was passed into law by ch. 2016-62, L.O.F., the implementing bill for the 2016-2017 General Appropriations Act (GAA). That provision will expire July 1, 2017, unless codified in substantive law.

Division of Vocational Rehabilitation

The Division of Vocational Rehabilitation (division) is one of several divisions housed within the DOE.³ The division is the administrative unit designated at the state level that ensures compliance with the Vocational Rehabilitation Act of 1973, as amended.⁴ The division's mission is "to help people with disabilities find and maintain employment and enhance their independence."⁵ Vocational Rehabilitation (VR) is a federal-state program that helps people who have physical or mental disabilities find and maintain meaningful careers.⁶

² Section 11.45 (2), F.S.

³ Section 20.15(3)(d), F.S.

⁴ Section 413.202, F.S.

⁵ Florida Division of Vocational Rehabilitation, <http://www.rehabworks.org/> (last visited March 20, 2017).

⁶ Florida Division of Vocational Rehabilitation, *Frequently Asked Questions*, <http://www.rehabworks.org/faq.shtml> (last visited March 20, 2017).

Florida Endowment Foundation for Vocational Rehabilitation

In 1990, the Legislature created the Florida Endowment Foundation for Vocational Rehabilitation (Foundation or The Able Trust) as a direct-support organization of the division within the DOE for the purpose of encouraging public and private support to enhance vocational rehabilitation and employment of citizens who are disabled.⁷

The Foundation conducts business as The Able Trust,⁸ which operates under contract with the division to exclusively raise funds; submit requests and receive grants from the Federal Government, the state, private foundations, and individuals; to receive, hold, and administer property; and to make expenditures to or for the benefit of the rehabilitation programs approved by the Foundation's board of directors.⁹

During its 26 years, the Foundation has gone beyond the traditional direct-support organization role of supporting activities of the division by developing and expanding statewide programs to move people with disabilities into the workforce.¹⁰

Currently, the authorizing statute for the Foundation is scheduled for repeal October 1, 2017, unless reviewed and saved from repeal by the Legislature.¹¹

Exceptional Student Education Guaranteed Allocation

In order to provide exceptional education and related services, an Exceptional Student Education (ESE) Guaranteed Allocation was established by the Legislature to provide funding through the Florida Education Finance Program (FEFP) in addition to the basic program funding.¹² This allocation is a lump sum that is derived from the number of full-time equivalent (FTE) students and the cost factors associated with the matrix of services (matrix) to document the services that each student with an exceptionality will receive.¹³

The Florida Department of Education (DOE) developed the Matrix of Services Handbook to provide districts, schools and teachers with information about the matrix required for selected students with exceptionalities.¹⁴ The matrix is designed with five levels in each of the following five domain areas:¹⁵

- Curriculum and Learning Environment: This domain addresses services provided to the student in the areas of curriculum, instructional strategies and learning environment.

⁷ Section 9, ch. 90-330, L.O.F., codified as s. 413.615(5), F.S.

⁸ The Able Trust is another name for the Foundation, essentially the trade name of the Foundation.⁸ Email, Florida Department of Education (Feb. 2, 2017).

⁹ Section 413.615(5)(b), F.S.

¹⁰ Email, Florida Department of Education (Feb. 2, 2017).

¹¹ Section 413.615(14), F.S.

¹² Florida Department of Education, *Matrix of Services Handbook* available at <http://www.fldoe.org/core/fileparse.php/7690/urlt/2015MatrixServices.pdf>

¹³ Section 1011.62 (1)(e)1.a., F.S.

¹⁴ Florida Department of Education, *Matrix of Services Handbook* available at <http://www.fldoe.org/core/fileparse.php/7690/urlt/2015MatrixServices.pdf>

¹⁵ *Id.*

- Social or Emotional Behavior: This domain includes services provided to meet identified social and emotional needs of students with exceptionalities, such as positive behavioral supports, behavioral interventions, social skills development, socialization and counseling as a related service.
- Independent Functioning: This domain includes services that are necessary for the independent functioning of students with exceptionalities, such as instruction in organizational strategies, assistance for activities of daily living and self-care, physical therapy, occupational therapy, orientation and mobility training and supervision of students to ensure physical safety
- Health Care: This domain addresses services provided to students with exceptionalities who have health care needs. Included in this domain are services related to monitoring and assessment of health conditions, provision of related health care services and interagency collaboration.
- Communication: This domain includes services provided to support the communication needs of students with exceptionalities. Services included in this domain are personal assistance, instructional interventions, speech or language therapy and the use of alternative and augmentative communication systems.

A student is evaluated within each of these five domains to determine the appropriate level of service the student requires. Level 1 represents the lowest level of service and Level 5 represents the highest level of service.¹⁶ The frequency and intensity of the service and the qualifications of personnel required to provide the service are critical factors that impact the determination of the appropriate level of service for the student.¹⁷

The ESE Guaranteed Allocation was established in 2000 in conjunction with the elimination of the mandatory requirement for the determination of a matrix of services for Levels 1 through 3 ESE students. ESE services for students whose level of service is Levels 1 through 3 are funded through the ESE Guaranteed Allocation.¹⁸ These students generate FTE funding using the appropriate basic program cost factor for their grade level.¹⁹ The ESE Guaranteed Allocation provides for the additional services needed for these exceptional students.²⁰ Currently, the ESE Guaranteed Allocation is calculated initially in the GAA and recalculated once based on each school district's actual ESE and total FTE enrollment, as determined by the October FTE survey.²¹

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ Florida Department of Education, *2015-16 Funding for Florida School Districts* available at <http://www.fldoe.org/core/fileparse.php/7507/urlt/Fefpdist.pdf>

¹⁹ The basic program cost factors are as follows:

- For grades K-3, the cost factor is 1.115
- For grades 4-8, the cost factor is 1.000
- For grades 9-12, the cost factor is 1.005

²⁰ Florida Department of Education, *2015-16 Funding for Florida School Districts* available at <http://www.fldoe.org/core/fileparse.php/7507/urlt/Fefpdist.pdf>

²¹ Section 1011.62 (1)(e), F.S.

Intensive Reading Instruction

A school district that has one or more of the 300 lowest performing elementary schools based on the state reading assessment is required to provide an additional hour of intensive reading instruction beyond the normal school day for each day of the entire school year in those schools.²² Funds for this program are designated in the Supplemental Academic Instruction and the Research-Based Reading Instruction Allocation categoricals in the FEFP within the GAA.²³

Supplemental Academic Instruction Categorical Fund

In 1999, the Legislature created the Supplemental Academic Instruction (SAI) Categorical Fund as part of the A+ Education Plan²⁴ for the purpose of assisting school districts in providing supplemental instruction to students in kindergarten through grade 12.²⁵ The SAI fund was created to:²⁶

- Address the school districts' requests for more flexibility; and
- Provide additional resources to districts to help students gain at least a year's worth of knowledge for each year in school.

A school district that has one or more of the 300 lowest-performing elementary schools based on the state reading assessment is required to provide an additional hour of intensive reading instruction beyond the normal school day for each day of the entire school year in those schools.²⁷ The additional hour of instruction must be provided by teachers or reading specialists who are effective in teaching reading or by a K-5 mentoring reading program that is supervised by a teacher who is effective in teaching reading.²⁸ Students who score Level 5 on the assessment may opt to participate in the additional hour of instruction.²⁹

After the additional hour of reading requirement has been met, supplemental instruction may be provided to a student in any manner and at any time during or beyond the regular 180-day term identified by the school as being the most effective and efficient way to best help that student progress from grade to grade and to graduate.³⁰ Supplemental instructional strategies may include, but are not limited to:³¹

- Modified curriculum;
- Reading instruction;
- After-school instruction;

²² s. 1011.62 (1)(f), (9), F.S.

²³ Chapter 2014-51, Laws of Florida.

²⁴ Section 23, ch. 99-398, L.O.F.

²⁵ Florida House of Representatives, Council for Lifelong Learning, *Supplemental Academic Instruction Fact Sheet* (Sept. 2001) available at

<http://archive.flsenate.gov/data/publications/2002/house/reports/EdFactSheets/fact%20sheets/supplementalacademicinstruction.pdf>.

²⁶ *Id.* Prior to the SAI fund, school districts were given resources for summer school and supplemental instruction with more restrictive funds. *Id.* The following funding sources were combined to become a portion of the SAI fund: K-8 summer school categorical, 9-12 FTE funds for summer school, and the weighted portion of dropout prevention funds. *Id.*

²⁷ Section 1011.62(1)(f), F.S.

²⁸ *Id.*

²⁹ *Id.*

³⁰ *Id.*

³¹ *Id.*

- Tutoring;
- Mentoring;
- Class size reduction;
- Extended school year;
- Intensive skills development in summer school; and
- Other methods for improving student achievement.

The SAI funds are allocated annually in the amount provided in the GAA, and are in addition to funds appropriated on the basis of FTE student membership in the FEFP.³² For the 2016-2017 fiscal year, school districts with one or more of the 300 lowest-performing elementary schools based on the statewide, standardized English Language Arts (ELA) assessment were required to use at least \$75 million in SAI funds for the required additional hour of intensive reading instruction.³³

Research-Based Reading Instruction Allocation

In addition to the SAI categorical fund, school districts may use funds from the research-based reading instruction allocation to provide comprehensive reading instruction to students in kindergarten through grade 12.³⁴ The funds must be used to provide a system of comprehensive reading instruction to K-12 students, which may include providing:³⁵

- An additional hour per day of intensive reading instruction to students in the 300 lowest-performing elementary schools by teachers and reading specialists who are effective in teaching reading.
- Intensive intervention during the school day and in the required extra hour for students identified as having a reading deficiency through K-5 reading intervention teachers.
- Highly qualified reading coaches to specifically support teachers in making instructional decisions based on student data, and improve teacher delivery of effective reading instruction, intervention, and reading in the content area based on student need.
- Professional development for school district teachers in scientifically based reading instruction, including strategies to teach reading in content areas and with an emphasis on technical and informational text.
- Summer reading camps for all K-2 students who demonstrate a reading deficiency and students in grades 3-5 who score at Level 1 on the statewide, standardized reading assessment or ELA assessment.
- Supplemental instructional materials grounded in scientifically based reading research.
- Intensive interventions for K-12 students who have been identified as having a reading deficiency or who are reading below grade level.

School districts must annually submit a K-12 comprehensive reading plan to the Department of Education (DOE) for the specific use of the allocation.³⁶ The Just Read, Florida! Office within the DOE reviews and approves the district's plan.³⁷ School districts have flexibility in

³² *Id.*

³³ Section 2, ch. 2016-66, L.O.F.

³⁴ Section 1011.62(9), F.S.

³⁵ *Id.* at (9)(c).

³⁶ Section 1011.62(9)(d), F.S. *See also* Rule 6A-6.053, F.A.C.

³⁷ *Id.*

developing their plans and are encouraged to offer reading intervention through innovative methods.³⁸ One hundred percent of the research-based reading instruction allocation must be used to implement a school district's approved plan.³⁹

For the 2016-2017 fiscal year, school districts with one or more of the 300 lowest-performing elementary schools based on the statewide, standardized ELA assessment were required to use at least \$15 million of the research-based reading instruction allocation⁴⁰ for the required additional hour of intensive reading instruction.

Small, Isolated High School Supplement

High schools with between 28 students and 100 students in grades 9-12 and that are no closer than 28 miles to the nearest high school may qualify for an isolated school supplement. This supplement is allocated to each eligible school that attained a state accountability performance grade of "C" or better for its most recent school grade. Districts with qualifying schools must levy the maximum discretionary operating millage in order to receive the supplement.⁴¹

Sparsity Supplement

The FEFP recognizes the relatively higher operating cost of smaller districts due to sparse student populations through a statutory formula in which the variable factor is a sparsity index.⁴² This index is computed by dividing the FTE student membership of the qualified district by the number of permanent senior high school centers, not to exceed three.⁴³ For districts with at least 20,000 FTE, but no more than 24,000 FTE, the index is computed by dividing the total FTE by the number of permanent senior high school centers, not to exceed four.⁴⁴

Federally Connected Student Supplement

The federally connected student supplement was established initially in the 2015-2016 Implementing Bill, ch. 2015-222, L.O.F., 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 1965.⁴⁵

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ Specific Appropriations 7 and 9, s. 2, ch. 2016-66, L.O.F. The amount of \$115,000 was allocated to each district and the remaining balance allocated based on each district's proportion of the total K-12 based funding. *Id.*

⁴¹ 2016-17 Funding for Florida School Districts, Florida Department of Education.

<http://www.fldoe.org/core/fileparse.php/7507/urlt/Fefpdist.pdf>

⁴² 2016-17 Funding for Florida School Districts, Florida Department of Education.

<http://www.fldoe.org/core/fileparse.php/7507/urlt/Fefpdist.pdf>

⁴³ Section 1011.62 (7), F.S.

⁴⁴ Section 1011.62 (7), F.S.

⁴⁵ 2016-17 Funding for Florida School Districts, Florida Department of Education.

<http://www.fldoe.org/core/fileparse.php/7507/urlt/Fefpdist.pdf>

The supplement is based on two components: a student allocation and an exempt-property allocation. The student allocation is based on the number of students in the district reported for federal impact aid, including students with disabilities, who

- Have a parent who is on active duty in the uniformed services or is an accredited foreign government official and military officer;
- Reside on eligible federally-owned Indian lands; or
- Reside with a civilian parent who lives or works on eligible federal property connected with a military installation or NASA. The number of these students shall be multiplied by a factor of 0.5.

The exempt-property allocation is based on the district's real property value of exempt federal property of federal impact aid lands reserved as military installations, NASA properties, or federally-owned Indian lands, multiplied by the millage authorized and levied under s. 1011.71 (2), F.S. The student allocation and the exempt-property allocation are added together for each eligible district to produce the federally connected student supplement.

In the 2016-2017 fiscal year, 13 school districts qualified for federal impact aid. These districts received a total of \$12,136,893 through the federally connected student supplement, as appropriated in the 2016-2017 GAA.⁴⁶

FTE Reporting

School districts are required to report FTE to the department during five survey periods each fiscal year. These reported FTE are used to calculate and adjust the FEFP funds for each district. School districts are provided with a reporting amendment period during which they may review their reported FTE and make corrections to any reporting error. The DOE is authorized to make prior-year adjustments in the allocation of funds to a district for adjudication of litigation, arithmetical errors, assessment roll change, FTE student membership errors, or allocation errors revealed in an audit report.⁴⁷ However, in the 2016-2017 Implementing Bill, ch. 2016-62, L.O.F., statute was revised to clarify that a school district may not receive a positive FEFP allocation adjustment in the current fiscal year for an under allocation in a prior fiscal year caused by a district reporting error.⁴⁸

Capital Outlay Full-Time Equivalent Membership

Public school capital outlay full-time equivalent (COFTE) is comprised of kindergarten through grade 12 students for which the school districts provide the educational facility. The COFTE membership is determined by averaging the unweighted full-time equivalent student membership for the second and third FTE surveys and comparing the results on a school-by-school basis with the Florida Inventory for School Houses.⁴⁹

⁴⁶ Chapter 216-62, Laws of Florida

⁴⁷ 2016-17 Funding for Florida School Districts, Florida Department of Education.
<http://www.fldoe.org/core/fileparse.php/7507/urlt/Fefpdist.pdf>

⁴⁸ Chapter 216-62, Laws of Florida

⁴⁹ Section 1013.64 (3), F.S.

High Growth District Capital Outlay Assistance Program

The High Growth District Capital Outlay Grant Program was created in 2005⁵⁰ to provide funding to construct new student stations for school districts that meet the following criteria:⁵¹

- The district must have levied the full 1.5 mills of nonvoted discretionary capital outlay millage authorized in s. 1011.71(2) for each of the past 4 fiscal years.
- Fifty percent of the revenue derived from the maximum nonvoted discretionary capital outlay millage for the past 4 fiscal years, when divided by the district's growth in capital outlay FTE students over this period, produces a value that is less than the average cost per student station calculated pursuant to s. 1013.64(6)(b)1., and weighted by statewide growth in capital outlay FTE students in elementary, middle, and high schools for the past 4 fiscal years.
- The district must have equaled or exceeded twice the statewide average of growth in capital outlay FTE students over this same 4-year period.
- The Commissioner of Education must have released all funds allocated to the district from the Classrooms First Program, and these funds were fully expended by the district as of February 1 of the current fiscal year.
- The total capital outlay FTE students of the district is greater than 15,000 students.

The High Growth District Capital Outlay Grant Program has never been implemented. The legislation establishing the program, ch. 2005-209, L.O.F., appropriated \$30 million for the program, but the Governor vetoed that appropriation.⁵² The program has not subsequently been funded.

III. Effect of Proposed Changes:

The bill conforms various education funding statutes to the policies used to implement the funding decisions contained in SB 2500, the Senate General Appropriations Act for Fiscal Year 2017-2018.

The bill:

- Modifies the policy regarding the “extra hour of reading” at the 300 lowest-performing elementary schools by:
 - Permanently codifying the program in statute, rather than relying on annual reauthorization. The program was established for three years beginning in the 2012-2013 fiscal year but has been extended annually in the implementing bill since the 2015-2016 fiscal year.
 - Expanding the program to allow schools that improve performance to the extent that they are no longer on the most current list of 300 lowest-performing schools to maintain the program for two additional academic years.
 - Expanding the requirements of the program to include a 60-hour summer school component.

⁵⁰ Chapter 2005-209, Laws of Florida

⁵¹ Section 1013.738 (2), F.S.

⁵² Chapter 2005-209, Laws of Florida

- Codifying the methodology for calculating the allocation of Supplemental Academic Instruction (SAI) funds, which includes funds for the “extra hour of reading” requirement.
- Requiring school districts to delineate the implementation design and reading intervention strategies for the program as part of their comprehensive reading plan.
- Modifies the small, isolated high schools provision of the Florida Education Finance Program (FEFP) by expanding its application to elementary schools and establishing the criteria by which elementary schools may qualify.
- Permanently codifies the sparsity supplement calculation used to compute the sparsity supplement for 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 (rather than three as used for other districts). This calculation has been in the implementing bill since the 2015-2016 fiscal year.
- Modifies the federally connected student supplement to allow for recalculation throughout the year based on actual student membership and the tax-exempt valuation from the most recent assessment roll.
- Permanently codifies a provision that prohibits a school district from seeking a positive allocation adjustment in the current fiscal year because of an under allocation for a prior fiscal year caused by district error.
- Modifies the qualification requirements and funding methodology for the High Growth District Capital Outlay Assistance Grant Program.
- Requires the Auditor General to conduct an annual financial audit of the Florida School for the Deaf and the Blind.
- Extends the repeal date for the Florida Endowment Foundation for Vocational Rehabilitation, which serves as the direct-support organization of the Division of Vocational Rehabilitation within the Florida Department of Education by one year, to October 1, 2018.

Auditor General (Section 1)

Section 1 requires the Auditor General to conduct an annual financial audit of the Florida School for the Deaf and the Blind.

Florida Endowment Foundation for Vocational Rehabilitation (Section 2)

Section 2 extends the repeal date for the Florida Endowment Foundation for Vocational Rehabilitation (Foundation or The Able Trust), which serves as the direct-support organization of the Division of Vocational Rehabilitation within the Florida Department of Education from October 1, 2017 to October 1, 2018.

The extension of the repeal date will provide for the continuation programs administered by The Able Trust including, but are not limited to:⁵³

⁵³ Email, Florida Department of Education (Feb. 2, 2017).

Youth Programs

The Able Trust's High School High Tech program would end, resulting in the closure of 43 program sites in 40 Florida counties.⁵⁴ The program provides leadership training, career direction, community involvement, and education to 1,500-2,000 students per year.⁵⁵ The current cost to the state's budget for this program is \$275 per student, which covers slightly more than one-fourth of total program costs.⁵⁶

Additionally, The Able Trust's Florida Youth Leadership Program would no longer operate.⁵⁷ This program is a week-long leadership training program that takes place every summer at Florida State University, and advances high school juniors and seniors with disabilities, plus young adult job seekers, toward a career path and employment.

Grant Programs

The Able Trust works with community organizations throughout the state to help them assist Floridians with disabilities in their area to become employed. There are 60-70 contracts during any annual period (e.g., Susan B. Anthony Rehabilitation Center in Broward County, Science Center in Pinellas County, Vincent Academy in Sarasota, Ark Nassau in Nassau County, and Key Clubhouse in Miami-Dade).⁵⁸ No state funds are used in these strategic grant initiatives.⁵⁹

James Patrick Memorial Program

The Able Trust serves as administrator and fiduciary for the James Patrick Memorial Program, authorized in s. 413.402, F.S., which helps fund the services of personal care attendants for eligible workers with disabilities. Seven contracts to obtain funding for the program exist with state attorney offices in different parts of the state.⁶⁰

Specialty License Plates for Motorcycles

The Able Trust serves as fiduciary for funds for the sale of specialty license plates for motorcycles pursuant to s. 320.08069(4)(d), F.S.⁶¹ It collects, distributes, and manages the funds, which benefits five disabilities organizations – Florida Association of Centers for Independent Living, the James Patrick Memorial Program, Preserve Vision Florida, the Brain and Spinal Cord Injury Program – Florida Department of Health, and the Blind Services Foundation of Florida.⁶² The Foundation receives a 10 percent management fee.⁶³

⁵⁴ *Id.*

⁵⁵ *Id.*

⁵⁶ *Id.*

⁵⁷ *Id.*

⁵⁸ *Id.*

⁵⁹ *Id.*

⁶⁰ *Id.*

⁶¹ Email, Florida Department of Education (Feb. 2, 2017).

⁶² *Id.*

⁶³ *Id.*

Exceptional Student Education Guaranteed Allocation (Section 3)

Section 3 authorizes the Florida Department of Education (DOE) to recalculate the Exceptional Student Education (ESE) Guaranteed Allocation for each school district throughout the school year based on the student membership surveys. The ESE Guaranteed Allocation will continue to be calculated initially in the General Appropriations Act (GAA), and then recalculated based on each school district's actual ESE and total full-time equivalent (FTE) enrollment as determined by the surveys. This recalculation will ensure school districts receive their appropriate share of the ESE Guaranteed Allocation based on actual enrollment.

Intensive Reading Instruction (Section 3)

Section 3 amends subsections 1011.62(1) and (9), F.S., to make permanent the requirement of providing an additional hour of intensive reading instruction daily for students enrolled in the 300 lowest performing elementary schools.

This section requires participating schools to implement a 60-hour summer program in addition to the 180 hours of instruction provided during the school year. The bill also requires a participating school to continue to provide an additional hour of instruction for two subsequent academic years after the school improves performance such that it is no longer classified as one of the 300 lowest performing elementary schools.

This section requires each school district that has a school designated as one of the 300 lowest-performing elementary schools, including any school that is maintaining the program because it has improved performance to the extent that the school is no longer on such list, to specifically delineate the implementation design and reading intervention strategies that will be utilized for the required extra hour of reading as part of its comprehensive reading plan.

Small, Isolated School Supplement (Section 3)

Section 3 amends paragraph 1011.62(1)(h), F.S., to expand the small, isolated high schools provision in the Florida Education Finance Program (FEFP) to include elementary schools, and revise the criteria by which schools may qualify for the allocation. The section limits the provision to district-operated schools and establishes the criteria for elementary schools to qualify as:

- Having a grade configuration of kindergarten through grade 5, while also permitting inclusive of prekindergarten, grade 6, grade 7, or grade 8;
- Being located at least 35 miles from another elementary school within the district;
- Having a student population in which at least 75 percent students are eligible for free and reduced-price lunch; and
- Having at least 28 students, but no more than 100 students.

Sparsity Supplement (Section 3)

Section 3 amends subsection 1011.62(7), F.S., to codify permanently the computation of the sparsity supplement for larger eligible districts with between 20,000 and 24,000 full-time equivalent (FTE) students, by dividing the total number of FTE students by the number of

permanent senior high school centers in the district, not in excess of four (rather than three as used by other districts). This computation is consistent with the methodology used during the past two years.

Federally Connected Student Supplement (Section 3)

Section 3 amends subsection 1011.62(13), F.S., relating to the federally connected student supplement, to allow for recalculation throughout the year based on actual student membership and the tax-exempt valuation from the most recent assessment roll. This recalculation allows an eligible school district to receive an allocation based on the most recent data available, which is consistent with other FEFP categoricals.

FTE Reporting (Section 3)

Section 3 amends subsection 1011.62(15), F.S., to codify permanently the prohibition that a school district may not seek a positive allocation adjustment to its FEFP funding in the current fiscal year because of an under allocation for a prior fiscal year caused by district error.

Capital Outlay Full-Time Equivalent (COFTE) Membership (Sections , 6, and 7)

Section 4 aligns s.1013.64 (3), F.S., with the actual COFTE membership calculation by:

- Changing kindergarten to pre-kindergarten for students funded for the FEFP, and
- Limiting the second and third surveys to 0.5 FTE membership per student.

Sections 6 and 7 conform cross references in ss. 1011.71 and 1013.54, F.S., changed as a result of the modifications made to s. 1013.64, F.S.

High Growth District Capital Outlay Assistance Program (Section 5)

Section 5 amends s. 1013.738, F.S., to modify the qualification requirements and funding methodology for the High Growth District Capital Outlay Assistance Grant Program. To qualify for the program, a school district must:

- Levy the maximum nonvoted discretionary millage for the prior 5 years;
- Receive revenue from a current voted school capital outlay sales surtax or a portion of the local government infrastructure surtax;
- Have funds from the nonvoted discretionary capital outlay millage that, when divided by the district's capital outlay FTE students, are less than the statewide average maximum potential funds per capital outlay FTE student for the most recent fiscal year;
- Have equaled or exceeded the greater of one percent average growth or twice the statewide average growth in capital outlay FTE students of the prior 5-year period; and
- Have more than 24,000 total capital outlay FTE students.

Section 5 also modifies the program allocation methodology to require that, for each eligible district, the Department of Education (DOE):

- Sum the revenue from the maximum potential nonvoted discretionary capital outlay millage and the revenue from the voted sales surtax and divide it by the capital outlay FTE students;

- Determine the amount that must be added to the funds per capital outlay FTE to produce the statewide average value per capital outlay FTE for the identified revenues; and, if necessary,
- Prorate district awards to the level of the appropriation.

The bill takes effect July 1, 2017, except as otherwise expressly provided.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

SB 2516 modifies various education funding statutes to conform to the funding policies used to develop SB 2500, the Senate proposed General Appropriations Act for Fiscal Year 2017-2018.

This bill does not have a fiscal impact on state and local revenues and expenditures. However, based on these statutory modifications, the following funding decisions have been made:

- Funding for additional requirements for the additional hour of intensive reading instruction at the lowest-performing elementary schools is provided in the supplemental academic instruction and the research-based reading instruction allocation categoricals within the Florida Education Finance Program (FEFP).
- The Senate General Appropriations Act for Fiscal Year 2017-2018, SB 2500, includes \$27 million for the 60-hour summer component and \$23 million for schools to continue to provide an additional hour of instruction for two subsequent academic years after the school improves performance such that it is no longer classified as one of the 300 lowest performing elementary schools.

- The bill modifies the federally connected student supplement calculation within the FEFP. The school districts eligible for funding through the categorical will receive their proportional share of the appropriated \$13 million, as proposed in SB 2500, allocated through the FEFP.
- SB 2500 appropriates \$3 million for the High Growth District Capital Outlay Assistance Grant Program.
- SB 2500 appropriates \$549,823 to the Florida Endowment Foundation for Vocational Rehabilitation.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 11.45, 413.65, 1011.62, 1011.71, 1013.54, 1013.64, and 1013.738.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.



387656

LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
04/06/2017	.	
	.	
	.	
	.	

The Committee on Appropriations (Bean) recommended the following:

Senate Amendment (with title amendment)

Between lines 60 and 61
insert:

Section 2. Subsection (14) of section 413.615, Florida
Statutes, is amended to read:

413.615 Florida Endowment for Vocational Rehabilitation.—

(14) REPEAL.—This section is repealed October 1, 2018 ~~2017~~,
unless reviewed and saved from repeal by the Legislature.



387656

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete line 5

and insert:

the Blind; amending s. 413.615, F.S.; extending the

date for future legislative review and repeal of

provisions governing the Florida Endowment for

Vocational Rehabilitation; amending s. 1011.62, F.S.;

revising the

FOR CONSIDERATION By the Committee on Appropriations

576-02843A-17

20172516pb

1 A bill to be entitled
 2 An act relating to education funding; amending s.
 3 11.45, F.S.; requiring the Auditor General to conduct
 4 annual audits of the Florida School for the Deaf and
 5 the Blind; amending s. 1011.62, F.S.; revising the
 6 student membership surveys to be used for the funding
 7 model for certain students; requiring the 300 lowest-
 8 performing elementary schools to provide a specified
 9 summer school program; requiring that the designation
 10 of the 300 lowest-performing schools be based on the
 11 prior year's state reading assessment; requiring
 12 certain schools on the list to maintain the program
 13 for a specified time; revising the schools that may be
 14 considered small, isolated schools to include
 15 elementary schools that meet certain requirements, for
 16 the purpose of determining the annual allocation to
 17 each district; revising the computation of the
 18 district sparsity index for school districts that meet
 19 certain criteria; deleting obsolete language;
 20 requiring the amount calculated for the federally
 21 connected student supplement for an eligible school
 22 district to be recalculated during the year; requiring
 23 certain school districts to delineate certain reading
 24 strategies in their comprehensive reading plans;
 25 requiring the total allocation to be prorated under
 26 certain circumstances; providing that certain state
 27 allocations to school districts may not be the basis
 28 for a positive allocation adjustment for a specified
 29 year; amending s. 1013.64, F.S.; revising capital

Page 1 of 22

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

576-02843A-17

20172516pb

30 outlay full-time equivalent membership; revising the
 31 calculation of capital outlay membership; amending s.
 32 1013.738, F.S.; revising the purposes for which the
 33 High Growth District Capital Outlay Assistance Grant
 34 Program funds may be used; revising the school
 35 district qualification criteria for the grant;
 36 revising the funding methodology; amending ss. 1011.71
 37 and 1013.54, F.S.; conforming cross-references;
 38 providing effective dates.
 39
 40 Be It Enacted by the Legislature of the State of Florida:
 41
 42 Section 1. Upon the expiration and reversion of the
 43 amendment to section 11.45, Florida Statutes, pursuant to
 44 section 36 of chapter 2016-62, Laws of Florida, paragraph (d) of
 45 subsection (2) of section 11.45, Florida Statutes, is amended to
 46 read:
 47 11.45 Definitions; duties; authorities; reports; rules.—
 48 (2) DUTIES.—The Auditor General shall:
 49 (d) Annually conduct financial audits of the accounts and
 50 records of all district school boards in counties with
 51 populations of fewer than 150,000, according to the most recent
 52 federal decennial statewide census, and the Florida School for
 53 the Deaf and the Blind.
 54
 55 The Auditor General shall perform his or her duties
 56 independently but under the general policies established by the
 57 Legislative Auditing Committee. This subsection does not limit
 58 the Auditor General's discretionary authority to conduct other

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audits or engagements of governmental entities as authorized in subsection (3).

Section 2. Upon the expiration and reversion of the amendments to section 1011.62, Florida Statutes, pursuant to section 23 of chapter 2016-62, Laws of Florida, paragraphs (e), (f), and (h) of subsection (1), paragraph (b) of subsection (7), paragraphs (a), (c), and (d) of subsection (9), and paragraph (c) of subsection (13) of section 1011.62, Florida Statutes, are amended, paragraph (d) is added to subsection (13) of that section, and paragraph (b) of subsection (15) of that section is amended, to read:

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

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

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

1.a. The funding model uses basic, at-risk, support levels IV and V for exceptional students and career Florida Education Finance Program cost factors, and a guaranteed allocation for exceptional student education programs. Exceptional education cost factors are determined by using a matrix of services to document the services that each exceptional student will

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receive. The nature and intensity of the services indicated on the matrix shall be consistent with the services described in each exceptional student's individual educational plan. The Department of Education shall review and revise the descriptions of the services and supports included in the matrix of services for exceptional students and shall implement those revisions before the beginning of the 2012-2013 school year.

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

c. Students identified as exceptional, in accordance with chapter 6A-6, Florida Administrative Code, who do not have a matrix of services as specified in sub-subparagraph b. shall generate funds on the basis of full-time-equivalent student membership in the Florida Education Finance Program at the same funding level per student as provided for basic students. Additional funds for these exceptional students will be provided through the guaranteed allocation designated in subparagraph 2.

2. For students identified as exceptional who do not have a matrix of services and students who are gifted in grades K through 8, there is created a guaranteed allocation to provide these students with a free appropriate public education, in accordance with s. 1001.42(4)(1) and rules of the State Board of Education, which shall be allocated initially to each school

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district in the amount provided in the General Appropriations Act. These funds shall be supplemental to the funds appropriated for the basic funding level, and the amount allocated for each school district shall be recalculated ~~once~~ during the year, based on actual student membership from ~~the October~~ FTE surveys ~~survey~~. Upon recalculation, if the generated allocation is greater than the amount provided in the General Appropriations Act, the total shall be prorated to the level of the appropriation based on each district's share of the total recalculated amount. These funds shall be used to provide special education and related services for exceptional students and students who are gifted in grades K through 8. A district's expenditure of funds from the guaranteed allocation for students in grades 9 through 12 who are gifted may not be greater than the amount expended during the 2006-2007 fiscal year for gifted students in grades 9 through 12.

(f) *Supplemental academic instruction; categorical fund.*—

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

2. ~~The categorical fund is funds for supplemental academic instruction shall be allocated annually to each school district in the amount provided in the General Appropriations Act. These funds shall be~~ in addition to the funds appropriated on the basis of FTE student membership in the Florida Education Finance Program and shall be included in the total potential funds of each district. These funds shall be used to provide supplemental academic instruction to students enrolled in the K-12 program.

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~~For the 2014-2015 fiscal year,~~ Each school district that has one or more of the 300 lowest-performing elementary schools based on the state reading assessment for the prior year shall use these funds, together with the funds provided in the district's research-based reading instruction allocation and other available funds, to provide an additional hour of instruction beyond the normal school day for each day of the entire school year and to provide a 60-hour summer school program, for intensive reading instruction for the students in each of these schools. This additional hour of instruction must be provided by teachers or reading specialists who have demonstrated effectiveness ~~are effective~~ in teaching reading or by a K-5 mentoring reading program that is supervised by a teacher who has demonstrated effectiveness in ~~is effective at~~ teaching reading. Students enrolled in these schools who have level 5 assessment scores may participate in the additional hour of instruction on an optional basis. Exceptional student education centers may ~~shall~~ not be included in the 300 schools. The designation of the 300 lowest-performing elementary schools must be based on the state reading assessment for the prior year. In addition, a school that was on the list of the 300 lowest-performing elementary schools for the immediately prior academic year and that has improved its performance such that the school is no longer on such list shall maintain the program for 2 additional academic years. After this requirement has been met, supplemental instruction strategies may include, but are not limited to: use of a modified curriculum, reading instruction, after-school instruction, tutoring, mentoring, a reduction in class size ~~reduction~~, an extended school year, intensive skills

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development in summer school, and other methods ~~of for~~ improving student achievement. Supplemental instruction may be provided to a student in any manner and at any time during or beyond the regular 180-day term identified by the school as being the most effective and efficient way to best help that student progress from grade to grade and to graduate.

3. Categorical funds for supplemental academic instruction shall be provided annually in the Florida Education Finance Program as specified in the General Appropriations Act. These funds shall be provided as a supplement to the funds appropriated for the basic funding level and shall be included in the total funds of each district. The allocation shall consist of a base amount that has a workload adjustment based on changes in unweighted FTE. In addition, districts that have elementary schools included in the 300 lowest-performing schools designation shall be allocated additional funds to assist those districts in providing intensive reading instruction to students in those schools. The amount provided shall be based on each district's level of per-student funding in the reading instruction allocation and the supplemental academic instruction categorical fund and on the total FTE for each of the schools. The categorical funding shall be recalculated during the fiscal year following an updated designation of the 300 lowest-performing elementary schools and shall be based on actual student membership from the FTE surveys. Upon recalculation of funding for the supplemental academic instruction categorical fund, if the total allocation is greater than the amount provided in the General Appropriations Act, the allocation shall be prorated to the level provided to support the appropriation,

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based on each district's share of the total.

~~4.3-~~ Effective with the 1999-2000 fiscal year, funding on the basis of FTE membership beyond the 180-day regular term shall be provided in the FEFP only for students enrolled in juvenile justice education programs or in education programs for juveniles placed in secure facilities or programs under s. 985.19. Funding for instruction beyond the regular 180-day school year for all other K-12 students shall be provided through the supplemental academic instruction categorical fund and other state, federal, and local fund sources with ample flexibility for schools to provide supplemental instruction to assist students in progressing from grade to grade and graduating.

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

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

(h) *Small, isolated ~~high~~ schools.*-Districts ~~that which~~ levy the maximum nonvoted discretionary millage, exclusive of millage for capital outlay purposes levied pursuant to s. 1011.71(2), may calculate full-time equivalent students for small, isolated district-operated high schools by multiplying the number of unweighted full-time equivalent students times 2.75 ~~if, provided~~ the school has attained a grade of "C" or better, pursuant to s.

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1008.34, for the previous school year. The following schools may be considered small, isolated schools under this paragraph:

1. ~~A For the purpose of this section, the term "small, isolated high school" means Any high school that which is located at least no less than 28 miles by the shortest route from another high school; which has been serving students primarily in basic studies provided by sub-subparagraphs (c)1.b. and c. and may include subparagraph (c)4.; and which has a membership of at least 28, but no more than 100, students, but no fewer than 28 students, in grades 9 through 12; or-~~

2. A district elementary school with a grade configuration of kindergarten through grade 5, but which may also include prekindergarten, grade 6, grade 7, or grade 8, which is located at least 35 miles by the shortest route from another elementary school within the district; has been serving students primarily in basic studies provided by sub-subparagraphs (c)1.a. and b. and may include subparagraph (c)4.; has a student population in which 75 percent or greater of students are eligible for free and reduced-price school lunch; and has a membership of at least 28, but no more than 100, students.

(7) DETERMINATION OF SPARSITY SUPPLEMENT.-

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

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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.

(9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.-

(a) The research-based reading instruction allocation is created to provide comprehensive reading instruction to students in kindergarten through grade 12. ~~For the 2014-2015 fiscal year,~~ in Each school district that has one or more of the 300 lowest-performing elementary schools based on the state reading assessment, ~~priority~~ shall give priority ~~be given~~ to providing an additional hour per day of intensive reading instruction beyond the normal school day for each day of the entire school year and to provide a 60-hour summer school program for the students in each school. The designation of the 300 lowest-performing elementary schools must be based on the state reading assessment for the prior year. In addition, a school that was on the list of the 300 lowest performing elementary schools for the immediately prior academic year and that has improved its performance such that the school is no longer on such list shall maintain the program for 2 additional academic years. Students enrolled in these schools who have level 5 assessment scores may participate in the additional hour of instruction on an optional basis. Exceptional student education centers may ~~shall~~ not be included in the 300 schools. The intensive reading instruction delivered in this additional hour and for other students shall include: research-based reading instruction that has been proven to accelerate progress of students exhibiting a reading deficiency; differentiated instruction based on screening, diagnostic, progress monitoring, or student assessment data to

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meet students' specific reading needs; explicit and systematic reading strategies to develop ~~development in~~ phonemic awareness, phonics, fluency, vocabulary, and comprehension, with more extensive opportunities for guided practice, error correction, and feedback; and the integration of social studies, science, and mathematics-text reading, text discussion, and writing in response to reading. ~~For the 2012-2013 and 2013-2014 fiscal years, a school district may not hire more reading coaches than were hired during the 2011-2012 fiscal year unless all students in kindergarten through grade 5 who demonstrate a reading deficiency, as determined by district and state assessments, including students scoring Level 1 or Level 2 on the statewide, standardized reading assessment or, upon implementation, the English Language Arts assessment, are provided an additional hour per day of intensive reading instruction beyond the normal school day for each day of the entire school year.~~

(c) Funds allocated under this subsection must be used to provide a system of comprehensive reading instruction to students enrolled in the K-12 programs, which may include the following:

1. The provision of an additional hour per day of intensive reading instruction to students in the 300 lowest-performing elementary schools by teachers and reading specialists who have demonstrated effectiveness ~~are effective~~ in teaching reading.

2. Kindergarten through grade 5 reading intervention teachers to provide intensive intervention during the school day and in the required extra hour for students identified as having a reading deficiency.

3. The provision of highly qualified reading coaches to

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specifically support teachers in making instructional decisions based on student data, and improve teacher delivery of effective reading instruction, intervention, and reading in the content areas based on student need.

4. Professional development for school district teachers in scientifically based reading instruction, including strategies to teach reading in content areas and with an emphasis on technical and informational text, to help school district teachers earn a certification or an endorsement in reading.

5. The provision of summer reading camps for all students in kindergarten through grade 2 who demonstrate a reading deficiency as determined by district and state assessments, and students in grades 3 through 5 who score at Level 1 on the statewide, standardized reading assessment or, upon implementation, the English Language Arts assessment.

6. The provision of supplemental instructional materials that are grounded in scientifically based reading research.

7. The provision of intensive interventions for students in kindergarten through grade 12 who have been identified as having a reading deficiency or who are reading below grade level as determined by the statewide, standardized assessment.

(d) 1. Annually, by a date determined by the Department of Education but before May 1, school districts shall submit a K-12 comprehensive reading plan for the specific use of the research-based reading instruction allocation in the format prescribed by the department for review and approval by the Just Read, Florida! Office created pursuant to s. 1001.215. The plan annually submitted by school districts shall be deemed approved unless the department rejects the plan on or before June 1. If a

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school district and the Just Read, Florida! Office cannot reach agreement on the contents of the plan, the school district may appeal to the State Board of Education for resolution. School districts shall be allowed reasonable flexibility in designing their plans and shall be encouraged to offer reading intervention through innovative methods, including career academies. The plan format shall be developed with input from school district personnel, including teachers and principals, and shall allow courses in core, career, and alternative programs that deliver intensive reading remediation through integrated curricula, provided that the teacher is deemed highly qualified to teach reading or working toward that status. No later than July 1 annually, the department shall release the school district's allocation of appropriated funds to those districts having approved plans. A school district that spends 100 percent of this allocation on its approved plan shall be deemed to have been in compliance with the plan. The department may withhold funds upon a determination that reading instruction allocation funds are not being used to implement the approved plan. The department shall monitor and track the implementation of each district plan, including conducting site visits and collecting specific data on expenditures and reading improvement results. By February 1 of each year, the department shall report its findings to the Legislature.

2. Each school district that has a school designated as one of the 300 lowest-performing elementary schools as specified in paragraph (a), including a school that is maintaining the program because it has improved performance so that the school is no longer on such list, shall specifically delineate in the

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comprehensive reading plan, or in an addendum to the comprehensive reading plan, the implementation design and reading intervention strategies that will be used for the required additional hour of reading instruction. The term "reading intervention" includes evidence-based strategies frequently used to remediate reading deficiencies and also includes individual instruction, tutoring, mentoring, or the use of technology that targets specific reading skills and abilities.

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

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

(d) The amount allocated for each eligible school district

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shall be recalculated during the year, using actual student membership, as amended, from the most recent February survey and the tax-exempt valuation from the most recent assessment roll. Upon recalculation, if the total allocation is greater than the amount provided in the General Appropriations Act, it must be prorated to the level of the appropriation based on each district's share of the total recalculated amount.

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

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

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establish the amount of the adjustment based on the best interests of the state.

Section 3. Effective upon becoming a law, notwithstanding the expiration and reversion of section 1013.64, Florida Statutes, in section 36 of chapter 2016-62, Laws of Florida, subsection (3) of section 1013.64, Florida Statutes, is reenacted and amended to read:

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

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

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

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

(b) The capital outlay full-time equivalent membership shall be determined for prekindergarten exceptional education students, kindergarten through the 12th grade, and for career centers by counting the reported unweighted full-time equivalent student membership for the second and third surveys, with each survey limited to 0.5 full-time equivalents per student and

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465 comparing the results on a school-by-school basis with the
 466 Florida Inventory of School Houses. ~~If the prior academic year's~~
 467 ~~third survey count is higher than the current year's second~~
 468 ~~survey count when comparing the results on a school-by-school~~
 469 ~~basis with the Florida Inventory of School Houses, the prior~~
 470 ~~year's third survey count shall be used on a school-by-school~~
 471 ~~basis for determining the current capital outlay membership. The~~
 472 ~~Florida Inventory of School Houses shall be updated with the~~
 473 ~~current capital outlay membership count as soon as practicable~~
 474 ~~after verification of the capital outlay membership.~~

475 (c) The capital outlay full-time equivalent membership by
 476 grade level organization shall be used in making calculations.
 477 The capital outlay full-time equivalent membership by grade
 478 level organization for the 4th prior year must be used to
 479 compute the base-year allocation. The capital outlay full-time
 480 equivalent membership by grade-level organization for the prior
 481 year must be used to compute the growth over the highest of the
 482 3 years preceding the prior year. From the total amount
 483 appropriated by the Legislature pursuant to this subsection, 40
 484 percent shall be allocated among the base capital outlay full-
 485 time equivalent membership and 60 percent among the growth
 486 capital outlay full-time equivalent membership. The allocation
 487 within each of these groups shall be prorated to the districts
 488 based upon each district's percentage of base and growth capital
 489 outlay full-time equivalent membership. The most recent 4-year
 490 capital outlay full-time equivalent membership data shall be
 491 used in each subsequent year's calculation for the allocation of
 492 funds pursuant to this subsection. If a change, correction, or
 493 recomputation of data during any year results in a reduction or

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494 increase of the calculated amount previously allocated to a
 495 district, the allocation to that district shall be adjusted
 496 accordingly. If such recomputation results in an increase or
 497 decrease of the calculated amount, such additional or reduced
 498 amounts shall be added to or reduced from the district's future
 499 appropriations. However, no change, correction, or recomputation
 500 of data may ~~shall~~ be made subsequent to 2 years following the
 501 initial annual allocation.

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

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

510 (f) Funds distributed to the district school boards shall
 511 be allocated solely based on paragraphs (a), (b), and (c) and
 512 ~~the provisions of paragraphs (1) (a) and (2) (a) and paragraphs~~
 513 ~~(a)-(c) of this subsection.~~ No individual school district
 514 projects may ~~shall~~ be funded off the top of funds allocated to
 515 district school boards.

516 Section 4. Section 1013.738, Florida Statutes, is amended
 517 to read:

518 1013.738 High Growth District Capital Outlay Assistance
 519 Grant Program.—

520 (1) Subject to funds provided in the General Appropriations
 521 Act, the High Growth District Capital Outlay Assistance Grant
 522 Program is hereby established. Funds provided pursuant to this

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section may only be used for the purposes identified in s.
1011.71(2) to construct new student stations.

(2) In order to qualify for a grant, a school district must meet the following criteria:

(a) The district must have levied the maximum ~~full 1.5~~ mills of nonvoted discretionary capital outlay millage authorized in s. 1011.71(2) for each of the prior 5 ~~past 4~~ fiscal years.

(b) The district must receive revenue from a current voted school capital outlay sales surtax or a portion of the local government infrastructure surtax as authorized in s. 212.055.

~~(c)~~ (b) Fifty percent of The revenue derived from the 2-mill nonvoted discretionary capital outlay millage ~~for the past 4 fiscal years~~, when divided by the district's ~~growth in~~ capital outlay FTE students ~~over this period~~, produces a value that is less than the statewide average maximum potential funds cost per capital outlay FTE student ~~station calculated pursuant to s. 1013.64(6)(b)1.~~, and weighted by statewide growth in capital outlay FTE students in elementary, middle, and high schools for the most recent past 4 fiscal year years.

~~(d)~~ (e) The district must have equaled or exceeded the greater of one percent average growth or twice the statewide average of growth in capital outlay FTE students over the prior 5-year ~~this same 4-year~~ period.

~~(d)~~ The Commissioner of Education must have released all funds allocated to the district from the Classrooms First Program authorized in s. 1013.68, and these funds were fully expended by the district as of February 1 of the current fiscal year.

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(e) The total capital outlay FTE students of the district is greater than 24,000 ~~15,000~~ students.

(3) The funds provided in the General Appropriations Act shall be allocated pursuant to the following methodology:

(a) For each eligible district, the Department of Education shall ~~sum~~ calculate the calculated value of 50 percent of the revenue ~~derived~~ from the maximum potential 2-mill nonvoted discretionary capital outlay millage and the revenue received from the voted sales surtax as provided in paragraph (2)(b) and divide that sum ~~for the past 4 fiscal years~~ divided by the number of ~~increase in~~ capital outlay FTE students for the same period.

(b) The Department of Education shall determine, for each eligible district, the amount that must be added to the funds per capital outlay FTE value calculated pursuant to paragraph (a) to produce the statewide weighted average value per capital outlay FTE for the revenues identified student station ~~calculated pursuant to paragraph (a) (2)(b).~~

(c) The value calculated for each eligible district pursuant to paragraph (b) shall be ~~multiplied by the average increase in capital outlay FTE students for the past 4 fiscal years to determine~~ the maximum amount of a grant that may be awarded to a district pursuant to this section.

(d) In the event the funds provided ~~in the General Appropriations Act~~ are insufficient to fully fund the maximum grants calculated pursuant to this section ~~paragraph (e)~~, the Department of Education shall allocate the funds based on each district's prorated share of the total maximum award amount calculated for all eligible districts.

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581 Section 5. Paragraph (a) of subsection (2) of section
 582 1011.71, Florida Statutes, is amended to read:
 583 1011.71 District school tax.—
 584 (2) In addition to the maximum millage levy as provided in
 585 subsection (1), each school board may levy not more than 1.5
 586 mills against the taxable value for school purposes for district
 587 schools, including charter schools at the discretion of the
 588 school board, to fund:
 589 (a) New construction and remodeling projects, as set forth
 590 in s. 1013.64(3)(d) ~~s. 1013.64(3)(b)~~ and (6)(b) and included in
 591 the district's educational plant survey pursuant to s. 1013.31,
 592 without regard to prioritization, sites and site improvement or
 593 expansion to new sites, existing sites, auxiliary facilities,
 594 athletic facilities, or ancillary facilities.
 595 Section 6. Subsection (2) of section 1013.54, Florida
 596 Statutes, is amended to read:
 597 1013.54 Cooperative development and use of satellite
 598 facilities by private industry and district school boards.—
 599 (2) The commissioner shall appoint a review committee to
 600 make recommendations and prioritize requests. If the project is
 601 approved by the commissioner, the commissioner shall include up
 602 to one-fourth of the cost of the project in the legislative
 603 capital outlay budget request, as provided in s. 1013.60, for
 604 the funding of capital outlay projects involving both
 605 educational and private industry. The commissioner shall
 606 prioritize any such projects for each fiscal year and,
 607 notwithstanding the provisions of s. 1013.64(3)(e) ~~s.~~
 608 ~~1013.64(3)(e)~~, limit the recommended state funding amount not to
 609 exceed 5 percent off the top of the total funds recommended

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610 pursuant to s. 1013.64(2) and (3).
 611 Section 7. Except as otherwise expressly provided in this
 612 act and except for this section, which shall take effect upon
 613 this act becoming a law, this act shall take effect July 1,
 614 2017.

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The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: CS/CS/SB 364

INTRODUCER: Appropriations Committee; Commerce and Tourism Committee; and Senator Gainer and others

SUBJECT: Recovery Fund for the Deepwater Horizon Incident

DATE: April 7, 2017

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Little</u>	<u>McKay</u>	<u>CM</u>	<u>Fav/CS</u>
2.	<u>Pitts</u>	<u>Pitts</u>	<u>ATD</u>	<u>Recommend: Favorable</u>
3.	<u>Pitts</u>	<u>Hansen</u>	<u>AP</u>	<u>Fav/CS</u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 364 establishes a mechanism for 75 percent of the settlement funds received by the state, pursuant to Florida's claims for economic damages caused by the Deepwater Horizon oil spill, to be appropriated to Triumph Gulf Coast, Inc. (Triumph Gulf Coast).

Triumph Gulf Coast, Inc., is a nonprofit corporation created to administer a program that makes awards to projects or programs that meet the priorities for economic recovery, diversification, and enhancement of the eight counties that were disproportionately affected by the Deepwater Horizon oil spill.

The bill amends provisions related to the operation of Triumph Gulf Coast. The bill:

- Requires 75 percent (about \$300 million) of settlement funds currently held in General Revenue to be immediately transferred to Triumph Gulf Coast, and 75 percent (about \$80 million annually beginning in the 2018-19 fiscal year) of future settlement payments to be deposited in the Triumph Gulf Coast Trust Fund, for appropriation by the legislature;
- Requires 40 percent of the funds initially received by Triumph Gulf Coast to be allocated to projects as reviewed and approved by boards of county commissioners, with no county receiving less than 5 percent of the total allocation;
- Requires 32 percent of the funds subsequently received by Triumph Gulf Coast to be allocated to projects as reviewed and approved by boards of county commissioners, with no county receiving less than 4 percent of the total allocation;

- Adds two members to the board of directors of Triumph Gulf Coast, with the Senate President and the Speaker of the House of Representatives each appointing an individual from one of the lesser populated counties within the disproportionately affected counties;
- Allows Triumph Gulf Coast to invest surplus funds in the Local Government Surplus Funds Trust Fund and requires the interest earned and net of fees to be transferred monthly into the Triumph Gulf Coast Trust Fund;
- Provides that administrative fees are limited to 0.75 percent of the funds available for use by Triumph Gulf Coast;
- Limits the annual salary of any employee or contracted staff of Triumph Gulf Coast to \$130,000, and provides that associated benefits may not exceed 35 percent of the salary;
- Extends the length of time Triumph Gulf Coast board members are required to refrain from having any direct interest in awards made by Triumph Gulf Coast after serving on the board of directors from 2 years to 6 years;
- Requires Triumph Gulf Coast to publish on a website its intent to approve an award and a project summary at least 14 calendar days prior to approving an award;
- Clarifies awards may be made for ad valorem tax *rate* reduction and *public* infrastructure projects for construction, expansion, or maintenance;
- Amends the types of projects that are eligible for award funding and the factors for prioritizing the projects; and
- Provides that an award may supplement but not supplant existing funding sources.

The bill transfers approximately \$300 million from the General Revenue Fund to the Triumph Gulf Coast Trust Fund and subsequently appropriates those funds to the Triumph Gulf Coast, Inc. The bill also directs future settlement funds shall be deposited into the Triumph Gulf Coast Trust Fund for appropriation by the legislature.

The bill is effective upon becoming law.

II. Present Situation:

Deepwater Horizon Oil Spill

On April 20, 2010, an offshore drilling rig, known as Deepwater Horizon, exploded in the Gulf of Mexico.¹ The explosion claimed the lives of 11 crewmembers² and caused nearly 5 million barrels of crude oil to spill into the Gulf of Mexico.³ The five states bordering the Gulf of Mexico (Alabama, Florida, Louisiana, Mississippi, and Texas) were quickly determined to have experienced the most devastating economic and environmental effects of the oil spill.⁴

¹ Campbell Robertson, *Gulf Spill Is the Largest of Its Kind, Scientists Say*, The New York Times, Aug. 2, 2010, available at <http://www.nytimes.com/2010/08/03/us/03spill.html> (last visited April 5, 2017).

² Bradley Blackburn, *BP Oil Spill: Families Gather to Honor 11 Who Died, Express Frustration with BP, Transocean*, ABC News, May 25, 2010, available at <http://abcnews.go.com/WN/bp-oil-spill-transocean-holds-memorial-11-lost/story?id=10739080> (last visited April 5, 2017).

³ Robertson, *supra* note 1.

⁴ Exec. Order No. 13554, 75 Fed. Reg. 62313, (October 5, 2010), available at <https://obamawhitehouse.archives.gov/the-press-office/2010/10/05/executive-order-13554-gulf-coast-ecosystem-restoration-task-force> (last visited April 5, 2017).

On July 6, 2012, President Obama signed into law the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (RESTORE Act) in an effort to provide a mechanism for funding restoration of the Gulf Coast region.⁵ The RESTORE Act required 80 percent of administrative and civil penalties paid by responsible parties⁶ under provisions of the federal Clean Water Act to be deposited into the Gulf Coast Restoration Trust Fund.⁷ The RESTORE Act set forth the following framework for allocation of the Trust Fund:

- 35 percent equally divided among the five states;
- 30 percent to the Gulf Coast Ecosystem Restoration Council;
- 30 percent to the Oil Spill Restoration Impact;
- 2.5 percent to the Gulf Coast Ecosystem Restoration Science Observation Monitoring and Technology Program; and
- 2.5 percent to Centers of Excellence.⁸

In addition to penalties imposed under the Clean Water Act, responsible parties were liable for Natural Resource Damage Assessment Penalties under the Oil Pollution Act of 1990 and criminal penalties asserted by the National Fish and Wildlife Foundation.⁹ The funds awarded to the Gulf States were determined pursuant to a consent decree, approving a \$20.8 billion settlement of a civil lawsuit filed by the United States and the five Gulf States against parties responsible for the oil spill.¹⁰

Economic Loss Claims

In an agreement separate from the civil lawsuit, BP also agreed to pay a total of \$4.9 billion to the five Gulf States and up to \$1 billion to local government entities for economic damage claims related to the oil spill.¹¹ Pursuant to the economic damages settlement agreement, Florida will receive a total of \$2 billion over an 18-year period.¹² Attorney General Pam Bondi received BP's initial settlement payment of \$400 million in July of 2016, and the funds were placed into the state General Revenue Fund.¹³ Subsequent settlement payments are scheduled to be paid annually to the state in the amount of \$106,666,666 from 2019 until 2033.¹⁴

⁵ Pub. L. No. 112-141 (113th Congress). Codified at 33 U.S.C. 1321.

⁶ Transocean Ltd., British Petroleum (BP), and The Halliburton Company were among the parties found to be responsible.

⁷ The remaining 20 percent of the administrative and civil penalties are required to be deposited into the federal Oil Spill Liability Trust Fund, which funds removal costs or damages resulting from discharges of oil. See 33 U.S.C. 1321.

⁸ A table of Projected BP Annual Deposits into the Gulf Coast Restoration Trust Fund is available at https://www.treasury.gov/services/restore-act/Documents/BP_Estimated_Deposits_Schedule_June302016.pdf (last visited March 10, 2017).

⁹ Consent Decree, In re: Oil Spill by the Oil Rig "Deepwater Horizon" in the Gulf of Mexico on April 20, 2010 (no. 2179, M.D.L., April 4, 2016), available as document no. 15, at <https://www.justice.gov/enrd/file/838066/download> (last visited April 5, 2017).

¹⁰ A flowchart of the funds awarded in the approved settlement is available at <http://www.oceanconservancy.org/places/gulf-of-mexico/spill-funds-flowchart-spring.pdf> (last visited April 5, 2017).

¹¹ Attorney General Pam Bondi, *Deepwater Horizon Oil Spill Settlement Fact Sheet* [http://myfloridalegal.com/webfiles.nsf/WF/KMAN-9Y2H9C/\\$file/BP+Fact+Sheet.pdf](http://myfloridalegal.com/webfiles.nsf/WF/KMAN-9Y2H9C/$file/BP+Fact+Sheet.pdf) (last visited April 5, 2017).

¹² Consent Decree, In re: Oil Spill by the Oil Rig "Deepwater Horizon" in the Gulf of Mexico on April 20, 2010 (no. 2179, M.D.L., April 4, 2016), available as document no. 15435-2.

¹³ Court settlement funds negotiated by the state are placed in the General Revenue Fund pursuant to s. 216.216, F.S.

¹⁴ Document no. 15435-2, *supra* note 12.

Florida Legislation

Disbursement of Funds

In 2011, the Legislature began to address the negative economic and environmental impacts of the oil spill.¹⁵ Section 377.43, F.S., was created to provide a mechanism for the disbursement of funds received by the state for damages associated with the oil spill.¹⁶ Section 377.43, F.S., ensures that 75 percent of “[a]ny funds received by the state from any governmental or private entity for damages caused by the Deepwater Horizon oil spill...” are utilized for the benefit of the eight counties disproportionately affected by the oil spill.¹⁷ The eight disproportionately affected counties are: Bay County, Escambia County, Franklin County, Gulf County, Okaloosa County, Santa Rosa Count, Walton County, and Wakulla County.¹⁸ Section 377.43, F.S., designates the Department of Environmental Protection (DEP) as the lead agency for expending funds directed to environmental restoration and the Department of Economic Opportunity (DEO) as the lead agency for expending funds directed to economic incentives and diversification efforts.¹⁹

Gulf Coast Economic Corridor Act

In 2013, the Legislature created the “Gulf Coast Economic Corridor Act” (the Act) to provide a long-term source of funding for economic recovery and enhancement efforts in the Gulf Coast region. The Act was intended to help businesses, individuals, and local governments recover from the Deepwater Horizon oil spill.²⁰ The Act created Triumph Gulf Coast, Inc. (Triumph Gulf Coast), a nonprofit corporation, administratively housed under the DEO.²¹

Triumph Gulf Coast, Inc.

Triumph Gulf Coast must create and administer a “Recovery Fund” to be utilized as a long-term source of revenue for the disproportionately affected counties.²² Triumph Gulf Coast is tasked with investing the principal of the Recovery Fund, which is derived from “75 percent of all funds recovered by the Attorney General for economic damage to the state resulting from the Deepwater Horizon disaster, after payment of reasonable and necessary attorney fees, costs, and expenses....”²³ The Recovery Fund is required to decline over a 30-year period, in equal amounts each year. Any funds remaining after 30 years will revert to the State Treasury.²⁴

The duties of Triumph Gulf Coast include:

- Responsibly and prudently managing all funds received and ensuring that the use of funds is in accordance with applicable laws, bylaws, and contractual requirements;
- Administering the program set forth by the Act;

¹⁵ Chapter 2011-142, Laws of Fla.

¹⁶ See ss. 377.43(2) and (3), F.S.

¹⁷ Section 377.43(3), F.S.

¹⁸ Section 377.43(1), F.S.

¹⁹ Section 377.43(5), F.S.

²⁰ Section 288.8011, F.S.

²¹ Sections 288.8013(1), F.S.

²² The “Recovery Fund” is defined as, “a trust account established by Triumph Gulf Coast, Inc., for the benefit of the disproportionately affected counties.” Section 288.2012(3), F.S.

²³ Sections 288.8013(2) and (3), F.S.

²⁴ Section 288.8013(3), F.S.

- Monitoring, reviewing, and annually evaluating awardees and their projects or programs to determine whether awards should be continued, terminated, reduced, or increased; and
- Operating in a transient manner, by maintaining a website that provides public access to information, notice of meetings, awards, and the status of projects and programs.²⁵

Triumph Gulf Coast is required to competitively procure one or more money managers to invest the funds.²⁶ While Triumph Gulf Coast is permitted to hire or contract for staff deemed necessary to execute the program, the corporation is required to retain all of the following staff members:

- An independent certified public accountant;
- An independent financial advisor;
- An economic advisor; and
- A legal advisor.²⁷

Board of Directors

Triumph Gulf Coast is comprised of a 5-member board of directors (the board).²⁸ Each of the Trustees of the State Board of Administration,²⁹ the President of the Senate, and the Speaker of the House of Representatives, appoint an individual from the private sector to serve as a board member.³⁰ To achieve staggered terms, the initial board members appointed by the President of the Senate and the Speaker of the House of Representatives will serve for a period of 5 years.³¹ All other initially appointed, and subsequently appointed, board members will serve for a term of 4 years.³² The board annually elects a chairperson, who is responsible for the official seal of Triumph Gulf Coast and ensuring that records are properly recorded and maintained.³³ The board is required to meet at least quarterly, upon the call of the chairperson or at the request of a majority of the membership. A majority of the board members constitutes a quorum, and board members cannot vote by proxy.³⁴

The board is required to formulate an investment policy governing the investment of the principal of the Recovery Fund, under the advice of the financial advisor, and in consultation with the State Board of Administration.³⁵ The board's powers include the ability to:

- Make and enter into contracts;
- Make expenditures;
- Adopt, use, and alter a common corporate seal;
- Adopt, amend, and repeal bylaws; and

²⁵ Section 288.8016, F.S.

²⁶ Section 288.8013(4)(b), F.S.

²⁷ Section 288.8014(9)(a), F.S.

²⁸ Section 288.8014(2), F.S.

²⁹ The State Board of Administration Trustees are the Governor, the Attorney General, and the Chief Financial Officer. See FLA. CONST. art. IV, s.4.

³⁰ Section 288.8014(2), F.S.

³¹ In 2014, the Legislature amended the length of the terms and specified the initial terms would begin once the Legislature appropriated funds to the Recovery Fund. See ch. 2014-218, Laws of Fla.

³² Section 288.8014(3), F.S.

³³ Section 288.8014(2), F.S.

³⁴ Section 288.8014(7), F.S.

³⁵ Section 288.8013(4)(a), F.S.

- Use the state seal.³⁶

The board may also request the presence of, and consult with, the executive director of the DEO, the secretary of the DEP, the chair of the Committee of 8 Disproportionately Affected Counties, and any retained staff. However, these individuals are not able to vote on any matters before the board.³⁷

Triumph Gulf Coast and board members are subject to public records and meeting requirements.³⁸ Board members and staff must adhere to the same standards of conduct as public officers and employees and are required to file financial disclosure forms.³⁹ Board members are required to serve uncompensated, except for travel and per diem expenses. Additionally, each board member must agree to refrain from having any direct interest in any contract, program, project, or other benefit arising from an award from the Recovery Fund during the term of appointment to the board and for 2 years following the end of the appointment.⁴⁰ It is a misdemeanor of the first degree for a board member to violate these requirements.⁴¹

Awards

Under the Act, Triumph Gulf Coast is permitted to make awards from available earnings and principal, for projects or programs that prioritize economic recovery, diversification, and enhancement of the disproportionately affected counties. Triumph Gulf Coast may award any of the following projects or programs:

- Ad valorem tax reduction;
- Payment of impact fees;
- Administrative funding for economic development organizations;
- Local match requirements for certain economic incentives programs;
- Economic development projects;
- Infrastructure projects that are shown to enhance economic development;
- Grants to local governments to establish and maintain equipment and trained personnel for local action plans of response to disasters;
- Grants to support programs of excellence that prepare students for future occupations and careers at K-20 institutions; or
- Grants to Visit Florida for advertising and promoting tourism, the Fresh From Florida program, or other related content.⁴²

Triumph Gulf Coast must establish an application and scoring process for all awards. The scoring process should lead to the selection of projects or programs that “have the potential to

³⁶ Section 288.8015, F.S.

³⁷ See s. 288.8014(9), F.S.

³⁸ Section 288.8014(1), F.S.

³⁹ These standards of conduct include restrictions on employment of relatives, voting conflicts, and standards of conduct for public officers, which include prohibitions on self-dealing, solicitation of gifts, and postemployment restrictions. See ss. 288.8014(4) and (9), F.S.

⁴⁰ Section 288.8014(5), F.S.

⁴¹ Punishable by a fine of up to \$1,000 and up to one-year imprisonment. See ss. 775.082 and 775.083, F.S.

⁴² See s. 288.8017(1), F.S.

generate increased economic activity in the disproportionately affected counties.”⁴³ Awards may not finance 100 percent of a project or program, and an awardee is prohibited from receiving all of the available funds in any given calendar year. A one-to-one private-sector match may be required if applicable and deemed prudent by the board.⁴⁴ The application and scoring process should give priority to projects or programs that meet the following criteria:

- Generate maximum economic benefits;
- Increase household income above the national average;
- Expand or establish new high growth industries;
- Leverage or enhance key regional assets, including research facilities and military bases;
- Partner with local governments, convention and visitor bureaus, chambers of commerce, school districts, or educational institutions;
- Have investment commitments from private equity or venture capital funds;
- Provide or encourage seed-stage investments;
- Provide advice or technical assistance to companies on restructuring existing management, operations, or production in order to attract business opportunities;
- Benefit the environment in addition to the economy; and
- Provide outcome measures for programs of excellence.⁴⁵

Contracts for awards must include provisions that require the awardee to submit a performance report to Triumph Gulf Coast. Contracts must also include provisions that allow for recovery of an award if the awardee does not meet performance expectations or the awardee is determined to have given fraudulent information to obtain the award.⁴⁶

Administrative Costs

Earnings generated by investments and interest of the Recovery Fund are required to be utilized for awards and administrative costs under the program. Administrative costs include management fees for investments, audit expenses, travel and per diem expenses, staff salaries, and other allowable costs. Administrative costs are limited to 2.25 percent of the earnings each calendar year.⁴⁷ Management fees for investments are limited to 150 basis points.⁴⁸

Auditing and Reporting

Triumph Gulf Coast is required to report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on June 30 and December 30 of each year. The report should provide the financial status of the Recovery Fund and its investments, including a detailed list of approved awards, submitted applications, and any reasons for approval or denial. The report must also include information on the program’s established priorities and the application selection process.⁴⁹

⁴³ Section 288.8017(2), F.S.

⁴⁴ Section 288.8017(3), F.S.

⁴⁵ See s. 288.8017(2), F.S.

⁴⁶ Section 288.8014(4), F.S.

⁴⁷ Section 288.8013(3).

⁴⁸ Section 288.2013(4)(c), F.S.

⁴⁹ Section 288.8013(5), F.S.

Triumph Gulf Coast is also required to have two annual audits – one of the investment of the Recovery Fund by an independent certified public accountant,⁵⁰ and one of the Recovery Fund and Triumph Gulf Coast by the Auditor General. The Act requires Triumph Gulf Coast to provide the Auditor General details or supplemental data necessary to perform the audit.⁵¹

The Local Government Surplus Funds Trust Fund (Florida PRIME)

Created by the Legislature in 1977, Florida PRIME is operated by the State Board of Administration as a cash management fund for public entities. For March 2017, the State Board of Administration reported a participant yield of 1.03 percent.⁵²

III. Effect of Proposed Changes:

Definitions

The bill amends s. 288.8012, F.S., to provide the following definitions:

- “Awardee” means a person, organization, or local government granted an award of funds as authorized in s. 288.8017 for a project or program;
- “Department” means the Department of Economic Opportunity;
- “Public infrastructure” means roads, bridges, seaports, rail transport, traffic signalization, underground and above ground utilities, transmission and storage of fossil fuels, and renewable sources; hazardous waste disposal and handling, information storage and distribution, and distribution and maintenance of water supply; and disposal and treatment of wastewater; and
- “Settlement agreement” means the agreement entitled “Settlement Agreement Between the Gulf States and the BP Entities with Respect to Economic and Other Claims Arising From the *Deepwater Horizon* Incident,” which was entered into on October 5, 2015, in the case styled: *In re: Oil Spill by the Oil Rig “Deepwater Horizon” in the Gulf of Mexico, on April 20, 2010*, MDL 2179 in the United States District Court for the Eastern District of Louisiana.

Settlement Funds

Transfer of funds

Section 3 amends s. 288.8013, F.S., to require 75 percent of all payments to the state pursuant to the settlement agreement (roughly \$300 million) to be transferred immediately from the General Revenue Fund to the Triumph Gulf Coast Trust Fund⁵³ to be allocated by the board of directors of Triumph Gulf Coast.

Section 2, then requires the 75 percent of the moneys received by the state before June 30, 2017, to be immediately transferred to Triumph Gulf Coast. Of this amount, up to 0.75 percent (roughly \$2.25 million) of such moneys may be used for administrative costs by Triumph Gulf

⁵⁰ Section 288.8013(4), F.S.

⁵¹ Section 288.8013(6), F.S.

⁵² The participant yield is net of fees and expenses. See https://www.sbafla.com/prime/Portals/8/Performance/Yields/20170331_PrimeRates.pdf?ver=2017-04-03-152252-487, (last visited April 5, 2017).

⁵³ The Triumph Gulf Coast Trust Fund is created by SB 2518 as a trust within the Department of Opportunity.

Coast. Forty percent (roughly \$119 million) of the remaining moneys must be allocated by the board to projects identified in s. 288.8017, F.S., and as reviewed and approved by the appropriate board of county commissioners, in the eight disproportionately affected counties, with no county receiving less than 5 percent of the total allocation. The bill also provides that any remaining funds must be allocated by the board to projects identified in s. 288.8017, F.S., in any disproportionately affected county to address the impacts of the Deepwater Horizon event.

The bill also requires 75 percent of the moneys received by the state after July 1, 2017, pursuant to the settlement agreement, to be deposited into the Triumph Gulf Coast Trust Fund for appropriation by the Legislature. Up to 0.75 percent of such moneys may be used to pay for administrative costs. Thirty-two percent of the remaining funds appropriated must be allocated by the board to projects identified in s. 288.8017, F.S., and as reviewed and approved by the appropriate board of county commissioners, to the eight disproportionately affected counties, with no county receiving less than 4 percent of each settlement distribution to the state. Any remaining funds must be allocated by the board to projects identified in s. 288.8017, F.S.

The bill provides that notwithstanding s. 216.301, F.S., and pursuant to s. 216.351, F.S., funds transferred under s. 288.8013 to the trust fund for the 2017-2018 fiscal year may be expended at any time before the end of the 2018-2019 fiscal year.

Triumph Gulf Coast Trust Account

The bill requires Triumph Gulf Coast to establish a trust account at a federally insured financial institution to hold funds transferred or appropriated to it from the Triumph Gulf Coast Trust Fund and make deposits and payments. The bill provides that interest earned in the trust account must be deposited monthly into the Triumph Gulf Coast Trust Fund.

The bill also authorizes Triumph Gulf Coast to invest surplus funds in the Local Government Surplus Funds Trust Fund, pursuant to s. 218.407, and interest earned, net of fees, must be transferred monthly into the Triumph Gulf Coast Trust Fund.

Administrative Costs

The bill provides that administrative fees are limited to 0.75 percent of the settlement funds available for use by Triumph Gulf Coast, rather than 2.25 percent of the earnings. “Management fees for investment services” are removed from the list of administrative costs in the bill. The bill also provides that administrative costs may not exceed the amounts specifically appropriated for that purpose and may include payment of travel and per diem expenses of board members, audits, salary or other costs for employed or contracted staff, including required staff under s. 288.8014(9), F.S., and other allowable costs.

Related Changes

The bill removes provisions referring to the Recovery Fund, including those pertaining to the investment of funds, the use of earnings generated by the Recovery Fund, and requiring the board to formulate an investment policy for the Recovery Fund. The bill removes provisions requiring Triumph Gulf Coast to consult with a money manager and a financial advisor.

The bill also removes language in existing law providing for the payment of attorney fees and costs associated with the settlement agreement, as these amounts were negotiated in an agreement separate from the economic damage settlement agreement. To implement the bill, the bill repeals s. 377.43, F.S., relating to the disbursement of funds received by the state for damages associated with the Deepwater Horizon Oil Spill.

Triumph Gulf Coast

Duties

The bill provides that at least 14 calendar days prior to approving an award, Triumph Gulf Coast has a duty to publish a summary of the project or program and its intent to approve an award on the website. As a result, the duties of Triumph Gulf Coast will include responsibly managing the funds, administering the program, monitoring and reviewing awardees, operating in a transient manner by maintaining a website that provides public access to information, including the notice of intent to approve an award.

Board of Directors

As of the effective date of the bill, the number of members on the board increases from five to seven, with the Senate President and the Speaker of the House of Representatives each appointing a new member. The bill requires newly appointed board members to be from the private sector and from one of the four least populous counties within the disproportionately affected counties, as estimated by the March 2017 county population estimates released by the United States Census Bureau,⁵⁴ so that two such counties are represented on the board. The appointment of additional members will provide further representation among the disproportionately affected counties. Based on the April 1, 2016, county population estimates published by the Office of Economic and Demographic Research, the new members would be individuals from the private sector from two of the following counties: Gulf County, Franklin County, Wakulla County, or Walton County.⁵⁵

The bill increases the number of years the board members are required to refrain from having any direct interest in any contract, program, project, or other benefit arising from an award made by Triumph Gulf Coast to 6 years after the termination of board membership. The bill specifies that the 6-year requirement applies to persons who serve on the board on or after July 1, 2017.

Awards

The bill amends the list of eligible awards to include grants for programs that provide participants in the disproportionately affected counties with transferrable, sustainable workforce skills that are not confined to a single employer. The bill also amends the eligibility criteria for grants to K-20 institutions by removing the requirements that such institutions have “programs of excellence” and a “home campus” within the disproportionately affected counties. The bill also

⁵⁴ The United States Census Bureau county population and demographic components of population change were released in March of 2017, however the data is based on population estimates from April of 2016. See <https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkmk> (last visited April 5, 2017).

⁵⁵ See Office of Economic and Demographic Research, *Florida Population Estimates for Counties and Municipalities*, (April 1, 2016), available at http://edr.state.fl.us/Content/population-demographics/data/2016_Pop_Estimates.pdf (last visited April 5, 2017).

provides that programs that encourage certain students to pursue a postsecondary education at a Florida College System institution are eligible programs for such awards.

The bill removes administrative funding for economic development organizations, economic development projects, grants to Visit Florida, and certain local match requirements from the list of projects and programs eligible to receive awards from Triumph Gulf Coast. As a result, the bill allows awards to be made for the following projects or programs within the disproportionately affected counties:

- Ad valorem tax rate reduction;
- Payment of impact fees;
- Local match requirements under s. 288.0655, F.S.;
- Public infrastructure projects for construction, expansion, or maintenance which are shown to enhance economic development;
- Grants to local governments to establish and maintain equipment and trained personnel for local action plans of response to disasters;
- Grants to support programs that prepare students for occupations and careers at K-20 institutions; and
- Grants to support programs that provide participants with transferrable sustainable workforce skills.

The bill removes criteria from the list of priorities to be considered by Triumph Gulf Coast in making awards to projects or programs. The criteria removed includes projects or programs that expand or establish new high growth industries, have investment commitments from private equity or private venture capital funds, provide or encourage seed state investments, provide advice or technical assistance to companies, provide outcome measures for programs of excellence support, and partner with convention and visitor bureaus. As a result, the application and scoring process for awards should give priority to projects or programs that meet the following criteria:

- Generate maximum economic benefits;
- Increase household income above the national average;
- Leverage or enhance key regional assets, including research facilities and military bases;
- Partner with local governments, chambers of commerce, school districts, or educational institutions established by January 1, 2017;
- Benefit the environment in addition to the economy; and
- Provide outcome measures.

Staff

Under the bill, Triumph Gulf Coast is only required to retain an independent certified public accountant and a legal advisor. The bill removes the requirement to retain an independent financial advisor and an economic advisor and also removes the provisions requiring retained staff to be available attend the meetings of and consult with the board of directors.

The bill provides that the annual salary of any Triumph Gulf Coast employee or contracted staff may not exceed \$130,000 and associated benefits may not exceed 35 percent of the salary.

Effective Date

The bill takes effect upon becoming law.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Indeterminate.

C. Government Sector Impact:

CS/CS/SB 364 transfers approximately \$300 million from the General Revenue Fund in the 2017-2018 fiscal year to the Triumph Gulf Coast Trust Fund. The bill also appropriates these same funds from the trust fund to the Triumph Gulf Coast, Inc. For future years, 75 percent of the settlement moneys will be deposited into the Triumph Gulf Coast Trust Fund for appropriation by the legislature.

VI. Technical Deficiencies:

Lines 141 through 144 provides that, notwithstanding s. 216.301, F.S., the funds transferred to the Triumph Gulf Coast Trust Fund for the 2017-2018 fiscal year may be expended at any time through June 30, 2019. Section 216.301, F.S., relates to whether funds have been disbursed from the state treasury. Under the terms of the bill, the initial funds will be disbursed to Triumph Gulf Coast, Inc., “immediately.” Lines 141-144 appear to be superfluous language. If such provision is attempting to address the expenditure of the funds by Triumph Gulf Coast, Inc., the legislature may consider clarifying the language.

Lines 234 and 235 of the bill reference population estimates released by the United States Census Bureau in March of 2017. This reference may be misleading, as the released data is based on the county population estimates as of April 1, 2016.

Section 9 (lines 474 through 476) refers to persons who serve on the “board of trustees” rather than the “board of directors” referenced throughout the bill.

VII. Related Issues:

The bill provides that 75 percent of the payments to the state must be transferred immediately from the General Revenue Fund to the Triumph Gulf Coast Trust Fund, and also provides that 75 percent of the moneys received by the state before June 30, 2017, must be immediately transferred to Triumph Gulf Coast. Reading these two provisions together, it may be unclear as to whether the funds are required to be transferred from the General Revenue Fund to the Triumph Gulf Coast Trust Fund and then to Triumph Gulf Coast, or if the funds received by the state before June 30, 2017, will be directly transferred to Triumph Gulf Coast.

The bill requires certain minimum allocations to be made for projects in the eight disproportionately affected counties. However, the bill may be unclear as to whether the allocation percentages should be based on the funds received by Triumph Gulf Coast before or after the administrative costs have been paid. In addition, line 138 of the bill provides that no county shall receive less than 4 percent of each settlement distribution to the state. The language in the bill may be unclear as to whether the 4 percent is meant to come from the total payments to the state or the total payments received by Triumph Gulf Coast.

The bill provides that board members must refrain from benefiting from awards made by Triumph Gulf Coast for a period of 6 years, rather than 2 years, after the termination of board membership. The bill also specifies the 6-year requirement applies only to persons who serve on the board on or after July 1, 2017. As provided in the bill, the initially appointment members, who serve on the board on or after July 1, 2017, will be subject to the 6-year requirement. If the Legislature intends the 2-year requirement to apply to the initially appointed board members, section 9 of the bill could be amended to apply to only persons *appointed to the board* on or after July 1, 2017.

The bill appears to impose a 4-year term limit for the new members appointed to the board by the Senate President and Speaker of the House of Representatives, while their initially appointed board members serve 5-year terms. Staggering these term limits may require the Senate President and the Speaker of the House to appoint subsequent board members in back-to-back years.

VIII. Statutes Affected:

This bill amends sections 288.80 through 288.8018 of the Florida Statutes.

This bill repeals section 377.43 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)**CS/CS by Appropriations on April 5, 2017:**

The committee substitute:

- Requires 75 percent of settlement funds currently held in General Revenue to be immediately transferred to Triumph Gulf Coast, and 75 percent of future settlement payments to be deposited in the Triumph Gulf Coast Trust Fund, for appropriation by the Legislature;
- Requires 40 percent of the funds initially received by Triumph Gulf Coast to be allocated to projects as reviewed and approved by boards of county commissioners, with no county receiving less than 5 percent of the total allocation;
- Requires 32 percent of the funds subsequently received by Triumph Gulf Coast to be allocated to projects as reviewed and approved by boards of county commissioners, with no county receiving less than 4 percent of the total allocation.
- Provides a minimum allocation formula for Triumph Gulf Coast to make awards in the disproportionately affected counties;
- Provides that administrative fees are limited to 0.75 percent of the settlement funds available for use by Triumph Gulf Coast and that such administrative costs may not exceed the amounts specifically appropriated for that purpose;
- Removes the requirement to invest with the State Board of Administration and allows Triumph Gulf Coast to invest surplus funds in the Local Government Surplus Funds Trust Fund, and the interest earned and net of fees are required to be transferred monthly into the Triumph Gulf Coast Trust Fund;
- Limits the annual salary of any employee or contracted staff of Triumph Gulf Coast to \$130,000 and provides that associated benefits may not exceed 35 percent of the salary;
- Extends the amount of time board members are required to refrain from having any direct interest awards made by Triumph Gulf Coast after serving on the board from 2 years to 6 years;
- Removes the requirement that retained staff must be available to consult and attend meetings of the board;
- Requires Triumph Gulf Coast to indicate an intent to approve an award by publishing a summary of the project or program on the website and indicating the intent to approve at least 14 calendar days prior to approving an award;
- Clarifies awards may be made for ad valorem tax *rate* reduction and *public* infrastructure projects for construction, expansion, or maintenance;
- Amends the list of awards to remove administrative funding for economic development organizations, economic development projects, grants to Visit Florida, certain local match requirements, and to remove the requirement that awards for grants that support programs at K-20 institutions must support programs of excellence; and
- Amends the list of awards to add grants for programs that support workforce training and adds a provision that allows programs that encourage certain students to pursue a

postsecondary education at a Florida College System institution to be included as a eligible programs for such awards;

- Removes criteria from the list of priorities, including projects or programs that expand or establish new high growth industries, have investment commitments from private equity or private venture capital funds, provide or encourage seed state investments, provide advice or technical assistance to companies, provide outcome measures for programs of excellence support, or partner with convention and visitor bureaus;
- Amends s. 288.8012, F.S., to provide definitions; and
- Provides that an award may supplement but not supplant existing funding sources.

CS by Commerce and Tourism on March 13, 2017:

The committee substitute:

- Requires Triumph Gulf Coast to invest with the State Board of Administration;
- Limits administrative costs to 0.75% of the principal in a calendar year and removes provisions relating to management fees for investment services;
- Removes provisions requiring Triumph Gulf Coast to develop an investment policy and provisions requiring Triumph Gulf Coast to hire certain staff members;
- Increases the number of board members to include representation from the lesser populated counties within the disproportionately affected counties;
- Allows additional K-20 institutions to be considered for awards from Triumph Gulf Coast by removing the requirement that the institution must have a “home campus” within the disproportionately affected counties;
- Repeals s. 377.43, F.S., related to the disbursement of funds received for damages caused by the Deepwater Horizon Oil Spill; and
- Changes the effective date to “upon becoming law” and directs the Division of Law Revision and Information to revise the act accordingly.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/06/2017	.	
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The Committee on Appropriations (Gainer) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 288.80, Florida Statutes, is amended to
read:

288.80 Short title—This section and ss. 288.8011-288.8018
~~ss. 288.8011-288.8017~~ may be cited as the "Gulf Coast Economic
Corridor Act."

Section 2. Section 288.8012, Florida Statutes, is amended



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to read:

288.8012 Definitions.—As used in ss. 288.8011-288.8018 ~~ss. 288.80-288.8017~~, the term:

(1) "Awardee" means a person, organization, or local government granted an award of funds as authorized in s. 288.8017 ~~from the Recovery Fund~~ for a project or program.

(2) "Department" means the Department of Economic Opportunity.

(3)~~(2)~~ "Disproportionately affected county" means Bay County, Escambia County, Franklin County, Gulf County, Okaloosa County, Santa Rosa County, Walton County, or Wakulla County.

(4) "Public infrastructure" means roads, bridges, seaports, rail transport, traffic signalization, underground and above ground utilities, transmission and storage of fossil fuels and renewable sources; hazardous waste disposal and handling, information storage and distribution, and distribution and maintenance of water supply; and disposal and treatment of wastewater.

~~(3) "Earnings" means all the income generated by investments and interest.~~

(5)~~(4)~~ "Settlement agreement" means the agreement entitled "Settlement Agreement Between the Gulf States and the BP Entities with Respect to Economic and Other Claims Arising from the Deepwater Horizon Incident," which was entered into on October 5, 2015, in the case styled In re: Oil Spill by the Oil Rig "Deepwater Horizon" in the Gulf of Mexico, on April 20, 2010, MDL 2179 in the United States District Court for the Eastern District of Louisiana ~~"Recovery Fund" means a trust account established by Triumph Gulf Coast, Inc., for the benefit~~



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~~of the disproportionately affected counties.~~

Section 3. Section 288.8013, Florida Statutes, is amended to read:

288.8013 Triumph Gulf Coast, Inc.; ~~Recovery Fund~~; creation; funding; investment.—

(1) There is created within the department ~~of Economic Opportunity~~ a nonprofit corporation, to be known as Triumph Gulf Coast, Inc., which shall be registered, incorporated, organized, and operated in compliance with chapter 617, and which is not a unit or entity of state government. ~~Triumph Gulf Coast, Inc., may receive, hold, invest, and administer the Recovery Fund in support of this act.~~ Triumph Gulf Coast, Inc., is a separate budget entity and is not subject to control, supervision, or direction by the department ~~of Economic Opportunity~~ in any manner, including, but not limited to, personnel, purchasing, transactions involving real or personal property, and budgetary matters.

(2) Seventy-five percent of all payments to the state pursuant to the settlement agreement shall be transferred immediately from the General Revenue Fund to the Triumph Gulf Coast Trust Fund within the department to be allocated by the board of directors of the Triumph Gulf Coast, Inc. ~~Triumph Gulf Coast, Inc., must create and administer the Recovery Fund for the benefit of the disproportionately affected counties. The principal of the fund shall derive from 75 percent of all funds recovered by the Attorney General for economic damage to the state resulting from the Deepwater Horizon disaster, after payment of reasonable and necessary attorney fees, costs, and expenses, including such attorney fees, costs, and expenses~~



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~~pursuant to s. 16.0155.~~

(a) Seventy-five percent of the moneys received by the state before June 30, 2017, shall be immediately transferred to Triumph Gulf Coast, Inc., and up to 0.75 percent of such moneys may be used to pay administrative costs. Forty percent of the remaining moneys shall be allocated by the board to projects identified in s. 288.8017 in the eight disproportionately affected counties, with no county receiving less than 5 percent of the total allocation. Any remaining funds shall be allocated by the board to projects identified in s. 288.8017 in any disproportionately affected county to address impacts of the Deepwater Horizon event.

(b) Seventy-five percent of the moneys received by the state after July 1, 2017, pursuant to the settlement agreement shall be deposited in the Triumph Gulf Coast Trust Fund for appropriation by the Legislature. Up to 0.75 percent of such moneys may be used to pay for administrative costs. Thirty-two percent of the remaining funds appropriated shall be allocated by the board to projects identified in s. 288.8017 to the eight disproportionately affected counties, with no county receiving less than 4 percent of each settlement distribution to the state. The funds remaining shall be allocated by the board to projects identified in s. 288.8017.

(c) Notwithstanding s. 216.301, and pursuant to s. 216.351, funds transferred under this section to the trust fund for the 2017-2018 fiscal year may be expended at any time before the end of the 2018-2019 fiscal year.

~~(3) The Recovery Fund must be maintained as a long-term and stable source of revenue, which shall decline over a 30-year~~



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~~period in equal amounts each year. Triumph Gulf Coast, Inc., shall establish a trust account at a federally insured financial institution to hold funds transferred or appropriated to it from the Triumph Gulf Coast Trust Fund and make deposits and payments. Interest earned in the trust account shall be deposited monthly into the Triumph Gulf Coast Trust Fund. Triumph Gulf Coast, Inc., may invest surplus funds in the Local Government Surplus Funds Trust Fund, pursuant to s. 218.407, and interest earned, net of fees, shall be transferred monthly into the Triumph Gulf Coast Trust Fund. Earnings generated by investments and interest of the fund, plus the amount of principal available each year, shall be available to make awards pursuant to this act and pay administrative costs. Earnings shall be accounted for separately from principal funds set forth in subsection (2). Administrative costs may not exceed the amounts specifically appropriated for this purpose and may are limited to 2.25 percent of the earnings in a calendar year. Administrative costs include payment of ~~investment fees~~, travel and per diem expenses of board members, audits, salary or other costs for employed or contracted staff, including required staff under s. 288.8014(9), and other allowable costs. The annual salary for any employee or contracted staff may not exceed \$130,000 and associated benefits may not exceed 35 percent of salary. ~~Any funds remaining in the Recovery Fund after 30 years shall revert to the State Treasury.~~~~

~~(4) Triumph Gulf Coast, Inc., shall invest and reinvest the principal of the Recovery Fund in accordance with s. 617.2104, in such a manner not to subject the funds to state or federal taxes, and consistent with an investment policy statement~~



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~~adopted by the corporation.~~

~~(a) The board of directors shall formulate an investment policy governing the investment of the principal of the Recovery Fund. The policy shall pertain to the types, kinds, or nature of investment of any of the funds, and any limitations, conditions or restrictions upon the methods, practices, or procedures for investment, reinvestments, purchases, sales, or exchange transactions, provided such policies shall not conflict with nor be in derogation of any state constitutional provision or law. The policy shall be formulated with the advice of the financial advisor in consultation with the State Board of Administration.~~

~~(b) Triumph Gulf Coast, Inc., must competitively procure one or more money managers, under the advice of the financial advisor in consultation with the State Board of Administration, to invest the principal of the Recovery Fund. The applicant manager or managers may not include representatives from the financial institution housing the trust account for the Recovery Fund. The applicant manager or managers must present a plan to invest the Recovery Fund to maximize earnings while prioritizing the preservation of Recovery Fund principal. Any agreement with a money manager must be reviewed by Triumph Gulf Coast, Inc., for continuance at least every 5 years. Plans should include investment in technology and growth businesses domiciled in, or that will be domiciled in, this state or businesses whose principal address is in this state.~~

~~(c) Costs and fees for investment services shall be deducted from the earnings as administrative costs. Fees for investment services shall be no greater than 150 basis points.~~

~~(d) Annually, Triumph Gulf Coast, Inc., shall cause an~~



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~~audit to be conducted of the investment of the Recovery Fund by the independent certified public accountant retained in s. 288.8014. The expense of such audit shall be paid from earnings for administrative purposes.~~

(4)~~(5)~~ Triumph Gulf Coast, Inc., shall report on June 30 and December 30 each year to the Governor, the President of the Senate, and the Speaker of the House of Representatives on ~~the financial status of the Recovery Fund and its investments,~~ the established priorities, the project and program selection process, including a list of all submitted projects and programs and reasons for approval or denial, and the status of all approved awards.

(5)~~(6)~~ The Auditor General shall conduct an operational audit of ~~the Recovery Fund and~~ Triumph Gulf Coast, Inc., annually. Triumph Gulf Coast, Inc., shall provide to the Auditor General any detail or supplemental data required.

Section 4. Subsections (2), (3), (4), (7), and (9) of section 288.8014, Florida Statutes, are amended to read:

288.8014 Triumph Gulf Coast, Inc.; organization; board of directors.—

(2) Triumph Gulf Coast, Inc., shall initially be governed by a five-member ~~5-member~~ board of directors. Each of the Trustees of the State Board of Administration, the President of the Senate, and the Speaker of the House of Representatives shall each appoint one member from the private sector. As of the effective date of this act, the number of board members is increased to seven, with the President of the Senate and the Speaker of the House of Representatives each appointing an additional member from the private sector in one of the four



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185 least populous disproportionately affected counties as
186 identified by the United States Census Bureau in its March 2017
187 estimates of county populations, to ensure that two such
188 counties are represented on the board. The board of directors
189 shall annually elect a chairperson from among the board's
190 members. The chairperson may be removed by a majority vote of
191 the members. His or her successor shall be elected to serve for
192 the balance of the removed chairperson's term. The chairperson
193 is responsible to ensure records are kept of the proceedings of
194 the board of directors and is the custodian of all books,
195 documents, and papers filed with the board; the minutes of
196 meetings of the board; and the official seal of Triumph Gulf
197 Coast, Inc.

198 (3) Notwithstanding s. 20.052(4)(c), each initial
199 appointment to the board of directors by the Board of Trustees
200 of the State Board of Administration shall serve for a term that
201 ends 4 years after the Legislature appropriates funds to Triumph
202 Gulf Coast, Inc. ~~the Recovery Fund.~~ To achieve staggered terms
203 among the members of the board, each initial appointment to the
204 board of directors by the President of the Senate and the
205 Speaker of the House of Representatives shall serve for a term
206 that ends 5 years after the Legislature appropriates funds to
207 Triumph Gulf Coast, Inc. ~~the Recovery Fund.~~ Thereafter, each
208 member of the board of directors shall serve for a term of 4
209 years. A member is not eligible for reappointment to the board,
210 except, however, any member appointed to fill a vacancy for a
211 term of 2 years or less may be reappointed for an additional
212 term of 4 years. ~~The initial appointments to the board must be~~
213 ~~made by November 15, 2013.~~ Vacancies on the board of directors



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shall be filled by the officer who originally appointed the member. A vacancy that occurs before the scheduled expiration of the term of the member shall be filled for the remainder of the unexpired term.

(4) The Legislature determines that it is in the public interest for the members of the board of directors to be subject to the requirements of ss. 112.313, 112.3135, and 112.3143, notwithstanding the fact that the board members are not public officers or employees. For purposes of those sections, the board members shall be considered to be public officers or employees. In addition to the postemployment restrictions of s. 112.313(9), a person appointed to the board of directors must agree to refrain from having any direct interest in any contract, franchise, privilege, project, program, or other benefit arising from an award by Triumph Gulf Coast, Inc., during the term of his or her appointment and for 6 ~~2~~ years after the termination of such appointment. It is a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, for a person to accept appointment to the board of directors in violation of this subsection or to accept a direct interest in any contract, franchise, privilege, project, program, or other benefit granted by Triumph Gulf Coast, Inc., to an awardee within 6 ~~2~~ years after the termination of his or her service on the board. Further, each member of the board of directors who is not otherwise required to file financial disclosure under s. 8, Art. II of the State Constitution or s. 112.3144 shall file disclosure of financial interests under s. 112.3145.

(7) The board of directors shall meet at least quarterly, upon the call of the chairperson or at the request of a majority



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of the membership, to ~~review the Recovery Fund,~~ establish and review priorities for economic recovery, diversification, and enhancement of the in disproportionately affected counties, and determine use of funds ~~the earnings~~ available. A majority of the members of the board of directors constitutes a quorum. Members may not vote by proxy.

(9)(a) Triumph Gulf Coast, Inc., is permitted to hire or contract for all staff necessary to the proper execution of its powers and duties to implement this act. The corporation is required to retain:

1. An independent certified public accountant licensed in this state pursuant to chapter 473 to inspect the records of and to annually audit the expenditure of funds ~~the earnings and available principal disbursed~~ by Triumph Gulf Coast, Inc.

~~2. An independent financial advisor to assist Triumph Gulf Coast, Inc., in the development and implementation of a strategic plan consistent with the requirements of this act.~~

~~3. An economic advisor who will assist in the award process, including the development of priorities, allocation decisions, and the application and process; will assist the board in determining eligibility of award applications and the evaluation and scoring of applications; and will assist in the development of award documentation.~~

~~2.4.~~ A legal advisor with expertise in not-for-profit ~~investing and~~ contracting ~~and~~ who is a member of The Florida Bar to assist with contracting and carrying out the intent of this act.

(b) All ~~Triumph Gulf Coast, Inc., shall require all~~ employees of the corporation shall ~~to~~ comply with the code of



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ethics for public employees under part III of chapter 112.
Retained staff under paragraph (a) must agree to refrain from
having any direct interest in any contract, franchise,
privilege, project, program, or other benefit arising from an
award of funds by Triumph Gulf Coast, Inc., during the term of
his or her appointment and for 6 ~~2~~ years after the termination
of such appointment.

~~(c) Retained staff under paragraph (a) shall be available
to consult with the board of directors and shall attend meetings
of the board of directors. These individuals shall not be
permitted to vote on any matter before the board.~~

Section 5. Subsection (2) of section 288.8015, Florida
Statutes, is amended to read:

288.8015 Board of directors; powers.—In addition to the
powers and duties prescribed in chapter 617 and the articles and
bylaws adopted in compliance with that chapter, the board of
directors may:

(2) Make expenditures including any necessary
administrative expenditure ~~from earnings~~ consistent with its
powers.

Under no circumstances may the credit of the State of Florida be
pledged on behalf of Triumph Gulf Coast, Inc.

Section 6. Subsection (4) of section 288.8016, Florida
Statutes, is amended to read:

288.8016 Triumph Gulf Coast, Inc.; duties.—Triumph Gulf
Coast, Inc., shall have the following duties:

(4) Operate in a transparent manner, providing public
access to information, notice of meetings, awards, and the



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status of projects and programs. To this end, Triumph Gulf Coast, Inc., shall maintain a website that provides public access to this information. At least 14 calendar days before approving an award pursuant to s. 288.8017, Triumph Gulf Coast, Inc., shall publish on the website a summary of the project or program and indicate its intent to approve the award.

Section 7. Section 288.8017, Florida Statutes, is amended to read:

288.8017 Awards.—

(1) Triumph Gulf Coast, Inc., shall make awards from available funds ~~earnings and principal derived under s. 288.8013(2)~~ to projects or programs that meet the priorities for economic recovery, diversification, and enhancement of the disproportionately affected counties, ~~notwithstanding s. 377.43~~. Awards may be provided for:

(a) Ad valorem tax rate reduction within disproportionately affected counties;

(b) Payment of impact fees adopted pursuant to s. 163.31801 and imposed within disproportionately affected counties;

~~(c) Administrative funding for economic development organizations located within the disproportionately affected counties;~~

(c)(d) Local match requirements of s. 288.0655 ss. ~~288.0655, 288.0659, 288.1045, and 288.106~~ for projects in the disproportionately affected counties;

~~(e) Economic development projects in the disproportionately affected counties;~~

(d)(f) Public infrastructure projects for construction, expansion, or maintenance which ~~that~~ are shown to enhance



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economic recovery, diversification, and enhancement of
~~development in~~ the disproportionately affected counties;

(e) ~~(g)~~ Grants to local governments in the
disproportionately affected counties to establish and maintain
equipment and trained personnel for local action plans of
response to respond to disasters, such as plans created for the
Coastal Impacts Assistance Program;

(f) ~~(h)~~ Grants to support programs ~~of excellence~~ that
prepare students for future occupations and careers at K-20
institutions that have ~~home~~ campuses in the disproportionately
affected counties. Eligible programs include those that increase
students' technology skills and knowledge; encourage industry
certifications; provide rigorous, alternative pathways for
students to meet high school graduation requirements; strengthen
career readiness initiatives; fund high-demand programs of
emphasis at the bachelor's and master's level designated by the
Board of Governors; and, similar to or the same as talent
retention programs created by the Chancellor of the State
University System and the Commission of Education, encourage
students with interest or aptitude for science, technology,
engineering, mathematics, and medical disciplines to pursue
postsecondary education at a state university or a Florida
College System institution within the disproportionately
affected counties; ~~and~~

(g) Grants to support programs that provide participants in
the disproportionately affected counties with transferrable,
sustainable workforce skills that are not confined to a single
employer; and

~~(i) Grants to the tourism entity created under s. 288.1226~~



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~~for the purpose of advertising and promoting tourism, Fresh From Florida, or related content on behalf of one or all of the disproportionately affected counties.~~

(2) Triumph Gulf Coast, Inc., shall establish an application procedure for awards and a scoring process for the selection of projects and programs that have the potential to generate increased economic activity in the disproportionately affected counties, giving priority to projects and programs that:

(a) Generate maximum estimated economic benefits, based on tools and models not generally employed by economic input-output analyses, including cost-benefit, return-on-investment, or dynamic scoring techniques to determine how the long-term economic growth potential of the disproportionately affected counties may be enhanced by the investment.

(b) Increase household income in the disproportionately affected counties above national average household income.

~~(c) Expand high growth industries or establish new high growth industries in the region.~~

~~1. Industries that are supported must have strong growth potential in the disproportionately affected counties.~~

~~2. An industry's growth potential is defined based on a detailed review of the current industry trends nationally and the necessary supporting asset base for that industry in the disproportionately affected counties region.~~

(c)~~(d)~~ Leverage or further enhance key regional assets, including educational institutions, research facilities, and military bases.

(d)~~(e)~~ Partner with local governments to provide funds,



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infrastructure, land, or other assistance for the project.

~~(f) Have investment commitments from private equity or private venture capital funds.~~

~~(g) Provide or encourage seed stage investments in start-up companies.~~

~~(h) Provide advice and technical assistance to companies on restructuring existing management, operations, or production to attract advantageous business opportunities.~~

(e)~~(i)~~ Benefit the environment in addition to the economy.

(f)~~(j)~~ Provide outcome measures ~~for programs of excellence support, including terms of intent and metrics.~~

(g)~~(k)~~ Partner with K-20 educational institutions or school districts located within the disproportionately affected counties.

~~(l) Partner with convention and visitor bureaus, tourist development councils, or chambers of commerce located within the disproportionately affected counties.~~

(3) Triumph Gulf Coast, Inc., may make awards as applications are received or may establish application periods for selection. Awards may not be used to finance 100 percent of any project or program. Triumph Gulf Coast, Inc., may require a one-to-one private-sector match or higher for an award, if applicable and deemed prudent by the board of directors. An awardee may not receive all of the funds ~~earnings or~~ available ~~principal~~ in any given year. An award may supplement but may not supplant existing funding sources.

(4) A contract executed by Triumph Gulf Coast, Inc., with an awardee must include provisions requiring a performance report on the contracted activities, must account for the proper



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use of funds provided under the contract, and must include provisions for recovery of awards in the event the award was based upon fraudulent information or the awardee is not meeting the performance requirements of the award. Awardees must regularly report to Triumph Gulf Coast, Inc., the expenditure of funds and the status of the project or program on a schedule determined by the corporation.

Section 8. Section 377.43, Florida Statutes, is repealed.

Section 9. The revision made by this act to s. 288.8014(4) applies only to persons who serve on the board of trustees of Triumph Gulf Coast, Inc., on or after July 1, 2017.

Section 10. The Division of Law Revision and Information is directed to replace the phrase "the effective date of this act" where it occurs in this act with the date this act takes effect.

Section 11. This act shall take effect upon becoming a law.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled

An act relating to the Gulf Coast Economic Corridor;
amending s. 288.80, F.S.; conforming provisions to
changes made by the act; amending s. 288.8012, F.S.;
defining and redefining terms; amending s. 288.8013,
F.S.; deleting the creation and identification of
purposes of the Recovery Fund; requiring a specified
percentage of payments made to the state under a
specified settlement of litigation related to the



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Deepwater Horizon oil spill be transferred from the General Revenue Fund to the Triumph Gulf Coast Trust Fund; requiring certain funds to be used for administrative costs; requiring Triumph Gulf Coast, Inc., to ensure that a minimum percentage of funds appropriated for such awards from the trust fund be expended in certain affected counties; providing appropriations; authorizing the transfer of funds in the 2017-2018 fiscal year to be spent in the 2018-2019 fiscal year; requiring interest in the trust account to be deposited into the Triumph Gulf Coast Trust Fund; revising provisions related to the investment of funds in the trust account; revising annual reporting requirements; amending s. 288.8014, F.S.; expanding the membership of the board of directors; specifying conditions for appointing additional board members; deleting references to the Recovery Fund; deleting obsolete language; revising conflict of interest restrictions imposed on board members of Triumph Gulf Coast, Inc.; removing the requirement that Triumph Gulf Coast, Inc., retain an independent financial advisor and an economic advisor; revising provisions relating to conflict of interest restrictions imposed on retained staff; amending s. 288.8015, F.S.; conforming a provision to changes made by the act; amending s. 288.8016, F.S.; requiring Triumph Gulf Coast, Inc., to publish on its website specified information before making an award; amending s. 288.8017, F.S.; conforming provisions to changes made



673964

by the act; revising provisions governing the uses of
awards from Triumph Gulf Coast, Inc.; repealing s.
377.43, F.S., relating to the disbursement of funds
received for damages caused by the Deepwater Horizon
oil spill; specifying that certain conflict of
interest restrictions imposed on board members of the
Triumph Gulf Coast, Inc., apply to members serving
after a specified date; providing a directive to the
Division of Law Revision and Information; providing an
effective date.



696972

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/04/2017	.	
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The Committee on Appropriations (Gainer) recommended the following:

Senate Amendment to Amendment (673964)

Delete lines 59 - 104
and insert:
to the Triumph Gulf Coast Trust Fund within 15 days after
receipt Triumph Gulf Coast, Inc., must create and administer the
~~Recovery Fund for the benefit of the disproportionately affected~~
~~counties. The principal of the fund shall derive from 75 percent~~
~~of all funds recovered by the Attorney General for economic~~
~~damage to the state resulting from the Deepwater Horizon~~



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~~disaster, after payment of reasonable and necessary attorney fees, costs, and expenses, including such attorney fees, costs, and expenses pursuant to s. 16.0155.~~

(a) Of the 75 percent of the moneys received by the state before June 30, 2017, and subsequently transferred to Triumph Gulf Coast, Inc., up to 0.75 percent of such moneys may be used to pay administrative costs. Forty percent of the remaining moneys shall be allocated by the board to projects identified in s. 288.8017 which are reviewed and approved by the boards of county commissioners in the eight respective disproportionately affected counties, with no county receiving less than 5 percent of the total allocation. Any remaining funds shall be allocated by the board to projects identified in s. 288.8017 in any disproportionately affected county to address impacts of the Deepwater Horizon event.

(b) Of the 75 percent of the moneys received by the state after July 1, 2017, and subsequently transferred to Triumph Gulf Coast, up to 0.75 percent of such moneys may be used to pay for administrative costs. Thirty-two percent of the remaining funds appropriated shall be allocated by the board to projects identified in s. 288.8017 which are reviewed and approved by the boards of county commissioners in the eight respective disproportionately affected counties, with no county receiving less than 4 percent of each settlement distribution to the state. Any remaining funds shall be allocated by the board to projects identified in s. 288.8017.

(c) Notwithstanding s. 216.301, and pursuant to s. 216.351, funds transferred under this section to the trust fund for the 2017-2018 fiscal year may be expended at any time before the end



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of the 2022-2023 fiscal year.

(3) ~~The Recovery Fund must be maintained as a long-term and stable source of revenue, which shall decline over a 30-year period in equal amounts each year.~~ Triumph Gulf Coast, Inc., shall establish a trust account at a federally insured financial institution to hold funds transferred or appropriated to it from the Triumph Gulf Coast Trust Fund and make deposits and payments. Interest earned in the trust account shall be deposited monthly into the Triumph Gulf Coast Trust Fund. Triumph Gulf Coast, Inc., shall invest surplus funds in the Local



599280

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/06/2017	.	
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The Committee on Appropriations (Gainer) recommended the following:

Senate Amendment to Amendment (673964)

Delete lines 75 - 90
and insert:
identified in s. 288.8017, and as reviewed and approved by the
appropriate board of county commissioners, in the eight
disproportionately affected counties, with no county receiving
less than 5 percent of the total allocation. Any remaining funds
shall be allocated by the board to projects identified in s.
288.8017 in any disproportionately affected county to address



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impacts of the Deepwater Horizon event.

(b) Seventy-five percent of the moneys received by the
state after July 1, 2017, pursuant to the settlement agreement
shall be deposited into the Triumph Gulf Coast Trust Fund for
appropriation by the Legislature. Up to 0.75 percent of such
moneys may be used to pay for administrative costs. Thirty-two
percent of the remaining funds appropriated shall be allocated
by the board to projects identified in s. 288.8017, and as
reviewed and approved by the appropriate board of county
commissioners, to the eight disproportionately affected
counties, with no county receiving less than 4 percent of each
settlement distribution to the state. Any remaining funds shall
be allocated by the board to



923270

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/06/2017	.	
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The Committee on Appropriations (Gainer) recommended the following:

Senate Amendment to Amendment (673964)

Delete line 401
and insert:
counties as of January 1, 2017.

By the Committee on Commerce and Tourism; and Senators Gainer,
Broxson, and Montford

577-02381-17

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A bill to be entitled

An act relating to the Recovery Fund for the Deepwater Horizon incident; amending s. 288.8012, F.S.; defining the term "settlement agreement"; amending s. 288.8013, F.S.; revising the funding source of the principal of the Recovery Fund for the Deepwater Horizon incident; requiring that certain funds be transferred to the Recovery Fund within a specified timeframe; deleting a requirement that the Recovery Fund be maintained as a long-term, stable source of revenue, for a specified period; requiring Triumph Gulf Coast, Inc., to consult with the State Board of Administration and to invest moneys from the settlement agreement in certain funds; revising the limit on administrative costs; deleting provisions requiring the board of directors of Triumph Gulf Coast, Inc., to formulate a specified investment policy for the Recovery Fund; deleting provisions requiring Triumph Gulf Coast, Inc., to competitively procure one or more money managers to invest the principal of the Recovery Fund; deleting a provision limiting costs and fees for investment services and requiring such costs and fees to be deducted from earnings as administrative costs; amending s. 288.8014, F.S.; increasing the number of members of the board of directors of Triumph Gulf Coast, Inc., as of a specified date; providing for the appointment of the new members; requiring that the new members be residents of certain disproportionately affected counties; revising the duties of the independent

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certified public accountant that Triumph Gulf Coast, Inc., is required to retain; deleting provisions requiring Triumph Gulf Coast, Inc., to retain an independent financial advisor and an economic advisor; amending s. 288.8015, F.S.; deleting a provision specifying that expenditures made by the board are made from earnings; amending s. 288.8017, F.S.; revising the source for awards made by Triumph Gulf Coast, Inc.; conforming a provision to changes made by the act; requiring that K-20 institutions have a campus, rather than their home campus, in a disproportionately affected county as a condition of eligibility to receive certain grants; revising annual restrictions on awards; repealing s. 377.43, F.S., relating to the disbursement of funds received for damages caused by the Deepwater Horizon oil spill; providing a directive to the Division of Law Revision and Information; providing an effective date.

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

Section 1. Subsection (5) is added to section 288.8012, Florida Statutes, to read:

288.8012 Definitions.—As used in ss. 288.80-288.8017, the term:

(5) "Settlement agreement" means the agreement between the gulf states and the BP entities with respect to economic claims arising from the Deepwater Horizon incident.

Section 2. Subsections (2), (3), and (4) of section

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288.8013, Florida Statutes, are amended to read:

288.8013 Triumph Gulf Coast, Inc.; Recovery Fund; creation; investment.—

(2)(a) Triumph Gulf Coast, Inc., must create and administer the Recovery Fund for the benefit of the disproportionately affected counties. The principal of the fund shall derive from 75 percent of all moneys received by the state pursuant to the settlement agreement funds recovered by the Attorney General for economic damage to the state resulting from the Deepwater Horizon disaster, after payment of reasonable and necessary attorney fees, costs, and expenses, including such attorney fees, costs, and expenses pursuant to s. 16.0155.

(b)1. After reasonable and necessary payment of attorney fees, costs, and related expenses, 75 percent of the remaining moneys received by the state before June 30, 2017, pursuant to the settlement agreement is appropriated to Triumph Gulf Coast, Inc., and shall be transferred to the Recovery Fund no later than August 1, 2017.

2. Seventy-five percent of the moneys received by the state pursuant to the settlement agreement on or after July 1, 2017, is appropriated to the Triumph Gulf Coast, Inc., and shall be transferred to the Recovery Fund no later than 30 days after such funds are received by the state.

~~(3) The Recovery Fund must be maintained as a long-term and stable source of revenue, which shall decline over a 30-year period in equal amounts each year. Triumph Gulf Coast, Inc., shall establish a trust account at a federally insured financial institution to hold funds and make deposits and payments, and shall consult with the State Board of Administration and invest~~

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moneys from the settlement agreement in appropriate State Board of Administration funds. Earnings generated by investments and interest of the fund, plus the amount of principal available each year, shall be available to make awards pursuant to this act and pay administrative costs. Earnings ~~must~~ shall be accounted for separately from principal funds set forth in subsection (2). Administrative costs are limited to 0.75 ~~2.25~~ percent of the principal earnings in a calendar year. Administrative costs include payment of investment fees, travel and per diem expenses of board members, audits, salary or other costs for employed or contracted staff, including required staff under s. 288.8014(9), and other-allowable costs. Triumph Gulf Coast, Inc., shall cause an annual audit to be conducted of the investments of the Recovery Fund by the independent certified public accountant retained as required in s. 288.8014. Any funds remaining in the Recovery Fund after 30 years shall revert to the State Treasury.

(4) Triumph Gulf Coast, Inc., shall invest and reinvest the principal of the Recovery Fund in accordance with s. 617.2104, in such a manner not to subject the funds to state or federal taxes, and consistent with an investment policy statement adopted by the corporation.

~~(a) The board of directors shall formulate an investment policy governing the investment of the principal of the Recovery Fund. The policy shall pertain to the types, kinds, or nature of investment of any of the funds, and any limitations, conditions or restrictions upon the methods, practices, or procedures for investment, reinvestments, purchases, sales, or exchange transactions, provided such policies shall not conflict with nor~~

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117 ~~be in derogation of any state constitutional provision or law.~~
 118 ~~The policy shall be formulated with the advice of the financial~~
 119 ~~advisor in consultation with the State Board of Administration.~~

120 ~~(b) Triumph Gulf Coast, Inc., must competitively procure~~
 121 ~~one or more money managers, under the advice of the financial~~
 122 ~~advisor in consultation with the State Board of Administration,~~
 123 ~~to invest the principal of the Recovery Fund. The applicant~~
 124 ~~manager or managers may not include representatives from the~~
 125 ~~financial institution housing the trust account for the Recovery~~
 126 ~~Fund. The applicant manager or managers must present a plan to~~
 127 ~~invest the Recovery Fund to maximize earnings while prioritizing~~
 128 ~~the preservation of Recovery Fund principal. Any agreement with~~
 129 ~~a money manager must be reviewed by Triumph Gulf Coast, Inc.,~~
 130 ~~for continuance at least every 5 years. Plans should include~~
 131 ~~investment in technology and growth businesses domiciled in, or~~
 132 ~~that will be domiciled in, this state or businesses whose~~
 133 ~~principal address is in this state.~~

134 ~~(c) Costs and fees for investment services shall be~~
 135 ~~deducted from the earnings as administrative costs. Fees for~~
 136 ~~investment services shall be no greater than 150 basis points.~~

137 ~~(d) Annually, Triumph Gulf Coast, Inc., shall cause an~~
 138 ~~audit to be conducted of the investment of the Recovery Fund by~~
 139 ~~the independent certified public accountant retained in s.~~
 140 ~~288.8014. The expense of such audit shall be paid from earnings~~
 141 ~~for administrative purposes.~~

142 Section 3. Subsections (2) and (9) of section 288.8014,
 143 Florida Statutes, are amended to read:

144 288.8014 Triumph Gulf Coast, Inc.; organization; board of
 145 directors.-

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146 (2) Triumph Gulf Coast, Inc., initially shall be governed
 147 by a five-member ~~5-member~~ board of directors. Each of the
 148 Trustees of the State Board of Administration, the President of
 149 the Senate, and the Speaker of the House of Representatives
 150 shall ~~each~~ appoint one member from the private sector. As of the
 151 effective date of this act, the number of board members
 152 increases to seven, with the President of the Senate and the
 153 Speaker of the House of Representatives each appointing an
 154 additional private sector member from one of the four least
 155 populous disproportionately affected counties as identified by
 156 the United States Census Bureau in its March 2017 estimates of
 157 county population, so that two such counties are represented on
 158 the board. The board of directors shall annually elect a
 159 chairperson from among the board's members. The chairperson may
 160 be removed by a majority vote of the members. His or her
 161 successor shall be elected to serve for the balance of the
 162 removed chairperson's term. The chairperson is responsible to
 163 ensure records are kept of the proceedings of the board of
 164 directors and is the custodian of all books, documents, and
 165 papers filed with the board; the minutes of meetings of the
 166 board; and the official seal of Triumph Gulf Coast, Inc.

167 (9) (a) Triumph Gulf Coast, Inc., is permitted to hire or
 168 contract for all staff necessary to the proper execution of its
 169 powers and duties to implement this act. The corporation is
 170 required to retain:

171 1. An independent certified public accountant licensed in
 172 this state pursuant to chapter 473 to inspect the records of and
 173 to annually audit the expenditure of the funds earnings and
 174 available principal disbursed by Triumph Gulf Coast, Inc.; and

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175 2. ~~An independent financial advisor to assist Triumph Gulf~~
 176 ~~Coast, Inc., in the development and implementation of a~~
 177 ~~strategic plan consistent with the requirements of this act.~~
 178 3. ~~An economic advisor who will assist in the award~~
 179 ~~process, including the development of priorities, allocation~~
 180 ~~decisions, and the application and process; will assist the~~
 181 ~~board in determining eligibility of award applications and the~~
 182 ~~evaluation and scoring of applications; and will assist in the~~
 183 ~~development of award documentation.~~
 184 2.4. A legal advisor with expertise in not-for-profit
 185 investing and contracting and who is a member of The Florida Bar
 186 to assist with contracting and carrying out the intent of this
 187 act.
 188 (b) Triumph Gulf Coast, Inc., shall require all employees
 189 of the corporation to comply with the code of ethics for public
 190 employees under part III of chapter 112. Retained staff under
 191 paragraph (a) must agree to refrain from having any direct
 192 interest in any contract, franchise, privilege, project,
 193 program, or other benefit arising from an award by Triumph Gulf
 194 Coast, Inc., during the term of his or her appointment and for 2
 195 years after the termination of such appointment.
 196 (c) Retained staff under paragraph (a) shall be available
 197 to consult with the board of directors and shall attend meetings
 198 of the board of directors. These individuals shall not be
 199 permitted to vote on any matter before the board.
 200 Section 4. Subsection (2) of section 288.8015, Florida
 201 Statutes, is amended to read:
 202 288.8015 Board of directors; powers.—In addition to the
 203 powers and duties prescribed in chapter 617 and the articles and

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204 bylaws adopted in compliance with that chapter, the board of
 205 directors may:
 206 (2) Make expenditures including any necessary
 207 administrative expenditure ~~from earnings~~ consistent with its
 208 powers.
 209
 210 Under no circumstances may the credit of the State of Florida be
 211 pledged on behalf of Triumph Gulf Coast, Inc.
 212 Section 5. Subsections (1) and (3) of section 288.8017,
 213 Florida Statutes, are amended to read:
 214 288.8017 Awards.—
 215 (1) Triumph Gulf Coast, Inc., shall make awards from
 216 available funds ~~earnings and principal~~ derived under s.
 217 288.8013(2) to projects or programs that meet the priorities for
 218 economic recovery, diversification, and enhancement of the
 219 disproportionately affected counties, ~~notwithstanding s. 377.43.~~
 220 Awards may be provided for:
 221 (a) Ad valorem tax reduction within disproportionately
 222 affected counties;
 223 (b) Payment of impact fees adopted pursuant to s. 163.31801
 224 and imposed within disproportionately affected counties;
 225 (c) Administrative funding for economic development
 226 organizations located within the disproportionately affected
 227 counties;
 228 (d) Local match requirements of ss. 288.0655, 288.0659,
 229 288.1045, and 288.106 for projects in the disproportionately
 230 affected counties;
 231 (e) Economic development projects in the disproportionately
 232 affected counties;

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233 (f) Infrastructure projects that are shown to enhance
 234 economic development in the disproportionately affected
 235 counties;

236 (g) Grants to local governments in the disproportionately
 237 affected counties to establish and maintain equipment and
 238 trained personnel for local action plans of response to respond
 239 to disasters, such as plans created for the Coastal Impacts
 240 Assistance Program;

241 (h) Grants to support programs of excellence that prepare
 242 students for future occupations and careers at K-20 institutions
 243 that have ~~home~~ campuses in the disproportionately affected
 244 counties. Eligible programs include those that increase
 245 students' technology skills and knowledge; encourage industry
 246 certifications; provide rigorous, alternative pathways for
 247 students to meet high school graduation requirements; strengthen
 248 career readiness initiatives; fund high-demand programs of
 249 emphasis at the bachelor's and master's level designated by the
 250 Board of Governors; and, similar to or the same as talent
 251 retention programs created by the Chancellor of the State
 252 University System and the Commission of Education, encourage
 253 students with interest or aptitude for science, technology,
 254 engineering, mathematics, and medical disciplines to pursue
 255 postsecondary education at a state university within the
 256 disproportionately affected counties; and

257 (i) Grants to the tourism entity created under s. 288.1226
 258 for the purpose of advertising and promoting tourism, Fresh From
 259 Florida, or related content on behalf of one or all of the
 260 disproportionately affected counties.

261 (3) Triumph Gulf Coast, Inc., may make awards as

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262 applications are received or may establish application periods
 263 for selection. Awards may not be used to finance 100 percent of
 264 any project or program. Triumph Gulf Coast, Inc., may require a
 265 one-to-one private-sector match or higher for an award, if
 266 applicable and deemed prudent by the board of directors. An
 267 awardee may not receive all of the ~~earnings or~~ available funds
 268 ~~principal~~ in any given year.

269 Section 6. Section 377.43, Florida Statutes, is repealed.

270 Section 7. The Division of Law Revision and Information is
 271 directed to replace the phrase "the effective date of this act"
 272 where it occurs in this act with the date the act becomes
 273 effective.

274 Section 8. This act shall take effect upon becoming a law.

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The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Committee

BILL: SB 2518

INTRODUCER: by the Appropriations Committee

SUBJECT: Triumph Gulf Coast Trust Fund/Department of Economic Opportunity

DATE: April 6, 2017

REVISED: _____

ANALYST

STAFF DIRECTOR

REFERENCE

ACTION

Pitts

Pitts

AP Submitted as Committee Bill

I. Summary:

SB 2518 creates the Triumph Gulf Coast Trust Fund within the Department of Economic Opportunity and provides for that the trust fund is established as a depository for the settlement funds from the Deepwater Horizon event.

The bill does not impact state and local government revenues and expenditures.

II. Present Situation:

Art. III, s. 19(f), of the Florida Constitution requires that every trust fund be created by a three-fifths vote of the membership of each house of the Legislature in a separate bill for the sole purpose of creating a trust fund. State trust funds terminate not more than four years after the initial creation unless re-created.

III. Effect of Proposed Changes:

This bill creates the Triumph Gulf Coast Trust Fund within the Department of Economic Opportunity for the deposit of the settlement funds from the Deepwater Horizon event.

This bill provides that funds from the trust fund shall be used for the purposes described in ss. 288.8011 through 288.8018, F.S.

Pursuant to the requirements of the Florida Constitution, the trust fund will terminate on July 1, 2021, unless re-created by the Legislature.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 288.80125 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

FOR CONSIDERATION By the Committee on Appropriations

576-03174-17

20172518pb

A bill to be entitled

An act relating to trust funds; creating s. 288.80125, F.S.; creating the Triumph Gulf Coast Trust Fund within the Department of Economic Opportunity; exempting the trust fund from the general revenue service charge; providing for purpose of trust fund and source of funds; providing for future review and termination or re-creation of trust fund; providing a contingent effective date.

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

Section 1. Section 288.80125, Florida Statutes, is created to read:

288.80125 Triumph Gulf Coast Trust Fund.—

(1) The Triumph Gulf Coast Trust Fund is created within the department. The trust fund is established as a depository for funds transferred, as set forth in s. 288.8013, from the General Revenue Fund pursuant to the "Settlement Agreement Between the Gulf States and the BP Entities with Respect to Economic and Other Claims Arising from the Deepwater Horizon Incident," which was entered into on October 5, 2015, in the case styled In re: Oil Spill by the Oil Rig "Deepwater Horizon" in the Gulf of Mexico, on April 20, 2010, MDL 2179 in the United States District Court for the Eastern District of Louisiana. The trust fund is exempt from the general revenue service charge provided in s. 215.20.

(2) Funds from the trust fund shall be used for the purposes described in ss. 288.8011-288.8018.

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576-03174-17

20172518pb

(3) In accordance with s. 19(f)(2), Art. III of the State Constitution, the Triumph Gulf Coast Trust Fund shall, unless terminated sooner, be terminated on July 1, 2021. Before its scheduled termination, the trust fund shall be reviewed as provided in s. 215.3206(1) and (2).

Section 2. This act shall take effect on the same date that SB 364 or similar legislation takes effect, if such legislation is enacted in the same legislative session or an extension thereof and becomes law, and only if this act is enacted by a three-fifths vote of the membership of each house of the Legislature.

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The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: SB 1094

INTRODUCER: Senator Gainer

SUBJECT: Forensic Hospital Diversion Pilot Program

DATE: April 4, 2017

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Crosier</u>	<u>Hendon</u>	<u>CF</u>	Favorable
2. <u>Stallard</u>	<u>Cibula</u>	<u>JU</u>	Favorable
3. <u>Sneed</u>	<u>Hansen</u>	<u>AP</u>	Favorable

I. Summary:

SB 1094 authorizes the Department of Children and Families to include Okaloosa County in an existing pilot program, the Forensic Hospital Diversion Pilot Program. The program is aimed at diverting mental health treatment of criminally accused or at-risk persons from state forensic treatment facilities to community-based programs. Since July 1, 2016, the Department has been authorized to implement the program in Broward, Duval, and Miami-Dade counties to restore competency to persons found incompetent to proceed to trial and to treat those at risk for returning to the criminal justice system. As provided in existing law, the program must be modeled after the Miami-Dade Alternative Treatment Center, which has been in operation since 2009.

The fiscal impact of this bill is indeterminate. See Section V of the analysis.

The bill provides an effective date of July 1, 2017.

II. Present Situation:

In 2016, the Legislature created the Forensic Hospital Diversion Pilot Program to serve certain offenders who have mental illnesses or co-occurring mental illnesses and substance use disorders. Particularly, the program is intended to serve those offenders who are involved in the

criminal justice system or at risk of re-entering state forensic mental health treatment facilities,¹ prisons, jails, or state civil mental health treatment facilities.^{2, 3}

The 2016 legislation was based on findings regarding two main categories of inmates, those who needed competency restored before standing trial and those who had been released from a forensic mental health treatment facility following treatment. Regarding the first group, the Legislature found that jail inmates who were incompetent to proceed⁴ could be served more effectively and with less cost in community-based alternative programs. As to the second group, the Legislature found that persons who have serious mental health illnesses could avoid returning to the criminal justice and forensic mental health systems if they received specialized treatment in the community.⁵

The Department of Children and Families is authorized to implement the pilot program in Duval, Broward, and Miami-Dade counties, in conjunction with each county's Judicial Circuit.⁶

Participation in the pilot program is limited to offenders who:

- Are 18 years of age or older;
- Are charged with a felony of the second or third degree;⁷
- Do not have a significant history of violent criminal offenses;
- Are adjudicated incompetent to proceed to trial or not guilty by reason of insanity;⁸
- Meet public safety and treatment criteria established by the department for placement in a community setting; and
- Otherwise would be admitted to a state mental health treatment facility.⁹

The legislation creating the pilot program directs the department to model it after the Miami-Dade Forensic Alternative Center (MDFAC), which opened in 2009 as a community-based, forensic commitment program. The MDFAC serves adults who have lesser felony offenses and

¹ "Forensic facility" means "a separate and secure facility established within the department or agency to serve forensic clients. A separate and secure facility means a security-grade building for the purpose of separately housing persons who have mental illness from persons who have intellectual disabilities or autism and separately housing persons who have been involuntarily committed pursuant to this chapter from nonforensic residents." Section 916.106(10), F.S.

² Section 916.185(1), F.S.

³ "Civil facility" means "[a] mental health facility established within the department or by contract with the department to serve individuals committed pursuant to chapter 394 and those defendants committed pursuant to this chapter who do not require the security provided in a forensic facility; or [a]n intermediate care facility for the developmentally disabled, a foster care facility, a group home facility, or a supported living setting, as defined in s. [393.063](#), designated by the agency to serve those defendants who do not require the security provided in a forensic facility." Section 916.106(4), F.S.

⁴ "Incompetent to proceed" means "the defendant does not have sufficient present ability to consult with her or his lawyer with a reasonable degree of rational understanding" or "the defendant has no rational, as well as factual, understanding of the proceedings against him or her." Section 916.12(1), F.S.

⁵ *Id.*

⁶ Section 916.185(3)(a), F.S.

⁷ The intent of the program includes treating persons who have been released from a state forensic facility, in order to prevent them from becoming re-involved with the criminal justice system. However, this criterion does not seem applicable to these persons.

⁸ See previous note.

⁹ Section 916.185(4), F.S.

are not considered a danger to the community.¹⁰ The MDFAC provides competency restoration and a continuum of care during commitment and after re-entry to the community.¹¹ The MDFAC currently operates a 16-bed facility at a daily cost of \$284.81 per bed or approximately \$1.6 million per year.¹²

III. Effect of Proposed Changes:

The bill authorizes the Department of Children and Families to expand the Forensic Hospital Diversion Pilot Program into Okaloosa County, in conjunction with the First Judicial Circuit in Okaloosa County. The Okaloosa County-based program will be subject to the same requirements governing the pilot program in the other three counties.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

This bill does not require counties or municipalities to spend funds or limit their authority to raise revenue or receive state-shared revenues as specified in Article VII, s. 18 of the Florida Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The fiscal impact of SB 1094 to the Department of Children and Families is indeterminate. First, the department is not required to implement the program, and the department has not indicated whether it will do so. Pursuant to s. 916.185, F.S., which

¹⁰ Department of Children and Families, *2016 Agency Legislative Bill Analysis* (Nov. 13, 2015) (on file with the Senate Committee on Judiciary).

¹¹ Budget Subcommittee on Health and Human Services Appropriations, The Florida Senate, *Interim Report 2012-18, The Forensic Mental Health System* (September 2011).

¹² Department of Children and Families, *2017 Agency Legislative Bill Analysis* (Feb 28, 2017) (on file with the Senate Committee on Judiciary).

created the pilot program in 2016, the department and the corresponding judicial circuits are authorized to implement the Forensic Hospital Diversion Pilot Program if “existing resources are available to do so on a recurring basis. The department may request budget amendments pursuant to chapter 216 to realign funds between mental health services in order to implement [the] pilot program.”

If the department implements the program in Okaloosa County, it is not clear what the fiscal impact will be. The department has indicated that the Miami-Dade Forensic Alternative Center costs \$284.81 per bed, per day.¹³ Program costs also include case management services at \$35,000 per year and incidental funds at the annual rate of \$15,000.¹⁴

According to the department, any funds redirected from existing resources to fund the pilot program “could impact the availability of resources to provide services in both community and forensic mental health programs.”¹⁵

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 916.185, Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill’s introducer or the Florida Senate.

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.*

By Senator Gainer

2-01341-17

20171094__

A bill to be entitled

An act relating to the Forensic Hospital Diversion Pilot Program; amending s. 916.185, F.S.; authorizing the Department of Children and Families to implement a Forensic Hospital Diversion Pilot Program in Okaloosa County in conjunction with the First Judicial Circuit in Okaloosa County; providing an effective date.

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

Section 1. Paragraph (a) of subsection (3) of section 916.185, Florida Statutes, is amended to read:

916.185 Forensic Hospital Diversion Pilot Program.—

(3) CREATION.—There is authorized a Forensic Hospital Diversion Pilot Program to provide competency-restoration and community-reintegration services in either a locked residential treatment facility when appropriate or a community-based facility based on considerations of public safety, the needs of the individual, and available resources.

(a) The department may implement a Forensic Hospital Diversion Pilot Program modeled after the Miami-Dade Forensic Alternative Center, taking into account local needs and resources in Okaloosa County, in conjunction with the First Judicial Circuit in Okaloosa County; in Duval County, in conjunction with the Fourth Judicial Circuit in Duval County; in Broward County, in conjunction with the Seventeenth Judicial Circuit in Broward County; and in Miami-Dade County, in conjunction with the Eleventh Judicial Circuit in Miami-Dade County.

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20171094__

Section 2. This act shall take effect July 1, 2017.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: PCS/SB 10 (601444)

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on the Environment and Natural Resources); and Senators Bradley and Flores

SUBJECT: Water Resources

DATE: April 4, 2017

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Istler	Rogers	EP	Favorable
2.	Reagan	Betta	AEN	Recommend: Fav/CS
3.	Reagan	Hansen	AP	Pre-meeting

I. Summary:

PCS/SB 10 establishes the Coast-to-Coast Comprehensive Water Resources Program to:

- Redistribute the remaining \$3.3 billion in bonding authority from Florida Forever bonds to water restoration protection and development bonds, which is a newly created set of bonds;
- Establish the following options for additional water storage south of Lake Okeechobee to reduce the discharges to the St. Lucie and Caloosahatchee estuaries:
 - (A) The South Florida Water Management District (SFWMD) is required to seek proposals from willing sellers of land within the Everglades Agricultural Area for land that is suitable to build one or two reservoirs with a total storage capacity of 360,000 acre-feet.¹
 - (B) If the SFWMD is unable to acquire such land then the option to purchase lands from the United States Sugar Corporation, which is available pursuant to the 2010 agreement,² must be exercised.
 - (C) If land is not acquired pursuant to the first two options then Legacy Florida funding is increased by \$50 million annually for the Comprehensive Everglades Restoration Project (CERP);
- Establish a revolving loan fund to provide funding assistance to local governments and water supply entities for the development and construction of water storage facilities;
- Revise the uses of the Water Protection and Sustainability Program Trust Fund to include the water storage facility revolving loan program.
- Require specified annual distributions from the Land Acquisition Trust Fund (LATF) to the St. Johns River Water Management District of \$35 million for restoration of the St. Johns

¹ One acre-foot of water equals 325,851 billion gallons of water.

² See Second Amended and Restated Agreement for Sale and Purchase (2010), available at https://www.sfwmd.gov/sites/default/files/documents/rog_0_amended_restated_agt_for_sale_and_purchase.pdf (last visited Jan. 31, 2017).

River and the Keystone Heights Lake Region; \$2 million to the Department of Environmental Protection (DEP) for the Florida Keys Area of Critical State Concern; and \$20 million to conduct muck dredging and large-scale stormwater improvement and offset property owner costs for retrofitting or converting onsite sewage treatment and disposal systems that the DEP determines to collectively contribute to excess nutrient pollution in counties contributing to the Indian River Lagoon, the St. Lucie Estuary, or the Caloosahatchee Estuary;

- Establish a water reuse grant program, subject to specific appropriations, to assist wastewater treatment facilities in expanding their capacity to make reclaimed water available for reuse; and
- Require the State Board of Administration to report on potential water supply project investments.

The bill provides contingent appropriations for Options A and B of the reservoir project. Option A includes recurring debt service payments from the LATF of \$64 million beginning in the 2017-2018 Fiscal Year and an additional recurring \$34 million beginning in the 2018-2019 Fiscal Year. Under Option A, the total recurring appropriation for debt is \$100 million through the 2037-2038 Fiscal Year. Based on this level of debt service, the bond proceeds are expected to be \$800 million in FY 2017-2018 and an additional \$400 million in FY 2018-2019 and will be deposited into the LATF.

Contingent upon bonds being issued for Option B, \$100 million in recurring funds from the LATF are appropriated for the 2018-2019 Fiscal Year through the 2037-2038 Fiscal Year for the payment of debt service. Under Option C, the required annual minimum distribution for Everglades restoration projects from the LATF is increased by \$50 million.

II. Present Situation:

State Board of Administration

The State Board of Administration (SBA) was created by the State Constitution and is governed by a three-member Board of Trustees, consisting of the Governor as the Chair, the Chief Financial Officer, and the Attorney General.³ State bonds pledging the full faith and credit of the state are authorized to be issued pursuant to Article VII, section 11 of the Florida Constitution.⁴ The SBA administers state bonds in accordance with the State Bond Act.⁵ The Division of Bond Finance within the SBA has the authority to issue state bonds and administer the debt service payments for such bonds.⁶

Additionally, the SBA is charged with investing state funds, including the Florida Retirement System funds, in compliance with state law.⁷ The SBA is obligated to make sound investment management decisions that are solely in the interest of investment clients and make investment decisions from the perspective of a subject-matter expert acting under the highest standards of

³ FLA. CONST. art. IV, s. 4.

⁴ FLA. CONST. art. VII, s. 11; s. 215.59, F.S.

⁵ See ss. 215.57-215.83, F.S.

⁶ Section 215.64, F.S.

⁷ Section 215.44, F.S.

professionalism and case, not merely as well-intentioned persons acting in good faith.⁸ As of December 31, 2016, the total SBA funds under management is \$184.6 billion.⁹

Florida Forever Bonds

Pursuant to Art. VII, s. 11(e) of the State Constitution, the issuance of Florida Forever bonds is authorized in s. 215.618, F.S.¹⁰ Florida Forever bonds pledge part of a dedicated state tax revenue: documentary stamp taxes. Documentary stamp taxes are levied on deeds and other documents related to real property and are collected under ch. 201, F.S. Florida Forever bonds are authorized to be issued up to \$5.3 billion.¹¹ Two billion dollars in Florida Forever bonds have been issued, which leaves \$3.3 billion in remaining statutory authority.¹²

The total amount of debt service payments are limited to \$300 million per Fiscal Year.¹³ The debt service for such bonds is required to be specifically appropriated in the General Appropriations Act in the fiscal year in which the bonds are issued.¹⁴ There is currently \$1.05 billion outstanding for Florida Forever bonds.¹⁵ The proceeds from the sale of Florida Forever bonds are required to be deposited into the Florida Forever Trust Fund to be distributed by the Department of Environmental Protection as provided in the Florida Forever Act.¹⁶

Lake Okeechobee and the Central Everglades Overview

In the mid-1800s the state began planning for the development of Central and South Florida, with the primary obstacle being water.¹⁷ Extensive drainage projects were implemented to enable land development for urban and agricultural uses. In the early 1900s the St. Lucie and Caloosahatchee Rivers were widened and deepened for navigation and to serve as outlets from Lake Okeechobee to the east and west, respectively. After major hurricanes devastated the region in the 1920s and 1940s, the state partnered with the federal government, through the United States Army Corps of Engineers (USACE), to implement additional flood control projects that

⁸ State Board of Administration (SBA), *About the SBA*, <https://www.sbafla.com/fsb/Home.aspx> (last visited Mar. 8, 2017).

⁹ SBA, *Performance Report to the Trustees*, 4 (Feb. 15, 2017), available at https://www.sbafla.com/fsb/Portals/FSB/Content/Performance/Trustees/2016/20161231_Trustees_Performance_Report.pdf?ver=2017-02-16-093227-360 (last visited Mar. 8, 2017).

¹⁰ Section 11(e), Art. X of the State Constitution authorizes the issuance of bonds by the state in a manner provided by general law, which pledges all or part of a dedicated state tax revenue to finance or refinance the acquisition and improvement of land, water areas, and related property interests and resources for the purposes of conservation, outdoor recreation, water resource development, restoration of natural systems, and historic preservation.

¹¹ Section 215.618, F.S.

¹² SBA, *Environmental Bonding Programs: Authorization Authority and Amounts* (2016) (on file with the Senate Committee on Environmental Preservation and Conservation).

¹³ Section 201.15(1), F.S.

¹⁴ Section 201.15(3), F.S.

¹⁵ SBA, *Environmental Bonding Programs: Authorization Authority and Amounts* (2016) (on file with the Senate Committee on Environmental Preservation and Conservation).

¹⁶ Section 215.618(5), F.S.

¹⁷ United States Army Corps of Engineers (USACE) and South Florida Water Management District (SFWMD), *Central and Southern Florida Project Comprehensive Review Study, Final Feasibility Report and Programmatic Environmental Impact Statement*, 1-1 (April 1999) [hereinafter *Restudy*], available at http://141.232.10.32/pm/projects/project_docs/pdp_asr_combined/052808_asr_report/052808_asr_ch1_restudy_feas_rpt_prog_eis.pdf (last visited Jan. 31, 2017).

were necessary for the land development to progress. Congress authorized the Central and Southern Florida Project (C&SF) in 1948.¹⁸

The C&SF included channelizing the Kissimmee River; draining the area south of the lake, known as the Everglades Agricultural Area for agricultural production; and diking Lake Okeechobee for flood protection.¹⁹ Additionally, central portions of the Everglades were diked to create water conservation areas (WCAs) to store water for water supply in the lower east coast and for deliveries to Everglades National Park.²⁰ While some fish and wildlife value was expected to remain in the WCAs, the only area intended for preservation in its natural state was Everglades National Park.²¹



Kissimmee River Basin

The Kissimmee River Basin extends from Orlando southward to Lake Okeechobee and encompasses approximately 3,000 square miles.²² The C&SF project turned the once meandering 103 mile Kissimmee River into a 56-mile long, 30-foot deep canal called the C-38.²³ The resulting floodplain, the remnant river channels, and the C-38 canal are collectively referred to as the channelized system.²⁴ Prior to channelization the flow of the river inundated much of the floodplain for a majority of the year.²⁵ While the project proved successful for flood control, it had a significant impact on the wetland ecosystem.²⁶ The first public hearing to discuss the

¹⁸ The Flood Control Act of 1948 (P.L. 858, 80th Congress, 2nd Session).

¹⁹ *Restudy* at 1-1.

²⁰ *Id.*

²¹ *Id.*

²² *Id.* at 1-10.

²³ SFWMD, *Kissimmee River Restoration Studies*, 1 (Sept. 2006), available at https://www.sfwmd.gov/sites/default/files/documents/krr_exec_summary.pdf (last visited Jan. 31, 2017).

²⁴ *Id.*

²⁵ *Id.*

²⁶ *Id.*

restoration of the Kissimmee River was held just one year after the channelization was completed.²⁷

Lake Okeechobee

Lake Okeechobee is the second largest freshwater lake located entirely within the contiguous United States, covering approximately 730 square miles.²⁸ The waters of the lake were impounded by a system of encircling levees, collectively referred to as the Herbert Hoover Dike.²⁹ The lake is managed as a multi-purpose reservoir for navigation, water supply, flood control, and recreation.³⁰

Thirty-nine percent of the water that comes into the lake is from direct rainfall, 31 percent comes from the Kissimmee River, and then a smaller percentage of the water flows from other areas such as Fisheating Creek and Taylor Creek/Nubbin Slough.³¹ Prior to the construction of the Herbert Hoover Dike, water would flow from the Kissimmee River Basin into the lake and, once the lake would fill, water would overflow the lake's southern rim and deliver sheet flow runoff to the Everglades.³²

Because of the acceleration of the flows into the lake as a result of C&SF and land use modifications, the water quality in the lake has degraded over time due to high phosphorous loadings.³³ The Total Maximum Daily Load for Lake Okeechobee proposes an annual load of 140 metric tons (mt) of phosphorous to achieve an in-lake target phosphorous concentration of 40 parts per billion (ppb) in the pelagic zone of the lake.³⁴

²⁷ *Id.*

²⁸ Florida Department of Environmental Protection (FDEP), *Lake Okeechobee*, <http://www.dep.state.fl.us/everglades/lakeo.htm> (last visited Jan. 31, 2017).

²⁹ *Restudy* at 1-13.

³⁰ *Id.*

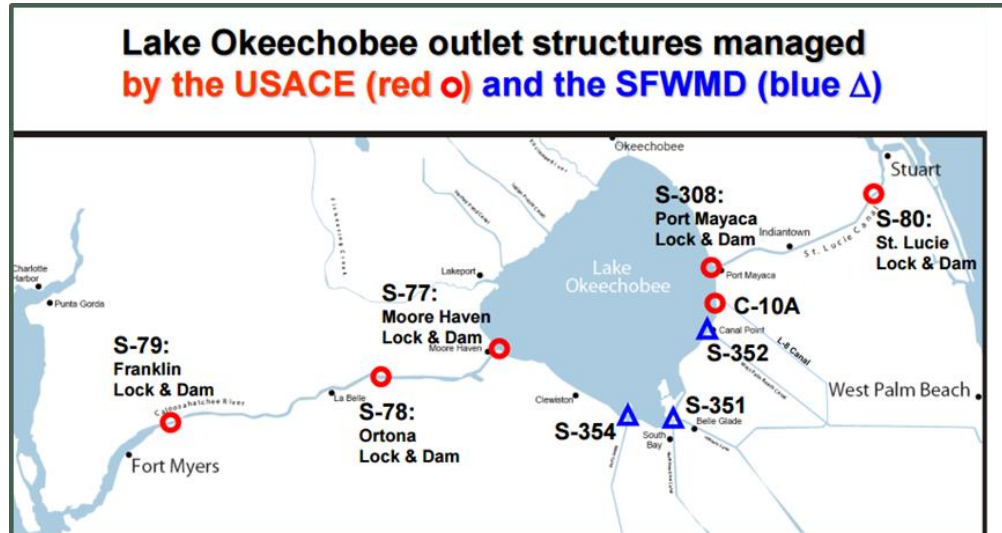
³¹ FDEP, *Total Maximum Daily Load for Total Phosphorous, Lake Okeechobee, Florida*, 6 (Aug. 2001), available at http://www.dep.state.fl.us/water/tmdl/docs/tmdls/final/gp1/Lake_O_TMDL_Final.pdf (last visited Jan. 31, 2017).

³² *Id.* at 6, 7.

³³ FDEP, *Lake Okeechobee*, <http://www.dep.state.fl.us/everglades/lakeo.htm> (last visited Jan. 31, 2017).

³⁴ FDEP, *supra* note 17, at 1.

The lake's outlets with the largest capacity include eastward (S-308) through the St. Lucie Canal to the Atlantic Ocean and westward (S-77) through the Caloosahatchee River Canal to the Gulf of Mexico.³⁵ Additionally, water flows out of the lake through the four major agricultural canals-the West Palm Beach Canal (S-352), the Hillsboro and North New River Canals (S-351), and the Miami Canal (S-354).³⁶



The USACE, in conjunction with the South Florida Water Management District (SFWMD) regulates the outlet structures to manage lake levels.³⁷ After back-to-back hurricanes in South Florida in 2004 and 2005 and the devastation in Louisiana caused by Hurricane Katrina, the USACE launched a major effort to rehabilitate the Herbert Hoover Dike in light of concerns regarding its structural integrity. Concerns regarding the dam's ability to perform satisfactorily for Lake Okeechobee levels above an elevation of 15.5 ft. resulted in the labeling of the project as high-risk.³⁸ The Lake Okeechobee Regulation Schedule Study was initiated to design an alternative schedule to lower the normal operating limits of the lake.³⁹

The Lake Okeechobee Regulation Schedule (LORS) was implemented in April of 2008. The revised schedule lowered the maximum stage of the lake from 18.5 ft. to 17.25 ft. with the primary goal of maintaining the lake between 12.5 ft. and 15.5 ft. The areas most affected by a change to the lake's regulation schedule were the lake itself, particularly the littoral and marsh areas of the lake, and the St. Lucie and Caloosahatchee estuaries.⁴⁰ Additionally, because the

³⁵ Restudy at 1-13.

³⁶ *Id.*

³⁷ FDEP, *supra* note 17, at 7.

³⁸ USACE, *Herbert Hoover Dike Dam Safety Modification Study Final Environmental Impact Statement*, 1 (June 2016), available at <http://www.saj.usace.army.mil/Portals/44/docs/Planning/EnvironmentalBranch/EnvironmentalDocs/Multiple%20Counties/Herbert%20Hoover%20Dike%20Dam%20Safety%20Modification%20Study%20FEIS%20Main%20Report.pdf?ver=2016-05-31-131919-377> (last visited Jan. 31, 2017).

³⁹ USACE, *Lake Okeechobee Regulation Schedule, Final Supplemental Environmental Impact Statement*, ii (Nov. 2007) [hereinafter *LORS FSEIS*], available at [http://www.saj.usace.army.mil/Portals/44/docs/h2omgmt/LORSdocs/ACOE STATEMENT APPENDICES A-G.pdf](http://www.saj.usace.army.mil/Portals/44/docs/h2omgmt/LORSdocs/ACOE%20STATEMENT%20APPENDICES%20A-G.pdf) (last visited Jan. 31, 2017).

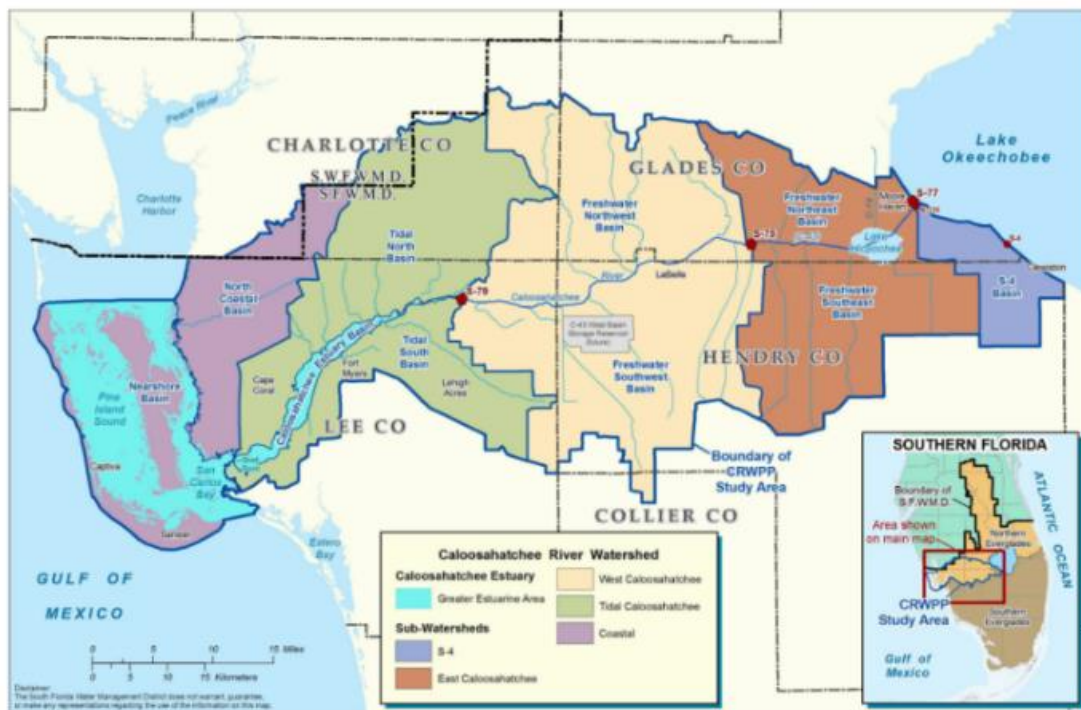
⁴⁰ *Id.* at 1.

LORS high management band is 1.00 to 1.75 ft. lower than the previous schedule, the revision to the schedule resulted in a loss of storage ranging from 460,000 to 800,000 acre-feet depending on the time of year.⁴¹

The USACE expects to operate under the LORS until the earlier of the implementation of a new Lake Okeechobee schedule as a component of the system-wide operating plan to accommodate Everglades restoration projects or the completion of Herbert Hoover Dike seepage berm construction or equivalent dike repairs.⁴² According to the latest Integrated Delivery Schedule, rehabilitation of the Herbert Hoover Dike should be completed by 2025 and initiation of a new lake regulation schedule study would begin in 2022.⁴³

Caloosahatchee River Watershed

The Caloosahatchee River was originally a shallow, meandering river with headwaters near Lake Okeechobee.⁴⁴ In the early 1900s, the river was modified and now functions as the C-43 canal. The canal is divided into freshwater and marine segments by a series of locks.⁴⁵ The river



⁴¹ The National Academies of Sciences, Engineering, and Medicine, *Progress Toward Restoring the Everglades: The Sixth Biennial Review*, 133 (2016) [hereinafter *The Sixth Biennial Review*], available at <https://www.nap.edu/catalog/23672/progress-toward-restoring-the-everglades-the-sixth-biennial-review-2016> (last visited Jan. 31, 2017).

⁴² LORS FSEIS at 2.

⁴³ USACE and SFWMD, *Integrated Delivery Schedule 2016 Update* (Dec. 2016), available at http://www.saj.usace.army.mil/Portals/44/docs/Environmental/IDS/IDS_PLACEMAT_05JAN2017_web.pdf?ver=2017-01-07-164638-380 (last visited Jan. 31, 2017).

⁴⁴ LORS FSEIS at 108.

⁴⁵ Caloosahatchee Estuary Basin Technical Stakeholders and FDEP, *Final Caloosahatchee Estuary Basin, Basin Management Action Plan for the Implementation of Total Maximum Daily Loads for Nutrients Adopted by the FDEP*, 1 (Dec. 2012), available at <http://www.dep.state.fl.us/water/watersheds/bmap.htm> (last visited Jan. 31, 2017).

conveys freshwater to the Caloosahatchee Estuary through the S-79 structure from both runoff from the Caloosahatchee River Watershed and releases from Lake Okeechobee.⁴⁶

Approximately half of the volume of water that reaches the Caloosahatchee Estuary is water that passed through the S-77 structure from Lake Okeechobee.⁴⁷ The hydrological changes have affected the timing distribution, quality and volume of freshwater entering the estuary, which has resulted in negative ecological impacts.⁴⁸ Excess water that is released results in an unnatural surge of freshwater to the Caloosahatchee River and reduces the estuarine salinity levels.⁴⁹ Alternately, during the dry season, little to no water is released to the river, which causes the salinity levels to increase.⁵⁰ Both high and low salinity levels trigger die-offs of seagrasses and oysters, species that are indicators of the estuary's overall health.⁵¹

St. Lucie River Watershed

In the 1800s local residents dug an inlet to provide direct access to the Atlantic Ocean, effectively changing the river into an estuary.⁵² Then in the early 1890s the St. Lucie River was altered to provide an outlet from Lake Okeechobee to the Atlantic Ocean. The inland portion of the St. Lucie Estuary is composed of a North Fork and a South Fork, which converge at the



⁴⁶ LORS FSEIS at 108.

⁴⁷ Caloosahatchee Estuary Basin Technical Stakeholders and FDEP, *Final Caloosahatchee Estuary Basin, Basin Management Action Plan for the Implementation of Total Maximum Daily Loads for Nutrients Adopted by the FDEP*, 3 (Dec. 2012).

⁴⁸ LORS FSEIS at 108.

⁴⁹ USACE, *Fact Sheet: Caloosahatchee River (C-43) West Basin Storage Reservoir* (Jan. 2016), available at http://www.saj.usace.army.mil/Portals/44/docs/FactSheets/C-43_FS_January2016_web.pdf (last visited Jan. 31, 2017).

⁵⁰ *Id.*

⁵¹ *Id.*

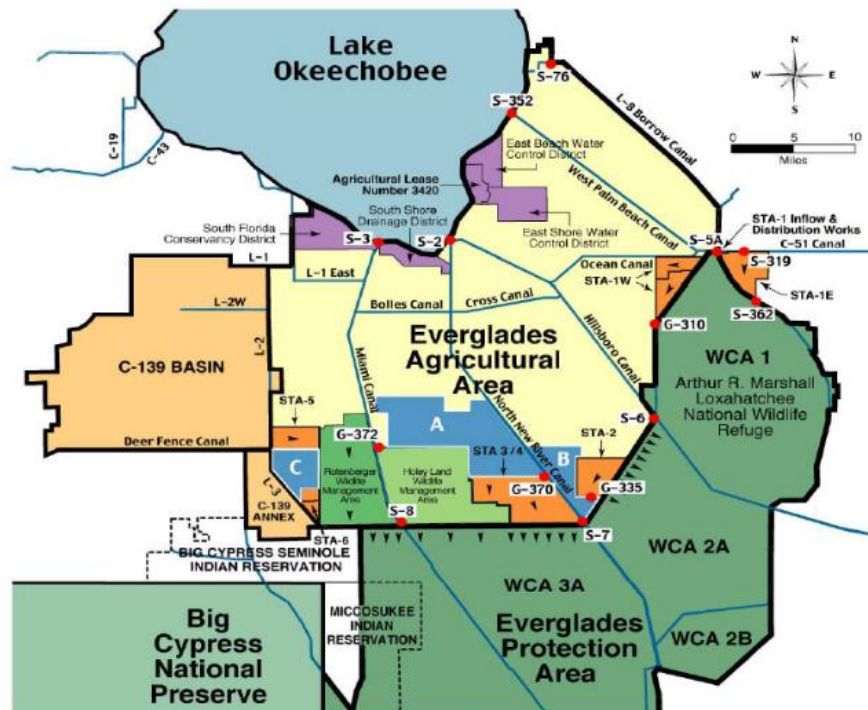
⁵² LORS FSEIS at 110.

Roosevelt Bridge to form a single waterbody that extends eastward and joins the Indian River Lagoon.⁵³ The St. Lucie River, referred to as the C-44 Canal, is used for navigation and releases from Lake Okeechobee.⁵⁴ The C-44 Canal is the largest overflow canal for Lake Okeechobee.⁵⁵

Home to more than 4,300 species of plants and animals and supporting an annual economic contribution of more than \$730 million, the St. Lucie Estuary and the Indian River Lagoon are two of the country's most productive and threatened estuaries.⁵⁶ The estuary is affected by freshwater runoff from agricultural and urban sources in the watershed and freshwater releases from Lake Okeechobee.⁵⁷ Approximately 42 percent of the freshwater inflows from canals that discharge into the St. Lucie Estuary are from Lake Okeechobee and these discharges carry significant nutrient loads, which have a known impact on the estuary.⁵⁸

Everglades Agricultural Area

The Everglades Agricultural Area (EAA) consists of lands located within the eastern portion of Hendry County and western portion of Palm Beach County.⁵⁹ This area includes approximately



⁵³ *Id.*

54 *Id.*

⁵⁵ *Restudy* at 1-14.

⁵⁶ USACE, *Fact Sheet: Indian River Lagoon – South* (Jan. 2017), available at http://www.saj.usace.army.mil/Portals/44/docs/Environmental/C-44/IRL_FactSheet_January2017_web.pdf?ver=2017-01-18-122229-807 (last visited Jan. 31, 2017).

⁵⁷ *Id.*

⁵⁸ St. Lucie River and Estuary Basin Technical Stakeholders and FDEP, *Final Basin Management Action Plan for the Implementation of Total Maximum Daily Loads for Nutrients and Dissolve Oxygen by the FDEP in the St. Lucie River and Estuary Basin*, xiv (May 2013), available at <http://www.dep.state.fl.us/water/watersheds/bmap.htm> (last visited Jan. 31, 2017).

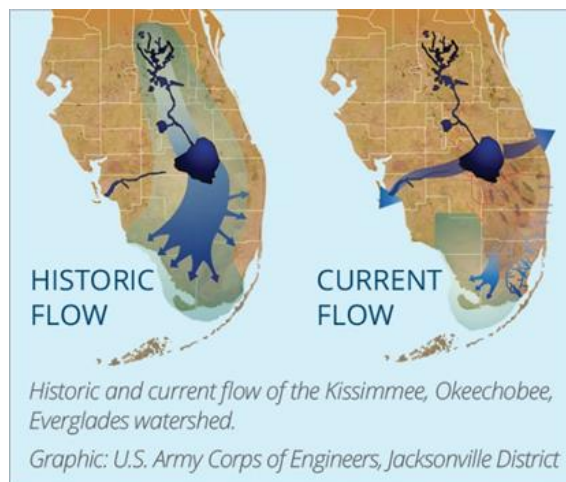
⁵⁹ *LORS FSEIS* at 7.

700,000 acres of fertile agricultural land, a large portion of which is dedicated to the production of sugarcane.⁶⁰ This area is considered one of the most important agricultural regions in Florida.⁶¹ Water is supplied and managed in the EAA through conveyance and drainage canals including the Miami, the North New River, the Hillsboro, and the West Palm Beach Canals, which traverse north and south, and the Bolles and Cross Canals, which traverse east and west.⁶²

Restoration Efforts

Beginning in the 1970s concerns regarding the effects of the C&SF began mounting. The design of system, while effective for flood control, resulted in unintended consequences including:

- Extreme fluctuations in high and low water levels in the lake;
- Extreme fluctuations between too much and too little freshwater discharged into the coastal estuaries;
- Detrimental hydrological conditions in freshwater wetland habitats; and
- Unsuitable freshwater flows to Florida Bay, Biscayne Bay, and the Lake Worth Lagoon.⁶³



With nearly half of the original footprint of the Everglades system drained and converted to urban and agricultural uses, there has been a substantial acceleration in the flow of water through the system and a significant reduction in water storage capacity.⁶⁴ The Central and Southern Florida Project Comprehensive Review Study Final Integrated Feasibility Report and Programmatic Environmental Impact Statement (Restudy) concluded:

The lack of storage in the system, particularly during wet periods, has led to ecological damage of Lake Okeechobee's littoral zone and damaging regulatory releases to the St. Lucie and Caloosahatchee estuaries. Conversely, in dry periods, this lack of storage has led to water supply shortages for both the human and natural environment.⁶⁵

⁶⁰ *Restudy* at 1-15.

⁶¹ *LORS FSEIS* at 7.

⁶² *Restudy* at 1-15.

⁶³ *Restudy* at iii.

⁶⁴ *Id.* at 1-2.

⁶⁵ *Id.* at 1-2.

Kissimmee River Restoration (KRR)

The Kissimmee River Restoration project (KRR) was authorized by Congress in 1992 with the goal of restoring a third of the river flood plain system that was altered when the river was channelized back in the 1960s. The project includes backfilling 22 miles of canals, removing water control structures, and reconnecting remnant river segments. The KRR is designed to attenuate peak flows into Lake Okeechobee and, once complete, the project is expected to provide an additional storage capacity of 130,000 acre-feet.⁶⁶ When restoration is complete in 2020, more than 40 square miles of river-floodplain ecosystem will be restored, including almost 20,000 acres of wetlands and 44 miles of the historic river channel.⁶⁷

Three construction phases are now complete, and a continuous water flow has been reestablished to 24 miles of meandering river.⁶⁸ The environmental improvements resulting from the project have already been documented.⁶⁹ In October of 2016, testing began to evaluate the ability to retain additional water in the Kissimmee River basin to reduce flows into Lake Okeechobee and, consequently, into the Caloosahatchee and St. Lucie estuaries.⁷⁰

Comprehensive Everglades Restoration Plan (CERP)

In light of the unintended consequences of the C&SF, Congress required the USACE to reevaluate the performance and impacts of the project and to provide recommended improvements and modifications to restore the south Florida ecosystem and to protect the water quality in, and reduce the loss of freshwater from the Everglades and Florida Bay.⁷¹ The USACE, in coordination with the state, developed the Restudy which provided a recommended plan for Everglades restoration. The Comprehensive Everglades Restoration Plan (CERP) was approved by Congress in the Water Resources Development Act of 2000.⁷²

The Water Resources Development Act of 2000 provided the framework for the CERP as a 50/50 cost-share program between the state and the federal government. The CERP covers approximately 18,000 square miles and includes all or part of 16 counties in central and southern Florida, constituting about one-half of the State's population.⁷³ The future progress of the CERP projects and their relationship among other relevant state and federally funded South Florida ecosystem restoration projects is outlined in the Integrated Delivery Schedule (IDS).⁷⁴ The IDS is not an action or decision document, rather it is a guide for planning, design, construction

⁶⁶ USACE, *South Florida Ecosystem Restoration (SFER) Program Overview* (June 2016), available at http://www.saj.usace.army.mil/Portals/44/docs/Environmental/Everglades%20Restoration%20Overview%20Placemat_June2016_web.pdf?ver=2016-08-08-154107-193 (last visited Jan. 31, 2017).

⁶⁷ USACE, *Kissimmee River Restoration Project* (Jan. 2017), available at http://www.saj.usace.army.mil/Portals/44/docs/Environmental/Kissimmee/Kissimmee_FS_January2017_web.pdf?ver=2017-01-18-114834-273 (last visited Jan. 31, 2017).

⁶⁸ SFWMD, *SFWMD Begins Historic Test to Help Reduce Discharges to the Coastal Estuaries* (Oct. 12, 2016), available at https://www.sfwmd.gov/sites/default/files/documents/nr_2016_1012_kiss_headwaters_test.pdf (last visited Jan. 31, 2017).

⁶⁹ USACE, *Kissimmee River Restoration Project* (Jan. 2017).

⁷⁰ SFWMD, *SFWMD Begins Historic Test to Help Reduce Discharges to the Coastal Estuaries* (Oct. 12, 2016).

⁷¹ The Water Resources Development Act of 1996 (P.L. 104-303, Oct. 12, 1996).

⁷² The Water Resources Development Act of 2000 (P.L. 106-541, Dec. 11, 2000).

⁷³ United States Department of Interior Office of Everglades Restoration Initiatives, *Comprehensive Everglades Restoration Plan, CERP: The Plan in Depth – Part 1*, http://141.232.10.32/about/rest_plan_pt_01.aspx (last visited Jan. 31, 2017).

⁷⁴ *The Sixth Biennial Review* at 46.

sequencing, and budgeting.⁷⁵ The IDS serves as a communication tool that reflects diverse stakeholder input.⁷⁶

The CERP includes more than 68 project components which focus on improving the water delivery and timing within the Everglades system by increasing the size of natural areas, improving water quality, releasing water in a manner that mimics historical flow patterns, and storing and distributing water for urban, agricultural, and ecological uses. Major features of the CERP include surface water storage reservoirs, water preserve areas, management of Lake Okeechobee as an ecological resource, improvement of water deliveries to the estuaries, underground water storage, treatment wetlands, improvement of water deliveries to the Everglades, removal of barriers to sheet flow, storage of water in existing quarries, reuse of wastewater, and the improvement of water flows to Florida Bay.⁷⁷



⁷⁵ *Id.*

⁷⁶ *Id.* at 47.

⁷⁷ *Restudy* at vii-ix.

CERP: Aquifer Storage and Recovery

The CERP recommended the construction and operation of up to 333 Aquifer Storage and Recovery (ASR) systems located throughout South Florida.⁷⁸ ASR systems are designed to store large volumes of water in the Floridan Aquifer System during the wet periods for subsequent recovery during dry periods. In 2015 the ASR Regional Study was completed and found that large capacity ASR systems could be built and operated in South Florida; however, due to groundwater monitoring evaluations, the study recommended that the overall number of wells be reduced to 131, or about one-third of the original proposed amount.⁷⁹ Overall, the amount of water that can be stored through ASR was reduced by about 60 percent.⁸⁰ Additionally, two pilot projects were completed: one in the Kissimmee Basin and one near the Hillsboro Canal, which determined that ASR systems north of Lake Okeechobee could achieve a rate of recoverability of upwards of 100 percent of stored water due to the freshwater quality of the aquifer in that region, but, conversely, ASR systems south of the lake, because of the brackish quality of the aquifer in that region, would require successive cycles over a few years to achieve a target of 70 percent recoverability.⁸¹

CERP: C-43 Basin Storage Reservoir

The Caloosahatchee River (C-43) West Basin Storage Reservoir project is designed to help ensure that a more consistent, natural flow of freshwater is delivered to the estuary. The project is designed to capture and store runoff from the local basin along with a portion of water discharged from Lake Okeechobee to be released slowly to the estuary as needed.⁸² The project includes an above-ground reservoir with the total storage capacity of 170,000 acre-feet.⁸³ The first phase of construction began in late 2015 and is anticipated to be completed in 2020.⁸⁴

CERP: Indian River Lagoon – South

The Indian River Lagoon–South (IRL-S) project is designed to help restore the balance of fresh and salt water in the lagoon and estuary and capture, store, and treat runoff from the local basins before it enters the natural system.⁸⁵ The IRL-S includes one above-ground storage reservoir in the C-44, C-23, C-24, and C-25 basins, with a total storage capacity of approximately 200,000

⁷⁸ USACE, *Aquifer Storage and Recovery (ASR) Regional Study Fact Sheet* (June 2015), available at http://www.saj.usace.army.mil/Portals/44/docs/FactSheets/ASR_FS_June2015_web.pdf (last visited Jan. 31, 2017).

⁷⁹ USACE and SFWMD, *Final Regional Aquifer Storage and Recovery Technical Data Report*, xx (May 2015), available at http://www.saj.usace.army.mil/Portals/44/docs/Environmental/ASR%20Regional%20Study/Final_Report/ASR_RegionalStudy_Final_2015.pdf.pdf (last visited Jan. 31, 2017).

⁸⁰ *Id.* at 131.

⁸¹ *Id.*

⁸² USACE, *Fact Sheet: Caloosahatchee River (C-43) West Basin Storage Reservoir* (Jan. 2016), available at http://www.saj.usace.army.mil/Portals/44/docs/FactSheets/C-43_FS_January2016_web.pdf (last visited Jan. 31, 2017).

⁸³ USACE, *South Florida Ecosystem Restoration (SFER) Program Overview* (June 2016).

⁸⁴ USACE and SFWMD, *Integrated Delivery Schedule 2016 Update* (Dec. 2016), available at http://www.saj.usace.army.mil/Portals/44/docs/Environmental/IDS/IDS_PLACEMAT_05JAN2017_web.pdf?ver=2017-01-07-164638-380 (last visited Jan. 31, 2017).

⁸⁵ USACE, *Fact Sheet: Indian River Lagoon – South* (Jan. 2017), available at http://www.saj.usace.army.mil/Portals/44/docs/Environmental/C-44/IRL_FactSheet_January2017_web.pdf?ver=2017-01-18-122229-807 (last visited Jan. 31, 2017).

acre-feet, and three stormwater treatment areas (STAs).⁸⁶ Additionally, water from the C-23/C-24 basin will be redirected to the North Fork of the St. Lucie River to attenuate freshwater flows to the St. Lucie Estuary.⁸⁷ Construction is completed on some features included in the C-44 reservoir, including intake and drainage canals, access roads, and staging areas. Construction also began on the C-44 reservoir pump station and STA, with reservoir construction expected to be completed in 2019.⁸⁸

CERP: Central Everglades Planning Project (CEPP)

The Central Everglades Planning Project (CEPP) consists of a suite of the CERP projects whose purpose is to improve the quantity, quality, timing, and distribution of water flows to the Northern Estuaries, central Everglades, Everglades National Park, and Florida Bay while increasing the water supply for urban and agricultural users.⁸⁹ The CEPP received Congressional authorization in the 2016 Water Infrastructure Improvements for the Nation Act.⁹⁰

The project is designed to send an annual average of approximately 210,000 acre-feet of water south from Lake Okeechobee and set the foundation for restoring the central portion of the Everglades ecosystem.⁹¹ The project includes:

- Increasing storage, treatment and conveyance of water south of Lake Okeechobee;
- Removing canals and levees within the central Everglades; and
- Retaining water within the Everglades National Park and protecting urban and agricultural areas to the east from flooding.⁹²

Some of the features included in the CEPP are an A-2 Flow Equalization Basin (FEB)⁹³ that will be integrated with the A-1 FEB, a project that is part of the Restoration Strategies Plan; removal of approximately six miles of the Old Tamiami Trail road; construction of seepage barriers; and increases in structural capacities.⁹⁴

⁸⁶ *The Sixth Biennial Review* at 70; Stormwater Treatment Areas, or STAs, are constructed wetlands that remove and store nutrients through plant growth and the accumulation of dead plant material that is slowly converted to a layer of peat soil; See SFWMD, *Water Quality Improvement*, available at <https://www.sfwmd.gov/our-work/wq-stas> (last visited Feb. 6, 2017).

⁸⁷ *Id.*

⁸⁸ USACE and SFWMD, *Integrated Delivery Schedule 2016 Update* (Dec. 2016), available at http://www.saj.usace.army.mil/Portals/44/docs/Environmental/IDS/IDS_PLACEMAT_05JAN2017_web.pdf?ver=2017-01-07-164638-380 (last visited Jan. 31, 2017).

⁸⁹ USACE and SFWMD, *Central Everglades Planning Project Final Project Implementation Report and Environmental Impact Statement*, 1-3 (July 2014), available at http://www.saj.usace.army.mil/Portals/44/docs/Environmental/CEPP/01_CEPP%20Final%20PIR-EIS%20Main%20Report.pdf (last visited Jan. 31, 2017).

⁹⁰ The Water Infrastructure Improvements for the Nation Act (P.L. 114-322, Dec. 16, 2016).

⁹¹ USACE, *Central Everglades Planning Project*, Facts & Information (Jan. 2017), available at http://www.saj.usace.army.mil/Portals/44/docs/FactSheets/CEPP_FS_January2017_revised_web.pdf (last visited Jan. 31, 2017).

⁹² *Id.*

⁹³ A flow equalization basin (FEB) is a constructed storage feature used to capture and temporarily store peak stormwater flows. Water managers can move water from FEBs to Stormwater Treatment Areas (STAs) at steady rates to optimize STA performance and help achieve water quality improvement targets. See SFWMD, *Just the Facts: A-1 Flow Equalization Basin (FEB)*, available at https://www.sfwmd.gov/sites/default/files/documents/jtf_a1_feb.pdf (last visited Jan. 31, 2017).

⁹⁴ *Id.*

Northern Everglades and Estuaries Protection Program (NEEPP)

The Northern Everglades and Estuaries Protection Program (NEEPP) was established to promote a comprehensive, interconnected watershed approach to protect Lake Okeechobee and the Caloosahatchee and St. Lucie watersheds. It includes the Lake Okeechobee Watershed Protection Program and the Caloosahatchee and St. Lucie River Watershed Protection Programs.⁹⁵ The NEEPP led to the creation of the Lake Okeechobee Phase II Technical Plan in 2008, which requires, in part, that the SFWMD:

- Provide for additional measures, including voluntary water storage and water quality improvements on private land, increase water storage and reduce excess water levels in Lake Okeechobee, and reduce excess discharges to the estuaries; and
- Develop the appropriate water quantity storage goal to achieve the desired Lake Okeechobee range of lake levels and inflow volumes to the Caloosahatchee and St. Lucie estuaries while meeting the other water-related needs of the region, including water supply and flood protection.⁹⁶

The NEEPP provided the basis for the development of Basin Management Action Plans (BMAPs). A BMAP is the blueprint for restoring impaired water by reducing pollutant loadings to meet a Total Maximum Daily Load (TMDL). The BMAP is a comprehensive set of strategies including water quality and water storage projects, permit limits on wastewater facilities, urban and agricultural best management practices (BMPs), and conservation programs, to implement the nutrient load reductions necessary to achieve a TMDL.

The 2016 Legislature enacted, ch. 2016-1, Laws of Florida, to update and restructure the NEEPP to reflect and build upon the Department of Environmental Protection's implementation of BMAPs for Lake Okeechobee, the Caloosahatchee River and Estuary, and the St. Lucie River and Estuary. The BMAP will include the construction of water projects, water monitoring programs, and the implementation, verification, and enforcement of BMPs within these watersheds. The BMAPs are now required to include 5-, 10-, and 15-year milestones towards achieving the TMDLs for those water basins within 20 years.⁹⁷

River of Grass – U.S. Sugar Land Acquisition

In 2008, Governor Charlie Crist announced a plan to acquire more than 180,000 acres of agricultural land for Everglades restoration from the United States Sugar Corporation. The River of Grass planning process was started to evaluate the lands to be acquired under the plan and analyze how the land would affect the future of Everglades restoration. During this planning process, additional treatment capacity necessary to achieve state and federal Everglades water quality standards and the volume of storage needed to reduce damaging discharges and move more water south of the lake was evaluated.⁹⁸

Because of the magnitude of the acquisition, restoration projects were effectively put on hold during the re-evaluation process. Ultimately, the SFWMD approved an agreement on August 12, 2010, to purchase approximately 26,800 acres of land, substantially less land than

⁹⁵ Section 373.4595, F.S.

⁹⁶ *Id.*

⁹⁷ Chapter 2016-1, Laws of Fla.

⁹⁸ *Id.*

originally envisioned, because of a decline in the SFWMD revenues.⁹⁹ Under the Second Amended and Restated Agreement for Purchase and Sale (Agreement), the SFWMD took ownership of approximately 17,900 citrus acres in Hendry County and 8,900 sugarcane acres in Palm Beach County.¹⁰⁰

Under the Agreement, the SFWMD retained the following various options to purchase the remaining 153,200 acres of land over the next ten years:

- An exclusive 3-year option to purchase either a specified 46,800 acres or the entire 153,200 acres at a fixed price of \$7,400 per acre. This option expired in 2013.
- After the expiration of this exclusive option period, a subsequent 2-year non-exclusive option to purchase approximately 46,800 acres at fair market value. This option expired in 2015.
- A subsequent 7-year non-exclusive option to purchase the remaining acres at fair market value. Because the previous options were not exercised, the entire remaining option property, approximately 153,200 acres, is available to be purchased. This option will expire in 2020.¹⁰¹

Restoration Strategies

After years of litigation concerning the water quality in the Everglades Protection Area (EPA), a consent decree was entered in the case of *United States v. South Florida Water Management District* in 1992.¹⁰² The consent decree, as implemented by the Everglades Forever Act in 1994, set forth a two-pronged approach consisting of building STAs and implementing best management practices (BMPs) in the EAA to reduce the total phosphorous levels in the Everglades Protection Area. The plan originally consisted of the construction of four STAs covering 35,000 acres, but by 2006 the need for additional STA acreage became clear. By 2010, approximately 57,000 acres of STAs were built and operating.¹⁰³ Subsequently conversations began between the United States Environmental Protection Agency and the SFWMD and, in 2012, they were able to reach a consensus on a new strategy for improving the water quality in the Everglades called the Restoration Strategies Regional Water Quality Plan.¹⁰⁴

Restoration Strategies is an \$800 million technical plan to complete a suite of projects intended to expand water quality improvement projects necessary to achieve phosphorous water quality standards. Under these strategies, the SFWMD must complete six projects that will create more than 6,500 acres of new STAs and 110,000 acre-feet of additional water storage.¹⁰⁵

⁹⁹ SFWMD, *Just the Facts: Revising the River of Grass, Second Amended & Restated Agreement for Sale and Purchase* (Aug. 12, 2010), available at https://www.sfwmd.gov/sites/default/files/documents/jtf_2010_081210_final_gbvote.pdf. See https://www.sfwmd.gov/sites/default/files/documents/rog_0_amended_restated_agt_for_sale_and_purchase.pdf (last visited Jan. 31, 2017).

¹⁰⁰ *Id.*

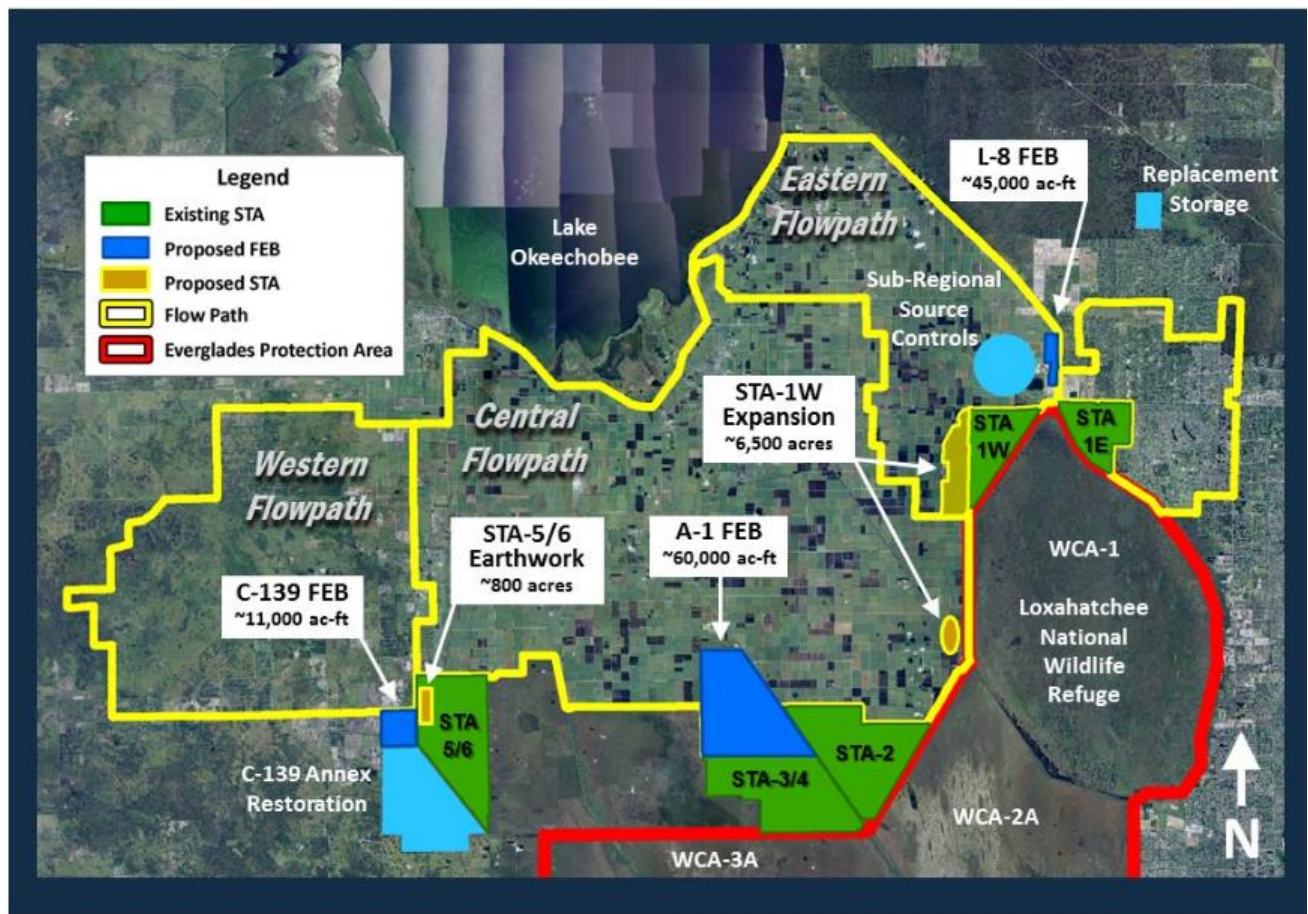
¹⁰¹ *Id.*

¹⁰² Case No. 88-1886-CIV-Moreno (S.D. Fla. 1992); see also SFWMD, *Restoration Strategies Regional Water Quality Plan, Science Plan for the Everglades Stormwater Treatment Areas*, 2 (June 2013) [hereinafter *Science Plan*], available at https://www.sfwmd.gov/sites/default/files/documents/rs_scienceplan_060713_final.pdf (last visited Jan. 31, 2017).

¹⁰³ *Science Plan* at 2.

¹⁰⁴ SFWMD, *quick facts on ...Restoration Strategies for Clean Water for the Everglades* (Feb. 2016), available at https://www.sfwmd.gov/sites/default/files/documents/spl_restoration_strategies.pdf (last visited Jan. 31, 2017).

¹⁰⁵ *Science Plan* at 3.



Design and construction of the projects is scheduled to be accomplished in three phases over a 12-year timeframe, with completion set for 2025.¹⁰⁶ In 2013, the Legislature appropriated \$32 million on a recurring basis through the 2023-2024 Fiscal Year to support the implementation of the plan.¹⁰⁷ The A-1 FEB, providing approximately 60,000 acre-feet of storage, was completed in 2015 and is currently in an operational and testing phase and has proved successful at improving the performance of the STAs, effectively reducing the total phosphorous loads to the STAs by approximately 80 percent.¹⁰⁸ The expansion of STA-1W is expected to be completed in December of 2018. The L-8 FEB is designed to provide 48,000 acre-feet of storage and substantial completion of the project has been achieved, except the outflow pump station, but full capacity is not yet available due to manufacturing issues with the pumping units.¹⁰⁹

¹⁰⁶ Science Plan at 3.

¹⁰⁷ Ch. 2013-59, s. 2, Laws of Fla.

¹⁰⁸ SFWMD, *Restoration Strategies Program Update* (Jan. 2017), available at https://www.sfwmd.gov/sites/default/files/documents/restoration_strategies_update_2017_jan_0.pdf (last visited Jan. 31, 2017); See also Terrie Bates, Water Resources Division Director, SFWMD, Governing Board Meeting, *Environmental Conditions Update*, slide 26 (June 09, 2016), available at <https://www.sfwmd.gov/news-events/meetings> (last visited Jan. 31, 2017).

¹⁰⁹ SFWMD, *Restoration Strategies Program Update* (Jan. 2017).

Damaging Discharges from Lake Okeechobee to the Coastal Estuaries

Because of the lack of operational flexibility within the system's design, the LORS requires lake levels to be kept low before the wet season, to account for additional inflow to ensure that lake levels do not rise to dangerous levels, which could cause the dike to be breached.¹¹⁰ Furthermore, during a high rainfall event water enters into the lake from direct rainfall, large basins, and other sources, which causes the water levels in the lake to rise six times faster than can be discharged from the lake.¹¹¹ The only outlets that are capable of quickly releasing the necessary volume of water from the lake are through the St. Lucie and Caloosahatchee Canals to the coastal estuaries.¹¹² Therefore, when heavy rainfall events occur, the only option in the current system to maintain safe lake levels is to send high volumes of water east and west.

For the majority of 2016, Martin, St. Lucie, and Lee counties were under a state of emergency due to the negative effects of freshwater discharges from Lake Okeechobee on the coastal communities and ecosystems.¹¹³ Due to El Nino conditions, the dry season of Water Year 2016 (May 1, 2015-April 30, 2016) was unusually wet with 26.67 inches of rainfall, much greater than the long-term average of 12.78 inches.¹¹⁴ January of 2016 was the wettest January on record, with rainfall amounts approximately 476 percent more than the historical average.¹¹⁵ The wetter than normal dry season necessitated releases from Lake Okeechobee to the St. Lucie and Caloosahatchee estuaries, compounding the freshwater inflow to the estuaries from the local basins. From January to November of 2016, approximately 2.23 million acre-feet, which is approximately 727 billion gallons of freshwater, was released from Lake Okeechobee alone to the St. Lucie and Caloosahatchee estuaries.¹¹⁶

High volume freshwater discharges have significant effects on the coastal estuaries. The releases from the lake along with other local basin inflows cause large fluctuations in salinity, which often expose the animal and plant life within the estuary to salinities outside of their tolerance ranges.¹¹⁷ When the high flows last for a sustained time period, the impacts to the estuaries are more severe.¹¹⁸ Species, such as oysters and seagrasses, become more susceptible to disease and

¹¹⁰ *The Sixth Biennial Review* at 131.

¹¹¹ Erika Skolte, USACE, *Lake Okeechobee: Following the flow*, <http://www.saj.usace.army.mil/Media/News-Stories/Article/479659/lake-okeechobee-following-the-flow/> (last visited Jan. 31, 2017).

¹¹² University of Florida Water Institute, *Options to Reduce High Volume Freshwater Flows to the St. Lucie and Caloosahatchee Estuaries and Move More Water from Lake Okeechobee to the Southern Everglades*, 17 (2015) [hereinafter *UF Study*], available at <http://waterinstitute.ufl.edu/research/downloads/contract95139/UF%20Water%20Institute%20Final%20Report%20March%202015.pdf> (last visited Jan. 31, 2017).

¹¹³ Fla. Exec. Order No. 16-59 (Feb. 26, 2016); Fla. Exec. Order No. 16-155 (June 29, 2016); and Fla. Exec. Order No. 16-156 (June 30, 2016). Note that Palm Beach County was also under a state of emergency but only during the June 30, 2016, Executive Order.

¹¹⁴ SFWMD, *Draft 2017 South Florida Environmental Report*, 8c-10 (Sept. 2016), available at http://apps.sfwmd.gov/sfwmd/SFER/2017_SFER_DRAFT/v1/sfer_toc_v1.pdf (last visited Jan. 31, 2017).

¹¹⁵ See John Mitnik, Bureau Chief of Engineering and Construction, SFWMD, Water Resources Advisory Council, *Operations in Response to Recent Heavy Rains*, slide 4 (Feb. 2, 2016), available at <https://www.sfwmd.gov/news-events/meetings> (last visited Jan. 31, 2017).

¹¹⁶ SFWMD, *Release Volumes from Lake Okeechobee and Local Basin Inflow to the Estuaries – CY 2016* (Jan. 6, 2017) (on file with the Senate Committee on Environmental Preservation and Conservation).

¹¹⁷ *LORS FSEIS* at 147.

¹¹⁸ *Id.* at 149.

predation as the duration of the high volume discharges increase.¹¹⁹ Oysters and seagrasses are indicator species and are widely used to evaluate the effects of the discharges on overall estuarine health. Beginning in February the salinity levels of the St. Lucie Estuary dropped significantly. The levels rebounded slightly as the freshwater discharges decreased, but plummeted again at the end of May when the discharges were again increased. The drop in salinity levels greatly affected oyster spat recruitment in May of 2016.¹²⁰

In addition to requiring high volume discharges, higher lake stages correlate with algae blooms in the lake.¹²¹ The lake receives large amounts of nutrients from its tributaries and has high levels of nutrients within the water column, which support the growth of algae blooms.¹²² Periodically conditions are just right and cyanobacteria, referred to as blue-green algae, rapidly reproduces to form a bloom.¹²³ In May of 2016, a massive *Microcystis* algae bloom formed in Lake Okeechobee.¹²⁴ The algae in the lake was sampled and tested positive for levels well above the low-level risk threshold.¹²⁵ Operating under the LORS, the USACE continued the regulatory releases east and west to the coastal estuaries to maintain the lake's level. The discharges carried the algae from the lake through the C-44 canal and out through the S-80 structure into the St. Lucie Estuary.

The National Academies of Sciences, Engineering, and Medicine in their biennial review of Everglades restoration progress stated:

What causes *Microcystis* blooms in the St. Lucie Estuary? Philips et. al (2012) found that internally driven blooms are mainly limited to the north fork of the St. Lucie Estuary and occur during dry periods when water residence time is long enough to allow the algae to proliferate. Those blooms are mainly caused by a kind of algae called dinoflagellate. In contrast, externally driven blooms are much more severe, happen in the main stem of the estuary, and are caused by *Microcystis*. Philips et al. (2012) documented that the 2005 algal bloom, which coincided with regulatory water discharges from the lake, was seeded by an upstream bloom that happened in Lake Okeechobee...It is highly likely that the same situation occurred in 2016.

The *Microcystis* algae bloom covered the waterways of the St. Lucie River and Estuary during the peak of the 2016 tourist season. Health advisories were issued and even some of the beaches closed. Usually the *Microcystis* algae blooms, which consists of freshwater algae, are unable to

¹¹⁹ *Id.*

¹²⁰ See Terrie Bates, Water Resources Division Director, SFWMD, Governing Board Meeting, *Environmental Conditions Update*, slides 9-12 (June 09, 2016), available at <https://www.sfwmd.gov/news-events/meetings> (last visited Jan. 31, 2017).

¹²¹ United States Fish and Wildlife Service, *Final Fish and Wildlife Coordination Act Report, 2006 Lake Okeechobee Regulation Schedule Study*, 21 (Oct. 12, 2007), available at http://www.saj.usace.army.mil/Portals/44/docs/h2omgmt/LORSdocs/ACOE_STATEMENT_APPENDICES_A-G.pdf (last visited Jan. 31, 2017).

¹²² *The Sixth Biennial Review* at 30.

¹²³ *Id.*

¹²⁴ *Id.*

¹²⁵ For full sampling results see FDEP, *South Florida Algal Bloom Response and Monitoring*, <https://depnewsroom.wordpress.com/algal-bloom-monitoring-and-response/> (last visited Jan. 31, 2017).

survive offshore, due to the high salinity levels. However, because the system had been experiencing high volume freshwater discharges for a long duration, the salinity levels offshore were low enough for the bloom to survive. Samples taken at Bathtub Reef Beach in Martin County confirmed that the algae present was highly toxic *Microcystis* algae.¹²⁶

Exposure to algal toxins may occur through the consumption of tainted water, fish or shellfish; recreational activities; or inhalation of aerosolized toxins.¹²⁷ The toxins can have a range of lethal and non-lethal effects on humans, wildlife, and companion animals.¹²⁸ The excessive freshwater discharges in 2016 impacted not only the ecology of the estuaries, but the quality of life of the residents, regional property values, revenues of area businesses, and continue to have effects on the local economies.¹²⁹

Additional Storage

According to the National Academies of Sciences, Engineering, and Medicine in their biennial review of Everglades restoration progress, little has been accomplished through CERP to reduce the high volume discharges to the St. Lucie and Caloosahatchee estuaries.¹³⁰ Additionally, the review noted that storage components in CERP have been scaled back and provided an analysis of the significance of that loss of storage. The review concluded that a scaled-back CERP under LORS has resulted in 104 and 167 percent increases in regulatory releases by volume to the St. Lucie and Caloosahatchee estuaries, respectively, compared to the original CERP projections under the previous regulation schedule.¹³¹

The 2015 University of Florida Water Institute Study (UF Study), titled *Options to Reduce High Volume Freshwater Flows to the St. Lucie and Caloosahatchee Estuaries and Move More water From Lake Okeechobee to the Southern Everglades*, concluded that providing relief to the estuaries would require an enormous increase in storage and treatment both north and south of the lake and that all existing and currently authorized projects are insufficient to achieve these goals.¹³² The KRR project is expected to attenuate the flows into Lake Okeechobee; the C-43 and C-44 reservoir projects are expected to significantly reduce local-basin flows into the estuaries; and Restoration Strategies and CEPP together are expected to increase the delivery of clean water to the Everglades.¹³³ The UF Study concluded, however, that even after all of these projects are completed as planned, the lake-triggered high volume discharges to the estuaries would be reduced by less than 55 percent.¹³⁴

¹²⁶ FDEP, *South Florida Algal Bloom Response and Monitoring* (June 30, 2016).

¹²⁷ The United States Department of Interior, United States Geological Survey (USGS), *Harmful Algal Blooms* (Jan. 2007), available at https://pubs.usgs.gov/fs/2006/3147/pdf/FS2006_3147.pdf (last visited Jan. 31, 2017).

¹²⁸ USGS, *New Science Challenges Old Assumptions about Harmful Algal Blooms*, <https://www.usgs.gov/news/new-science-challenges-old-assumptions-about-harmful-algal-blooms> (last visited Jan. 31, 2017).

¹²⁹ See Caloosahatchee Watershed Regional Management Issues, *Storage and Treatment Progress Summary*, 1 (updated July 1, 2016), available at <https://estero-fl.gov/wp-content/uploads/library/Agenda%20Attachments/Caloosahatchee%20Watershed%20Regional%20Water%20Management%20Issues%20White%20Paper%20-%205a.pdf> (last visited Jan. 31, 2017).

¹³⁰ *The Sixth Biennial Review* at 108.

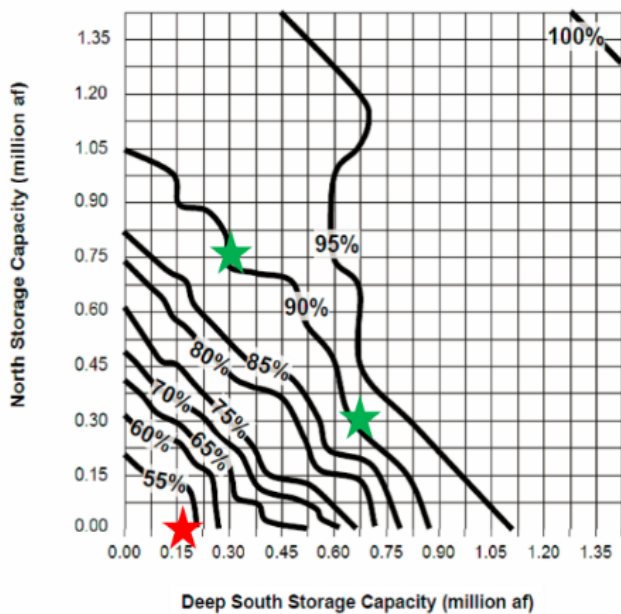
¹³¹ *Id.* at 139.

¹³² *UF Study* at 36.

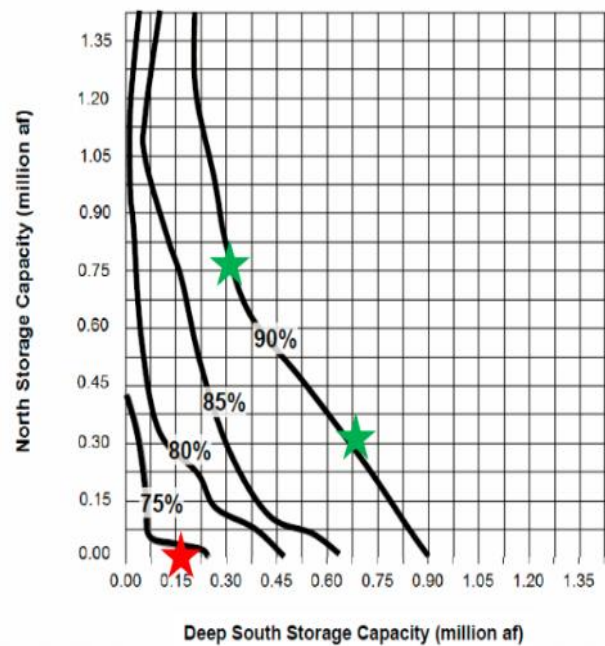
¹³³ *Id.* at 85.

¹³⁴ *Id.*

% Reduction in Lake-Triggered High Discharges to the Northern Estuaries



Dry Season Everglades Demand Target Delivered – Standard Score



The UF Study provided two possible configurations that are expected to provide a 90 percent reduction in lake-triggered discharges. In the graphs above, the red stars represent system performance after 112,000 acre-feet of storage is added under current projects and the green stars represent the two possible configurations that would achieve 90 percent restoration.¹³⁵

Based on the modeling results, the UF Study made the following findings:

[These figures show] that storage can be effective at reducing damaging discharges to the St. Lucie and Caloosahatchee estuaries whether it is constructed north or south of the lake. Storage north of the lake is effective for managing lake levels within a desirable range and thus reducing damaging discharges to the estuaries. Furthermore, water storage and treatment is needed north of the lake to meet the Lake Okeechobee TMDL. However, due to the extended time it takes to route water from north of the lake to the Water Conservation Areas (WCAs), northern storage is not likely to be as effective as southern storage in meeting the timing and distribution objectives of the water deliveries to the [Everglades Protection Area]. Furthermore, it is likely that water stored north of the lake, if passed through the Lake or through perimeter canals subject to agricultural runoff, may need to undergo additional water quality treatment to meet applicable standards before it is released to the [Everglades Protection Area]. Thus, the additional required storage will be needed to be distributed both north and south of the lake to achieve all restoration objectives.¹³⁶

¹³⁵ *Id.* at 86.

¹³⁶ *Id.* at 87.

Lake Okeechobee Watershed Project

Planning began in August 2016 under the CERP for the Lake Okeechobee Watershed Project (LOW). The study area for the project consists of approximately 950,000 acres, primarily located north of Lake Okeechobee extending to Lake Istokpoga.¹³⁷ The LOW is designed to increase water storage capacity in the northern watershed, which will improve water levels in Lake Okeechobee; improve the quantity and timing of discharges to the St. Lucie and Caloosahatchee estuaries; restore degraded habitat for fish and wildlife; and increase the spatial extent and functionality of wetlands.¹³⁸ The following conceptual storage and restoration features under consideration to be included in the LOW are a Taylor Creek/Nubbin Slough storage and treatment area, a 5,000-acre reservoir with total storage capacity of 50,000 acre-feet; and the North of the Lake Okeechobee Storage Reservoir, a 17,500-acre reservoir with a total storage capacity of 200,000 acre-feet.¹³⁹

Everglades Agricultural Area Storage Reservoir

The EAA Storage Reservoirs – Phase I project was initially authorized in the Water Resources Development Act of 2000.¹⁴⁰ The CERP originally planned for 360,000 acre-feet of storage located in the EAA.¹⁴¹ The initial design assumed 60,000 acres, divided into three, equally sized compartments with water depth fluctuating up to 6 ft.¹⁴² The purpose of the project was to improve the timing of environmental water deliveries to the WCAs by reducing damaging flood releases from the EAA; reduce Lake Okeechobee regulatory releases to the estuaries; meet supplemental agricultural irrigation demands; and increase flood protection within the EAA.¹⁴³

Planning began under the assumption that the project would be located on lands associated with the Talisman Land purchase in the EAA and the Woerner South property acquisition.¹⁴⁴ A portion of such lands are commonly referred to as the A-1 and A-2 land parcels: A-1 consists of approximately 17,000 acres and A-2 consists of approximately 14,000 acres. In 2005, the State of Florida initiated the Acceler8 program to accelerate the funding, design, and construction of critical restoration projects, one of which was a part of Phase-I of the EAA Reservoir.¹⁴⁵

¹³⁷ USACE, *Fact Sheet: Lake Okeechobee Watershed Project* (Jan. 2017), available at http://www.saj.usace.army.mil/Portals/44/LOW_FS_January2017_web.pdf (last visited Jan. 31, 2017).

¹³⁸ *Id.*

¹³⁹ USACE, *Lake Okeechobee Watershed Project, Frequently Asked Questions* (Sept. 2016), available at http://www.saj.usace.army.mil/Portals/44/docs/Environmental/Lake%20O%20Watershed/LakeO_FAQs_September2016_web.pdf?ver=2016-09-21-150613-913 (last visited Jan. 31, 2017).

¹⁴⁰ The Water Resources Development Act of 2000 (P.L. 106-541, Dec. 11, 2000).

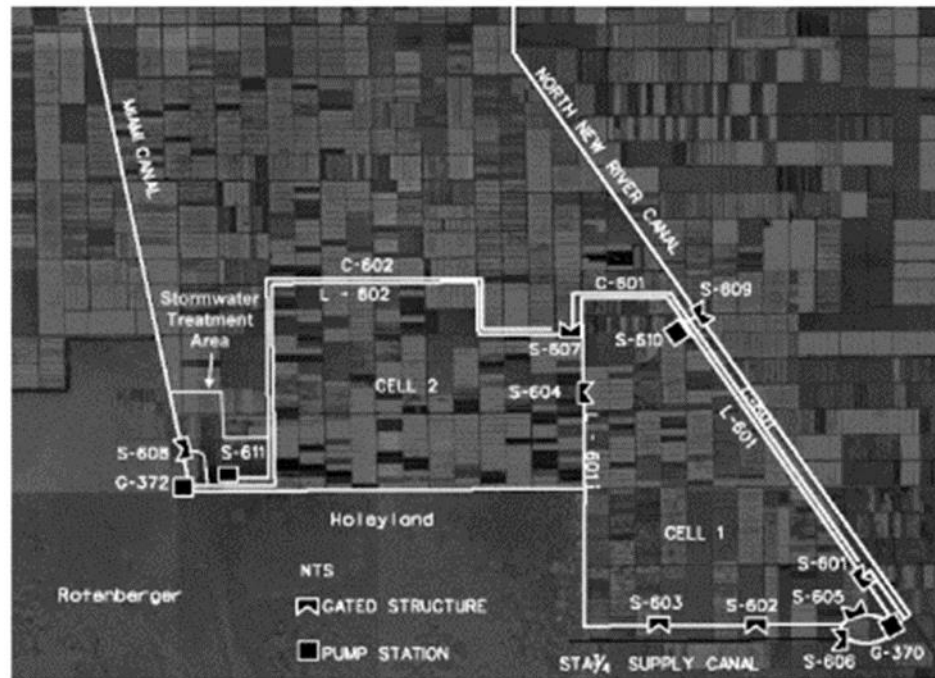
¹⁴¹ *Restudy* at 9-9.

¹⁴² *Id.*

¹⁴³ USACE and SFWMD, *Everglades Agricultural Area Storage Reservoirs – Phase I, Project Management Plan*, 11 (Jan. 2002), available at http://141.232.10.32/pm/pmp/pmp_docs/pmp_08_eaa/pmp_eaa_main_current.pdf (last visited Jan. 31, 2017).

¹⁴⁴ *Id.*

¹⁴⁵ USACE and SFWMD, *Central and Southern Florida Project Everglades Agricultural Area Storage Reservoirs Revised Draft Project Implementation Report and Environmental Impact Statement*, ES-xiv (Feb. 2006), available at http://141.232.10.32/pm/projects/project_docs/pdp_08_eaa_store/revised_draft_pir/022206_eaa_pir_mainbody.pdf (last visited Jan. 31, 2017).



The SFWMD moved forward under the Acceler8 program and completed the detailed design and engineering work on the A-1 reservoir project, which was to be constructed on the A-1 land parcel, as depicted in Cell 1 on the map above.¹⁴⁶ During 2007, construction for the A-1 reservoir was in full swing and was expected to be completed in the spring of 2011.¹⁴⁷ Then, in May of 2008, a lawsuit was filed against the USACE alleging that the Section 404 Dredge and Fill Permit to construct the A-1 reservoir was inconsistent with the intent of the Water Resources Development Act of 2000 and the National Environmental Policy Act.¹⁴⁸ Due to this litigation and in light of the pending *River of Grass* land acquisition, the reservoir construction contract was terminated so that the site could be integrated into plans that would be developed following the major acquisition.¹⁴⁹

The state decided to use some of the Talisman lands to expand the existing STAs and another portion of the lands for interim shallow features to help improve the water quality and treatment in STA 3/4.¹⁵⁰ To fulfill federal water quality standards, the A-1 Reservoir was converted to a FEB as part of the mandated Restoration Strategies Plan. The project is now in an operational testing and monitoring phase and has proved successful at improving the performance of the

¹⁴⁶ *Id.*

¹⁴⁷ SFWMD, 2008 *South Florida Environmental Report*, 7A-14 (2008), available at http://my.sfwmd.gov/portal/page/portal/pg_grp_sfwmd_sfer/portlet_sfer/tab2236041/volume1/chapters/v1_ch_7a.pdf (last visited Jan. 31, 2017).

¹⁴⁸ SFWMD, 2009 *South Florida Environmental Report*, 7A-3 (2009), available at http://my.sfwmd.gov/portal/page/portal/pg_grp_sfwmd_sfer/portlet_sfer/tab2236041/2009report/report/v1/chapters/v1_ch7A.pdf (last visited Jan. 31, 2017).

¹⁴⁹ *Id.*

¹⁵⁰ USACE, *CERP 2010 Report to Congress*, 11 (2010), available at https://evergladesrestoration.gov/content/cerp/cerp_2010_rpt_to_congress.pdf (last visited Jan. 31, 2017).

STAs, effectively reducing the total phosphorous loads to the STAs by approximately 80 percent.¹⁵¹

The A-2 land parcel, Cell 2 as depicted in the map above, is subject to lease agreements which are set to expire in 2018. The A-2 parcel is included in the project implementation report for the Central Everglades Planning Project (CEPP) as an FEB that will work in conjunction with the A-1 FEB. Cumulatively, the A-1 and A-2 FEBs will provide 116,000 acre-feet of storage, the primary purpose of which is to optimize the performance of the STAs.¹⁵²

St. Johns River Water Management District

The St. Johns River Water Management District (SJRWMD) is one of five water management districts established in the state. The SJRWMD covers all or part of 18 counties in Northeast and East-Central Florida and includes ten major watersheds.

St. Johns River

The St. Johns River is the longest river that is entirely within the state.¹⁵³ The St. Johns River is divided into three watersheds: the Lower St. Johns River Basin, the Middle St. Johns River Basin, and the Upper St. Johns River Basin. Because the river flows north, the upper basin is the area that forms in Indian River and Brevard counties, south of the middle and lower basins.¹⁵⁴ Major tributaries that flow into the St. Johns River include the Wekiva River, the Econlockhatchee River, and the Ocklawaha River.¹⁵⁵

Stormwater runoff from urban areas, treated domestic and industrial wastewater, and agricultural runoff from farming areas affect the water quality of the St. Johns River.¹⁵⁶ The largest contributor of pollution in the lower basin is treated wastewater with additional significant sources of nutrient pollution coming from agricultural areas.¹⁵⁷ The upper basin was drained and diked and now the floodwaters from the basin are drained to the Indian River Lagoon to the east, which diminishes the water quality in the lagoon and degrades the upper basin's remaining marshes.¹⁵⁸

Keystone Heights Area Lakes

The Keystone Heights area lakes are located in Southwestern Clay County.¹⁵⁹ The lakes were created when a layer of limestone collapsed creating sinkholes that connect to the Upper Floridan

¹⁵¹ See Terrie Bates, Water Resources Division Director, SFWMD, Governing Board Meeting, *Environmental Conditions Update*, slide 26 (June 09, 2016), available at <https://www.sfwmd.gov/news-events/meetings> (last visited Jan. 31, 2017).

¹⁵² *The Sixth Biennial Review* at 128.

¹⁵³ SJRWMD, *The St. Johns River*, <http://www.sjrwmd.com/stjohnsriver/> (last visited Jan. 23, 2017).

¹⁵⁴ *Id.*

¹⁵⁵ *Id.*

¹⁵⁶ *Id.*

¹⁵⁷ SJRWMD, *Lower St. Johns River Basin*, <http://www.sjrwmd.com/lowerstjohnsriver/> (last visited Jan. 23, 2017).

¹⁵⁸ SJRWMD, *Upper St. Johns River Basin*, <http://www.sjrwmd.com/upperstjohnsriver/> (last visited Jan. 23, 2017).

¹⁵⁹ SJRWMD, *Keystone Heights area lakes*, <http://www.sjrwmd.com/keystoneheights/> (last visited Jan. 23, 2017).

Aquifer.¹⁶⁰ The natural geologic features of this karst terrain result in lake level fluctuations that have occurred over many decades.¹⁶¹

The SJRWMD has been working to protect and maintain the water levels in the lakes in the Keystone Heights region and has undertaken numerous projects and studies regarding the region to better understand the dramatic fluctuations in lake water levels and to help meet current and long-term water supply needs for the region.¹⁶² The SJRWMD has focused on projects that will lead to improved water levels in the lakes and the underlying Floridan aquifer. The SJRWMD is reevaluating the minimum flows and levels for certain lakes to include the implementation of updated methods, development of a hydrologic model, and an analysis of additional long-term hydrologic data to ensure that the minimum flows and levels are based on the most up-to-date methods and criteria.¹⁶³ The SJRWMD has also focused on projects that benefit the Floridan aquifer by increasing recharge or by reducing water withdrawals in the region.¹⁶⁴

State Revolving Loan Fund

The State Revolving Loan Fund (SRF) is a federal-state partnership that is administered by the state for the purpose of providing low-interest loans for investments in water and sanitation infrastructure, such as stormwater management facilities and drinking water treatment, as well as the implementation of nonpoint source pollution control and estuary protection projects.¹⁶⁵ The SRF receives its initial capital from federal grants and state funds, which then revolves through the repayment of principal and interest on outstanding loans.¹⁶⁶ The SRF program is the DEP's largest funding program and makes \$200-\$300 million or more available, primarily to local governments, each year.¹⁶⁷

The state currently administers two SRF programs: the Clean Water State Revolving Fund (CWSRF) under the federal Clean Water Act and the Drinking Water State Revolving Fund (DWSRF) under the federal Safe Drinking Water Act. Under the CWSRF there are generally eleven types of projects that are eligible under the program, including, but not limited to, projects for the construction, repair, or replacement of decentralized wastewater treatment systems; measures to manage, reduce, treat, or recapture stormwater; and measures to reduce the demand for publicly owned treatment works capacity through conservation, efficiency, or reuse.¹⁶⁸ Projects that address or prevent future violations of health-based drinking water standards are eligible under the DWSRF.¹⁶⁹ This includes projects that are necessary to maintain compliance

¹⁶⁰ *Id.*

¹⁶¹ *Id.*

¹⁶² SJRWMD, *Status of Keystone Heights lakes projects*, <http://www.sjrwmd.com/keystoneheights/projectsstatus.html> (last visited Jan. 23, 2017).

¹⁶³ SJRWMD, *Senate Bill 234: Land Acquisition Trust Fund Bill Analysis* (Feb. 3, 2017) (on file with the Senate Environmental Preservation and Conservation Committee).

¹⁶⁴ *Id.*

¹⁶⁵ FDEP, *State Revolving Loan Fund*, <http://www.dep.state.fl.us/Water/wff/index.htm> (last visited Mar. 8, 2017).

¹⁶⁶ *Id.*

¹⁶⁷ *Id.*

¹⁶⁸ See Environmental Protection Agency (EPA), *Overview of Clean Water State Revolving Fund Eligibilities*, 3 (May 2016), available at https://www.epa.gov/sites/production/files/2016-07/documents/overview_of_cwsrf_eligibilities_may_2016.pdf (last visited Mar. 9, 2017).

¹⁶⁹ 40 C.F.R. § 35.3520 (2014).

with existing national primary drinking water regulations for contaminants with acute and chronic health effects.¹⁷⁰ Projects for dams or reservoirs, or projects needed primarily to serve future population growth are ineligible for assistance.¹⁷¹

Land Acquisition Trust Fund and Legacy Florida

In 2014, Florida voters approved a constitutional amendment to provide a dedicated funding source for water and land conservation and restoration. The amendment required that, starting on July 1, 2015, for 20 years, 33 percent of net revenues derived from the existing excise tax on documents be deposited into the Land Acquisition Trust Fund (LATF).

To comply with Art. X, s.28 of the State Constitution, the Legislature, in the 2015 Special Session “A,” passed ch. 2015-229, L.O.F.¹⁷² Chapter 2015-229, L.O.F., amended:

- Section 201.15, F.S., to conform to the constitutional requirement that the LATF receive at least 33 percent of net revenues derived from the existing excise tax on documents; and
- Section 375.041, F.S., to designate the LATF within the Department of Environmental Protection as the trust fund to serve as the depository for the constitutionally required funds.¹⁷³

In 2016, the legislature passed ch. 2016-201, Laws of Florida, referred to as “Legacy Florida.”¹⁷⁴ Legacy Florida amended s. 375.041, F.S., to provide minimum distributions required from the funds deposited into the LATF. Under s. 375.041, F.S., funds deposited into the LATF must be distributed in the following order:

- First, obligations relating to debt service, specifically:
 - First to payments relating to Florida Forever Bonds and Everglades restoration bonds; and
 - Then to payments relating to bonds issued before February 1, 2009, by the South Florida Water Management District and the St. Johns River Water Management District;
- Then, of the funds remaining after the payment of debt service, and before funds are authorized to be appropriated for other uses:
 - A minimum of the lesser of 25 percent of the funds remaining or \$200 million annually for Everglades projects that implement the CERP, the Long-Term Plan,¹⁷⁵ and the NEEPP, with priority given to projects that reduce harmful discharges of water from Lake Okeechobee to the St. Lucie or Caloosahatchee estuaries in a timely manner. These funds are required to be distributed as follows:
 - \$32 million through the 2023-2024 Fiscal Year for the Long-Term Plan;
 - After deducting the \$32 million, a minimum of the lesser of 76.5 percent of the remainder or \$100 million through the 2025-2026 Fiscal Year for the CERP; and
 - The remainder for Everglades projects under the CERP, the Long-Term Plan, or the NEEPP.

¹⁷⁰ *Id.*

¹⁷¹ *Id.*

¹⁷² Ch. 2015-229, Laws of Fla.

¹⁷³ Ch. 2015-229, s. 9, 50, Laws of Fla.

¹⁷⁴ Ch. 2016-201, Laws of Fla.

¹⁷⁵ Note that the “Long-Term Plan” includes the Restoration Strategies Regional Water Quality Plan.

- A minimum of the lesser of 7.6 percent of the funds remaining or \$50 million annually for springs restoration, protection, and management projects; and
- Five million annually for the restoration of Lake Apopka.¹⁷⁶
- Then, any remaining moneys are authorized to be appropriated from time to time for the purposes set forth in Art. X, s. 28 of the State Constitution.¹⁷⁷

The General Revenue Estimating Conference in December of 2016 estimated that for the 2017- 2018 Fiscal Year a total of \$2.48 billion will be collected in documentary stamp taxes with \$814.1 million required to be deposited into the LATF in accordance with s. 28, Art. X of the State Constitution.¹⁷⁸

Water Protection and Sustainability Program Trust Fund

The Water Protection and Sustainability Program Trust Fund was created for the purpose of implementing the Water Sustainability Program created in s. 403.890, F.S.¹⁷⁹ The revenues appropriated into or appropriated to the trust fund are required to be distributed by the DEP in the following manner:

- Sixty-five percent for the implementation of an alternative water supply program¹⁸⁰;
- Twenty-two and five-tenths percent for the implantation of best management practices and capital project expenditures necessary for the implementation of the goals of the total maximum daily load program; and
- Twelve and five-tenths percent for the Disadvantaged Small Community Wastewater Grant Program.¹⁸¹

Onsite Sewage Treatment and Disposal Systems

Onsite sewage treatment and disposal systems, hereafter referred to as septic systems, can contain any one of the following components: a septic tank; a subsurface drainfield; an aerobic treatment unit (ATU); a graywater tank; a laundry wastewater tank; a grease interceptor; a pump tank; a waterless, incinerating or organic waste-composting toilet; and a sanitary pit privy.¹⁸² Septic systems are located underground and treat sewage without the presence of oxygen. Sewage flows from a home or business through a pipe into the first chamber, where solids settle out. The liquid then flows into the second chamber where anaerobic bacteria in the sewage break

¹⁷⁶ Section 375.041, F.S.

¹⁷⁷ *Id.*

¹⁷⁸ Office of Economic and Demographic Research, Revenue Estimating Conference, *Documentary Stamp Tax, Executive Summary* (Dec. 12, 2016) available at <http://www.edr.state.fl.us/Content/conferences/docstamp/docstampexecsummary.pdf>.

¹⁷⁹ Section 403.891, F.S.

¹⁸⁰ The term “alternative water supply” is defined in s. 373.019(1), F.S., to mean salt water; brackish surface and groundwater; surface water captured predominately during wet-weather flows; sources made available through the addition of new storage capacity for surface or groundwater, water that has been reclaimed after one or more public supply, municipal, industrial, commercial, or agricultural uses; the downstream augmentation of water bodies with reclaimed water; stormwater; and any other water supply source that is designated as nontraditional for a water supply planning region in the applicable regional water supply plan.”

¹⁸¹ Section 403.890, F.S.

¹⁸² FDEP, *Wastewater: Septic Systems*, <http://www.dep.state.fl.us/water/wastewater/dom/septic.htm> (last visited Mar. 5, 2017).

down the organic matter, allowing cleaner water to flow out of the second chamber into a drainfield.¹⁸³

The Department of Health (DOH) administers septic system programs, develops statewide rules, and provides training and standardization for county health department employees responsible for issuing permits for the installation and repair of septic systems within the state.¹⁸⁴ An estimated 2.7 million septic systems are in use statewide, serving approximately one third of the state's population.¹⁸⁵

In Florida, development in some areas is dependent on septic systems due to the cost and time it takes to install central sewer systems. For example, in rural areas and low-density developments, central sewer systems are not cost effective. Less than one percent of septic systems in Florida are actively managed.¹⁸⁶ The remainder systems are generally serviced only when they fail, often leading to costly repairs that could have been avoided with routine maintenance.¹⁸⁷ In Florida, approximately 30-40 percent of the nitrogen levels are reduced in a system that is installed 24 inches or more from groundwater.¹⁸⁸ This still leaves a significant amount of nitrogen to percolate into the groundwater. Nitrogen from septic systems is a potential contaminant in groundwater and surface water.¹⁸⁹ Nitrogen sensitivity of Florida watersheds varies greatly, and includes areas of extremely high sensitivity to nitrogen loading and other areas where nitrogen loading from septic systems may be less critical.¹⁹⁰

Florida Keys Area of Critical State Concern

Section 381.0065(4)(l), F.S., requires that all onsite treatment and disposal systems in the Florida Keys cease discharge by December 31, 2015, unless the system is in compliance with DOH rules and able to meet advanced wastewater treatment standards. Since 1999, 23,000 on-site sewage systems and approximately 249 Wastewater Treatment Package Plants have been connected to central sewer.¹⁹¹ The estimated cost to provide central sewer services in unincorporated Monroe County is \$1 billion.¹⁹² County-wide, approximately 80 percent of systems have been connected to central sewer.¹⁹³

¹⁸³ *Id.*

¹⁸⁴ Section 381.0065(3), F.S.

¹⁸⁵ Florida Department of Health (FDOH), *Florida Onsite Sewage Nitrogen Reduction Strategies Study Final Report*, 17 (Dec. 31, 2015), available at <http://www.floridahealth.gov/environmental-health/onsite-sewage/research/documents/rrac/10212016-finalnitrogenreport.pdf> (last visited Mar. 5, 2017).

¹⁸⁶ FDOH, *Report on Range of Costs to Implement a Mandatory Statewide 5-Year Septic Tank Inspection Program*, 1 (Oct. 1, 2008), available at <http://www.floridahealth.gov/environmental-health/onsite-sewage/research/documents/rrac/2008-11-06.pdf> (last visited Mar. 5, 2017).

¹⁸⁷ *Id.*

¹⁸⁸ *Id.* at 18.

¹⁸⁹ University of Florida Institute of Food and Agricultural Sciences, *Onsite Sewage Treatment and Disposal Systems: Nitrogen*, 3 (Feb. 2014), available at <http://edis.ifas.ufl.edu/pdf/SS/SS55000.pdf> (last visited Mar. 8, 2017).

¹⁹⁰ FDOH, *Florida Onsite Sewage Nitrogen Reduction Strategies Study Final Report*, 14 (Dec. 31, 2015).

¹⁹¹ Florida Department of Economic Opportunity (DEO), *2015 Florida Keys Area of Critical State Concern Annual Report*, 4 (July 1, 2014-June 30, 2015), available at <http://www.floridajobs.org/docs/default-source/2015-community-development/community-planning/2015-cmtty-plan-acsc/2015-florida-keys-area-of-critical-state-concern-annual-report.pdf?sfvrsn=2> (last visited Mar. 5, 2017).

¹⁹² *Id.* at 10.

¹⁹³ *Id.* at 11.

Any element of a local comprehensive plan in the Florida Keys area must contain construction schedules and detailed capital financing plans for wastewater management improvements in the annually adopted capital improvements element, and standards for the construction of wastewater treatment and disposal facilities or collection systems which meet or exceed criteria for wastewater treatment and disposal facilities or onsite sewage treatment and disposal systems.¹⁹⁴

Monroe County, the Florida Keys Aqueduct Authority, the Key Largo Wastewater Treatment District, the Village of Islamorada, and the cities of Key Colony Beach and Key West have entered into an interlocal agreement in light of their engaged efforts to provide centralized wastewater treatment plants and collection systems throughout the Florida Keys and to upgrade and improve existing wastewater treatment systems to protect the fragile ecosystem of the Florida Keys and comply with the requirements for all wastewater management facilities in the area. The agreement establishes a specific distribution formula for state funds and provides specific allocation amounts for each party to the agreement. During the 2016 Session, the Legislature passed the Florida Keys Stewardship Act, which provided an appropriation in the sum of \$5 million, which was required to be distributed in accordance with the interlocal agreement.¹⁹⁵

Indian River Lagoon

During 2011, a massive phytoplankton algae bloom occurred throughout most of the Indian River Lagoon system, extending from Southern Mosquito Lagoon to just north of Ft. Pierce Inlet.¹⁹⁶ This “2011 Superbloom” lasted for a duration of 7 months and resulted in a massive loss of seagrass coverage. There is no single answer as to why the bloom occurred, but studies have indicated that nitrogen inputs from septic systems in the Indian River Lagoon basin are a major source of nutrients that drive harmful algae blooms.¹⁹⁷ The DEP has awarded more than \$24 million in funding for 12 recent projects to improve water quality in the Indian River Lagoon.¹⁹⁸

In Brevard County alone, there are approximately 82,000 permitted septic systems, of which nearly 59,500 pollute groundwater that migrates to the lagoon.¹⁹⁹ The SJRWMD and local governments have been proactive in implementing projects to address water quality issues in the lagoon. Brevard County established the Save Our Indian River Lagoon Project Plan. The plan outlines local projects planned to meet water quality targets and improve the health, productivity, aesthetic appeal, and economic value of the lagoon.²⁰⁰ The plan includes septic system upgrades

¹⁹⁴ Section 380.0552(9)(a), F.S.

¹⁹⁵ 2016-225, LOF.

¹⁹⁶ Indian River Lagoon Consortium, *Indian River Lagoon 2011 Superbloom Plan of Investigation*, 2 (June 2012), available at http://www.sjrwmd.com/indianriverlagoon/technicaldocumentation/pdfs/2011superbloom_investigationplan_June_2012.pdf (last visited Mar. 8, 2017).

¹⁹⁷ See Brian E. Lapointe, Laura W. Herren, David D. Debortoli, Margaret A. Vogel, *Evidence of sewage-driven eutrophication and harmful algae blooms in Florida's Indian River Lagoon*, (Jan. 28, 2015), available at <http://static.politico.com/27/4c/d449d31440529b9d75d8ac3bb461/2015-study-of-indian-river-lagoon-algae.%202015.pdf> (last visited Mar. 8, 2017).

¹⁹⁸ FDEP, *DEP Awards More Than \$24 Million for Projects to Improve the Water Quality in the Indian River Lagoon*, (Feb. 28, 2017), available at <https://content.govdelivery.com/accounts/FLDEP/bulletins/17c88c8> (last visited Mar. 9, 2017).

¹⁹⁹ Tetra Tech, Inc. and Closewaters, LLC, *Save Our Indian River Lagoon Project Plan*, 5 (July 2016), available at http://loveourlagoon.com/BCsave-our-lagoon-project-plan_final.pdf (last visited Mar. 8, 2017).

²⁰⁰ *Id.* at vi.

and removals at a total cost of approximately \$64 million.²⁰¹ The estimated total cost to convert all septic tanks in the county to central sewage treatment is \$1.19 billion.²⁰² In Brevard County, a referendum was approved by 62.4 percent to authorize the issuance of a half-cent infrastructure sales tax to raise approximately \$300 million to pay for a portion of the plan.²⁰³

III. Effect of Proposed Changes:

Section 1 titles the act the “Coast-to-Coast Water Resources Program.”

Section 2 amends s. 201.15, F.S., to require that amounts deposited into the Land Acquisition Trust Fund (LATF) be used to pay the debt service on water resource protection and development bonds. The amount of debt service that is available each fiscal year is limited to \$300 million.

Section 3 creates s. 215.613, F.S. to establish a new set of bonds up to \$3.3 billion to finance or refinance the cost of acquisition and improvement of land, water areas, or related property interests for the purposes of water resource protection and development, and for capital improvements to land or water areas which facilitate water resource protection and development. The authority to issue bonds is redistributed from Florida Forever bonding authority; no new bonding authority is created. Water resource protection and development bonds are payable from taxes distributable to the LATF and the proceeds of such bonds are required to be deposited into the LATF.

Section 4 amends s. 215.618, F.S., to reduce the bonding authority for Florida Forever bonds from \$5.3 billion to \$2 billion.

Sections 5 and 9 creates s. 373.4598, F.S., and amends s. 375.041, F.S., respectively, to set out legislative findings and intent, define terms, and establish options for additional storage south of Lake Okeechobee which are intended to reduce the damaging discharges to the St. Lucie and Caloosahatchee estuaries.

Option A: Acquire the Land from Willing Sellers

The bill requires the South Florida Water Management District (SFWMD), upon the effective date of the act, to seek proposals from willing sellers of property within the Everglades Agricultural Area in order to acquire approximately 60,000 acres of land suitable for one or two above-ground storage reservoirs that have a total storage capacity of 360,000 acre-feet. The bill clarifies that SFWMD may not exercise eminent domain to implement the reservoir project.

If the SFWMD is able to find willing sellers of property that is suitable for the reservoir project, then, once the land has been agreed upon, the SFWMD must immediately begin the reservoir

²⁰¹ *Id.* at viii.

²⁰² *Id.* at 5.

²⁰³ Brevard County Supervisor of Elections, 2016 General Election Official Results, <http://enr.electionsfl.org/BRE/1616/Summary/> (last visited Mar. 9, 2017); see Brevard County Ordinance 2016-15, *Placing a Referendum on November 8, 2016 Ballot for One-Half Cent Infrastructure Sales Tax to Fund Implementation of the Save our Lagoon Project Plan* (August 23, 2016), available at <http://www.brevardfl.gov/docs/default-source/countymanager/save-our-lagoon-referendum-election-2016-ordinance-august-23-2016.pdf?sfvrsn=2> (last visited Mar. 9, 2017).

project with the goal of providing adequate storage and conveyance south of Lake Okeechobee to reduce the volume of regulatory discharges to the St. Lucie and Caloosahatchee estuaries. Additionally, once the land has been acquired, the SFWMD is required to expeditiously pursue the necessary permits required for the reservoir project and begin implementation and construction as soon as practicable. The SFWMD is required to give preferential consideration to the hiring of agricultural workers displaced as a result of the reservoir project, consistent with their qualifications and abilities, for the construction and operation of the reservoir project.

Unless other funding is available, the bill directs the SFWMD, in coordination with the United States Army Corps of Engineers (USACE), to begin the planning study for the Everglades Agricultural Area Reservoir Project by March 1, 2018. According to the 2016 Draft IDS schedule, the project is scheduled to begin in 2021.²⁰⁴ Additionally, the SFWMD is required to abide by applicable federal and state law in order to obtain federal credit under the Comprehensive Everglades Restoration Plan (CERP). The bill specifies that the SFWMD, when developing the planning study, must focus on the goal of the reservoir project, which is to provide adequate storage and conveyance south of the lake to reduce the volume of regulatory discharges of water from the lake to the St. Lucie and Caloosahatchee estuaries.

The bill requires \$800 million in Florida Forever bond proceeds in the 2017-2018 FY and \$400 million in Florida Forever bond proceeds in the 2018-2019 FY to be deposited into the LATF if the SFWMD acquires land from willing sellers of property that is suitable for the reservoir project. If the reservoir project receives Congressional authorization, the SFWMD is required to seek applicable federal credits towards the state's share of funding the land acquisition and implementation of the reservoir project.

The SFWMD has until December 31, 2017, to acquire the land before Option B is triggered.

Option B: Exercise the Option

Under Option B the SFWMD is required to assign the Entire Option Property Non-Exclusive Option (Option) to the Board of Trustees of the Internal Improvement Trust Fund (Board) by January 31, 2018. Such Option is available to the SFWMD pursuant to the 2010 Second Amended and Restated Agreement (Agreement).²⁰⁵ If the U.S. Sugar Corporation, the seller, does not find the assignment to be "reasonably acceptable in form and substance," the SFWMD is required to retain the Option. The assignment of the Option to the Board is authorized in the Agreement, which also provides the seller with the opportunity to decline acceptance of such assignment.

The bill requires the Board or the SFWMD, whichever holds the Option, to exercise the Option by March 1, 2018. The Board or the SFWMD, the buyer, is not authorized to propose a purchase price for less than the average of \$7,400 per acre, unless the highest appraised value of the land

²⁰⁴ USACE and SFWMD, *Integrated Delivery Schedule 2016 Update* (Dec. 2016), available at http://www.saj.usace.army.mil/Portals/44/docs/Environmental/IDS/IDS_PLACEMAT_05JAN2017_web.pdf?ver=2017-01-07-164638-380 (last visited Jan. 31, 2017).

²⁰⁵ See Second Amended and Restated Agreement for Sale and Purchase (2010), available at https://www.sfwmd.gov/sites/default/files/documents/rog_0_amended_restated_agt_for_sale_and_purchase.pdf (last visited Jan. 31, 2017).

is less than the average of \$7,400 per acre. Under the Agreement, if the proposed purchase price is less than the average of \$7,400 per acre, the seller has the absolute right to not sell the Option property by providing written notice to the buyer within 60 days after the purchase price has been determined.

If land is acquired under Option B then the SFWMD is required to identify which of the acquired land is suitable for the reservoir project. The bill authorizes the Board or the SFWMD, if applicable, to dispose of or exchange any land or lease interest in the land in order to achieve the optimal siting for the reservoir project or to dispose of land that is not necessary for the reservoir project. However, any such exchange or disposal may not be in violation of the Agreement.

Additionally, the SFWMD, in coordination with the USACE, is required to begin the planning study for the Everglades Agricultural Area Reservoir Project by October 1, 2019. According to the 2016 Draft IDS schedule, the project is scheduled to begin in 2021.²⁰⁶ The bill specifies that the SFWMD, when developing the planning study must focus on the goal of the reservoir project, which is to provide adequate storage and conveyance south of the lake to reduce the volume of regulatory discharges of water from the lake to the St. Lucie and Caloosahatchee estuaries.

If the Board or the SFWMD, if applicable, acquires land pursuant to the agreement, then in the 2018-2019 Fiscal Year \$1.2 billion in Florida Forever bond proceeds are required to be deposited into the LATF. If the reservoir project receives Congressional authorization, the SFWMD is required to seek applicable federal credits towards the state's share of funding the land acquisition and implementation of the reservoir project.

The Board or the SFWMD, if applicable, has until November 30, 2018, to acquire the land before Option C is triggered.

Option C: Legacy Florida

Under Option C, if the SFWMD or the Board fail to acquire land under Option A or Option B, then, effective January 1, 2019, the annual minimum distribution required under Legacy Florida for Everglades restoration projects is increased from “25 percent or \$200 million” to “30 percent or \$250 million.” The bill applies this increase in funding to the distribution to the CERP, which includes the Everglades Agricultural Area Storage Reservoir as a project component.

Additionally, the SFWMD, in coordination with the USACE, is required to begin the planning study for the Everglades Agricultural Area Reservoir Project by October 1, 2019. According to the 2016 Draft IDS schedule, the project is presently planned to begin in 2021.²⁰⁷ The bill specifies that the SFWMD, when developing the planning study must focus on the goal of the reservoir project, which is to provide adequate storage and conveyance south of the lake to reduce the volume of regulatory discharges of water from the lake to the St. Lucie and Caloosahatchee estuaries.

²⁰⁶ USACE and SFWMD, *Integrated Delivery Schedule 2016 Update* (Dec. 2016).

²⁰⁷ *Id.*

Lake Okeechobee Regulation Schedule

The bill requires the SFWMD to request that the USACE pursue the reevaluation of the Lake Okeechobee Regulation Schedule as expeditiously as possible taking into consideration the repairs made to the Herbert Hoover Dike and any increase in outlet capacity south of the lake which has the potential to offset the harmful freshwater discharges to the St. Lucie and Caloosahatchee estuaries.

Section 6 creates s. 373.475, F.S., to implement the water resource protection and development bonds. The bill requires the Department of Environmental Protection (DEP) to distribute bond proceeds from the LATF for the purposes of financing water resource protection and development projects, including the reservoir project.

Section 7 creates s. 373.478, F.S., to create a water storage facility revolving loan fund to provide funding assistance to local governments and water supply entities for the development and construction of water storage facilities to increase the availability of sufficient water for all existing and future reasonable-beneficial uses and natural systems.

The bill requires the DEP to adopt rules to implement the water storage revolving loan fund, including setting forth a priority system for loans based on compliance with state requirements, establishing the requirements for the award and repayment of financial assistance; and requiring evidence of credit worthiness and adequate security to ensure that each loan recipient can meet its loan repayment requirements.

The Water Protection and Sustainability Program Trust Fund established under s. 403.891, F.S., will be used to carry out the revolving loan fund.

Section 8 amends s. 375.041, F.S., to conform changes relating to the payment of debt service for water resource protection and development bonds from the LATF. The bill requires that ongoing CERP projects, which are currently being funded, continue to receive funding under the statutorily required minimum distributions for Everglades restoration projects.

The bill adds the following annual distributions from the LATF:

- \$35 million to the St. Johns Water Management District for projects dedicated to the restoration of the St. Johns River and the Keystone Heights Lake region.
- \$2 million for the Florida Keys Area of Critical State Concern to be distributed in accordance with an established interlocal agreement.
- \$20 million to conduct muck dredging and large-scale stormwater improvement and offset property owner costs for retrofitting or converting onsite sewage treatment and disposal systems that the DEP determines to collectively contribute to excess nutrient pollution in counties contributing to the Indian River Lagoon, the St. Lucie Estuary, or the Caloosahatchee Estuary.

Section 10 creates s. 403.0878, F.S., to establish a water reuse grant program which requires the DEP to use funds specifically appropriated to award such grants to assist wastewater treatment facilities in expanding their capacity to make reclaimed water available for reuse. The department is authorized to provide grants for up to 100 percent of the costs of planning,

designing, constructing, upgrading, or replacing wastewater collection, transmission, and treatment designed to expand the facility's capacity to make reclaimed water available for reuse.

Section 11 provides legislative findings relating to water availability, specifically declaring that the Legislature finds that sufficient water availability is a paramount concern for existing and future reasonable-beneficial uses and natural systems in this state. The bill encourages water supply projects to employ all practical means of obtaining water, including, but not limited to, withdrawals of surface water and groundwater, reclaimed water, and desalination. The bill declares that it is the policy of the state that projects to increase water supply be planned on a regional basis.

Section 12 amends s. 215.44, F.S., to require the State Board of Administration in its annual report to the Legislature include a summary of the type and amount of potential water supply investments that will have the effect of increasing water supply in the state on a regional basis.

Section 13 amends s. 403.890, F.S. to revise for what purposes the revenues deposited into or appropriated to the Water Protection and Sustainability Program Trust Fund may be distributed to include revenues and appropriations related to the water storage facility revolving loan fund. The bill also removes the provisions relating to the implementation of best management practices and capital improvement projects for the implementation of the goals of the total maximum daily load program and the provisions relating to the Disadvantaged Small Community Wastewater Grant Program. The revisions to this trust fund do not have any immediate effect because this trust fund is not currently being used for such purposes.

Section 14 requires the SFWMD or the Board to notify the Division of Law Revision and Information no later than December 1, 2018, whether they have acquired land pursuant to s. 373.4598, F.S.

Section 15 requires the Division of Law Revision and Information to replace the phrase "the effective date of this act" with the date the act becomes a law.

Sections 16, 17, and 18 provide contingent appropriations for debt service payments on water resource protection and development bonds that are authorized to be issued for the purposes of s. 373.4598, F.S. Contingent upon bonds being issued for Option A: \$64 million in recurring funds from the LATF are appropriated for the 2017-2018 FY and \$36 million in recurring funds from the LATF are appropriated for the 2018-2019 FY. Contingent upon bonds being issued for Option B: \$100 million in recurring funds from the LATF are appropriated for the 2018-2019 FY.

Section 19 provides that the bill takes effect upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. Constitutional Issues:

Article X, s. 28 of the State Constitution requires that 33 percent of net revenues derived from documentary stamp taxes be deposited into the LATF to be used for the acquisition and improvement of land, water areas, and related property interests, together with management, restoration of natural systems, and the enhancement of public access or recreational enjoyment of conservation lands. The bill requires certain distributions from the LATF. Such distributions must be consistent with the constitutional requirements.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The impact of PCS/SB 10 to the private sector is indeterminate. There will be an immediate positive impact to the landowners whose property is purchased. However, converting the agricultural land to a reservoir will have an indeterminate negative fiscal impact to the sugar mills and local farmers due to the reduction in available farmland.

C. Government Sector Impact:

If land is acquired under Option A or B there may be a negative indeterminate fiscal impact to local governments due to a loss of property tax revenue (shifting ownership (private) and use (agricultural) to the state or a political subdivision of the state (immune from taxation). The magnitude of this impact is indeterminate because the specific land to be acquired has not been determined.

Depending on the land that is acquired and if the SFWMD purchases the land, the impact to property tax revenues may be offset under s. 373.59, F.S., for any affected county, or local government within a county, with a population of 150,000 people or fewer.

Any amount recovered under s. 373.59, F.S., as payment in lieu of taxes will be paid by SFWMD, resulting in a negative indeterminate impact on the SFWMD. The SFWMD, like the other local governments levying ad valorem taxes on the land targeted for purchase, will experience an indeterminate loss of ad valorem tax revenues. Additionally, the SFWMD may have a negative fiscal impact associated with a reduction of the Everglades Agricultural Privilege Tax pursuant to s. 373.4592(6), F.S.

The impact to the state will depend on which option is exercised under the bill. Under Options A and B, \$100 million in recurring funds will be set aside through the 2037-2038 Fiscal Year (under Option A only \$64 million is appropriated for the 2017–2018 Fiscal Year) to pay debt service on bonds issued under the bill. Under Option C, the required annual minimum distribution to Everglades restoration projects from the LATF is increased by \$50 million.

The bill requires additional distributions from the LATF that may have an impact on other programs funded from the LATF.

Specifically, the bill provides \$35 million from the LATF for St. Johns Water Management District projects dedicated to the restoration of the St. Johns River and its tributaries or the Keystone Heights Region. It provides \$2 million from the LATF for the Florida Keys to be distributed in accordance with the existing interlocal agreements to deal with wastewater and conservation issues in the Keys. Another \$20 million is provided for retrofitting or converting onsite sewage treatment and disposal systems to address nutrient pollution in the counties contributing to the Indian River Lagoon, St. Lucie and Caloosahatchee estuaries and their watersheds.

The bill transfers the remaining \$3.3 billion in bond authority from the Florida Forever Program to a new bonding program for the purposes of water resource protection and development. This reduces Florida Forever bonding authority to \$2 billion.

The bill creates the storage facility revolving loan fund to provide loans to local governments for water storage projects to protect and conserve water resources. The bill expands the purposes of the Water Protection and Sustainability Trust Fund to include this program. The fiscal impact of this program is indeterminate.

The bill also creates the water reuse grant program for the expansion of reuse capacity for wastewater utilities. The bill stipulates that the program is subject to specific appropriations. The fiscal impact of this program is indeterminate.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 201.15, 215.44, 215.618, 375.041, and 403.890.

This bill creates the following sections of the Florida Statutes: 215.613, 373.4598, 373.475, 373.478, and 403.0878.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

Recommended CS by Appropriations Subcommittee on The Environment and Natural Resources on March 8, 2017:

The committee substitute:

- Provides the following short title for the act, “Coast-to-Coast Comprehensive Water Resources Program.”
- Redistributes current bonding authority for Florida Forever bonds to create a new set of bonds called water resource protection and development bonds.
- Establishes the water storage facility revolving loan fund to provide financial assistance to local governments and water supply entities for water storage facilities.
- Provides an annual distribution from the Land Acquisition Trust Fund (LATF) of:
 - \$35 million to the St. Johns Water Management District for projects dedicated to the restoration of the St. Johns River and the Keystone Heights Lake region.
 - \$2 million for the Florida Keys Area of Critical State Concern to be distributed in accordance with their established interlocal agreement.
 - \$20 million to conduct muck dredging and large-scale stormwater improvement and offset property owner costs for retrofitting or converting onsite sewage treatment and disposal systems that the DEP determines to collectively contribute to excess nutrient pollution in counties contributing to the Indian River Lagoon, the St. Lucie Estuary, or the Caloosahatchee Estuary.
- Establishes a water reuse grant program for the expansion of reuse capacity for wastewater utilities.
- Requires the State Board of Administration to include in its annual report to the Legislature a summary of the type and amount of potential water supply investments that will have the effect of increasing water supply in the state on a regional basis.
- Revises the requirements for the distribution of revenues in the Water Protection and Sustainability Program Trust Fund.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/06/2017	.	
	.	
	.	
	.	

The Committee on Appropriations (Bradley and Latvala)
recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (a) of subsection (3) of section
201.15, Florida Statutes, is amended to read:

201.15 Distribution of taxes collected.—All taxes collected
under this chapter are hereby pledged and shall be first made
available to make payments when due on bonds issued pursuant to
s. 215.618 or s. 215.619, or any other bonds authorized to be



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issued on a parity basis with such bonds. Such pledge and availability for the payment of these bonds shall have priority over any requirement for the payment of service charges or costs of collection and enforcement under this section. All taxes collected under this chapter, except taxes distributed to the Land Acquisition Trust Fund pursuant to subsections (1) and (2), are subject to the service charge imposed in s. 215.20(1). Before distribution pursuant to this section, the Department of Revenue shall deduct amounts necessary to pay the costs of the collection and enforcement of the tax levied by this chapter. The costs and service charge may not be levied against any portion of taxes pledged to debt service on bonds to the extent that the costs and service charge are required to pay any amounts relating to the bonds. All of the costs of the collection and enforcement of the tax levied by this chapter and the service charge shall be available and transferred to the extent necessary to pay debt service and any other amounts payable with respect to bonds authorized before January 1, 2017, secured by revenues distributed pursuant to this section. All taxes remaining after deduction of costs shall be distributed as follows:

(3) Amounts on deposit in the Land Acquisition Trust Fund shall be used in the following order:

(a) Payment of debt service or funding of debt service reserve funds, rebate obligations, or other amounts payable with respect to Florida Forever bonds issued pursuant to s. 215.618. The amount used for such purposes may not exceed \$300 million in each fiscal year. It is the intent of the Legislature that all bonds issued to fund the Florida Forever Act be retired by



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December 31, 2040. Except for bonds issued to refund previously issued bonds, no series of bonds may be issued pursuant to this paragraph unless such bonds are approved and the debt service for the remainder of the fiscal year in which the bonds are issued is specifically appropriated in the General Appropriations Act or other law with respect to bonds issued for the purposes of s. 373.4598.

Bonds issued pursuant to s. 215.618 or s. 215.619 are equally and ratably secured by moneys distributable to the Land Acquisition Trust Fund.

Section 2. Subsection (5) of section 215.618, Florida Statutes, is amended to read:

215.618 Bonds for acquisition and improvement of land, water areas, and related property interests and resources.—

(5) The proceeds from the sale of bonds issued pursuant to this section, less the costs of issuance, the costs of funding reserve accounts, and other costs with respect to the bonds, shall be deposited into the Florida Forever Trust Fund. The bond proceeds deposited into the Florida Forever Trust Fund shall be distributed by the Department of Environmental Protection as provided in s. 259.105. This subsection does not apply to proceeds from the sale of bonds issued for the purposes of s. 373.4598.

Section 3. Section 373.4598, Florida Statutes, is created to read:

373.4598 Water storage reservoirs.—

(1) LEGISLATIVE FINDINGS AND INTENT.—

(a) The Legislature declares that an emergency exists



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regarding the St. Lucie and Caloosahatchee estuaries due to the high-volume freshwater discharges to the east and west of the lake. Such discharges have manifested in widespread algae blooms, public health impacts, and extensive environmental harm to wildlife and the aquatic ecosystem. These conditions, as outlined in the state of emergency declared by the Governor under Executive Orders 16-59, 16-155, and 16-156, threaten the ecological integrity of the estuaries and the economic viability of the state and affected communities.

(b) The Legislature finds that increasing water storage is necessary to reduce the high-volume freshwater discharges from the lake to the estuaries and restore the hydrological connection to the Everglades. CERP projects necessary to reduce the discharges and improve the flows to the Everglades should receive priority funding, such as the Lake Okeechobee Watershed project to the north of the lake; the Everglades Agricultural Area reservoir project to the south of the lake; the C-43 West Basin Reservoir Storage project to the west of the lake; and the Indian River Lagoon-South project to the east of the lake.

(c) The Legislature finds that the rate of funding for CERP must be increased if restoration will be achieved within the timeframe originally envisioned and that the delay in substantial progress toward completing critical elements of restoration, such as southern storage, will cause irreparable harm to natural systems and, ultimately, increase the cost of restoration. A substantial commitment to the advancement of projects identified as part of CERP will reduce ongoing ecological damage to the St. Lucie and Caloosahatchee estuaries.

(d) The Legislature recognizes that the EAA reservoir



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project was conditionally authorized in the Water Resources Development Act of 2000 as a project component of CERP. Unless other funding is available, the Legislature directs the district, in the implementation of the reservoir project, to abide by applicable state and federal law in order to do that which is required to obtain federal credit under CERP. If the district implements the EAA reservoir project as a project component as defined in s. 373.1501, the district must abide by all applicable state and federal law relating to such projects.

(e) This section is not intended to diminish the commitments made by the state in chapter 2016-201, Laws of Florida.

(2) DEFINITIONS.—As used in this section, the term:

(a) "A-1 parcel" means an area of district-owned land located between the Miami Canal and North New River Canal consisting of approximately 17,000 acres which is bordered to the north by private agricultural lands, to the east by U.S. Highway 27, to the south by Stormwater Treatment Area 3/4, and to the west by the Holey Land Wildlife Management Area and the A-2 parcel.

(b) "A-2 parcel" means an area of district-owned land located between the Miami Canal and the North New River Canal consisting of approximately 14,000 acres of land to the east of the Miami Canal which is bordered to the north by private agricultural lands, to the east by the A-1 parcel, and to the south by the Holey Land Wildlife Management Area.

(c) "Board" means the Board of Trustees of the Internal Improvement Trust Fund.

(d) "Central Everglades Planning Project" or "CEPP" means



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the suite of CERP projects authorized as the "Central
Everglades" project in the Water Infrastructure Improvements for
the Nation Act, Public Law No: 114-322.

(e) "Comprehensive Everglades Restoration Plan" or "CERP"
has the same meaning as the term "comprehensive plan" as defined
in s. 373.470.

(f) "Corps" means the United States Army Corps of
Engineers.

(g) "District" means the South Florida Water Management
District.

(h) "Everglades Agricultural Area" or "EAA" has the same
meaning as in s. 373.4592.

(i) "EAA reservoir project" means the Everglades
Agricultural Area storage reservoir, known as Component G of
CERP. The term includes any necessary water quality features
that are required to meet state and federal water quality
standards.

(j) "Lake" means Lake Okeechobee.

(k) "Option agreement" means the Second Amended and
Restated Agreement for Sale and Purchase between the seller,
United States Sugar Corporation, SBG Farms, Inc., and Southern
Garden Groves Corporation, and the buyer, the South Florida
Water Management District, dated August 12, 2010.

(3) EAA LEASE AGREEMENTS.—

(a) The district and the board are authorized to negotiate
the amendment or termination of leases on lands within the EAA
for exchange or use for the EAA reservoir project. Any such
lease must be terminated in accordance with the lease terms or
upon the voluntary agreement of the lessor and lessee. In the



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event of any such lease termination, the lessee must be permitted to continue to farm on a field-by-field basis until such time as the lessee's operations are incompatible with implementation of the EAA reservoir project, as reasonably determined by the lessor. The district and the board may include the swapping of land, assignment of leases, and other methods of providing valuable consideration in negotiating the amendments to or termination of such lease agreements.

(b) Any lease agreement relating to land in the EAA leased to the Prison Rehabilitative Industries and Diversified Enterprises, Inc., (PRIDE Enterprises) for an agricultural work program is required to be terminated in accordance with the terms of the lease agreement. Any such land previously leased may be made available by the board to the district for exchange for lands suitable for the EAA reservoir project or may be leased for agricultural purposes. The terms of any such lease must include provisions authorizing the lessor to terminate the lease at any time during the lease term as to any portion, or all of the premises, to be used for an environmental restoration purpose. The terms of the lease may not require more than 1 year's notice in order for such termination to be effective. Any agricultural owner managing lands subject to an agreement with PRIDE shall be given the right of first refusal in leasing any such lands.

(c) If, after any termination of an EAA lease agreement, ratoon, stubble, or residual crop remaining on the lease premises is harvested or otherwise used by the lessor or any third party, the lessee is entitled to be compensated for any documented, unamortized planting costs, and any unamortized



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capital costs associated with the lease and incurred prior to notice.

(4) LAND ACQUISITION.—The Legislature declares that acquiring land to increase water storage south of the lake is in the public interest and that the governing board of the district may acquire land, if necessary, to implement the EAA reservoir project with the goal of providing at least 240,000 acre-feet of water storage south of the lake. However, the district may not exercise eminent domain in the EAA for the purpose of implementing the EAA reservoir project.

(a) Upon the effective date of this act, the district shall identify the lessees of the approximately 3,200 acres of land owned by the state or the district west of the A-2 parcel and east of the Miami Canal and the private property owners of the approximately 500 acres of land surrounded by such lands.

(b) By July 31, 2017, the district shall contact the lessors and landowners of the land identified pursuant paragraph (a) to express the district's interest in acquiring land through the purchase or exchange of lands or by the amendment or termination of lease agreements. If land swaps or purchases are necessary to assemble the required acreage, the participation of private landowners must be voluntary. The district shall contact the board to request that any lease of land identified pursuant to paragraph (a), the title to which is vested in the board, be amended or terminated. All appraisal reports, offers, and counteroffers in relation to this subsection are confidential and exempt from s. 119.07(1), as provided in s. 373.139.

(c) The board shall provide to the district, through direct acquisition in fee or by a supplemental agreement, any land, the



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title to which is vested in the board, that the district identifies as necessary to construct the EAA reservoir project.

(d) The total acreage necessary for additional water treatment may not exceed the amount reasonably required to meet state and federal water quality standards as determined using the water quality modeling tools of the district. The district shall use the latest version of the Dynamic Model for Stormwater Treatment Areas Model modeling tool and other modeling tools that will be required in the planning and design of the EAA reservoir project. If additional land not identified in paragraph (a) is necessary for the EAA reservoir project, the district shall acquire that land from willing sellers of property in conjunction with the development of the post-authorization change report.

(5) POST-AUTHORIZATION CHANGE REPORT.—

(a) The district is directed to request, by July 1, 2017, that the corps jointly develop a post-authorization change report with the district for CEPP to revise the project component located on the A-2 parcel with the goal of increasing water storage provided by the project component to a minimum of 240,000 acre-feet. Upon agreement with the corps, development of the report must begin by August 1, 2017, and does not preclude the implementation of the remaining CEPP project components.

(b) Using the A-2 parcel and the additional land identified pursuant to paragraph (4) (a) and without modifying the A-1 parcel, the report must evaluate:

1. The optimal configuration of the EAA reservoir project for providing at least 240,000 acre-feet of water storage; and
2. Any necessary increases in canal conveyance capacity to



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243 reduce the discharges to the St. Lucie or Caloosahatchee
244 estuaries.

245 (c) If the district and the corps determine that an
246 alternate configuration of water storage and water quality
247 features providing for significantly more water storage, but no
248 less than 360,000 acre-feet of water storage, south of the lake
249 can be implemented on a footprint that includes modification to
250 the A-1 parcel, the district is authorized to recommend such an
251 alternative configuration in its report. Any such recommendation
252 must include sufficient water quality treatment capacity to meet
253 state and federal water quality standards.

254 (d) Pending congressional approval of the report, the
255 district shall begin the preliminary planning or construction
256 of, or modification to, the project site to the extent
257 appropriate, subject to the availability of funding. Upon
258 receipt of congressional approval of the report, construction of
259 the EAA reservoir project shall be completed parallel with
260 construction of the other CEPP project components, subject to
261 the availability of funding.

262 (e) The district must report the status of the post-
263 authorization change report to the Legislature by January 9,
264 2018. The report must include information on the district's
265 ability to obtain lease modifications and land acquisitions as
266 provided in subsection (4). If the district in good faith
267 believes that the post-authorization change report will receive
268 ultimate approval but that an extension of the deadline provided
269 in paragraph (7)(a) is needed, the district must include such a
270 request in its report and may be granted an extension by the
271 Legislature. Any such extension must include a corresponding



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date by which the district, in coordination with the corps, must begin the planning study for the EAA reservoir project and proceed with the A-2 parcel project component of CEPP in accordance with paragraph (7) (a).

(6) OPTION AGREEMENT.—The district must terminate the option agreement at the request of the seller if:

(a) The post-authorization change report receives congressional approval; or

(b) The district certifies to the board, the President of the Senate, and the Speaker of the House of Representatives that the acquisition of the land necessary for the EAA reservoir project, as provided in subsection (4), has been completed.

(7) PLANNING STUDY.—

(a) If, for any reason, the post-authorization change report does not receive congressional approval by October 1, 2018, and the district has not been granted an extension by the Legislature, the district must, in coordination with the corps, begin the planning study for the EAA reservoir project by October 31, 2018, and proceed with the A-2 parcel project component of CEPP in accordance with the final project implementation report dated July 2014.

(b) The district, when developing the planning study, must focus on the goal of the EAA reservoir project, which is to provide additional water storage and conveyance south of the lake to reduce the volume of regulatory discharges of water from the lake to the east and west.

(c) Upon completion of the planning study and the finalization of the project implementation report, as defined in s. 373.470, the district, in coordination with the corps, shall



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seek congressional authorization for the EAA reservoir project.

(8) AGRICULTURAL WORKERS.—The district shall give preferential consideration to the hiring of former agricultural workers primarily employed during 36 of the past 60 months in the Everglades Agricultural Area, consistent with their qualifications and abilities, for the construction and operation of the EAA reservoir project. Any contract or subcontract for the construction and operation of the EAA reservoir project in which 50 percent or more of the cost is paid from state-appropriated funds must provide preference and priority in the hiring of such agricultural workers. The district shall give preferential consideration to contract proposals that include in the contractor's hiring practices training programs for such workers.

(9) C-51 RESERVOIR PROJECT.—

(a) The C-51 reservoir project is a water storage facility as defined in s. 373.475. The C-51 reservoir project is located in western Palm Beach County south of the lake and consists of in-ground reservoirs and conveyance structures that will provide water supply and water management benefits to participating water supply utilities and will also provide environmental benefits by reducing freshwater discharges to tide and making water available for natural systems.

(b) Phase I of the project will provide approximately 14,000 acre-feet of storage and will hydraulically connect to the district's L-8 Flow Equalization Basin. Phase II of the project will provide approximately 46,000 acre-feet of water storage, for a total increase of 60,000 acre-feet of water storage.



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(c) For Phase II of the C-51 reservoir project the district may negotiate with the owners of the C-51 reservoir project site for the acquisition of the project or to enter into a public-private partnership. The district may acquire land near the C-51 reservoir through the purchase or exchange of land that is owned by the district or the state as necessary to implement Phase II of the project. The state and the district may consider potential swaps of land that is owned by the state or the district to achieve an optimal combination of water quality and water storage. The district may not exercise eminent domain for the purpose of implementing the C-51 reservoir project.

(d) If state funds are appropriated for Phase I or Phase II of the C-51 reservoir project:

1. The district shall operate the reservoir to maximize the reduction of high-volume Lake Okeechobee regulatory releases to the St. Lucie or Caloosahatchee estuaries in addition to providing relief to the Lake Worth Lagoon;

2. Water made available by the reservoir shall be used for natural systems in addition to any allocated amounts for water supply; and

3. Any water received from Lake Okeechobee may not be available to support consumptive use permits.

(e) Phase I of the C-51 reservoir project may be funded through the water storage facility revolving loan fund as provided in s. 373.475. Phase II of the C-51 reservoir project may be funded pursuant to this section, pursuant to s. 373.475, as a project component of CERP, or pursuant to s. 375.041(3)(b)4.

(10) FUNDING.—



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(a) The Legislature determines that the authorization and issuance of Florida Forever bonds for the purposes of this section is in the best interest of the state and determines that water storage reservoir projects should be implemented.

(b) Any cost related to this section, including, but not limited to, the costs for land acquisition, planning, construction, and operation and maintenance, may be funded using proceeds from Florida Forever bonds issued under s. 215.618, in an amount of up to 1.2 billion, as authorized under that section. The bond proceeds from bonds issued for the purposes of this section shall be deposited into the Everglades Trust Fund.

(c) Notwithstanding s. 373.026(8)(b) or any other provision of law, the use of state funds is authorized for the EAA reservoir project.

(d) The district shall actively seek additional sources of funding, including federal funding, for the reservoir project.

(11) LAKE OKEECHOBEE REGULATION SCHEDULE.—The district shall request that the corps pursue the reevaluation of the Lake Okeechobee Regulation Schedule as expeditiously as possible, taking into consideration the repairs made to the Herbert Hoover Dike and implementation of projects designed to reduce high-volume freshwater discharges from the lake, in order to optimally utilize the added water storage capacity to reduce the high-volume freshwater discharges to the St. Lucie and Caloosahatchee estuaries.

Section 4. Section 373.475, Florida Statutes, is created to read:

373.475 Water storage facility revolving loan fund.—

(1)(a) In recognition that waters of the state are among



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the state's most basic resources, the Legislature declares that such waters should be managed to conserve and protect water resources and to realize the full beneficial use of such resources.

(b) As natural storage within the system has been lost due to development, the Legislature finds that additional natural or man-made water storage is required to capture and prevent water from being discharged to tide or otherwise lost.

(c) The Legislature finds that establishing infrastructure financing and providing technical assistance to local governments or water supply entities for water storage facilities is necessary to conserve and protect the waters of the state.

(2) For purposes of this section, the term:

(a) "Local governmental agency" means any municipality, county, district, or authority, or any agency thereof, or a combination of such acting jointly in connection with a project, which has jurisdiction over a water storage facility.

(b) "Water storage facility" or "facility" means all facilities, including land, necessary for an above-ground or in-ground reservoir. Such facilities may be publicly owned, privately owned, investor-owned, or cooperatively held.

(3) The state, through the department, shall provide funding assistance to local governments or water supply entities for the development and construction of water storage facilities to increase the availability of sufficient water for all existing and future reasonable-beneficial uses and natural systems.

(a) The department may make loans, provide loan guarantees,



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purchase loan insurance, and refinance local debt through the
issue of new loans for water storage facilities approved by the
department. Local governments or water supply entities may
borrow funds made available pursuant to this section and may
pledge any revenues or other adequate security available to them
to repay any funds borrowed.

(b) The department may award loan amounts for up to 75
percent of the costs of planning, designing, constructing,
upgrading, or replacing water resource infrastructure or
facilities, whether natural or man-made, including the
acquisition of real property for water storage facilities.

(4) Subject to appropriation, the department shall adopt
rules to carry out the purposes of this section. Such rules
must:

(a) Establish a priority system for loans based on
compliance with state requirements. The priority system must
give special consideration to:

1. Projects that provide for the development of alternative
water supply projects and management techniques in areas where
existing source waters are limited or threatened by saltwater
intrusion, excessive drawdowns, contamination, or other
problems;

2. Projects that contribute to the sustainability of
regional water sources;

3. Projects that produce additional water available for
consumptive uses or natural systems;

4. Projects that diversify water supply so that the needs
of consumptive uses and the natural system are met during wet
and dry conditions; or



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5. Projects that provide flexibility in addressing the unpredictability of water conditions from water year to water year.

(b) Establish the requirements for the award and repayment of financial assistance.

(c) Require evidence of credit worthiness and adequate security, including an identification of revenues to be pledged and documentation of their sufficiency for loan repayment and pledged revenue coverage to ensure that each loan recipient can meet its loan repayment requirements.

(d) Require each project receiving financial assistance to be cost-effective, environmentally sound, and implementable.

(e) Require each project to be self-supporting if the project is primarily for the purpose of water supply for consumptive use.

(5) Before approval of a loan, the local government or water supply entity must, at a minimum, submit all of the following to the department:

(a) A repayment schedule.

(b) Evidence of the permissibility or implementability of the facility proposed for financial assistance.

(c) Plans and specifications, biddable contract documents, or other documentation of appropriate procurement of goods and services.

(d) Provide assurance that records will be kept using generally accepted accounting principles and that the department or its agents and the Auditor General will have access to all records pertaining to the loan.

(e) If the facility is required to be self-supporting



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475 according to paragraph (4)(e), document that it will be self-
476 supporting.

477 (f) Document that the water management district within
478 whose boundaries the facility will be located has approved the
479 facility. If the facility crosses jurisdictional boundaries,
480 approval from each applicable district must be documented and
481 provided to the department.

482 (6) Recipients of financial assistance under this section
483 may receive disbursements based on invoiced costs and are not
484 required to request advance payment pursuant to s. 216.181(16).
485 Proof of payment of invoiced costs must be submitted before or
486 concurrent with the recipient's next disbursement request.

487 (7) The department and water management districts are
488 authorized to provide technical assistance to local governments
489 or water supply entities for water storage facilities funded
490 pursuant to this section.

491 (8) The minimum amount of a loan is \$75,000. The term of
492 loans made pursuant to this section may not exceed 30 years.

493 (9) As part of the report required under s. 403.8532, the
494 department shall prepare a report at the end of each fiscal year
495 which details the financial assistance provided under this
496 section, service fees collected, interest earned, and loans
497 outstanding.

498 (10) The department may conduct an audit of the loan
499 project upon completion, or may require that a separate project
500 audit, prepared by an independent certified public accountant,
501 be submitted.

502 (11) The department may require reasonable service fees on
503 loans made to local governments or water supply entities to



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ensure that the program will be operated in perpetuity and to implement the purposes authorized under this section. Service fees may not be less than 2 percent or greater than 4 percent of the loan amount exclusive of the service fee. Service fee revenues shall be deposited into the department's Grants and Donations Trust Fund. The fee revenues, and interest earnings thereon, shall be used exclusively for the purposes of this section.

(12) The Water Protection and Sustainability Program Trust Fund established under s. 403.891 shall be used for the purposes of this section. Any funds that are not needed for immediate financial assistance shall be invested pursuant to s. 215.49. State funds and investment earnings shall be deposited into the fund. The principal and interest of all loans repaid, and investment earnings thereon, shall be deposited into the fund.

(13) (a) If a local governmental agency defaults under the terms of its loan agreement, the department shall so certify to the Chief Financial Officer, who shall forward the amount delinquent to the department from any unobligated funds due to the local governmental agency under any revenue-sharing or tax-sharing fund established by the state, except as otherwise provided by the State Constitution. Certification of delinquency does not preclude the department from pursuing other remedies available for default on a loan, including accelerating loan repayments, eliminating all or part of the interest rate subsidy on the loan, and court appointment of a receiver to manage the public water system.

(b) If a water storage facility owned by a person other than a local governmental agency defaults under the terms of its



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loan agreement, the department may take all actions available under law to remedy the default.

(c) The department may impose a penalty for delinquent loan payments in the amount of 6 percent of the amount due, in addition to charging the cost to handle and process the debt. Penalty interest accrues on any amount due and payable beginning on the 30th day following the date that the payment was due.

(14) The department may terminate or rescind a financial assistance agreement if the recipient fails to comply with the terms and conditions of the agreement.

Section 5. Subsection (3) of section 375.041, Florida Statutes, is amended to read:

375.041 Land Acquisition Trust Fund.—

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

(a) First, to pay debt service or to fund debt service reserve funds, rebate obligations, or other amounts payable with respect to Florida Forever bonds issued under s. 215.618; and pay debt service, provide reserves, and pay rebate obligations and other amounts due with respect to Everglades restoration bonds issued under s. 215.619; and

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

1. A minimum of the lesser of 25 percent or \$200 million shall be appropriated annually for Everglades projects that implement the Comprehensive Everglades Restoration Plan as set forth in s. 373.470, including the Central Everglades Planning Project subject to Congressional authorization; the Long-Term



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Plan as defined in s. 373.4592(2); and the Northern Everglades and Estuaries Protection Program as set forth in s. 373.4595. From these funds, \$32 million shall be distributed each fiscal year through the 2023-2024 fiscal year to the South Florida Water Management District for the Long-Term Plan as defined in s. 373.4592(2). After deducting the \$32 million distributed under this subparagraph, from the funds remaining, a minimum of the lesser of 76.5 percent or \$100 million shall be appropriated each fiscal year through the 2025-2026 fiscal year for the planning, design, engineering, and construction of the Comprehensive Everglades Restoration Plan as set forth in s. 373.470, including the Central Everglades Planning Project, the Everglades Agricultural Area Storage Reservoir Project, the Lake Okeechobee Watershed Project, the C-43 West Basin Storage Reservoir Project, the Indian River Lagoon-South Project, the Western Everglades Restoration Project, the C-111 South-Dade Project, and the Picayune Strand Restoration Project ~~subject to Congressional authorization~~. The Department of Environmental Protection and the South Florida Water Management District shall give preference to those Everglades restoration projects that reduce harmful discharges of water from Lake Okeechobee to the St. Lucie or Caloosahatchee estuaries in a timely manner. For the purpose of performing the calculation provided in this subparagraph, the amount of debt service paid pursuant to paragraph (a) for bonds issued after July 1, 2016, for the purposes set forth under paragraph (b) shall be added to the amount remaining after the payments required under paragraph (a). The amount of the distribution calculated shall then be reduced by an amount equal to the debt service paid pursuant to



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paragraph (a) on bonds issued after July 1, 2016, for the purposes set forth under this subparagraph.

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

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

4. The sum of \$100 million is appropriated and shall be transferred to the Everglades Trust Fund for the 2018-2019 fiscal year, and each fiscal year thereafter, for reservoir projects that implement s. 373.4598. Any funds remaining in any fiscal year shall be made available only for projects identified in subparagraph 1. and must be used in accordance with laws relating to such projects. Any funds made available for such purposes in a fiscal year is in addition to the amount



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appropriated under that subparagraph. This distribution shall be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2017, for the purposes set forth in this subparagraph.

Section 6. Section 403.890, Florida Statutes, is amended to read:

403.890 Water Protection and Sustainability Program.—

(1) Revenues deposited into or appropriated to the Water Protection and Sustainability Program Trust Fund shall be distributed by the Department of Environmental Protection for the following purposes in the following manner:

(a) ~~(1) Sixty-five percent to the Department of Environmental Protection for The implementation of an~~ alternative water supply program as provided in s. 373.707.

(b) The water storage facility revolving loan fund as provided in s. 373.475.

(2) Revenues deposited into or appropriated to the Water Protection and Sustainability Program Trust Fund for purposes of the water storage facility revolving loan fund may only be used for such purposes.

~~(2) Twenty-two and five-tenths percent for the implementation of best management practices and capital project expenditures necessary for the implementation of the goals of the total maximum daily load program established in s. 403.067. Of these funds, 83.33 percent shall be transferred to the credit of the Department of Environmental Protection Water Quality Assurance Trust Fund to address water quality impacts associated with nonagricultural nonpoint sources. Sixteen and sixty-seven hundredths percent of these funds shall be transferred to the~~



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~~Department of Agriculture and Consumer Services General
Inspection Trust Fund to address water quality impacts
associated with agricultural nonpoint sources. These funds shall
be used for research, development, demonstration, and
implementation of the total maximum daily load program under s.
403.067, suitable best management practices or other measures
used to achieve water quality standards in surface waters and
water segments identified pursuant to s. 303(d) of the Clean
Water Act, Pub. L. No. 92-500, 33 U.S.C. ss. 1251 et seq.
Implementation of best management practices and other measures
may include cost-share grants, technical assistance,
implementation tracking, and conservation leases or other
agreements for water quality improvement. The Department of
Environmental Protection and the Department of Agriculture and
Consumer Services may adopt rules governing the distribution of
funds for implementation of capital projects, best management
practices, and other measures. These funds shall not be used to
abrogate the financial responsibility of those point and
nonpoint sources that have contributed to the degradation of
water or land areas. Increased priority shall be given by the
department and the water management district governing boards to
those projects that have secured a cost-sharing agreement
allocating responsibility for the cleanup of point and nonpoint
sources.~~

~~(3) Twelve and five tenths percent to the Department of
Environmental Protection for the Disadvantaged Small Community
Wastewater Grant Program as provided in s. 403.1838.~~

(3)~~(4)~~ On June 30, 2009, and every 24 months thereafter,
the Department of Environmental Protection shall request the



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return of all unencumbered funds distributed for the purposes of
the alternative water supply program ~~pursuant to this section.~~

These funds shall be deposited into the Water Protection and
Sustainability Program Trust Fund and redistributed for such
purposes ~~pursuant to the provisions of this section.~~

Section 7. Section 446.71, Florida Statutes, is created to
read:

446.71 Everglades Restoration Agricultural Community
Employment Training Program.—

(1) The Department of Economic Opportunity, in cooperation
with CareerSource Florida, Inc., shall establish the Everglades
Restoration Agricultural Community Employment Training Program
within the Department of Economic Opportunity. The Department of
Economic Opportunity shall use funds appropriated to the program
by the Legislature to provide grants to stimulate and support
training and employment programs that seek to match persons who
complete such training programs to nonagricultural employment
opportunities in areas of high agricultural unemployment, and to
provide other training, educational, and information services
necessary to stimulate the creation of jobs in the areas of high
agricultural unemployment.

(2) The Legislature supports projects that improve the
economy in the Everglades Agricultural Area. In recognition of
the employment opportunities and economic development generated
by new and expanding industries in the area, such as the
Airglades Airport in Hendry County and the development of an
inland port in Palm Beach County, the Legislature finds that
training the citizens of the state to fill the needs of these
industries significantly enhances the economic viability of the



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region.

(3) Funds may be used for grants for tuition for public or private technical or vocational programs and matching grants to employers to conduct employer-based training programs, or for the purchase of equipment to be used for training purposes, the hiring of instructors, or any other purpose directly associated with the program.

(4) The Department of Economic Opportunity may not award a grant to any given training program which exceeds 50 percent of the total cost of the program. Matching contributions may include in-kind services, including, but not limited to, the provision of training instructors, equipment, and training facilities.

(5) The Department of Economic Opportunity may grant up to 100 percent of the tuition for a training program participant primarily employed during 36 of the previous 60 months in the Everglades Agricultural Area.

(6) Programs established in the Everglades Agricultural Area must include opportunities to obtain the qualifications and skills necessary for jobs related to federal and state restoration projects, Airglades Airport in Hendry County, or an inland port in Palm Beach County.

(7) The Department of Economic Opportunity shall adopt rules to implement this section.

Section 8. Subsection (3) is added to section 946.511, Florida Statutes, to read:

946.511 Inmate labor to operate correctional work programs.—

(3) Beginning July 1, 2017, the use of inmates for



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correctional work programs in the agricultural industry in the
EAA or in any area experiencing high unemployment rates in the
agricultural sector is prohibited. Any lease agreement relating
to land in the EAA leased to the Prison Rehabilitative
Industries and Diversified Enterprises, Inc., (PRIDE
Enterprises) for an agricultural work program is required to be
terminated in accordance with the terms of the lease agreement.

Section 9. The Division of Law Revision and Information is
directed to replace the phrase "the effective date of this act"
wherever it occurs in this act with the date the act becomes a
law.

Section 10. For the 2017-2018 fiscal year, the sum of \$30
million in nonrecurring funds from the Land Acquisition Trust
Fund is appropriated to the Everglades Trust Fund for the
purposes of acquiring land or negotiating leases pursuant to s.
373.4598(4), Florida Statutes, or for any cost related to the
planning or construction of the EAA reservoir project as defined
in s. 373.4598, Florida Statutes.

Section 11. For the 2017-2018 fiscal year, the sum of \$3
million in nonrecurring funds from the Land Acquisition Trust
Fund is appropriated to the Everglades Trust Fund for the
purposes of developing the post-authorization change report
pursuant to s. 373.4598, Florida Statutes, and the sum of \$1
million in nonrecurring funds from the Land Acquisition Trust
Fund is appropriated to the Everglades Trust Fund for the
purposes of negotiating Phase II of the C-51 reservoir project
pursuant to s. 373.4598, Florida Statutes.

Section 12. For the 2017-2018 fiscal year, the sum of \$30
million in nonrecurring funds from the Land Acquisition Trust



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Fund is appropriated to the Water Resource Protection and Sustainability Program Trust Fund for the purpose of implementing Phase I of the C-51 reservoir project as a water storage facility in accordance with ss. 373.4598 and 373.475, Florida Statutes.

Section 13. This act shall take effect upon becoming a law.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled
An act relating to water resources; amending s.
201.15, F.S.; revising the requirements under which
certain bonds may be issued; amending s. 215.618,
F.S.; providing an exception to the requirement that
bonds issued for acquisition and improvement of land,
water areas, and related property interests and
resources be deposited into the Florida Forever Trust
Fund and distributed in a specified manner; creating
s. 373.4598, F.S.; providing legislative findings and
intent; defining terms; authorizing the South Florida
Water Management District and the Board of Trustees of
the Internal Improvement Trust Fund to negotiate the
amendment and termination of leases on lands within
the Everglades Agricultural Area for exchange or use
for the reservoir project; requiring certain lease
agreements for agricultural work programs to be
terminated in accordance with the lease terms;



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requiring the district to identify certain lands;
requiring that the district contact the lessors or
landowners of any land identified by a certain date;
requiring the board to provide certain land to the
district; authorizing the district to acquire land
from willing sellers under certain circumstances;
prohibiting the total acreage necessary for additional
water treatment from exceeding the amount reasonably
required to meet state and federal water quality
standards; requiring the district to request that the
United States Army Corps of Engineers jointly develop
a post-authorization change report for the Central
Everglades Planning Project; providing requirements
for the report; requiring the district to report the
status of the report to the Legislature by a certain
date; requiring the district to terminate an option
agreement under certain circumstances; requiring the
district, in coordination with the corps, to begin the
planning study for the Everglades Agricultural Area
reservoir project by a certain date under specified
conditions; requiring the district to give hiring
preferences to certain displaced agricultural workers;
authorizing the district to negotiate with the owners
of the C-51 reservoir project; providing requirements
for the C-51 reservoir project if state funds are
appropriated for the project; authorizing certain
costs to be funded using Florida Forever bond proceeds
under certain circumstances; specifying how such bond
proceeds shall be deposited; authorizing the use of



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state funds for the reservoir project; requiring the district to seek additional sources of funding; requiring the district to request the corps, in the corps' review of the regulation schedule, to consider any repairs to the Herbert Hoover Dike and implementation of certain projects to optimally utilize the added storage capacity; creating s. 373.475, F.S.; providing legislative findings and intent; defining terms; requiring the state, through the Department of Environmental Protection, to provide certain funding assistance to local governments and water supply entities for the development and construction of water storage facilities; requiring the department to adopt rules; specifying required documentation for local government or water supply entities; specifying that recipients need not request certain advance payment; authorizing technical assistance from the department and water management districts to local governments or water supply entities for a certain purpose; specifying certain loan funding minimums and term requirements; requiring a report; authorizing certain audits and servicing fees; providing that the Water Protection and Sustainability Program Trust Fund must be used to carry out the purposes of the water storage facility revolving loan fund; specifying certain default and compliance provisions; amending s. 375.041, F.S.; requiring certain distributions to be made from the Land Acquisition Trust Fund; amending s. 403.890,



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F.S.; revising the purposes for which distributions may be made from and to the Water Protection and Sustainability Program Trust Fund; creating s. 446.71, F.S.; requiring the Department of Economic Opportunity, in cooperation with CareerSource Florida, Inc., to establish the Everglades Restoration Agricultural Community Employment Training Program within the department; providing requirements for the program; providing a legislative finding; specifying award restrictions; requiring the department to adopt rules; amending s. 946.511, F.S.; prohibiting the use of inmates for correctional work programs in the agricultural industry in certain areas; providing a directive to the Division of Law Revision and Information; providing appropriations; providing an effective date.



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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/06/2017	.	
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The Committee on Appropriations (Simmons) recommended the following:

Senate Amendment to Amendment (920390) (with title amendment)

Delete lines 5 - 769
and insert:

Section 1. Emergency rehabilitation of the Central and Southern Florida Project for Flood Control and Other Purposes.-

(1) As used in this section, the term:

(a) "A-1 and A-2 lands" means the approximately 31,000 acres in Compartment A acquired pursuant to the March 1999



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Talisman Exchange and Purchase and Sale Agreement.

(b) "CERP" has the same meaning as the term "comprehensive plan" as defined in s. 373.470, Florida Statutes.

(c) "Corps of Engineers" or "Corps" means the United States Army Corps of Engineers.

(d) "C&SF" means the Central and Southern Florida Project for Flood Control and Other Purposes.

(e) "C&SF agreement" means the agreement entered into between the state and the Federal Government to operate the C&SF.

(f) "Department" means the Department of Environmental Protection.

(g) "Dike" means the Herbert Hoover Dike.

(h) "District" means the South Florida Water Management District.

(i) "DSADS" means the Dam Safety Action Decision Summary for the Herbert Hoover Dike compiled by the Corps of Engineers.

(j) "Everglades Agricultural Area" or "EAA" has the same meaning as in s. 373.4592, Florida Statutes.

(k) "EAA Storage Reservoir" means the above-ground reservoir located in the Everglades Agricultural Area, which is included in the comprehensive plan as defined in s. 373.470(2)(b), Florida Statutes, and subsequently modified by the project implementation reports approved pursuant to s. 601(b)(1)(D)(i) of Pub. L. No. 106-541, December 11, 2000.

(l) "Interim LORS08 Schedule" means the 2008 Lake Okeechobee Interim Regulation Schedule approved by the Corps on April 28, 2008.

(m) "Modification study" means the Corps of Engineers



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40 evaluation known as the Herbert Hoover Dike Dam Safety
41 Modification Study.

42 (2) The Legislature finds that the dike, a major component
43 of the C&SF, is designated by the Corps of Engineers as meeting
44 Dam Safety Classification Level 1, the highest risk designation
45 used by the Corps. Because of the instability of the dike, the
46 Corps implemented the Interim LORS08 Schedule, a lower lake
47 schedule, while dike repairs were completed. The Interim LORS08
48 Schedule has resulted in regular releases of significant amounts
49 of lake water into the St. Lucie River and Caloosahatchee River
50 systems to reduce pressure on the dike. These releases, combined
51 with local basin runoff, have resulted in significant negative
52 impacts to public health, water supply, property, and the
53 environment for residents throughout South Florida. Furthermore,
54 the current critical state of the dike presents significant risk
55 of major injury, loss of life, property destruction, and
56 environmental damage for communities and other interests near
57 Lake Okeechobee. These negative impacts can be ameliorated with
58 the expeditious completion of the dike repairs and
59 implementation of a new lake regulation schedule. Therefore,
60 given the inadequate response of the Corps to these known risks
61 and the significant and unacceptable potential for harm to the
62 state and its residents, the Legislature finds that an emergency
63 situation exists in the C&SF which the state must address
64 immediately.

65 (3) The district is directed to immediately attempt to
66 negotiate with the Corps of Engineers to develop an
67 intergovernmental agreement to reduce the discharges of water
68 from Lake Okeechobee and expedite the rehabilitation of the dike



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and any other work in order to comply with the purposes and intent of the C&SF agreement. As part of the agreement, the district shall negotiate with the Corps to:

(a) Revise and expedite the Modification Study and DSADS in support of the directives in paragraphs (b) and (c);

(b) Materially rehabilitate, repair, improve, and strengthen the dike on an expedited schedule so as to reach substantial completion on or before July 1, 2021. This expedited rehabilitation, repair, improvement, and strengthening shall be implemented, as deemed reasonable by the district and the Corps given the complexity of the project and the significant risks of further delay, in such a manner as to accomplish all of the goals of the C&SF, including, but not limited to, protecting the residents of this state and limiting the harmful discharges of water from Lake Okeechobee; and

(c) Ensure that the Corps of Engineers' release of lake water into the St. Lucie River and Caloosahatchee River systems is executed only as part of a schedule jointly developed with input from the district.

As part of the negotiations conducted pursuant to this subsection, the district is authorized to require that provision be made for adequate assurances from the Corps that funds advanced will be repaid by the Corps, or on the Corps' behalf. However, if circumstances are such that an advancement of funds is necessary to address an emergency situation relating to the goals and directives of this act, the district may advance funds without such assurances.

(4) If the district is unable to reach an agreement by



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October 1, 2017, to, at a minimum, meet the objectives provided in paragraphs (3)(a), (b), and (c), the district is authorized, if it deems such action necessary and appropriate to satisfy the objectives of this section, to immediately declare the rights of the state to ultimately control discharges of water from Lake Okeechobee and to assume a leadership role in the rehabilitation of the dike and any other work in order to comply with the purposes and intent of the C&SF agreement. As part of its leadership role, the district may request the Corps of Engineers to meet the objectives provided in paragraphs (3)(a), (b), and (c). If the Corps refuses or fails to take action on this request, or refuses or fails to achieve the objectives provided in paragraphs (3)(a), (b), and (c), the district is authorized to take all steps necessary to accomplish such action or achieve such objectives itself. The district is also authorized to extend the time period for reaching an agreement with the Corps pursuant to this subsection for a reasonable period of time if the district determines that the parties are negotiating in good faith and are nearing an agreement.

(5) In the process of rehabilitation, repair, improvement, and strengthening of the dike, the district shall set a goal of adding up to an additional 1.25 feet of short-term water storage capacity above that provided by the current Interim LORS08 Schedule to Lake Okeechobee in order to reduce the need for high-volume release of lake water into the St. Lucie River and Caloosahatchee River systems to ensure that the maximum stage does not exceed 18.5 feet NGVD, taking into consideration all relevant circumstances, including the ecology of the lake.

(6) If the district determines that it or the Corps of



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Engineers is unable, after due diligence, to accomplish the substantial completion of the work specified in subsection (3) on or before July 1, 2021, the district may, upon application to the department and good cause shown, obtain extensions of time in increments of up to 1 year in order to attain, as expeditiously as reasonably possible, substantial completion of the dike rehabilitation, repair, improvement, and strengthening.

(7) (a) The district is directed to request that the Corps of Engineers jointly develop with the district a general reevaluation report for CERP with the purpose of increasing storage and providing water quality treatment within the boundary of the A-1 and A-2 lands in the authorized EAA Storage Reservoir to achieve a total storage capacity of a minimum of 240,000 acre feet and up to a maximum of 360,000 acre-feet, if practicable, on such lands. The development of the General Reevaluation Report must be consistent with CERP, the Master Implementation Sequencing Plan required under 33 C.F.R. s. 385.30, and the Integrated Delivery Schedule adopted by the United States Army Corps of Engineers, dated December 2016. The development of the general reevaluation report does not preclude implementation of the remaining CERP project components authorized as part of the Central Everglades Planning Process. All recommended modifications to the EAA Storage Reservoir on A-1 and A-2 lands must include sufficient water quality treatment features within the A-1 and A-2 lands to meet state water quality standards in the Everglades Protection Area. Implementation of the recommended plan in the general reevaluation report is subject to congressional authorization and adherence to all other state and federal CERP project



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procedures.

(b) The district may not exercise eminent domain for the purpose of implementing the EAA Storage Reservoir or any of the provisions of this subsection.

(8) Notwithstanding s. 768.28, Florida Statutes, the state, for itself and for its agencies and subdivisions, does not waive sovereign immunity for torts arising from the implementation of this section. Such torts include, but are not limited to, those arising from the failure or breach of the dike, operation of the dike, or impacts related to the failure, breach, or operation of the dike or other C&SF project-related structures repaired, replaced, or operated pursuant to this section.

(9) (a) Any moneys expended by the district or another state agency to comply with this section in excess of existing state obligation under the C&SF agreement are declared by this state to be an interest-free loan or advance to the United States. The district shall seek recovery of these moneys as authorized by law. Funds recovered pursuant to this subsection shall be used by the district solely for the purposes of this section.

(10) The Legislature finds that aquifer storage and recovery (ASR) wells are an integral part of CERP and the primary CERP project component designed to manage Lake Okeechobee levels and high discharges to the estuaries and address other C&SF purposes. Subject to the appropriation of funds by the Legislature, the district is directed to immediately begin planning and to construct and operate on lands owned by the district on the effective date of this act a minimum of 40 ASR wells consistent with the findings in the May 2015 report entitled "Central and South Florida Project,



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Comprehensive Everglades Restoration Plan, Final Technical Data Report, Aquifer Storage and Recovery Regional Study."

Section 2. For the 2017-2018 fiscal year, the sum of \$64 million in recurring funds, and for the 2018-2019 through 2020-2021 fiscal years, the sum of \$100 million, annually, in recurring funds, is appropriated from the Land Acquisition Trust Fund to the South Florida Water Management District for the purpose of implementing section 1 of this act.

===== T I T L E A M E N D M E N T =====
And the title is amended as follows:

Delete lines 777 - 867
and insert:

An act relating to the Central and Southern Florida Project for Flood Control and Other Purposes; defining terms; providing legislative findings; directing the South Florida Water Management District to attempt to negotiate an agreement with the United States Army Corps of Engineers to reduce discharges of water from Lake Okeechobee and expedite the rehabilitation of the Herbert Hoover Dike, to revise and expedite a certain study and a certain summary, to rehabilitate, repair, improve, and strengthen the dike, and to ensure that the release of lake water is executed only as part of a specified schedule; authorizing the district, as part of such negotiations, to seek certain assurances from the Corps before advancing funds unless the advancing of funds is necessary to address an emergency; directing the district to declare its right



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to take control of discharges of water from Lake Okeechobee and take a leadership role in the rehabilitation of the dike under certain conditions; authorizing the district to take steps necessary to meet specified objectives if the Corps of Engineers refuses or fails to take specified action, or refuses or fails to achieve specified objectives; providing for extensions to reach an agreement; requiring the district to set a goal of increasing lake storage up to a specified amount to reduce certain high-volume discharges; providing for extensions; directing the district to request the Corps of Engineers to jointly develop a general reevaluation report for the Comprehensive Everglades Restoration Plan (CERP) with the purpose of increasing storage in the authorized Everglades Agricultural Area Storage Reservoir on A-1 and A-2 lands consistent with certain plans and a schedule; clarifying that the development of this report does not preclude the implementation of approved CERP project components; specifying that implementation of the plan developed in the report is subject to congressional authorization and adherence with all other state and federal CERP project procedures; prohibiting the district from exercising imminent domain; specifying that the state does not waive sovereign immunity for torts relating to the dike or project; providing that moneys expended for specified purposes by the district or another state agency in excess of state financial obligations are an



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interest-free loan or advance to the United States;
requiring the district to seek recovery of such
moneys; specifying how recovered funds are to be used;
providing an exception in certain emergency
situations; providing a legislative finding; subject
to the appropriation of funds, directing the district
to immediately construct and operate a specified
minimum number of aquifer storage and recovery wells
that are consistent with the findings in a specified
report; providing appropriations; providing an
effective date.

WHEREAS, federal participation in flood control efforts,
while not previously a function of the Federal Government, began
after the disastrous hurricanes of 1926 and 1928, with states
requesting assistance from the Federal Government and with the
enactment of the River and Harbor Act of 1930, and

WHEREAS, the Central and Southern Florida Project for Flood
Control and Other Purposes (C&SF) was developed pursuant to the
federal Flood Control Act of 1948, and

WHEREAS, in 1949, the State of Florida established a
partnership with the United States Government to implement the
C&SF, and

WHEREAS, the State of Florida provided significant funds,
lands, and other contributions to the C&SF, and

WHEREAS, the C&SF is a function of state and federal
authorization, and initiation of the project was premised on the
State of Florida's partnership with the Federal Government, and

WHEREAS, all title to the easements and rights-of-way upon



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which the C&SF structures operate belongs to the state, and

WHEREAS, while the United States Army Corps of Engineers and the South Florida Water Management District work jointly to operate and maintain the C&SF, the Corps maintains its decisionmaking responsibility for the C&SF and operates and maintains the levees, channels, locks, and control works of the St. Lucie Canal, Lake Okeechobee, and Caloosahatchee River and the main spillways of C&SF's water conservation areas only under the partnership terms with the state, and

WHEREAS, the United States Eleventh Circuit Court of Appeals in 2013 ruled that "[d]espite the Corps exercising control over these systems, either directly or by issuing regulations to the SFWMD, the project is a function of state authorization. The federal government's initiation of the project was premised on the State of Florida's permission; all title to the easements and rights-of-way upon which the C&SF Project structures operate belong to the State of Florida; and the United States Army Corps of Engineers administers the C&SF Project pursuant to an agreement between the United States and the State of Florida," and

WHEREAS, the State of Florida, therefore, has the ultimate right of decisionmaking regarding this partnership between the United States and the state, and when the United States Army Corps of Engineers' conduct, as a result of the funding limitations imposed upon it, is jeopardizing the life, safety, welfare, economy, and environment of this state, the state, by virtue of its ultimate contractual right of control of the C&SF and its inherent constitutional right to protect its residents, may direct and assist the Corps to make revisions of the



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operations within the C&SF, and

WHEREAS, the United States Eleventh Circuit Court of Appeals has further held that the authorized purposes of the C&SF Project include absorbing water for flood control, maintaining water supplies for agriculture, restoring hydrologic conditions in the Everglades National Park, ensuring water quality, and maintaining fish, wildlife, and marsh vegetation, and

WHEREAS, the C&SF Project therefore clearly includes the purpose of protecting the St. Lucie River and the Caloosahatchee River and their estuaries from the destructive impacts of high-volume discharges from Lake Okeechobee, and, consequently, in protecting the Everglades and operating within the limitations and parameters of the C&SF, the United States Army Corps of Engineers and the State of Florida must not ignore these critical environmental treasures, and

WHEREAS, the lives, safety, and livelihood of the state's residents who live around Lake Okeechobee depend upon a properly maintained water level, the strength and integrity of the Herbert Hoover Dike, the protection of the Everglades and endangered species in and surrounding the Everglades, the protection of the St. Lucie River and Caloosahatchee River and their estuaries, and the protection of agriculture and other private property rights—all as provided by the applicable statutes and agreements creating the C&SF—and these are not mutually exclusive goals, but instead must be achieved together, and

WHEREAS, the Herbert Hoover Dike, a component of the C&SF, is an approximately 143-mile levee system surrounding Lake



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Okeechobee developed and built starting in 1930, as authorized under the federal River and Harbor Act of 1930, to provide flood protection and other development benefits to South Florida, and

WHEREAS, one of the central requirements of the C&SF is to protect the structural integrity of the Herbert Hoover Dike, and

WHEREAS, since at least the late 1980s, the United States Army Corps of Engineers has been aware of significant structural vulnerabilities in the dike due to slope instability, piping, and seepage, and

WHEREAS, the United States Army Corps of Engineers, in its June 2016 Environmental Impact Statement submitted pursuant to its intended dike modifications, classified the dike as "critically near failure or extremely high risk" and that "a failure of the dike could result in human suffering, immense property damage, destruction of the natural habitat, and loss of human life," and

WHEREAS, despite this well-known and ongoing risk, due to funding or other limitations, the United States Army Corps of Engineers has been unable to timely and adequately rehabilitate the dike, resulting in an unjustifiable, significant, and intolerable risk of major injury, loss of life, property destruction, and environmental damage for communities and other interests near Lake Okeechobee, and

WHEREAS, the poor condition of the dike has resulted in "seepage and internal erosion ... during high reservoir events," thus causing the United States Army Corps of Engineers in April 2008 to revise its prior discharge schedule, creating its current interim Lake Okeechobee Regulation Schedule (LORS08), which was intended to be a temporary schedule while dike repairs



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were completed, and which has caused significant and damaging releases of polluted lake water into the St. Lucie River and Caloosahatchee River systems, while diminishing water storage and supply, and

WHEREAS, the National Academies of Sciences, Engineering, and Medicine in 2016 published their report on the "Progress Toward Restoring the Everglades: The Sixth Biennial Review, 2016," and

WHEREAS, "[t]he National Academies of Sciences, Engineering, and Medicine established the Committee on Independent Scientific Review of Everglades Restoration Progress in 2004 in response to a request from the United States Army Corps of Engineers ..., with support from the South Florida Water Management District ..., and the U.S. Department of the Interior ..., based on Congress's mandate in the Water Resources Development Act of 2000," and

WHEREAS, as stated by the National Academies of Sciences, Engineering, and Medicine, integrity issues and concerns that led to the United States Army Corps of Engineers' Dam Safety Modification Study also resulted in the new water discharge regulation schedule that was designed to limit high water levels in the lake and thereby reduce the risk of catastrophic levee failure until substantial progress is made in the dike rehabilitation, and

WHEREAS, the National Academies of Sciences, Engineering, and Medicine state that the Interim LORS08 Schedule implemented in April 2008 lowered the maximum stage from 18.5 feet to 17.25 feet (National Geodetic Survey Vertical Datum), resulting in a significant loss of water storage and supply, and



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WHEREAS, the United States Army Corps of Engineers' implementation of its dike modifications is not expected to be completed before fiscal year 2025 at the earliest, depending on funding, and

WHEREAS, the National Academies of Sciences, Engineering, and Medicine state that the United States Army Corps of Engineers' future lake discharge schedule is critically important to future Comprehensive Everglades Restoration Plan (CERP) decisions regarding storage north and south of the lake, and that the "adoption of the LORS 2008 schedule, intended to reduce life safety risks in light of structural problems with the Herbert Hoover Dike ... alone reduced potential storage by 564,000 [acre-feet]," and

WHEREAS, the National Academies of Sciences, Engineering, and Medicine concluded and recommended that "[t]he process to revise the Lake Okeechobee regulation schedule should be initiated as soon as possible in parallel with the Herbert Hoover Dike modifications to inform near-term project planning involving water storage north and south of the lake. The large impacts on water storage with just modest changes in the lake regulation schedule suggest that Lake Okeechobee is a central factor in future considerations of water storage. Decisions made on the future regulation schedule will affect storage needs both north and south of the lake and overall restoration outcomes and costs.... Expediting the revision to the lake regulation schedule would also ensure that the process is complete (including a required dam safety risk assessment) so that the new schedule can be put into place as soon as the Herbert Hoover Dike repairs are determined to be sufficient to sustain higher



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water levels, thereby expediting ecological benefits to the northern estuaries. Once other storage elements are constructed, the lake schedule will likely need to be revisited to optimize its operations considering the additional storage features," and

WHEREAS, in making its decisions, apparently due to funding or other limitations, the United States Army Corps of Engineers has not been able to adequately respond to the tragic and destructive consequences of its high-volume discharges into both the St. Lucie River and Caloosahatchee River, their estuaries, and the communities surrounding those invaluable rivers and estuaries, and

WHEREAS, the United States Army Corps of Engineers' high-volume water releases into the St. Lucie River and Caloosahatchee River systems have resulted in disastrous impacts to public health, property, and the environment for residents living along and near these river and estuary systems, and

WHEREAS, the state, which has the ownership and ultimate right of control over the C&SF to protect its residents, the environment, and the public health, safety, and welfare, has a right and obligation to alter the management, construction, and maintenance of the dike and the C&SF overall to reduce the risks of continuing harm to its residents and the environment, NOW, THEREFORE,



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/06/2017	.	
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The Committee on Appropriations (Galvano) recommended the following:

Senate Amendment to Amendment (920390)

Delete lines 192 - 255
and insert:
water storage south of the lake. The use of eminent domain in
the EAA for the purpose of implementing the EAA reservoir
project is prohibited.

(a) Upon the effective date of this act, the district shall
identify the lessees of the approximately 3,200 acres of land
owned by the state or the district west of the A-2 parcel and



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11 east of the Miami Canal and the private property owners of the
12 approximately 500 acres of land surrounded by such lands.

13 (b) By July 31, 2017, the district shall contact the
14 lessors and landowners of the land identified pursuant paragraph
15 (a) to express the district's interest in acquiring land through
16 the purchase or exchange of lands or by the amendment or
17 termination of lease agreements. If land swaps or purchases are
18 necessary to assemble the required acreage, the participation of
19 private landowners must be voluntary. The district shall contact
20 the board to request that any lease of land identified pursuant
21 to paragraph (a), the title to which is vested in the board, be
22 amended or terminated. All appraisal reports, offers, and
23 counteroffers in relation to this subsection are confidential
24 and exempt from s. 119.07(1), as provided in s. 373.139.

25 (c) The board shall provide to the district, through direct
26 acquisition in fee or by a supplemental agreement, any land, the
27 title to which is vested in the board, that the district
28 identifies as necessary to construct the EAA reservoir project.

29 (d) The total acreage necessary for additional water
30 treatment may not exceed the amount reasonably required to meet
31 state and federal water quality standards as determined using
32 the water quality modeling tools of the district. The district
33 shall use the latest version of the Dynamic Model for Stormwater
34 Treatment Areas Model modeling tool and other modeling tools
35 that will be required in the planning and design of the EAA
36 reservoir project. If additional land not identified in
37 paragraph (a) is necessary for the EAA reservoir project, the
38 district shall acquire that land from willing sellers of
39 property in conjunction with the development of the



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post-authorization change report.

(5) POST-AUTHORIZATION CHANGE REPORT.—

(a) The district is directed to request, by July 1, 2017, that the corps jointly develop a post-authorization change report with the district for CEPP to revise the project component located on the A-2 parcel with the goal of increasing water storage provided by the project component to a minimum of 240,000 acre-feet. Upon agreement with the corps, development of the report must begin by August 1, 2017, and does not preclude the implementation of the remaining CEPP project components.

(b) Using the A-2 parcel and the additional land identified pursuant to paragraph (4) (a) and without modifying the A-1 parcel, the report must evaluate:

1. The optimal configuration of the EAA reservoir project for providing at least 240,000 acre-feet of water storage; and

2. Any necessary increases in canal conveyance capacity to reduce the discharges to the St. Lucie or Caloosahatchee estuaries.

(c) If the district and the corps determine that an alternate configuration of water storage and water quality features providing for significantly more water storage, but no less than 360,000 acre-feet of water storage, south of the lake can be implemented on a footprint that includes modification to the A-1 parcel, the district is authorized to recommend such an alternative configuration in its report. Any such recommendation must include sufficient water quality treatment capacity to meet state and federal water quality standards.

(d) Pending congressional approval of the report, the district may begin the preliminary planning or construction



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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/06/2017	.	
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The Committee on Appropriations (Simmons) recommended the following:

Senate Substitute for Amendment (920390) (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Emergency rehabilitation of the Central and Southern Florida Project for Flood Control and Other Purposes.-

(1) As used in this section, the term:

(a) "A-1 and A-2 lands" means the approximately 31,000 acres in Compartment A acquired pursuant to the March 1999



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Talisman Exchange and Purchase and Sale Agreement.

(b) "CERP" has the same meaning as the term "comprehensive plan" as defined in s. 373.470, Florida Statutes.

(c) "Corps of Engineers" or "Corps" means the United States Army Corps of Engineers.

(d) "C&SF" means the Central and Southern Florida Project for Flood Control and Other Purposes.

(e) "C&SF agreement" means the agreement entered into between the state and the Federal Government to operate the C&SF.

(f) "Department" means the Department of Environmental Protection.

(g) "Dike" means the Herbert Hoover Dike.

(h) "District" means the South Florida Water Management District.

(i) "DSADS" means the Dam Safety Action Decision Summary for the Herbert Hoover Dike compiled by the Corps of Engineers.

(j) "Everglades Agricultural Area" or "EAA" has the same meaning as in s. 373.4592, Florida Statutes.

(k) "EAA Storage Reservoir" means the above-ground reservoir located in the Everglades Agricultural Area, which is included in the comprehensive plan as defined in s. 373.470(2)(b), Florida Statutes, and subsequently modified by the project implementation reports approved pursuant to s. 601(b)(1)(D)(i) of Pub. L. No. 106-541, December 11, 2000.

(l) "Interim LORS08 Schedule" means the 2008 Lake Okeechobee Interim Regulation Schedule approved by the Corps on April 28, 2008.

(m) "Modification study" means the Corps of Engineers



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40 evaluation known as the Herbert Hoover Dike Dam Safety
41 Modification Study.

42 (2) The Legislature finds that the dike, a major component
43 of the C&SF, is designated by the Corps of Engineers as meeting
44 Dam Safety Classification Level 1, the highest risk designation
45 used by the Corps. Because of the instability of the dike, the
46 Corps implemented the Interim LORS08 Schedule, a lower lake
47 schedule, while dike repairs were completed. The Interim LORS08
48 Schedule has resulted in regular releases of significant amounts
49 of lake water into the St. Lucie River and Caloosahatchee River
50 systems to reduce pressure on the dike. These releases, combined
51 with local basin runoff, have resulted in significant negative
52 impacts to public health, water supply, property, and the
53 environment for residents throughout South Florida. Furthermore,
54 the current critical state of the dike presents significant risk
55 of major injury, loss of life, property destruction, and
56 environmental damage for communities and other interests near
57 Lake Okeechobee. These negative impacts can be ameliorated with
58 the expeditious completion of the dike repairs and
59 implementation of a new lake regulation schedule. Therefore,
60 given the inadequate response of the Corps to these known risks
61 and the significant and unacceptable potential for harm to the
62 state and its residents, the Legislature finds that an emergency
63 situation exists in the C&SF which the state must address
64 immediately.

65 (3) The district is directed to immediately attempt to
66 negotiate with the Corps of Engineers to develop an
67 intergovernmental agreement to reduce the discharges of water
68 from Lake Okeechobee and expedite the rehabilitation of the dike



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and any other work in order to comply with the purposes and intent of the C&SF agreement. As part of the agreement, the district shall negotiate with the Corps to:

(a) Revise and expedite the Modification Study and DSADS in support of the directives in paragraphs (b) and (c);

(b) Materially rehabilitate, repair, improve, and strengthen the dike on an expedited schedule so as to reach substantial completion on or before July 1, 2021. This expedited rehabilitation, repair, improvement, and strengthening shall be implemented, as deemed reasonable by the district and the Corps given the complexity of the project and the significant risks of further delay, in such a manner as to accomplish all of the goals of the C&SF, including, but not limited to, protecting the residents of this state and limiting the harmful discharges of water from Lake Okeechobee; and

(c) Ensure that the Corps of Engineers' release of lake water into the St. Lucie River and Caloosahatchee River systems is executed only as part of a schedule jointly developed with input from the district.

As part of the negotiations conducted pursuant to this subsection, the district is authorized to require that provision be made for adequate assurances from the Corps that funds advanced will be repaid by the Corps, or on the Corps' behalf. However, if circumstances are such that an advancement of funds is necessary to address an emergency situation relating to the goals and directives of this act, the district may advance funds without such assurances.

(4) If the district is unable to reach an agreement by



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October 1, 2017, to, at a minimum, meet the objectives provided in paragraphs (3)(a), (b), and (c), the district is authorized, if it deems such action necessary and appropriate to satisfy the objectives of this section, to immediately declare the rights of the state to ultimately control discharges of water from Lake Okeechobee and to assume a leadership role in the rehabilitation of the dike and any other work in order to comply with the purposes and intent of the C&SF agreement. As part of its leadership role, the district may request the Corps of Engineers to meet the objectives provided in paragraphs (3)(a), (b), and (c). If the Corps refuses or fails to take action on this request, or refuses or fails to achieve the objectives provided in paragraphs (3)(a), (b), and (c), the district is authorized to take all steps necessary to accomplish such action or achieve such objectives itself. The district is also authorized to extend the time period for reaching an agreement with the Corps pursuant to this subsection for a reasonable period of time if the district determines that the parties are negotiating in good faith and are nearing an agreement.

(5) In the process of rehabilitation, repair, improvement, and strengthening of the dike, the district shall set a goal of adding up to an additional 1.25 feet of short-term water storage capacity above that provided by the current Interim LORS08 Schedule to Lake Okeechobee in order to reduce the need for high-volume release of lake water into the St. Lucie River and Caloosahatchee River systems to ensure that the maximum stage does not exceed 18.5 feet NGVD, taking into consideration all relevant circumstances, including the ecology of the lake.

(6) If the district determines that it or the Corps of



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Engineers is unable, after due diligence, to accomplish the substantial completion of the work specified in subsection (3) on or before July 1, 2021, the district may, upon application to the department and good cause shown, obtain extensions of time in increments of up to 1 year in order to attain, as expeditiously as reasonably possible, substantial completion of the dike rehabilitation, repair, improvement, and strengthening.

(7) (a) The district is directed to request that the Corps of Engineers jointly develop with the district a general reevaluation report for CERP with the purpose of increasing storage and providing water quality treatment within the boundary of the A-1 and A-2 lands in the authorized EAA Storage Reservoir to achieve a total storage capacity of a minimum of 240,000 acre feet and up to a maximum of 360,000 acre-feet, if practicable, on such lands. The development of the General Reevaluation Report must be consistent with CERP, the Master Implementation Sequencing Plan required under 33 C.F.R. s. 385.30, and the Integrated Delivery Schedule adopted by the United States Army Corps of Engineers, dated December 2016. The development of the general reevaluation report does not preclude implementation of the remaining CERP project components authorized as part of the Central Everglades Planning Process. All recommended modifications to the EAA Storage Reservoir on A-1 and A-2 lands must include sufficient water quality treatment features within the A-1 and A-2 lands to meet state water quality standards in the Everglades Protection Area. Implementation of the recommended plan in the general reevaluation report is subject to congressional authorization and adherence to all other state and federal CERP project



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procedures.

(b) The district may not exercise eminent domain for the purpose of implementing the EAA Storage Reservoir or any of the provisions of this subsection.

(8) Notwithstanding s. 768.28, Florida Statutes, the state, for itself and for its agencies and subdivisions, does not waive sovereign immunity for torts arising from the implementation of this section. Such torts include, but are not limited to, those arising from the failure or breach of the dike, operation of the dike, or impacts related to the failure, breach, or operation of the dike or other C&SF project-related structures repaired, replaced, or operated pursuant to this section.

(9) (a) Any moneys expended by the district or another state agency to comply with this section in excess of existing state obligation under the C&SF agreement are declared by this state to be an interest-free loan or advance to the United States. The district shall seek recovery of these moneys as authorized by law. Funds recovered pursuant to this subsection shall be used by the district solely for the purposes of this section.

(10) The Legislature finds that aquifer storage and recovery (ASR) wells are an integral part of CERP and the primary CERP project component designed to manage Lake Okeechobee levels and high discharges to the estuaries and address other C&SF purposes. Subject to the appropriation of funds by the Legislature, the district is directed to immediately begin planning and to construct and operate on lands owned by the district on the effective date of this act a minimum of 40 ASR wells consistent with the findings in the May 2015 report entitled "Central and South Florida Project,



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Comprehensive Everglades Restoration Plan, Final Technical Data Report, Aquifer Storage and Recovery Regional Study."

Section 2. For the 2017-2018 fiscal year, the sum of \$64 million in recurring funds, and for the 2018-2019 through 2020-2021 fiscal years, the sum of \$100 million, annually, in recurring funds, is appropriated from the Land Acquisition Trust Fund to the South Florida Water Management District for the purpose of implementing section 1 of this act.

Section 3. This act shall take effect upon becoming a law.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled

An act relating to the Central and Southern Florida Project for Flood Control and Other Purposes; defining terms; providing legislative findings; directing the South Florida Water Management District to attempt to negotiate an agreement with the United States Army Corps of Engineers to reduce discharges of water from Lake Okeechobee and expedite the rehabilitation of the Herbert Hoover Dike, to revise and expedite a certain study and a certain summary, to rehabilitate, repair, improve, and strengthen the dike, and to ensure that the release of lake water is executed only as part of a specified schedule; authorizing the district, as part of such negotiations, to seek certain assurances from the Corps before advancing funds unless the



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advancing of funds is necessary to address an
emergency; directing the district to declare its right
to take control of discharges of water from Lake
Okeechobee and take a leadership role in the
rehabilitation of the dike under certain conditions;
authorizing the district to take steps necessary to
meet specified objectives if the Corps of Engineers
refuses or fails to take specified action, or refuses
or fails to achieve specified objectives; providing
for extensions to reach an agreement; requiring the
district to set a goal of increasing lake storage up
to a specified amount to reduce certain high-volume
discharges; providing for extensions; directing the
district to request the Corps of Engineers to jointly
develop a general reevaluation report for the
Comprehensive Everglades Restoration Plan (CERP) with
the purpose of increasing storage in the authorized
Everglades Agricultural Area Storage Reservoir on A-1
and A-2 lands consistent with certain plans and a
schedule; clarifying that the development of this
report does not preclude the implementation of
approved CERP project components; specifying that
implementation of the plan developed in the report is
subject to congressional authorization and adherence
with all other state and federal CERP project
procedures; prohibiting the district from exercising
imminent domain; specifying that the state does not
waive sovereign immunity for torts relating to the
dike or project; providing that moneys expended for



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specified purposes by the district or another state agency in excess of state financial obligations are an interest-free loan or advance to the United States; requiring the district to seek recovery of such moneys; specifying how recovered funds are to be used; providing an exception in certain emergency situations; providing a legislative finding; subject to the appropriation of funds, directing the district to immediately construct and operate a specified minimum number of aquifer storage and recovery wells that are consistent with the findings in a specified report; providing appropriations; providing an effective date.

WHEREAS, federal participation in flood control efforts, while not previously a function of the Federal Government, began after the disastrous hurricanes of 1926 and 1928, with states requesting assistance from the Federal Government and with the enactment of the River and Harbor Act of 1930, and

WHEREAS, the Central and Southern Florida Project for Flood Control and Other Purposes (C&SF) was developed pursuant to the federal Flood Control Act of 1948, and

WHEREAS, in 1949, the State of Florida established a partnership with the United States Government to implement the C&SF, and

WHEREAS, the State of Florida provided significant funds, lands, and other contributions to the C&SF, and

WHEREAS, the C&SF is a function of state and federal authorization, and initiation of the project was premised on the



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State of Florida's partnership with the Federal Government, and
WHEREAS, all title to the easements and rights-of-way upon
which the C&SF structures operate belongs to the state, and

WHEREAS, while the United States Army Corps of Engineers
and the South Florida Water Management District work jointly to
operate and maintain the C&SF, the Corps maintains its
decisionmaking responsibility for the C&SF and operates and
maintains the levees, channels, locks, and control works of the
St. Lucie Canal, Lake Okeechobee, and Caloosahatchee River and
the main spillways of C&SF's water conservation areas only under
the partnership terms with the state, and

WHEREAS, the United States Eleventh Circuit Court of
Appeals in 2013 ruled that "[d]espite the Corps exercising
control over these systems, either directly or by issuing
regulations to the SFWMD, the project is a function of state
authorization. The federal government's initiation of the
project was premised on the State of Florida's permission; all
title to the easements and rights-of-way upon which the C&SF
Project structures operate belong to the State of Florida; and
the United States Army Corps of Engineers administers the C&SF
Project pursuant to an agreement between the United States and
the State of Florida," and

WHEREAS, the State of Florida, therefore, has the ultimate
right of decisionmaking regarding this partnership between the
United States and the state, and when the United States Army
Corps of Engineers' conduct, as a result of the funding
limitations imposed upon it, is jeopardizing the life, safety,
welfare, economy, and environment of this state, the state, by
virtue of its ultimate contractual right of control of the C&SF



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and its inherent constitutional right to protect its residents, may direct and assist the Corps to make revisions of the operations within the C&SF, and

WHEREAS, the United States Eleventh Circuit Court of Appeals has further held that the authorized purposes of the C&SF Project include absorbing water for flood control, maintaining water supplies for agriculture, restoring hydrologic conditions in the Everglades National Park, ensuring water quality, and maintaining fish, wildlife, and marsh vegetation, and

WHEREAS, the C&SF Project therefore clearly includes the purpose of protecting the St. Lucie River and the Caloosahatchee River and their estuaries from the destructive impacts of high-volume discharges from Lake Okeechobee, and, consequently, in protecting the Everglades and operating within the limitations and parameters of the C&SF, the United States Army Corps of Engineers and the State of Florida must not ignore these critical environmental treasures, and

WHEREAS, the lives, safety, and livelihood of the state's residents who live around Lake Okeechobee depend upon a properly maintained water level, the strength and integrity of the Herbert Hoover Dike, the protection of the Everglades and endangered species in and surrounding the Everglades, the protection of the St. Lucie River and Caloosahatchee River and their estuaries, and the protection of agriculture and other private property rights—all as provided by the applicable statutes and agreements creating the C&SF—and these are not mutually exclusive goals, but instead must be achieved together, and



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WHEREAS, the Herbert Hoover Di*ke*, a component of the C&SF, is an approximately 143-mile levee system surrounding Lake Okeechobee developed and built starting in 1930, as authorized under the federal River and Harbor Act of 1930, to provide flood protection and other development benefits to South Florida, and

WHEREAS, one of the central requirements of the C&SF is to protect the structural integrity of the Herbert Hoover Di*ke*, and

WHEREAS, since at least the late 1980s, the United States Army Corps of Engineers has been aware of significant structural vulnerabilities in the di*ke* due to slope instability, piping, and seepage, and

WHEREAS, the United States Army Corps of Engineers, in its June 2016 Environmental Impact Statement submitted pursuant to its intended di*ke* modifications, classified the di*ke* as "critically near failure or extremely high risk" and that "a failure of the di*ke* could result in human suffering, immense property damage, destruction of the natural habitat, and loss of human life," and

WHEREAS, despite this well-known and ongoing risk, due to funding or other limitations, the United States Army Corps of Engineers has been unable to timely and adequately rehabilitate the di*ke*, resulting in an unjustifiable, significant, and intolerable risk of major injury, loss of life, property destruction, and environmental damage for communities and other interests near Lake Okeechobee, and

WHEREAS, the poor condition of the di*ke* has resulted in "seepage and internal erosion ... during high reservoir events," thus causing the United States Army Corps of Engineers in April 2008 to revise its prior discharge schedule, creating its



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current interim Lake Okeechobee Regulation Schedule (LORS08), which was intended to be a temporary schedule while dike repairs were completed, and which has caused significant and damaging releases of polluted lake water into the St. Lucie River and Caloosahatchee River systems, while diminishing water storage and supply, and

WHEREAS, the National Academies of Sciences, Engineering, and Medicine in 2016 published their report on the "Progress Toward Restoring the Everglades: The Sixth Biennial Review, 2016," and

WHEREAS, "[t]he National Academies of Sciences, Engineering, and Medicine established the Committee on Independent Scientific Review of Everglades Restoration Progress in 2004 in response to a request from the United States Army Corps of Engineers ..., with support from the South Florida Water Management District ..., and the U.S. Department of the Interior ..., based on Congress's mandate in the Water Resources Development Act of 2000," and

WHEREAS, as stated by the National Academies of Sciences, Engineering, and Medicine, integrity issues and concerns that led to the United States Army Corps of Engineers' Dam Safety Modification Study also resulted in the new water discharge regulation schedule that was designed to limit high water levels in the lake and thereby reduce the risk of catastrophic levee failure until substantial progress is made in the dike rehabilitation, and

WHEREAS, the National Academies of Sciences, Engineering, and Medicine state that the Interim LORS08 Schedule implemented in April 2008 lowered the maximum stage from 18.5 feet to 17.25



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feet (National Geodetic Survey Vertical Datum), resulting in a significant loss of water storage and supply, and

WHEREAS, the United States Army Corps of Engineers' implementation of its dike modifications is not expected to be completed before fiscal year 2025 at the earliest, depending on funding, and

WHEREAS, the National Academies of Sciences, Engineering, and Medicine state that the United States Army Corps of Engineers' future lake discharge schedule is critically important to future Comprehensive Everglades Restoration Plan (CERP) decisions regarding storage north and south of the lake, and that the "adoption of the LORS 2008 schedule, intended to reduce life safety risks in light of structural problems with the Herbert Hoover Dike ... alone reduced potential storage by 564,000 [acre-feet]," and

WHEREAS, the National Academies of Sciences, Engineering, and Medicine concluded and recommended that "[t]he process to revise the Lake Okeechobee regulation schedule should be initiated as soon as possible in parallel with the Herbert Hoover Dike modifications to inform near-term project planning involving water storage north and south of the lake. The large impacts on water storage with just modest changes in the lake regulation schedule suggest that Lake Okeechobee is a central factor in future considerations of water storage. Decisions made on the future regulation schedule will affect storage needs both north and south of the lake and overall restoration outcomes and costs.... Expediting the revision to the lake regulation schedule would also ensure that the process is complete (including a required dam safety risk assessment) so that the



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new schedule can be put into place as soon as the Herbert Hoover Dike repairs are determined to be sufficient to sustain higher water levels, thereby expediting ecological benefits to the northern estuaries. Once other storage elements are constructed, the lake schedule will likely need to be revisited to optimize its operations considering the additional storage features," and

WHEREAS, in making its decisions, apparently due to funding or other limitations, the United States Army Corps of Engineers has not been able to adequately respond to the tragic and destructive consequences of its high-volume discharges into both the St. Lucie River and Caloosahatchee River, their estuaries, and the communities surrounding those invaluable rivers and estuaries, and

WHEREAS, the United States Army Corps of Engineers' high-volume water releases into the St. Lucie River and Caloosahatchee River systems have resulted in disastrous impacts to public health, property, and the environment for residents living along and near these river and estuary systems, and

WHEREAS, the state, which has the ownership and ultimate right of control over the C&SF to protect its residents, the environment, and the public health, safety, and welfare, has a right and obligation to alter the management, construction, and maintenance of the dike and the C&SF overall to reduce the risks of continuing harm to its residents and the environment, NOW, THEREFORE,



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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/06/2017	.	
	.	
	.	
	.	

The Committee on Appropriations (Simmons) recommended the following:

Senate Amendment to Substitute Amendment (934000) (with title amendment)

Between lines 186 and 187
insert:

Section 2. Section 373.4598, Florida Statutes, is created
to read:

373.4598 Water storage reservoirs.—

(1) The C-51 reservoir project is a water storage facility
as defined in s. 373.475. The C-51 reservoir project is located



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11 in western Palm Beach County south of the Lake Okeechobee and
12 consists of in-ground reservoirs and conveyance structures that
13 will provide water supply and water management benefits to
14 participating water supply utilities and will also provide
15 environmental benefits by reducing freshwater discharges to tide
16 and making water available for natural systems.

17 (2) Phase I of the project will provide approximately
18 14,000 acre-feet of storage and will hydraulically connect to
19 the district's L-8 Flow Equalization Basin. Phase II of the
20 project will provide approximately 46,000 acre-feet of water
21 storage, for a total increase of 60,000 acre-feet of water
22 storage.

23 (3) For Phase II of the C-51 reservoir project, the
24 district may negotiate with the owners of the C-51 reservoir
25 project site for the acquisition of the project or to enter into
26 a public-private partnership. The district may acquire land near
27 the C-51 reservoir through the purchase or exchange of land that
28 is owned by the district or the state as necessary to implement
29 Phase II of the project. The state and the district may consider
30 potential swaps of land owned by the state or the district to
31 achieve an optimal combination of water quality and water
32 storage. The district may not exercise eminent domain for the
33 purpose of implementing the C-51 reservoir project.

34 (4) If state funds are appropriated for Phase I or Phase II
35 of the C-51 reservoir project:

36 (a) The district shall operate the reservoir to maximize
37 the reduction of high-volume Lake Okeechobee regulatory releases
38 to the St. Lucie or Caloosahatchee estuaries in addition to
39 providing relief to the Lake Worth Lagoon;



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(b) Water made available by the reservoir shall be used for natural systems in addition to any allocated amounts for water supply; and

(c) Any water received from Lake Okeechobee may not be available to support consumptive use permits.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

 Delete line 254

and insert:

 report; creating s. 373.4598, F.S.; providing details on the C-51 reservoir project; authorizing the district to negotiate with the owners of the C-51 reservoir project site; providing requirements for the C-51 reservoir project; authorizing the district to purchase land near the reservoir for a specified goal; authorizing the state and the district to consider potential swaps of land under certain circumstances; prohibiting the district from exercising eminent domain for the purpose of implementing the project; providing requirements if state funds are appropriated for the project; providing appropriations; providing an



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Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on the Environment and Natural
Resources)

A bill to be entitled

An act relating to water resources; providing a short
title; amending s. 201.15, F.S.; requiring that the
debt service on certain bonds be paid first from
amounts on deposit in the Land Acquisition Trust Fund;
creating s. 215.613, F.S.; authorizing water resource
protection and development bonds to be issued;
providing a cap on such bonds; establishing certain
covenants with regard to such bonds; specifying that
the bonds do not constitute a general obligation of,
or a pledge of the full faith and credit of, the state
and are secured on a parity basis with certain other
bonds; requiring the Department of Environmental
Protection to distribute bond proceeds through the
Land Acquisition Trust Fund; prohibiting certain
property transactions and uses that would have
specified tax impacts; specifying certain validation
requirements; amending s. 215.618, F.S.; reducing the
bonding authority for Florida Forever bonds; creating
s. 373.4598, F.S.; providing legislative findings and
intent; defining terms; requiring the South Florida
Water Management District to seek proposals from
willing sellers of property within the Everglades
Agricultural Area for land that is suitable for the
reservoir project; clarifying that all appraisal
reports, offers, and counteroffers are confidential



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and exempt from public records requirements; requiring
the district to assign the Entire Option Property Non-
Exclusive Option of a specified agreement to the Board
of Trustees of the Internal Improvement Trust Fund
under certain circumstances; requiring the district to
retain the agreement's option under certain
circumstances; requiring the board or the district, as
applicable, to exercise the specified option by a
certain date under certain circumstances; providing
requirements for the Proposed Option Property Purchase
Price; authorizing the disposal or exchange of certain
land or interests in land for certain purposes;
requiring the district to begin, seek permitting for,
and construct the reservoir project under certain
circumstances; requiring the district, in coordination
with the United States Army Corps of Engineers, to
begin the planning study for the reservoir project by
a specified date under certain circumstances;
requiring the district to identify specified lands
under certain circumstances; providing requirements
for the planning study; requiring the district, in
coordination with the United States Army Corps of
Engineers, to seek Congressional authorization for the
reservoir project under certain circumstances;
authorizing certain costs to be funded using water
resource protection and development bond proceeds
under certain circumstances; specifying how such bond
proceeds shall be deposited; authorizing the use of
state funds for the reservoir project; requiring the



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56 district to seek additional sources of funding;
57 requiring the district to seek federal credits under
58 certain circumstances; requiring the district to
59 request the United States Army Corps of Engineers, in
60 the Corps' review of the regulation schedule, to
61 consider any repairs to the Herbert Hoover Dike or
62 increase in southern outlet capacity of Lake
63 Okeechobee; creating s. 373.475, F.S.; providing
64 legislative findings and intent; requiring the
65 department to distribute certain bond proceeds for the
66 purposes of financing water resource protection and
67 development projects; requiring proceeds to be
68 expended in a fiscally responsible manner; creating s.
69 373.478, F.S.; providing legislative findings and
70 intent; defining terms; requiring the state through
71 the department to provide certain funding assistance
72 to local governments and water supply entities for the
73 development and construction of water storage
74 facilities; requiring the department to adopt rules;
75 specifying required documentation for local government
76 or water supply entities; specifying that recipients
77 need not request certain advance payment; authorizing
78 technical assistance; specifying certain loan funding
79 maximums, minimums, and term requirements; requiring a
80 report; authorizing certain audits and servicing fees;
81 providing that the Water Protection and Sustainability
82 Program Trust Fund shall be used to carry out the
83 purposes of the revolving loan fund; specifying
84 certain default and compliance provisions; amending s.



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85 375.041, F.S.; requiring certain distributions to be
86 made from the Land Acquisition Trust Fund; amending s.
87 375.041, F.S.; contingently increasing the minimum
88 annual funding for certain Everglades projects;
89 creating s. 403.0878, F.S.; requiring the department
90 to establish a water reuse grant program; providing
91 requirements for such program; requiring the
92 department to adopt rules; requiring certain review of
93 grants; authorizing a certain percentage of grant
94 funds to be used for program administration;
95 specifying that recipients need not request certain
96 advance payment; providing legislative findings;
97 amending s. 215.44, F.S.; requiring the Board of
98 Administration to include a summary of potential water
99 supply investments in its annual report to the
100 Legislature; amending s. 403.890, F.S.; revising the
101 purposes for which distributions may be made from and
102 to the Water Protection and Sustainability Program
103 Trust Fund; requiring the district and the board to
104 notify the Division of Law Revision and Information by
105 a certain date of specified land acquisitions;
106 providing a directive to the division; providing
107 contingent appropriations; providing effective dates,
108 one of which is contingent.

109
110 Be It Enacted by the Legislature of the State of Florida:

111
112 Section 1. This act may be cited as the "Coast-to-Coast
113 Comprehensive Water Resources Program."



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114 Section 2. Section 201.15, Florida Statutes, is amended to
115 read:

116 201.15 Distribution of taxes collected.—All taxes collected
117 under this chapter are hereby pledged and shall be first made
118 available to make payments when due on bonds issued pursuant to
119 s. 215.613, s. 215.618, or s. 215.619, or any other bonds
120 authorized to be issued on a parity basis with such bonds. Such
121 pledge and availability for the payment of these bonds shall
122 have priority over any requirement for the payment of service
123 charges or costs of collection and enforcement under this
124 section. All taxes collected under this chapter, except taxes
125 distributed to the Land Acquisition Trust Fund pursuant to
126 subsections (1) and (2), are subject to the service charge
127 imposed in s. 215.20(1). Before distribution pursuant to this
128 section, the Department of Revenue shall deduct amounts
129 necessary to pay the costs of the collection and enforcement of
130 the tax levied by this chapter. The costs and service charge may
131 not be levied against any portion of taxes pledged to debt
132 service on bonds to the extent that the costs and service charge
133 are required to pay any amounts relating to the bonds. All of
134 the costs of the collection and enforcement of the tax levied by
135 this chapter and the service charge shall be available and
136 transferred to the extent necessary to pay debt service and any
137 other amounts payable with respect to bonds authorized before
138 January 1, 2017, secured by revenues distributed pursuant to
139 this section. All taxes remaining after deduction of costs shall
140 be distributed as follows:

141 (1) Amounts necessary to make payments on bonds issued
142 pursuant to s. 215.613, s. 215.618, or s. 215.619, as provided



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143 under paragraphs (3)(a), ~~and~~ (b), and (c) or on any other bonds
144 authorized to be issued on a parity basis with such bonds shall
145 be deposited into the Land Acquisition Trust Fund.

146 (2) If the amounts deposited pursuant to subsection (1) are
147 less than 33 percent of all taxes collected after first
148 deducting the costs of collection, an amount equal to 33 percent
149 of all taxes collected after first deducting the costs of
150 collection, minus the amounts deposited pursuant to subsection
151 (1), shall be deposited into the Land Acquisition Trust Fund.

152 (3) Amounts on deposit in the Land Acquisition Trust Fund
153 shall be used in the following order:

154 (a) Payment of debt service or funding of debt service
155 reserve funds, rebate obligations, or other amounts payable with
156 respect to water resource protection and development bonds
157 issued pursuant to s. 215.613. The amount used for such purposes
158 may not exceed \$300 million in each fiscal year.

159 (b) ~~(a)~~ Payment of debt service or funding of debt service
160 reserve funds, rebate obligations, or other amounts payable with
161 respect to Florida Forever bonds issued pursuant to s. 215.618.
162 The amount used for such purposes may not exceed \$300 million in
163 each fiscal year. It is the intent of the Legislature that all
164 bonds issued to fund the Florida Forever Act be retired by
165 December 31, 2040. Except for bonds issued to refund previously
166 issued bonds, no series of bonds may be issued pursuant to this
167 paragraph unless such bonds are approved and the debt service
168 for the remainder of the fiscal year in which the bonds are
169 issued is specifically appropriated in the General
170 Appropriations Act.

171 (c) ~~(b)~~ Payment of debt service or funding of debt service



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reserve funds, rebate obligations, or other amounts due with respect to Everglades restoration bonds issued pursuant to s. 215.619. Taxes distributed under paragraph (a), paragraph (b), and this paragraph must be collectively distributed on a pro rata basis when the available moneys under this subsection are not sufficient to cover the amounts required under paragraph (a), paragraph (b), and this paragraph.

Bonds issued pursuant to s. 215.613, s. 215.618, or s. 215.619 are equally and ratably secured by moneys distributable to the Land Acquisition Trust Fund.

(4) After the required distributions to the Land Acquisition Trust Fund pursuant to subsections (1) and (2) and deduction of the service charge imposed pursuant to s. 215.20(1), the remainder shall be distributed as follows:

(a) The lesser of 24.18442 percent of the remainder or \$541.75 million in each fiscal year shall be paid into the State Treasury to the credit of the State Transportation Trust Fund. Of such funds, \$75 million for each fiscal year shall be transferred to the State Economic Enhancement and Development Trust Fund within the Department of Economic Opportunity. Notwithstanding any other law, the remaining amount credited to the State Transportation Trust Fund shall be used for:

1. Capital funding for the New Starts Transit Program, authorized by Title 49, U.S.C. s. 5309 and specified in s. 341.051, in the amount of 10 percent of the funds;

2. The Small County Outreach Program specified in s. 339.2818, in the amount of 10 percent of the funds;

3. The Strategic Intermodal System specified in ss. 339.61,



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339.62, 339.63, and 339.64, in the amount of 75 percent of the funds after deduction of the payments required pursuant to subparagraphs 1. and 2.; and

4. The Transportation Regional Incentive Program specified in s. 339.2819, in the amount of 25 percent of the funds after deduction of the payments required pursuant to subparagraphs 1. and 2. The first \$60 million of the funds allocated pursuant to this subparagraph shall be allocated annually to the Florida Rail Enterprise for the purposes established in s. 341.303(5).

(b) The lesser of 0.1456 percent of the remainder or \$3.25 million in each fiscal year shall be paid into the State Treasury to the credit of the Grants and Donations Trust Fund in the Department of Economic Opportunity to fund technical assistance to local governments.

Moneys distributed pursuant to paragraphs (a) and (b) may not be pledged for debt service unless such pledge is approved by referendum of the voters.

(c) Eleven and twenty-four hundredths percent of the remainder in each fiscal year shall be paid into the State Treasury to the credit of the State Housing Trust Fund. Of such funds, the first \$35 million shall be transferred annually, subject to any distribution required under subsection (5), to the State Economic Enhancement and Development Trust Fund within the Department of Economic Opportunity. The remainder shall be used as follows:

1. Half of that amount shall be used for the purposes for which the State Housing Trust Fund was created and exists by law.



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230 2. Half of that amount shall be paid into the State
231 Treasury to the credit of the Local Government Housing Trust
232 Fund and used for the purposes for which the Local Government
233 Housing Trust Fund was created and exists by law.

234 (d) Twelve and ninety-three hundredths percent of the
235 remainder in each fiscal year shall be paid into the State
236 Treasury to the credit of the State Housing Trust Fund. Of such
237 funds, the first \$40 million shall be transferred annually,
238 subject to any distribution required under subsection (5), to
239 the State Economic Enhancement and Development Trust Fund within
240 the Department of Economic Opportunity. The remainder shall be
241 used as follows:

242 1. Twelve and one-half percent of that amount shall be
243 deposited into the State Housing Trust Fund and expended by the
244 Department of Economic Opportunity and the Florida Housing
245 Finance Corporation for the purposes for which the State Housing
246 Trust Fund was created and exists by law.

247 2. Eighty-seven and one-half percent of that amount shall
248 be distributed to the Local Government Housing Trust Fund and
249 used for the purposes for which the Local Government Housing
250 Trust Fund was created and exists by law. Funds from this
251 category may also be used to provide for state and local
252 services to assist the homeless.

253 (e) The lesser of 0.017 percent of the remainder or
254 \$300,000 in each fiscal year shall be paid into the State
255 Treasury to the credit of the General Inspection Trust Fund to
256 be used to fund oyster management and restoration programs as
257 provided in s. 379.362(3).

258 (5) Distributions to the State Housing Trust Fund pursuant



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259 to paragraphs (4)(c) and (d) must be sufficient to cover amounts
260 required to be transferred to the Florida Affordable Housing
261 Guarantee Program's annual debt service reserve and guarantee
262 fund pursuant to s. 420.5092(6)(a) and (b) up to the amount
263 required to be transferred to such reserve and fund based on the
264 percentage distribution of documentary stamp tax revenues to the
265 State Housing Trust Fund which is in effect in the 2004-2005
266 fiscal year.

267 (6) After the distributions provided in the preceding
268 subsections, any remaining taxes shall be paid into the State
269 Treasury to the credit of the General Revenue Fund.

270 Section 3. Section 215.613, Florida Statutes, is created to
271 read:

272 215.613 Bonds for water resource protection and
273 development.—

274 (1) The issuance of water resource protection and
275 development bonds, not to exceed \$3.3 billion, to finance or
276 refinance the cost of acquisition and improvement of land, water
277 areas, or related property interests for the purposes of water
278 resource protection and development, and for capital
279 improvements to land or water areas which facilitate water
280 resource protection and development is authorized, subject to s.
281 373.475 and pursuant to s. 11(e), Art. VII of the State
282 Constitution. The \$3.3 billion limitation on the issuance of
283 water resource protection and development bonds does not apply
284 to refunding bonds. The duration of each series of bonds issued
285 may not exceed 20 annual maturities. No more than 58.25 percent
286 of documentary stamp taxes collected may be taken into account
287 for the purpose of satisfying an additional bonds test set forth



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288 in any authorizing resolution for bonds issued on or after July
289 1, 2017.

290 (2) The state covenants with the holders of water resource
291 protection and development bonds that it will not take any
292 action that will materially and adversely affect the rights of
293 such holders so long as such bonds are outstanding, including,
294 but not limited to, a reduction in the portion of documentary
295 stamp taxes distributable to the Land Acquisition Trust Fund for
296 payment of debt service on water resource protection and
297 development bonds.

298 (3) In accordance with s. 28, Art. X of the State
299 Constitution, bonds issued pursuant to this section are payable
300 from taxes distributable to the Land Acquisition Trust Fund
301 pursuant to s. 201.15. Bonds issued pursuant to this section do
302 not constitute a general obligation of, or a pledge of the full
303 faith and credit of, the state. Water resource protection and
304 development bonds are secured on a parity basis with Florida
305 Forever bonds issued pursuant to s. 215.618 and Everglades
306 restoration bonds issued pursuant to s. 215.619.

307 (4) The Department of Environmental Protection shall
308 request the Division of Bond Finance of the State Board of
309 Administration to issue the bonds authorized by this section.
310 The Division of Bond Finance shall issue such bonds pursuant to
311 the State Bond Act.

312 (5) The proceeds from the sale of bonds issued pursuant to
313 this section, less the costs of issuance, the costs of funding
314 reserve accounts, and other costs with respect to the bonds,
315 shall be deposited into the Land Acquisition Trust Fund. The
316 bond proceeds deposited into the Land Acquisition Trust Fund



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317 shall be distributed by the Department of Environmental
318 Protection as provided in s. 373.475.

319 (6) There may not be any sale, disposition, lease,
320 easement, license, or other use of any land, water areas, or
321 related property interests acquired or improved with proceeds of
322 water resource protection and development bonds which would
323 cause all or any portion of the interest of such bonds to lose
324 the exclusion from gross income for federal income tax purposes.

325 (7) The initial series of water resource protection and
326 development bonds shall be validated in addition to any other
327 bonds required to be validated pursuant to s. 215.82. Any
328 complaint for validation of bonds issued pursuant to this
329 section shall be filed only in the circuit court of the county
330 where the seat of state government is situated, the notice
331 required to be published by s. 75.06 shall be published only in
332 the county where the complaint is filed, and the complaint and
333 order of the circuit court shall be served only on the state
334 attorney of the circuit in which the action is pending.

335 Section 4. Paragraph (a) of subsection (1) of section
336 215.618, Florida Statutes, is amended to read:

337 215.618 Bonds for acquisition and improvement of land,
338 water areas, and related property interests and resources.—

339 (1) (a) The issuance of Florida Forever bonds, not to exceed
340 \$2 billion ~~\$5.3 billion~~, to finance or refinance the cost of
341 acquisition and improvement of land, water areas, and related
342 property interests and resources, in urban and rural settings,
343 for the purposes of restoration, conservation, recreation, water
344 resource development, or historical preservation, and for
345 capital improvements to lands and water areas that accomplish



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environmental restoration, enhance public access and recreational enjoyment, promote long-term management goals, and facilitate water resource development is hereby authorized, subject to s. 259.105 and pursuant to s. 11(e), Art. VII of the State Constitution and, on or after July 1, 2015, to also finance or refinance the acquisition and improvement of land, water areas, and related property interests as provided in s. 28, Art. X of the State Constitution. The \$2 billion ~~\$5.3 billion~~ limitation on the issuance of Florida Forever bonds does not apply to refunding bonds. The duration of each series of Florida Forever bonds issued may not exceed 20 annual maturities. Not more than 58.25 percent of documentary stamp taxes collected may be taken into account for the purpose of satisfying an additional bonds test set forth in any authorizing resolution for bonds issued on or after July 1, 2015.

Section 5. Section 373.4598, Florida Statutes, is created to read:

373.4598 Reservoir project in the Everglades Agricultural Area.—

(1) LEGISLATIVE FINDINGS AND INTENT.—

(a) The Legislature declares that an emergency exists regarding the St. Lucie and Caloosahatchee estuaries due to the harmful freshwater discharges east and west of the lake. Such discharges have manifested in widespread algae blooms, public health impacts, and extensive environmental harm to wildlife and the aquatic ecosystem. These conditions threaten the ecological integrity of the estuaries and the economic viability of the state and affected communities.

(b) The Legislature finds that the acquisition of



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strategically located lands south of the lake and the construction of the reservoir project will increase the availability of water storage and reduce the harmful freshwater discharges. Additionally, water storage south of the lake will increase the availability of water for the Everglades and to meet irrigation demands for the Everglades Agricultural Area; restore the hydrological connection to the Everglades; and provide flood protection by reducing, through additional storage capacity, some of the demands on the Herbert Hoover Dike.

(c) The Legislature recognizes that the reservoir project is authorized in the Water Resources Development Act of 2000 as a project component of CERP. Unless other funding is available, the Legislature directs the district in implementation of the reservoir project to abide by applicable state and federal law in order to do that which is required to obtain federal credit under the CERP. If the district implements the reservoir project as a project component as defined in s. 373.1501, the district must abide by all applicable state and federal law relating to such projects.

(d) The Legislature finds that the rate of funding for the CERP must be increased if restoration will be achieved within the timeframes originally envisioned and that the delay in substantial progress toward completing critical elements of restoration, such as southern storage, will cause irreparable harm to natural systems and ultimately increase the cost of restoration. A substantial commitment to the advancement of projects identified as part of the CERP will reduce ongoing ecological damage to the St. Lucie and Caloosahatchee estuaries.

(e) This section is not intended to diminish the



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commitments made by the state in chapter 2016-201, Laws of Florida.

(2) DEFINITIONS.—As used in this section, the term:

(a) "Agreement" means the Second Amended and Restated Agreement for Sale and Purchase between the United States Sugar Corporation, SBG Farms, Inc., Southern Garden Groves Corporation, and the South Florida Water Management District, dated August 12, 2010.

(b) "Board" means the Board of Trustees of the Internal Improvement Trust Fund.

(c) "Comprehensive Everglades Restoration Plan" or "CERP" has the same meaning as the term "comprehensive plan" as defined in s. 373.470.

(d) "District" means the South Florida Water Management District.

(e) "Everglades Agricultural Area" or "EAA" has the same meaning as defined in s. 373.4592.

(f) "Lake" means Lake Okeechobee.

(g) "Reservoir project" means a project to construct one or two above-ground reservoirs that have a total water storage capacity of approximately 360,000 acre-feet and are located in the EAA.

(3) LAND ACQUISITION.—The Legislature declares that acquiring land for the reservoir project is in the public interest and that the governing board of the district and the board may acquire fee title for the purpose of implementing the reservoir project. However, the district may not exercise eminent domain for the purpose of implementing the reservoir project.



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(a) Upon the effective date of this act, the district shall seek proposals from willing sellers of property within the Everglades Agricultural Area in order to acquire approximately 60,000 acres of land that is suitable for the reservoir project. All appraisal reports, offers, and counteroffers are confidential and exempt from s. 119.07(1), as provided in s. 373.139.

(b) If the district does not acquire land pursuant to paragraph (a) by December 31, 2017:

1. The district must assign, by January 31, 2018, the agreement's Entire Option Property Non-Exclusive Option to the board, as authorized in, and in accordance with, the agreement. If, for any reason, the Seller, as defined in the agreement, does not find the assignment to be reasonably acceptable in form and substance, the district must retain the Entire Option Property Non-Exclusive Option;

2. The board or the district, whichever holds the option, must, by March 1, 2018, exercise the option in accordance with the agreement. The Buyer's Proposed Option Property Purchase Price, as specified in the agreement, may not be less than the average of \$7,400 per acre, unless the maximum offer allowed by law is less than the average of \$7,400 per acre; and

3. The board or the district, if applicable, may dispose of or exchange any land or lease interest in the land that is acquired pursuant to this paragraph in order to achieve optimal siting for the reservoir project or to dispose of land that is not necessary for the reservoir project. Any such exchange or disposition may not be in violation of the agreement.

(4) DESIGN, PERMITTING, AND CONSTRUCTION.—If the district



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462 finds willing sellers of property pursuant to paragraph (3)(a),
463 the district:

464 (a) Once the land has been agreed upon for purchase, must
465 immediately begin the reservoir project with the goal of
466 providing adequate water storage and conveyance south of the
467 lake to reduce the volume of regulatory discharges of water from
468 the lake to the east and west;

469 (b) Once the land is acquired, must expeditiously pursue
470 necessary permitting and begin implementation and construction
471 of the reservoir project as soon as practicable; and

472 (c) The district shall give preferential consideration to
473 the hiring of agricultural workers displaced as a result of the
474 reservoir project, consistent with their qualifications and
475 abilities, for the construction and operation of the reservoir
476 project.

477 (5) PLANNING STUDY.—

478 (a) If land is acquired pursuant to paragraph (3)(a) and
479 other funding is not available, the district must, in
480 coordination with the United States Army Corps of Engineers,
481 begin the planning study for the reservoir project by March 1,
482 2018.

483 (b) If land is not acquired pursuant to paragraph (3)(a) by
484 December 31, 2017, the district must, in coordination with the
485 United States Army Corps of Engineers, begin the planning study
486 for the reservoir project by October 1, 2019.

487 1. If land is acquired pursuant to paragraph (3)(b), the
488 district must identify which of the acquired land is suitable
489 for the reservoir project.

490 2. If land is not acquired pursuant to paragraph (3)(b),



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491 the district must identify land that is suitable for the
492 reservoir project and the best option for securing such land.

493 (c) The district, when developing the planning study, must
494 focus on the goal of the reservoir project, which is to provide
495 adequate water storage and conveyance south of the lake to
496 reduce the volume of regulatory discharges of water from the
497 lake to the east and west.

498 (d) Upon completion of the planning study and the
499 finalization of the project implementation report, as defined in
500 s. 373.470, the district, in coordination with the United States
501 Army Corps of Engineers, shall seek Congressional authorization
502 for the reservoir project.

503 (6) FUNDING.—

504 (a) Pursuant to s. 11(e), Art. VII of the State
505 Constitution, up to \$1.2 billion in state bonds are authorized
506 under this section to finance or refinance the acquisition and
507 improvement of land, water areas, and related property interests
508 and resources for the purposes of conservation, outdoor
509 recreation, water resource protection and development,
510 restoration of natural systems, and historic preservation.

511 (b) Any cost related to this section, including, but not
512 limited to, the costs for land acquisition, planning,
513 construction, and operation and maintenance, may be funded using
514 proceeds from water resource protection and development bonds
515 issued under s. 215.613.

516 (c) The Legislature determines that the authorization and
517 issuance of such bonds is in the best interest of the state and
518 determines that the reservoir project should be implemented.

519 (d) Notwithstanding any other provision of law, proceeds



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520 from the sale of such bonds, less the costs of issuance, the
521 costs of funding reserve accounts, and other costs with respect
522 to the bonds, shall be distributed in the following manner:

523 1. If land is to be acquired pursuant to paragraph (3)(a),
524 the amount of up to \$800 million in bond proceeds in the 2017-
525 2018 fiscal year to the Land Acquisition Trust Fund for the
526 purposes of this section, and the amount of up to \$400 million
527 in bond proceeds in the 2018-2019 fiscal year to the Land
528 Acquisition Trust Fund for the purposes of this section; or

529 2. If land is to be acquired pursuant to paragraph (3)(b),
530 the amount of up to \$1.2 billion in bond proceeds in the 2018-
531 2019 fiscal year to the Board of Trustees of the Internal
532 Improvement Trust Fund, or the Land Acquisition Trust Fund, if
533 applicable, to be used for the purposes of this section.

534 (e) Notwithstanding s. 373.026(8)(b) or any other provision
535 of law, the use of state funds is authorized for the reservoir
536 project.

537 (f) The district shall actively seek additional sources of
538 funding, including federal funding, for the reservoir project.

539 (g) If the reservoir project receives Congressional
540 authorization, the district must seek applicable federal credits
541 toward the state's share of funding the land acquisition and
542 implementation of the reservoir project.

543 (7) LAKE OKEECHOBEE REGULATION SCHEDULE.—The district shall
544 request that the United States Army Corps of Engineers pursue
545 the reevaluation of the Lake Okeechobee Regulation Schedule as
546 expeditiously as possible taking into consideration the repairs
547 made to the Herbert Hoover Dike and any increase in outlet
548 capacity south of the lake which offsets the harmful freshwater



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549 discharges to the St. Lucie and Caloosahatchee estuaries.

550 Section 6. Section 373.475, Florida Statutes, is created to
551 read:

552 373.475 Water resource protection and development
553 financing.—

554 (1) The Legislature finds and declares that:

555 (a) The continued alteration and development of the state's
556 natural and rural areas to accommodate the state's growing
557 population has contributed to the degradation of water
558 resources.

559 (b) The state's groundwater, surface waters, and springs
560 are under tremendous pressure due to population growth and
561 economic expansion and require special protection and
562 restoration efforts, including the protection of uplands and
563 springsheds that provide vital recharge to aquifer systems and
564 are critical to the protection of water quality and water
565 quantity of the aquifers and springs.

566 (c) To ensure that sufficient quantities of water are
567 available to meet the current and future needs of the natural
568 systems and citizens of the state and to help achieve the
569 overall goals of the department and the water management
570 districts, water resource protection and development projects
571 and capital improvements to land or water areas that facilitate
572 water resource protection and development are necessary.

573 (d) Many of the state's unique ecosystems, such as the
574 Everglades, are facing ecological collapse due to the state's
575 burgeoning population growth and economic activities. To
576 preserve these valuable ecosystems for future generations,
577 essential parcels of land must be acquired and improvements to



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578 such lands must be made to facilitate ecosystem restoration.

579 (e) The Legislature recognizes that the acquisition of
580 lands in fee simple is only one way to achieve water resource
581 goals. The Legislature encourages the use of alternatives to fee
582 simple acquisition techniques and the development of
583 partnerships between governmental agencies and private
584 landowners.

585 (f) There is a need to change the focus and direction of
586 the state's major land acquisition programs and to shift funding
587 and bonding capabilities from land acquisition for conservation
588 purposes towards land acquisition and improvements to land and
589 water areas to protect, restore, and develop water resources.

590 (g) Water resource protection and development projects are
591 necessary to secure water resources to meet current and future
592 water demands.

593 (2) The department shall distribute bond proceeds from the
594 Land Acquisition Trust Fund for the purposes of financing water
595 resource protection and development projects, including projects
596 pursuant to s. 373.4598.

597 (3) Water resource protection and development bond proceeds
598 shall be expended in a fiscally responsible manner. Any agency
599 that receives bond proceeds pursuant to this section may not
600 maintain a balance of unencumbered funds in its water resource
601 protection and development subaccount beyond 3 fiscal years from
602 the date of deposit of funds from each bond issue. All funds
603 that have not been expended or encumbered after 3 fiscal years
604 from the date of deposit shall be distributed by the Legislature
605 during its next regular session for use in the water resource
606 protection and development program.



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607 Section 7. Section 373.478, Florida Statutes, is created to
608 read:

609 373.478 Water storage facility revolving loan fund.—

610 (1) (a) In recognition that waters of the state are among
611 the state's most basic resources, the Legislature declares that
612 such waters should be managed to conserve and protect water
613 resources and to realize the full beneficial use of such
614 resources.

615 (b) As natural storage within the system has been lost due
616 to development, the Legislature finds that additional water
617 storage, natural or man-made, is necessary to capture water and
618 prevent water from being discharged to tide or otherwise lost to
619 protect the waters of the state.

620 (c) The Legislature finds that establishing infrastructure
621 financing and providing technical assistance to local
622 governments or water supply entities for water storage
623 facilities is necessary to conserve and protect the waters of
624 the state.

625 (2) For purposes of this section, the term:

626 (a) "Local governmental agency" means any municipality,
627 county, district, or authority, or any agency thereof, or a
628 combination of such acting jointly in connection with a project,
629 having jurisdiction over a water storage facility.

630 (b) "Water storage facility" or "facility" means all
631 facilities, including land, necessary for surface or underground
632 water storage. Such facilities may be publicly owned, privately
633 owned, investor-owned, or cooperatively held.

634 (3) The state through the department shall provide funding
635 assistance to local governments or water supply entities for the



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636 development and construction of water storage facilities to
637 increase the availability of sufficient water for all existing
638 and future reasonable-beneficial uses and natural systems.
639 (a) The department may make loans, provide loan guarantees,
640 purchase loan insurance, and refinance local debt through the
641 issue of new loans for water storage facilities approved by the
642 department. Local governments or water supply entities may
643 borrow funds made available pursuant to this section and may
644 pledge any revenues or other adequate security available to them
645 to repay any funds borrowed.
646 (b) The department may award loan amounts for up to 75
647 percent of the costs of planning, designing, constructing,
648 upgrading, or replacing water resource infrastructure or
649 facilities, whether natural or man-made, including the
650 acquisition of real property for water storage facilities.
651 (4) The department shall adopt rules to carry out the
652 purposes of this section. Such rules shall:
653 (a) Set forth a priority system for loans based on
654 compliance with state requirements. The priority system shall
655 give special consideration to:
656 1. Projects that provide for the development of alternative
657 water supply projects and management techniques in areas where
658 existing source waters are limited or threatened by saltwater
659 intrusion, excessive drawdowns, contamination, or other
660 problems;
661 2. Projects that contribute to the sustainability of
662 regional water sources;
663 3. Projects that produce additional water available for
664 consumptive uses or natural systems;



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665 4. Projects that diversify water supply so that the needs
666 of consumptive uses and the natural system are met during wet
667 and dry conditions; or
668 5. Projects that provide flexibility in addressing the
669 unpredictability of water conditions from water year to water
670 year.
671 (b) Establish the requirements for the award and repayment
672 of financial assistance.
673 (c) Require evidence of credit worthiness and adequate
674 security, including an identification of revenues to be pledged,
675 and documentation of their sufficiency for loan repayment and
676 pledged revenue coverage, to ensure that each loan recipient can
677 meet its loan repayment requirements.
678 (d) Require each project receiving financial assistance to
679 be cost-effective, environmentally sound, and implementable.
680 (e) Require each project to be self-supporting if the
681 project is primarily for the purpose of water supply for
682 consumptive use.
683 (5) Before approval of a loan, the local government or
684 water supply entity must, at a minimum, submit all of the
685 following to the department:
686 (a) A repayment schedule.
687 (b) Evidence of the permissibility or implementability of
688 the facility proposed for financial assistance.
689 (c) Plans and specifications, biddable contract documents,
690 or other documentation of appropriate procurement of goods and
691 services.
692 (d) Provide assurance that records will be kept using
693 generally accepted accounting principles and that the department



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694 or its agents and the Auditor General will have access to all
695 records pertaining to the loan.

696 (e) Document that the facility will be self-supporting, if
697 such facility is required to be self-supporting according to
698 paragraph (4) (e).

699 (f) Document that the water management district whose
700 boundaries in which the facility is planned has approved of such
701 facility. If the facility crosses jurisdictional boundaries,
702 approval from each applicable district must be provided to the
703 department.

704 (6) Recipients of financial assistance under this section
705 may receive disbursements based upon invoiced costs and are not
706 required to request advance payment pursuant to s. 216.181(16).
707 Proof of payment of invoiced costs must be submitted before or
708 concurrent with the recipient's next disbursement request.

709 (7) The department and water management districts are
710 authorized to provide technical assistance to local governments
711 or water supply entities for water storage facilities funded
712 pursuant to this section.

713 (8) In order to ensure that public moneys are managed in an
714 equitable, prudent, and cost-effective manner, the total amount
715 of money loaned to any local government or water supply entity
716 during a fiscal year may not be more than 25 percent of the
717 total funds available for making loans during that year. The
718 minimum amount of a loan shall be \$75,000. The term of loans
719 made pursuant to this section may not exceed 30 years.

720 (9) As part of the report required under s. 403.8532, the
721 department shall prepare a report at the end of each fiscal
722 year, detailing the financial assistance provided under this



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723 section, service fees collected, interest earned, and loans
724 outstanding.

725 (10) The department may conduct an audit of the loan
726 project upon completion, or may require that a separate project
727 audit, prepared by an independent certified public accountant,
728 be submitted.

729 (11) The department may require reasonable service fees on
730 loans made to local governments or water supply entities to
731 ensure that the program will be operated in perpetuity and to
732 implement the purposes authorized under this section. Service
733 fees may not be less than 2 percent or greater than 4 percent of
734 the loan amount exclusive of the service fee. Service fee
735 revenues shall be deposited into the department's Grants and
736 Donations Trust Fund. The fee revenues, and interest earnings
737 thereon, shall be used exclusively to carry out the purposes of
738 this section.

739 (12) The Water Protection and Sustainability Program Trust
740 Fund established under s. 403.891 shall be used to carry out the
741 purposes of this section. Any funds that are not needed on an
742 immediate basis for financial assistance shall be invested
743 pursuant to s. 215.49. State funds and investment earnings shall
744 be deposited into the fund. The principal and interest of all
745 loans repaid and investment earnings thereon shall be deposited
746 into the fund.

747 (13) (a) If a local governmental agency defaults under the
748 terms of its loan agreement, the department shall so certify to
749 the Chief Financial Officer, who shall forward the amount
750 delinquent to the department from any unobligated funds due to
751 the local governmental agency under any revenue-sharing or tax-



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752 sharing fund established by the state, except as otherwise
753 provided by the State Constitution. Certification of delinquency
754 does not limit the department from pursuing other remedies
755 available for default on a loan, including accelerating loan
756 repayments, eliminating all or part of the interest rate subsidy
757 on the loan, and court appointment of a receiver to manage the
758 public water system.

759 (b) If a water storage facility owned by a person other
760 than a local governmental agency defaults under the terms of its
761 loan agreement, the department may take all actions available
762 under law to remedy the default.

763 (c) The department may impose a penalty for delinquent loan
764 payments in the amount of 6 percent of the amount due, in
765 addition to charging the cost to handle and process the debt.
766 Penalty interest accrues on any amount due and payable beginning
767 on the 30th day following the date upon which payment is due.

768 (14) The department may terminate or rescind a financial
769 assistance agreement when the recipient fails to comply with the
770 terms and conditions of the agreement.

771 Section 8. Subsections (1) and (3) of section 375.041,
772 Florida Statutes, are amended to read:

773 375.041 Land Acquisition Trust Fund.—

774 (1) There is created a Land Acquisition Trust Fund within
775 the Department of Environmental Protection. The Land Acquisition
776 Trust Fund is designated by s. 28, Art. X of the State
777 Constitution for receipt of certain documentary stamp tax
778 revenue for the uses prescribed therein. The Land Acquisition
779 Trust Fund shall be held and administered by the department. The
780 Land Acquisition Trust Fund shall continue for as long as bonds



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781 are outstanding pursuant to s. 215.613, s. 215.618, or s.
782 215.619, or any bonds secured on a parity basis with such bonds,
783 or until the requirement of s. 28, Art. X of the State
784 Constitution expires, whichever is later. All moneys deposited
785 into the Land Acquisition Trust Fund shall be trust funds for
786 the uses and purposes herein set forth, within the meaning of s.
787 215.32(1)(b); and such moneys shall not become or be commingled
788 with the General Revenue Fund of the state, as defined by s.
789 215.32(1)(a).

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

792 (a) First, to pay debt service or to fund debt service
793 reserve funds, rebate obligations, or other amounts payable with
794 respect to water resource protection and development bonds
795 issued under s. 215.613; pay debt service or to fund debt
796 service reserve funds, rebate obligations, or other amounts
797 payable with respect to Florida Forever bonds issued under s.
798 215.618; and pay debt service, provide reserves, and pay rebate
799 obligations and other amounts due with respect to Everglades
800 restoration bonds issued under s. 215.619; and

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

804 1. A minimum of the lesser of 25 percent or \$200 million
805 shall be appropriated annually for Everglades projects that
806 implement the Comprehensive Everglades Restoration Plan as set
807 forth in s. 373.470, including the Central Everglades Planning
808 Project subject to Congressional authorization; the Long-Term
809 Plan as defined in s. 373.4592(2); and the Northern Everglades



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810 and Estuaries Protection Program as set forth in s. 373.4595.
811 From these funds, \$32 million shall be distributed each fiscal
812 year through the 2023-2024 fiscal year to the South Florida
813 Water Management District for the Long-Term Plan as defined in
814 s. 373.4592(2). After deducting the \$32 million distributed
815 under this subparagraph, from the funds remaining, a minimum of
816 the lesser of 76.5 percent or \$100 million shall be appropriated
817 each fiscal year through the 2025-2026 fiscal year for the
818 planning, design, engineering, and construction of the
819 Comprehensive Everglades Restoration Plan as set forth in s.
820 373.470, including the Central Everglades Planning Project, the
821 Everglades Agricultural Area Storage Reservoir Project, the Lake
822 Okeechobee Watershed Project, the C-43 West Basin Storage
823 Reservoir Project, the C-44 Reservoir Project, the Western
824 Everglades Restoration Project, the C-111 South-Dade Project,
825 and the Picayune Strand Restoration Project ~~subject to~~
826 ~~Congressional authorization.~~ The Department of Environmental
827 Protection and the South Florida Water Management District shall
828 give preference to those Everglades restoration projects that
829 reduce harmful discharges of water from Lake Okeechobee to the
830 St. Lucie or Caloosahatchee estuaries in a timely manner. For
831 the purpose of performing the calculation provided in this
832 subparagraph, the amount of debt service paid pursuant to
833 paragraph (a) for bonds issued after July 1, 2016, for the
834 purposes set forth under paragraph (b) shall be added to the
835 amount remaining after the payments required under paragraph
836 (a). The amount of the distribution calculated shall then be
837 reduced by an amount equal to the debt service paid pursuant to
838 paragraph (a) on bonds issued after July 1, 2016, for the



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839 purposes set forth under this subparagraph.
840 2. A minimum of the lesser of 7.6 percent or \$50 million
841 shall be appropriated annually for spring restoration,
842 protection, and management projects. For the purpose of
843 performing the calculation provided in this subparagraph, the
844 amount of debt service paid pursuant to paragraph (a) for bonds
845 issued after July 1, 2016, for the purposes set forth under
846 paragraph (b) shall be added to the amount remaining after the
847 payments required under paragraph (a). The amount of the
848 distribution calculated shall then be reduced by an amount equal
849 to the debt service paid pursuant to paragraph (a) on bonds
850 issued after July 1, 2016, for the purposes set forth under this
851 subparagraph.
852 3. The sum of \$5 million shall be appropriated annually
853 each fiscal year through the 2025-2026 fiscal year to the St.
854 Johns River Water Management District for projects dedicated to
855 the restoration of Lake Apopka. This distribution shall be
856 reduced by an amount equal to the debt service paid pursuant to
857 paragraph (a) on bonds issued after July 1, 2016, for the
858 purposes set forth in this subparagraph.
859 4. The sum of \$35 million shall be appropriated annually to
860 the St. Johns River Water Management District for projects
861 dedicated to the restoration of the St. Johns River and its
862 tributaries or the Keystone Heights Lake Region. Such funds may
863 be used for land management and acquisition and for recreational
864 opportunity and public access improvements connected with these
865 areas. This distribution shall be reduced by an amount equal to
866 the debt service paid pursuant to paragraph (a) on bonds issued
867 after July 1, 2017, for the purposes set forth in this



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868 subparagraph.

869 5. The sum of \$2 million shall be appropriated annually to
870 the Department of Environmental Protection to be distributed in
871 accordance with the existing interlocal agreement among the
872 Village of Islamorada, the Key Largo Wastewater Treatment
873 District, the City of Marathon, the Monroe County/Florida Keys
874 Aqueduct Authority, the City of Key West, and Key Colony Beach,
875 to address water quality issues and for the purposes of
876 constructing sewage collection, treatment, and disposal
877 facilities; implementing stormwater collection and treatment
878 systems; canal restoration and muck remediation projects; and
879 projects that protect and enhance water supply in the Florida
880 Keys Area of Critical State Concern and the City of Key West
881 Area of Critical State Concern; or, for the purposes of land
882 acquisition within the Florida Keys Area of Critical Concern as
883 authorized pursuant to s. 259.045 with increased priority given
884 to those acquisitions that achieve a combination of conservation
885 goals, including protecting Florida's water resources and
886 natural groundwater recharge. A local government requesting
887 disbursement pursuant to this appropriation shall provide the
888 Department of Environmental Protection with such documentation
889 as the department deems necessary to verify that the costs are
890 properly incurred and work has been performed.

891 6. A sum of \$20 million shall be appropriated annually to
892 offset or partially offset property owner costs incurred to
893 retrofit onsite sewage treatment and disposal systems determined
894 by the Department of Environmental Protection to be individually
895 or collectively contributing excess nutrient pollution in the
896 counties contributing to the Indian River Lagoon, the St. Lucie



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897 and Caloosahatchee estuaries, and their watersheds; to connect
898 properties with such onsite systems to central sewer systems; or
899 to conduct muck dredging and large-scale stormwater improvements
900 in counties contributing to the Indian River Lagoon, the St.
901 Lucie and Caloosahatchee estuaries, and their watersheds. The
902 Department of Environmental Protection is authorized to use the
903 appropriated funds to make grants or provide other forms of
904 financial assistance to local governments and other entities for
905 these purposes.

906 Section 9. Effective January 1, 2019, and contingent upon
907 the failure of the district or board to acquire land by November
908 30, 2018, pursuant to section 373.4598(3)(a) or (b), Florida
909 Statutes, subsection (3) of section 375.041, Florida Statutes,
910 as amended by this act, is amended to read:

911 375.041 Land Acquisition Trust Fund.—

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

914 (a) First, to pay debt service or to fund debt service
915 reserve funds, rebate obligations, or other amounts payable with
916 respect to water resource protection and development bonds
917 issued under s. 215.613; pay debt service or to fund debt
918 service reserve funds, rebate obligations, or other amounts
919 payable with respect to Florida Forever bonds issued under s.
920 215.618; and pay debt service, provide reserves, and pay rebate
921 obligations and other amounts due with respect to Everglades
922 restoration bonds issued under s. 215.619; and

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



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926 1. A minimum of the lesser of 30 ~~25~~ percent or \$250 ~~\$200~~
927 million shall be appropriated annually for Everglades projects
928 that implement the Comprehensive Everglades Restoration Plan as
929 set forth in s. 373.470, including the Central Everglades
930 Planning Project subject to Congressional authorization; the
931 Long-Term Plan as defined in s. 373.4592(2); and the Northern
932 Everglades and Estuaries Protection Program as set forth in s.
933 373.4595. From these funds, \$32 million shall be distributed
934 each fiscal year through the 2023-2024 fiscal year to the South
935 Florida Water Management District for the Long-Term Plan as
936 defined in s. 373.4592(2). After deducting the \$32 million
937 distributed under this subparagraph, from the funds remaining, a
938 minimum of the lesser of 80 ~~76.5~~ percent or \$150 ~~\$100~~ million
939 shall be appropriated each fiscal year through the 2025-2026
940 fiscal year for the planning, design, engineering, and
941 construction of the Comprehensive Everglades Restoration Plan as
942 set forth in s. 373.470, including the Central Everglades
943 Planning Project, the Everglades Agricultural Area Storage
944 Reservoir Project, the Lake Okeechobee Watershed Project, the C-
945 43 West Basin Storage Reservoir Project, the C-44 Reservoir
946 Project, the Western Everglades Restoration Project, the C-111
947 South-Dade Project, and the Picayune Strand Restoration Project.
948 The Department of Environmental Protection and the South Florida
949 Water Management District shall give preference to those
950 Everglades restoration projects that reduce harmful discharges
951 of water from Lake Okeechobee to the St. Lucie or Caloosahatchee
952 estuaries in a timely manner. For the purpose of performing the
953 calculation provided in this subparagraph, the amount of debt
954 service paid pursuant to paragraph (a) for bonds issued after



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955 July 1, 2016, for the purposes set forth under paragraph (b)
956 shall be added to the amount remaining after the payments
957 required under paragraph (a). The amount of the distribution
958 calculated shall then be reduced by an amount equal to the debt
959 service paid pursuant to paragraph (a) on bonds issued after
960 July 1, 2016, for the purposes set forth under this
961 subparagraph.
962 2. A minimum of the lesser of 7.6 percent or \$50 million
963 shall be appropriated annually for spring restoration,
964 protection, and management projects. For the purpose of
965 performing the calculation provided in this subparagraph, the
966 amount of debt service paid pursuant to paragraph (a) for bonds
967 issued after July 1, 2016, for the purposes set forth under
968 paragraph (b) shall be added to the amount remaining after the
969 payments required under paragraph (a). The amount of the
970 distribution calculated shall then be reduced by an amount equal
971 to the debt service paid pursuant to paragraph (a) on bonds
972 issued after July 1, 2016, for the purposes set forth under this
973 subparagraph.
974 3. The sum of \$5 million shall be appropriated annually
975 each fiscal year through the 2025-2026 fiscal year to the St.
976 Johns River Water Management District for projects dedicated to
977 the restoration of Lake Apopka. This distribution shall be
978 reduced by an amount equal to the debt service paid pursuant to
979 paragraph (a) on bonds issued after July 1, 2016, for the
980 purposes set forth in this subparagraph.
981 4. The sum of \$35 million shall be appropriated annually to
982 the St. Johns River Water Management District for projects
983 dedicated to the restoration of the St. Johns River and its



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tributaries or the Keystone Heights Lake Region. Such funds may be used for land management and acquisition and for recreational opportunity and public access improvements connected with these areas. This distribution shall be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2017, for the purposes set forth in this subparagraph.

5. The sum of \$2 million shall be appropriated annually to the Department of Environmental Protection to be distributed in accordance with the existing interlocal agreement among the Village of Islamorada, the Key Largo Wastewater Treatment District, the City of Marathon, the Monroe County/Florida Keys Aqueduct Authority, the City of Key West, and Key Colony Beach, to address water quality issues and for the purposes of constructing sewage collection, treatment, and disposal facilities; implementing stormwater collection and treatment systems; canal restoration and muck remediation projects; and projects that protect and enhance water supply in the Florida Keys Area of Critical State Concern and the City of Key West Area of Critical State Concern; or, for the purposes of land acquisition within the Florida Keys Area of Critical Concern as authorized pursuant to s. 259.045 with increased priority given to those acquisitions that achieve a combination of conservation goals, including protecting Florida's water resources and natural groundwater recharge. A local government requesting disbursement pursuant to this appropriation shall provide the Department of Environmental Protection with such documentation as the department deems necessary to verify that the costs are properly incurred and work has been performed.



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6. A sum of \$20 million shall be appropriated annually to offset or partially offset property owner costs incurred to retrofit onsite sewage treatment and disposal systems determined by the Department of Environmental Protection to be individually or collectively contributing excess nutrient pollution in the counties contributing to the Indian River Lagoon, the St. Lucie and Caloosahatchee estuaries, and their watersheds; to connect properties with such onsite systems to central sewer systems; or to conduct muck dredging and large-scale stormwater improvements in counties contributing to the Indian River Lagoon, the St. Lucie and Caloosahatchee estuaries, and their watersheds. The Department of Environmental Protection is authorized to use the appropriated funds to make grants or provide other forms of financial assistance to local governments and other entities for these purposes.

Section 10. Section 403.0878, Florida Statutes, is created to read:

403.0878 Water reuse grant program.—The department shall establish a water reuse grant program. The department shall use funds specifically appropriated to award grants under this section to assist wastewater treatment facilities to expand the facilities' capacity to make reclaimed water available for reuse.

(1) In accordance with rules adopted by the department pursuant to this section, the department may provide grants, from funds specifically appropriated for this purpose, to wastewater facilities for up to 100 percent of the costs of planning, designing, constructing, upgrading, or replacing wastewater collection, transmission, and treatment designed to



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1042 expand the facility's capacity to make reclaimed water available
1043 for reuse.

1044 (2) The department's rules must:

1045 (a) Require that projects to plan, design, construct,
1046 upgrade, or replace wastewater collection, transmission,
1047 treatment, and reuse facilities be cost-effective,
1048 environmentally sound, permittable, and implementable.

1049 (b) Require grant applications to be submitted on
1050 appropriate forms with appropriate supporting documentation, and
1051 require records to be maintained.

1052 (c) Establish a system to determine eligibility of grant
1053 applications.

1054 (d) Establish a system to determine the relative priority
1055 of grant applications. The system must consider public health
1056 protection and water pollution abatement.

1057 (e) Establish requirements for competitive procurement of
1058 engineering and construction services, materials, and equipment.

1059 (f) Provide for termination of grants when program
1060 requirements are not met.

1061 (3) The department must perform adequate overview of each
1062 awarded grant, including technical review, regular inspections,
1063 disbursement approvals, and auditing, to successfully implement
1064 this section.

1065 (4) The department may use up to 2 percent of the grant
1066 funds made available each year for the costs of program
1067 administration.

1068 (5) Recipients of financial assistance under this section
1069 may receive disbursements based upon invoiced costs and are not
1070 required to request advance payment pursuant to s. 216.181(16).



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1071 Proof of payment of invoiced costs shall be submitted before or
1072 concurrent with the recipient's next disbursement request.

1073 Section 11. The Legislature finds that sufficient water
1074 availability is a paramount concern for existing and future
1075 reasonable-beneficial uses and natural systems in this state.
1076 The projected population of this state is estimated to exceed 25
1077 million by the year 2040, and cooperative efforts between
1078 municipalities, counties, utility companies, private landowners,
1079 water consumers, water management districts, regional water
1080 supply authorities, the Department of Environmental Protection,
1081 and the Department of Agriculture and Consumer Services are
1082 necessary in order to meet water needs in a manner that will
1083 supply adequate and dependable supplies of water where needed
1084 without causing adverse effects in the area from which water is
1085 withdrawn. Water supply projects should employ all practical
1086 means of obtaining water, including, but not limited to,
1087 withdrawals of surface water and groundwater, reclaimed water,
1088 and desalination, and properly implementing these projects will
1089 require cooperation and well-coordinated activities. Therefore,
1090 it is the policy of this state that projects to increase water
1091 supply be planned on a regional basis.

1092 Section 12. Present paragraph (f) of subsection (5) of
1093 section 215.44, Florida Statutes, is redesignated as paragraph
1094 (g), and a new paragraph (f) is added to that subsection, to
1095 read:

1096 215.44 Board of Administration; powers and duties in
1097 relation to investment of trust funds.-

1098 (5) On or before January 1 of each year, the board shall
1099 provide to the Legislature a report including the following



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1100 items for each fund which, by law, has been entrusted to the
1101 board for investment:

1102 (f) A summary of the type and amount of potential water
1103 supply investments that will have the effect of increasing water
1104 supply in the state on a regional basis.

1105 Section 13. Section 403.890, Florida Statutes, is amended
1106 to read:

1107 403.890 Water Protection and Sustainability Program.—

1108 (1) Revenues deposited into or appropriated to the Water
1109 Protection and Sustainability Program Trust Fund shall be
1110 distributed by the Department of Environmental Protection for
1111 the following purposes in the following manner:

1112 (a) (1) Sixty-five percent to the Department of
1113 Environmental Protection for The implementation of an
1114 alternative water supply program as provided in s. 373.707.

1115 (b) The water storage facility revolving loan fund as
1116 provided in s. 373.478.

1117 (2) Revenues deposited into or appropriated to the Water
1118 Protection and Sustainability Program Trust Fund for purposes of
1119 the water storage facility revolving loan fund may only be used
1120 for such purposes.

1121 ~~(2) Twenty-two and five-tenths percent for the~~
1122 ~~implementation of best management practices and capital project~~
1123 ~~expenditures necessary for the implementation of the goals of~~
1124 ~~the total maximum daily load program established in s. 403.067.~~
1125 ~~Of these funds, 83.33 percent shall be transferred to the credit~~
1126 ~~of the Department of Environmental Protection Water Quality~~
1127 ~~Assurance Trust Fund to address water quality impacts associated~~
1128 ~~with nonagricultural nonpoint sources. Sixteen and sixty-seven~~



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1129 ~~hundredths percent of these funds shall be transferred to the~~
1130 ~~Department of Agriculture and Consumer Services General~~
1131 ~~Inspection Trust Fund to address water quality impacts~~
1132 ~~associated with agricultural nonpoint sources. These funds shall~~
1133 ~~be used for research, development, demonstration, and~~
1134 ~~implementation of the total maximum daily load program under s.~~
1135 ~~403.067, suitable best management practices or other measures~~
1136 ~~used to achieve water quality standards in surface waters and~~
1137 ~~water segments identified pursuant to s. 303(d) of the Clean~~
1138 ~~Water Act, Pub. L. No. 92-500, 33 U.S.C. ss. 1251 et seq.~~
1139 ~~Implementation of best management practices and other measures~~
1140 ~~may include cost-share grants, technical assistance,~~
1141 ~~implementation tracking, and conservation leases or other~~
1142 ~~agreements for water quality improvement. The Department of~~
1143 ~~Environmental Protection and the Department of Agriculture and~~
1144 ~~Consumer Services may adopt rules governing the distribution of~~
1145 ~~funds for implementation of capital projects, best management~~
1146 ~~practices, and other measures. These funds shall not be used to~~
1147 ~~abrogate the financial responsibility of those point and~~
1148 ~~nonpoint sources that have contributed to the degradation of~~
1149 ~~water or land areas. Increased priority shall be given by the~~
1150 ~~department and the water management district governing boards to~~
1151 ~~those projects that have secured a cost-sharing agreement~~
1152 ~~allocating responsibility for the cleanup of point and nonpoint~~
1153 ~~sources.~~

1154 ~~(3) Twelve and five tenths percent to the Department of~~
1155 ~~Environmental Protection for the Disadvantaged Small Community~~
1156 ~~Wastewater Grant Program as provided in s. 403.1838.~~

1157 (3)(4) On June 30, 2009, and every 24 months thereafter,



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1158 the Department of Environmental Protection shall request the
1159 return of all unencumbered funds distributed for the purposes of
1160 the alternative water supply program pursuant to this section.
1161 These funds shall be deposited into the Water Protection and
1162 Sustainability Program Trust Fund and redistributed for such
1163 purposes pursuant to the provisions of this section.

1164 Section 14. The South Florida Water Management District and
1165 the Board of Trustees of the Internal Improvement Trust Fund
1166 shall notify the Division of Law Revision and Information no
1167 later than December 1, 2018, whether they have acquired land
1168 pursuant to s. 373.4598, Florida Statutes.

1169 Section 15. The Division of Law Revision and Information is
1170 directed to replace the phrase "the effective date of this act"
1171 wherever it occurs in this act with the date the act becomes a
1172 law.

1173 Section 16. Contingent upon bonds being issued for the
1174 purposes of s. 373.4598, Florida Statutes, and if land is
1175 acquired pursuant to s. 373.4598(3)(a), Florida Statutes, the
1176 sum of \$64 million in recurring funds from the Land Acquisition
1177 Trust Fund is appropriated for the 2017-2018 fiscal year to pay
1178 debt service on bonds that implement this act and are issued
1179 pursuant to s. 215.613, Florida Statutes.

1180 Section 17. Contingent upon bonds being issued for the
1181 purposes of s. 373.4598, Florida Statutes, and if land is
1182 acquired pursuant to s. 373.4598(3)(a), Florida Statutes, the
1183 sum of \$36 million in recurring funds from the Land Acquisition
1184 Trust Fund is appropriated for the 2018-2019 fiscal year to pay
1185 debt service on bonds that implement this act and are issued
1186 pursuant to s. 215.613, Florida Statutes.



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1187 Section 18. Contingent upon bonds being issued for the
1188 purposes of s. 373.4598, Florida Statutes, and if land is
1189 acquired pursuant to s. 373.4598(3)(b), Florida Statutes, the
1190 sum of \$100 million in recurring funds from the Land Acquisition
1191 Trust Fund is appropriated for the 2018-2019 fiscal year to pay
1192 debt service on bonds that implement this act and are issued
1193 pursuant to s. 215.613, Florida Statutes.

1194 Section 19. Except as otherwise expressly provided in this
1195 act, this act shall take effect upon becoming a law.
1196

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: CS/SB 10

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on the Environment and Natural Resources); and Senators Bradley and Flores

SUBJECT: Water Resources

DATE: April 7, 2017

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Istler	Rogers	EP	Favorable
2. Reagan	Betta	AEN	Recommend: Fav/CS
3. Reagan	Hansen	AP	Fav/CS

I. Summary:

CS/SB 10:

- Establishes options for providing additional water storage south of Lake Okeechobee, including the:
 - Everglades Agricultural Area (EAA) reservoir project with the goal of providing a minimum of 240,000 acre-feet of water storage; and
 - C-51 reservoir project with the goal of providing approximately 60,000 acre-feet of water storage.
- Authorizes the Board of Trustees of the Internal Improvement Trust Fund (TIITF) and the South Florida Water Management District (SFWMD) to negotiate the amendment or termination of leases on lands within the EAA for exchange or use for the EAA reservoir project.
- Requires lease agreements relating to land in the EAA leased to the Prison Rehabilitative Industries and Diversified Enterprises, Inc., (PRIDE Enterprises) for an agricultural work program to be terminated in accordance with the lease terms.
- Requires the SFWMD, upon the effective date of the act, to identify the lessees of the approximately 3,200 acres of land owned by the state or the district west of the A-2 parcel and east of the Miami Canal and the private property owners of the approximately 500 acres of land surrounded by such lands;
- Requires the SFWMD, by July 31, 2017, to contact the lessors and landowners of such lands to express the SFWMD's interest in acquiring the land through the purchase or exchange of lands or by the amendment or termination of lease agreements.
- Requires the SFWMD to jointly develop a post-authorization change report with the United States Army Corps of Engineers (USACE) for the Central Everglades Planning Project (CEPP) to revise the project component located on the A-2 parcel for implementation of the EAA reservoir project.

- Requires that if, for any reason, the post-authorization change report does not receive Congressional approval by October 1, 2018, unless the district has been granted an extension by the Legislature, the SFWMD begin the planning study for the EAA reservoir project by October 31, 2018, and proceed with the A-2 parcel project component of CEPP in accordance with the project implementation report.
- Requires the SFWMD to give preference to the hiring of former agricultural workers primarily employed during 36 of the past 60 months in the EAA, consistent with their qualifications and abilities, for the construction and operation of the EAA reservoir project.
- Establishes the Everglades Restoration Agricultural Community Employment Training Program within the Department of Economic Opportunity to provide grants for employment programs that seek to match persons who complete such training programs to nonagricultural employment opportunities in areas of high agricultural employment, and to provide other training, educational, and information services necessary to stimulate the creation of jobs in the areas of agricultural unemployment. The program is required to include opportunities to obtain the qualifications and skills necessary for jobs related to federal and state restoration projects, the Airglades Airport in Hendry County, or an inland port in Palm Beach County.
- Establishes a revolving loan fund to provide funding assistance to local governments and water supply entities for the development and construction of water storage facilities.
- Revises the uses of the Water Protection and Sustainability Program Trust Fund to include the water storage facility revolving loan program.
- Prohibits, beginning July 1, 2017, the use of inmates for correctional work programs in the agricultural industry in the EAA or in any area experiencing high unemployment rates in the agricultural sector.
- Beginning in Fiscal Year 2018-2019, appropriates the sum of \$100 million from the Land Acquisition Trust Fund (LATF) to the Everglades Trust Fund for the purpose of implementing the water storage reservoir projects, with the remainder of such funds in any fiscal year to be made available for Everglades projects.

The bill provides the following appropriations for the 2017-2018 fiscal year:

- The sum of \$30 million in nonrecurring funds from the LATF is appropriated to the Everglades Trust Fund for the purposes of acquiring land or negotiating leases pursuant to s. 373.4598(4), F.S., or for any cost related to the planning or construction of the EAA reservoir project.
- The sum of \$3 million in nonrecurring funds from the LATF to the Everglades Trust Fund for the purposes of developing the post-authorization change report pursuant to s. 373.4598, and the sum of \$1 million in nonrecurring funds from the LATF to the Everglades Trust Fund for the purposes of negotiating Phase II of the C-51 reservoir project pursuant to s. 373.4598, F.S.
- The sum of \$30 million in nonrecurring funds from the LATF to the Water Resource Protection and Sustainability Program Trust Fund for the purposes of implementing Phase I of the C-51 reservoir project as a water storage facility in accordance with ss. 373.4598 and 373.475, F.S.

II. Present Situation:

Florida Forever Bonds

Pursuant to Art. VII, s. 11(e) of the State Constitution, the issuance of Florida Forever bonds is authorized in s. 215.618, F.S.¹ Florida Forever bonds pledge part of a dedicated state tax revenue: documentary stamp taxes. Documentary stamp taxes are levied on deeds and other documents related to real property and are collected under ch. 201, F.S. Florida Forever bonds are authorized to be issued up to \$5.3 billion.² Two billion dollars in Florida Forever bonds have been issued, which leaves \$3.3 billion in remaining statutory authority.³

The total amount of debt service payments are limited to \$300 million per Fiscal Year.⁴ The debt service for such bonds is required to be specifically appropriated in the General Appropriations Act in the fiscal year in which the bonds are issued.⁵ There is currently \$1.05 billion outstanding for Florida Forever bonds.⁶ The proceeds from the sale of Florida Forever bonds are required to be deposited into the Florida Forever Trust Fund to be distributed by the Department of Environmental Protection as provided in the Florida Forever Act.⁷

Lake Okeechobee and the Central Everglades Overview

In the mid-1800s the state began planning for the development of Central and South Florida, with the primary obstacle being water.⁸ Extensive drainage projects were implemented to enable land development for urban and agricultural uses. In the early 1900s the St. Lucie and Caloosahatchee Rivers were widened and deepened for navigation and to serve as outlets from Lake Okeechobee to the east and west, respectively. After major hurricanes devastated the region in the 1920s and 1940s, the state partnered with the federal government, through the United States Army Corps of Engineers (USACE), to implement additional flood control projects that were necessary for the land development to progress. Congress authorized the Central and Southern Florida Project (C&SF) in 1948.⁹

¹ Section 11(e), Art. X of the State Constitution authorizes the issuance of bonds by the state in a manner provided by general law, which pledges all or part of a dedicated state tax revenue to finance or refinance the acquisition and improvement of land, water areas, and related property interests and resources for the purposes of conservation, outdoor recreation, water resource development, restoration of natural systems, and historic preservation.

² Section 215.618, F.S.

³ SBA, *Environmental Bonding Programs: Authorization Authority and Amounts* (2016) (on file with the Senate Committee on Environmental Preservation and Conservation).

⁴ Section 201.15(1), F.S.

⁵ Section 201.15(3), F.S.

⁶ SBA, *Environmental Bonding Programs: Authorization Authority and Amounts* (2016) (on file with the Senate Committee on Environmental Preservation and Conservation).

⁷ Section 215.618(5), F.S.

⁸ United States Army Corps of Engineers (USACE) and South Florida Water Management District (SFWMD), *Central and Southern Florida Project Comprehensive Review Study, Final Feasibility Report and Programmatic Environmental Impact Statement*, 1-1 (April 1999) [hereinafter *Restudy*], available at http://141.232.10.32/pm/projects/project_docs/pdp_asr_combined/052808_asr_report/052808_asr_ch1_restudy_feas_rpt_pro_g_eis.pdf (last visited Jan. 31, 2017).

⁹ The Flood Control Act of 1948 (P.L. 858, 80th Congress, 2nd Session).

The C&SF included channelizing the Kissimmee River; draining the area south of the lake, known as the Everglades Agricultural Area for agricultural production; and diking Lake Okeechobee for flood protection.¹⁰ Additionally, central portions of the Everglades were diked to create water conservation areas (WCAs) to store water for water supply in the lower east coast and for deliveries to Everglades National Park.¹¹ While some fish and wildlife value was expected to remain in the WCAs, the only area intended for preservation in its natural state was Everglades National Park.¹²



Kissimmee River Basin

The Kissimmee River Basin extends from Orlando southward to Lake Okeechobee and encompasses approximately 3,000 square miles.¹³ The C&SF project turned the once meandering 103 mile Kissimmee River into a 56-mile long, 30-foot deep canal called the C-38.¹⁴ The resulting floodplain, the remnant river channels, and the C-38 canal are collectively referred to as the channelized system.¹⁵ Prior to channelization the flow of the river inundated much of the floodplain for a majority of the year.¹⁶ While the project proved successful for flood control, it had a significant impact on the wetland ecosystem.¹⁷ The first public hearing to discuss the restoration of the Kissimmee River was held just one year after the channelization was completed.¹⁸

¹⁰ *Restudy* at 1-1.

¹¹ *Id.*

¹² *Id.*

¹³ *Id.* at 1-10.

¹⁴ SFWMD, *Kissimmee River Restoration Studies*, 1 (Sept. 2006), available at https://www.sfwmd.gov/sites/default/files/documents/krr_exec_summary.pdf (last visited Jan. 31, 2017).

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.*

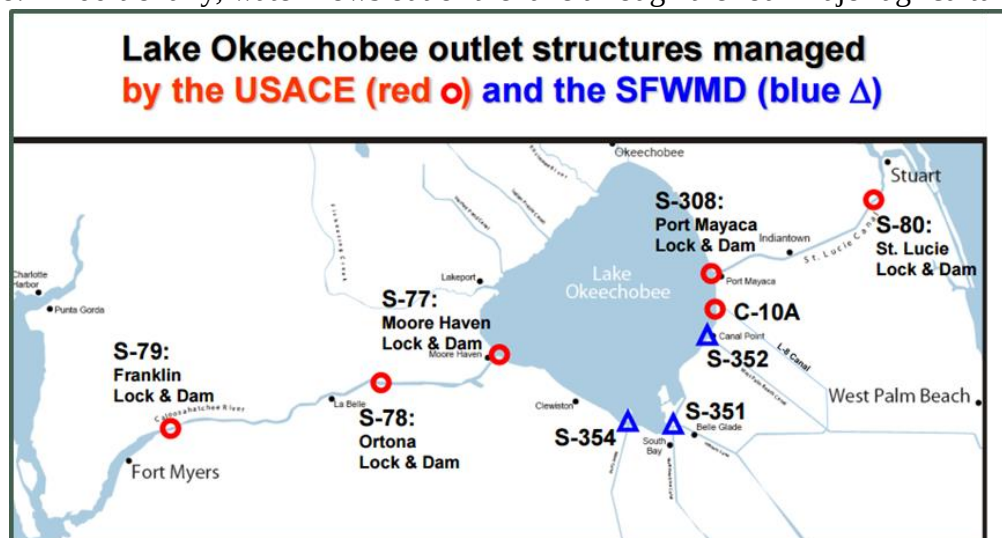
Lake Okeechobee

Lake Okeechobee is the second largest freshwater lake located entirely within the contiguous United States, covering approximately 730 square miles.¹⁹ The waters of the lake were impounded by a system of encircling levees, collectively referred to as the Herbert Hoover Dike.²⁰ The lake is managed as a multi-purpose reservoir for navigation, water supply, flood control, and recreation.²¹

Thirty-nine percent of the water that comes into the lake is from direct rainfall, 31 percent comes from the Kissimmee River, and then a smaller percentage of the water flows from other areas such as Fisheating Creek and Taylor Creek/Nubbin Slough.²² Prior to the construction of the Herbert Hoover Dike, water would flow from the Kissimmee River Basin into the lake and, once the lake would fill, water would overflow the lake's southern rim and deliver sheet flow runoff to the Everglades.²³

Because of the acceleration of the flows into the lake as a result of C&SF and land use modifications, the water quality in the lake has degraded over time due to high phosphorous loadings.²⁴ The Total Maximum Daily Load for Lake Okeechobee proposes an annual load of 140 metric tons (mt) of phosphorous to achieve an in-lake target phosphorous concentration of 40 parts per billion (ppb) in the pelagic zone of the lake.²⁵

The lake's outlets with the largest capacity include eastward (S-308) through the St. Lucie Canal to the Atlantic Ocean and westward (S-77) through the Caloosahatchee River Canal to the Gulf of Mexico.²⁶ Additionally, water flows out of the lake through the four major agricultural



¹⁹ Florida Department of Environmental Protection (FDEP), *Lake Okeechobee*, <http://www.dep.state.fl.us/everglades/lakeo.htm> (last visited Jan. 31, 2017).

²⁰ *Restudy* at 1-13.

²¹ *Id.*

²² FDEP, *Total Maximum Daily Load for Total Phosphorous, Lake Okeechobee, Florida*, 6 (Aug. 2001), available at http://www.dep.state.fl.us/water/tmdl/docs/tmdls/final/gp1/Lake_O_TMDL_Final.pdf (last visited Jan. 31, 2017).

²³ *Id.* at 6, 7.

²⁴ FDEP, *Lake Okeechobee*, <http://www.dep.state.fl.us/everglades/lakeo.htm> (last visited Jan. 31, 2017).

²⁵ FDEP, *supra* note 17, at 1.

²⁶ *Restudy* at 1-13.

canals-the West Palm Beach Canal (S-352), the Hillsboro and North New River Canals (S-351), and the Miami Canal (S-354).²⁷

The USACE, in conjunction with the South Florida Water Management District (SFWMD) regulates the outlet structures to manage lake levels.²⁸ After back-to-back hurricanes in South Florida in 2004 and 2005 and the devastation in Louisiana caused by Hurricane Katrina, the USACE launched a major effort to rehabilitate the Herbert Hoover Dike in light of concerns regarding its structural integrity. Concerns regarding the dam's ability to perform satisfactorily for Lake Okeechobee levels above an elevation of 15.5 ft. resulted in the labeling of the project as high-risk.²⁹ The Lake Okeechobee Regulation Schedule Study was initiated to design an alternative schedule to lower the normal operating limits of the lake.³⁰

The Lake Okeechobee Regulation Schedule (LORS) was implemented in April of 2008. The revised schedule lowered the maximum stage of the lake from 18.5 ft. to 17.25 ft. with the primary goal of maintaining the lake between 12.5 ft. and 15.5 ft. The areas most affected by a change to the lake's regulation schedule were the lake itself, particularly the littoral and marsh areas of the lake, and the St. Lucie and Caloosahatchee estuaries.³¹ Additionally, because the LORS high management band is 1.00 to 1.75 ft. lower than the previous schedule, the revision to the schedule resulted in a loss of storage ranging from 460,000 to 800,000 acre-feet depending on the time of year.³²

The USACE expects to operate under the LORS until the earlier of the implementation of a new Lake Okeechobee schedule as a component of the system-wide operating plan to accommodate Everglades restoration projects or the completion of Herbert Hoover Dike seepage berm construction or equivalent dike repairs.³³ According to the latest Integrated Delivery Schedule, rehabilitation of the Herbert Hoover Dike should be completed by 2025 and initiation of a new lake regulation schedule study would begin in 2022.³⁴

²⁷ *Id.*

²⁸ FDEP, *supra* note 17, at 7.

²⁹ USACE, *Herbert Hoover Dike Dam Safety Modification Study Final Environmental Impact Statement*, 1 (June 2016), available at

[http://www.saj.usace.army.mil/Portals/44/docs/Planning/EnvironmentalBranch/EnvironmentalDocs/Multiple%20Counties/Herbert Hoover Dike Dam Safety Modification%20Study FEIS Main Report.pdf?ver=2016-05-31-131919-377](http://www.saj.usace.army.mil/Portals/44/docs/Planning/EnvironmentalBranch/EnvironmentalDocs/Multiple%20Counties/Herbert%20Hoover%20Dike%20Dam%20Safety%20Modification%20Study%20FEIS%20Main%20Report.pdf?ver=2016-05-31-131919-377) (last visited Jan. 31, 2017).

³⁰ USACE, *Lake Okeechobee Regulation Schedule, Final Supplemental Environmental Impact Statement*, ii (Nov. 2007) [hereinafter *LORS FSEIS*], available at

[http://www.saj.usace.army.mil/Portals/44/docs/h2omgmt/LORSdocs/ACOE STATEMENT APPENDICES A-G.pdf](http://www.saj.usace.army.mil/Portals/44/docs/h2omgmt/LORSdocs/ACOE_STATEMENT_APPENDICES_A-G.pdf) (last visited Jan. 31, 2017).

³¹ *Id.* at 1.

³² The National Academies of Sciences, Engineering, and Medicine, *Progress Toward Restoring the Everglades: The Sixth Biennial Review*, 133 (2016) [hereinafter *The Sixth Biennial Review*], available at <https://www.nap.edu/catalog/23672/progress-toward-restoring-the-everglades-the-sixth-biennial-review-2016> (last visited Jan. 31, 2017).

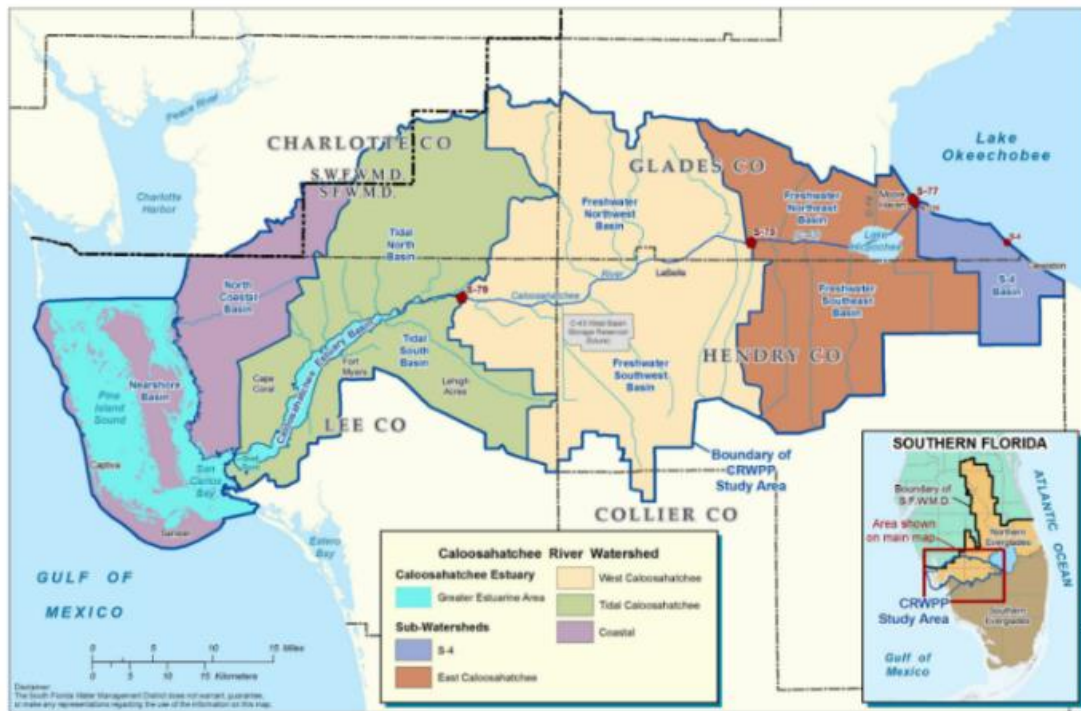
³³ *LORS FSEIS* at 2.

³⁴ USACE and SFWMD, *Integrated Delivery Schedule 2016 Update* (Dec. 2016), available at

[http://www.saj.usace.army.mil/Portals/44/docs/Environmental/IDS/IDS PLACEMAT 05JAN2017_web.pdf?ver=2017-01-07-164638-380](http://www.saj.usace.army.mil/Portals/44/docs/Environmental/IDS/IDS_PLACEMAT_05JAN2017_web.pdf?ver=2017-01-07-164638-380) (last visited Jan. 31, 2017).

Caloosahatchee River Watershed

The Caloosahatchee River was originally a shallow, meandering river with headwaters near Lake Okeechobee.³⁵ In the early 1900s, the river was modified and now functions as the C-43 canal.³⁶ The canal is divided into freshwater and marine segments by a series of locks.³⁶ The river conveys freshwater to the Caloosahatchee Estuary through the S-79 structure from both runoff from the Caloosahatchee River Watershed and releases from Lake Okeechobee.³⁷



Approximately half of the volume of water that reaches the Caloosahatchee Estuary is water that passed through the S-77 structure from Lake Okeechobee.³⁸ The hydrological changes have affected the timing distribution, quality and volume of freshwater entering the estuary, which has resulted in negative ecological impacts.³⁹ Excess water that is released results in an unnatural surge of freshwater to the Caloosahatchee River and reduces the estuarine salinity levels.⁴⁰ Alternately, during the dry season, little to no water is released to the river, which causes the

³⁵ LORS FSEIS at 108.

³⁶ Caloosahatchee Estuary Basin Technical Stakeholders and FDEP, *Final Caloosahatchee Estuary Basin, Basin Management Action Plan for the Implementation of Total Maximum Daily Loads for Nutrients Adopted by the FDEP*, 1 (Dec. 2012), available at <http://www.dep.state.fl.us/water/watersheds/bmap.htm> (last visited Jan. 31, 2017).

³⁷ LORS FSEIS at 108.

³⁸ Caloosahatchee Estuary Basin Technical Stakeholders and FDEP, *Final Caloosahatchee Estuary Basin, Basin Management Action Plan for the Implementation of Total Maximum Daily Loads for Nutrients Adopted by the FDEP*, 3 (Dec. 2012).

³⁹ LORS FSEIS at 108.

⁴⁰ USACE, *Fact Sheet: Caloosahatchee River (C-43) West Basin Storage Reservoir* (Jan. 2016), available at http://www.saj.usace.army.mil/Portals/44/docs/FactSheets/C-43_FS_January2016_web.pdf (last visited Jan. 31, 2017).

salinity levels to increase.⁴¹ Both high and low salinity levels trigger die-offs of seagrasses and oysters, species that are indicators of the estuary's overall health.⁴²

St. Lucie River Watershed

In the 1800s local residents dug an inlet to provide direct access to the Atlantic Ocean, effectively changing the river into an estuary.⁴³ Then in the early 1890s the St. Lucie River was altered to provide an outlet from Lake Okeechobee to the Atlantic Ocean. The inland portion of the St. Lucie Estuary is composed of a North Fork and a South Fork, which converge at the Roosevelt Bridge to form a single waterbody that extends eastward and joins the Indian River Lagoon. ⁴⁴ The St. Lucie River, referred to as the C-44 Canal, is used for navigation and releases from Lake Okeechobee.⁴⁵ The C-44 Canal is the largest overflow canal for Lake Okeechobee.⁴⁶



Home to more than 4,300 species of plants and animals and supporting an annual economic contribution of more than \$730 million, the St. Lucie Estuary and the Indian River Lagoon are two of the country's most productive and threatened estuaries.⁴⁷ The estuary is affected by freshwater runoff from agricultural and urban sources in the watershed and freshwater releases from Lake Okeechobee.⁴⁸ Approximately 42 percent of the freshwater inflows from canals that

⁴¹ *Id.*

⁴² *Id.*

⁴³ LORS FSEIS at 110.

⁴⁴ *Id.*

⁴⁵ *Id.*

⁴⁶ *Restudy* at 1-14.

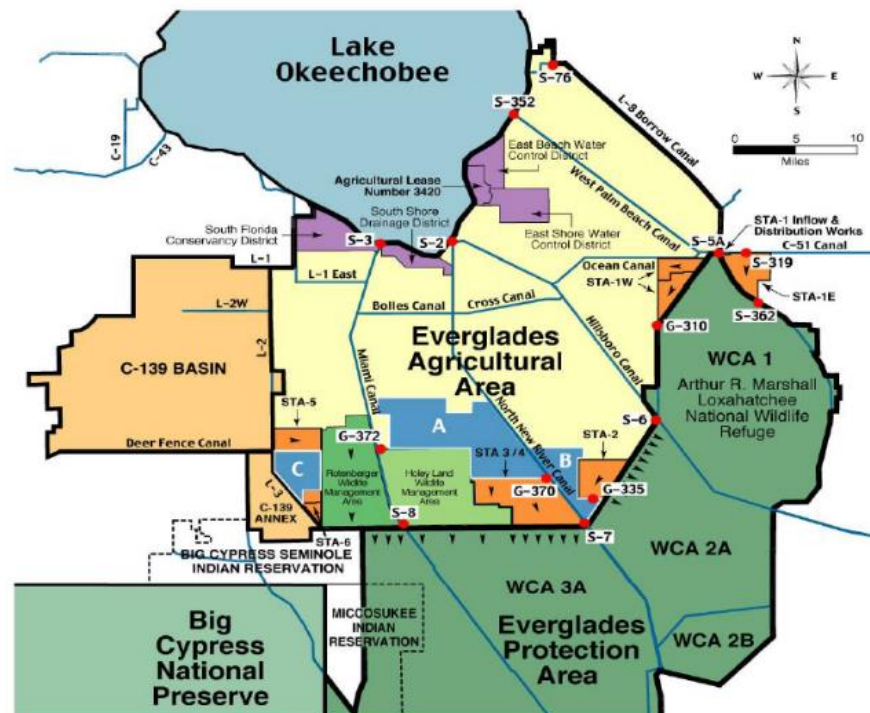
⁴⁷ USACE, *Fact Sheet: Indian River Lagoon – South* (Jan. 2017), available at http://www.saj.usace.army.mil/Portals/44/docs/Environmental/C-44/IRL_FactSheet_January2017_web.pdf?ver=2017-01-18-122229-807 (last visited Jan. 31, 2017).

⁴⁸ *Id.*

discharge into the St. Lucie Estuary are from Lake Okeechobee and these discharges carry significant nutrient loads, which have a known impact on the estuary.⁴⁹

Everglades Agricultural Area

The Everglades Agricultural Area (EAA) consists of lands located within the eastern portion of Hendry County and western portion of Palm Beach County.⁵⁰ This area includes approximately 700,000 acres of fertile agricultural land, a large portion of which is dedicated to the production of sugarcane.⁵¹ This area is considered one of the most important agricultural regions in Florida.⁵² Water is supplied and managed in the EAA through conveyance and drainage canals including the Miami, the North New River, the Hillsboro, and the West Palm Beach Canals, which traverse north and south, and the Bolles and Cross Canals, which traverse east and west.⁵³



Restoration Efforts

Beginning in the 1970s concerns regarding the effects of the C&SF began mounting. The design of system, while effective for flood control, resulted in unintended consequences including:

- Extreme fluctuations in high and low water levels in the lake;

⁴⁹ St. Lucie River and Estuary Basin Technical Stakeholders and FDEP, *Final Basin Management Action Plan for the Implementation of Total Maximum Daily Loads for Nutrients and Dissolve Oxygen by the FDEP in the St. Lucie River and Estuary Basin*, xiv (May 2013), available at <http://www.dep.state.fl.us/water/watersheds/bmap.htm> (last visited Jan. 31, 2017).

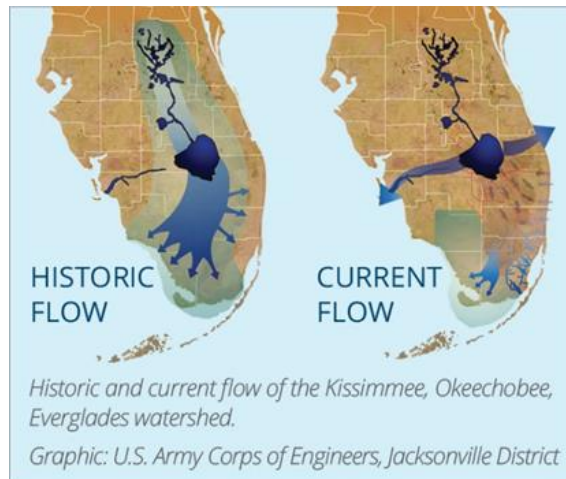
⁵⁰ *LORS FSEIS* at 7.

⁵¹ *Restudy* at 1-15.

⁵² *LORS FSEIS* at 7.

⁵³ *Restudy* at 1-15.

- Extreme fluctuations between too much and too little freshwater discharged into the coastal estuaries;
- Detrimental hydrological conditions in freshwater wetland habitats; and
- Unsuitable freshwater flows to Florida Bay, Biscayne Bay, and the Lake Worth Lagoon.⁵⁴



With nearly half of the original footprint of the Everglades system drained and converted to urban and agricultural uses, there has been a substantial acceleration in the flow of water through the system and a significant reduction in water storage capacity.⁵⁵ The Central and Southern Florida Project Comprehensive Review Study Final Integrated Feasibility Report and Programmatic Environmental Impact Statement (Restudy) concluded:

The lack of storage in the system, particularly during wet periods, has led to ecological damage of Lake Okeechobee's littoral zone and damaging regulatory releases to the St. Lucie and Caloosahatchee estuaries. Conversely, in dry periods, this lack of storage has led to water supply shortages for both the human and natural environment.⁵⁶

Kissimmee River Restoration (KRR)

The Kissimmee River Restoration project (KRR) was authorized by Congress in 1992 with the goal of restoring a third of the river flood plain system that was altered when the river was channelized back in the 1960s. The project includes backfilling 22 miles of canals, removing water control structures, and reconnecting remnant river segments. The KRR is designed to attenuate peak flows into Lake Okeechobee and, once complete, the project is expected to provide an additional storage capacity of 130,000 acre-feet.⁵⁷ When restoration is complete in

⁵⁴ *Restudy* at iii.

⁵⁵ *Id.* at 1-2.

⁵⁶ *Id.* at 1-2.

⁵⁷ USACE, *South Florida Ecosystem Restoration (SFER) Program Overview* (June 2016), available at http://www.saj.usace.army.mil/Portals/44/docs/Environmental/Everglades%20Restoration%20Overview%20Placemat_June2016_web.pdf?ver=2016-08-08-154107-193 (last visited Jan. 31, 2017).

2020, more than 40 square miles of river-floodplain ecosystem will be restored, including almost 20,000 acres of wetlands and 44 miles of the historic river channel.⁵⁸

Three construction phases are now complete, and a continuous water flow has been reestablished to 24 miles of meandering river.⁵⁹ The environmental improvements resulting from the project have already been documented.⁶⁰ In October of 2016, testing began to evaluate the ability to retain additional water in the Kissimmee River basin to reduce flows into Lake Okeechobee and, consequently, into the Caloosahatchee and St. Lucie estuaries.⁶¹

Comprehensive Everglades Restoration Plan (CERP)

In light of the unintended consequences of the C&SF, Congress required the USACE to reevaluate the performance and impacts of the project and to provide recommended improvements and modifications to restore the south Florida ecosystem and to protect the water quality in, and reduce the loss of freshwater from the Everglades and Florida Bay.⁶² The USACE, in coordination with the state, developed the Restudy which provided a recommended plan for Everglades restoration. The Comprehensive Everglades Restoration Plan (CERP) was approved by Congress in the Water Resources Development Act of 2000.⁶³

The Water Resources Development Act of 2000 provided the framework for the CERP as a 50/50 cost-share program between the state and the federal government. The CERP covers approximately 18,000 square miles and includes all or part of 16 counties in central and southern Florida, constituting about one-half of the State's population.⁶⁴ The future progress of the CERP projects and their relationship among other relevant state and federally funded South Florida ecosystem restoration projects is outlined in the Integrated Delivery Schedule (IDS).⁶⁵ The IDS is not an action or decision document, rather it is a guide for planning, design, construction sequencing, and budgeting.⁶⁶ The IDS serves as a communication tool that reflects diverse stakeholder input.⁶⁷

⁵⁸ USACE, *Kissimmee River Restoration Project* (Jan. 2017), available at http://www.saj.usace.army.mil/Portals/44/docs/Environmental/Kissimmee/Kissimmee_FS_January2017_web.pdf?ver=2017-01-18-114834-273 (last visited Jan. 31, 2017).

⁵⁹ SFWMD, *SFWMD Begins Historic Test to Help Reduce Discharges to the Coastal Estuaries* (Oct. 12, 2016), available at https://www.sfwmd.gov/sites/default/files/documents/nr_2016_1012_kiss_headwaters_test.pdf (last visited Jan. 31, 2017).

⁶⁰ USACE, *Kissimmee River Restoration Project* (Jan. 2017).

⁶¹ SFWMD, *SFWMD Begins Historic Test to Help Reduce Discharges to the Coastal Estuaries* (Oct. 12, 2016).

⁶² The Water Resources Development Act of 1996 (P.L. 104-303, Oct. 12, 1996).

⁶³ The Water Resources Development Act of 2000 (P.L. 106-541, Dec. 11, 2000).

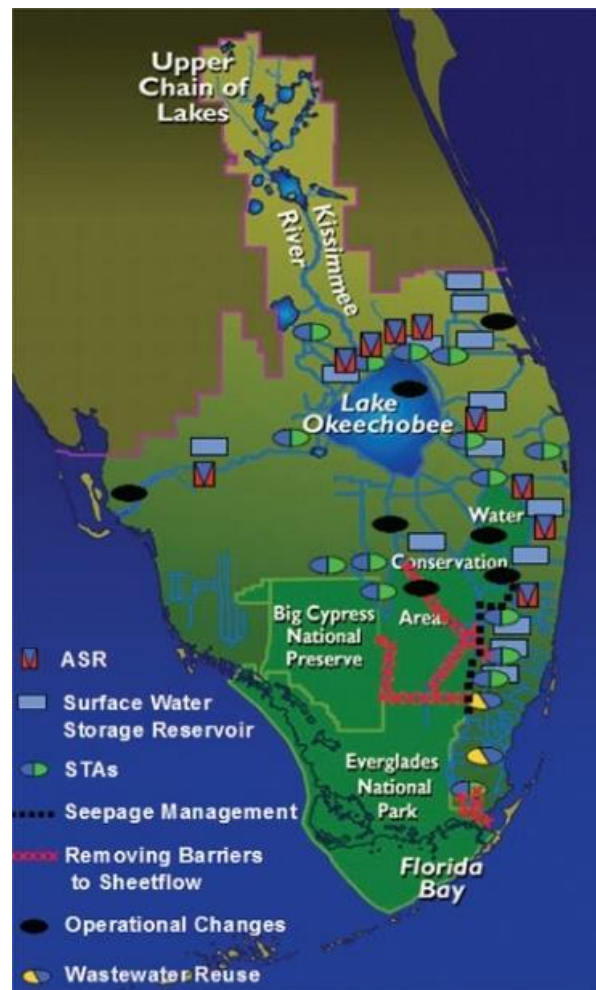
⁶⁴ United States Department of Interior Office of Everglades Restoration Initiatives, *Comprehensive Everglades Restoration Plan, CERP: The Plan in Depth – Part 1*, http://141.232.10.32/about/rest_plan_pt_01.aspx (last visited Jan. 31, 2017).

⁶⁵ *The Sixth Biennial Review* at 46.

⁶⁶ *Id.*

⁶⁷ *Id.* at 47.

The CERP includes more than 68 project components which focus on improving the water delivery and timing within the Everglades system by increasing the size of natural areas, improving water quality, releasing water in a manner that mimics historical flow patterns, and storing and distributing water for urban, agricultural, and ecological uses. Major features of the CERP include surface water storage reservoirs, water preserve areas, management of Lake Okeechobee as an ecological resource, improvement of water deliveries to the estuaries, underground water storage, treatment wetlands, improvement of water deliveries to the Everglades, removal of barriers to sheet flow, storage of water in existing quarries, reuse of wastewater, and the improvement of water flows to Florida Bay.⁶⁸



CERP: Aquifer Storage and Recovery

The CERP recommended the construction and operation of up to 333 Aquifer Storage and Recovery (ASR) systems located throughout South Florida.⁶⁹ ASR systems are designed to store large volumes of water in the Floridan Aquifer System during the wet periods for subsequent recovery during dry periods. In 2015 the ASR Regional Study was completed and found that large capacity ASR systems could be built and operated in South Florida; however, due to groundwater monitoring evaluations, the study recommended that the overall number of wells be

⁶⁸ Restudy at vii-ix.

⁶⁹ USACE, *Aquifer Storage and Recovery (ASR) Regional Study Fact Sheet* (June 2015), available at http://www.saj.usace.army.mil/Portals/44/docs/FactSheets/ASR_FS_June2015_web.pdf (last visited Jan. 31, 2017).

reduced to 131, or about one-third of the original proposed amount.⁷⁰ Overall, the amount of water that can be stored through ASR was reduced by about 60 percent.⁷¹ Additionally, two pilot projects were completed: one in the Kissimmee Basin and one near the Hillsboro Canal, which determined that ASR systems north of Lake Okeechobee could achieve a rate of recoverability of upwards of 100 percent of stored water due to the freshwater quality of the aquifer in that region, but, conversely, ASR systems south of the lake, because of the brackish quality of the aquifer in that region, would require successive cycles over a few years to achieve a target of 70 percent recoverability.⁷²

CERP: C-43 Basin Storage Reservoir

The Caloosahatchee River (C-43) West Basin Storage Reservoir project is designed to help ensure that a more consistent, natural flow of freshwater is delivered to the estuary. The project is designed to capture and store runoff from the local basin along with a portion of water discharged from Lake Okeechobee to be released slowly to the estuary as needed.⁷³ The project includes an above-ground reservoir with the total storage capacity of 170,000 acre-feet.⁷⁴ The first phase of construction began in late 2015 and is anticipated to be completed in 2020.⁷⁵

CERP: Indian River Lagoon – South

The Indian River Lagoon–South (IRL-S) project is designed to help restore the balance of fresh and salt water in the lagoon and estuary and capture, store, and treat runoff from the local basins before it enters the natural system.⁷⁶ The IRL-S includes one above-ground storage reservoir in the C-44, C-23, C-24, and C-25 basins, with a total storage capacity of approximately 200,000 acre-feet, and three stormwater treatment areas (STAs).⁷⁷ Additionally, water from the C-23/C-24 basin will be redirected to the North Fork of the St. Lucie River to attenuate freshwater flows to the St. Lucie Estuary.⁷⁸ Construction is completed on some features included in the C-44 reservoir, including intake and drainage canals, access roads, and staging areas. Construction also began on the C-44 reservoir pump station and STA, with reservoir construction expected to be completed in 2019.⁷⁹

⁷⁰ USACE and SFWMD, *Final Regional Aquifer Storage and Recovery Technical Data Report*, xx (May 2015), available at http://www.saj.usace.army.mil/Portals/44/docs/Environmental/ASR%20Regional%20Study/Final_Report/ASR_RegionalStudy_Final_2015.pdf.pdf (last visited Jan. 31, 2017).

⁷¹ *Id.* at 131.

⁷² *Id.*

⁷³ USACE, *Fact Sheet: Caloosahatchee River (C-43) West Basin Storage Reservoir* (Jan. 2016), available at http://www.saj.usace.army.mil/Portals/44/docs/FactSheets/C-43_FS_January2016_web.pdf (last visited Jan. 31, 2017).

⁷⁴ USACE, *South Florida Ecosystem Restoration (SFER) Program Overview* (June 2016).

⁷⁵ USACE and SFWMD, *Integrated Delivery Schedule 2016 Update* (Dec. 2016), available at http://www.saj.usace.army.mil/Portals/44/docs/Environmental/IDS/IDS_PLACEMAT_05JAN2017_web.pdf?ver=2017-01-07-164638-380 (last visited Jan. 31, 2017).

⁷⁶ USACE, *Fact Sheet: Indian River Lagoon – South* (Jan. 2017), available at http://www.saj.usace.army.mil/Portals/44/docs/Environmental/C-44/IRL_FactSheet_January2017_web.pdf?ver=2017-01-18-122229-807 (last visited Jan. 31, 2017).

⁷⁷ *The Sixth Biennial Review* at 70; Stormwater Treatment Areas, or STAs, are constructed wetlands that remove and store nutrients through plant growth and the accumulation of dead plant material that is slowly converted to a layer of peat soil; See SFWMD, *Water Quality Improvement*, available at <https://www.sfwmd.gov/our-work/wq-stas> (last visited Feb. 6, 2017).

⁷⁸ *Id.*

⁷⁹ USACE and SFWMD, *Integrated Delivery Schedule 2016 Update* (Dec. 2016), available at http://www.saj.usace.army.mil/Portals/44/docs/Environmental/IDS/IDS_PLACEMAT_05JAN2017_web.pdf?ver=2017-01-07-164638-380 (last visited Jan. 31, 2017).

CERP: Central Everglades Planning Project (CEPP)

The Central Everglades Planning Project (CEPP) consists of a suite of the CERP projects whose purpose is to improve the quantity, quality, timing, and distribution of water flows to the Northern Estuaries, central Everglades, Everglades National Park, and Florida Bay while increasing the water supply for urban and agricultural users.⁸⁰ The CEPP received Congressional authorization in the 2016 Water Infrastructure Improvements for the Nation Act.⁸¹

The project is designed to send an annual average of approximately 210,000 acre-feet of water south from Lake Okeechobee and set the foundation for restoring the central portion of the Everglades ecosystem.⁸² The project includes:

- Increasing storage, treatment and conveyance of water south of Lake Okeechobee;
- Removing canals and levees within the central Everglades; and
- Retaining water within the Everglades National Park and protecting urban and agricultural areas to the east from flooding.⁸³

Some of the features included in the CEPP are an A-2 Flow Equalization Basin (FEB)⁸⁴ that will be integrated with the A-1 FEB, a project that is part of the Restoration Strategies Plan; removal of approximately six miles of the Old Tamiami Trail road; construction of seepage barriers; and increases in structural capacities.⁸⁵

Northern Everglades and Estuaries Protection Program (NEEPP)

The Northern Everglades and Estuaries Protection Program (NEEPP) was established to promote a comprehensive, interconnected watershed approach to protect Lake Okeechobee and the Caloosahatchee and St. Lucie watersheds. It includes the Lake Okeechobee Watershed Protection Program and the Caloosahatchee and St. Lucie River Watershed Protection Programs.⁸⁶ The NEEPP led to the creation of the Lake Okeechobee Phase II Technical Plan in 2008, which requires, in part, that the SFWMD:

- Provide for additional measures, including voluntary water storage and water quality improvements on private land, increase water storage and reduce excess water levels in Lake Okeechobee, and reduce excess discharges to the estuaries; and

⁸⁰ USACE and SFWMD, *Central Everglades Planning Project Final Project Implementation Report and Environmental Impact Statement*, 1-3 (July 2014), available at http://www.saj.usace.army.mil/Portals/44/docs/Environmental/CEPP/01_CEPP%20Final%20PIR-EIS%20Main%20Report.pdf (last visited Jan. 31, 2017).

⁸¹ The Water Infrastructure Improvements for the Nation Act (P.L. 114-322, Dec. 16, 2016).

⁸² USACE, *Central Everglades Planning Project*, Facts & Information (Jan. 2017), available at http://www.saj.usace.army.mil/Portals/44/docs/FactSheets/CEPP_FS_January2017_revised_web.pdf (last visited Jan. 31, 2017).

⁸³ *Id.*

⁸⁴ A flow equalization basin (FEB) is a constructed storage feature used to capture and temporarily store peak stormwater flows. Water managers can move water from FEBs to Stormwater Treatment Areas (STAs) at steady rates to optimize STA performance and help achieve water quality improvement targets. See SFWMD, *Just the Facts: A-1 Flow Equalization Basin (FEB)*, available at https://www.sfwmd.gov/sites/default/files/documents/jtf_a1_feb.pdf (last visited Jan. 31, 2017).

⁸⁵ *Id.*

⁸⁶ Section 373.4595, F.S.

- Develop the appropriate water quantity storage goal to achieve the desired Lake Okeechobee range of lake levels and inflow volumes to the Caloosahatchee and St. Lucie estuaries while meeting the other water-related needs of the region, including water supply and flood protection.⁸⁷

The NEEPP provided the basis for the development of Basin Management Action Plans (BMAPs). A BMAP is the blueprint for restoring impaired water by reducing pollutant loadings to meet a Total Maximum Daily Load (TMDL). The BMAP is a comprehensive set of strategies including water quality and water storage projects, permit limits on wastewater facilities, urban and agricultural best management practices (BMPs), and conservation programs, to implement the nutrient load reductions necessary to achieve a TMDL.

The 2016 Legislature enacted, ch. 2016-1, Laws of Florida, to update and restructure the NEEPP to reflect and build upon the Department of Environmental Protection's implementation of BMAPs for Lake Okeechobee, the Caloosahatchee River and Estuary, and the St. Lucie River and Estuary. The BMAP will include the construction of water projects, water monitoring programs, and the implementation, verification, and enforcement of BMPs within these watersheds. The BMAPs are now required to include 5-, 10-, and 15-year milestones towards achieving the TMDLs for those water basins within 20 years.⁸⁸

River of Grass – U.S. Sugar Land Acquisition

In 2008, Governor Charlie Crist announced a plan to acquire more than 180,000 acres of agricultural land for Everglades restoration from the United States Sugar Corporation. The River of Grass planning process was started to evaluate the lands to be acquired under the plan and analyze how the land would affect the future of Everglades restoration. During this planning process, additional treatment capacity necessary to achieve state and federal Everglades water quality standards and the volume of storage needed to reduce damaging discharges and move more water south of the lake was evaluated.⁸⁹

Because of the magnitude of the acquisition, restoration projects were effectively put on hold during the re-evaluation process. Ultimately, the SFWMD approved an agreement on August 12, 2010, to purchase approximately 26,800 acres of land, substantially less land than originally envisioned, because of a decline in the SFWMD revenues.⁹⁰ Under the Second Amended and Restated Agreement for Purchase and Sale (Agreement), the SFWMD took ownership of approximately 17,900 citrus acres in Hendry County and 8,900 sugarcane acres in Palm Beach County.⁹¹

Under the Agreement, the SFWMD retained the following various options to purchase the remaining 153,200 acres of land over the next ten years:

⁸⁷ *Id.*

⁸⁸ Chapter 2016-1, Laws of Fla.

⁸⁹ *Id.*

⁹⁰ SFWMD, *Just the Facts: Revising the River of Grass, Second Amended & Restated Agreement for Sale and Purchase* (Aug. 12, 2010), available at https://www.sfwmd.gov/sites/default/files/documents/jtf_2010_081210_final_gbvote.pdf. See https://www.sfwmd.gov/sites/default/files/documents/rog_0_amended_restated_agt_for_sale_and_purchase.pdf (last visited Jan. 31, 2017).

⁹¹ *Id.*

- An exclusive 3-year option to purchase either a specified 46,800 acres or the entire 153,200 acres at a fixed price of \$7,400 per acre. This option expired in 2013.
- After the expiration of this exclusive option period, a subsequent 2-year non-exclusive option to purchase approximately 46,800 acres at fair market value. This option expired in 2015.
- A subsequent 7-year non-exclusive option to purchase the remaining acres at fair market value. Because the previous options were not exercised, the entire remaining option property, approximately 153,200 acres, is available to be purchased. This option will expire in 2020.⁹²

Restoration Strategies

After years of litigation concerning the water quality in the Everglades Protection Area (EPA), a consent decree was entered in the case of *United States v. South Florida Water Management District* in 1992.⁹³ The consent decree, as implemented by the Everglades Forever Act in 1994, set forth a two-pronged approach consisting of building STAs and implementing best management practices (BMPs) in the EAA to reduce the total phosphorous levels in the Everglades Protection Area. The plan originally consisted of the construction of four STAs covering 35,000 acres, but by 2006 the need for additional STA acreage became clear. By 2010, approximately 57,000 acres of STAs were built and operating.⁹⁴ Subsequently conversations began between the United States Environmental Protection Agency and the SFWMD and, in 2012, they were able to reach a consensus on a new strategy for improving the water quality in the Everglades called the Restoration Strategies Regional Water Quality Plan.⁹⁵

Restoration Strategies is an \$800 million technical plan to complete a suite of projects intended to expand water quality improvement projects necessary to achieve phosphorous water quality standards. Under these strategies, the SFWMD must complete six projects that will create more than 6,500 acres of new STAs and 110,000 acre-feet of additional water storage.⁹⁶

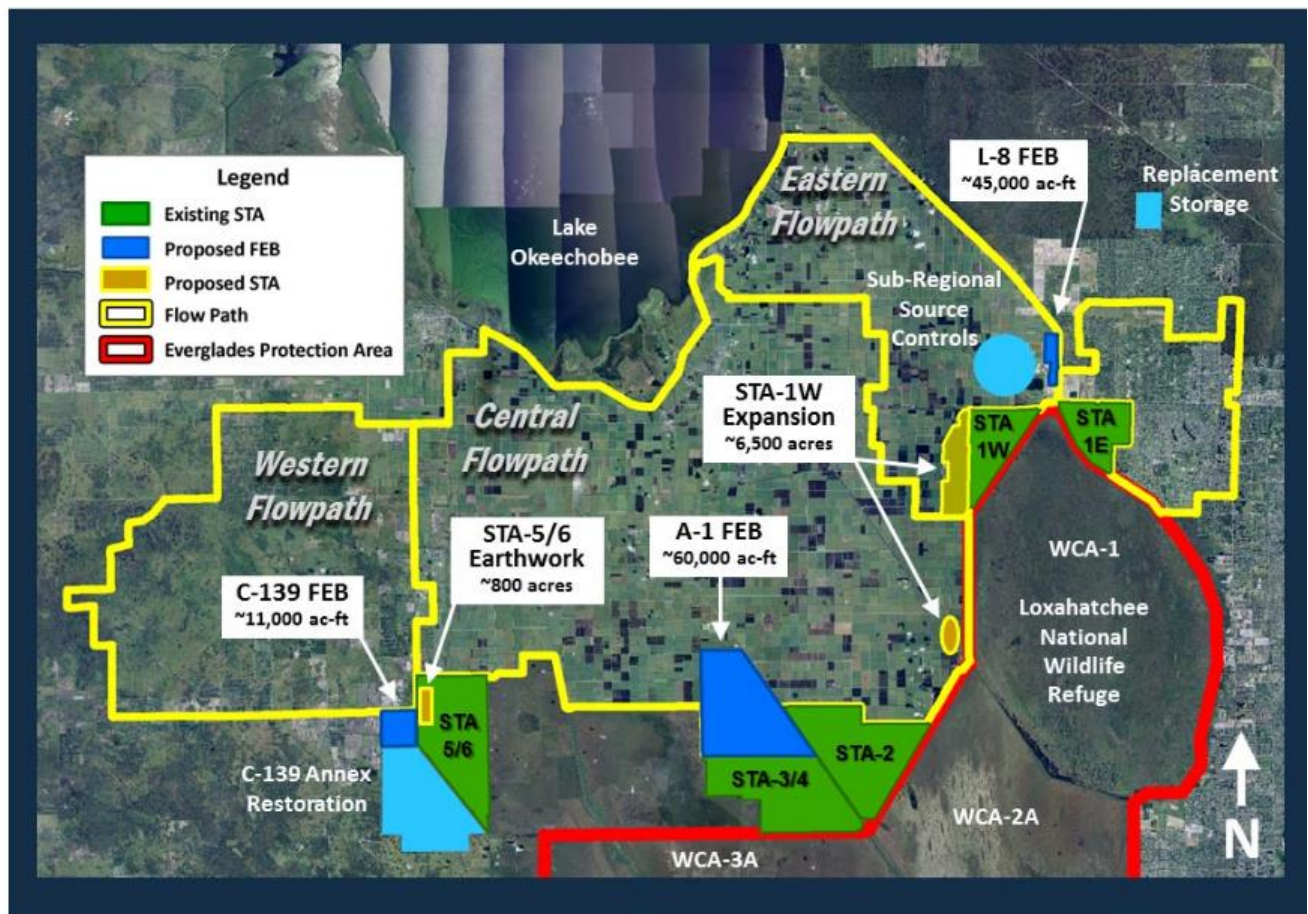
⁹² *Id.*

⁹³ Case No. 88-1886-CIV-Moreno (S.D. Fla. 1992); see also SFWMD, *Restoration Strategies Regional Water Quality Plan, Science Plan for the Everglades Stormwater Treatment Areas*, 2 (June 2013) [hereinafter *Science Plan*], available at https://www.sfwmd.gov/sites/default/files/documents/rs_scienceplan_060713_final.pdf (last visited Jan. 31, 2017).

⁹⁴ *Science Plan* at 2.

⁹⁵ SFWMD, *quick facts on...Restoration Strategies for Clean Water for the Everglades* (Feb. 2016), available at https://www.sfwmd.gov/sites/default/files/documents/spl_restoration_strategies.pdf (last visited Jan. 31, 2017).

⁹⁶ *Science Plan* at 3.



Design and construction of the projects is scheduled to be accomplished in three phases over a 12-year timeframe, with completion set for 2025.⁹⁷ In 2013, the Legislature appropriated \$32 million on a recurring basis through the 2023-2024 Fiscal Year to support the implementation of the plan.⁹⁸ The A-1 FEB, providing approximately 60,000 acre-feet of storage, was completed in 2015 and is currently in an operational and testing phase and has proved successful at improving the performance of the STAs, effectively reducing the total phosphorous loads to the STAs by approximately 80 percent.⁹⁹ The expansion of STA-1W is expected to be completed in December of 2018. The L-8 FEB is designed to provide 48,000 acre-feet of storage and substantial completion of the project has been achieved, except the outflow pump station, but full capacity is not yet available due to manufacturing issues with the pumping units.¹⁰⁰

⁹⁷ Science Plan at 3.

⁹⁸ Ch. 2013-59, s. 2, Laws of Fla.

⁹⁹ SFWMD, *Restoration Strategies Program Update* (Jan. 2017), available at https://www.sfwmd.gov/sites/default/files/documents/restoration_strategies_update_2017_jan_0.pdf (last visited Jan. 31, 2017); See also Terrie Bates, Water Resources Division Director, SFWMD, Governing Board Meeting, *Environmental Conditions Update*, slide 26 (June 09, 2016), available at <https://www.sfwmd.gov/news-events/meetings> (last visited Jan. 31, 2017).

¹⁰⁰ SFWMD, *Restoration Strategies Program Update* (Jan. 2017).

Damaging Discharges from Lake Okeechobee to the Coastal Estuaries

Because of the lack of operational flexibility within the system's design, the LORS requires lake levels to be kept low before the wet season, to account for additional inflow to ensure that lake levels do not rise to dangerous levels, which could cause the dike to be breached.¹⁰¹ Furthermore, during a high rainfall event water enters into the lake from direct rainfall, large basins, and other sources, which causes the water levels in the lake to rise six times faster than can be discharged from the lake.¹⁰² The only outlets that are capable of quickly releasing the necessary volume of water from the lake are through the St. Lucie and Caloosahatchee Canals to the coastal estuaries.¹⁰³ Therefore, when heavy rainfall events occur, the only option in the current system to maintain safe lake levels is to send high volumes of water east and west.

For the majority of 2016, Martin, St. Lucie, and Lee counties were under a state of emergency due to the negative effects of freshwater discharges from Lake Okeechobee on the coastal communities and ecosystems.¹⁰⁴ Due to El Nino conditions, the dry season of Water Year 2016 (May 1, 2015-April 30, 2016) was unusually wet with 26.67 inches of rainfall, much greater than the long-term average of 12.78 inches.¹⁰⁵ January of 2016 was the wettest January on record, with rainfall amounts approximately 476 percent more than the historical average.¹⁰⁶ The wetter than normal dry season necessitated releases from Lake Okeechobee to the St. Lucie and Caloosahatchee estuaries, compounding the freshwater inflow to the estuaries from the local basins. From January to November of 2016, approximately 2.23 million acre-feet, which is approximately 727 billion gallons of freshwater, was released from Lake Okeechobee alone to the St. Lucie and Caloosahatchee estuaries.¹⁰⁷

High volume freshwater discharges have significant effects on the coastal estuaries. The releases from the lake along with other local basin inflows cause large fluctuations in salinity, which often expose the animal and plant life within the estuary to salinities outside of their tolerance ranges.¹⁰⁸ When the high flows last for a sustained time period, the impacts to the estuaries are more severe.¹⁰⁹ Species, such as oysters and seagrasses, become more susceptible to disease and

¹⁰¹ *The Sixth Biennial Review* at 131.

¹⁰² Erika Skolte, USACE, *Lake Okeechobee: Following the flow*, <http://www.saj.usace.army.mil/Media/News-Stories/Article/479659/lake-okeechobee-following-the-flow/> (last visited Jan. 31, 2017).

¹⁰³ University of Florida Water Institute, *Options to Reduce High Volume Freshwater Flows to the St. Lucie and Caloosahatchee Estuaries and Move More Water from Lake Okeechobee to the Southern Everglades*, 17 (2015) [hereinafter *UF Study*], available at <http://waterinstitute.ufl.edu/research/downloads/contract95139/UF%20Water%20Institute%20Final%20Report%20March%202015.pdf> (last visited Jan. 31, 2017).

¹⁰⁴ Fla. Exec. Order No. 16-59 (Feb. 26, 2016); Fla. Exec. Order No. 16-155 (June 29, 2016); and Fla. Exec. Order No. 16-156 (June 30, 2016). Note that Palm Beach County was also under a state of emergency but only during the June 30, 2016, Executive Order.

¹⁰⁵ SFWMD, *Draft 2017 South Florida Environmental Report*, 8c-10 (Sept. 2016), available at http://apps.sfwmd.gov/sfwmd/SFER/2017_SFER_DRAFT/v1/sfer_toc_v1.pdf (last visited Jan. 31, 2017).

¹⁰⁶ See John Mitnik, Bureau Chief of Engineering and Construction, SFWMD, Water Resources Advisory Council, *Operations in Response to Recent Heavy Rains*, slide 4 (Feb. 2, 2016), available at <https://www.sfwmd.gov/news-events/meetings> (last visited Jan. 31, 2017).

¹⁰⁷ SFWMD, *Release Volumes from Lake Okeechobee and Local Basin Inflow to the Estuaries – CY 2016* (Jan. 6, 2017) (on file with the Senate Committee on Environmental Preservation and Conservation).

¹⁰⁸ *LORS FSEIS* at 147.

¹⁰⁹ *Id.* at 149.

predation as the duration of the high volume discharges increase.¹¹⁰ Oysters and seagrasses are indicator species and are widely used to evaluate the effects of the discharges on overall estuarine health. Beginning in February the salinity levels of the St. Lucie Estuary dropped significantly. The levels rebounded slightly as the freshwater discharges decreased, but plummeted again at the end of May when the discharges were again increased. The drop in salinity levels greatly affected oyster spat recruitment in May of 2016.¹¹¹

In addition to requiring high volume discharges, higher lake stages correlate with algae blooms in the lake.¹¹² The lake receives large amounts of nutrients from its tributaries and has high levels of nutrients within the water column, which support the growth of algae blooms.¹¹³ Periodically conditions are just right and cyanobacteria, referred to as blue-green algae, rapidly reproduces to form a bloom.¹¹⁴ In May of 2016, a massive *Microcystis* algae bloom formed in Lake Okeechobee.¹¹⁵ The algae in the lake was sampled and tested positive for levels well above the low-level risk threshold.¹¹⁶ Operating under the LORS, the USACE continued the regulatory releases east and west to the coastal estuaries to maintain the lake's level. The discharges carried the algae from the lake through the C-44 canal and out through the S-80 structure into the St. Lucie Estuary.

The National Academies of Sciences, Engineering, and Medicine in their biennial review of Everglades restoration progress stated:

What causes *Microcystis* blooms in the St. Lucie Estuary? Philips et. al (2012) found that internally driven blooms are mainly limited to the north fork of the St. Lucie Estuary and occur during dry periods when water residence time is long enough to allow the algae to proliferate. Those blooms are mainly caused by a kind of algae called dinoflagellate. In contrast, externally driven blooms are much more severe, happen in the main stem of the estuary, and are caused by *Microcystis*. Philips et al. (2012) documented that the 2005 algal bloom, which coincided with regulatory water discharges from the lake, was seeded by an upstream bloom that happened in Lake Okeechobee...It is highly likely that the same situation occurred in 2016.

The *Microcystis* algae bloom covered the waterways of the St. Lucie River and Estuary during the peak of the 2016 tourist season. Health advisories were issued and even some of the beaches closed. Usually the *Microcystis* algae blooms, which consists of freshwater algae, are unable to

¹¹⁰ *Id.*

¹¹¹ See Terrie Bates, Water Resources Division Director, SFWMD, Governing Board Meeting, *Environmental Conditions Update*, slides 9-12 (June 09, 2016), available at <https://www.sfwmd.gov/news-events/meetings> (last visited Jan. 31, 2017).

¹¹² United States Fish and Wildlife Service, *Final Fish and Wildlife Coordination Act Report, 2006 Lake Okeechobee Regulation Schedule Study*, 21 (Oct. 12, 2007), available at http://www.saj.usace.army.mil/Portals/44/docs/h2omgmt/LORSdocs/ACOE_STATEMENT_APPENDICES_A-G.pdf (last visited Jan. 31, 2017).

¹¹³ *The Sixth Biennial Review* at 30.

¹¹⁴ *Id.*

¹¹⁵ *Id.*

¹¹⁶ For full sampling results see FDEP, *South Florida Algal Bloom Response and Monitoring*, <https://depnewsroom.wordpress.com/algal-bloom-monitoring-and-response/> (last visited Jan. 31, 2017).

survive offshore, due to the high salinity levels. However, because the system had been experiencing high volume freshwater discharges for a long duration, the salinity levels offshore were low enough for the bloom to survive. Samples taken at Bathtub Reef Beach in Martin County confirmed that the algae present was highly toxic *Microcystis* algae.¹¹⁷

Exposure to algal toxins may occur through the consumption of tainted water, fish or shellfish; recreational activities; or inhalation of aerosolized toxins.¹¹⁸ The toxins can have a range of lethal and non-lethal effects on humans, wildlife, and companion animals.¹¹⁹ The excessive freshwater discharges in 2016 impacted not only the ecology of the estuaries, but the quality of life of the residents, regional property values, revenues of area businesses, and continue to have effects on the local economies.¹²⁰

Additional Storage

According to the National Academies of Sciences, Engineering, and Medicine in their biennial review of Everglades restoration progress, little has been accomplished through CERP to reduce the high volume discharges to the St. Lucie and Caloosahatchee estuaries.¹²¹ Additionally, the review noted that storage components in CERP have been scaled back and provided an analysis of the significance of that loss of storage. The review concluded that a scaled-back CERP under LORS has resulted in 104 and 167 percent increases in regulatory releases by volume to the St. Lucie and Caloosahatchee estuaries, respectively, compared to the original CERP projections under the previous regulation schedule.¹²²

The 2015 University of Florida Water Institute Study (UF Study), titled *Options to Reduce High Volume Freshwater Flows to the St. Lucie and Caloosahatchee Estuaries and Move More water From Lake Okeechobee to the Southern Everglades*, concluded that providing relief to the estuaries would require an enormous increase in storage and treatment both north and south of the lake and that all existing and currently authorized projects are insufficient to achieve these goals.¹²³ The KRR project is expected to attenuate the flows into Lake Okeechobee; the C-43 and C-44 reservoir projects are expected to significantly reduce local-basin flows into the estuaries; and Restoration Strategies and CEPP together are expected to increase the delivery of clean water to the Everglades.¹²⁴ The UF Study concluded, however, that even after all of these projects are completed as planned, the lake-triggered high volume discharges to the estuaries would be reduced by less than 55 percent.¹²⁵

¹¹⁷ FDEP, *South Florida Algal Bloom Response and Monitoring* (June 30, 2016).

¹¹⁸ The United States Department of Interior, United States Geological Survey (USGS), *Harmful Algal Blooms* (Jan. 2007), available at https://pubs.usgs.gov/fs/2006/3147/pdf/FS2006_3147.pdf (last visited Jan. 31, 2017).

¹¹⁹ USGS, *New Science Challenges Old Assumptions about Harmful Algal Blooms*, <https://www.usgs.gov/news/new-science-challenges-old-assumptions-about-harmful-algal-blooms> (last visited Jan. 31, 2017).

¹²⁰ See Caloosahatchee Watershed Regional Management Issues, *Storage and Treatment Progress Summary*, 1 (updated July 1, 2016), available at <https://estero-fl.gov/wp-content/uploads/library/Agenda%20Attachments/Caloosahatchee%20Watershed%20Regional%20Water%20Management%20Issues%20White%20Paper%20-%205a.pdf> (last visited Jan. 31, 2017).

¹²¹ *The Sixth Biennial Review* at 108.

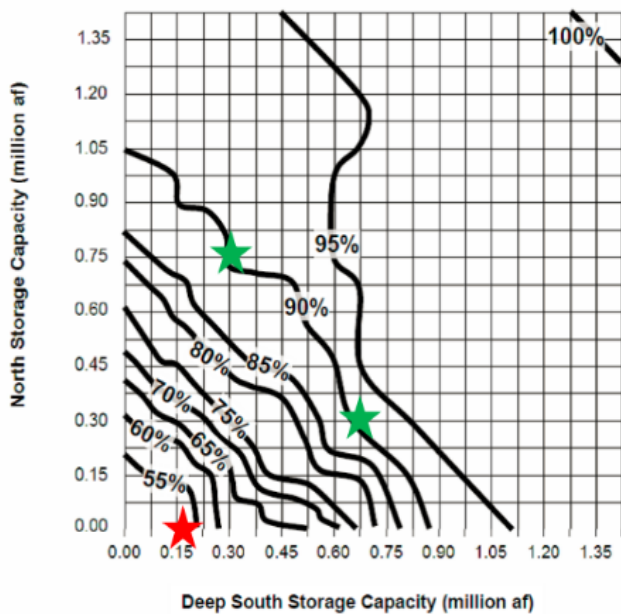
¹²² *Id.* at 139.

¹²³ *UF Study* at 36.

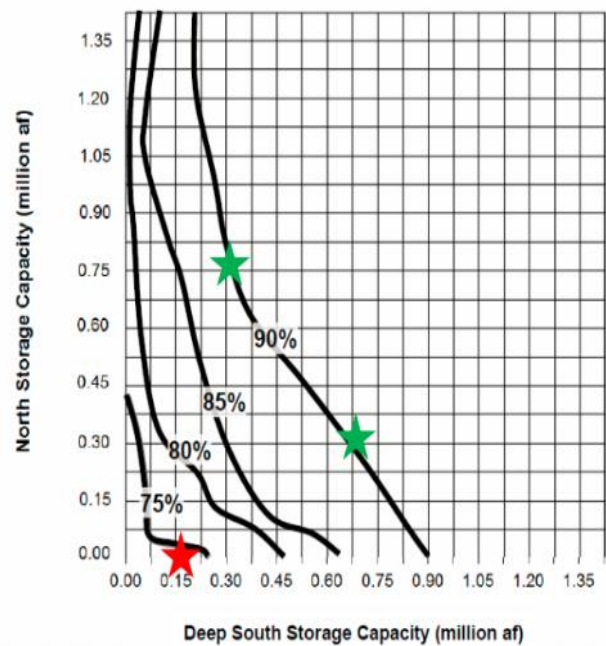
¹²⁴ *Id.* at 85.

¹²⁵ *Id.*

% Reduction in Lake-Triggered High Discharges to the Northern Estuaries



Dry Season Everglades Demand Target Delivered – Standard Score



The UF Study provided two possible configurations that are expected to provide a 90 percent reduction in lake-triggered discharges. In the graphs above, the red stars represent system performance after 112,000 acre-feet of storage is added under current projects and the green stars represent the two possible configurations that would achieve 90 percent restoration.¹²⁶

Based on the modeling results, the UF Study made the following findings:

[These figures show] that storage can be effective at reducing damaging discharges to the St. Lucie and Caloosahatchee estuaries whether it is constructed north or south of the lake. Storage north of the lake is effective for managing lake levels within a desirable range and thus reducing damaging discharges to the estuaries. Furthermore, water storage and treatment is needed north of the lake to meet the Lake Okeechobee TMDL. However, due to the extended time it takes to route water from north of the lake to the Water Conservation Areas (WCAs), northern storage is not likely to be as effective as southern storage in meeting the timing and distribution objectives of the water deliveries to the [Everglades Protection Area]. Furthermore, it is likely that water stored north of the lake, if passed through the Lake or through perimeter canals subject to agricultural runoff, may need to undergo additional water quality treatment to meet applicable standards before it is released to the [Everglades Protection Area]. Thus, the additional required storage will be needed to be distributed both north and south of the lake to achieve all restoration objectives.¹²⁷

¹²⁶ *Id.* at 86.

¹²⁷ *Id.* at 87.

Lake Okeechobee Watershed Project

Planning began in August 2016 under the CERP for the Lake Okeechobee Watershed Project (LOW). The study area for the project consists of approximately 950,000 acres, primarily located north of Lake Okeechobee extending to Lake Istokpoga.¹²⁸ The LOW is designed to increase water storage capacity in the northern watershed, which will improve water levels in Lake Okeechobee; improve the quantity and timing of discharges to the St. Lucie and Caloosahatchee estuaries; restore degraded habitat for fish and wildlife; and increase the spatial extent and functionality of wetlands.¹²⁹ The following conceptual storage and restoration features under consideration to be included in the LOW are a Taylor Creek/Nubbin Slough storage and treatment area, a 5,000-acre reservoir with total storage capacity of 50,000 acre-feet; and the North of the Lake Okeechobee Storage Reservoir, a 17,500-acre reservoir with a total storage capacity of 200,000 acre-feet.¹³⁰

Everglades Agricultural Area Storage Reservoir

The EAA Storage Reservoirs – Phase I project was initially authorized in the Water Resources Development Act of 2000.¹³¹ The CERP originally planned for 360,000 acre-feet of storage located in the EAA.¹³² The initial design assumed 60,000 acres, divided into three, equally sized compartments with water depth fluctuating up to 6 ft.¹³³ The purpose of the project was to improve the timing of environmental water deliveries to the WCAs by reducing damaging flood releases from the EAA; reduce Lake Okeechobee regulatory releases to the estuaries; meet supplemental agricultural irrigation demands; and increase flood protection within the EAA.¹³⁴

Planning began under the assumption that the project would be located on lands associated with the Talisman Land purchase in the EAA and the Woerner South property acquisition.¹³⁵ A portion of such lands are commonly referred to as the A-1 and A-2 land parcels: A-1 consists of approximately 17,000 acres and A-2 consists of approximately 14,000 acres. In 2005, the State of Florida initiated the Acceler8 program to accelerate the funding, design, and construction of critical restoration projects, one of which was a part of Phase-I of the EAA Reservoir.¹³⁶

¹²⁸ USACE, *Fact Sheet: Lake Okeechobee Watershed Project* (Jan. 2017), available at http://www.saj.usace.army.mil/Portals/44/LOW_FS_January2017_web.pdf (last visited Jan. 31, 2017).

¹²⁹ *Id.*

¹³⁰ USACE, *Lake Okeechobee Watershed Project, Frequently Asked Questions* (Sept. 2016), available at http://www.saj.usace.army.mil/Portals/44/docs/Environmental/Lake%20O%20Watershed/LakeO_FAQs_September2016_web.pdf?ver=2016-09-21-150613-913 (last visited Jan. 31, 2017).

¹³¹ The Water Resources Development Act of 2000 (P.L. 106-541, Dec. 11, 2000).

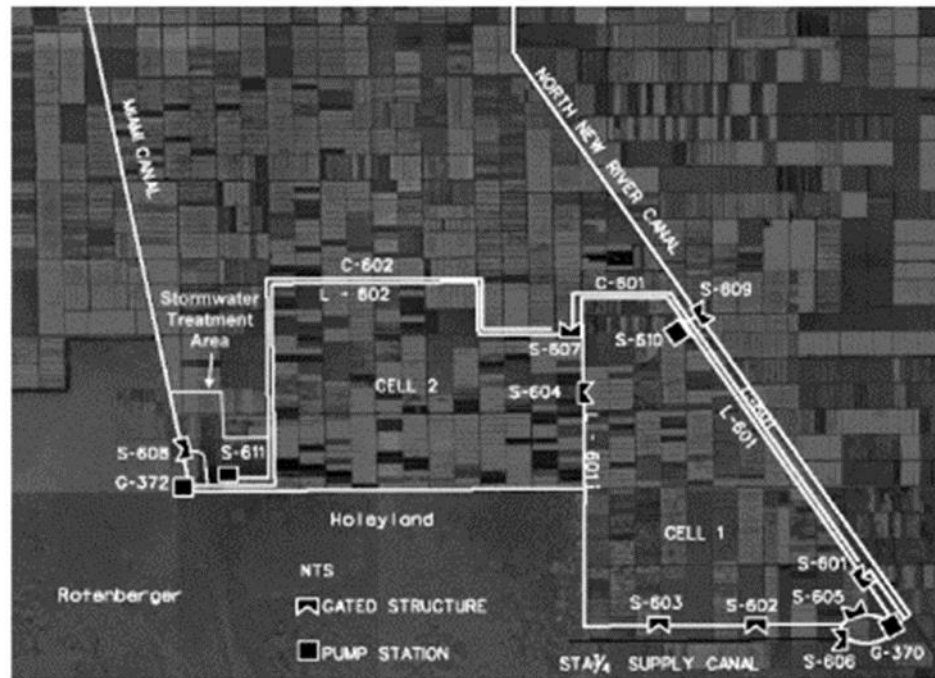
¹³² *Restudy* at 9-9.

¹³³ *Id.*

¹³⁴ USACE and SFWMD, *Everglades Agricultural Area Storage Reservoirs – Phase I, Project Management Plan*, 11 (Jan. 2002), available at http://141.232.10.32/pm/pmp/pmp_docs/pmp_08_eaa/pmp_eaa_main_current.pdf (last visited Jan. 31, 2017).

¹³⁵ *Id.*

¹³⁶ USACE and SFWMD, *Central and Southern Florida Project Everglades Agricultural Area Storage Reservoirs Revised Draft Project Implementation Report and Environmental Impact Statement*, ES-xiv (Feb. 2006), available at http://141.232.10.32/pm/projects/project_docs/pdp_08_eaa_store/revised_draft_pir/022206_eaa_pir_mainbody.pdf (last visited Jan. 31, 2017).



The SFWMD moved forward under the Acceler8 program and completed the detailed design and engineering work on the A-1 reservoir project, which was to be constructed on the A-1 land parcel, as depicted in Cell 1 on the map above.¹³⁷ During 2007, construction for the A-1 reservoir was in full swing and was expected to be completed in the spring of 2011.¹³⁸ Then, in May of 2008, a lawsuit was filed against the USACE alleging that the Section 404 Dredge and Fill Permit to construct the A-1 reservoir was inconsistent with the intent of the Water Resources Development Act of 2000 and the National Environmental Policy Act.¹³⁹ Due to this litigation and in light of the pending *River of Grass* land acquisition, the reservoir construction contract was terminated so that the site could be integrated into plans that would be developed following the major acquisition.¹⁴⁰

The state decided to use some of the Talisman lands to expand the existing STAs and another portion of the lands for interim shallow features to help improve the water quality and treatment in STA 3/4.¹⁴¹ To fulfill federal water quality standards, the A-1 Reservoir was converted to a FEB as part of the mandated Restoration Strategies Plan. The project is now in an operational testing and monitoring phase and has proved successful at improving the performance of the

¹³⁷ *Id.*

¹³⁸ SFWMD, 2008 *South Florida Environmental Report*, 7A-14 (2008), available at http://my.sfwmd.gov/portal/page/portal/pg_grp_sfwmd_sfer/portlet_sfer/tab2236041/volume1/chapters/v1_ch_7a.pdf (last visited Jan. 31, 2017).

¹³⁹ SFWMD, 2009 *South Florida Environmental Report*, 7A-3 (2009), available at http://my.sfwmd.gov/portal/page/portal/pg_grp_sfwmd_sfer/portlet_sfer/tab2236041/2009report/report/v1/chapters/v1_ch7A.pdf (last visited Jan. 31, 2017).

¹⁴⁰ *Id.*

¹⁴¹ USACE, *CERP 2010 Report to Congress*, 11 (2010), available at https://evergladesrestoration.gov/content/cerp/cerp_2010_rpt_to_congress.pdf (last visited Jan. 31, 2017).

STAs, effectively reducing the total phosphorous loads to the STAs by approximately 80 percent.¹⁴²

The A-2 land parcel, Cell 2 as depicted in the map above, is subject to lease agreements which are set to expire in 2018. The A-2 parcel is included in the project implementation report for the Central Everglades Planning Project (CEPP) as an FEB that will work in conjunction with the A-1 FEB. Cumulatively, the A-1 and A-2 FEBs will provide 116,000 acre-feet of storage, the primary purpose of which is to optimize the performance of the STAs.¹⁴³

C-51 Reservoir Project

The C-51 reservoir project is being developed by Palm Beach Aggregates, LLC, on 2,200 acres of their property in western Palm Beach County.¹⁴⁴ The project will consist of a reservoir and conveyance structures to provide water supply and water management benefits to participating water utilities and environmental benefits by reducing freshwater discharges to tide. Phase I of the project will provide 14,000 acre-feet of water storage and cost approximately \$161 million.¹⁴⁵ The SFWMD has declared Phase I of the C-51 reservoir project as one of its alternative water supply pilot projects. The water will be used to provide direct aquifer recharge to offset withdrawals from the Biscayne Aquifer. The Broward County Water and Wastewater Services, the City of Sunrise, the City of Lauderhill, and the City of Dania Beach have submitted letters of intent to utilize water made available by Phase I of the C-51 reservoir project. Phase II of the C-51 reservoir project is estimated to provide 46,000 acre-feet of water storage and cost approximately \$286 million.¹⁴⁶ Phase II of the project is being considered under some of the alternatives that are being modeled for the Loxahatchee River Watershed CERP project component.

State Revolving Loan Fund

The State Revolving Loan Fund (SRF) is a federal-state partnership that is administered by the state for the purpose of providing low-interest loans for investments in water and sanitation infrastructure, such as stormwater management facilities and drinking water treatment, as well as the implementation of nonpoint source pollution control and estuary protection projects.¹⁴⁷ The SRF receives its initial capital from federal grants and state funds, which then revolves through the repayment of principal and interest on outstanding loans.¹⁴⁸ The SRF program is the DEP's largest funding program and makes \$200-\$300 million or more available, primarily to local governments, each year.¹⁴⁹

¹⁴² See Terrie Bates, Water Resources Division Director, SFWMD, Governing Board Meeting, *Environmental Conditions Update*, slide 26 (June 09, 2016), available at <https://www.sfwmd.gov/news-events/meetings> (last visited Jan. 31, 2017).

¹⁴³ *The Sixth Biennial Review* at 128.

¹⁴⁴ Palm Beach Aggregates, LLC, *C-51 Reservoir*, <http://www.palmbeachag.com/c-51-reservoir.html> (last visited April 6, 2017).

¹⁴⁵ See Lenhart J. Lindahl, P.E., Assistant Executive Director, SFWMD, Governing Board Meeting, *C-51 Reservoir Update*, slide 7 (Oct. 13, 2016), available at <http://my.sfwmd.gov/webapps/publicMeetings/viewFile/10150> (last visited April 6, 2017).

¹⁴⁶ *Id.*

¹⁴⁷ FDEP, *State Revolving Loan Fund*, <http://www.dep.state.fl.us/Water/wff/index.htm> (last visited Mar. 8, 2017).

¹⁴⁸ *Id.*

¹⁴⁹ *Id.*

The state currently administers two SRF programs: the Clean Water State Revolving Fund (CWSRF) under the federal Clean Water Act and the Drinking Water State Revolving Fund (DWSRF) under the federal Safe Drinking Water Act. Under the CWSRF there are generally eleven types of projects that are eligible under the program, including, but not limited to, projects for the construction, repair, or replacement of decentralized wastewater treatment systems; measures to manage, reduce, treat, or recapture stormwater; and measures to reduce the demand for publicly owned treatment works capacity through conservation, efficiency, or reuse.¹⁵⁰ Projects that address or prevent future violations of health-based drinking water standards are eligible under the DWSRF.¹⁵¹ This includes projects that are necessary to maintain compliance with existing national primary drinking water regulations for contaminants with acute and chronic health effects.¹⁵² Projects for dams or reservoirs, or projects needed primarily to serve future population growth are ineligible for assistance.¹⁵³

Land Acquisition Trust Fund and Legacy Florida

In 2014, Florida voters approved a constitutional amendment to provide a dedicated funding source for water and land conservation and restoration. The amendment required that, starting on July 1, 2015, for 20 years, 33 percent of net revenues derived from the existing excise tax on documents be deposited into the Land Acquisition Trust Fund (LATF).

To comply with Art. X, s.28 of the State Constitution, the Legislature, in the 2015 Special Session “A,” passed ch. 2015-229, L.O.F.¹⁵⁴ Chapter 2015-229, L.O.F., amended:

- Section 201.15, F.S., to conform to the constitutional requirement that the LATF receive at least 33 percent of net revenues derived from the existing excise tax on documents; and
- Section 375.041, F.S., to designate the LATF within the Department of Environmental Protection as the trust fund to serve as the depository for the constitutionally required funds.¹⁵⁵

In 2016, the legislature passed ch. 2016-201, Laws of Florida, referred to as “Legacy Florida.”¹⁵⁶ Legacy Florida amended s. 375.041, F.S., to provide minimum distributions required from the funds deposited into the LATF. Under s. 375.041, F.S., funds deposited into the LATF must be distributed in the following order:

- First, obligations relating to debt service, specifically:
 - First to payments relating to Florida Forever Bonds and Everglades restoration bonds; and
 - Then to payments relating to bonds issued before February 1, 2009, by the South Florida Water Management District and the St. Johns River Water Management District;
- Then, of the funds remaining after the payment of debt service, and before funds are authorized to be appropriated for other uses:

¹⁵⁰ See Environmental Protection Agency (EPA), *Overview of Clean Water State Revolving Fund Eligibilities*, 3 (May 2016), available at https://www.epa.gov/sites/production/files/2016-07/documents/overview_of_cwsrf_eligibilities_may_2016.pdf (last visited Mar. 9, 2017).

¹⁵¹ 40 C.F.R. § 35.3520 (2014).

¹⁵² *Id.*

¹⁵³ *Id.*

¹⁵⁴ Ch. 2015-229, Laws of Fla.

¹⁵⁵ Ch. 2015-229, s. 9, 50, Laws of Fla.

¹⁵⁶ Ch. 2016-201, Laws of Fla.

- A minimum of the lesser of 25 percent of the funds remaining or \$200 million annually for Everglades projects that implement the CERP, the Long-Term Plan,¹⁵⁷ and the NEEPP, with priority given to projects that reduce harmful discharges of water from Lake Okeechobee to the St. Lucie or Caloosahatchee estuaries in a timely manner. These funds are required to be distributed as follows:
 - \$32 million through the 2023-2024 Fiscal Year for the Long-Term Plan;
 - After deducting the \$32 million, a minimum of the lesser of 76.5 percent of the remainder or \$100 million through the 2025-2026 Fiscal Year for the CERP; and
 - The remainder for Everglades projects under the CERP, the Long-Term Plan, or the NEEPP.
- A minimum of the lesser of 7.6 percent of the funds remaining or \$50 million annually for springs restoration, protection, and management projects; and
- Five million annually for the restoration of Lake Apopka.¹⁵⁸
- Then, any remaining moneys are authorized to be appropriated from time to time for the purposes set forth in Art. X, s. 28 of the State Constitution.¹⁵⁹

The General Revenue Estimating Conference in December of 2016 estimated that for the 2017-2018 Fiscal Year a total of \$2.48 billion will be collected in documentary stamp taxes with \$814.1 million required to be deposited into the LATF in accordance with s. 28, Art. X of the State Constitution.¹⁶⁰

Water Protection and Sustainability Program Trust Fund

The Water Protection and Sustainability Program Trust Fund was created for the purpose of implementing the Water Sustainability Program created in s. 403.890, F.S.¹⁶¹ The revenues appropriated into or appropriated to the trust fund are required to be distributed by the DEP in the following manner:

- Sixty-five percent for the implementation of an alternative water supply program;¹⁶²
- Twenty-two and five-tenths percent for the implementation of best management practices and capital project expenditures necessary for the implementation of the goals of the total maximum daily load program; and
- Twelve and five-tenths percent for the Disadvantaged Small Community Wastewater Grant Program.¹⁶³

¹⁵⁷ Note that the “Long-Term Plan” includes the Restoration Strategies Regional Water Quality Plan.

¹⁵⁸ Section 375.041, F.S.

¹⁵⁹ *Id.*

¹⁶⁰ Office of Economic and Demographic Research, Revenue Estimating Conference, *Documentary Stamp Tax, Executive Summary* (Dec. 12, 2016) available at <http://www.edr.state.fl.us/Content/conferences/docstamp/docstampexecsummary.pdf>.

¹⁶¹ Section 403.891, F.S.

¹⁶² The term “alternative water supply” is defined in s. 373.019(1), F.S., to mean salt water; brackish surface and groundwater; surface water captured predominately during wet-weather flows; sources made available through the addition of new storage capacity for surface or groundwater, water that has been reclaimed after one or more public supply, municipal, industrial, commercial, or agricultural uses; the downstream augmentation of water bodies with reclaimed water; stormwater; and any other water supply source that is designated as nontraditional for a water supply planning region in the applicable regional water supply plan.”

¹⁶³ Section 403.890, F.S.

III. Effect of Proposed Changes:

Section 1 amends s. 201.15, F.S., to authorize the payment on debt service on bonds issued for the purposes of s. 373.4598, F.S., for the remainder of the Fiscal Year (FY) in which such bonds are issued to be specifically appropriated by law other than in the General Appropriations Act.

Section 2 amends s. 215.618, F.S., to provide that bond proceeds from Florida Forever bonds issued for the purposes of s. 373.4598, F.S., are exempt from certain distribution requirements.

Section 3 creates s. 373.4598, F.S. to set out legislative findings and intent, define terms, and provide for additional storage south of Lake Okeechobee, which is intended to reduce the damaging discharges to the St. Lucie and Caloosahatchee estuaries.

Everglades Agricultural Area lease agreements

The bill authorizes the South Florida Water Management District (SFWMD) and the Board of Trustees of the Internal Improvement Trust Fund (TIITF) to amend or terminate leases on lands within the Everglades Agricultural Area (EAA) for exchange or use for the EAA reservoir project. The bill requires that if after any such lease is terminated:

- The lessee must be permitted to continue to farm on a field-by-field basis until such time as the lessee's operations are incompatible with implementation of the EAA reservoir project, as reasonably determined by the lessor; and
- If ratoon, stubble, or residual crop remaining on the lease premises is harvested or otherwise used by the lessor or any third party, the lessee is entitled to be compensated for any documented, unamortized planting costs, and any unamortized capital costs associated with the lease and incurred prior to notice.

The SFWMD and TIITF are authorized to swap land, assign leases, and use other methods of providing valuable consideration in negotiating the amendments to or termination of such lease agreements.

The bill requires that any lease agreement relating to land in the EAA which is leased to the Prison Rehabilitative Industries and Diversified Enterprises, Inc., or PRIDE Enterprises for an agricultural work program be terminated in accordance with the terms of the lease agreement. Any such land that was previously leased is authorized to be made available by TIITF to the SFWMD for exchange for lands for the EAA reservoir project or be leased for agricultural purposes. If the lands are leased, any such lease must include provisions authorizing the lessor to terminate the lease at any time during the lease term to any portion, or all of the premises, to be used for an environmental restoration purpose. The terms of the lease may not require more than one-year's notice in order for such termination to be effective. Any agricultural owner managing lands subject to an agreement with PRIDE Enterprises must be given the right of first refusal in leasing any such lands.

Land acquisition

The bill authorizes the SFWMD to acquire land, if necessary, to implement the EAA reservoir project with the goal of providing at least 240,000 acre-feet of water storage south of Lake

Okeechobee. The bill specifically prohibits the use of eminent domain in the EAA for the purpose of implementing the EAA reservoir project.

The SFWMD is required, upon the effective date of the act, to identify the lessees of the approximately 3,200 acres of land owned by the state or the SFWMD west of the A-2 parcel and east of the Miami Canal and the private property owners of the approximately 500 acres of land that is surrounded by such lands. By July 31, 2017, the SFWMD is required to contact the lessors and landowners of the land identified to express the SFWMD's interest in acquiring land through the purchase or exchange of lands or by the amendment or termination of EAA lease agreements. The bill clarifies that if land swaps or purchases are necessary to assemble the required acreage, the participation of private landowners must be voluntary.

The bill requires the SFWMD to contact the TIITF to request that any lease of land identified, the title to which is vested in the TIITF, be amended or terminated. The TIITF is required to provide to the SFWMD, through direct acquisition in fee or by a supplemental agreement, any land that the title to which is vested in the TIITF which the SFWMD identifies as necessary to construct the EAA reservoir project. The bill clarifies that all appraisal reports, offers, and counteroffers in relation to any land acquired or exchanged are confidential and exempt from public records requirements as provided in current law.

The bill prohibits the total acreage necessary for additional water treatment from exceeding the amount reasonably required to meet state and federal water quality standards as determined using the water quality modeling tools of the SFWMD, specifically the Dynamic Model for Stormwater Treatment Areas Model modeling tool and other modeling tools that will be required in the planning and design of the EAA reservoir project. The bill provides that if additional land is necessary for the EAA reservoir project, the district must acquire that land from willing sellers of property in conjunction with the development of the post-authorization change report.

Post-authorization change report

The bill requires the SFWMD to request, by July 1, 2017, that the United States Army Corps of Engineers (USACE) jointly develop a post-authorization change report with the SFWMD for the project component of the Central Everglades Planning Project (CEPP) located on the A-2 parcel with the goal of increasing water storage provided by the project component to a minimum of 240,000 acre-feet. Upon agreement with the USACE, development of the report must begin by August 1, 2017, and does not preclude the implementation of the remaining CEPP project components.

Using the A-2 parcel and the additional land identified by the SFWMD and without modifying the A-1 parcel, the report is required to evaluate:

- The optimal configuration of the EAA reservoir project for providing at least 240,000 acre-feet of water storage; and
- Any necessary increases in canal conveyance capacity to reduce the discharges to the St. Lucie or Caloosahatchee estuaries.

If the SFWMD and the USACE determine that an alternate configuration of water storage and water quality features providing for significantly more water storage, but no less than 360,000

acre-feet of water storage, south of Lake Okeechobee can be implemented on a footprint that includes modification to the A-1 parcel, the SFWMD is authorized to recommend such an alternative configuration in the report. The bill requires that any such configuration include sufficient water quality treatment capacity to meet state and federal water quality standards.

The bill authorizes the SFWMD to begin the preliminary planning or construction of, or modification to, the project site to the extent appropriate and subject to the availability of funding, pending Congressional approval of the report. Upon receipt of Congressional approval, construction of the EAA reservoir project shall be completed parallel with construction of the other CEPP project components, subject to the availability of funding.

The SFWMD is required to report the status of the post-authorization change report to the Legislature by January 9, 2018. The status report must include information on the SFWMD's ability to obtain lease modifications and land acquisitions of the land identified. If the SFWMD in good faith believes that the post-authorization change report will receive ultimate Congressional approval, but that an extension of the October 1, 2018, deadline is needed, the SFWMD must include such a request in its status report and may be granted an extension by the Legislature. Any such extension must include a corresponding date by which the SFWMD, in coordination with the USACE, must begin the planning study for the EAA reservoir project and proceed with the A-2 parcel project component of CEPP in accordance with the project implementation report dated July 2014.

Planning study

If, for any reason, the post-authorization change report does not receive Congressional approval by October 1, 2018, and the SFWMD has not been granted an extension by the Legislature, the SFWMD must, in coordination with the USACE, begin the planning study for the EAA reservoir project by October 31, 2018, and proceed with the A-2 parcel project component of CEPP in accordance with the project implementation report dated July 2014.

The SFWMD when developing the planning study must focus on the goal of the EAA reservoir project, which is to provide additional water storage and conveyance south of the lake to reduce the volume of regulatory discharges of water from the lake to the east and west. Upon completion of the planning study and the finalization of the project implementation report, the SFWMD, in coordination with the USACE, shall seek Congressional authorization for the EAA reservoir project.

Option agreement

The SFWMD is required to terminate the Entire Option Property Non-Exclusive Option available to the SFWMD pursuant to the 2010 Second Amended and Restated Agreement at the request of the seller, if:

- The post-authorization change report receives Congressional approval; or
- The SFWMD certifies to the TIITF, the President of the Senate, and the Speaker of the House of Representatives that the acquisition of the land necessary for the EAA reservoir project has been completed.

Agricultural workers

The bill requires the SFWMD to give preferential consideration to the hiring of former agricultural workers primarily employed during 36 of the past 60 months in the EAA, consistent with their qualification and abilities, for the construction and operation of the EAA reservoir project. Any contract or subcontract for the construction and operation of the EAA reservoir project in which 50 percent or more of the cost is paid from state-appropriated funds must provide preference and priority in the hiring of such agricultural workers. The SFWMD is required to give preferential consideration to contract proposals that include the contractor's hiring practices training programs for such workers.

C-51 reservoir

The bill states that the C-51 reservoir project is a water storage facility that is located in western Palm Beach County south of the lake and consists of in-ground reservoirs and conveyance structures that will provide water supply and water management benefits to participating water supply utilities and environmental benefits by reducing freshwater discharges to tide and making water available for natural systems.

The SFWMD is authorized to negotiate with the owners of the C-51 reservoir project site for the acquisition of the project site for Phase II of the project or to enter into a public-private partnership. The SFWMD is authorized to acquire land near the C-51 reservoir through the purchase or exchange of land that is owned by the SFWMD or the state as necessary to implement Phase II of the project. The state and the SFWMD are authorized to consider potential swaps of land that is owned by the state or the SFWMD to achieve the optimal combination of water quality and water storage. The SFWMD is prohibited from exercising eminent domain for the purpose of implementing the C-51 reservoir project.

The bill requires that, if state funds are appropriated for Phase I or Phase II of the C-51 reservoir project:

- The SFWMD shall operate the reservoir to maximize the reduction of high-volume Lake Okeechobee regulatory releases to the St. Lucie or Caloosahatchee estuaries in addition to providing relief to the Lake Worth Lagoon;
- Water made available by the reservoir shall be used for natural systems in addition to any allocated amounts for water supply; and
- Any water received from Lake Okeechobee may not be made available to support consumptive use permits.

The bill authorizes Phase I of the C-51 reservoir project to be funded through the water storage facility revolving loan fund and Phase II of the C-51 reservoir project to be funded as a project component of CERP or pursuant to the distribution provided from the Land Acquisition Trust Fund in accordance with s. 375.041(3)(b)4., F.S.

Funding

The bill authorizes any cost, including but not limited to, the costs for land acquisition, planning and construction, and operation and maintenance, related to the water storage reservoirs to be funded using the proceeds from Florida Forever bonds in the amount of up to \$1.2 billion as

authorized under s. 215.618, F.S. The bill requires that the bond proceeds from such bonds be deposited into the Everglades Trust Fund. The bill authorizes the use of state funds for the EAA reservoir project and requires the SFWMD to actively seek additional sources of funding, including federal funding, for the EAA reservoir project.

Lake Okeechobee Regulation Schedule

The bill requires the SFWMD to request that the USACE pursue the reevaluation of the Lake Okeechobee Regulation Schedule as expeditiously as possible, taking into consideration the repairs made to the Herbert Hoover Dike and the implementation of projects designed to reduce high-volume freshwater discharges from Lake Okeechobee, in order to optimally utilize the added water storage capacity to reduce the high-volume freshwater discharges to the St. Lucie and Caloosahatchee estuaries.

Section 4 creates s. 373.475, F.S., to create a water storage facility revolving loan fund to provide funding assistance to local governments and water supply entities for the development and construction of water storage facilities to increase the availability of sufficient water for all existing and future reasonable-beneficial uses and natural systems.

The bill requires the Department of Environmental Protection (DEP) to adopt rules to implement the water storage revolving loan fund, including setting forth a priority system for loans based on compliance with state requirements, establishing the requirements for the award and repayment of financial assistance; and requiring evidence of credit worthiness and adequate security to ensure that each loan recipient can meet its loan repayment requirements.

The Water Protection and Sustainability Program Trust Fund established under s. 403.891, F.S., will be used to carry out the revolving loan fund.

Section 5 amends s. 375.041, F.S., to provide examples of CERP projects that are authorized to be funded from the required distribution established for Everglades projects and appropriates \$100 million to the Everglades Trust Fund for the 2018-2019 fiscal year, and each fiscal year thereafter, for water storage reservoir projects that implement s. 373.4598, F.S. The bill requires that any funds remaining in any fiscal year be made available only for Everglades projects as identified in s. 375.041(3)(b)1., F.S., and be used in accordance with laws relating to such projects. The bill clarifies that any funds made available for such purposes in a fiscal year are in addition to the amount appropriated under that subparagraph. The bill requires that the distribution be reduced by an amount equal to the debt service paid for Florida Forever bonds or Everglades restoration bonds issued after July 1, 2017, for the purposes of the water storage reservoirs.

Section 6 amends s. 403.890, F.S. to revise for what purposes the revenues deposited into or appropriated to the Water Protection and Sustainability Program Trust Fund may be distributed to include revenues and appropriations related to the water storage facility revolving loan fund. The bill also removes the provisions relating to the implementation of best management practices and capital improvement projects for the implementation of the goals of the total maximum daily load program and the provisions relating to the Disadvantaged Small Community Wastewater Grant Program. The removal of the other programs from this trust fund do not have any

immediate effect to those programs because the trust fund is not currently being used for such purposes.

Section 7 creates s. 446.71, F.S., to require that the Department of Economic Opportunity (DEO), in cooperation with CareerSource Florida, Inc., establish the Everglades Restoration Agricultural Community Employment Training Program within the DEO. The DEO is required to use funds appropriated to the program by the Legislature to provide grants to stimulate and support training and employment programs that seek to match persons who complete such training programs to nonagricultural employment opportunities in areas of high agricultural unemployment, and to provide other training, educational, and information services necessary to stimulate the creation of jobs in the areas of high agricultural unemployment.

The bill provides legislative intent supporting projects that improve the economy in the EAA and legislative findings providing that the training of citizens of the state to fill the needs of these industries significantly enhances the economic viability of the region. The bill authorizes funds to be used for grants for tuition for public or private technical or vocational programs and matching grants to employers to conduct employer-based training programs, or for the purchase of equipment to be used for training purposes, the hiring of instructors, or any other purpose directly associated with the program. The bill prohibits the DEO from awarding a grant to any given training program which exceeds 50 percent of the total cost of the program. Matching contributions may include in-kind services, including, but not limited to, the provision of training instructors, equipment, and training facilities. The bill authorizes the DEO to grant up to 100 percent of the tuition for a training program participant primarily employed during 36 of the previous 60 months in the EAA.

The bill requires that programs established in the EAA include opportunities to obtain the qualifications and skills necessary for jobs related to federal and state restoration projects, the Airglades Airport in Hendry County, or an inland port in Palm Beach County. The bill requires that the DEO adopt rules to implement this section.

Section 8 amends s. 946.511, F.S., to prohibit the use of inmates, beginning July 1, 2017, for correctional work programs in the agricultural industry in the EAA or in any area experiencing high unemployment rates in the agricultural sector. The bill requires that any lease agreement relating to PRIDE Enterprises for an agricultural work program be terminated in accordance with the terms of the lease agreement.

Section 9 requires the Division of Law Revision and Information to replace the phrase “the effective date of this act” with the date the act becomes a law.

Section 10 provides an appropriation for the 2017-2018 fiscal year in the sum of \$30 million in nonrecurring funds from the Land Acquisition Trust Fund (LATF) to the Everglades Trust Fund for the purposes of acquiring land or negotiating leases pursuant to s. 373.4598(4), F.S., or for any cost related to the planning or construction of the EAA reservoir project.

Section 11 provides an appropriation for the 2017-2018 fiscal year in the sum of \$3 million in nonrecurring funds from the LATF to the Everglades Trust Fund for the purposes of developing the post-authorization change report pursuant to s. 373.4598, F.S., and the sum of \$1 million in

nonrecurring funds from the LATF to the Everglades Trust Fund for the purposes of negotiating Phase II of the C-51 reservoir project pursuant to s. 373.4598, F.S.

Section 12 provides an appropriation for the 2017-2018 fiscal year in the sum of \$30 million in nonrecurring funds from the LATF to the Water Resource Protection and Sustainability Program Trust Fund for the purposes of implementing Phase I of the C-51 reservoir project as a water storage facility in accordance with ss. 373.4598 and 373.475, F.S.

Section 13 provides that the bill takes effect upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The impact of CS/SB 10 to the private sector is indeterminate. There will be an immediate positive impact to the landowners whose property is purchased. However, converting the agricultural land to a reservoir will have an indeterminate negative fiscal impact to local farmers due to the reduction in available farmland.

C. Government Sector Impact:

For Fiscal Year 2017-2018 the bill appropriates \$30 million from the LATF for acquiring land and negotiating leases for the EAA reservoir project.

For Fiscal Year 2017-2018 the bill appropriates \$30 million from the LATF to the Water Resource Protection and Sustainability Trust fund for the purpose of implementing Phase I of the C-51 reservoir project.

For Fiscal Year 2017-2018 the bill appropriates \$3 million from the LATF to develop the post-authorization report.

For Fiscal Year 2017-2018 the bill appropriates \$1 million from the LATF to negotiate Phase II of the C-51 reservoir project.

The bill appropriates \$100 million from the LATF annually to the Everglades Trust Fund for reservoir projects beginning in Fiscal Year 2018-2019.

The bill authorizes the option to issue up to \$1.2 billion in Florida Forever bonds to be deposited in the Everglades Trust Fund for the costs of land acquisition, planning, construction, and operation and maintenance for reservoir construction.

These additional distributions from the LATF may have an impact on other programs funded from the LATF.

The bill creates the storage facility revolving loan fund to provide loans to local governments for water storage projects to protect and conserve water resources. The bill expands the purposes of the Water Protection and Sustainability Trust Fund to include this program. The fiscal impact of this program is indeterminate.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 201.15, 215.618, 375.041, 403.890, and 946.511.

This bill creates the following sections of the Florida Statutes: 373.4598, 373.475, and 446.71.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Appropriations on April 5, 2017:

The committee substitute

- Establishes options for providing additional water storage south of Lake Okeechobee, including the:
 - Everglades Agricultural Area (EAA) reservoir project with the goal of providing a minimum of 240,000 acre-feet of water storage; and
 - C-51 reservoir project with the goal of providing approximately 60,000 acre-feet of water storage.
- Authorizes the Board of Trustees of the Internal Improvement Trust Fund (TIITF) and the South Florida Water Management District (SFWMD) to negotiate the

amendment or termination of leases on lands within the EAA for exchange or use for the EAA reservoir project.

- Requires lease agreements relating to land in the EAA leased to the Prison Rehabilitative Industries and Diversified Enterprises, Inc., (PRIDE Enterprises) for an agricultural work program to be terminated in accordance with the lease terms.
- Requires the SFWMD to identify certain lessees and private property owners of lands and contact the lessors and landowners of such lands to express the SFWMD's interest in acquiring the land through the purchase or exchange of lands or by the amendment or termination of lease agreements.
- Requires the SFWMD to jointly develop a post-authorization change report with the United States Army Corps of Engineers (USACE) for the Central Everglades Planning Project (CEPP) to revise the project component located on the A-2 parcel for implementation of the EAA reservoir project.
- Requires that if, for any reason, the post-authorization change report does not receive Congressional approval by October 1, 2018, unless the district has been granted an extension by the Legislature, the SFWMD begin the planning study for the EAA reservoir project by October 31, 2018, and proceed with the A-2 parcel project component of CEPP in accordance with the project implementation report.
- Requires the SFWMD to give preference to the hiring of former agricultural workers primarily employed during 36 of the past 60 months in the EAA, consistent with their qualifications and abilities, for the construction and operation of the EAA reservoir project.
- Establishes the Everglades Restoration Agricultural Community Employment Training Program within the Department of Economic Opportunity. The program is required to include opportunities to obtain the qualifications and skills necessary for jobs related to federal and state restoration projects, the Airglades Airport in Hendry County, or an inland port in Palm Beach County.
- Prohibits, beginning July 1, 2017, the use of inmates for correctional work programs in the agricultural industry in the EAA or in any experiencing high unemployment rates in the agricultural sector.
- Requires the sum of \$100 million from the Land Acquisition Trust Fund (LATF) to be appropriated to the Everglades Trust Fund, beginning in Fiscal Year 2018-2019, for the purpose of implementing the water storage reservoir projects, with the remainder of such funds in any fiscal year to be made available for Everglades projects.
- Revises appropriations.

B. Amendments:

None.

By Senator Bradley

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1 A bill to be entitled
 2 An act relating to water resources; amending s.
 3 201.15, F.S.; revising the requirements under which
 4 certain bonds may be issued; amending s. 215.618,
 5 F.S.; providing an exception to the requirement that
 6 bonds issued for acquisition and improvement of land,
 7 water areas, and related property interests and
 8 resources be deposited into the Florida Forever Trust
 9 Fund and distributed in a specified manner; creating
 10 s. 373.4598, F.S.; providing legislative findings and
 11 intent; defining terms; requiring the South Florida
 12 Water Management District to seek proposals from
 13 willing sellers of property within the Everglades
 14 Agricultural Area for land that is suitable for the
 15 reservoir project; clarifying that all appraisal
 16 reports, offers, and counteroffers are confidential
 17 and exempt from public records requirements; requiring
 18 the district to assign the Entire Option Property Non-
 19 Exclusive Option of a specified agreement to the Board
 20 of Trustees of the Internal Improvement Trust Fund
 21 under certain circumstances; requiring the district to
 22 retain the agreement's option under certain
 23 circumstances; requiring the board or the district, as
 24 applicable, to exercise the specified option by a
 25 certain date under certain circumstances; providing
 26 requirements for the Proposed Option Property Purchase
 27 Price; authorizing the disposal or exchange of certain
 28 land or interests in land for certain purposes;
 29 requiring the district to begin, seek permitting for,
 30 and construct the reservoir project under certain
 31 circumstances; requiring the district, in coordination
 32 with the United States Army Corps of Engineers, to

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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33 begin the planning study for the reservoir project by
 34 a specified date under certain circumstances;
 35 requiring the district to identify specified lands
 36 under certain circumstances; providing requirements
 37 for the planning study; requiring the district, in
 38 coordination with the United States Army Corps of
 39 Engineers, to seek Congressional authorization for the
 40 reservoir project under certain circumstances;
 41 authorizing certain costs to be funded using Florida
 42 Forever bond proceeds under certain circumstances;
 43 specifying how such bond proceeds shall be deposited;
 44 authorizing the use of state funds for the reservoir
 45 project; requiring the district to seek additional
 46 sources of funding; requiring the district to seek
 47 federal credits under certain circumstances; requiring
 48 the district to request the United States Army Corps
 49 of Engineers, in the Corps' review of the regulation
 50 schedule, to consider any increase in southern outlet
 51 capacity of Lake Okeechobee; amending s. 375.041,
 52 F.S.; increasing the minimum annual funding for
 53 certain Everglades projects under specified
 54 circumstances; requiring the district and the board to
 55 notify the Division of Law Revision and Information by
 56 a certain date of specified land acquisitions;
 57 providing a directive to the division; providing
 58 contingent appropriations; providing effective dates,
 59 one of which is contingent.
 60

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

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Section 1. Paragraph (a) of subsection (3) of section 201.15, Florida Statutes, is amended to read:

201.15 Distribution of taxes collected.—All taxes collected under this chapter are hereby pledged and shall be first made available to make payments when due on bonds issued pursuant to s. 215.618 or s. 215.619, or any other bonds authorized to be issued on a parity basis with such bonds. Such pledge and availability for the payment of these bonds shall have priority over any requirement for the payment of service charges or costs of collection and enforcement under this section. All taxes collected under this chapter, except taxes distributed to the Land Acquisition Trust Fund pursuant to subsections (1) and (2), are subject to the service charge imposed in s. 215.20(1). Before distribution pursuant to this section, the Department of Revenue shall deduct amounts necessary to pay the costs of the collection and enforcement of the tax levied by this chapter. The costs and service charge may not be levied against any portion of taxes pledged to debt service on bonds to the extent that the costs and service charge are required to pay any amounts relating to the bonds. All of the costs of the collection and enforcement of the tax levied by this chapter and the service charge shall be available and transferred to the extent necessary to pay debt service and any other amounts payable with respect to bonds authorized before January 1, 2017, secured by revenues distributed pursuant to this section. All taxes remaining after deduction of costs shall be distributed as follows:

(3) Amounts on deposit in the Land Acquisition Trust Fund

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shall be used in the following order:

(a) Payment of debt service or funding of debt service reserve funds, rebate obligations, or other amounts payable with respect to Florida Forever bonds issued pursuant to s. 215.618. The amount used for such purposes may not exceed \$300 million in each fiscal year. It is the intent of the Legislature that all bonds issued to fund the Florida Forever Act be retired by December 31, 2040. Except for bonds issued to refund previously issued bonds, no series of bonds may be issued pursuant to this paragraph unless such bonds are approved and the debt service for the remainder of the fiscal year in which the bonds are issued is specifically appropriated in the General Appropriations Act or other law with respect to bonds issued for the purposes of s. 373.4598.

Bonds issued pursuant to s. 215.618 or s. 215.619 are equally and ratably secured by moneys distributable to the Land Acquisition Trust Fund.

Section 2. Subsection (5) of section 215.618, Florida Statutes, is amended to read:

215.618 Bonds for acquisition and improvement of land, water areas, and related property interests and resources.—

(5) The proceeds from the sale of bonds issued pursuant to this section, less the costs of issuance, the costs of funding reserve accounts, and other costs with respect to the bonds, shall be deposited into the Florida Forever Trust Fund. The bond proceeds deposited into the Florida Forever Trust Fund shall be distributed by the Department of Environmental Protection as provided in s. 259.105. This subsection does not apply to

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proceeds from the sale of bonds issued for the purposes of s. 373.4598.

Section 3. Section 373.4598, Florida Statutes, is created to read:

373.4598 Reservoir project in the Everglades Agricultural Area.—

(1) LEGISLATIVE FINDINGS AND INTENT.—

(a) The Legislature declares that an emergency exists regarding the St. Lucie and Caloosahatchee estuaries due to the harmful freshwater discharges east and west of the lake. Such discharges have manifested in widespread algae blooms, public health impacts, and extensive environmental harm to wildlife and the aquatic ecosystem. These conditions threaten the ecological integrity of the estuaries and the economic viability of the state and affected communities.

(b) The Legislature finds that the acquisition of strategically located lands south of the lake and the construction of the reservoir project will increase the availability of water storage and reduce the harmful freshwater discharges. Additionally, water storage south of the lake will increase the availability of water for the Everglades and to meet irrigation demands for the Everglades Agricultural Area; restore the hydrological connection to the Everglades; and provide flood protection by reducing, through additional storage capacity, some of the demands on the Herbert Hoover Dike.

(c) The Legislature recognizes that the reservoir project is authorized in the Water Resources Development Act of 2000 as a project component of CERP. Unless other funding is available, the Legislature directs the district in implementation of the

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reservoir project to abide by applicable state and federal law in order to do that which is required to obtain federal credit under CERP. If the district implements the reservoir project as a project component as defined in s. 373.1501, the district must abide by all applicable state and federal law relating to such projects.

(d) Nothing in this section is intended to diminish the commitments made by the state in chapter 2016-201, Laws of Florida.

(2) DEFINITIONS.—As used in this section, the term:

(a) "Agreement" means the Second Amended and Restated Agreement for Sale and Purchase between the United States Sugar Corporation, SBG Farms, Inc., Southern Garden Groves Corporation, and the South Florida Water Management District, dated August 12, 2010.

(b) "Board" means the Board of Trustees of the Internal Improvement Trust Fund.

(c) "Comprehensive Everglades Restoration Plan" or "CERP" has the same meaning as the term "comprehensive plan" as defined in s. 373.470.

(d) "District" means the South Florida Water Management District.

(e) "Everglades Agricultural Area" or "EAA" has the same meaning as provided in s. 373.4592.

(f) "Lake" means Lake Okeechobee.

(g) "Reservoir project" means a project to construct one or two above-ground reservoirs that have a total water storage capacity of approximately 360,000 acre-feet and are located in the EAA.

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(3) LAND ACQUISITION.—The Legislature declares that acquiring land for the reservoir project is in the public interest and that the governing board of the district and the board may acquire fee title for the purpose of implementing the reservoir project.

(a) Upon the effective date of this act, the district shall seek proposals from willing sellers of property within the Everglades Agricultural Area in order to acquire approximately 60,000 acres of land that is suitable for the reservoir project. All appraisal reports, offers, and counteroffers are confidential and exempt from s. 119.07(1), as provided in s. 373.139.

(b) If the district does not acquire land pursuant to paragraph (a) by December 31, 2017:

1. The district must assign, by January 31, 2018, the agreement's Entire Option Property Non-Exclusive Option to the board, as authorized in, and in accordance with, the agreement. If, for any reason, the Seller, as defined in the agreement, does not find the assignment to be reasonably acceptable in form and substance, the district must retain the Entire Option Property Non-Exclusive Option; and

2. The board or the district, whichever holds the option, must, by March 1, 2018, exercise the option in accordance with the agreement. The Buyer's Proposed Option Property Purchase Price, as specified in the agreement, may not be less than the average of \$7,400 per acre, unless the maximum offer allowed by law is less than the average of \$7,400 per acre.

3. The board or the district, if applicable, may dispose of or exchange any land or lease interest in the land that is

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acquired pursuant to this paragraph in order to achieve optimal siting for the reservoir project or to dispose of land that is not necessary for the reservoir project. Any such exchange or disposition may not be in violation of the agreement.

(4) DESIGN, PERMITTING, AND CONSTRUCTION.—If the district finds willing sellers of property pursuant to paragraph (3)(a), the district:

(a) Once the land has been agreed upon for purchase, must immediately begin the reservoir project with the goal of providing adequate water storage and conveyance south of the lake to reduce the volume of regulatory discharges of water from the lake to the east and west; and

(b) Once the land is acquired, must expeditiously pursue necessary permitting and begin implementation and construction of the reservoir project as soon as practicable.

(5) PLANNING STUDY.—

(a) If land is acquired pursuant to paragraph (3)(a) and other funding is not available, the district must, in coordination with the United States Army Corps of Engineers, begin the planning study for the reservoir project by March 1, 2018.

(b) If land is not acquired pursuant to paragraph (3)(a) by December 31, 2017, the district must, in coordination with the United States Army Corps of Engineers, begin the planning study for the reservoir project by October 1, 2019.

1. If land is acquired pursuant to paragraph (3)(b), the district must identify which of the acquired land is suitable for the reservoir project.

2. If land is not acquired pursuant to paragraph (3)(b),

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the district must identify land that is suitable for the reservoir project and the best option for securing such land.

(c) The district, when developing the planning study, must focus on the goal of the reservoir project, which is to provide adequate water storage and conveyance south of the lake to reduce the volume of regulatory discharges of water from the lake to the east and west.

(d) Upon completion of the planning study and the finalization of the project implementation report, as defined in s. 373.470, the district, in coordination with the United States Army Corps of Engineers, shall seek Congressional authorization for the reservoir project.

(6) FUNDING.—

(a) Pursuant to s. 11(e), Art. VII of the State Constitution, state bonds are authorized under this section to finance or refinance the acquisition and improvement of land, water areas, and related property interests and resources for the purposes of conservation, outdoor recreation, water resource development, restoration of natural systems, and historic preservation. In accordance with s. 17, Art. X of the State Constitution, funds deposited into the Everglades Trust Fund may be expended for the purposes of conservation and protection of natural resources in the Everglades Protection Area and the Everglades Agricultural Area.

(b) Any cost related to this section, including, but not limited to, the costs for land acquisition, construction, and operation and maintenance, may be funded using proceeds from Florida Forever bonds issued under s. 215.618, as authorized under that section. The Legislature determines that the

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authorization and issuance of such bonds is in the best interest of the state and determines that the reservoir project should be implemented. Notwithstanding any other provision of law, proceeds from the sale of such bonds, less the costs of issuance, the costs of funding reserve accounts, and other costs with respect to the bonds, shall be deposited in the following manner:

1. If land is acquired pursuant to paragraph (3)(a), the amount of up to \$800 million in bond proceeds in the 2017-2018 fiscal year to the Everglades Trust Fund for the purposes of this section, and the amount of up to \$400 million in bond proceeds in the 2018-2019 fiscal year to the Everglades Trust Fund for the purposes of this section; or

2. If land is acquired pursuant to paragraph (3)(b), the amount of up to \$1.2 billion in bond proceeds in the 2018-2019 fiscal year to the Board of Trustees of the Internal Improvement Trust Fund, or the Everglades Trust Fund, if applicable, to be used for the purposes of this section.

(c) Notwithstanding s. 373.026(8)(b) or any other provision of law, the use of state funds is authorized for the reservoir project.

(d) The district shall actively seek additional sources of funding, including federal funding, for the reservoir project.

(e) If the reservoir project receives Congressional authorization, the district must seek applicable federal credits toward the state's share of funding the land acquisition and implementation of the reservoir project.

(7) LAKE OKEECHOBEE REGULATION SCHEDULE.—The district shall request that the United States Army Corps of Engineers include

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294 in its evaluation of the regulation schedule for the lake any
 295 increase in outlet capacity south of the lake which offsets the
 296 harmful freshwater discharges to the St. Lucie and
 297 Caloosahatchee estuaries.

298 Section 4. Effective January 1, 2019, and contingent upon
 299 the failure of the district or board to acquire land by November
 300 30, 2018, pursuant to section 373.4598(3)(a) or (b), Florida
 301 Statutes, subsection (3) of section 375.041, Florida Statutes,
 302 is amended to read:

303 375.041 Land Acquisition Trust Fund.—

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

306 (a) First, to pay debt service or to fund debt service
 307 reserve funds, rebate obligations, or other amounts payable with
 308 respect to Florida Forever bonds issued under s. 215.618; and
 309 pay debt service, provide reserves, and pay rebate obligations
 310 and other amounts due with respect to Everglades restoration
 311 bonds issued under s. 215.619; and

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

315 1. A minimum of the lesser of 30 ~~25~~ percent or \$250 ~~\$200~~
 316 million shall be appropriated annually for Everglades projects
 317 that implement the Comprehensive Everglades Restoration Plan as
 318 set forth in s. 373.470, including the Central Everglades
 319 Planning Project subject to Congressional authorization; the
 320 Long-Term Plan as defined in s. 373.4592(2); and the Northern
 321 Everglades and Estuaries Protection Program as set forth in s.
 322 373.4595. From these funds, \$32 million shall be distributed

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323 each fiscal year through the 2023-2024 fiscal year to the South
 324 Florida Water Management District for the Long-Term Plan as
 325 defined in s. 373.4592(2). After deducting the \$32 million
 326 distributed under this subparagraph, from the funds remaining, a
 327 minimum of the lesser of 80 ~~76.5~~ percent or \$150 ~~\$100~~ million
 328 shall be appropriated each fiscal year through the 2025-2026
 329 fiscal year for the planning, design, engineering, and
 330 construction of the Comprehensive Everglades Restoration Plan as
 331 set forth in s. 373.470, including the Everglades Agricultural
 332 Area Storage Reservoir, component G, and including the Central
 333 Everglades Planning Project subject to Congressional
 334 authorization. The Department of Environmental Protection and
 335 the South Florida Water Management District shall give
 336 preference to those Everglades restoration projects that reduce
 337 harmful discharges of water from Lake Okeechobee to the St.
 338 Lucie or Caloosahatchee estuaries in a timely manner. For the
 339 purpose of performing the calculation provided in this
 340 subparagraph, the amount of debt service paid pursuant to
 341 paragraph (a) for bonds issued after July 1, 2016, for the
 342 purposes set forth under paragraph (b) shall be added to the
 343 amount remaining after the payments required under paragraph
 344 (a). The amount of the distribution calculated shall then be
 345 reduced by an amount equal to the debt service paid pursuant to
 346 paragraph (a) on bonds issued after July 1, 2016, for the
 347 purposes set forth under this subparagraph.

348 2. A minimum of the lesser of 7.6 percent or \$50 million
 349 shall be appropriated annually for spring restoration,
 350 protection, and management projects. For the purpose of
 351 performing the calculation provided in this subparagraph, the

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amount of debt service paid pursuant to paragraph (a) for bonds issued after July 1, 2016, for the purposes set forth under paragraph (b) shall be added to the amount remaining after the payments required under paragraph (a). The amount of the distribution calculated shall then be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2016, for the purposes set forth under this subparagraph.

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

Section 5. The South Florida Water Management District and the Board of Trustees of the Internal Improvement Trust Fund shall notify the Division of Law Revision and Information no later than December 1, 2018, whether they have acquired land pursuant to s. 373.4598, Florida Statutes.

Section 6. The Division of Law Revision and Information is directed to replace the phrase "the effective date of this act" wherever it occurs in this act with the date the act becomes a law.

Section 7. Contingent upon bonds being issued for the purposes of s. 373.4598, Florida Statutes, and if land is acquired pursuant to s. 373.4598(3)(a), Florida Statutes, the sum of \$64,000,000 in recurring funds from the Land Acquisition Trust Fund is appropriated for the 2017-2018 fiscal year to pay

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debt service on bonds that implement this act and are issued pursuant to s. 215.618, Florida Statutes.

Section 8. Contingent upon bonds being issued for the purposes of s. 373.4598, Florida Statutes, and if land is acquired pursuant to s. 373.4598(3)(a), Florida Statutes, the sum of \$36,000,000 in recurring funds from the Land Acquisition Trust Fund is appropriated for the 2018-2019 fiscal year to pay debt service on bonds that implement this act and are issued pursuant to s. 215.618, Florida Statutes.

Section 9. Contingent upon bonds being issued for the purposes of s. 373.4598, Florida Statutes, and if land is acquired pursuant to s. 373.4598(3)(b), Florida Statutes, the sum of \$100,000,000 in recurring funds from the Land Acquisition Trust Fund is appropriated for the 2018-2019 fiscal year to pay debt service on bonds that implement this act and are issued pursuant to s. 215.618, Florida Statutes.

Section 10. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: PCS/CS/SB 454 (149870)

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on General Government); Banking and Insurance Committee; and Senator Brandes

SUBJECT: Regulation of Insurance Companies

DATE: April 4, 2017

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Matiyow	Knudson	BI	Fav/CS
2. Matiyow/Sanders	Betta	AGG	Recommend: Fav/CS
3. Matiyow/Sanders	Hansen	AP	Pre-meeting
4. _____	_____	RC	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/CS/SB 454 makes several changes relating to the regulation of insurance companies. The bill:

- Deletes the future repeal of the exemption of medical malpractice insurance premiums from the Florida Hurricane Catastrophe Fund (fund) assessments. Under current law, the exemption is repealed May 31, 2019.
- Allows an insurer issuing only renter's insurance, tenant's coverage or cooperative unit owners insurance to maintain a surplus of \$10 million to do business in the state.
- Allows Florida Workers' Compensation Insurance Guaranty Association surcharges to be counted as insurer assets if those surcharges are paid to the Association before the surcharges are collected from the insureds.
- Removes the requirement on insurers writing certain lines of medical malpractice insurance to make a full rate filing annually; these insurers will have the option to certify their rates with the Office of Insurance Regulation (OIR).
- Allows electronic checks and drafts as acceptable methods of payment for specified lines of insurance and allows insurers to charge a \$15 insufficient funds fee.
- Specifies display requirements for the electronic delivery of documents.

The impact on state revenues and expenditures is indeterminate. The continued exemption from the fund assessments for medical malpractice insurance premiums most likely will not impact

revenues generated by the fund. The OIR has identified a need to modify existing computer systems but the costs of such modifications can be absorbed within existing agency resources.¹

The bill takes effect upon becoming a law.

II. Present Situation:

The Florida Hurricane Catastrophe Fund and its assessments

The Florida Hurricane Catastrophe Fund is a tax-exempt fund created in 1993 after Hurricane Andrew as a form of mandatory reinsurance for residential property insurers. The fund is administered by the State Board of Administration and is a tax-exempt source of reimbursement to property insurers for a selected percentage of hurricane losses above the insurer's retention. Admitted property insurers in the state are required to purchase \$17 billion in coverage from the fund. Each insurer's mandatory amount purchased is based upon the insurer's share of the actual premium paid for the contract year, multiplied by the claims paying capacity of the fund. The fund must charge insurers the actuarially indicated premium for the coverage provided, based on hurricane loss projection models found acceptable by the Florida Commission on Hurricane Loss Projection Methodology.

Reimbursements to insurers for losses above the current moneys in the fund are financed through bonding. When the moneys in the fund are insufficient to cover losses, the law authorizes the fund to issue revenue bonds funded by emergency assessments on property and casualty policyholders. Bonds would be funded by an emergency assessment of up to 6 percent of premium on most lines of property and casualty insurance for funding losses from a single year, and up to 10 percent of premium for funding losses from multiple years. All lines of property and casualty insurance, including surplus lines insurance, are subject to emergency assessment except for workers' compensation and medical malpractice liability insurance. The exemption for medical malpractice insurance being subject to fund assessments is scheduled to repeal on May 31, 2019.

Florida Insurance Guaranty Association (FIGA) and its assessments

When a property and casualty insurance company becomes insolvent, Florida Insurance Guaranty Association (FIGA) is required by law to take over the claims of the insurer and pay the claims of the company's policyholders. This ensures policyholders who have paid premiums for insurance are not left with valid yet unpaid claims. FIGA is responsible for claims on residential and commercial property insurance, automobile insurance, and liability insurance, among others.

In order to pay claims and to maintain the operations of an insolvent insurer, FIGA has several potential funding sources. FIGA's primary funding source is from the liquidation of assets of insolvent insurance companies domiciled in Florida. FIGA also obtains funds from the liquidation of assets of insolvent insurers domiciled in other states, but having claims in Florida. In the event the insolvent insurer's assets are insufficient to pay all claims, FIGA can issue two types of post-insolvency assessments against property and casualty insurance companies to raise

¹ OIR staff provided an update regarding fiscal impact via telephone on March 9, 2017.

funds to pay claims. FIGA's assessments are computed and billed based on FIGA's immediate needs to pay claims. Currently, assessments may not exceed two percent of net direct-written premium in one year for regular assessments, and an additional emergency assessment of two percent of direct-written premium for hurricane-related insolvencies.

Renters Insurance

Renter's insurance, sometimes referred to as tenant's insurance, includes three basic types of protection. The basic types of protection are for personal possessions, liability, and additional living expenses.² Standard renter's insurance policies protect personal belongings against damage from fire, smoke, lightning, vandalism, theft, explosion, windstorm, water, and other disasters listed in the policy. With respect to personal liability, standard renter's insurance policies provide liability protection against lawsuits for bodily injury or property damage that the insured or the insured's family members cause to other people. It also pays for damages caused by pets to others in the home. Finally, standard renter's insurance policies cover additional living expenses. If the tenant's home is destroyed by a disaster, which is covered by the policy, renter's insurance covers the additional costs incurred for the insured to reside elsewhere. Policies will generally reimburse the difference between additional living expenses and normal living expenses. Additional living expenses cover hotel bills, temporary rentals, restaurant meals and other expenses incurred while the home is being rebuilt.

Insurance Company Surplus

Section 624.407, F.S., establishes the surplus requirement for insurers doing business in this state. The surplus requirement for a new property and casualty insurer issuing only renter's insurance policies is:

- \$15 million if not a wholly owned subsidiary of an insurer domiciled in any other state.³
- \$50 million if a wholly owned subsidiary of an insurer domiciled in any other state.⁴

Florida Workers' Compensation Insurance Guaranty Association (FWCIGA) and its assessments

As a condition of their authority to offer workers' compensation insurance coverage in Florida, all insurers and self-insurance funds are required to be members of the Florida Workers' Compensation Insurance Guaranty Association, Inc. (FWCIGA).⁵ The FWCIGA is a not-for-profit corporation established pursuant to part V of ch. 631, F.S., adjunct to the Department of Financial Services (DFS). The FWCIGA assists in the detection and prevention of insurer insolvencies and provides for the payment of workers' compensation covered claims.⁶ The FWCIGA evaluates workers' compensation claims made by insureds against insolvent member

² Insurance Information Institute, *Renters Insurance*, at <http://www.iii.org/article/renters-insurance> (last visited March 16, 2017).

³ Section 624.407(1)(e)1.

⁴ Section 624.407(1)(e)2.

⁵ Section. 631.911, F.S. Chapter 631, F.S., governs the rehabilitation and liquidation process for insurers in Florida. In Florida, the Division of Rehabilitation and Liquidation in the Department of Financial Services is responsible for rehabilitating or liquidating insurance companies.

⁶ Section 631.902, F.S. The term "covered claim" is defined in s. 631.904(2), F.S.

companies or funds, and determines if such claims are covered claims subject to payment by FWCIGA. The FWCIGA is funded by distributions from the estates of insolvent insurers, investment income, and assessments of member insurers.⁷

The FWCIGA determines whether an assessment against member insurers is necessary to pay covered claims of an insolvent insurer or to reimburse the FWCIGA for expenses associated with administering its statutory functions. The assessments are levied by the Department of Financial Services on each insurer based upon the proportion of the insurer's net direct written premium in Florida to the total of all such insurers writing workers' compensation coverages in Florida for the preceding calendar year. The maximum assessment rate is two percent for insurers and 1.5 percent for self-insurance funds. If these assessments are insufficient to satisfy claims and administration costs, an additional assessment of 1.5 percent can be levied.⁸

Insurer Assets

When determining the financial condition of an insurer, statutory accounting principles allow insurers to include as an asset, assessment surcharges that have yet to be collected from policyholders. Under current law assessments levied by the Florida Insurance Guaranty Association, resulting in surcharges to policyholders yet to be collected by insurers, can be counted as assets if there is a reasonable expectation by the insurer that such surcharges will be paid.⁹

Medical Malpractice Insurance

Medical malpractice insurance is a professional liability coverage obtained by health care providers to indemnify them from damages arising out of an act of medical negligence. Florida requires licensed physicians and licensed osteopathic physicians to meet financial responsibility requirements as a condition of obtaining and maintaining state licensure to practice medicine. Insurers that issue medical malpractice insurance are required to complete a full rate filing with the OIR once every calendar year.¹⁰

Insufficient Funds Fee

Current law allows up to a \$15 insufficient funds fee to be charged to a policyholder of a motor vehicle insurance contract when the policyholders payment by debit card, credit card, electronic funds transfer, or electronic check is returned or declined.¹¹

Delivery of Insurance Policies

Part II of s. 627, F.S., generally applies to most lines of insurance written in this state.¹² Under this part, every insurance policy must be mailed, delivered or electronically transmitted to the

⁷ Florida Workers' Compensation Insurance Guaranty Association, Inc., *Frequently Asked Questions*, <http://fwciga.org/faq> (last visited March 16, 2017).

⁸ Section 631.914, F.S.

⁹ Section 625.012(15)(a), F.S.

¹⁰ Section. 627.062(7)(e), F.S.

¹¹ Section 627.7295(9), F.S.

¹² Section 627.401, F.S.

policyholder within 60 days after the insurance takes effect. An insurer may allow a policyholder of personal lines insurance to affirmatively elect delivery of the policy documents, including, but not limited to, policies, endorsements, notices, or documents, by electronic means in lieu of delivery by mail. Electronic transmission of a policy for commercial risks constitutes delivery to the insured or to the person entitled to delivery, unless the insured or the person entitled to delivery communicates to the insurer in writing or electronically that he or she does not agree to delivery by electronic means. Electronic transmission shall include a notice to the insured or to the person entitled to delivery of a policy of his or her right to receive the policy via United States mail rather than via electronic transmission. A paper copy of the policy shall be provided to the insured or to the person entitled to delivery at his or her request.¹³

III. Effect of Proposed Changes:

Section 1 amends s. 215.555, F.S. to delete the scheduled repeal of the exemption from the Florida Hurricane Catastrophe Fund assessments for medical malpractice insurance. The exemption will continue beyond May 31, 2019.

Section 2 amends s. 624.407, F.S. to allow an insurer issuing only renter's insurance, tenant's coverage or cooperative unit owners insurance, or any combination of such coverages, to maintain a surplus of \$10 million, regardless if they are wholly owned subsidiary of an insurer domiciled in Florida or another state.

Section 3 amends s. 625.012, F.S., to allow assessments paid by the Florida Workers' Compensation Insurance Guaranty Association prior to the collection of policy surcharges from policyholders to count as assets when determining the financial condition of an insurer. This section also allows assessments paid to the Florida Workers' Compensation Guaranty Association to be treated the same way assessments paid to the Florida Insurance Guaranty Association are currently treated.

Sections 4 and 5 amend ss. 627.062 and 627.045, F.S., respectively, to allow insurers, when filing rates on certain lines¹⁴ of medical malpractice insurance, the option of making a full rate filing or, when no rate change is needed, certifying to the OIR that their rates are actuarially sound and not inadequate.

Section 6 amends s. 627.4035, F.S., to allow the use of electronic checks and drafts as acceptable methods of payment for most insurance policies.¹⁵ Section 6 also allows insurers to charge a \$15

¹³ Section 627.421(1), F.S.

¹⁴ The bill allows insurers to certify rates for medical malpractice insurance policies that are subject to "file and use" or "use and file" rate review under s. 627.062(2)(a) and (f), F.S. Medical malpractice insurance is subject to these requirements if it covers a facility that is not a hospital licensed under chapter 395 F.S., a nursing home licensed under part II of chapter 400 F.S., or an assisted living facility licensed under part I of chapter 429 F.S., a health care practitioner who is not a dentist licensed under chapter 466 F.S., a physician licensed under chapter 458 F.S., an osteopathic physician licensed under chapter 459 F.S., chiropractic physician licensed under chapter 460 F.S., a podiatric physician licensed under chapter 461 F.S., a pharmacist licensed under chapter 465 F.S., or a pharmacy technician registered under chapter 465 F.S. Accordingly, it is these types of medical malpractice insurance that are affected by the bill. Medical malpractice insurance covering other entities or practitioners are not subject to paragraphs (a) and (f) of s. 627.062(2), F.S., pursuant to sub-subparagraphs o. and p. of s. 627.062(3)(d)1, F.S., and thus are not affected by the bill.

¹⁵ Section 627.401, F.S.

insufficient funds fee so long as the insufficient funds were not the result of fraudulent activity of the account on file and such fraudulent activity was not attributed to the policyholder. A \$15 insufficient funds fee is currently allowed for automobile insurance policies¹⁶ and is being expanded to include a broader range of policies.

Section 7 amends s. 27.421, F.S., to specify that, with regards to any font, size, color, spacing, or other formatting requirement for printed documents, an electronically delivered document satisfies these requirements if it has reasonably similar proportions or emphasis of the characters relative to the rest of the electronic document or is otherwise displayed in a reasonably conspicuous manner.

Section 8 amends s. 627.7295, F.S., to delete provisions that are applicable only to motor vehicle contracts because similar provisions have been set forth in section 6 of this bill that are applicable to a broader range of policies.

Section 9 provides the bill takes effect upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

Under PCS/CS/SB 454, medical malpractice insurance will continue to be exempt beyond May 31, 2019, from assessments levied by the Florida Hurricane Catastrophe Fund (fund). To the extent that assessments levied on or after June 1, 2019, do not reach the statutory maximum rate percentages, any assessments that otherwise would have been levied on medical malpractice insurance premiums will be shifted to the other lines of insurance subject to the assessments. To the extent that the assessments reach the maximum rates allowed, the fund will receive fewer revenues (based on the amount of premiums written for medical malpractice).

¹⁶ Section 627.7295(9), F.S.

B. Private Sector Impact:

Medical malpractice insurance will continue to be exempt beyond May 31, 2019, from assessments levied by the fund.

Insurers will be allowed to count as assets expected surcharges due to assessments from the Florida Workers' Compensation Insurance Guaranty Association. Insurers will have the option of certifying their rates on certain lines of medical malpractice insurance.

Policyholders on most lines of insurance will be permitted to use electronic checks and drafts as acceptable methods of payment will be subject to a \$15 insufficient funds fee, when applicable.

C. Government Sector Impact:

The OIR will need to modify existing computer systems but advise the update can be absorbed within existing resources. In addition, the OIR staff may have a reduced workload to the extent an insurer certifies its rates on certain lines of medical malpractice insurance rather than submitting a full rate filing.¹⁷

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 215.555, 624.407, 625.012, 627.062, 627.0645, 627.4035, 627.421, and 627.7295.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)**Recommended CS/CS by Appropriations Subcommittee on General Government on March 15, 2017:**

The committee substitute:

- Allows an insurer issuing only renter's insurance, tenant's coverage or cooperative unit owners insurance to maintain a surplus of \$10 million, regardless if they are wholly owned subsidiary of an insurer domiciled in Florida or another state.
- Clarifies that an insufficient funds fee cannot be charged if the insufficient funds were the result of fraudulent activity of the account on file and such fraudulent activity was not attributed to the policyholder.

¹⁷ See footnote 13.

CS by Banking and Insurance on March 6, 2017:

The CS made a technical change to clarify that monthly installments on surcharges from the Florida Workers' Compensation Insurance Guaranty Association assessments can be included in the calculation on an insurers assets. The CS also removed the section of the bill pertaining to excluded named driver.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



528356

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/06/2017	.	
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The Committee on Appropriations (Brandes) recommended the following:

Senate Amendment (with title amendment)

Between lines 189 and 190
insert:

Section 3. Paragraph (c) of subsection (8) of section
624.424, Florida Statutes, is amended to read:

624.424 Annual statement and other information.-

(8)

(c) The board of directors of an insurer shall hire the
certified public accountant that prepares the audit required by



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11 this subsection and the board shall establish an audit committee
12 of three or more directors of the insurer or an affiliated
13 company. The audit committee shall be responsible for discussing
14 audit findings and interacting with the certified public
15 accountant with regard to her or his findings. The audit
16 committee shall be comprised ~~solely~~ of members who are free from
17 any relationship that, in the opinion of its board of directors,
18 would interfere with the exercise of independent judgment as a
19 committee member. The audit committee shall report to the board
20 any findings of adverse financial conditions or significant
21 deficiencies in internal controls that have been noted by the
22 accountant. The insurer may request the office to waive this
23 requirement of the audit committee membership based upon unusual
24 hardship to the insurer.

25
26 ===== T I T L E A M E N D M E N T =====

27 And the title is amended as follows:

28 Between lines 10 and 11

29 insert:

30 amending s. 624.424, F.S.; revising a requirement for
31 audit committees established by the boards of
32 directors of insurers, relating to relationships that
33 would interfere with the exercise of independent
34 judgment of committee members;



118522

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/06/2017	.	
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The Committee on Appropriations (Brandes) recommended the following:

Senate Amendment (with title amendment)

Between lines 327 and 328
insert:

Section 9. Section 627.7843, Florida Statutes, is amended
to read:

627.7843 Property information reports ~~Ownership and
encumbrance reports.~~—

(1) As used in this section, the term "property information
report" means any report that contains the limitations of this



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section and discloses documents or information appearing in the Official Records as described in s. 28.222, in the records of a county tax collector pertaining to ad valorem real property taxes and special assessments imposed by a governmental authority against real property, in the Secretary of State filing office, or in another governmental filing office pertaining to real or personal property. A property information report may be issued by any person, including a Florida-licensed title insurer, title agent, or title agency ~~"ownership and encumbrance report"~~ means a report that discloses certain defined documents imparting constructive notice and appearing in the official records relating to specified real property.

(2) A property information ~~An ownership and encumbrance~~ report may not directly or indirectly set forth or imply any opinion, warranty, guarantee, insurance, or other similar assurance as to the status of title to real property.

(3) The contractual liability of the issuer of a property information report is limited to the person or persons expressly identified by name in the property information report as the recipient or recipients of the property information report and may not exceed the amount paid for the property information report. Only contractual remedies are available for an error or omission that arises from a property information report. A property information report must contain the following language:

"This report is not title insurance. Pursuant to s. 627.7843, Florida Statutes, the maximum liability of the issuer of this property information report for errors or omissions in this property information report is limited to the amount paid for



118522

this property information report, and is further limited to the person(s) expressly identified by name in the property information report as the recipient(s) of the property information report." ~~Any ownership and encumbrance report or similar report that is relied on or intended to be relied on by a consumer must be on forms approved by the office, and must provide for a maximum liability for incorrect information of not more than \$1,000.~~

(4) This section is not applicable to an opinion of title issued by an attorney.

Section 10. Subsection (2) of section 177.041, Florida Statutes, is amended to read:

177.041 Boundary survey and title certification required.—Every plat or replat of a subdivision submitted to the approving agency of the local governing body must be accompanied by:

(2) A title opinion of an attorney at law licensed in Florida or a property information report ~~certification by an abstractor or a title company~~ showing that record title to the land as described and shown on the plat is in the name of the person, persons, corporation, or entity executing the dedication. The title opinion or property information report ~~must certification shall~~ also show all mortgages not satisfied or released of record nor otherwise terminated by law.

Section 11. Subsection (16) of section 177.091, Florida Statutes, is amended to read:

177.091 Plats made for recording.—Every plat of a subdivision offered for recording shall conform to the following:

(16) Location and width of proposed easements and existing



118522

easements identified in the title opinion or property
information report certification required by s. 177.041(2) must
~~shall~~ be shown on the plat or in the notes or legend, and their
intended use shall be clearly stated. Where easements are not
coincident with property lines, they must be labeled with
bearings and distances and tied to the principal lot, tract, or
right-of-way.

Section 12. Paragraph (a) of subsection (5) of section
197.502, Florida Statutes, is amended to read:

197.502 Application for obtaining tax deed by holder of tax
sale certificate; fees.—

(5) (a) The tax collector may contract with a title company
or an abstract company to provide the minimum information
required in subsection (4), consistent with rules adopted by the
department. If additional information is required, the tax
collector must make a written request to the title or abstract
company stating the additional requirements. The tax collector
may select any title or abstract company, regardless of its
location, as long as the fee is reasonable, the minimum
information is submitted, and the title or abstract company is
authorized to do business in this state. The tax collector may
advertise and accept bids for the title or abstract company if
he or she considers it appropriate to do so.

1. The property information ~~ownership and encumbrance~~
report must include the letterhead of the person, firm, or
company that makes the search, and the signature of the
individual who makes the search or of an officer of the firm.
The tax collector is not liable for payment to the firm unless
these requirements are met. The report may be submitted to the



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tax collector in an electronic format.

2. The tax collector may not accept or pay for any title search or abstract if financial responsibility is not assumed for the search. However, reasonable restrictions as to the liability or responsibility of the title or abstract company are acceptable. Notwithstanding s. 627.7843(3), the tax collector may contract for higher maximum liability limits.

3. In order to establish uniform prices for property information ~~ownership and encumbrance~~ reports within the county, the tax collector must ensure that the contract for property information ~~ownership and encumbrance reports~~ include all requests for title searches or abstracts for a given period of time.

===== T I T L E A M E N D M E N T =====
And the title is amended as follows:

Delete line 29
and insert:
by the act; amending s. 627.7843, F.S.; replacing provisions relating to ownership and encumbrance reports with provisions relating to property information reports; defining the term "property information report"; prohibiting property information reports from setting forth or implying certain assurances as to the statute of title of real property; specifying a limitation on the contractual liability of issuers of property information reports; requiring a specified disclosure in property information reports; providing applicability; amending



118522

127 s. 177.041, F.S.; providing that a specified property
128 information report, rather than a specified
129 certification by an abstractor or a title company, may
130 be submitted as part of certain information required
131 in relation to the plat or replat of a subdivision;
132 amending ss. 177.091 and 197.502, F.S.; conforming
133 provisions to changes made by the act; providing an
134 effective date.



957254

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/06/2017	.	
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	.	
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The Committee on Appropriations (Brandes) recommended the following:

Senate Amendment to Amendment (118522) (with title amendment)

Delete line 26

and insert:

assurance and does not constitute title insurance as defined in s. 624.608 ~~as to the status of title to real property.~~

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:



957254

11 Delete lines 122 - 123
12 and insert:
13 assurances; providing construction; specifying a
14 limitation on the contractual



149870

576-02487-17

Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on General Government)

A bill to be entitled

An act relating to the regulation of insurance companies; amending s. 215.555, F.S.; deleting a future repeal of an exemption of medical malpractice insurance premiums from certain emergency assessments by the State Board of Administration relating to the Florida Hurricane Catastrophe Fund; amending s. 624.407, F.S.; specifying the minimum surplus as to policyholders for insurers that only transact in specified forms of residential property insurance; amending s. 625.012, F.S.; revising the allowable assets of insurers relating to specified levied assessments; amending s. 627.062, F.S.; revising requirements for certain rate filings by medical malpractice insurers; amending s. 627.0645, F.S.; adding certain medical malpractice insurance to casualty insurance excluded from an annual base rate filing requirement for rating organizations; amending s. 627.4035, F.S.; revising the methods of paying premiums for insurance contracts; authorizing an insurer to impose a specified insufficient funds fee if certain premium payment methods are returned, are declined, or cannot be processed; providing an exception; amending s. 627.421, F.S.; providing that an electronically delivered document in an insurance policy meets formatting requirements for printed documents under certain conditions; amending s.



149870

576-02487-17

627.7295, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

Section 1. Paragraph (b) of subsection (6) of section 215.555, Florida Statutes, is amended to read:

215.555 Florida Hurricane Catastrophe Fund.—

(6) REVENUE BONDS.—

(b) *Emergency assessments.*—

1. If the board determines that the amount of revenue produced under subsection (5) is insufficient to fund the obligations, costs, and expenses of the fund and the corporation, including repayment of revenue bonds and that portion of the debt service coverage not met by reimbursement premiums, the board shall direct the Office of Insurance Regulation to levy, by order, an emergency assessment on direct premiums for all property and casualty lines of business in this state, including property and casualty business of surplus lines insurers regulated under part VIII of chapter 626, but not including any workers' compensation premiums or medical malpractice premiums. As used in this subsection, the term "property and casualty business" includes all lines of business identified on Form 2, Exhibit of Premiums and Losses, in the annual statement required of authorized insurers by s. 624.424 and any rule adopted under this section, except for those lines identified as accident and health insurance and except for policies written under the National Flood Insurance Program. The assessment shall be specified as a percentage of direct written



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57 premium and is subject to annual adjustments by the board in
58 order to meet debt obligations. The same percentage applies to
59 all policies in lines of business subject to the assessment
60 issued or renewed during the 12-month period beginning on the
61 effective date of the assessment.

62 2. A premium is not subject to an annual assessment under
63 this paragraph in excess of 6 percent of premium with respect to
64 obligations arising out of losses attributable to any one
65 contract year, and a premium is not subject to an aggregate
66 annual assessment under this paragraph in excess of 10 percent
67 of premium. An annual assessment under this paragraph continues
68 as long as the revenue bonds issued with respect to which the
69 assessment was imposed are outstanding, including any bonds the
70 proceeds of which were used to refund the revenue bonds, unless
71 adequate provision has been made for the payment of the bonds
72 under the documents authorizing issuance of the bonds.

73 3. Emergency assessments shall be collected from
74 policyholders. Emergency assessments shall be remitted by
75 insurers as a percentage of direct written premium for the
76 preceding calendar quarter as specified in the order from the
77 Office of Insurance Regulation. The office shall verify the
78 accurate and timely collection and remittance of emergency
79 assessments and shall report the information to the board in a
80 form and at a time specified by the board. Each insurer
81 collecting assessments shall provide the information with
82 respect to premiums and collections as may be required by the
83 office to enable the office to monitor and verify compliance
84 with this paragraph.

85 4. With respect to assessments of surplus lines premiums,



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86 each surplus lines agent shall collect the assessment at the
87 same time as the agent collects the surplus lines tax required
88 by s. 626.932, and the surplus lines agent shall remit the
89 assessment to the Florida Surplus Lines Service Office created
90 by s. 626.921 at the same time as the agent remits the surplus
91 lines tax to the Florida Surplus Lines Service Office. The
92 emergency assessment on each insured procuring coverage and
93 filing under s. 626.938 shall be remitted by the insured to the
94 Florida Surplus Lines Service Office at the time the insured
95 pays the surplus lines tax to the Florida Surplus Lines Service
96 Office. The Florida Surplus Lines Service Office shall remit the
97 collected assessments to the fund or corporation as provided in
98 the order levied by the Office of Insurance Regulation. The
99 Florida Surplus Lines Service Office shall verify the proper
100 application of such emergency assessments and shall assist the
101 board in ensuring the accurate and timely collection and
102 remittance of assessments as required by the board. The Florida
103 Surplus Lines Service Office shall annually calculate the
104 aggregate written premium on property and casualty business,
105 other than workers' compensation and medical malpractice,
106 procured through surplus lines agents and insureds procuring
107 coverage and filing under s. 626.938 and shall report the
108 information to the board in a form and at a time specified by
109 the board.

110 5. Any assessment authority not used for a particular
111 contract year may be used for a subsequent contract year. If,
112 for a subsequent contract year, the board determines that the
113 amount of revenue produced under subsection (5) is insufficient
114 to fund the obligations, costs, and expenses of the fund and the



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corporation, including repayment of revenue bonds and that portion of the debt service coverage not met by reimbursement premiums, the board shall direct the Office of Insurance Regulation to levy an emergency assessment up to an amount not exceeding the amount of unused assessment authority from a previous contract year or years, plus an additional 4 percent provided that the assessments in the aggregate do not exceed the limits specified in subparagraph 2.

6. The assessments otherwise payable to the corporation under this paragraph shall be paid to the fund unless the Office of Insurance Regulation and the Florida Surplus Lines Service Office received a notice from the corporation and the fund, which shall be conclusive and upon which they may rely without further inquiry, that the corporation has issued bonds and the fund has no agreements in effect with local governments under paragraph (c). On or after the date of the notice and until the date the corporation has no bonds outstanding, the fund shall have no right, title, or interest in or to the assessments, except as provided in the fund's agreement with the corporation.

7. Emergency assessments are not premium and are not subject to the premium tax, to the surplus lines tax, to any fees, or to any commissions. An insurer is liable for all assessments that it collects and must treat the failure of an insured to pay an assessment as a failure to pay the premium. An insurer is not liable for uncollectible assessments.

8. If an insurer is required to return an unearned premium, it shall also return any collected assessment attributable to the unearned premium. A credit adjustment to the collected assessment may be made by the insurer with regard to future



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remittances that are payable to the fund or corporation, but the insurer is not entitled to a refund.

9. If a surplus lines insured or an insured who has procured coverage and filed under s. 626.938 is entitled to the return of an unearned premium, the Florida Surplus Lines Service Office shall provide a credit or refund to the agent or such insured for the collected assessment attributable to the unearned premium before remitting the emergency assessment collected to the fund or corporation.

~~10. The exemption of medical malpractice insurance premiums from emergency assessments under this paragraph is repealed May 31, 2019, and medical malpractice insurance premiums shall be subject to emergency assessments attributable to loss events occurring in the contract years commencing on June 1, 2019.~~

Section 2. Subsection (1) of section 624.407, Florida Statutes, is amended to read:

624.407 Surplus required; new insurers.—

(1) To receive authority to transact any one kind or combinations of kinds of insurance, as defined in part V of this chapter, an insurer applying for its original certificate of authority in this state shall possess surplus as to policyholders at least the greater of:

(a) For a property and casualty insurer, \$5 million, or \$2.5 million for any other insurer;

(b) For life insurers, 4 percent of the insurer's total liabilities;

(c) For life and health insurers, 4 percent of the insurer's total liabilities, plus 6 percent of the insurer's liabilities relative to health insurance;



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173 (d) For all insurers other than life insurers and life and
174 health insurers, 10 percent of the insurer's total liabilities;
175 (e) Notwithstanding paragraph (a) or paragraph (d), for a
176 domestic insurer that transacts residential property insurance
177 and is:
178 1. Not a wholly owned subsidiary of an insurer domiciled in
179 any other state, \$15 million.
180 2. A wholly owned subsidiary of an insurer domiciled in any
181 other state, \$50 million; ~~or~~
182 (f) Notwithstanding paragraphs (a), (d), and (e), for a
183 domestic insurer that only transacts limited sinkhole coverage
184 insurance for personal lines residential property pursuant to s.
185 627.7151, \$7.5 million; or
186 (g) Notwithstanding paragraphs (a), (b), and (e), for an
187 insurer that only transacts residential property insurance in
188 the form of renter's insurance, tenant's coverage, cooperative
189 unit owner insurance, or any combination thereof, \$10 million.
190 Section 3. Subsection (15) of section 625.012, Florida
191 Statutes, is amended to read:
192 625.012 "Assets" defined.—In any determination of the
193 financial condition of an insurer, there shall be allowed as
194 "assets" only such assets as are owned by the insurer and which
195 consist of:
196 (15)(a) Assessments levied pursuant to s. 631.57(3)(a) and
197 (e) or s. 631.914 which ~~that~~ are paid before policy surcharges
198 are collected and result in a receivable for policy surcharges
199 to be collected in the future. This amount, to the extent it is
200 likely that it will be realized, meets the definition of an
201 admissible asset as specified in the National Association of



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202 Insurance Commissioners' Statement of Statutory Accounting
203 Principles No. 4. The asset shall be established and recorded
204 separately from the liability regardless of whether it is based
205 on a retrospective or prospective premium-based assessment. If
206 an insurer is unable to fully recoup the amount of the
207 assessment because of a reduction in writings or withdrawal from
208 the market, the amount recorded as an asset shall be reduced to
209 the amount reasonably expected to be recouped.
210 (b) Assessments levied as monthly installments pursuant to
211 s. 631.57(3)(e)3. or s. 631.914 which ~~that~~ are paid after policy
212 surcharges are collected so that the recognition of assets is
213 based on actual premium written offset by the obligation to the
214 Florida Insurance Guaranty Association or the Florida Workers'
215 Compensation Insurance Guaranty Association, Incorporated.
216 Section 4. Paragraph (e) of subsection (7) of section
217 627.062, Florida Statutes, is amended to read:
218 627.062 Rate standards.—
219 (7) The provisions of this subsection apply only to rates
220 for medical malpractice insurance and control to the extent of
221 any conflict with other provisions of this section.
222 (e) For medical malpractice rates subject to paragraph
223 (2)(a), the medical malpractice insurer shall make an annual
224 base a rate filing in accordance with s. 627.0645 ~~under this~~
225 ~~section~~, sworn to by at least two executive officers of the
226 insurer, ~~at least once each calendar year.~~
227 Section 5. Subsection (1) of section 627.0645, Florida
228 Statutes, is amended to read:
229 627.0645 Annual filings.—
230 (1) Each rating organization filing rates for, and each



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231 insurer writing, any line of property or casualty insurance to
232 which this part applies, except:

233 (a) Workers' compensation and employer's liability
234 insurance;

235 (b) Insurance as defined in ss. 624.604 and 624.605,
236 limited to coverage of commercial risks other than commercial
237 residential multiperil and medical malpractice insurance that is
238 subject to s. 627.062(2)(a) and (f); or

239 (c) Travel insurance, if issued as a master group policy
240 with a situs in another state where each certificateholder pays
241 less than \$30 in premium for each covered trip and where the
242 insurer has written less than \$1 million in annual written
243 premiums in the travel insurance product in this state during
244 the most recent calendar year,

245
246 shall make an annual base rate filing for each such line with
247 the office no later than 12 months after its previous base rate
248 filing, demonstrating that its rates are not inadequate.

249 Section 6. Section 627.4035, Florida Statutes, is amended
250 to read:

251 627.4035 ~~Cash~~ Payment of premiums; claims.—

252 (1) ~~(a)~~ The premiums for insurance contracts issued in this
253 state or covering risk located in this state ~~must~~ shall be paid
254 in cash consisting of coins, currency, checks, electronic
255 checks, drafts, or money orders or by using a debit card, credit
256 card, automatic electronic funds transfer, or payroll deduction
257 plan. ~~By July 1, 2007,~~ Insurers issuing personal lines
258 residential and commercial property policies shall provide a
259 premium payment plan option to their policyholders which allows



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260 for a minimum of quarterly and semiannual payment of premiums.
261 Insurers may, but are not required to, offer monthly payment
262 plans. Insurers issuing such policies must submit their premium
263 payment plan option to the office for approval before use.

264 (b) If, due to insufficient funds, a payment of premium
265 under this subsection by debit card, credit card, electronic
266 funds transfer, or electronic check is returned, is declined, or
267 cannot be processed, the insurer may impose an insufficient
268 funds fee of up to \$15 per occurrence pursuant to the policy
269 terms. However, the insurer may not charge the policyholder an
270 insufficient funds fee if the failure in payment resulted from
271 fraud or misuse on the policyholder's account from which the
272 payment was made and such fraud or misuse was not attributed to
273 the policyholder.

274 (2) Subsection (1) is not applicable to:

275 (a) Reinsurance agreements;

276 (b) Pension plans;

277 (c) Premium loans, whether or not subject to an automatic
278 provision;

279 (d) Dividends, whether to purchase additional paid-up
280 insurance or to shorten the dividend payment period;

281 (e) Salary deduction plans;

282 (f) Preauthorized check plans;

283 (g) Waivers of premiums on disability;

284 (h) Nonforfeiture provisions affording benefits under
285 supplementary contracts; or

286 (i) Such other methods of paying for life insurance as may
287 be permitted by the commission pursuant to rule or regulation.

288 (3) All payments of claims made in this state under any



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contract of insurance shall be paid:

(a) In cash consisting of coins, currency, checks, drafts, or money orders and, if by check or draft, shall be in such form as will comply with the standards for cash items adopted by the Federal Reserve System to facilitate the sorting, routing, and mechanized processing of such items; or

(b) If authorized in writing by the recipient or the recipient's representative, by debit card or any other form of electronic transfer. Any fees or costs to be charged against the recipient must be disclosed in writing to the recipient or the recipient's representative at the time of written authorization. However, the written authorization requirement may be waived by the recipient or the recipient's representative if the insurer verifies the identity of the insured or the insured's recipient and does not charge a fee for the transaction. If the funds are misdirected, the insurer remains liable for the payment of the claim.

Section 7. Subsection (5) is added to section 627.421, Florida Statutes, to read:

627.421 Delivery of policy.—

(5) An electronically delivered document satisfies any font, size, color, spacing, or other formatting requirement for printed documents if the format in the electronically delivered document has reasonably similar proportions or emphasis of the characters relative to the rest of the electronic document or is otherwise displayed in a reasonably conspicuous manner.

Section 8. Subsection (9) of section 627.7295, Florida Statutes, is amended to read:

627.7295 Motor vehicle insurance contracts.—



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~~(9) (a) In addition to the methods provided in s.~~

~~627.4035(1), premium for motor vehicle insurance contracts issued in this state or covering risk located in this state may be paid in cash in the form of a draft or drafts.~~

~~(b) If, due to insufficient funds, payment of premium under this subsection by debit card, credit card, electronic funds transfer, or electronic check is returned, is declined, or cannot be processed, the insurer may impose an insufficient funds fee of up to \$15 per occurrence pursuant to the policy terms.~~

Section 9. This act shall take effect upon becoming a law.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: CS/CS/SB 454

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on General Government); Banking and Insurance Committee; and Senator Brandes

SUBJECT: Regulation of Insurance Companies

DATE: April 7, 2017

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Matiyow	Knudson	BI	Fav/CS
2. Matiyow/Sanders	Betta	AGG	Recommend: Fav/CS
3. Matiyow/Sanders	Hansen	AP	Fav/CS
4. _____	_____	RC	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 454 makes several changes relating to the regulation of insurance companies. The bill:

- Deletes the future repeal of the exemption of medical malpractice insurance premiums from the Florida Hurricane Catastrophe Fund (fund) assessments. Under current law, the exemption is repealed May 31, 2019.
- Allows an insurer issuing only renter's insurance, tenant's coverage or cooperative unit owners insurance to maintain a surplus of \$10 million to do business in the state.
- Removes the requirement that all members of an audit committee for an insurer must be free of any relationships that could interfere with the member's independent judgement.
- Allows Florida Workers' Compensation Insurance Guaranty Association (FWCIGA) surcharges to be counted as insurer assets if those surcharges are paid to the Association before the surcharges are collected from the insureds.
- Removes the requirement on insurers writing certain lines of medical malpractice insurance to make a full rate filing annually; these insurers will have the option to certify their rates with the Office of Insurance Regulation (OIR).
- Renames "owners and encumbrance" reports to "property information" report and clarifies such reports are not title insurance.
- Allows electronic checks and drafts as acceptable methods of payment for specified lines of insurance and allows insurers to charge a \$15 insufficient funds fee.

- Specifies display requirements for the electronic delivery of documents.

The impact on state revenues and expenditures is indeterminate. The continued exemption from the fund assessments for medical malpractice insurance premiums most likely will not impact revenues generated by the fund. The OIR has identified a need to modify existing computer systems but the costs of such modifications can be absorbed within existing agency resources.¹

The bill takes effect upon becoming a law.

II. Present Situation:

Title Insurance

Title insurance is: (1) insurance of owners of real property or others having an interest in real property or contractual interest derived therefrom, or liens or encumbrances on real property, against loss by encumbrance, or defective titles, or invalidity, or adverse claim to title; or (2) insurance of owners and secured parties of the existence, attachment, perfection, and priority of security interests in personal property under the Uniform Commercial Code.² Title insurance serves to indemnify the insured against financial loss caused by defects in the title arising out of events that occurred before the date of the policy.³ Title insurance agents and agencies are licensed and regulated by the Department of Financial Services (DFS) while title insurance companies are licensed and regulated by the OIR.

Owners and Encumbrance Reports

An owners and encumbrance report discloses certain defined documents imparting constructive notice and appearing in the official records relating to specified real property.⁴ Such reports may not directly or indirectly set forth or imply any opinion, warranty, guarantee, insurance, or other similar assurance as to the status of title to real property.⁵ Additionally, any ownership and encumbrance report or similar report that is relied on or intended to be relied on by a consumer must be on forms approved by the OIR, and must provide for a maximum liability for incorrect information of not more than \$1,000.⁶

The Florida Hurricane Catastrophe Fund and its assessments

The Florida Hurricane Catastrophe Fund is a tax-exempt fund created in 1993 after Hurricane Andrew as a form of mandatory reinsurance for residential property insurers. The fund is administered by the State Board of Administration and is a tax-exempt source of reimbursement to property insurers for a selected percentage of hurricane losses above the insurer's retention. Admitted property insurers in the state are required to purchase \$17 billion in coverage from the fund. Each insurer's mandatory amount purchased is based upon the insurer's share of the actual premium paid for the contract year, multiplied by the claims paying capacity of the fund. The

¹ OIR staff provided an update regarding fiscal impact via telephone on March 9, 2017.

² See s. 624.608, F.S.

³ See *Lawyers Title Insurance Co. Inc. v. Novastar Mortgage, Inc.*, 862 So. 2d 793, 797 (Fla. 4th DCA 2003).

⁴ Section 627.7843(1), F.S.

⁵ Section 627.7843(2), F.S.

⁶ Section 627.7843(3), F.S.

fund must charge insurers the actuarially indicated premium for the coverage provided, based on hurricane loss projection models found acceptable by the Florida Commission on Hurricane Loss Projection Methodology.

Reimbursements to insurers for losses above the current moneys in the fund are financed through bonding. When the moneys in the fund are insufficient to cover losses, the law authorizes the fund to issue revenue bonds funded by emergency assessments on property and casualty policyholders. Bonds would be funded by an emergency assessment of up to 6 percent of premium on most lines of property and casualty insurance for funding losses from a single year, and up to 10 percent of premium for funding losses from multiple years. All lines of property and casualty insurance, including surplus lines insurance, are subject to emergency assessment except for workers' compensation and medical malpractice liability insurance. The exemption for medical malpractice insurance being subject to fund assessments is scheduled to repeal on May 31, 2019.

Florida Insurance Guaranty Association (FIGA) and its assessments

When a property and casualty insurance company becomes insolvent, Florida Insurance Guaranty Association (FIGA) is required by law to take over the claims of the insurer and pay the claims of the company's policyholders. This ensures policyholders who have paid premiums for insurance are not left with valid yet unpaid claims. FIGA is responsible for claims on residential and commercial property insurance, automobile insurance, and liability insurance, among others.

In order to pay claims and to maintain the operations of an insolvent insurer, FIGA has several potential funding sources. FIGA's primary funding source is from the liquidation of assets of insolvent insurance companies domiciled in Florida. FIGA also obtains funds from the liquidation of assets of insolvent insurers domiciled in other states, but having claims in Florida. In the event the insolvent insurer's assets are insufficient to pay all claims, FIGA can issue two types of post-insolvency assessments against property and casualty insurance companies to raise funds to pay claims. FIGA's assessments are computed and billed based on FIGA's immediate needs to pay claims. Currently, assessments may not exceed two percent of net direct-written premium in one year for regular assessments, and an additional emergency assessment of two percent of direct-written premium for hurricane-related insolvencies.

Renters Insurance

Renter's insurance, sometimes referred to as tenant's insurance, includes three basic types of protection. The basic types of protection are for personal possessions, liability, and additional living expenses.⁷ Standard renter's insurance policies protect personal belongings against damage from fire, smoke, lightning, vandalism, theft, explosion, windstorm, water, and other disasters listed in the policy. With respect to personal liability, standard renter's insurance policies provide liability protection against lawsuits for bodily injury or property damage that the insured or the insured's family members cause to other people. It also pays for damages caused

⁷ Insurance Information Institute, *Renters Insurance*, at <http://www.iii.org/article/renters-insurance> (last visited April 7, 2017).

by pets to others in the home. Finally, standard renter's insurance policies cover additional living expenses. If the tenant's home is destroyed by a disaster, which is covered by the policy, renter's insurance covers the additional costs incurred for the insured to reside elsewhere. Policies will generally reimburse the difference between additional living expenses and normal living expenses. Additional living expenses cover hotel bills, temporary rentals, restaurant meals and other expenses incurred while the home is being rebuilt.

Insurance Company Surplus

Section 624.407, F.S., establishes the surplus requirement for insurers doing business in this state. The surplus requirement for a new property and casualty insurer issuing only renter's insurance policies is:

- \$15 million if not a wholly owned subsidiary of an insurer domiciled in any other state.⁸
- \$50 million if a wholly owned subsidiary of an insurer domiciled in any other state.⁹

Audit Committee

In addition to each authorized insurer having to file with the OIR statements of its financial condition, transactions, and affairs¹⁰, each authorized insurer must also hire a certified public accountant to prepare an audit.¹¹ The board of the insurer is required to establish an audit committee of three or more directors of the insurer or an affiliated company. The audit committee is responsible for discussing audit findings and interacting with the certified public accountant with regard to his or her findings. The audit committee must be comprised solely of members who are free from any relationship that, in the opinion of its board of directors, would interfere with the exercise of independent judgment as a committee member. The audit committee must report to the board any findings of adverse financial conditions or significant deficiencies in internal controls that have been noted by the accountant. The insurer may request the office to waive this requirement of the audit committee membership based upon unusual hardship to the insurer.¹²

Florida Workers' Compensation Insurance Guaranty Association (FWCIGA) and its assessments

As a condition of their authority to offer workers' compensation insurance coverage in Florida, all insurers and self-insurance funds are required to be members of the Florida Workers' Compensation Insurance Guaranty Association, Inc. (FWCIGA).¹³ The FWCIGA is a not-for-profit corporation established pursuant to part V of ch. 631, F.S., adjunct to the Department of Financial Services (DFS). The FWCIGA assists in the detection and prevention of insurer insolvencies and provides for the payment of workers' compensation covered claims.¹⁴ The

⁸ Section 624.407(1)(e)1., F.S.

⁹ Section 624.407(1)(e)2., F.S.

¹⁰ Section 624.424(1)(a), F.S.

¹¹ Section 624.424(8)(a), F.S.

¹² Section 624.424(8)(c), F.S.

¹³ Section. 631.911, F.S. Chapter 631, F.S., governs the rehabilitation and liquidation process for insurers in Florida. In Florida, the Division of Rehabilitation and Liquidation in the Department of Financial Services is responsible for rehabilitating or liquidating insurance companies.

¹⁴ Section 631.902, F.S. The term "covered claim" is defined in s. 631.904(2), F.S.

FWCIGA evaluates workers' compensation claims made by insureds against insolvent member companies or funds, and determines if such claims are covered claims subject to payment by FWCIGA. The FWCIGA is funded by distributions from the estates of insolvent insurers, investment income, and assessments of member insurers.¹⁵

The FWCIGA determines whether an assessment against member insurers is necessary to pay covered claims of an insolvent insurer or to reimburse the FWCIGA for expenses associated with administering its statutory functions. The assessments are levied by the Department of Financial Services on each insurer based upon the proportion of the insurer's net direct written premium in Florida to the total of all such insurers writing workers' compensation coverages in Florida for the preceding calendar year. The maximum assessment rate is two percent for insurers and 1.5 percent for self-insurance funds. If these assessments are insufficient to satisfy claims and administration costs, an additional assessment of 1.5 percent can be levied.¹⁶

Insurer Assets

When determining the financial condition of an insurer, statutory accounting principles allow insurers to include as an asset, assessment surcharges that have yet to be collected from policyholders. Under current law assessments levied by the Florida Insurance Guaranty Association, resulting in surcharges to policyholders yet to be collected by insurers, can be counted as assets if there is a reasonable expectation by the insurer that such surcharges will be paid.¹⁷

Medical Malpractice Insurance

Medical malpractice insurance is a professional liability coverage obtained by health care providers to indemnify them from damages arising out of an act of medical negligence. Florida requires licensed physicians and licensed osteopathic physicians to meet financial responsibility requirements as a condition of obtaining and maintaining state licensure to practice medicine. Insurers that issue medical malpractice insurance are required to complete a full rate filing with the OIR once every calendar year.¹⁸

Insufficient Funds Fee

Current law allows up to a \$15 insufficient funds fee to be charged to a policyholder of a motor vehicle insurance contract when the policyholders payment by debit card, credit card, electronic funds transfer, or electronic check is returned or declined.¹⁹

¹⁵ Florida Workers' Compensation Insurance Guaranty Association, Inc., *Frequently Asked Questions*, <http://fwciga.org/faq> (last visited April 7, 2017).

¹⁶ Section 631.914, F.S.

¹⁷ Section 625.012(15)(a), F.S.

¹⁸ Section. 627.062(7)(e), F.S.

¹⁹ Section 627.7295(9), F.S.

Delivery of Insurance Policies

Part II of s. 627, F.S., generally applies to most lines of insurance written in this state.²⁰ Under this part, every insurance policy must be mailed, delivered or electronically transmitted to the policyholder within 60 days after the insurance takes effect. An insurer may allow a policyholder of personal lines insurance to affirmatively elect delivery of the policy documents, including, but not limited to, policies, endorsements, notices, or documents, by electronic means in lieu of delivery by mail. Electronic transmission of a policy for commercial risks constitutes delivery to the insured or to the person entitled to delivery, unless the insured or the person entitled to delivery communicates to the insurer in writing or electronically that he or she does not agree to delivery by electronic means. Electronic transmission shall include a notice to the insured or to the person entitled to delivery of a policy of his or her right to receive the policy via United States mail rather than via electronic transmission. A paper copy of the policy shall be provided to the insured or to the person entitled to delivery at his or her request.²¹

III. Effect of Proposed Changes:

Sections 1, 2 and 3 amend ss. 177.041, 177.091, and 197.502, F.S., respectively, relating to information contained in a “property information” report. The bill strikes references to certifications by abstractors or title companies and ownership and encumbrance reports. Instead, the bill refers to such reports as property information reports. The changes conform to **Section 13** of the bill and are designed to clarify that such reports are not title insurance.

Section 4 amends s. 215.555, F.S., to delete the scheduled repeal of the exemption from the Florida Hurricane Catastrophe Fund (fund) assessments for medical malpractice insurance. The exemption will continue beyond May 31, 2019.

Section 5 amends s. 624.407, F.S., to allow an insurer issuing only renter’s insurance, tenant’s coverage, or cooperative unit owners insurance, or any combination of such coverages, to maintain a surplus of \$10 million, regardless if they are wholly owned subsidiary of an insurer domiciled in Florida or another state.

Section 6 amends s. 624.424, F.S., to delete the requirement that all members of an audit committee must, in the opinion of the board, be free of any relationships that could interfere with the member’s independent judgement when conducting an audit.

Section 7 amends s. 625.012, F.S., to allow assessments paid by the Florida Workers' Compensation Insurance Guaranty Association (FWCIGA) prior to the collection of policy surcharges from policyholders to count as assets when determining the financial condition of an insurer. This section also allows assessments paid to the (FWCIGA) to be treated the same way assessments paid to the Florida Insurance Guaranty Association (FIGA) are currently treated.

²⁰ Section 627.401, F.S.

²¹ Section 627.421(1), F.S.

Sections 8 and 9 amend ss. 627.062 and 627.0645, F.S., respectively, to allow insurers, when filing rates on certain lines²² of medical malpractice insurance, the option of making a full rate filing or, when no rate change is needed, certifying to the Office of Insurance Regulation (OIR) that their rates are actuarially sound and not inadequate.

Section 10 amends s. 627.4035, F.S., to allow the use of electronic checks and drafts as acceptable methods of payment for most insurance policies.²³ **Section 6** also allows insurers to charge a \$15 insufficient funds fee so long as the insufficient funds were not the result of fraudulent activity of the account on file and such fraudulent activity was not attributed to the policyholder. A \$15 insufficient funds fee is currently allowed for automobile insurance policies²⁴ and is being expanded to include a broader range of policies.

Section 11 amends s. 627.421, F.S., to specify that, with regards to any font, size, color, spacing, or other formatting requirement for printed documents, an electronically delivered document satisfies these requirements if it has reasonably similar proportions or emphasis of the characters relative to the rest of the electronic document or is otherwise displayed in a reasonably conspicuous manner.

Section 12 amends s. 627.7295, F.S., to delete provisions that are applicable only to motor vehicle contracts because similar provisions have been set forth in section 10 of this bill that are applicable to a broader range of policies.

Section 13 amends s. 627.7843, F.S., clarifying that a “property information” report may be completed by anyone including title insurers. The report must contain a disclosure stating that the report is not title insurance, that the maximum liability of the report’s issuer for errors or omissions is limited to the amount paid for the report, and recovery may only be made by the named recipient of the report.

The provisions of this section do not apply to a title opinion issued by an attorney.

Section 14 provides the bill takes effect upon becoming a law.

²² The bill allows insurers to certify rates for medical malpractice insurance policies that are subject to “file and use” or “use and file” rate review under s. 627.062(2)(a) and (f), F.S. Medical malpractice insurance is subject to these requirements if it covers a facility that is not a hospital licensed under chapter 395 F.S., a nursing home licensed under part II of chapter 400 F.S., or an assisted living facility licensed under part I of chapter 429 F.S., a health care practitioner who is not a dentist licensed under chapter 466 F.S., a physician licensed under chapter 458 F.S., an osteopathic physician licensed under chapter 459 F.S., chiropractic physician licensed under chapter 460 F.S., a podiatric physician licensed under chapter 461 F.S., a pharmacist licensed under chapter 465 F.S., or a pharmacy technician registered under chapter 465 F.S. Accordingly, it is these types of medical malpractice insurance that are affected by the bill. Medical malpractice insurance covering other entities or practitioners are not subject to paragraphs (a) and (f) of s. 627.062(2), F.S., pursuant to sub-subparagraphs o. and p. of s. 627.062(3)(d)1, F.S., and thus are not affected by the bill.

²³ Section 627.401, F.S.

²⁴ Section 627.7295(9), F.S.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

Under CS/CS/SB 454, medical malpractice insurance will continue to be exempt beyond May 31, 2019, from assessments levied by the Florida Hurricane Catastrophe Fund (fund). To the extent that assessments levied on or after June 1, 2019, do not reach the statutory maximum rate percentages, any assessments that otherwise would have been levied on medical malpractice insurance premiums will be shifted to the other lines of insurance subject to the assessments. To the extent that the assessments reach the maximum rates allowed, the fund will receive fewer revenues (based on the amount of premiums written for medical malpractice).

B. Private Sector Impact:

Medical malpractice insurance will continue to be exempt beyond May 31, 2019, from assessments levied by the fund.

Insurers will be allowed to count as assets expected surcharges due to assessments from the Florida Workers' Compensation Insurance Guaranty Association (FWCIGA). Insurers will have the option of certifying their rates on certain lines of medical malpractice insurance.

Policyholders on most lines of insurance will be permitted to use electronic checks and drafts as acceptable methods of payment will be subject to a \$15 insufficient funds fee, when applicable.

C. Government Sector Impact:

The Office of Insurance Regulation (OIR) will need to modify existing computer systems but advise the update can be absorbed within existing resources. In addition, the OIR staff may have a reduced workload to the extent an insurer certifies its rates on certain lines of medical malpractice insurance rather than submitting a full rate filing.²⁵

²⁵ See footnote 13.

VI. Technical Deficiencies:

Section 6 on line 284 strikes the word “solely” from the requirement that an audit committee must be comprised solely of members free from relationships that interfere with independent judgment in the opinion of the insurer’s board of directors. The revision is intended to comply with a National Association of Insurance Commissioners Model Act that has been adopted in Rule 69O-137.002(14), F.A.C. The elimination of “solely” from the statute does not make clear the requirements for audit committee members, and greater specificity is recommended

Line 313 should strike the word monthly as the Workers Compensation Guarantee Association issues their installments quarterly.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 177.041, 177.091, 197.502, 215.555, 624.407, 624.424, 625.012, 627.062, 627.0645, 627.4035, 627.421, 627.7295 and 627.7843.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS by Appropriations on April 5, 2017:

The committee substitute:

- Allows an insurer issuing only renter’s insurance, tenant’s coverage or cooperative unit owners insurance to maintain a surplus of \$10 million, regardless if they are wholly owned subsidiary of an insurer domiciled in Florida or another state.
- Clarifies that an insufficient funds fee cannot be charged if the insufficient funds were the result of fraudulent activity of the account on file and such fraudulent activity was not attributed to the policyholder.
- Renames “owners and encumbrance” reports to “property information” report and clarifies such reports are not title insurance.
- Removes the requirement that all members of an audit committee for an insurer must be free of any relationships that could interfere with the member’s independent judgement.

CS by Banking and Insurance on March 6, 2017:

The CS made a technical change to clarify that monthly installments on surcharges from the Florida Workers' Compensation Insurance Guaranty Association assessments can be included in the calculation on an insurers assets. The CS also removed the section of the bill pertaining to excluded named driver.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By the Committee on Banking and Insurance; and Senator Brandes

597-02140-17

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A bill to be entitled

An act relating to the regulation of insurance companies; amending s. 215.555, F.S.; deleting a future repeal of an exemption of medical malpractice insurance premiums from certain emergency assessments by the State Board of Administration relating to the Florida Hurricane Catastrophe Fund; amending s. 625.012, F.S.; revising the allowable assets of insurers relating to specified levied assessments; amending s. 627.062, F.S.; revising requirements for certain rate filings by medical malpractice insurers; amending s. 627.0645, F.S.; adding certain medical malpractice insurance to casualty insurance excluded from an annual base rate filing requirement for rating organizations; amending s. 627.4035, F.S.; revising the methods of paying premiums for insurance contracts; authorizing an insurer to impose a specified insufficient funds fee if certain premium payment methods are returned, declined, or cannot be processed; amending s. 627.421, F.S.; providing that an electronically delivered document in an insurance policy meets formatting requirements for printed documents under certain conditions; amending s. 627.7295, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

Section 1. Paragraph (b) of subsection (6) of section

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215.555, Florida Statutes, is amended to read:

215.555 Florida Hurricane Catastrophe Fund.—

(6) REVENUE BONDS.—

(b) *Emergency assessments*.—

1. If the board determines that the amount of revenue produced under subsection (5) is insufficient to fund the obligations, costs, and expenses of the fund and the corporation, including repayment of revenue bonds and that portion of the debt service coverage not met by reimbursement premiums, the board shall direct the Office of Insurance Regulation to levy, by order, an emergency assessment on direct premiums for all property and casualty lines of business in this state, including property and casualty business of surplus lines insurers regulated under part VIII of chapter 626, but not including any workers' compensation premiums or medical malpractice premiums. As used in this subsection, the term "property and casualty business" includes all lines of business identified on Form 2, Exhibit of Premiums and Losses, in the annual statement required of authorized insurers by s. 624.424 and any rule adopted under this section, except for those lines identified as accident and health insurance and except for policies written under the National Flood Insurance Program. The assessment shall be specified as a percentage of direct written premium and is subject to annual adjustments by the board in order to meet debt obligations. The same percentage applies to all policies in lines of business subject to the assessment issued or renewed during the 12-month period beginning on the effective date of the assessment.

2. A premium is not subject to an annual assessment under

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59 this paragraph in excess of 6 percent of premium with respect to
 60 obligations arising out of losses attributable to any one
 61 contract year, and a premium is not subject to an aggregate
 62 annual assessment under this paragraph in excess of 10 percent
 63 of premium. An annual assessment under this paragraph continues
 64 as long as the revenue bonds issued with respect to which the
 65 assessment was imposed are outstanding, including any bonds the
 66 proceeds of which were used to refund the revenue bonds, unless
 67 adequate provision has been made for the payment of the bonds
 68 under the documents authorizing issuance of the bonds.

69 3. Emergency assessments shall be collected from
 70 policyholders. Emergency assessments shall be remitted by
 71 insurers as a percentage of direct written premium for the
 72 preceding calendar quarter as specified in the order from the
 73 Office of Insurance Regulation. The office shall verify the
 74 accurate and timely collection and remittance of emergency
 75 assessments and shall report the information to the board in a
 76 form and at a time specified by the board. Each insurer
 77 collecting assessments shall provide the information with
 78 respect to premiums and collections as may be required by the
 79 office to enable the office to monitor and verify compliance
 80 with this paragraph.

81 4. With respect to assessments of surplus lines premiums,
 82 each surplus lines agent shall collect the assessment at the
 83 same time as the agent collects the surplus lines tax required
 84 by s. 626.932, and the surplus lines agent shall remit the
 85 assessment to the Florida Surplus Lines Service Office created
 86 by s. 626.921 at the same time as the agent remits the surplus
 87 lines tax to the Florida Surplus Lines Service Office. The

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88 emergency assessment on each insured procuring coverage and
 89 filing under s. 626.938 shall be remitted by the insured to the
 90 Florida Surplus Lines Service Office at the time the insured
 91 pays the surplus lines tax to the Florida Surplus Lines Service
 92 Office. The Florida Surplus Lines Service Office shall remit the
 93 collected assessments to the fund or corporation as provided in
 94 the order levied by the Office of Insurance Regulation. The
 95 Florida Surplus Lines Service Office shall verify the proper
 96 application of such emergency assessments and shall assist the
 97 board in ensuring the accurate and timely collection and
 98 remittance of assessments as required by the board. The Florida
 99 Surplus Lines Service Office shall annually calculate the
 100 aggregate written premium on property and casualty business,
 101 other than workers' compensation and medical malpractice,
 102 procured through surplus lines agents and insureds procuring
 103 coverage and filing under s. 626.938 and shall report the
 104 information to the board in a form and at a time specified by
 105 the board.

106 5. Any assessment authority not used for a particular
 107 contract year may be used for a subsequent contract year. If,
 108 for a subsequent contract year, the board determines that the
 109 amount of revenue produced under subsection (5) is insufficient
 110 to fund the obligations, costs, and expenses of the fund and the
 111 corporation, including repayment of revenue bonds and that
 112 portion of the debt service coverage not met by reimbursement
 113 premiums, the board shall direct the Office of Insurance
 114 Regulation to levy an emergency assessment up to an amount not
 115 exceeding the amount of unused assessment authority from a
 116 previous contract year or years, plus an additional 4 percent

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provided that the assessments in the aggregate do not exceed the limits specified in subparagraph 2.

6. The assessments otherwise payable to the corporation under this paragraph shall be paid to the fund unless the Office of Insurance Regulation and the Florida Surplus Lines Service Office received a notice from the corporation and the fund, which shall be conclusive and upon which they may rely without further inquiry, that the corporation has issued bonds and the fund has no agreements in effect with local governments under paragraph (c). On or after the date of the notice and until the date the corporation has no bonds outstanding, the fund shall have no right, title, or interest in or to the assessments, except as provided in the fund's agreement with the corporation.

7. Emergency assessments are not premium and are not subject to the premium tax, to the surplus lines tax, to any fees, or to any commissions. An insurer is liable for all assessments that it collects and must treat the failure of an insured to pay an assessment as a failure to pay the premium. An insurer is not liable for uncollectible assessments.

8. If an insurer is required to return an unearned premium, it shall also return any collected assessment attributable to the unearned premium. A credit adjustment to the collected assessment may be made by the insurer with regard to future remittances that are payable to the fund or corporation, but the insurer is not entitled to a refund.

9. If a surplus lines insured or an insured who has procured coverage and filed under s. 626.938 is entitled to the return of an unearned premium, the Florida Surplus Lines Service Office shall provide a credit or refund to the agent or such

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insured for the collected assessment attributable to the unearned premium before remitting the emergency assessment collected to the fund or corporation.

~~10. The exemption of medical malpractice insurance premiums from emergency assessments under this paragraph is repealed May 31, 2019, and medical malpractice insurance premiums shall be subject to emergency assessments attributable to loss events occurring in the contract years commencing on June 1, 2019.~~

Section 2. Subsection (15) of section 625.012, Florida Statutes, is amended to read:

625.012 "Assets" defined.—In any determination of the financial condition of an insurer, there shall be allowed as "assets" only such assets as are owned by the insurer and which consist of:

(15) (a) Assessments levied pursuant to s. 631.57(3) (a) and (e) or s. 631.914 which ~~that~~ are paid before policy surcharges are collected and result in a receivable for policy surcharges to be collected in the future. This amount, to the extent it is likely that it will be realized, meets the definition of an admissible asset as specified in the National Association of Insurance Commissioners' Statement of Statutory Accounting Principles No. 4. The asset shall be established and recorded separately from the liability regardless of whether it is based on a retrospective or prospective premium-based assessment. If an insurer is unable to fully recoup the amount of the assessment because of a reduction in writings or withdrawal from the market, the amount recorded as an asset shall be reduced to the amount reasonably expected to be recouped.

(b) Assessments levied as monthly installments pursuant to

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s. 631.57(3)(e)3. or s. 631.914 which ~~that~~ are paid after policy surcharges are collected so that the recognition of assets is based on actual premium written offset by the obligation to the Florida Insurance Guaranty Association or the Florida Workers' Compensation Insurance Guaranty Association, Incorporated.

Section 3. Paragraph (e) of subsection (7) of section 627.062, Florida Statutes, is amended to read:

627.062 Rate standards.—

(7) The provisions of this subsection apply only to rates for medical malpractice insurance and control to the extent of any conflict with other provisions of this section.

(e) For medical malpractice rates subject to paragraph (2)(a), the medical malpractice insurer shall make an annual base a rate filing in accordance with s. 627.0645 ~~under this section~~, sworn to by at least two executive officers of the insurer, ~~at least once each calendar year.~~

Section 4. Subsection (1) of section 627.0645, Florida Statutes, is amended to read:

627.0645 Annual filings.—

(1) Each rating organization filing rates for, and each insurer writing, any line of property or casualty insurance to which this part applies, except:

(a) Workers' compensation and employer's liability insurance;

(b) Insurance as defined in ss. 624.604 and 624.605, limited to coverage of commercial risks other than commercial residential multiperil and medical malpractice insurance that is subject to s. 627.062(2)(a) and (f); or

(c) Travel insurance, if issued as a master group policy

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with a situs in another state where each certificateholder pays less than \$30 in premium for each covered trip and where the insurer has written less than \$1 million in annual written premiums in the travel insurance product in this state during the most recent calendar year,

shall make an annual base rate filing for each such line with the office no later than 12 months after its previous base rate filing, demonstrating that its rates are not inadequate.

Section 5. Section 627.4035, Florida Statutes, is amended to read:

627.4035 ~~Cash~~ Payment of premiums; claims.—

(1)(a) The premiums for insurance contracts issued in this state or covering risk located in this state must ~~shall~~ be paid in cash consisting of coins, currency, checks, electronic checks, drafts, or money orders or by using a debit card, credit card, automatic electronic funds transfer, or payroll deduction plan. ~~By July 1, 2007,~~ Insurers issuing personal lines residential and commercial property policies shall provide a premium payment plan option to their policyholders which allows for a minimum of quarterly and semiannual payment of premiums. Insurers may, but are not required to, offer monthly payment plans. Insurers issuing such policies must submit their premium payment plan option to the office for approval before use.

(b) If, due to insufficient funds, a payment of premium under this subsection by debit card, credit card, electronic funds transfer, or electronic check is returned, is declined, or cannot be processed, the insurer may impose an insufficient funds fee of up to \$15 per occurrence pursuant to the policy

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233 terms.

234 (2) Subsection (1) is not applicable to:

235 (a) Reinsurance agreements;

236 (b) Pension plans;

237 (c) Premium loans, whether or not subject to an automatic
238 provision;

239 (d) Dividends, whether to purchase additional paid-up
240 insurance or to shorten the dividend payment period;

241 (e) Salary deduction plans;

242 (f) Preauthorized check plans;

243 (g) Waivers of premiums on disability;

244 (h) Nonforfeiture provisions affording benefits under
245 supplementary contracts; or

246 (i) Such other methods of paying for life insurance as may
247 be permitted by the commission pursuant to rule or regulation.

248 (3) All payments of claims made in this state under any
249 contract of insurance shall be paid:

250 (a) In cash consisting of coins, currency, checks, drafts,
251 or money orders and, if by check or draft, shall be in such form
252 as will comply with the standards for cash items adopted by the
253 Federal Reserve System to facilitate the sorting, routing, and
254 mechanized processing of such items; or

255 (b) If authorized in writing by the recipient or the
256 recipient's representative, by debit card or any other form of
257 electronic transfer. Any fees or costs to be charged against the
258 recipient must be disclosed in writing to the recipient or the
259 recipient's representative at the time of written authorization.
260 However, the written authorization requirement may be waived by
261 the recipient or the recipient's representative if the insurer

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262 verifies the identity of the insured or the insured's recipient
263 and does not charge a fee for the transaction. If the funds are
264 misdirected, the insurer remains liable for the payment of the
265 claim.

266 Section 6. Subsection (5) is added to section 627.421,
267 Florida Statutes, to read:

268 627.421 Delivery of policy.—

269 (5) An electronically delivered document satisfies any
270 font, size, color, spacing, or other formatting requirement for
271 printed documents if the format in the electronically delivered
272 document has reasonably similar proportions or emphasis of the
273 characters relative to the rest of the electronic document or is
274 otherwise displayed in a reasonably conspicuous manner.

275 Section 7. Subsection (9) of section 627.7295, Florida
276 Statutes, is amended to read:

277 627.7295 Motor vehicle insurance contracts.—

278 ~~(9) (a) In addition to the methods provided in s.~~
279 ~~627.4035(1), premium for motor vehicle insurance contracts~~
280 ~~issued in this state or covering risk located in this state may~~
281 ~~be paid in cash in the form of a draft or drafts.~~

282 ~~(b) If, due to insufficient funds, payment of premium under~~
283 ~~this subsection by debit card, credit card, electronic funds~~
284 ~~transfer, or electronic check is returned, is declined, or~~
285 ~~cannot be processed, the insurer may impose an insufficient~~
286 ~~funds fee of up to \$15 per occurrence pursuant to the policy~~
287 ~~terms.~~

288 Section 8. This act shall take effect upon becoming a law.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: PCS/SB 458 (496256)

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on Criminal and Civil Justice); and Senators Brandes and Rouson

SUBJECT: Florida Criminal Justice Reform Task Force

DATE: April 4, 2017

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Sumner	Hrdlicka	CJ	Favorable
2. McAuliffe	Sadberry	ACJ	Recommend: Fav/CS
3. McAuliffe	Hansen	AP	Pre-meeting
4. _____	_____	RC	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/SB 458 creates a 28-member joint legislative entity called Florida Criminal Justice Reform Task Force for conducting a comprehensive review of the state's criminal justice system, court system, and corrections system. The task force must submit a report of its findings, conclusions, and recommendations for proposed legislation to the President of the Senate and the Speaker of the House of Representatives by the date of convening of the 2018 Regular Legislative Session (January 9, 2018). The task force will be assigned legislative support staff under an appointed executive director. Membership on the task force is prohibited for certain individuals and groups that provide corrections, mental health, substance abuse, reentry, or similar criminal justice-related services. The task force expires January 31, 2018.

The bill may increase workload for legislative staff and increase agency expenses relating to travel reimbursement for task force members. However, increases in workload and expenses should be absorbed within existing resources of the affected agencies. See Section V. C. below.

The bill is effective upon becoming law.

II. Present Situation:

The Florida Department of Corrections (DOC) is the third largest state prison system in the country. It incarcerates approximately 100,000 inmates in correctional facilities and supervises nearly 140,000. As of June 30, 2015, there were 11,000 correctional officers. The department's annual budget is \$2.4 billion for 2016.¹

According to an article in the February 2016 State Legislatures Magazine, at least 25 states have used what is commonly called justice reinvestment to develop and adopt prison reforms.² The process involves an analysis of the data on what drives prison populations and costs, enactment of policies that address those factors, investments that support carrying out the changes, and oversight and measurement to ensure the desired results are being achieved.

The article indicates that half the states have reduced their prison populations since 2009. Five states, Alabama, Idaho, Mississippi, Nebraska, and Utah, adopted reforms in 2014 and 2015 that have a collective projected savings or avoided cost of more than \$1.7 billion over the next two decades.³

In June 2016, the Florida Government Efficiency Task Force recommended that the Legislature introduce a bill for consideration during the 2017 Legislative Session to establish an inter-branch, bipartisan criminal justice task force of stakeholders from both inside and outside of state government to conduct an operational review of the DOC.⁴

The task force cited the prison population, the number of correctional officers, and the cost of maintaining this system as significant factors behind the need for a task force. It states that the \$2.4 billion budget represents more than half of the total \$4.9 billion appropriated to criminal and civil justice.

The task force also cited the 2015 Office of Program Policy and Accountability (OPPAGA) study on the DOC's operations as further rationale for reform.⁵ In 2015, OPPAGA contracted with an independent consultant for a study of operations of the DOC. Specifically, the report reviewed correctional officer staffing, security operations, inmate programs, and a risk and needs assessment.

The study found that DOC's staffing is inexperienced due to high turnover and the number of staff is insufficient.⁶ The rate of turnover in Fiscal Year 2014-15 was 17.6 percent and there were more than 2,900 separations.⁷ In addition, half of the correctional officers had less than 3.1 years

¹ Florida Department of Corrections. *Annual Report*, Fiscal Year 2014=2015
http://www.dc.state.fl.us/pub/annual/1415/FDC_AR2014-15.pdf.

² Allison Lawrence, *Justice Reinvestment: States Tackle Prison Reform*, *State Legislatures Magazine*, National Conference of State Legislatures, February 2016, available at <http://www.ncsl.org/bookstore/state-legislatures-magazine/prison-break.aspx> (last visited March 9, 2017).

³ *Id.*

⁴ Government Efficiency Task Force, *Final Report*, June 30, 2016.

⁵ OPPAGA, *Study of Operations of the Florida Department of Corrections*, Report No. 15-FDC, November 2015, available at <http://www.oppaga.state.fl.us/Summary.aspx?reportNum=15-FDC> (last visited March 9, 2017).

⁶ *Id.* at p. 122.

⁷ *Id.* at p. 18.

of work experience. The study also found that correctional officer staffing levels at times appeared to drop below the minimum acceptable levels.⁸ Many staff had not completed basic training; nearly 1,400 officers were on temporary employment authorization.

The study also found that certain policies or procedures led to inmate idleness, the mixing of populations, or the ability to move contraband articles, all of which could lead to violence or other problems arising within the facility and population.⁹ The perimeter security systems were found to be outdated, in poor operational condition, and fencing is in disrepair.¹⁰ “The study recommended the DOC review comprehensive staffing, perimeter security, emergency management plans, facility repairs, contraband and abuse policies, inmate safety and interaction policies, and inmate programs and their effectiveness.”¹¹

III. Effect of Proposed Changes:

The bill creates the Florida Criminal Justice Reform Task Force (task force) for conducting a comprehensive review of the state’s criminal justice system, court system, and corrections system.

Membership

The task force is composed of 28 members.

The following members are appointed:

- Two members of the Senate, appointed by the President of the Senate;
- Two members of the House of Representatives, appointed by the Speaker of the House of Representatives;
- Two circuit judges, one of whom must have presided over a mental health court or drug court, appointed by the chair of the Conference of Circuit Judges of Florida;
- Two county court judges, appointed by the chair of the Conference of County Court Judges;
- A justice of the Supreme Court or judge of a district court of appeal, appointed by the Chief Justice of the Supreme Court;
- A representative of the Florida State University Project on Accountable Justice, appointed by the chair of the organization’s executive board;
- Two county commissioners, appointed by the Florida Association of Counties;
- Appointed by the Governor from a list of three nominees recommended by the chairs of the committees in the Senate and the House of Representatives with jurisdiction over criminal justice matters, are:
 - A representative from a victim’s advocacy group;
 - A formerly incarcerated individual who has demonstrated exceptional commitment to rehabilitation and community improvement; and
 - Two representatives of the faith community, either clergy or employees of faith-based policy organizations.

⁸ *Id.* at pp. 28-30.

⁹ *Id.* at pp. 54, 72, 104, and 122.

¹⁰ *Id.* at p. 48.

¹¹ Government Efficiency Task Force, *Final Report*, June 30, 2016.

The rest of the membership consists of:

- The chairs of the committees of the Senate and House of Representatives with jurisdiction over criminal justice matters, or their designees;
- Two designees of the Executive Office of the Governor with demonstrated knowledge in the criminal justice field;
- The Attorney General or his or her designee;
- The Secretary of Corrections or his or her designee;
- The Secretary of Juvenile Justice or his or her designee;
- The president of the Florida Prosecuting Attorneys Association or his or her designee;
- The president of the Florida Public Defender Association or his or her designee;
- The president of the Florida Association of Criminal Defense Lawyers or his or her designee;
- The president of the Florida Sheriffs Association or his or her designee; and
- The president of the Florida Police Chiefs Association or his or her designee.

Terms of Membership

Task force appointments must be made within 30 days of the effective date of the bill. For those appointments that are selected from a list of nominees jointly recommended by the chairs of the Senate and House of Representatives committees with jurisdiction over criminal justice matters, the chairs must submit the names of nominees to the Governor within 15 days of the effective date of this act.

All members must serve the duration of the task force. The original appointing authority fills any vacancies. Membership must reflect the racial, gender, geographic, and economic diversity of the state, as well as the diversity and demographics of the state's prison population. Any member may be removed by the Governor for misfeasance, malfeasance, or willful neglect of duty.

Task force members serve without compensation but are entitled to receive reimbursement for per diem and travel expenses as provided in s. 112.061, F.S.

Membership on the task force is prohibited for individuals employed by or under contract with an entity that contracts with the state or local governments and for representatives from trade associations, professional groups, or other groups that provide corrections, mental health, substance abuse, reentry, or similar criminal justice-related services.

Duties

The task force is authorized and directed to study, evaluate, analyze, and undertake a comprehensive review of the state's adult criminal justice system, using a data-driven approach, to develop sentencing and corrections policy recommendations for proposed legislation. The policy recommendations must accomplish the following goals:

- Reduce correctional populations and associated correctional spending by focusing prison capacity on offenders who committed serious offenses or who are violent;
- Hold offenders accountable more efficiently by implementing or expanding research-based supervision and sentencing practices; and

- Reinvest savings into strategies shown to decrease recidivism, including reentry outcomes.

The task force is required to request technical assistance from nongovernmental research groups, including, but not limited to, the Justice Reinvestment Initiative.¹² The Department of Corrections, the Department of Law Enforcement, the Office of the State Courts Administrator, the Department of Juvenile Justice, the Office of Program Policy Analysis and Government Accountability, and any other state agency or department must provide assistance, data, and other information to the task force as requested.

Meetings

The task force must:

- Hold its first meeting within 60 days of the effective date of the bill, upon the call of the Senate President and the Speaker of the House of Representatives. At the first meeting, the task force elects a chair and any other offices the members deem necessary.
- Hold a minimum of four regular meetings.
- Meet upon the call of the chair or a request of a majority of the membership (a majority constitutes a quorum).

Written notice is required for all meetings at least 5 days before the date the meeting is scheduled. Emergency meetings may be scheduled at the request of the entire membership and without the 5-day written notice. All meetings must be open to the public.

Staffing

The President of the Senate and the Speaker of the House of Representatives jointly appoint an executive director and are authorized to assign legislative staff to provide support for the task force.

Task Force Records

The task force is subject to policies governing public records disclosure prescribed in the joint rules of the Senate and House of Representatives. The task force shall maintain records of its meetings.

Report

The task force must submit a report of its findings, conclusions, and recommendations for proposed legislation to the President of the Senate and the Speaker of the House of Representatives by the date of convening of the 2018 Regular Session of the Legislature (January

¹² The U.S. Department of Justice's Office of Justice Programs administers the Justice Reinvestment Initiative. Generally, a state that requests assistance is assigned a technical assistance provider to provide guidance to the state to review the state's criminal justice system and make recommendations for reform. However, as of January 2012, the program was not accepting new sites. Office of Justice Programs, Bureau of Justice Administration, Justice Reinvestment Initiative, *How Do I Participate? State Site Selection Process*, available at https://www.bja.gov/programs/justicereinvestment/how_do_i_participate.html (last visited March 9, 2017).

9, 2018). Upon submission of the report, the task force is dissolved and discharged of further duties.

Expiration

This section expires January 31, 2018.

The act takes effect upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

PCS/SB 458 requires the presiding officers of the Legislature to appoint an executive director and assign staff to assist the task force. Most likely, this workload will be absorbed within existing legislative resources.

The bill allows task force members to be reimbursed travel costs. It is unclear which governmental entity will be responsible for such costs for those members not headquartered in Tallahassee. If the Office of Legislative Services (OLS) is assigned the obligation for reimbursement of travel expenses, there will be a nominal impact to the OLS budget,¹³ and should not exceed \$50,000.

¹³ Office of Legislative Services, Bill Analysis for Senate Bill 458, January 27, 2017.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

None.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

Recommended CS by Appropriations Subcommittee on Criminal and Civil Justice on March 22, 2017:

The committee substitute makes membership on the task force prohibited for individuals employed by or under contract with an entity that contracts with the state or local governments and for representatives from trade associations, professional groups, or other groups that provide corrections, mental health, substance abuse, reentry, or similar criminal justice-related services.

B. Amendments:

None.



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Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on Criminal and Civil Justice)

A bill to be entitled

An act relating to the Florida Criminal Justice Reform Task Force; creating the task force within the legislative branch; specifying membership of the task force; establishing the manner of appointments and the terms of membership; prescribing duties of the task force; specifying requirements for meetings of the task force; requiring the task force to submit a report to the Legislature by a specified date; providing for staffing; specifying public records and public meetings requirements applicable to the task force; authorizing reimbursement for per diem and travel expenses; providing for expiration; providing an effective date.

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

Section 1. Florida Criminal Justice Reform Task Force.—The Florida Criminal Justice Reform Task Force is created within the legislative branch of state government for the purpose of conducting a comprehensive review of the state's criminal justice system, court system, and corrections system.

(1) MEMBERSHIP.—The task force is composed of 28 members, as follows:

(a) Two members of the Senate, appointed by the President of the Senate, not including any member designated pursuant to paragraph (k).



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(b) Two members of the House of Representatives, appointed by the Speaker of the House of Representatives, not including any member designated pursuant to paragraph (k).

(c) Two circuit judges, one of whom must have presided over a mental health court or drug court, appointed by the chair of the Conference of Circuit Judges of Florida.

(d) Two county court judges, appointed by the chair of the Conference of County Court Judges of Florida.

(e) A justice of the Supreme Court or judge of a district court of appeal, appointed by the Chief Justice of the Supreme Court.

(f) A representative of the Florida State University Project on Accountable Justice, appointed by the chair of the organization's executive board.

(g) A representative from a victim's advocacy group, appointed by the Governor from a list of three nominees recommended by the chairs of the committees in the Senate and the House of Representatives with jurisdiction over criminal justice matters.

(h) Two county commissioners, appointed by the Florida Association of Counties.

(i) A formerly incarcerated individual who has demonstrated exceptional commitment to rehabilitation and community improvement, appointed by the Governor from a list of three nominees jointly recommended by the chairs of the committees in the Senate and House of Representatives with jurisdiction over criminal justice matters.

(j) Two representatives of the faith community, either clergy or employees of faith-based policy organizations,



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57 appointed by the Governor from a list of three nominees jointly
58 recommended by the chairs of the committees in the Senate and
59 the House of Representatives with jurisdiction over criminal
60 justice matters.

61 (k) The chairs of the committees of the Senate and House of
62 Representatives with jurisdiction over criminal justice matters,
63 or their designees.

64 (l) Two designees of the Executive Office of the Governor
65 with demonstrated knowledge in the criminal justice field.

66 (m) The Attorney General or his or her designee.

67 (n) The Secretary of Corrections or his or her designee.

68 (o) The Secretary of Juvenile Justice or his or her
69 designee.

70 (p) The president of the Florida Prosecuting Attorneys
71 Association or his or her designee.

72 (q) The president of the Florida Public Defender
73 Association or his or her designee.

74 (r) The president of the Florida Association of Criminal
75 Defense Lawyers or his or her designee.

76 (s) The president of the Florida Sheriffs Association or
77 his or her designee.

78 (t) The president of the Florida Police Chiefs Association
79 or his or her designee.

80 (2) TERMS OF MEMBERSHIP.-Appointments to the task force
81 shall be made within 30 days of the effective date of this act.
82 For appointments that are selected from a list of nominees
83 jointly recommended by the chairs of the committees of the
84 Senate and the House of Representatives with jurisdiction over
85 criminal justice matters, the respective chairs shall submit the



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86 names of nominees to the Governor within 15 days of the
87 effective date of this act. All members shall serve for the
88 duration of the task force. Any vacancy shall be filled by the
89 original appointing authority for the remainder of the task
90 force. The task force membership must reflect the racial,
91 gender, geographic, and economic diversity of the state, as well
92 as the diversity and demographics of the state's prison
93 population. Individuals employed by or under contract with an
94 entity that contracts with the state or local governments to
95 provide corrections, mental health, substance abuse, reentry, or
96 similar criminal justice-related services are not eligible for
97 membership on the task force. Representatives from trade
98 associations, professional groups, or other organizations whose
99 membership or board consists of entities that provide
100 corrections, mental health, substance abuse, reentry, or similar
101 criminal justice-related services are not eligible for
102 membership on the task force. Any member may be removed by the
103 Governor for misfeasance, malfeasance, or willful neglect of
104 duty.

105 (3) DUTIES.-

106 (a) The task force is authorized and directed to study,
107 evaluate, analyze, and undertake a comprehensive review of the
108 state's adult criminal justice system, using a data-driven
109 approach, to develop sentencing and corrections policy
110 recommendations for proposed legislation that will accomplish
111 the following goals:

112 1. Reduce correctional populations and associated
113 correctional spending by focusing prison capacity on serious
114 offenses and violent criminals.



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115 2. Hold offenders accountable more efficiently by
116 implementing or expanding research-based supervision and
117 sentencing practices.

118 3. Reinvest savings into strategies shown to decrease
119 recidivism, including reentry outcomes.

120 (b) The task force shall request technical assistance from
121 nongovernmental research groups, including, but not limited to,
122 the Justice Reinvestment Initiative. The Department of
123 Corrections, the Department of Law Enforcement, the Office of
124 the State Courts Administrator, the Department of Juvenile
125 Justice, the Office of Program Policy Analysis and Government
126 Accountability, and any other state agency or department shall
127 provide assistance, data, and other information to the task
128 force upon request.

129 (4) MEETINGS.—The task force shall hold its first meeting
130 within 60 days of the effective date of this act, upon the call
131 of the President of the Senate and the Speaker of the House of
132 Representatives. At the first meeting, the task force shall
133 elect a chair and any other offices as it deems necessary from
134 among its membership. The task force shall hold a minimum of
135 four regular meetings. The task force shall meet upon the call
136 of the chair or a request of a majority of the membership. A
137 majority of the membership of the task force constitutes a
138 quorum. All members must be notified in writing of all meetings
139 at least 5 days before the date on which a meeting of the task
140 force is scheduled. However, an emergency meeting may be held
141 without the 5 days' written notice if the meeting is scheduled
142 at the request of the entire membership.

143 (5) REPORT.—The task force shall submit a report of its



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144 findings, conclusions, and recommendations for proposed
145 legislation to the President of the Senate and the Speaker of
146 the House of Representatives by the date of convening of the
147 2018 Regular Session of the Legislature. Upon submission of the
148 report, the task force is dissolved and discharged of further
149 duties.

150 (6) STAFFING.—The President of the Senate and the Speaker
151 of the House of Representatives shall appoint an executive
152 director and are authorized to assign legislative staff to
153 provide support for the task force.

154 (7) PUBLIC RECORDS AND PUBLIC MEETINGS.—The task force is
155 subject to policies governing public records disclosure
156 prescribed in the joint rules of the Senate and the House of
157 Representatives. All meetings of the task force must be open to
158 the public, and regularly scheduled meetings must be publicly
159 noticed at least 5 days before the date of the meeting. The task
160 force shall maintain records of its meetings.

161 (8) PER DIEM AND TRAVEL EXPENSES.—Task force members shall
162 serve without compensation but are entitled to receive
163 reimbursement for per diem and travel expenses as provided in s.
164 112.061, Florida Statutes.

165 (9) EXPIRATION.—This section expires January 31, 2018.

166 Section 2. This act shall take effect upon becoming a law.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: CS/SB 458

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on Criminal and Civil Justice); and Senators Brandes and Rouson

SUBJECT: Florida Criminal Justice Reform Task Force

DATE: April 7, 2017

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Sumner	Hrdlicka	CJ	Favorable
2. McAuliffe	Sadberry	ACJ	Recommend: Fav/CS
3. McAuliffe	Hansen	AP	Fav/CS
4. _____	_____	RC	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 458 creates a 28-member joint legislative entity called Florida Criminal Justice Reform Task Force for conducting a comprehensive review of the state's criminal justice system, court system, and corrections system. The task force must submit a report of its findings, conclusions, and recommendations for proposed legislation to the President of the Senate and the Speaker of the House of Representatives by the date of convening of the 2018 Regular Legislative Session (January 9, 2018). The task force will be assigned legislative support staff under an appointed executive director. Membership on the task force is prohibited for certain individuals and groups that provide corrections, mental health, substance abuse, reentry, or similar criminal justice-related services. The task force expires January 31, 2018.

The bill may increase workload for legislative staff and increase agency expenses relating to travel reimbursement for task force members. However, increases in workload and expenses should be absorbed within existing resources of the affected agencies. See Section V. C. below.

The bill is effective upon becoming law.

II. Present Situation:

The Florida Department of Corrections (DOC) is the third largest state prison system in the country. It incarcerates approximately 100,000 inmates in correctional facilities and supervises nearly 140,000. As of June 30, 2015, there were 11,000 correctional officers. The department's annual budget is \$2.4 billion for 2016.¹

According to an article in the February 2016 State Legislatures Magazine, at least 25 states have used what is commonly called justice reinvestment to develop and adopt prison reforms.² The process involves an analysis of the data on what drives prison populations and costs, enactment of policies that address those factors, investments that support carrying out the changes, and oversight and measurement to ensure the desired results are being achieved.

The article indicates that half the states have reduced their prison populations since 2009. Five states, Alabama, Idaho, Mississippi, Nebraska, and Utah, adopted reforms in 2014 and 2015 that have a collective projected savings or avoided cost of more than \$1.7 billion over the next two decades.³

In June 2016, the Florida Government Efficiency Task Force recommended that the Legislature introduce a bill for consideration during the 2017 Legislative Session to establish an inter-branch, bipartisan criminal justice task force of stakeholders from both inside and outside of state government to conduct an operational review of the DOC.⁴

The task force cited the prison population, the number of correctional officers, and the cost of maintaining this system as significant factors behind the need for a task force. It states that the \$2.4 billion budget represents more than half of the total \$4.9 billion appropriated to criminal and civil justice.

The task force also cited the 2015 Office of Program Policy and Accountability (OPPAGA) study on the DOC's operations as further rationale for reform.⁵ In 2015, OPPAGA contracted with an independent consultant for a study of operations of the DOC. Specifically, the report reviewed correctional officer staffing, security operations, inmate programs, and a risk and needs assessment.

The study found that DOC's staffing is inexperienced due to high turnover and the number of staff is insufficient.⁶ The rate of turnover in Fiscal Year 2014-15 was 17.6 percent and there were more than 2,900 separations.⁷ In addition, half of the correctional officers had less than 3.1 years

¹ Florida Department of Corrections. *Annual Report*, Fiscal Year 2014=2015
http://www.dc.state.fl.us/pub/annual/1415/FDC_AR2014-15.pdf.

² Allison Lawrence, *Justice Reinvestment: States Tackle Prison Reform*, *State Legislatures Magazine*, National Conference of State Legislatures, February 2016, available at <http://www.ncsl.org/bookstore/state-legislatures-magazine/prison-break.aspx> (last visited March 9, 2017).

³ *Id.*

⁴ Government Efficiency Task Force, *Final Report*, June 30, 2016.

⁵ OPPAGA, *Study of Operations of the Florida Department of Corrections*, Report No. 15-FDC, November 2015, available at <http://www.oppaga.state.fl.us/Summary.aspx?reportNum=15-FDC> (last visited March 9, 2017).

⁶ *Id.* at p. 122.

⁷ *Id.* at p. 18.

of work experience. The study also found that correctional officer staffing levels at times appeared to drop below the minimum acceptable levels.⁸ Many staff had not completed basic training; nearly 1,400 officers were on temporary employment authorization.

The study also found that certain policies or procedures led to inmate idleness, the mixing of populations, or the ability to move contraband articles, all of which could lead to violence or other problems arising within the facility and population.⁹ The perimeter security systems were found to be outdated, in poor operational condition, and fencing is in disrepair.¹⁰ “The study recommended the DOC review comprehensive staffing, perimeter security, emergency management plans, facility repairs, contraband and abuse policies, inmate safety and interaction policies, and inmate programs and their effectiveness.”¹¹

III. Effect of Proposed Changes:

The bill creates the Florida Criminal Justice Reform Task Force (task force) for conducting a comprehensive review of the state’s criminal justice system, court system, and corrections system.

Membership

The task force is composed of 28 members.

The following members are appointed:

- Two members of the Senate, appointed by the President of the Senate;
- Two members of the House of Representatives, appointed by the Speaker of the House of Representatives;
- Two circuit judges, one of whom must have presided over a mental health court or drug court, appointed by the chair of the Conference of Circuit Judges of Florida;
- Two county court judges, appointed by the chair of the Conference of County Court Judges;
- A justice of the Supreme Court or judge of a district court of appeal, appointed by the Chief Justice of the Supreme Court;
- A representative of the Florida State University Project on Accountable Justice, appointed by the chair of the organization’s executive board;
- Two county commissioners, appointed by the Florida Association of Counties;
- Appointed by the Governor from a list of three nominees recommended by the chairs of the committees in the Senate and the House of Representatives with jurisdiction over criminal justice matters, are:
 - A representative from a victim’s advocacy group;
 - A formerly incarcerated individual who has demonstrated exceptional commitment to rehabilitation and community improvement; and
 - Two representatives of the faith community, either clergy or employees of faith-based policy organizations.

⁸ *Id.* at pp. 28-30.

⁹ *Id.* at pp. 54, 72, 104, and 122.

¹⁰ *Id.* at p. 48.

¹¹ Government Efficiency Task Force, *Final Report*, June 30, 2016.

The rest of the membership consists of:

- The chairs of the committees of the Senate and House of Representatives with jurisdiction over criminal justice matters, or their designees;
- Two designees of the Executive Office of the Governor with demonstrated knowledge in the criminal justice field;
- The Attorney General or his or her designee;
- The Secretary of Corrections or his or her designee;
- The Secretary of Juvenile Justice or his or her designee;
- The president of the Florida Prosecuting Attorneys Association or his or her designee;
- The president of the Florida Public Defender Association or his or her designee;
- The president of the Florida Association of Criminal Defense Lawyers or his or her designee;
- The president of the Florida Sheriffs Association or his or her designee; and
- The president of the Florida Police Chiefs Association or his or her designee.

Terms of Membership

Task force appointments must be made within 30 days of the effective date of the bill. For those appointments that are selected from a list of nominees jointly recommended by the chairs of the Senate and House of Representatives committees with jurisdiction over criminal justice matters, the chairs must submit the names of nominees to the Governor within 15 days of the effective date of this act.

All members must serve the duration of the task force. The original appointing authority fills any vacancies. Membership must reflect the racial, gender, geographic, and economic diversity of the state, as well as the diversity and demographics of the state's prison population. Any member may be removed by the Governor for misfeasance, malfeasance, or willful neglect of duty.

Task force members serve without compensation but are entitled to receive reimbursement for per diem and travel expenses as provided in s. 112.061, F.S.

Membership on the task force is prohibited for individuals employed by or under contract with an entity that contracts with the state or local governments and for representatives from trade associations, professional groups, or other groups that provide corrections, mental health, substance abuse, reentry, or similar criminal justice-related services.

Duties

The task force is authorized and directed to study, evaluate, analyze, and undertake a comprehensive review of the state's adult criminal justice system, using a data-driven approach, to develop sentencing and corrections policy recommendations for proposed legislation. The policy recommendations must accomplish the following goals:

- Reduce correctional populations and associated correctional spending by focusing prison capacity on offenders who committed serious offenses or who are violent;
- Hold offenders accountable more efficiently by implementing or expanding research-based supervision and sentencing practices; and

- Reinvest savings into strategies shown to decrease recidivism, including reentry outcomes.

The task force is required to request technical assistance from nongovernmental research groups, including, but not limited to, the Justice Reinvestment Initiative.¹² The Department of Corrections, the Department of Law Enforcement, the Office of the State Courts Administrator, the Department of Juvenile Justice, the Office of Program Policy Analysis and Government Accountability, and any other state agency or department must provide assistance, data, and other information to the task force as requested.

Meetings

The task force must:

- Hold its first meeting within 60 days of the effective date of the bill, upon the call of the Senate President and the Speaker of the House of Representatives. At the first meeting, the task force elects a chair and any other offices the members deem necessary.
- Hold a minimum of four regular meetings.
- Meet upon the call of the chair or a request of a majority of the membership (a majority constitutes a quorum).

Written notice is required for all meetings at least 5 days before the date the meeting is scheduled. Emergency meetings may be scheduled at the request of the entire membership and without the 5-day written notice. All meetings must be open to the public.

Staffing

The President of the Senate and the Speaker of the House of Representatives jointly appoint an executive director and are authorized to assign legislative staff to provide support for the task force.

Task Force Records

The task force is subject to policies governing public records disclosure prescribed in the joint rules of the Senate and House of Representatives. The task force shall maintain records of its meetings.

Report

The task force must submit a report of its findings, conclusions, and recommendations for proposed legislation to the President of the Senate and the Speaker of the House of Representatives by the date of convening of the 2018 Regular Session of the Legislature (January

¹² The U.S. Department of Justice's Office of Justice Programs administers the Justice Reinvestment Initiative. Generally, a state that requests assistance is assigned a technical assistance provider to provide guidance to the state to review the state's criminal justice system and make recommendations for reform. However, as of January 2012, the program was not accepting new sites. Office of Justice Programs, Bureau of Justice Administration, Justice Reinvestment Initiative, *How Do I Participate? State Site Selection Process*, available at https://www.bja.gov/programs/justicereinvestment/how_do_i_participate.html (last visited March 9, 2017).

9, 2018). Upon submission of the report, the task force is dissolved and discharged of further duties.

Expiration

This section expires January 31, 2018.

The act takes effect upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

CS/SB 458 requires the presiding officers of the Legislature to appoint an executive director and assign staff to assist the task force. Most likely, this workload will be absorbed within existing legislative resources.

The bill allows task force members to be reimbursed travel costs. It is unclear which governmental entity will be responsible for such costs for those members not headquartered in Tallahassee. If the Office of Legislative Services (OLS) is assigned the obligation for reimbursement of travel expenses, there will be a nominal impact to the OLS budget,¹³ and should not exceed \$50,000.

¹³ Office of Legislative Services, Bill Analysis for Senate Bill 458, January 27, 2017.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

None.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

Recommended CS by Appropriations Subcommittee on Criminal and Civil Justice on March 22, 2017:

The committee substitute makes membership on the task force prohibited for individuals employed by or under contract with an entity that contracts with the state or local governments and for representatives from trade associations, professional groups, or other groups that provide corrections, mental health, substance abuse, reentry, or similar criminal justice-related services.

B. Amendments:

None.

By Senator Brandes

24-00551-17

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A bill to be entitled

An act relating to the Florida Criminal Justice Reform Task Force; creating the task force within the legislative branch; specifying membership of the task force; establishing the manner of appointments and the terms of membership; prescribing duties of the task force; specifying requirements for meetings of the task force; requiring the task force to submit a report to the Legislature by a specified date; providing for staffing; specifying public records and public meetings requirements applicable to the task force; authorizing reimbursement for per diem and travel expenses; providing for expiration; providing an effective date.

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

Section 1. Florida Criminal Justice Reform Task Force.—The Florida Criminal Justice Reform Task Force is created within the legislative branch of state government for the purpose of conducting a comprehensive review of the state's criminal justice system, court system, and corrections system.

(1) MEMBERSHIP.—The task force is composed of 28 members, as follows:

(a) Two members of the Senate, appointed by the President of the Senate, not including any member designated pursuant to paragraph (k).

(b) Two members of the House of Representatives, appointed by the Speaker of the House of Representatives, not including any member designated pursuant to paragraph (k).

(c) Two circuit judges, one of whom must have presided over a mental health court or drug court, appointed by the chair of

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the Conference of Circuit Judges of Florida.

(d) Two county court judges, appointed by the chair of the Conference of County Court Judges of Florida.

(e) A justice of the Supreme Court or judge of a district court of appeal, appointed by the Chief Justice of the Supreme Court.

(f) A representative of the Florida State University Project on Accountable Justice, appointed by the chair of the organization's executive board.

(g) A representative from a victim's advocacy group, appointed by the Governor from a list of three nominees recommended by the chairs of the committees in the Senate and the House of Representatives with jurisdiction over criminal justice matters.

(h) Two county commissioners, appointed by the Florida Association of Counties.

(i) A formerly incarcerated individual who has demonstrated exceptional commitment to rehabilitation and community improvement, appointed by the Governor from a list of three nominees jointly recommended by the chairs of the committees in the Senate and House of Representatives with jurisdiction over criminal justice matters.

(j) Two representatives of the faith community, either clergy or employees of faith-based policy organizations, appointed by the Governor from a list of three nominees jointly recommended by the chairs of the committees in the Senate and the House of Representatives with jurisdiction over criminal justice matters.

(k) The chairs of the committees of the Senate and House of

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Representatives with jurisdiction over criminal justice matters, or their designees.

(l) Two designees of the Executive Office of the Governor with demonstrated knowledge in the criminal justice field.

(m) The Attorney General or his or her designee.

(n) The Secretary of Corrections or his or her designee.

(o) The Secretary of Juvenile Justice or his or her designee.

(p) The president of the Florida Prosecuting Attorneys Association or his or her designee.

(q) The president of the Florida Public Defender Association or his or her designee.

(r) The president of the Florida Association of Criminal Defense Lawyers or his or her designee.

(s) The president of the Florida Sheriffs Association or his or her designee.

(t) The president of the Florida Police Chiefs Association or his or her designee.

(2) TERMS OF MEMBERSHIP.—Appointments to the task force shall be made within 30 days of the effective date of this act. For appointments that are selected from a list of nominees jointly recommended by the chairs of the committees of the Senate and the House of Representatives with jurisdiction over criminal justice matters, the respective chairs shall submit the names of nominees to the Governor within 15 days of the effective date of this act. All members shall serve for the duration of the task force. Any vacancy shall be filled by the original appointing authority for the remainder of the task force. The task force membership must reflect the racial,

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gender, geographic, and economic diversity of the state, as well as the diversity and demographics of the state's prison population. Any member may be removed by the Governor for misfeasance, malfeasance, or willful neglect of duty.

(3) DUTIES.—

(a) The task force is authorized and directed to study, evaluate, analyze, and undertake a comprehensive review of the state's adult criminal justice system, using a data-driven approach, to develop sentencing and corrections policy recommendations for proposed legislation that will accomplish the following goals:

1. Reduce correctional populations and associated correctional spending by focusing prison capacity on serious offenses and violent criminals.

2. Hold offenders accountable more efficiently by implementing or expanding research-based supervision and sentencing practices.

3. Reinvest savings into strategies shown to decrease recidivism, including reentry outcomes.

(b) The task force shall request technical assistance from nongovernmental research groups, including, but not limited to, the Justice Reinvestment Initiative. The Department of Corrections, the Department of Law Enforcement, the Office of the State Courts Administrator, the Department of Juvenile Justice, the Office of Program Policy Analysis and Government Accountability, and any other state agency or department shall provide assistance, data, and other information to the task force upon request.

(4) MEETINGS.—The task force shall hold its first meeting

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120 within 60 days of the effective date of this act, upon the call
 121 of the President of the Senate and the Speaker of the House of
 122 Representatives. At the first meeting, the task force shall
 123 elect a chair and any other offices as it deems necessary from
 124 among its membership. The task force shall hold a minimum of
 125 four regular meetings. The task force shall meet upon the call
 126 of the chair or a request of a majority of the membership. A
 127 majority of the membership of the task force constitutes a
 128 quorum. All members must be notified in writing of all meetings
 129 at least 5 days before the date on which a meeting of the task
 130 force is scheduled. However, an emergency meeting may be held
 131 without the 5 days' written notice if the meeting is scheduled
 132 at the request of the entire membership.

133 (5) REPORT.—The task force shall submit a report of its
 134 findings, conclusions, and recommendations for proposed
 135 legislation to the President of the Senate and the Speaker of
 136 the House of Representatives by the date of convening of the
 137 2018 Regular Session of the Legislature. Upon submission of the
 138 report, the task force is dissolved and discharged of further
 139 duties.

140 (6) STAFFING.—The President of the Senate and the Speaker
 141 of the House of Representatives shall appoint an executive
 142 director and are authorized to assign legislative staff to
 143 provide support for the task force.

144 (7) PUBLIC RECORDS AND PUBLIC MEETINGS.—The task force is
 145 subject to policies governing public records disclosure
 146 prescribed in the joint rules of the Senate and the House of
 147 Representatives. All meetings of the task force must be open to
 148 the public, and regularly scheduled meetings must be publicly

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149 noticed at least 5 days before the date of the meeting. The task
 150 force shall maintain records of its meetings.

151 (8) PER DIEM AND TRAVEL EXPENSES.—Task force members shall
 152 serve without compensation but are entitled to receive
 153 reimbursement for per diem and travel expenses as provided in s.
 154 112.061, Florida Statutes.

155 (9) EXPIRATION.—This section expires January 31, 2018.
 156 Section 2. This act shall take effect upon becoming a law.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: CS/CS/SB 790

INTRODUCER: Appropriations Committee; Criminal Justice Committee; and Senator Brandes

SUBJECT: Probation and Community Control

DATE: April 7, 2017

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Sumner	Hrdlicka	CJ	Fav/CS
2.	McAuliffe	Hansen	AP	Fav/CS
3.			RC	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 790 amends s. 948.06, F.S., to address the recent court decision in *Mobley v. State*, 197 So. 3d 572 (4th DCA 2016). The court in *Mobley* held that a warrant issued under s. 901.02, F.S., does not toll an offender's supervision unless the warrant was for a new crime, not just a violation of the conditions of supervision. A probation term is not currently tolled for a technical violation under s. 948.06(1)(f), F.S. This allows the term of probation to expire prior to resolution of any technical violation. The bill removes the reference to s. 901.02, F.S., in s. 948.06(1)(f), F.S., to clarify that a warrant tolling supervision may be issued for a violation of the terms and conditions of the supervision, and that a crime need not be committed for tolling to occur.

This bill revises various sections of ch. 948, F.S., to clarify and update provisions in order to conform to current law and current practices of the Department of Corrections (department).

This bill is not expected to impact state or local government revenues or expenditures.

The bill is effective July 1, 2017, except for Section 4 of the bill, which is effective October 1, 2017 (specifies the ineligibility for administrative probation for certain offenders).

II. Present Situation:

Probation

The Department of Corrections supervises more than 168,000 adult offenders. These offenders are monitored and supervised by probation officers located in 130 probation offices throughout Florida. This includes offenders released from prison on parole, conditional release, or conditional medical release and offenders placed on court ordered supervision including probation, administrative probation, drug offender probation, sex offender probation, and community control.¹

Issuance of Arrest Warrants

Section 901.02(1), F.S., requires a judge to sign and issue an arrest warrant if the judge decides that probable cause exists to issue the arrest warrant for any crime committed within the judge's jurisdiction.

Section 901.02(2), F.S., provides that the court may issue a warrant for the defendant's arrest when all of the following circumstances apply:

- A complaint has been filed charging the commission of a misdemeanor only.
- The summons issued to the defendant has been returned unserved.
- The judge finds that probable cause exists to issue the arrest warrant.

A judge may electronically sign² an arrest warrant if the judge determines that the complaint:

- Bears the affiant's signature or electronic signature if the complaint was submitted electronically.
- Is supported by an oath or affirmation administered by the judge or other person authorized by law to administer oaths.
- If submitted electronically, is submitted by reliable electronic means.

Arrest for Violation of Probation or Community Control

During probation or community control, under s. 948.06, F.S., if a person violates the terms of his or her probation or community, then any law enforcement officer or parole or probation officer can arrest the person. The arrest may be made with or without a warrant. A judge can also issue a warrant for the person's arrest, or the committing trial court judge can issue a notice to appear, depending on the type of violation.

Until the court enters a ruling, under s. 948.06(1)(f), F.S., the person's probation period is tolled upon the filing of an affidavit alleging a violation of probation or community control and following issuance of a warrant under s. 901.02, F.S., or a warrantless arrest or a notice to appear under s. 948.06, F.S.

¹ Florida Department of Corrections, *Introduction to Community Corrections*, available at <http://www.dc.state.fl.us/facilities/comcor/> (last visited March 7, 2017).

² Section 933.40(1)(d), F.S., defines "electronic signature" as any letters, characters, symbols, or process manifested by electronic or similar means and attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

Mobley v. State

In *Mobley v. State*, 197 So. 3d 572 (4th DCA 2016), the court held that a warrant purportedly issued under s. 901.02, F.S., does not toll an offender's supervision unless the warrant was for a new crime, not just a violation of the conditions of supervision.

Facts in the Case

In the case, Mr. Mobley had pled no contest to various charges stemming from two cases and was placed on eighteen months' probation on March 7, 2011. The probation was set to expire on September 7, 2012. On August 9, 2012, a probation officer filed affidavits in both cases alleging that Mr. Mobley violated his probation by failing to make both restitution payments and a drug testing fee payment. The same day, the trial court issued warrants to arrest him based on those affidavits.

Mr. Mobley's probation was extended by two years for the violations in the affidavits, but this occurred twenty days after his probation was scheduled to expire. After this extension, Mr. Mobley led police on a high-speed motorcycle chase and was again charged with violation of probation for various reasons including the chase.

After a hearing on his violation of probation relating to the chase, the trial court found that he violated his probation and sentenced him to 332.95 months in prison based on his original offenses from March 2011.

Mr. Mobley argued that because his probation expired on September 7, 2012, that its subsequent extension and later revocation must be reversed because the trial court lacked subject matter jurisdiction.³

Analysis

The court stated that s. 948.06(1)(f), F.S., is clear that a warrant under s. 901.02, F.S., is required in order for the probationary period to be tolled (except when one of the other two alternatives are applicable). The court further stated that s. 901.02, F.S., requires that the warrant be for a "crime." In this case, the warrants were for violations of probation based on the failure to make restitution payments and a payment for drug testing which are not crimes. The court found that the warrants issued under s. 901.02, F.S., were never tolled.

The court reversed and remanded the case to the trial court. The state subsequently filed a Motion to Certify Question of Great Public Importance. The Fourth District Court of Appeal granted the motion and certified the following question to the Florida Supreme Court:

IN A SITUATION WHERE THERE IS NO WARRANTLESS
ARREST OR NOTICE TO APPEAR, CAN A WARRANT THAT DOES
NOT ALLEGE A PROBATIONER COMMITTED A NEW CRIME BE

³ This portion of the analysis is adapted from *Mobley v. State*, 197 So. 3d 572 at 573 (4th DCA 2016).

CONSIDERED A WARRANT ISSUED UNDER SECTION 901.02 OF
THE FLORIDA STATUTES FOR THE PURPOSE OF TOLLING A
PROBATIONARY PERIOD PURSUANT TO SECTION 948.06(1)(f)⁴

The Florida Supreme Court declined the certificate for question.⁵

III. Effect of Proposed Changes:

Issuance of Arrest Warrants

Section 9 amends s. 948.06(1)(f), F.S., to delete the reference to s. 901.02, F.S., related to the issuance of a warrant based on an affidavit alleging a violation of probation or community control. According to the department, this change will correct the statutory deficiency identified in *Mobley*. By removing the reference to s. 901.02, F.S., in s. 948.06(1)(f), F.S., it clarifies that a warrant issued for a violation of the terms and conditions of the supervision tolls the person's probation period and that a crime need not be committed for tolling to occur.

Under current law, the chief judge of a judicial circuit may direct the department to use a notification letter of a technical violation in lieu of a violation report, affidavit, and warrant when the alleged violation is not a new felony or misdemeanor offense. The bill also amends s. 948.06(1)(g), F.S., to allow the court to direct the department to use a notification letter in lieu of a notice to appear.

Administrative Probation

Administrative probation is “a form of non-contact supervision in which an offender who represents a low risk of harm to the community may be placed on non-reporting status until expiration of the term of supervision.”⁶

Section 1 amends s. 948.001, F.S., to update the definition of “administrative probation” and provide a cross-reference to s. 948.013, F.S., which provides the requirements to administrative probation.

Section 4 amends s. 948.013, F.S., to specify that the current provisions of ineligibility for administrative probation for certain offenders apply to persons whose crimes were committed after July 1, 1998, but before October 1, 2017. It further provides that a person is ineligible for administrative probation if he or she is convicted of any sexual felony offense listed in ss. 775.21 and 943.0435, F.S., committed on or after July 1, 2017. This change eliminates the need to update the list when new offenses are added. This change excludes all sexual predators and offenders from being eligible for administrative probation.⁷

⁴ *Mobley v. State*, 192 So. 3d 622 (4th DCA 2016).

⁵ *State v. Mobley*, SC16-936, 2016 Fla. LEXIS 1174 (Fla. 2016).

⁶ Department of Corrections, *Community Supervision Definitions*, available at <http://www.dc.state.fl.us/facilities/comcorinfo/definitions.html> (last visited March 8, 2017).

⁷ Department of Corrections, *2017 Agency Legislative Bill Analysis: SB 790*, February 12, 2017.

Uniform Order of Supervision

The department, in consultation with the Office of State Courts Administrator, developed and disseminated to the courts uniform order of supervision forms in 2009.⁸ **Section 2** clarifies that the uniform order of supervision forms are *revised* each year and *made available* to the courts in s. 948.01(1)(b), F.S.

Addiction Recovery Supervision

Addiction recovery supervision is “mandatory post-prison supervision for offenders released from a state correctional facility who have a history of substance abuse or addiction or have participated in any drug treatment, and have not been convicted of a disqualifying offense.”⁹ **Section 3** amends s. 948.012, F.S., to include a reference to s. 944.4731(2)(b), F.S.,¹⁰ clarifying that inmates released to addiction recovery supervision who also have probation or community control to follow release must serve the addiction recovery supervision period first.

Conditions of Probation or Community Control

Community Service

Section 6 amends s. 948.031, F.S., to change the term “public service” to the term “community service.” The department states that the purpose of the change is to emphasize that the work is done as a service to the community.¹¹

Residential Treatment Programs

Section 7 updates s. 948.035(3), F.S., to reflect the current process for offenders to be referred and evaluated for residential treatment programs. Under the bill, before admission to a treatment facility or center, a qualified practitioner must provide an individual assessment and recommendation on appropriate treatment.

Education and Learning

Section 8 amends s. 947.037, F.S., to grant a court discretion to order an offender without a high school diploma or equivalent, or who is illiterate, to make a good faith effort toward completion of an adult education program as a condition of probation. Currently, the law requires the court to make such an order.

⁸ Chapter 2009-63, F.S. At the time, there was no statewide format for the order of supervision; the department had developed a uniform order that a majority of circuits were using. Florida Senate, *Bill Analysis SB 1722*, April 6, 2009.

⁹ Florida Commission on Offender Review, *Release Types*, available at <https://www.fcor.state.fl.us/postrelease.shtml> (last visited March 8, 2017).

¹⁰ “If an offender has received a term of probation or community control to be served after release from incarceration, the period of probation or community control may not be substituted for addiction-recovery supervision and shall follow the term of addiction-recovery supervision.” Section 944.4731(2)(b), F.S.

¹¹ Department of Corrections, *2017 Agency Legislative Bill Analysis: SB 790*, February 12, 2017.

Payment for Supervision and Other Obligations

Section 10 amends s. 948.09, F.S., to:

- Revise the catch line to accurately reflect the statute's purpose.
- Remove references to specific types of supervision that are under ch. 948, F.S., to instead refer generally to supervision under ch. 948, F.S., in subsection (1).
- Simplify references to supervision in subsection (3) and updates references to the Secretary of the department to accurately reflect the responsible person or action.
- Repeal subsection (4) related to misdemeanor supervision payments. The department stated that this is obsolete.¹²

Home Confinement

Section 11 revises s. 948.10, F.S., to clarify that community control is the department's "home confinement" program.

Currently, a court or the Florida Commission on Offender Review can order an offender to community control instead of incarceration. This is limited to certain individuals:

- Probation violators charged with technical violations or misdemeanors;
- Parole violators charged with technical violations or misdemeanors; and
- Individuals convicted of felonies who, due to their backgrounds or the seriousness of the offenses, would not be placed on regular probation.

This section authorizes the use of community control for *any* new law violations, not just misdemeanors. The department states that this would give the courts an alternative to jail or prison for offenders charged with new law violations.¹³

This section also increases the community control case size ratio from an officer supervising 25 cases to an officer supervising 30 cases. The department states that this increase is due to the amount of time an officer currently requires with these types of cases in supervising the offender.¹⁴

This section repeals a requirement of the department to commit at least ten percent of field staff and supporting resources on the community control program. The department states that "the deletion of the listed percentage of resources is proposed because sentencing practices are not universal in all areas of the state and some courts sentence offenders to community control at different rates in each circuit." Additionally, the statutory case size ratio limits caseloads for staff and in areas with staffing shortages, these functions are completed by multiple staffing levels, not just field staff.¹⁵

¹² *Id.*

¹³ *Id.*

¹⁴ E-mail exchange between Department of Corrections Staff and Staff of the Criminal Justice Committee, January 4, 2017.

¹⁵ *Id.*

This section repeals an obsolete annual report about the community control program and “the department’s specific efforts to protect the public from offenders placed on community control.” The department states that this is an obsolete report required by the “Howard E. Futch Community Safety Act,” the provision of which was repealed in 2008.¹⁶ It is likely that this annual report should also have been repealed at that time. The department discontinued this section of its annual report in 2008 but has put practices in place to ensure future compliance.¹⁷

Electronic Monitoring

Currently, s. 948.11(1), F.S., states that the department *may* electronically monitor an offender sentenced to community control when the court has imposed electronic monitoring as a condition of community control. **Section 13** corrects this provision to require the department to monitor electronically an offender as ordered by the court.

Additionally, the **section 13**:¹⁸

- Clarifies that electronic monitoring may be used for offenders placed under *supervision*, not just community control. The department states that it is used as a tool to enhance field supervision and surveillance.
- Allows a court to order electronic monitoring for violations of probation, as an alternative sanction.
- Clarifies that any probation officer investigates electronic monitoring alerts for offenders monitored by the department, not just community control officers.

Obsolete References

Sections 1, 5, 9, and 11 amends ss. 948.001, 948.03, 948.06, and 948.10, F.S., respectively, to update references to “parole” officers. The department states that the term is obsolete.¹⁹

Sections 1 and 9 also update references to probation officers to be consistent throughout the chapter by using the uniform term “probation officer” rather than “correctional probation officer” or “supervisor.”

Community residential drug punishment centers were repealed in 2010.²⁰ The staff analysis stated that no person was ever sentenced to a center; the centers were never funded; and no centers existed.²¹ The bill repeals the definition for “community residential drug treatment center” in s. 948.001, F.S., (Section 1), and similar provisions in ss. 948.03(2), 948.035(1)(b) and (3), and 948.101(2), F.S., (Sections 5, 7, and 12).

Section 14 amends s. 948.15, F.S., to remove an obsolete reference to American Correctional Association standards established in 1991 for staff qualifications and criminal background checks for staff of certain private providers.

¹⁶ See ch. 2008-250, L.O.F.

¹⁷ E-mail exchange between Department of Corrections Staff and Staff of the Criminal Justice Committee, January 4, 2017.

¹⁸ Department of Corrections, *2017 Agency Legislative Bill Analysis: SB 790*, February 12, 2017.

¹⁹ Department of Corrections, *2017 Agency Legislative Bill Analysis: SB 790*, February 12, 2017.

²⁰ Chapter 2010-113, L.O.F.

²¹ Florida Senate, *Bill Analysis CS/SB 2350*, April 9, 2010, page 2.

Section 15 repeals s. 948.50, F.S., which states that “this act may be cited as the ‘Community Corrections Partnership Act.’”

Reenactments

Sections 16, 17, 18, and 19 reenact ss. 921.187(1)(n), 947.1405(7)(b), 947.1747, and 948.01(3), F.S., to incorporate changes made in other sections of the bill.

The bill is effective July 1, 2017, except for Section 4 of the bill, which is effective October 1, 2017 (specifies the ineligibility for administrative probation for certain offenders).

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

CS/CS/SB 790 is not expected to impact state or local government revenues or expenditures.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 948.001, 948.01, 948.012, 948.013, 948.03, 948.031, 948.035, 948.037, 948.06, 948.09, 948.10, 948.101, 948.11, 948.15, 948.50, 921.187, 947.1405, and 947.1747.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS by Appropriations on April 5, 2017:

The committee substitute:

- In Section 4 of the bill, changes the date on which a crime was committed from July 1, 2017, to October 1, 2017, that delineates ineligibility for administrative probation for certain offenders (those whose crimes were committed after July 1, 1998, but before October 1, 2017, and those whose crimes are committed on or after October 1, 2017).
- Makes Section 4 effective on October 1, 2017.

CS by Criminal Justice on March 13, 2017:

The CS:

- No longer amends language of s. 948.01(1)(a) and (5), F.S., that prohibits private entities from providing probationary or supervision services to misdemeanor offenders.
- Amends s. 948.013, F.S., making a person ineligible for administrative probation if he or she was convicted of any sexual felony offense listed in ss. 775.21 and 943.0435, F.S., committed on or after July 1, 2017, eliminating the need to update the list when new offenses are added. This change would exclude all sexual predators and offenders from being eligible for administrative probation.

B. Amendments:

None.



931878

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/06/2017	.	
	.	
	.	
	.	

The Committee on Appropriations (Brandes) recommended the following:

Senate Amendment

Delete lines 194 - 208
and insert:

Section 4. Effective October 1, 2017, subsection (2) of
section 948.013, Florida Statutes, is amended to read:

948.013 Administrative probation.—

(2) (a) Effective for an offense committed on or after July
1, 1998, and before October 1, 2017, a person is ineligible for
placement on administrative probation if the person is sentenced



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to or is serving a term of probation or community control,
regardless of the conviction or adjudication, for committing, or
attempting, conspiring, or soliciting to commit, any of the
felony offenses described in s. 787.01 or s. 787.02, where the
victim is a minor and the defendant is not the victim's parent;
s. 787.025; s. 787.06(3)(g); chapter 794; former s. 796.03; s.
800.04; s. 825.1025(2)(b); s. 827.071; s. 847.0133; s. 847.0135;
or s. 847.0145.

(b) Effective for an offense committed on or after October
1,



376350

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/06/2017	.	
	.	
	.	
	.	

The Committee on Appropriations (Brandes) recommended the following:

Senate Amendment

Delete line 769
and insert:
Section 20. Except as otherwise expressly provided in this
act, this act shall take effect July 1, 2017.

By the Committee on Criminal Justice; and Senator Brandes

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1 A bill to be entitled
 2 An act relating to probation and community control;
 3 amending s. 948.001, F.S.; redefining terms and
 4 deleting a definition; amending s. 948.01, F.S.;
 5 requiring the Department of Corrections to revise and
 6 make available to the courts, rather than develop and
 7 disseminate to the courts, uniform order of
 8 supervision forms; amending s. 948.012, F.S.; adding
 9 the addiction-recovery supervision program as an
 10 exception to the immediate commencement of the period
 11 of probation upon the release of the defendant;
 12 amending s. 948.013, F.S.; revising the list of
 13 offenses that make an offender ineligible for
 14 placement on administrative probation during specified
 15 time periods; amending s. 948.03, F.S.; authorizing
 16 the court to require a probationer or offender to
 17 report to, to permit visits by, to submit to random
 18 testing as directed by, probation officers, rather
 19 than probation and parole supervisors or correctional
 20 probation officers; removing the option of
 21 incarceration in specified locations if a court
 22 withholds adjudication of guilt or imposes
 23 incarceration as a condition of probation; amending s.
 24 948.031, F.S.; replacing the term "public service"
 25 with the term "community service"; amending s.
 26 948.035, F.S.; removing a probation program drug
 27 punishment treatment community facility from the list
 28 of residential treatment or incarceration facilities
 29 that an offender must be restricted to under certain

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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30 circumstances; requiring a qualified practitioner to
 31 provide, rather than a court to obtain, an assessment
 32 and recommendation on the treatment needs of an
 33 offender entering a treatment facility; amending s.
 34 948.037, F.S.; authorizing, rather than requiring, a
 35 court to require an offender to make a good faith
 36 effort toward completion of certain skills or a
 37 specific diploma as a condition of community control,
 38 probation, or probation following incarceration;
 39 amending s. 948.06, F.S.; replacing the term "parole
 40 or probation supervisor" with the term "probation
 41 officer"; specifying that the probationary period is
 42 tolled after the issuance of a violation of probation
 43 or community control warrant, rather than an arrest
 44 warrant; authorizing a chief judge to direct the
 45 department to use a notice to appear for technical
 46 violations; amending s. 948.09, F.S.; expanding the
 47 types of supervision under which an offender must pay
 48 for the cost of supervision; conforming provisions to
 49 changes made by the act; revising the factors under
 50 which the department may exempt an offender from
 51 payments; requiring the certification of student
 52 status to be supplied to the offender's probation
 53 officer, rather than to the Secretary of Corrections;
 54 deleting duties of the secretary; deleting provisions
 55 authorizing the department to provide monthly payments
 56 to court-approved entities that provide supervision or
 57 rehabilitation for offenders under certain
 58 circumstances; deleting provisions relating to

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59 contract terms with, and a monthly report from,
 60 certain entities; amending s. 948.10, F.S.; requiring
 61 a community control program to focus on the provision
 62 of home confinement with limitations, rather than
 63 sanctions and consequences, commensurate with the
 64 crime committed; specifying and revising who the
 65 target population is for the community control
 66 program; revising departmental requirements for the
 67 operation of the program and caseloads; making
 68 technical changes; specifying the types of facilities
 69 used for the community control program; deleting an
 70 annual reporting requirement of the department to the
 71 Governor and the Legislature which includes certain
 72 information; amending s. 948.101, F.S.; conforming
 73 provisions to changes made by the act; amending s.
 74 948.11, F.S.; requiring, rather than authorizing, the
 75 department to electronically monitor offenders
 76 sentenced to community control under certain
 77 circumstances; conforming terminology to changes made
 78 by the act; amending s. 948.15, F.S.; revising the
 79 required terms of the contract for a private entity
 80 providing services for the supervision of misdemeanor
 81 probationers; repealing s. 948.50, F.S., relating to a
 82 short title; reenacting s. 921.187(1)(n), F.S.,
 83 relating to disposition and sentencing, alternatives,
 84 and restitution, to incorporate the amendment made to
 85 s. 948.013, F.S., in a reference thereto; reenacting
 86 s. 947.1405(7)(b), F.S., relating to the conditional
 87 release program, to incorporate the amendment made to

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88 s. 948.09, F.S., in a reference thereto; reenacting
 89 ss. 947.1747 and 948.01(3), F.S., relating to
 90 community control as a special condition of parole and
 91 when a court may place a defendant on probation or
 92 into community control, respectively, to incorporate
 93 the amendment made to s. 948.10, F.S., in references
 94 thereto; providing an effective date.
 95

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

97
 98 Section 1. Subsection (1) and present subsections (4) and
 99 (9) of section 948.001, Florida Statutes, are amended, and
 100 present subsections (5) through (14) of that section are
 101 redesignated as subsections (4) through (13), respectively, to
 102 read:

103 948.001 Definitions.—As used in this chapter, the term:

104 (1) "Administrative probation" means a form of no contact,
 105 nonreporting ~~noncontact~~ supervision in which an offender who
 106 presents a low risk of harm to the community may, upon
 107 satisfactory completion of half the term of probation, be
 108 transferred by the Department of Corrections to this type of
 109 reduced level of supervision, as provided in s. 948.013
 110 ~~nonreporting status until expiration of the term of supervision.~~

111 ~~(4) "Community residential drug punishment center" means a~~
 112 ~~residential drug punishment center designated by the Department~~
 113 ~~of Corrections. The Department of Corrections shall adopt rules~~
 114 ~~as necessary to define and operate such a center.~~

115 (8)(9) "Probation" means a form of community supervision
 116 requiring specified contacts with ~~parole and~~ probation officers

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and other terms and conditions as provided in s. 948.03.

Section 2. Paragraph (b) of subsection (1) of section 948.01, Florida Statutes, is amended to read:

948.01 When court may place defendant on probation or into community control.—

(1) Any state court having original jurisdiction of criminal actions may at a time to be determined by the court, with or without an adjudication of the guilt of the defendant, hear and determine the question of the probation of a defendant in a criminal case, except for an offense punishable by death, who has been found guilty by the verdict of a jury, has entered a plea of guilty or a plea of nolo contendere, or has been found guilty by the court trying the case without a jury.

(b) The department, in consultation with the Office of the State Courts Administrator, shall revise and make available ~~develop and disseminate~~ to the courts uniform order of supervision forms by July 1 of each year or as necessary. The courts shall use the uniform order of supervision forms provided by the department for all persons placed on community supervision.

Section 3. Subsection (1) of section 948.012, Florida Statutes, is amended, and subsections (4), (5), and (6) of that section are republished, to read:

948.012 Split sentence of probation or community control and imprisonment.—

(1) If punishment by imprisonment for a misdemeanor or a felony, except for a capital felony, is prescribed, the court may, at the time of sentencing, impose a split sentence whereby the defendant is to be placed on probation or, with respect to

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any such felony, into community control upon completion of any specified period of such sentence which may include a term of years or less. In such case, the court shall stay and withhold the imposition of the remainder of sentence imposed upon the defendant and direct that the defendant be placed upon probation or into community control after serving such period as may be imposed by the court. Except as provided in s. 944.4731(2)(b) and subsection (6), the period of probation or community control shall commence immediately upon the release of the defendant from incarceration, whether by parole or gain-time allowances.

(4) Effective for offenses committed on or after September 1, 2005, the court must impose a split sentence pursuant to subsection (1) for any person who is convicted of a life felony for lewd and lascivious molestation pursuant to s. 800.04(5)(b) if the court imposes a term of years in accordance with s. 775.082(3)(a)4.a.(II) rather than life imprisonment. The probation or community control portion of the split sentence imposed by the court for a defendant must extend for the duration of the defendant's natural life and include a condition that he or she be electronically monitored.

(5)(a) Effective for offenses committed on or after October 1, 2014, if the court imposes a term of years in accordance with s. 775.082 which is less than the maximum sentence for the offense, the court must impose a split sentence pursuant to subsection (1) for any person who is convicted of a violation of:

1. Section 782.04(1)(a)2.c.;
2. Section 787.01(3)(a)2. or 3.;
3. Section 787.02(3)(a)2. or 3.;

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175 4. Section 794.011, excluding s. 794.011(10);
 176 5. Section 800.04;
 177 6. Section 825.1025; or
 178 7. Section 847.0135(5).

179 (b) The probation or community control portion of the split
 180 sentence imposed by the court must extend for at least 2 years.
 181 However, if the term of years imposed by the court extends to
 182 within 2 years of the maximum sentence for the offense, the
 183 probation or community control portion of the split sentence
 184 must extend for the remainder of the maximum sentence.

185 (6) If a defendant who has been sentenced to a split
 186 sentence pursuant to subsection (1) is transferred to the
 187 custody of the Department of Children and Families pursuant to
 188 part V of chapter 394, the period of probation or community
 189 control is tolled until such person is no longer in the custody
 190 of the Department of Children and Families. This subsection
 191 applies to all sentences of probation or community control which
 192 begin on or after October 1, 2014, regardless of the date of the
 193 underlying offense.

194 Section 4. Subsection (2) of section 948.013, Florida
 195 Statutes, is amended to read:

196 948.013 Administrative probation.—

197 (2) (a) Effective for an offense committed on or after July
 198 1, 1998, and before July 1, 2017, a person is ineligible for
 199 placement on administrative probation if the person is sentenced
 200 to or is serving a term of probation or community control,
 201 regardless of the conviction or adjudication, for committing, or
 202 attempting, conspiring, or soliciting to commit, any of the
 203 felony offenses described in s. 787.01 or s. 787.02, where the

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204 victim is a minor and the defendant is not the victim's parent;
 205 s. 787.025; s. 787.06(3)(g); chapter 794; former s. 796.03; s.
 206 800.04; s. 825.1025(2)(b); s. 827.071; s. 847.0133; s. 847.0135;
 207 or s. 847.0145.

208 (b) Effective for an offense committed on or after July 1,
 209 2017, a person is ineligible for placement on administrative
 210 probation if the person is sentenced to or is serving a term of
 211 probation or community control, regardless of the conviction or
 212 adjudication, for committing, or attempting, conspiring, or
 213 soliciting to commit, any of the felony offenses described in s.
 214 775.21(4)(a)1.a. or (4)(a)1.b. or s. 943.0435(1)(h)1.a.

215 Section 5. Paragraphs (a), (b), (1), and (m) of subsection
 216 (1) and subsection (2) of section 948.03, Florida Statutes, are
 217 amended to read:

218 948.03 Terms and conditions of probation.—

219 (1) The court shall determine the terms and conditions of
 220 probation. Conditions specified in this section do not require
 221 oral pronouncement at the time of sentencing and may be
 222 considered standard conditions of probation. These conditions
 223 may include among them the following, that the probationer or
 224 offender in community control shall:

225 (a) Report to the probation officer ~~and parole supervisors~~
 226 as directed.

227 (b) Permit the probation officer ~~such supervisors~~ to visit
 228 him or her at his or her home or elsewhere.

229 (1)1. Submit to random testing as directed by the
 230 ~~correctional~~ probation officer or the professional staff of the
 231 treatment center where he or she is receiving treatment to
 232 determine the presence or use of alcohol or controlled

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substances.

2. If the offense was a controlled substance violation and the period of probation immediately follows a period of incarceration in the state correction system, the conditions ~~must shall~~ include a requirement that the offender submit to random substance abuse testing intermittently throughout the term of supervision, upon the direction of the ~~correctional~~ probation officer ~~as defined in s. 943.10(3).~~

(m) Be prohibited from possessing, carrying, or owning any:

1. Firearm.

2. Weapon without first procuring the consent of the ~~correctional~~ probation officer.

(2) The enumeration of specific kinds of terms and conditions does ~~shall~~ not prevent the court from adding thereto such other or others as it considers proper. However, the sentencing court may only impose a condition of supervision allowing an offender convicted of s. 794.011, s. 800.04, s. 827.071, s. 847.0135(5), or s. 847.0145, to reside in another state, if the order stipulates that it is contingent upon the approval of the receiving state interstate compact authority. The court may rescind or modify at any time the terms and conditions theretofore imposed by it upon the probationer. However, if the court withholds adjudication of guilt or imposes a period of incarceration as a condition of probation, the period may ~~shall~~ not exceed 364 days, and incarceration shall be restricted to either a county facility, or a probation and restitution center under the jurisdiction of the Department of Corrections, ~~a probation program drug punishment phase I secure residential treatment institution, or a community residential~~

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~~facility owned or operated by any entity providing such services.~~

Section 6. Section 948.031, Florida Statutes, is amended to read:

948.031 Condition of probation or community control;
community public service.-

(1) Any person who is convicted of a felony or misdemeanor and who is placed on probation or into community control may be required as a condition of supervision to perform some type of community public service for a tax-supported or tax-exempt entity, with the consent of such entity. Such community public service shall be performed at a time other than during such person's regular hours of employment.

(2) Upon the request of the chief judge of the circuit, the Department of Corrections shall establish a community public service program for a county, which program may include, but is ~~shall~~ not be limited to, any of the following types of community public service:

(a) Maintenance work on any property or building owned or leased by any state, county, or municipality or any nonprofit organization or agency.

(b) Maintenance work on any state-owned, county-owned, or municipally owned road or highway.

(c) Landscaping or maintenance work in any state, county, or municipal park or recreation area.

(d) Work in any state, county, or municipal hospital or any developmental services institution or other nonprofit organization or agency.

Section 7. Subsections (1) and (3) of section 948.035,

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Florida Statutes, are amended to read:

948.035 Residential treatment as a condition of probation or community control.—

(1) If the court imposes a period of residential treatment or incarceration as a condition of probation or community control, the residential treatment or incarceration shall be restricted to the following facilities:

(a) A Department of Corrections probation and restitution center;

~~(b) A probation program drug punishment treatment community;~~

(b)(c) A community residential facility ~~that which~~ is owned and operated by ~~a any~~ public or private entity, excluding a community correctional center as defined in s. 944.026; or

(c)(d) A county-owned facility.

(3) ~~Before~~ Prior to admission to such a facility or center ~~treatment community, a qualified practitioner must provide the court shall obtain an individual assessment and recommendation on the appropriate treatment needs pursuant to the Community Control Implementation Manual which shall be considered by the court in ordering such placements. Placement in such a facility or center may, or in the phase I secure residential phase of a probation program drug punishment treatment community, shall not exceed 364 days. Early completion of an offender's placement shall be recommended to the court, when appropriate, by the facility or center supervisor, by the supervising probation officer, or by the program manager. The Department of Corrections is authorized to contract with appropriate agencies for provision of services.~~

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Section 8. Subsection (1) of section 948.037, Florida

Statutes, is amended to read:

948.037 Education and learning as a condition of probation or community control.—

(1) As a condition of community control, probation, or probation following incarceration, the court ~~may shall~~ require an offender who has not obtained a high school diploma or high school equivalency diploma or who lacks basic or functional literacy skills, upon acceptance by an adult education program, to make a good faith effort toward completion of such basic or functional literacy skills or high school equivalency diploma, as defined in s. 1003.435, in accordance with the assessed adult general education needs of the individual offender. The court ~~may shall~~ not revoke community control, probation, or probation following incarceration because of the offender's inability to achieve such skills or diploma but may revoke community control, probation, or probation following incarceration if the offender fails to make a good faith effort to achieve such skills or diploma. The court may grant early termination of community control, probation, or probation following incarceration upon the offender's successful completion of the approved program. As used in this subsection, "good faith effort" means the offender is enrolled in a program of instruction and is attending and making satisfactory progress toward completion of the requirements.

Section 9. Paragraphs (a), (e), (f), and (g) of subsection (1) of section 948.06, Florida Statutes, are amended to read:

948.06 Violation of probation or community control; revocation; modification; continuance; failure to pay

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restitution or cost of supervision.—

(1) (a) Whenever within the period of probation or community control there are reasonable grounds to believe that a probationer or offender in community control has violated his or her probation or community control in a material respect, any law enforcement officer who is aware of the probationary or community control status of the probationer or offender in community control or any ~~parole or~~ probation officer supervisor may arrest or request any county or municipal law enforcement officer to arrest such probationer or offender without warrant wherever found and return him or her to the court granting such probation or community control.

(e) Any ~~parole or~~ probation officer supervisor, any officer authorized to serve criminal process, or any peace officer of this state is authorized to serve and execute such warrant. Any ~~parole or~~ probation officer supervisor is authorized to serve such notice to appear.

(f) Upon the filing of an affidavit alleging a violation of probation or community control and following issuance of a warrant for such violation ~~under s. 901.02~~, a warrantless arrest under this section, or a notice to appear under this section, the probationary period is tolled until the court enters a ruling on the violation. Notwithstanding the tolling of probation, the court shall retain jurisdiction over the offender for any violation of the conditions of probation or community control that is alleged to have occurred during the tolling period. The probation officer is permitted to continue to supervise any offender who remains available to the officer for supervision until the supervision expires pursuant to the order

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of probation or community control or until the court revokes or terminates the probation or community control, whichever comes first.

(g) The chief judge of each judicial circuit may direct the department to use a notification letter of a technical violation in appropriate cases in lieu of a violation report, affidavit, and warrant or a notice to appear when the alleged violation is not a new felony or misdemeanor offense. Such direction must be in writing and must specify the types of specific technical violations which are to be reported by a notification letter of a technical violation, any exceptions to those violations, and the required process for submission. At the direction of the chief judge, the department shall send the notification letter of a technical violation to the court.

Section 10. Section 948.09, Florida Statutes, is amended to read:

948.09 Payment for cost of supervision and other monetary obligations ~~rehabilitation~~.—

(1) (a) 1. Any person ordered by the court, the Department of Corrections, or the Florida Commission on Offender Review to be placed under ~~on probation, drug offender probation, community control, parole, control release, provisional release supervision, addiction-recovery supervision, or conditional release~~ supervision under this chapter, chapter 944, chapter 945, chapter 947, or chapter 958, or in a pretrial intervention program, must, as a condition of any placement, pay the department a total sum of money equal to the total month or portion of a month of supervision times the court-ordered amount, but not to exceed the actual per diem cost of the

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supervision. The department shall adopt rules by which an offender who pays in full and in advance of regular termination of supervision may receive a reduction in the amount due. The rules shall incorporate provisions by which the offender's ability to pay is linked to an established written payment plan. Funds collected from felony offenders may be used to offset costs of the Department of Corrections associated with community supervision programs, subject to appropriation by the Legislature.

2. In addition to any other contribution or surcharge imposed by this section, each felony offender assessed under this paragraph shall pay a \$2-per-month surcharge to the department. The surcharge shall be deemed to be paid only after the full amount of any monthly payment required by the established written payment plan has been collected by the department. These funds shall be used by the department to pay for correctional probation officers' training and equipment, including radios, and firearms training, firearms, and attendant equipment necessary to train and equip officers who choose to carry a concealed firearm while on duty. This subparagraph does not limit the department's authority to determine who shall be authorized to carry a concealed firearm while on duty, or limit the right of a correctional probation officer to carry a personal firearm approved by the department.

(b) Any person placed on misdemeanor probation by a county court must contribute not less than \$40 per month, as decided by the sentencing court, to the court-approved public or private entity providing misdemeanor supervision.

(2) Any person being electronically monitored by the

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department as a result of being placed on supervision shall pay the department for electronic monitoring services at a rate that may not exceed the full cost of the monitoring service in addition to the cost of supervision as directed by the sentencing court. The funds collected under this subsection shall be deposited in the General Revenue Fund. The department may exempt a person from paying all or any part of the costs of the electronic monitoring service if it finds that any of the factors listed in subsection (3) exist.

(3) Any failure to pay contribution as required under this section may constitute a ground for the revocation of supervision probation by the court ~~or, the revocation of parole or conditional release~~ by the Florida Commission on Offender Review, the revocation of control release by the Control Release Authority, or the removal from the pretrial intervention program by the state attorney. The Department of Corrections may exempt a person from the payment of all or any part of the contribution if it finds any of the following factors ~~to exist~~:

(a) The offender has diligently attempted, but has been unable, to obtain or maintain employment that ~~which~~ provides him or her sufficient income to make such payments.

(b) The offender is a student in a school, college, university, or course of career training designed to fit the student for gainful employment. Certification of such student status shall be supplied to the offender's probation officer ~~Secretary of Corrections~~ by the educational institution in which the offender is enrolled.

(c) The offender has an employment handicap, as determined by a physical, psychological, or psychiatric examination

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acceptable to, or ordered by, the secretary.

(d) The offender's age prevents him or her from obtaining employment.

(e) The offender is responsible for the support of dependents, and the payment of such contribution constitutes an undue hardship on the offender.

(f) The offender has been transferred outside the state under an interstate compact adopted pursuant to chapter 949.

~~(g) There are other extenuating circumstances, as determined by the secretary.~~

~~(4) In addition to the contribution required under subsection (1), the department may provide a maximum payment of \$10 per month for each misdemeanor probationer who is contributing \$10 per month to the court-approved public or private entity which is providing him or her with misdemeanor supervision or rehabilitation. The \$10 payment set forth herein shall only be for first degree misdemeanors, petty theft, and worthless checks. The department shall make such payment to the court-approved public or private entity which is providing supervision to the offender under this section. Such payment shall be implemented through a contract to be entered into by the Secretary of Corrections and the entity. Terms of the contract shall state, but are not limited to, the extent of the services to be rendered by the entity providing supervision or rehabilitation. In addition, the entity shall supply the department with a monthly report documenting the acceptance of each offender placed under its supervision by the court, documenting the payment of the required contribution by each offender under supervision or rehabilitation, and notifying the~~

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~~department of all offenders for whom supervision or rehabilitation will be terminated. Supervisory records of the entity shall be open to inspection upon the request of the department or its agents.~~

(4) ~~(5)~~ As a condition of an interstate compact adopted pursuant to chapter 949, the department shall require each out-of-state probationer or parolee transferred to this state to contribute not less than \$30 or more than the cost of supervision, certified by the Department of Corrections, per month to defray the cost incurred by this state as a result of providing supervision and rehabilitation during the period of supervision.

(5) ~~(6)~~ In addition to any other required contributions, the department, at its discretion, may require offenders under any form of supervision to submit to and pay for urinalysis testing to identify drug usage as part of the rehabilitation program. Any failure to make such payment, or participate, may be considered a ground for revocation by the court, the Florida Commission on Offender Review, or the Control Release Authority, or for removal from the pretrial intervention program by the state attorney. The department may exempt a person from such payment if it determines that any of the factors specified in subsection (3) exist.

(6) ~~(7)~~ The department shall establish a payment plan for all costs ordered by the courts for collection by the department and a priority order for payments, except that victim restitution payments authorized under s. 948.03(1)(f) take precedence over all other court-ordered payments. The department is not required to disburse cumulative amounts of less than \$10

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to individual payees established on this payment plan.

Section 11. Section 948.10, Florida Statutes, is amended to read:

948.10 Community control programs; home confinement.—

(1) The Department of Corrections shall develop and administer a community control program. This ~~complementary~~ program shall be rigidly structured and designed to accommodate offenders who, in the absence of such a program, would have been incarcerated in a jail or prison. The program shall focus on the provision of home confinement subject to an authorized level of limited freedom and special conditions ~~sanctions and consequences which that~~ are commensurate with the seriousness of the crime. The program shall offer the courts and the Florida Commission on Offender Review an alternative, community-based method to punish an offender in lieu of incarceration and shall provide intensive supervision to closely monitor compliance with restrictions and special conditions, including, but not limited to, treatment or rehabilitative programs. The targeted population for this community control program includes if the offender is a member of one of the following target groups:

(a) Probation violators charged with technical violations or new misdemeanor violations of law.

(b) Parole or conditional release violators charged with technical violations or new misdemeanor violations of law.

(c) Individuals found guilty of felonies, who, due to their criminal backgrounds or the seriousness of the offenses, would not be placed on regular probation.

(2) ~~The department shall commit not less than 10 percent of the parole and probation field staff and supporting resources to~~

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~~the operation of the community control program.~~ Caseloads should be restricted to a maximum of ~~30~~ 25 cases per officer in order to ensure an adequate level of staffing. Community control is an individualized program in which the offender is restricted to a residential treatment facility or a nursing facility ~~noninstitutional quarters~~ or restricted to his or her approved ~~own~~ residence subject to an authorized level of limited freedom.

(3) Procedures governing violations of community control are ~~shall be~~ the same as those described in s. 948.06 with respect to probation.

(4) Upon completion of the sanctions imposed and in the community control plan before the expiration of the community control term ordered by the court, the department may petition the court to terminate early the supervision of ~~discharge~~ the offender from community control supervision or to return the offender to a program of regular probation supervision for the remainder of the term. In considering the petition, the court should recognize the limited staff resources committed to the community control program, the purpose of the program, and the offender's successful compliance with the conditions set forth in the order of the court.

~~(5) In its annual report to the Governor, the President of the Senate, and the Speaker of the House of Representatives under s. 20.315(5), the department shall include a detailed analysis of the community control program and the department's specific efforts to protect the public from offenders placed on community control. The analysis must include, but need not be limited to, specific information on the department's ability to meet minimum officer-to-offender contact standards, the number~~

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581 ~~of crimes committed by offenders on community control, and the~~
 582 ~~level of community supervision provided.~~

583 Section 12. Subsection (2) of section 948.101, Florida
 584 Statutes, is amended to read:

585 948.101 Terms and conditions of community control.—

586 (2) The enumeration of specific kinds of terms and
 587 conditions does not prevent the court from adding any other
 588 terms or conditions that the court considers proper. However,
 589 the sentencing court may only impose a condition of supervision
 590 allowing an offender convicted of s. 794.011, s. 800.04, s.
 591 827.071, s. 847.0135(5), or s. 847.0145 to reside in another
 592 state if the order stipulates that it is contingent upon the
 593 approval of the receiving state interstate compact authority.
 594 The court may rescind or modify at any time the terms and
 595 conditions theretofore imposed by it upon the offender in
 596 community control. However, if the court withholds adjudication
 597 of guilt or imposes a period of incarceration as a condition of
 598 community control, the period may not exceed 364 days, and
 599 incarceration shall be restricted to a county facility, a
 600 probation and restitution center under the jurisdiction of the
 601 Department of Corrections, or a probation program drug
 602 punishment phase I secure residential treatment institution, or
 603 a community residential facility owned or operated by any entity
 604 providing such services.

605 Section 13. Subsections (1), (2), and (3) of section
 606 948.11, Florida Statutes, are amended, and subsection (5) of
 607 that section is republished, to read:

608 948.11 Electronic monitoring devices.—

609 (1) The Department of Corrections shall ~~may~~ electronically

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610 monitor an offender sentenced to community control when the
 611 court has imposed electronic monitoring as a condition of
 612 community control.

613 (2) Any offender placed under supervision ~~on community~~
 614 ~~control~~ who violates the terms and conditions of supervision
 615 ~~community control~~ and is restored to supervision ~~community~~
 616 ~~control~~ may be supervised by means of an electronic monitoring
 617 device or system if ordered by the court.

618 (3) For those offenders being electronically monitored, the
 619 Department of Corrections shall develop procedures to determine,
 620 investigate, and report the offender's noncompliance with the
 621 terms and conditions of sentence 24 hours per day. All reports
 622 of noncompliance shall be immediately investigated by a
 623 probation ~~community control~~ officer.

624 (5) Any person being electronically monitored by the
 625 department as a result of being placed on supervision shall pay
 626 the department for the electronic monitoring services as
 627 provided in s. 948.09(2).

628 Section 14. Paragraph (b) of subsection (3) of section
 629 948.15, Florida Statutes, is amended to read:

630 948.15 Misdemeanor probation services.—

631 (3) Any private entity, including a licensed substance
 632 abuse education and intervention program, providing services for
 633 the supervision of misdemeanor probationers must contract with
 634 the county in which the services are to be rendered. In a county
 635 having a population of fewer than 70,000, the county court
 636 judge, or the administrative judge of the county court in a
 637 county that has more than one county court judge, must approve
 638 the contract. Terms of the contract must state, but are not

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639 limited to:

640 (b) Staff qualifications and criminal record checks of
 641 staff ~~in accordance with essential standards established by the~~
 642 ~~American Correctional Association as of January 1, 1991.~~

643
 644 In addition, the entity shall supply the chief judge's office
 645 with a quarterly report summarizing the number of offenders
 646 supervised by the private entity, payment of the required
 647 contribution under supervision or rehabilitation, and the number
 648 of offenders for whom supervision or rehabilitation will be
 649 terminated. All records of the entity must be open to inspection
 650 upon the request of the county, the court, the Auditor General,
 651 the Office of Program Policy Analysis and Government
 652 Accountability, or agents thereof.

653 Section 15. Section 948.50, Florida Statutes, is repealed.

654 Section 16. For the purpose of incorporating the amendment
 655 made by this act to section 948.013, Florida Statutes, in a
 656 reference thereto, paragraph (n) of subsection (1) of section
 657 921.187, Florida Statutes, is reenacted to read:

658 921.187 Disposition and sentencing; alternatives;
 659 restitution.—

660 (1) The alternatives provided in this section for the
 661 disposition of criminal cases shall be used in a manner that
 662 will best serve the needs of society, punish criminal offenders,
 663 and provide the opportunity for rehabilitation. If the offender
 664 does not receive a state prison sentence, the court may:

665 (n) Impose split probation whereby upon satisfactory
 666 completion of half the term of probation, the Department of
 667 Corrections may place the offender on administrative probation

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668 pursuant to s. 948.013 for the remainder of the term of
 669 supervision.

670 Section 17. For the purpose of incorporating the amendment
 671 made by this act to section 948.09, Florida Statutes, in a
 672 reference thereto, paragraph (b) of subsection (7) of section
 673 947.1405, Florida Statutes, is reenacted to read:

674 947.1405 Conditional release program.—

675 (7)

676 (b) For a releasee whose crime was committed on or after
 677 October 1, 1997, in violation of chapter 794, s. 800.04, s.
 678 827.071, s. 847.0135(5), or s. 847.0145, and who is subject to
 679 conditional release supervision, in addition to any other
 680 provision of this subsection, the commission shall impose the
 681 following additional conditions of conditional release
 682 supervision:

683 1. As part of a treatment program, participation in a
 684 minimum of one annual polygraph examination to obtain
 685 information necessary for risk management and treatment and to
 686 reduce the sex offender's denial mechanisms. The polygraph
 687 examination must be conducted by a polygrapher who is a member
 688 of a national or state polygraph association and who is
 689 certified as a postconviction sex offender polygrapher, where
 690 available, and at the expense of the releasee. The results of
 691 the examination shall be provided to the releasee's probation
 692 officer and qualified practitioner and may not be used as
 693 evidence in a hearing to prove that a violation of supervision
 694 has occurred.

695 2. Maintenance of a driving log and a prohibition against
 696 driving a motor vehicle alone without the prior approval of the

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supervising officer.

3. A prohibition against obtaining or using a post office box without the prior approval of the supervising officer.

4. If there was sexual contact, a submission to, at the releasee's expense, an HIV test with the results to be released to the victim or the victim's parent or guardian.

5. Electronic monitoring of any form when ordered by the commission. Any person who has been placed under supervision and is electronically monitored by the department must pay the department for the cost of the electronic monitoring service at a rate that may not exceed the full cost of the monitoring service. Funds collected under this subparagraph shall be deposited into the General Revenue Fund. The department may exempt a person from the payment of all or any part of the electronic monitoring service cost if the department finds that any of the factors listed in s. 948.09(3) exist.

Section 18. For the purpose of incorporating the amendment made by this act to section 948.10, Florida Statutes, in a reference thereto, section 947.1747, Florida Statutes, is reenacted to read:

947.1747 Community control as a special condition of parole.—Upon the establishment of an effective parole release date as provided for in ss. 947.1745 and 947.1746, the commission may, as a special condition of parole, require an inmate to be placed in the community control program of the Department of Corrections as described in s. 948.10 for a period not exceeding 6 months. In every case in which the commission decides to place an inmate on community control as a special condition of parole, the commission shall provide a written

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explanation of the reasons for its decision.

Section 19. For the purpose of incorporating the amendment made by this act to section 948.10, Florida Statutes, in a reference thereto, subsection (3) of section 948.01, Florida Statutes, is reenacted to read:

948.01 When court may place defendant on probation or into community control.—

(3) If, after considering the provisions of subsection (2) and the offender's prior record or the seriousness of the offense, it appears to the court in the case of a felony disposition that probation is an unsuitable dispositional alternative to imprisonment, the court may place the offender in a community control program as provided in s. 948.10. Or, in a case of prior disposition of a felony commitment, upon motion of the offender or the department or upon its own motion, the court may, within the period of its retained jurisdiction following commitment, suspend the further execution of the disposition and place the offender in a community control program upon such terms as the court may require. The court may consult with a local offender advisory council pursuant to s. 948.90 with respect to the placement of an offender into community control. Not later than 3 working days before the hearing on the motion, the department shall forward to the court all relevant material on the offender's progress while in custody. If this sentencing alternative to incarceration is utilized, the court shall:

(a) Determine what community-based sanctions will be imposed in the community control plan. Community-based sanctions may include, but are not limited to, rehabilitative restitution in money or in kind, curfew, revocation or suspension of the

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755 driver license, community service, deprivation of nonessential
756 activities or privileges, or other appropriate restraints on the
757 offender's liberty.

758 (b) After appropriate sanctions for the offense are
759 determined, develop, approve, and order a plan of community
760 control which contains rules, requirements, conditions, and
761 programs that are designed to encourage noncriminal functional
762 behavior and promote the rehabilitation of the offender and the
763 protection of the community. If the offense was a controlled
764 substance violation, the conditions shall include a requirement
765 that the offender submit to random substance abuse testing
766 intermittently throughout the term of supervision, upon the
767 direction of the correctional probation officer as defined in s.
768 943.10(3).

769 Section 20. This act shall take effect July 1, 2017.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: CS/CS/SB 788

INTRODUCER: Criminal Justice Committee and Senator Clemens

SUBJECT: Marketing Practices for Substance Abuse Services

DATE: April 7, 2017

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Cellon</u>	<u>Hrdlicka</u>	<u>CJ</u>	<u>Fav/CS</u>
2. <u>Crosier</u>	<u>Hendon</u>	<u>CF</u>	<u>Favorable</u>
3. <u>McAuliffe</u>	<u>Hansen</u>	<u>AP</u>	<u>Fav/CS</u>
4. _____	_____	<u>RC</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 788 takes a comprehensive approach to the problem of fraudulent patient brokering and deceptive marketing practices in the business of substance use addiction services, particularly related to the economic relationship between service providers and “recovery residences.”

The bill creates new and amends existing criminal offenses (prohibited acts) related to patient brokering and marketing practices that create or increase fines and potential prison sentences. These offenses are added to the Criminal Punishment Code ranking chart for purposes of assigning sentencing points.

The bill provides assistance to law enforcement and prosecutors by:

- Extending the jurisdiction of the Office of the Statewide Prosecutor to investigate and prosecute patient brokering offenses;
- Adding patient brokering to the list of predicate offenses that may be prosecuted as RICO offenses which could result in higher penalties; and
- Adopting federal law with regard to the timing of law enforcement giving notice to a patient regarding obtaining the patient’s records pursuant to a court order.

Additionally, the bill requires substance abuse treatment service provider personnel who provide direct clinical treatment services to be certified through a Department of Children and Families-recognized certification process.

The Criminal Justice Impact Conference met on March 29, 2017, and determined the bill will increase the state prison population by an insignificant amount. According to the Department of Legal Affairs, the bill will increase the workload of the Office of the Statewide Prosecutor, requiring two new full-time equivalent positions and \$194,120. The bill provides an appropriation for these positions. See Section V. C. below.

The bill becomes effective on July 1, 2017.

II. Present Situation:

There has been an alarming increase of deaths from drug overdoses around the country and Florida has not escaped the trend. Total drug-related deaths increased by 13.9 percent in Florida (1,197 more) in 2015 when compared with 2014.¹ Heroin accounted for 733 deaths in Florida and increased by 79.7 percent between 2014 and 2015.²

The number of deadly heroin overdoses more than quadrupled in the United States from 2010 to 2015, as the price of heroin fell and its potency increased.³ In 2015, there were 12,989 deaths involving heroin across the country compared with 3,036 deaths in 2010.⁴ There was a 346 percent increase in admissions nationally for opioid treatment from 2001 to 2011.⁵

In 2012, the rate of substance abuse or dependence among eighteen to twenty-five year olds was twice that of adults twenty-six and older.⁶ Florida is a destination for many young substance use addicts from all over the country who are seeking addiction treatment and recovery services.⁷

The typical model for substance addiction treatment and recovery consists of two basic stages. The length of time a patient spends in each stage varies, depending on the patient's needs and the protocol that will help the patient achieve a healthy outcome. The two stages are:

- Detoxification and services including in-patient treatment, if necessary; and

¹ Florida Department of Law Enforcement, Medical Examiners Commission, *2015 Annual Medical Examiners Commission Drug Report*, page ii, September 2016.

² *2015 Annual Medical Examiners Commission Drug Report*, at pages ii and 41.

³ David Beasley, *Deadly U.S. Heroin Overdoses Quadrupled in Five Years*, Reuters, February 24, 2017, available at <http://www.reuters.com/article/us-usa-heroin-idUSKBN1630EO> (last visited March 2, 2017).

⁴ *Id.*

⁵ Substance Abuse and Mental Health Services Administration, Center for Behavioral Health Statistics and Quality (2013); Treatment Episode Data Set (TEDS): 2001-2011.

⁶ Substance Abuse and Mental Health Services Administration (2013); Results from the 2012 National Survey on Drug Use and Health: Summary of National Findings (HHS Publication No. SMA 13-4795, NSDUH Series H-46).

⁷ 15th Judicial Circuit, Presentment of the Palm Beach County, Florida, Grand Jury, Fall Term, 2016; *Report on the Proliferation of Fraud and Abuse in Florida's Addiction Treatment Industry*, December 8, 2016, at page 5 (hereinafter referred to as the "Grand Jury Report"), citing Optum White Paper, *Young Adults and the Behavioral Health System*, 2014, page 4; and Palm Beach County Sober Homes Task Force Report, *Identification of Problems in the Substance Abuse Treatment and Recovery Residence Industries with Recommended Changes to Existing Laws and Regulations*, January 1, 2017, at page 1 (hereinafter referred to as the "Task Force Report"); these materials are available at <http://www.sa15.state.fl.us/stateattorney/SoberHomes/indexSH.htm> (last visited March 2, 2017).

- Out-patient treatment coupled with a therapeutic residential recovery home or “sober home” environment.

A private industry has grown throughout the state to fill a void in programming, namely “recovery residences.”⁸ This component of treatment services is not currently state-licensed or regulated.⁹ Unfortunately, fraudulent activity in the recovery residence industry has become obvious to local communities, law enforcement, and prosecutors.¹⁰

In 2016, the State Attorney from the 15th Judicial Circuit was given the following task by the Legislature in the General Appropriations Act:

Conduct a study aimed to strengthen investigation and prosecution of criminal and regulatory violations within the substance abuse treatment industry. The state attorney shall coordinate with local and state law enforcement and regulatory agencies, the Department of Children and Families, the Florida Alcohol & Drug Abuse Association, and certifying entities of recovery residences and recovery residence administrators to identify statutory clarifications and enhancements to existing law to ensure that communities remain safe and individuals with substance use disorders are protected. The state attorney shall submit the study to the Governor, President of the Senate, and Speaker of the House of Representatives by January 1, 2017.¹¹

The State Attorney’s assignment resulted in the creation of a Sober Homes Task Force (Task Force), and the convening of the Grand Jury. Both the Task Force and the Grand Jury issued reports making many of the same findings and suggesting similar solutions to the problems related to fraud in the substance use addiction treatment and recovery industry in Florida.¹²

Among the findings made by the Task Force and Grand Jury:

- Persons seeking substance use treatment and, often, their families are particularly vulnerable to predatory marketing practices.¹³

⁸ Task Force Report, at page 6. “Recovery residence” is defined in s. 397.311(36), F.S., as “a residential dwelling unit, or other form of group housing, that is offered or advertised through any means, including oral, written, electronic, or printed means, by any person or entity as a residence that provides a peer-supported, alcohol-free, and drug-free living environment.”

⁹ Sections 397.487 and 397.4871, F.S., provide for a voluntary certification program for recovery residences and recovery residence administrators offered through a “credentialing entity” approved by the Department of Children and Families, Office of Substance Abuse and Mental Health. See office website, available at <http://www.myflfamilies.com/service-programs/substance-abuse/recovery-residence> (last visited March 2, 2017). The current credentialing entity for recovery residences is the Florida Association of Recovery Residences, which reported the existence of 257 recovery residences in Florida as of March 1, 2017. See <http://farronline.org/>.

¹⁰ Grand Jury Report, at page 5; and Task Force Report, at pages 1 and 3. See also a recent press release from the U.S. Attorney’s Office in the Southern District of Florida, *Six Defendants Charged in Health Care Fraud Scheme Involving Sober Homes and Alcohol and Drug Addiction Treatment Centers*, December 21, 2016, available at <https://www.justice.gov/usao-sdfl/pr/six-defendants-charged-health-care-fraud-scheme-involving-sober-homes-and-alcohol-and> (last visited March 2, 2017).

¹¹ See Specific Appropriation 884 (proviso), ch. 2016-66, L.O.F.

¹² See footnote 7.

¹³ “Some marketers create an online presence whereby potential patients and their families are willfully mislead and misdirected by unqualified individuals who offer diagnoses and placement recommendations. Often the result of these ‘lead

- Patients engaged in out-patient treatment typically need housing while in a treatment program and if the patient is far from home, unemployed, and unable to pay for basic needs, the patient may fall prey to patient brokering schemes.¹⁴
- Strengthening and modifying existing statutes, including patient brokering as a predicate RICO offense, creating new laws related to marketing practices, and amending existing law related to patient records, would be of benefit to state law enforcement and state attorneys as they investigate and prosecute these criminal enterprises.¹⁵

III. Effect of Proposed Changes:

The bill addresses two components of addiction treatment and recovery fraud, law enforcement and prosecution challenges surrounding those two types of fraud, and the certification of certain substance abuse treatment services provider personnel.

Marketing Practices

Although service providers are licensed through the Department of Children and Families (DCF), currently there is no real regulation or oversight of the marketing practices of service providers or of unlicensed recovery residences.¹⁶

Section 5 creates s. 397.488, F.S., to prohibit service providers, operators of recovery residences, or third parties that provide any form of advertising or marketing services to either of those entities, from engaging in deceptive, false, or misleading marketing practices. These entities cannot:

- Make or provide false or misleading statements or information about their business in marketing, advertising, media, or on their websites.
- Include on their websites false information, links, or coding or activation that provides false information or redirects to another website.

generators' is a referral to a provider in Florida." Task Force Report, page 4; "But when the person calls the number listed, the marketer silently routes the call to one of five different customers of the marketer. Some of those customers are simply other call centers or referral services. Others might be good or bad treatment centers in Florida that have paid the marketer for the referral. One of the problems with this practice is the monetary conflict of interest created once a 'lead' is already paid for. For example, when a treatment center pays \$1,000 for a lead, they are compelled to convince that caller to go to *their* treatment center, regardless of what the caller says or whether that particular treatment is in the caller's best interest. The level of care recommended will also be influenced by this monetary incentive. A person calling about outpatient treatment may be urged to get more intensive (and expensive) treatment under this scenario. The Grand Jury finds that deceptive marketing practices like these are detrimental to a patient's chances of receiving quality care and the appropriate level of care." Grand Jury Report, at pages 13-16.

¹⁴ "A common practice within the industry in Florida is for the treatment provider to pay a weekly fee or kickback to the recovery residence, with the understanding that the recovery residence will allow the patient to live at the residence for free or at a greatly reduced rent while attending the provider's outpatient treatment program. This practice was developed, in part, to ensure that out-of-state patients have a local place to live after they step down from inpatient to outpatient treatment. Most out-of-state patients who are attending intensive outpatient treatment are not locally employed, and while some are able to pay rent, many do not have the means. Without a local, stable address, it would be difficult, if not impossible, for a provider to treat the patient. This creates economic pressure for the provider to find a way to house the patient locally. Brokering, by providing kickbacks to the recovery residence in exchange for the delivery of a patient, is commonplace. Some treatment providers and recovery residences offer incentives such as gym memberships, scooters, weekly massages, chiropractic services, cigarettes, clothes, gift cards and more." Task Force Report, at pages 9-10. See Grand Jury Report, at pages 17-18.

¹⁵ Grand Jury Report, at pages 27-30.

¹⁶ Sections 397.401 and 397.487, F.S.

The entities also cannot enter into a contract with a marketing provider who agrees to generate referrals or leads for patient placement through a call center or website. However, the entity can enter into such a contract if the entity discloses certain information to a prospective patient.

This section also prohibits the entities from soliciting or receiving a commission, benefit, bonus, rebate, kickback, or bribe in exchange for a patient referral or acceptance or acknowledgement of treatment. A violation of this provision is punishable as a felony patient brokering offense under s. 817.505, F.S. All other violations created in this section are punishable as first degree misdemeanors.¹⁷

Section 6 creates s. 817.0345, F.S., to make it unlawful for a person to knowingly and willfully make a materially false or misleading statement with the intent to induce another to seek treatment with a particular service provider. A violation of this section is punishable as a felony of the third degree.¹⁸

Patient Brokering

Section 817.505, F.S., is the current law that prohibits patient brokering. Substance abuse service providers, which includes out-patient treatment service providers licensed by the Department of Children and Families under ch. 397, F.S.,¹⁹ are prohibited from engaging in patient brokering. It is unlawful to:²⁰

- Offer or pay any commission, bonus, rebate, kickback, or bribe, directly or indirectly, in cash or in kind, or engage in any split-fee arrangement, in any form whatsoever, to induce the referral of patients or patronage to or from a health care provider or health care facility;
- Solicit or receive any commission, bonus, rebate, kickback, or bribe, directly or indirectly, in cash or in kind, or engage in any split-fee arrangement, in any form whatsoever, in return for referring patients or patronage to or from a health care provider or health care facility;
- Solicit or receive any commission, bonus, rebate, kickback, or bribe, directly or indirectly, in cash or in kind, or engage in any split-fee arrangement, in any form whatsoever, in return for the acceptance or acknowledgment of treatment from a health care provider or health care facility; or
- Aid, abet, advise, or otherwise participate in the conduct prohibited under any of the above.²¹

Section 7 amends s. 817.505(1), F.S., to add the term “benefit” to the list of things a person, health care provider, or health care facility may not offer, pay, solicit, or receive:

- To induce the referral of a patient or patronage to or from a health care provider or facility;
- In return for a referral of a patient or patronage to or from a health care provider or facility; or
- In return for the acceptance or acknowledgment of treatment.

¹⁷ Pursuant to the bill, the punishment is up to a \$1,000 fine or court ordered restitution. Sections 775.083 and 775.089, F.S.

¹⁸ A third degree felony is punishable by a fine of up to \$5,000, a term of imprisonment up to 5 years, or both; a habitual offender may be sentenced to a term of imprisonment of up to 10 years. Sections 775.082, 775.083, and 775.084, F.S.

¹⁹ Substance abuse service providers are included under the term “health care provider or health care facility” in s. 817.505(2)(a), F.S.

²⁰ Section 817.505(4), F.S., sets forth third degree felony penalties for patient brokering offenses.

²¹ Section 817.505(1), F.S.

Section 7 also creates the following graduated monetary penalties and new second and first degree felony offenses for violations of s. 817.505, F.S., based upon the number of patients involved in the violation:

- If fewer than 10 patients are involved, the third degree felony²² penalties apply and a new \$50,000 fine is created by the bill;
- If 10-19 patients are involved, a new second degree felony²³ and a \$100,000 fine is created; and
- If 20 or more patients are involved, a new first degree felony²⁴ and a \$500,000 fine is created by the bill.

Section 9 amends the Criminal Punishment Code to rank the above-referenced offenses as a Level 4, Level 6, and Level 8, respectively, for the purpose of assigning sentencing points.²⁵

Section 3 amends s. 397.407(11), F.S., to address the economic relationship between licensed service providers and recovery residences.²⁶

This section prohibits a service provider from referring a prospective patient to, or accepting a referral from, a recovery residence that is not in compliance with the voluntary certification program set forth in ss. 397.487 and 397.4871, F.S.²⁷

Section 8 amends s. 895.02, F.S., to add “patient brokering” to the list of crimes in the RICO statute.²⁸

Related Law Enforcement and Prosecution Challenges

Patient Records

Section 397.501(7), F.S., protects a substance abuse patient’s right to confidentiality of his or her records. The records of service providers pertaining to the identity, diagnosis, prognosis, and service provision are confidential and exempt from public records disclosure requirements.²⁹

²² Under the bill, the third degree felony is punishable by a fine of \$50,000 and a term of imprisonment up to 5 years; a habitual offender may be sentenced to a term of imprisonment of up to 10 years. Sections 775.082 and 775.084, F.S.

²³ Under the bill, the second degree felony is punishable by a fine of \$100,000 and a term of imprisonment up to 15 years; a habitual offender may be sentenced to a term of imprisonment of up to 30 years. Sections 775.082 and 775.084, F.S.

²⁴ Under the bill, the first degree felony is punishable by a fine of \$500,000 and a term of imprisonment up to 30 years; a habitual offender may be sentenced to a term of imprisonment for life. Sections 775.082 and 775.084, F.S.

²⁵ Assuming the defendant is before the court to be sentenced on one offense and assuming the defendant has no criminal history, the lowest permissible sentence for a Level 4 crime is probation or community control; for a Level 6 crime is probation or community control; and for a Level 8 crime is 34.5 months in prison. (Sentencing scoresheets computed by Criminal Justice Committee staff based upon s. 921.0024, F.S.).

²⁶ According to the Grand Jury Report, there is a “strong economic motive to promote a cycle of unnecessary treatment and/or relapse.” The Grand Jury heard testimony from “countless patients who have fallen prey to this cycle of dependence and its devastating impacts on recovery. It is not uncommon for a person to be in this cycle of treatment/relapse for years.” Grand Jury Report, at page 20.

²⁷ See footnote 9.

²⁸ Sections 895.01-895.06, F.S., make up the Racketeer Influenced and Corrupt Organization (RICO) Act. Prosecution under the RICO Act may result in higher criminal penalties.

²⁹ Section 119.07(1) and s. 24(a), Art. 1 of the State Constitution.

Section 397.501(7)(a)5., F.S., provides for “appropriate” disclosure without a patient’s consent “[u]pon court order based on application showing good cause for disclosure. In determining whether there is good cause for disclosure, the court shall examine whether the public interest and the need for disclosure outweigh the potential injury to the individual, to the service provider and the individual, and to the service provider itself.”

Section 397.501(7)(h), F.S., requires that “[t]he individual and the person holding the records from whom disclosure is sought must be given adequate notice in a manner which will not disclose identifying information to other persons, and an opportunity to file a written response to the application, or to appear in person, for the limited purpose of providing evidence on the statutory and regulatory criteria for the issuance of the court order.”

It is the requirement of “adequate notice...and an opportunity to file a written response to the application” for the court order that has proven somewhat problematic for law enforcement investigators.³⁰

Section 4 creates s. 397.501(7)(h)2., F.S., to adopt the federal standard for patient notice.³¹ Federal case law interpreting the federal code reinforces the plain-reading of the code, that notice can be delayed until the order has been “implemented.”³²

Office of the Statewide Prosecutor

Section 1 amends s. 16.56, F.S., to expand the jurisdiction of the Statewide Prosecutor to extend to the investigation and prosecution of patient brokering. This should aid local law enforcement and prosecutors because the Statewide Prosecutor has the ability to seamlessly move from one local jurisdiction to another in a large-scale, jurisdiction-crossing investigation.

Substance Abuse Service Provider Personnel

As provided in ch. 397, F.S., the substance abuse services chapter, “service provider personnel” or “personnel” includes all owners, directors, chief financial officers, staff, and volunteers, including foster parents, of a service provider.³³

Section 397.321(13), F.S., currently requires the DCF to ensure that service provider personnel have background checks as required in ch. 397, F.S., and meet the minimum standards.

Section 397.451, F.S., lists the persons who must have a background check, including:

- All owners, directors, and chief financial officers of service providers; and
- All service provider personnel who have direct contact with children receiving services or with adults who are developmentally disabled receiving services.

³⁰ Grand Jury Report, at pages 31-32.

³¹ 42 C.F.R. 2.66 provides that “upon implementation” of the court order, the patient and other parties must be given an opportunity to seek revocation or amendment of the order “limited to the presentation of evidence on the statutory and regulatory criteria for the issuance of the court order.”

³² *U.S. v. Shinderman*, 515 F.3d 5 (1st Cir., 2008).

³³ Section 397.311(43), F.S.

However, service providers that are exempt from licensing provisions of ch. 397, F.S., are exempt from personnel fingerprinting and background check requirements, except as otherwise provided in s. 397.451, F.S.

Section 2 amends s. 397.321, F.S., to require the DCF to ensure that substance abuse service provider personnel who provide direct clinical treatment services are certified through a DCF-recognized certification process. Licensed physicians, physician assistants, advanced registered nurse practitioners, psychologists, mental health counselors, and others are exempted from this requirement.

Section 10 appropriates \$194,120 in recurring funds from the Operating Trust Fund in the Department of Legal Affairs, for two assistant statewide prosecutors to assist in the prosecution of fraudulent patient brokering.

The bill becomes effective on July 1, 2017.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

CS/CS/SB 788 creates new felony offenses and increases potential prison sentences within existing offenses. The Criminal Justice Impact Conference met on March 29, 2017 and determined the bill will increase the state prison population by an insignificant amount.

The Office of the Statewide Prosecutor indicates that the bill could increase the workload for the office and would result in the need for two additional prosecutors.³⁴ The bill appropriates \$194,120 in recurring funds from the Operating Trust Fund in the Department of Legal Affairs, for two assistant statewide prosecutors to assist in the prosecution of fraudulent patient brokering.

According to the Department of Children and Families, this bill will have no fiscal impact on the department.³⁵

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 16.56, 397.321, 397.407, 397.501, 817.505, 895.02, and 921.0022.

This bill creates the following sections of the Florida Statutes: 397.488 and 817.0345.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS by Appropriations on April 5, 2017:

This committee substitute appropriates \$194,120 in recurring funds from the Operating Trust Fund in the Department of Legal Affairs, for two assistant statewide prosecutors to assist in the prosecution of fraudulent patient brokering.

CS by Criminal Justice on March 6, 2017:

The CS:

- Amended s. 397.321, F.S., in a new Section 2 of the bill, to require the Department of Children and Families to ensure that substance abuse service provider personnel who provide direct clinical treatment services are certified through a DCF-recognized certification process.
- Amended Section 3 of the bill to clarify that the bill does not require a recovery residence to refer any patient to a licensed service provider.
- Amended Section 4 of the bill to make technical changes putting the new statutory language in s. 397.488, F.S., clarifying what information must be given to prospective

³⁴ E-mail dated March 3, 2017, from Office of the Attorney General staff to Criminal Justice Committee staff, on file with Criminal Justice Committee staff.

³⁵ E-mail dated March 30, 2017, from Department of Children and Families staff to Appropriation Subcommittee on Civil and Criminal Justice staff, on file with Appropriation Subcommittee on Civil and Criminal Justice staff.

patients, and removing the requirement that the Department of Business and Professional Regulation license the marketing entities addressed in the bill.

- Made technical changes removing “s. 775.083,” F.S., a reference to potential fines a person may be sentenced to pay, because the fines are specifically set forth in Section 6 of the bill.
- Amended the Criminal Punishment Code ranking chart found in s. 921.0022, F.S., in Section 9 of the bill.

B. Amendments:

None.



743556

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/06/2017	.	
	.	
	.	
	.	

The Committee on Appropriations (Clemens) recommended the following:

Senate Amendment (with title amendment)

Between lines 649 and 650
insert:

Section 10. For the 2017-2018 fiscal year, the sum of \$194,120 in recurring funds is appropriated from the Operating Trust Fund in the Department of Legal Affairs, and two full-time equivalent positions, with associated salary rate of 130,000, are authorized, for the purpose of implementing this act.



743556

11 ===== T I T L E A M E N D M E N T =====

12 And the title is amended as follows:

13 Delete line 45

14 and insert:

15 ranking offenses; providing an appropriation;

16 providing an effective date.

By the Committee on Criminal Justice; and Senator Clemens

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A bill to be entitled

An act relating to marketing practices for substance abuse services; amending s. 16.56, F.S.; authorizing the Office of Statewide Prosecution in the Department of Legal Affairs to investigate and prosecute patient brokering offenses; amending 397.321, F.S.; requiring the Department of Children and Families to ensure that substance abuse service provider personnel providing direct clinical treatment services are certified through a department-recognized certification process; exempting specified licensed individuals from certification; amending s. 397.407, F.S.; revising the requirements for the referral of patients to, and the acceptance of referrals from, a recovery residence; specifying that certain referrals are not prohibited; providing applicability; clarifying that such referrals are not required; amending s. 397.501, F.S.; providing that an application for the disclosure of an individual's records may be filed as part of an active criminal investigation; authorizing a court to approve an application for the disclosure of an individual's substance abuse treatment records without providing express notice of the application to the individual or identified parties with an interest in the records if the application is filed as part of an active criminal investigation; providing that upon implementation of the order granting such application, the individual and identified parties with an interest in the records must be afforded an opportunity to seek revocation or

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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amendment of that order; creating s. 397.488, F.S.; providing legislative findings; prohibiting service providers, operators of recovery residences, and certain third parties from engaging in specified marketing practices; providing penalties; creating s. 817.0345, F.S.; prohibiting a person from knowingly and willfully making specified false or misleading statements or providing specified false or misleading information under certain circumstances; providing penalties; amending s. 817.505, F.S.; providing that it is unlawful for a person to offer or pay, or solicit or receive, benefits under certain circumstances; providing fines and penalties; amending s. 895.02, F.S.; revising the definition of the term "racketeering activity"; amending s. 921.0022, F.S.; ranking offenses; providing an effective date.

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

Section 1. Paragraph (a) of subsection (1) of section 16.56, Florida Statutes, is amended to read:

16.56 Office of Statewide Prosecution.—

(1) There is created in the Department of Legal Affairs an Office of Statewide Prosecution. The office shall be a separate "budget entity" as that term is defined in chapter 216. The office may:

(a) Investigate and prosecute the offenses of:

1. Bribery, burglary, criminal usury, extortion, gambling, kidnapping, larceny, murder, prostitution, perjury, robbery,

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carjacking, ~~and~~ home-invasion robbery, and patient brokering;

2. Any crime involving narcotic or other dangerous drugs;

3. Any violation of the Florida RICO (Racketeer Influenced and Corrupt Organization) Act, including any offense listed in the definition of racketeering activity in s. 895.02(8)(a), providing such listed offense is investigated in connection with a violation of s. 895.03 and is charged in a separate count of an information or indictment containing a count charging a violation of s. 895.03, the prosecution of which listed offense may continue independently if the prosecution of the violation of s. 895.03 is terminated for any reason;

4. Any violation of the Florida Anti-Fencing Act;

5. Any violation of the Florida Antitrust Act of 1980, as amended;

6. Any crime involving, or resulting in, fraud or deceit upon any person;

7. Any violation of s. 847.0135, relating to computer pornography and child exploitation prevention, or any offense related to a violation of s. 847.0135 or any violation of chapter 827 where the crime is facilitated by or connected to the use of the Internet or any device capable of electronic data storage or transmission;

8. Any violation of chapter 815;

9. Any criminal violation of part I of chapter 499;

10. Any violation of the Florida Motor Fuel Tax Relief Act of 2004;

11. Any criminal violation of s. 409.920 or s. 409.9201;

12. Any crime involving voter registration, voting, or candidate or issue petition activities;

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13. Any criminal violation of the Florida Money Laundering Act;

14. Any criminal violation of the Florida Securities and Investor Protection Act; or

15. Any violation of chapter 787, as well as any and all offenses related to a violation of chapter 787;

or any attempt, solicitation, or conspiracy to commit any of the crimes specifically enumerated above. The office shall have such power only when any such offense is occurring, or has occurred, in two or more judicial circuits as part of a related transaction, or when any such offense is connected with an organized criminal conspiracy affecting two or more judicial circuits. Informations or indictments charging such offenses shall contain general allegations stating the judicial circuits and counties in which crimes are alleged to have occurred or the judicial circuits and counties in which crimes affecting such circuits or counties are alleged to have been connected with an organized criminal conspiracy.

Section 2. Subsection (21) of section 397.321, Florida Statutes, is added to read:

397.321 Duties of the department.—The department shall:

(21) Ensure that substance abuse service provider personnel who provide direct clinical treatment services as defined in s. 397.311(25)(a) are certified through a department-recognized certification process. A physician or a physician assistant licensed under chapter 458 or chapter 459; a professional licensed under chapter 490 or chapter 491; or an advanced registered nurse practitioner licensed under part I of chapter

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117 464 is exempt from the requirements of this subsection.

118 Section 3. Subsection (11) of section 397.407, Florida
119 Statutes, is amended to read:

120 397.407 Licensure process; fees.—

121 (11) Effective July 1, 2017 ~~2016~~, a service provider
122 licensed under this part may not refer a prospective, current,
123 or discharged patient to, or accept a referral from, a recovery
124 residence unless the recovery residence holds a valid
125 certificate of compliance as provided in s. 397.487 and is
126 actively managed by a certified recovery residence administrator
127 as provided in s. 397.4871 ~~or the recovery residence is owned~~
128 ~~and operated by a licensed service provider or a licensed~~
129 ~~service provider's wholly owned subsidiary.~~ For purposes of this
130 subsection, the term "refer" means to inform a patient by any
131 means about the name, address, or other details of the recovery
132 residence. However, this subsection does not require a licensed
133 service provider to refer any patient to a recovery residence.
134 This subsection does not require a recovery residence to refer
135 any patient to a licensed service provider. This subsection does
136 not prohibit a referral by a recovery residence to a licensed
137 service provider when the recovery residence, including its
138 owners, operators, and employees, do not benefit, directly or
139 indirectly, from the referral, and does not apply to a licensed
140 service provider under contract with a managing entity as
141 defined in s. 394.9082.

142 Section 4. Paragraphs (g) and (h) of subsection (7) of
143 section 397.501, Florida Statutes, are amended to read:

144 397.501 Rights of individuals.—Individuals receiving
145 substance abuse services from any service provider are

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146 guaranteed protection of the rights specified in this section,
147 unless otherwise expressly provided, and service providers must
148 ensure the protection of such rights.

149 (7) RIGHT TO CONFIDENTIALITY OF INDIVIDUAL RECORDS.—

150 (g) An order authorizing the disclosure of an individual's
151 records may be applied for by any person having a legally
152 recognized interest in the disclosure which is sought. The
153 application may be filed alone separately or as part of a
154 pending civil action or an active criminal investigation in
155 which it appears that the individual's records are needed to
156 provide evidence. An application must use a fictitious name,
157 such as John Doe or Jane Doe, to refer to any individual and may
158 not contain or otherwise disclose any identifying information
159 unless the individual is the applicant or has given a written
160 consent to disclosure or the court has ordered the record of the
161 proceeding sealed from public scrutiny.

162 (h) 1. For applications filed alone or as part of a pending
163 civil action, the individual and the person holding the records
164 from whom disclosure is sought must be given adequate notice in
165 a manner which will not disclose identifying information to
166 other persons, and an opportunity to file a written response to
167 the application, or to appear in person, for the limited purpose
168 of providing evidence on the statutory and regulatory criteria
169 for the issuance of the court order.

170 2. Applications filed as part of an active criminal
171 investigation may, in the discretion of the court, be granted
172 without notice. Although no express notice is required to the
173 agents, owners, and employees of the treatment provider or to
174 any patient whose records are to be disclosed, upon

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implementation of an order so granted, any of these persons must be afforded an opportunity to seek revocation or amendment of the order, limited to the presentation of evidence on the statutory and regulatory criteria for the issuance of the order.

Section 5. Section 397.488, Florida Statutes, is created to read:

397.488 Prohibition of deceptive marketing practices.—

(1) The Legislature recognizes that consumers of substance abuse treatment have disabling conditions and that such consumers and their families are vulnerable and at risk of being easily victimized by fraudulent marketing practices that adversely impact the delivery of health care. To protect the health, safety, and welfare of this vulnerable population, a service provider, an operator of a recovery residence, or a third party who provides any form of advertising or marketing services to a service provider or an operator of a recovery residence may not engage in any of the following marketing practices:

(a) Making a false or misleading statement or providing false or misleading information about the provider's or operator's or third party's products, goods, services, or geographical locations in its marketing, advertising materials, or media or on its website.

(b) Including on its website false information, electronic links, or coding or activation that provides false information or that surreptitiously directs the reader to another website.

(c) Soliciting, receiving, or making an attempt to solicit or receive a commission, benefit, bonus, rebate, kickback, or bribe, directly or indirectly, in cash or in kind, or engaging

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or making an attempt to engage in a split-fee arrangement in return for a referral or an acceptance or acknowledgment of treatment from a service provider or recovery residence.

(d) Entering into a contract with a marketing provider who agrees to generate referrals or leads for the placement of patients with a service provider or in a recovery residence through a call center or a web-based presence, unless the service provider or the operator of the recovery residence discloses the following to the prospective patient so that the patient can make an informed health care decision:

1. Information about the specific licensed service providers or recovery residences that are represented by the marketing provider and pay a fee to the marketing provider, including the identity of such service providers or recovery residences; and

2. Clear and concise instructions that allow the prospective patient to easily access lists of licensed service providers and recovery residences on the department website.

(2) In addition to any other punishment authorized by law, a person or entity that knowingly and willfully violates paragraph (1)(a), paragraph (1)(b), or paragraph (1)(d) commits a misdemeanor of the first degree, punishable as provided in s. 775.083 or s. 775.089. A violation of paragraph (1)(c) is a violation of the prohibition on patient brokering and may subject the party committing the violation to criminal penalties under s. 817.505.

Section 6. Section 817.0345, Florida Statutes, is created to read:

817.0345 Prohibition of fraudulent marketing practices.—It

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is unlawful for any person to knowingly and willfully make a materially false or misleading statement or provide false or misleading information about the identity, products, goods, services, or geographical location of a licensed service provider, as defined in chapter 397, in marketing, advertising materials, or other media or on a website with the intent to induce another person to seek treatment with that service provider. A person who violates this section commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 7. Subsections (1) and (4) of section 817.505, Florida Statutes, are amended to read:

817.505 Patient brokering prohibited; exceptions; penalties.—

(1) It is unlawful for any person, including any health care provider or health care facility, to:

(a) Offer or pay a ~~any~~ commission, benefit, bonus, rebate, kickback, or bribe, directly or indirectly, in cash or in kind, or engage in any split-fee arrangement, in any form whatsoever, to induce the referral of a patient ~~patients~~ or patronage to or from a health care provider or health care facility;

(b) Solicit or receive a ~~any~~ commission, benefit, bonus, rebate, kickback, or bribe, directly or indirectly, in cash or in kind, or engage in any split-fee arrangement, in any form whatsoever, in return for referring a patient ~~patients~~ or patronage to or from a health care provider or health care facility;

(c) Solicit or receive a ~~any~~ commission, benefit, bonus, rebate, kickback, or bribe, directly or indirectly, in cash or

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in kind, or engage in any split-fee arrangement, in any form whatsoever, in return for the acceptance or acknowledgment of treatment from a health care provider or health care facility; or

(d) Aid, abet, advise, or otherwise participate in the conduct prohibited under paragraph (a), paragraph (b), or paragraph (c).

(4)(a) Any person, including an officer, partner, agent, attorney, or other representative of a firm, joint venture, partnership, business trust, syndicate, corporation, or other business entity, who violates any provision of this section commits a felony of the third degree, punishable as provided in s. 775.082, ~~s. 775.083~~, or s. 775.084, and a fine of \$50,000.

(b) Any person, including an officer, partner, agent, attorney, or other representative of a firm, joint venture, partnership, business trust, syndicate, corporation, or other business entity, who violates any provision of this section, where the prohibited conduct involves 10 or more patients but fewer than 20 patients, commits a felony of the second degree, punishable as provided in s. 775.082 or s. 775.084, and a fine of \$100,000.

(c) Any person, including an officer, partner, agent, attorney, or other representative of a firm, joint venture, partnership, business trust, syndicate, corporation, or other business entity, who violates any provision of this section, where the prohibited conduct involves 20 or more patients, commits a felony of the first degree, punishable as provided in s. 775.082 or s. 775.084, and a fine of \$500,000.

Section 8. Paragraph (a) of subsection (8) of section

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895.02, Florida Statutes, is amended to read:

895.02 Definitions.—As used in ss. 895.01-895.08, the term:

(8) "Racketeering activity" means to commit, to attempt to commit, to conspire to commit, or to solicit, coerce, or intimidate another person to commit:

(a) Any crime that is chargeable by petition, indictment, or information under the following provisions of the Florida Statutes:

1. Section 210.18, relating to evasion of payment of cigarette taxes.

2. Section 316.1935, relating to fleeing or attempting to elude a law enforcement officer and aggravated fleeing or eluding.

3. Section 403.727(3)(b), relating to environmental control.

4. Section 409.920 or s. 409.9201, relating to Medicaid fraud.

5. Section 414.39, relating to public assistance fraud.

6. Section 440.105 or s. 440.106, relating to workers' compensation.

7. Section 443.071(4), relating to creation of a fictitious employer scheme to commit reemployment assistance fraud.

8. Section 465.0161, relating to distribution of medicinal drugs without a permit as an Internet pharmacy.

9. Section 499.0051, relating to crimes involving contraband, adulterated, or misbranded drugs.

10. Part IV of chapter 501, relating to telemarketing.

11. Chapter 517, relating to sale of securities and investor protection.

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12. Section 550.235 or s. 550.3551, relating to dogracing and horseracing.

13. Chapter 550, relating to jai alai frontons.

14. Section 551.109, relating to slot machine gaming.

15. Chapter 552, relating to the manufacture, distribution, and use of explosives.

16. Chapter 560, relating to money transmitters, if the violation is punishable as a felony.

17. Chapter 562, relating to beverage law enforcement.

18. Section 624.401, relating to transacting insurance without a certificate of authority, s. 624.437(4)(c)1., relating to operating an unauthorized multiple-employer welfare arrangement, or s. 626.902(1)(b), relating to representing or aiding an unauthorized insurer.

19. Section 655.50, relating to reports of currency transactions, when such violation is punishable as a felony.

20. Chapter 687, relating to interest and usurious practices.

21. Section 721.08, s. 721.09, or s. 721.13, relating to real estate timeshare plans.

22. Section 775.13(5)(b), relating to registration of persons found to have committed any offense for the purpose of benefiting, promoting, or furthering the interests of a criminal gang.

23. Section 777.03, relating to commission of crimes by accessories after the fact.

24. Chapter 782, relating to homicide.

25. Chapter 784, relating to assault and battery.

26. Chapter 787, relating to kidnapping or human

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trafficking.

27. Chapter 790, relating to weapons and firearms.

28. Chapter 794, relating to sexual battery, but only if such crime was committed with the intent to benefit, promote, or further the interests of a criminal gang, or for the purpose of increasing a criminal gang member's own standing or position within a criminal gang.

29. Former s. 796.03, former s. 796.035, s. 796.04, s. 796.05, or s. 796.07, relating to prostitution.

30. Chapter 806, relating to arson and criminal mischief.

31. Chapter 810, relating to burglary and trespass.

32. Chapter 812, relating to theft, robbery, and related crimes.

33. Chapter 815, relating to computer-related crimes.

34. Chapter 817, relating to fraudulent practices, false pretenses, fraud generally, ~~and~~ credit card crimes, and patient brokering.

35. Chapter 825, relating to abuse, neglect, or exploitation of an elderly person or disabled adult.

36. Section 827.071, relating to commercial sexual exploitation of children.

37. Section 828.122, relating to fighting or baiting animals.

38. Chapter 831, relating to forgery and counterfeiting.

39. Chapter 832, relating to issuance of worthless checks and drafts.

40. Section 836.05, relating to extortion.

41. Chapter 837, relating to perjury.

42. Chapter 838, relating to bribery and misuse of public

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office.

43. Chapter 843, relating to obstruction of justice.

44. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or s. 847.07, relating to obscene literature and profanity.

45. Chapter 849, relating to gambling, lottery, gambling or gaming devices, slot machines, or any of the provisions within that chapter.

46. Chapter 874, relating to criminal gangs.

47. Chapter 893, relating to drug abuse prevention and control.

48. Chapter 896, relating to offenses related to financial transactions.

49. Sections 914.22 and 914.23, relating to tampering with or harassing a witness, victim, or informant, and retaliation against a witness, victim, or informant.

50. Sections 918.12 and 918.13, relating to tampering with jurors and evidence.

Section 9. Paragraphs (c), (d), (f), and (h) of subsection (3) of section 921.0022, Florida Statutes, are amended to read: 921.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

(c) LEVEL 3

Florida Statute	Felony Degree	Description
119.10(2)(b)	3rd	Unlawful use of confidential information

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			from police reports.
403	316.066	3rd	Unlawfully obtaining or
	(3) (b) - (d)		using confidential crash
			reports.
404	316.193(2) (b)	3rd	Felony DUI, 3rd conviction.
405	316.1935(2)	3rd	Fleeing or attempting to
			elude law enforcement
			officer in patrol vehicle
			with siren and lights
			activated.
406	319.30(4)	3rd	Possession by junkyard of
			motor vehicle with
			identification number plate
			removed.
407	319.33(1) (a)	3rd	Alter or forge any
			certificate of title to a
			motor vehicle or mobile
			home.
408	319.33(1) (c)	3rd	Procure or pass title on
			stolen vehicle.
409	319.33(4)	3rd	With intent to defraud,
			possess, sell, etc., a

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			blank, forged, or
			unlawfully obtained title
			or registration.
410	327.35(2) (b)	3rd	Felony BUI.
411	328.05(2)	3rd	Possess, sell, or
			counterfeit fictitious,
			stolen, or fraudulent
			titles or bills of sale of
			vessels.
412	328.07(4)	3rd	Manufacture, exchange, or
			possess vessel with
			counterfeit or wrong ID
			number.
413	376.302(5)	3rd	Fraud related to
			reimbursement for cleanup
			expenses under the Inland
			Protection Trust Fund.
414	379.2431	3rd	Taking, disturbing,
	(1) (e) 5.		mutilating, destroying,
			causing to be destroyed,
			transferring, selling,
			offering to sell,
			molesting, or harassing
			marine turtles, marine

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			turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.
415	379.2431 (1) (e) 6.	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.
416	400.9935(4) (a) or (b)	3rd	Operating a clinic, or offering services requiring licensure, without a license.
417	400.9935(4) (e)	3rd	Filing a false license application or other required information or failing to report information.
418	440.1051(3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
419	501.001(2) (b)	2nd	Tampers with a consumer product or the container using materially

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			false/misleading information.
420	624.401(4) (a)	3rd	Transacting insurance without a certificate of authority.
421	624.401(4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
422	626.902(1) (a) & (b)	3rd	Representing an unauthorized insurer.
423	697.08	3rd	Equity skimming.
424	790.15(3)	3rd	Person directs another to discharge firearm from a vehicle.
425	806.10(1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
426	806.10(2)	3rd	Interferes with or assaults firefighter in performance

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			of duty.
427	810.09(2)(c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
428	812.014(2)(c)2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
429	812.0145(2)(c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
430	815.04(5)(b)	2nd	Computer offense devised to defraud or obtain property.
431	817.034(4)(a)3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
432	817.233	3rd	Burning to defraud insurer.
433	817.234 (8)(b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.

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434	817.234(11)(a)	3rd	Insurance fraud; property value less than \$20,000.
435	817.236	3rd	Filing a false motor vehicle insurance application.
436	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
437	817.413(2)	3rd	Sale of used goods as new.
438	~~817.505(4)~~	~~3rd~~	~~Patient brokering.~~
439	828.12(2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
440	831.28(2)(a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
441	831.29	2nd	Possession of instruments

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 for counterfeiting driver
 licenses or identification
 cards.

442 838.021(3)(b) 3rd Threatens unlawful harm to
 public servant.

443 843.19 3rd Injure, disable, or kill
 police dog or horse.

444 860.15(3) 3rd Overcharging for repairs
 and parts.

445 870.01(2) 3rd Riot; inciting or
 encouraging.

446 893.13(1)(a)2. 3rd Sell, manufacture, or
 deliver cannabis (or other
 s. 893.03(1)(c), (2)(c)1.,
 (2)(c)2., (2)(c)3.,
 (2)(c)5., (2)(c)6.,
 (2)(c)7., (2)(c)8.,
 (2)(c)9., (3), or (4)
 drugs).

447 893.13(1)(d)2. 2nd Sell, manufacture, or
 deliver s. 893.03(1)(c),
 (2)(c)1., (2)(c)2.,
 (2)(c)3., (2)(c)5.,

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 (2)(c)6., (2)(c)7.,
 (2)(c)8., (2)(c)9., (3), or
 (4) drugs within 1,000 feet
 of university.

448 893.13(1)(f)2. 2nd Sell, manufacture, or
 deliver s. 893.03(1)(c),
 (2)(c)1., (2)(c)2.,
 (2)(c)3., (2)(c)5.,
 (2)(c)6., (2)(c)7.,
 (2)(c)8., (2)(c)9., (3), or
 (4) drugs within 1,000 feet
 of public housing facility.

449 893.13(4)(c) 3rd Use or hire of minor;
 deliver to minor other
 controlled substances.

450 893.13(6)(a) 3rd Possession of any
 controlled substance other
 than felony possession of
 cannabis.

451 893.13(7)(a)8. 3rd Withhold information from
 practitioner regarding
 previous receipt of or
 prescription for a
 controlled substance.

452

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	893.13(7)(a)9.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.
453			
	893.13(7)(a)10.	3rd	Affix false or forged label to package of controlled substance.
454			
	893.13(7)(a)11.	3rd	Furnish false or fraudulent material information on any document or record required by chapter 893.
455			
	893.13(8)(a)1.	3rd	Knowingly assist a patient, other person, or owner of an animal in obtaining a controlled substance through deceptive, untrue, or fraudulent representations in or related to the practitioner's practice.
456			
	893.13(8)(a)2.	3rd	Employ a trick or scheme in the practitioner's practice to assist a patient, other person, or owner of an animal in obtaining a

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			controlled substance.
457			
	893.13(8)(a)3.	3rd	Knowingly write a prescription for a controlled substance for a fictitious person.
458			
	893.13(8)(a)4.	3rd	Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.
459			
	918.13(1)(a)	3rd	Alter, destroy, or conceal investigation evidence.
460			
	944.47	3rd	Introduce contraband to correctional facility.
	(1)(a)1. & 2.		
461			
	944.47(1)(c)	2nd	Possess contraband while upon the grounds of a correctional institution.
462			
	985.721	3rd	Escapes from a juvenile facility (secure detention or residential commitment

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facility).

(d) LEVEL 4

Florida
StatuteFelony
Degree

Description

316.1935(3) (a)

2nd

Driving at high speed or
with wanton disregard
for safety while fleeing
or attempting to elude
law enforcement officer
who is in a patrol
vehicle with siren and
lights activated.

499.0051(1)

3rd

Failure to maintain or
deliver transaction
history, transaction
information, or
transaction statements.

499.0051(5)

2nd

Knowing sale or
delivery, or possession
with intent to sell,
contraband prescription
drugs.

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517.07(1)

3rd

Failure to register
securities.

517.12(1)

3rd

Failure of dealer,
associated person, or
issuer of securities to
register.

784.07(2) (b)

3rd

Battery of law
enforcement officer,
firefighter, etc.

784.074(1) (c)

3rd

Battery of sexually
violent predators
facility staff.

784.075

3rd

Battery on detention or
commitment facility
staff.

784.078

3rd

Battery of facility
employee by throwing,
tossing, or expelling
certain fluids or
materials.

784.08(2) (c)

3rd

Battery on a person 65
years of age or older.

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	591-02128-17		2017788c1
	784.081(3)	3rd	Battery on specified official or employee.
478			
	784.082(3)	3rd	Battery by detained person on visitor or other detainee.
479			
	784.083(3)	3rd	Battery on code inspector.
480			
	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
481			
	787.03(1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
482			
	787.04(2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
483			
	787.04(3)	3rd	Carrying child beyond state lines with

	591-02128-17		2017788c1
			criminal intent to avoid producing child at custody hearing or delivering to designated person.
484			
	787.07	3rd	Human smuggling.
485			
	790.115(1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
486			
	790.115(2)(b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
487			
	790.115(2)(c)	3rd	Possessing firearm on school property.
488			
	800.04(7)(c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
489			
	810.02(4)(a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or

	591-02128-17		2017788c1
			battery.
490	810.02(4)(b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
491	810.06	3rd	Burglary; possession of tools.
492	810.08(2)(c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
493	812.014(2)(c)3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
494	812.014 (2)(c)4.-10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
495	812.0195(2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
496	<u>817.505(4)(a)</u>	<u>3rd</u>	<u>Patient brokering.</u>

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	591-02128-17		2017788c1
497	817.563(1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.
498	817.568(2)(a)	3rd	Fraudulent use of personal identification information.
499	817.625(2)(a)	3rd	Fraudulent use of scanning device or reencoder.
500	828.125(1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
501	837.02(1)	3rd	Perjury in official proceedings.
502	837.021(1)	3rd	Make contradictory statements in official proceedings.

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503	591-02128-17		2017788c1
	838.022	3rd	Official misconduct.
504	839.13(2) (a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
505	839.13(2) (c)	3rd	Falsifying records of the Department of Children and Families.
506	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
507	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
508	843.15(1) (a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
509	847.0135(5) (c)	3rd	Lewd or lascivious

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			exhibition using computer; offender less than 18 years.
510	874.05(1) (a)	3rd	Encouraging or recruiting another to join a criminal gang.
511	893.13(2) (a) 1.	2nd	Purchase of cocaine (or other s. 893.03(1) (a), (b), or (d), (2) (a), (2) (b), or (2) (c) 4. drugs).
512	914.14(2)	3rd	Witnesses accepting bribes.
513	914.22(1)	3rd	Force, threaten, etc., witness, victim, or informant.
514	914.23(2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
515	918.12	3rd	Tampering with jurors.
516	934.215	3rd	Use of two-way

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communications device to
facilitate commission of
a crime.

517

518

519

520

(f) LEVEL 6

Florida

Felony

Statute

Degree

Description

521

316.027(2)(b)

2nd

Leaving the scene of a
crash involving serious
bodily injury.

522

316.193(2)(b)

3rd

Felony DUI, 4th or
subsequent conviction.

523

400.9935(4)(c)

2nd

Operating a clinic, or
offering services
requiring licensure,
without a license.

524

499.0051(2)

2nd

Knowing forgery of
transaction history,
transaction information,
or transaction
statement.

525

499.0051(3)

2nd

Knowing purchase or

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receipt of prescription
drug from unauthorized
person.

526

499.0051(4)

2nd

Knowing sale or transfer
of prescription drug to
unauthorized person.

527

775.0875(1)

3rd

Taking firearm from law
enforcement officer.

528

784.021(1)(a)

3rd

Aggravated assault;
deadly weapon without
intent to kill.

529

784.021(1)(b)

3rd

Aggravated assault;
intent to commit felony.

530

784.041

3rd

Felony battery; domestic
battery by
strangulation.

531

784.048(3)

3rd

Aggravated stalking;
credible threat.

532

784.048(5)

3rd

Aggravated stalking of
person under 16.

533

784.07(2)(c)

2nd

Aggravated assault on

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	591-02128-17		2017788c1
			law enforcement officer.
534	784.074 (1) (b)	2nd	Aggravated assault on sexually violent predators facility staff.
535	784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.
536	784.081 (2)	2nd	Aggravated assault on specified official or employee.
537	784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.
538	784.083 (2)	2nd	Aggravated assault on code inspector.
539	787.02 (2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
540	790.115 (2) (d)	2nd	Discharging firearm or

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			weapon on school property.
541	790.161 (2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
542	790.164 (1)	2nd	False report concerning bomb, explosive, weapon of mass destruction, act of arson or violence to state property, or use of firearms in violent manner.
543	790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
544	794.011 (8) (a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
545	794.05 (1)	2nd	Unlawful sexual activity with specified minor.
546			

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	800.04 (5) (d)	3rd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years of age; offender less than 18 years.
547			
	800.04 (6) (b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
548			
	806.031 (2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
549			
	810.02 (3) (c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
550			
	810.145 (8) (b)	2nd	Video voyeurism; certain minor victims; 2nd or subsequent offense.
551			
	812.014 (2) (b) 1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
552			

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	812.014 (6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.
553			
	812.015 (9) (a)	2nd	Retail theft; property stolen \$300 or more; second or subsequent conviction.
554			
	812.015 (9) (b)	2nd	Retail theft; property stolen \$3,000 or more; coordination of others.
555			
	812.13 (2) (c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
556			
	817.4821 (5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
557			
	<u>817.505 (4) (b)</u>	<u>2nd</u>	<u>Patient brokering; 10 or more patients.</u>
558			
	825.102 (1)	3rd	Abuse of an elderly person or disabled adult.
559			

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560	825.102(3)(c)	3rd	Neglect of an elderly person or disabled adult.
	825.1025(3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
561	825.103(3)(c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$10,000.
562	827.03(2)(c)	3rd	Abuse of a child.
563	827.03(2)(d)	3rd	Neglect of a child.
564	827.071(2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
565	836.05	2nd	Threats; extortion.
566	836.10	2nd	Written threats to kill or do bodily injury.
567	843.12	3rd	Aids or assists person

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568			to escape.
	847.011	3rd	Distributing, offering to distribute, or possessing with intent to distribute obscene materials depicting minors.
569	847.012	3rd	Knowingly using a minor in the production of materials harmful to minors.
570	847.0135(2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
571	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
572	944.35(3)(a)2.	3rd	Committing malicious battery upon or inflicting cruel or inhuman treatment on an

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			inmate or offender on community supervision, resulting in great bodily harm.
573	944.40	2nd	Escapes.
574	944.46	3rd	Harboring, concealing, aiding escaped prisoners.
575	944.47(1)(a)5.	2nd	Introduction of contraband (firearm, weapon, or explosive) into correctional facility.
576	951.22(1)	3rd	Intoxicating drug, firearm, or weapon introduced into county facility.
577			
578			
579	(h) LEVEL 8		
580			
	Florida	Felony	
	Statute	Degree	Description
581	316.193	2nd	DUI manslaughter.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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			(3)(c)3.a.
582	316.1935(4)(b)	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
583	327.35(3)(c)3.	2nd	Vessel BUI manslaughter.
584	499.0051(7)	1st	Knowing trafficking in contraband prescription drugs.
585	499.0051(8)	1st	Knowing forgery of prescription labels or prescription drug labels.
586	560.123(8)(b)2.	2nd	Failure to report currency or payment instruments totaling or exceeding \$20,000, but less than \$100,000 by money transmitter.
587	560.125(5)(b)	2nd	Money transmitter business by unauthorized person, currency or payment instruments totaling or exceeding

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	591-02128-17		2017788c1
			\$20,000, but less than \$100,000.
588	655.50(10)(b)2.	2nd	Failure to report financial transactions totaling or exceeding \$20,000, but less than \$100,000 by financial institutions.
589	777.03(2)(a)	1st	Accessory after the fact, capital felony.
590	782.04(4)	2nd	Killing of human without design when engaged in act or attempt of any felony other than arson, sexual battery, robbery, burglary, kidnapping, aggravated fleeing or eluding with serious bodily injury or death, aircraft piracy, or unlawfully discharging bomb.
591	782.051(2)	1st	Attempted felony murder while perpetrating or attempting to perpetrate

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	591-02128-17		2017788c1
			a felony not enumerated in s. 782.04(3).
592	782.071(1)(b)	1st	Committing vehicular homicide and failing to render aid or give information.
593	782.072(2)	1st	Committing vessel homicide and failing to render aid or give information.
594	787.06(3)(a)1.	1st	Human trafficking for labor and services of a child.
595	787.06(3)(b)	1st	Human trafficking using coercion for commercial sexual activity of an adult.
596	787.06(3)(c)2.	1st	Human trafficking using coercion for labor and services of an unauthorized alien adult.
597	787.06(3)(e)1.	1st	Human trafficking for labor and services by the

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transfer or transport of
a child from outside
Florida to within the
state.

598 787.06(3)(f)2. 1st Human trafficking using
coercion for commercial
sexual activity by the
transfer or transport of
any adult from outside
Florida to within the
state.

599 790.161(3) 1st Discharging a destructive
device which results in
bodily harm or property
damage.

600 794.011(5)(a) 1st Sexual battery; victim 12
years of age or older but
younger than 18 years;
offender 18 years or
older; offender does not
use physical force likely
to cause serious injury.

601 794.011(5)(b) 2nd Sexual battery; victim
and offender 18 years of
age or older; offender

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does not use physical
force likely to cause
serious injury.

602 794.011(5)(c) 2nd Sexual battery; victim 12
years of age or older;
offender younger than 18
years; offender does not
use physical force likely
to cause injury.

603 794.011(5)(d) 1st Sexual battery; victim 12
years of age or older;
offender does not use
physical force likely to
cause serious injury;
prior conviction for
specified sex offense.

604 794.08(3) 2nd Female genital
mutilation, removal of a
victim younger than 18
years of age from this
state.

605 800.04(4)(b) 2nd Lewd or lascivious
battery.

606 800.04(4)(c) 1st Lewd or lascivious

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	591-02128-17		2017788c1
			battery; offender 18 years of age or older; prior conviction for specified sex offense.
607	806.01(1)	1st	Maliciously damage dwelling or structure by fire or explosive, believing person in structure.
608	810.02(2)(a)	1st,PBL	Burglary with assault or battery.
609	810.02(2)(b)	1st,PBL	Burglary; armed with explosives or dangerous weapon.
610	810.02(2)(c)	1st	Burglary of a dwelling or structure causing structural damage or \$1,000 or more property damage.
611	812.014(2)(a)2.	1st	Property stolen; cargo valued at \$50,000 or more, grand theft in 1st degree.
612			

	591-02128-17		2017788c1
	812.13(2)(b)	1st	Robbery with a weapon.
613	812.135(2)(c)	1st	Home-invasion robbery, no firearm, deadly weapon, or other weapon.
614	<u>817.505(4)(c)</u>	<u>1st</u>	<u>Patient brokering; 20 or more patients.</u>
615	817.535(2)(b)	2nd	Filing false lien or other unauthorized document; second or subsequent offense.
616	817.535(3)(a)	2nd	Filing false lien or other unauthorized document; property owner is a public officer or employee.
617	817.535(4)(a)1.	2nd	Filing false lien or other unauthorized document; defendant is incarcerated or under supervision.
618	817.535(5)(a)	2nd	Filing false lien or other unauthorized document; owner of the

	591-02128-17		2017788c1
			property incurs financial loss as a result of the false instrument.
619	817.568(6)	2nd	Fraudulent use of personal identification information of an individual under the age of 18.
620	817.611(2)(c)	1st	Traffic in or possess 50 or more counterfeit credit cards or related documents.
621	825.102(2)	1st	Aggravated abuse of an elderly person or disabled adult.
622	825.1025(2)	2nd	Lewd or lascivious battery upon an elderly person or disabled adult.
623	825.103(3)(a)	1st	Exploiting an elderly person or disabled adult and property is valued at \$50,000 or more.
624	837.02(2)	2nd	Perjury in official

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	591-02128-17		2017788c1
			proceedings relating to prosecution of a capital felony.
625	837.021(2)	2nd	Making contradictory statements in official proceedings relating to prosecution of a capital felony.
626	860.121(2)(c)	1st	Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.
627	860.16	1st	Aircraft piracy.
628	893.13(1)(b)	1st	Sell or deliver in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
629	893.13(2)(b)	1st	Purchase in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
630	893.13(6)(c)	1st	Possess in excess of 10

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			grams of any substance specified in s. 893.03(1)(a) or (b).
631	893.135(1)(a)2.	1st	Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs.
632	893.135 (1)(b)1.b.	1st	Trafficking in cocaine, more than 200 grams, less than 400 grams.
633	893.135 (1)(c)1.b.	1st	Trafficking in illegal drugs, more than 14 grams, less than 28 grams.
634	893.135 (1)(c)2.c.	1st	Trafficking in hydrocodone, 50 grams or more, less than 200 grams.
635	893.135 (1)(c)3.c.	1st	Trafficking in oxycodone, 25 grams or more, less than 100 grams.
636	893.135 (1)(d)1.b.	1st	Trafficking in phencyclidine, more than 200 grams, less than 400

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			grams.
637	893.135 (1)(e)1.b.	1st	Trafficking in methaqualone, more than 5 kilograms, less than 25 kilograms.
638	893.135 (1)(f)1.b.	1st	Trafficking in amphetamine, more than 28 grams, less than 200 grams.
639	893.135 (1)(g)1.b.	1st	Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.
640	893.135 (1)(h)1.b.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
641	893.135 (1)(j)1.b.	1st	Trafficking in 1,4- Butanediol, 5 kilograms or more, less than 10 kilograms.
642	893.135	1st	Trafficking in

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

	591-02128-17		2017788c1
	(1) (k) 2.b.		Phenethylamines, 200 grams or more, less than 400 grams.
643	893.1351 (3)	1st	Possession of a place used to manufacture controlled substance when minor is present or resides there.
644	895.03 (1)	1st	Use or invest proceeds derived from pattern of racketeering activity.
645	895.03 (2)	1st	Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.
646	895.03 (3)	1st	Conduct or participate in any enterprise through pattern of racketeering activity.
647	896.101 (5) (b)	2nd	Money laundering, financial transactions totaling or exceeding

	591-02128-17		2017788c1
			\$20,000, but less than \$100,000.
648	896.104 (4) (a) 2.	2nd	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$20,000 but less than \$100,000.
649			
650	Section 10. This act shall take effect July 1, 2017.		

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: CS/SB 1170

INTRODUCER: Banking and Insurance Committee; and Senators Hutson and Garcia

SUBJECT: Florida Security for Public Deposits Act

DATE: April 4, 2017

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Johnson	Knudson	BI	Fav/CS
2.	Sanders	Hansen	AP	Pre-meeting
3.			RC	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1170 revises provisions relating to the Florida Security for Public Deposits Act (act). The bill expands the definition of “qualified public depository” (QPD), to allow credit unions to become eligible for the designation as a QPD by the Chief Financial Officer (CFO),¹ contingent upon meeting all of the requirements under the act. Pursuant to the act, state and local governments may deposit public funds in excess of those required to meet disbursement needs or expenses in a qualified public depository.

The bill provides criteria for the CFO to designate a credit union as a QPD. A credit union is required to submit its agreement of contingent liability and its collateral agreement to the CFO and meet the following requirements:

- The credit union must submit a signed statement from a public official of a state or local government indicating that, if the credit union is designated as QPD, the public official intends to deposit more than \$250,000 of public funds with the credit union.
- At least four other credit unions must have each submitted an agreement of contingent liability, a collateral agreement, and a signed statement from a public official of his or her intent to deposit more than \$250,000 of public funds with the credit union.

¹ The CFO is the head of the Department of Financial Services pursuant to s. 20.121(1), F.S. The Division of Treasury of the department is responsible for administering the Florida Security for Public Deposits Act.

The bill requires the CFO to withdraw from a collateral agreement previously entered into with a credit union if fewer than five credit unions are designated as QPDs during any period of 90 calendar days or longer. Within ten days after the CFO's notification of such withdrawal, the QPD must return all public deposits that the credit union holds to the public official who deposited the funds. The CFO is authorized to limit the amount of public deposits any one credit union may hold in order to ensure that no single credit union holds an amount of public deposits, which may adversely affect the integrity of the program.

The bill requires credit unions to have a separate contingent liability from banks, savings banks, and savings associations. Any credit union that is designated as a QPD and that is not insolvent would be required to guarantee public depositors against loss caused by the default or insolvency of other credit union QPDs. The bill requires the CFO to segregate and separately account for money in the Public Deposit Trust Fund (e.g., collateral proceeds, assessments, or administrative penalties) attributable to any bank, savings bank, or savings association from money attributable to credit unions.

The Department of Financial Services (DFS) has indicated the implementation of the bill will cost \$267,349 in its first year, with \$148,866 of recurring costs in subsequent years.² The DFS indicates significant programming changes will be required for the Collateral Administration Program (CAP).³ The DFS estimates the cost of programming changes to CAP will be \$188,650. In addition, the DFS recommends authorization for a new position (Financial Examiner/Analyst II) at an estimated cost of \$71,893 annually.

The bill has an effective date of July 1, 2018.

II. Present Situation:

State and local governments are authorized to deposit public funds in excess of those required to meet disbursement needs or expenses in a qualified public depository⁴ pursuant to the Florida Security for Public Deposits Act (act).⁵ For purposes of the act, the term, qualified public depository, means any bank, savings bank, or savings association that has deposit insurance pursuant to the Federal Deposit Insurance Act⁶ and meets other requirements.⁷ The act delineates the powers and duties of the CFO, and the requirements for QPDs and public depositors to participate in the public deposits program.⁸ Under current law, the statutory definition of a QPD excludes a credit union; therefore, credit unions are not eligible to serve as a QPD in Florida.

² Department of Financial Services, *Bill Analysis of SB 1170* (March 7, 2017) (on file with Appropriations Subcommittee on General Government).

³ The Collateral Administration Program is an application that administers Florida's public deposits programs and includes account data, monthly and annual report data, collateral data, and provides accurate administration of any claims or loss from Florida depositors and potential assessments to QPDs to cover public depositor losses.

⁴ Section 280.02(26). A list of active QPDs is available at <http://www.myfloridacfo.com/division/treasury/collateralmanagement/documents/ListofActiveQPDs.pdf> (last viewed March 12, 2017).

⁵ Chapter 280, F.S.

⁶ 12 U.S.C. ss. 1181 et. seq.

⁷ Rule 69C-2.005, F.A.C.

⁸ A public depositor, as defined in s. 280.02(24), F.S., is the official custodian of funds for a governmental unit who is responsible for handling public deposits. See s. 280.17, F.S. for the requirements of public depositors.

The law provides that public deposits be made in a QPD unless exempted by law.⁹ Each QPD is required to pledge collateral¹⁰ at a level commensurate with the amount of public deposits¹¹ held as a measure of its financial stability, as determined by the CFO.¹² Florida's QPD program has four standard collateral pledging levels of 25, 50, 110, and 150 percent. The determination of a QPD's collateral pledge level involves consideration of a QPD's average financial condition ranking from two nationally recognized financial rating services as well as consideration of financial ratios, trends, and other pertinent information.¹³ The QPDs with higher rankings and stronger financial condition will be eligible for the 50 and 25 percent collateral pledge levels, which is an advantage that helps in the areas of liquidity and asset management. A QPD may use cash, U.S. Treasury securities, U.S. agency securities, investment grade municipal and corporate bonds, as well as Federal Home Loan Bank letters of credit as collateral in Florida's public deposits program.¹⁴

The act contains numerous provisions to protect public depositors from losses caused by the default or insolvency of a qualified public depository.¹⁵ For example, each financial institution that is designated as a QPD, and that is not insolvent, is required to guarantee public depositors against loss caused by the default or insolvency of other qualified public depositories. Each QPD is required to execute a form prescribed by the CFO for such guarantee.¹⁶ The board of directors must approve the guarantee, and the guarantee become an official record of the institution.

The CFO may demand payment under a letter of credit or direct a custodian to deposit or transfer collateral and proceeds of securities not previously credited upon the occurrence of one or more triggering events.¹⁷ The CFO may suspend or disqualify a QPD. When the CFO determines that a default or insolvency of a QPD has occurred, the CFO must first satisfy losses to the public depositors through any applicable deposit insurance, and then through demanding payment under letters of credit or the sale of collateral pledged or deposited by the defaulting depository. If that is insufficient, the CFO provides coverage by imposing assessments against the other QPDs.¹⁸

⁹ Section 280.03(1)(b), F.S.

¹⁰ Section 280.13, F.S. See also Rule 69C-2.007, F.A.C.

¹¹ Section 280.02(23), F.S., defines the term, "public deposit," as the moneys of the state or of any state university, county, school district, community college, special district, metropolitan governments, or municipality, including agencies, boards, bureaus, commissions, and institutions of any of the foregoing, or of any court, and includes the moneys of all county officers, including constitutional officers, which are placed on deposit in a bank, savings bank, or saving association and for which the bank, savings bank, or savings association.

¹² Section 280.04, F.S. See also Rule 69C-2.024, F.A.C.

¹³ The average financial condition ranking is based on a scale of 0-100. See Rule 69C-2.024, F.A.C. If a QPD has an average financial condition ranking of 20 or more, it is eligible to join the program. If the score is 0-15, the QPD must withdraw or meet specified corrective actions.

¹⁴ Section 280.13, F.S.

¹⁵ Section 280.05, F.S.

¹⁶ Section 280.07, F.S.

¹⁷ Section 280.041(6), F.S. Examples of triggering events include those instances in which the CFO determines that an immediate danger to the public health, safety, or welfare exists; the QPD defaults or becomes insolvent; the QPD fails to pay an administrative penalty; the QPD fails to meet financial condition standards; and the QPD pledges, deposits, or has issued insufficient or unacceptable collateral to meet required collateral within the required time. [Section 280.041(6), F.S.]

¹⁸ Section 280.08, F.S.

Regulation of Credit Unions

Chapter 657, F.S., is the Florida Credit Union Act (act), which authorizes the Office of Financial Regulation to regulate state-chartered credit unions. Chapter 657, F.S., provides that the purpose of a credit union¹⁹ is to encourage thrift among its members, create sources of credit at fair and reasonable rates of interest, and provide an opportunity for its members to use and control their resources on a democratic basis in order to improve their economic and social condition.

The National Credit Union Administration (NCUA) regulates, charters, and insures the nation's federal credit unions. In addition, NCUA insures state-chartered credit unions that desire and qualify for federal insurance. The National Credit Union Share Insurance Fund (NCUSIF) insures deposits in a credit union. Established by Congress in 1970 to insure member share accounts at federally insured credit unions, the NCUSIF is managed by the NCUA. The standard maximum share insurance amount is also \$250,000.²⁰

Credit unions are not-for-profit organizations that exist to serve their members.²¹ As part of the findings of the Credit Union Membership Act, Congress found that “credit unions, unlike many other participants in the financial services market, are exempt from federal and most state taxes because they are member-owned, democratically operated, not-for-profit organizations generally managed by volunteer boards of directors and because they have the specified mission of meeting the credit and savings needs of consumers, especially persons of modest means.”²²

III. Effect of Proposed Changes:

Section 1 amends s. 280.02, F.S., to revise definitions. The definition of the term “capital account” or “tangible equity capital” is expanded to include net worth, as defined in the NCUA 5300 Call Report. The term “pool figure” is expanded to include total average monthly balance of public deposits held by all banks, savings banks, or savings associations, or held, separately for all credit unions. The definition of the term, “qualified public depository,” is expanded to include credit unions. This change allows credit unions to become QPDs and hold deposits of state and local governmental units. Under this section, banks, credit unions, savings banks, or savings association must be insured by the Federal Deposit Insurance Corporation or the National Credit Union Share Insurance Fund. The section also provides technical, conforming changes.

Section 2 creates s. 280.042, F.S., to provide criteria for the CFO to designate a credit union as a QPD. These provisions are designed to protect public deposits. The credit union is required to submit its agreement of contingent liability and its collateral agreement to the CFO and meet the following requirements:

- The credit union must submit a signed statement from a public official of a state or local government indicating that, if the credit union is designated as QPD, the public official intends to deposit more than \$250,000 of public funds with the credit union.

¹⁹ Section 657.003, F.S.

²⁰ For Information about Share Insurance Fund, see <https://www.ncua.gov/services/Pages/share-insurance.aspx> (last viewed March 12, 2017).

²¹ See <https://www.mycreditunion.gov/about-credit-unions/Pages/How-is-a-Credit-Union-Different-than-a-Bank.aspx> (last viewed March 14, 2017).

²² Pub. L. No. 105-219.

- At least four other credit unions must have each submitted an agreement of contingent liability, a collateral agreement, and a signed statement from a public official of his or her intent to deposit more than \$250,000 of public funds with the credit union.

The section also requires the CFO to withdraw from a collateral agreement previously entered into with a credit union if fewer than five credit unions are designated as QPDs during any period of 90 calendar days or longer. As a result, such a credit union loses its designation as a QPD, and must within ten days after the CFO's notification of such withdrawal, return all public deposits that the credit union holds to the public official who deposited the funds.

Lastly, the section authorizes the CFO to limit the amount of public deposits any one credit union may hold in order to ensure that no single credit union holds an amount of public deposits, which may adversely affect the integrity of the program.

Sections 3 and 4 amend ss. 280.07 and 280.08, F.S., respectively, to require any savings bank that is designated as a QPD and that is not insolvent to guarantee public depositors against loss caused by the default or insolvency of other credit unions designated as QPDs. These sections create separate mutual responsibility and contingent liability provisions for credit unions. Banks, savings banks, and savings associations are subject to a separate mutual responsibility and contingent liability provision.

In the event of a default or insolvency of a credit union QPD, any loss to public depositors will be satisfied through any applicable share insurance and then through demanding payment under letters of credit or the sale of collateral pledged or deposited by the defaulting depository. The CFO may assess QPDs subject to the segregation of contingent liability provided in s. 280.07, F.S., for the total loss if the demand for payment or sale of collateral cannot be accomplished within seven business days.

Section 5 amends s. 280.09, F.S., relating to the Public Deposits Trust Fund (fund) to require the CFO to segregate and separately account for any collateral proceeds, assessments, or administrative penalties attributable to a credit union from any collateral proceeds, assessments, or administrative penalties attributable to any bank, savings bank, or savings association. The CFO is authorized to pay any losses to public depositors from the fund subject to these limitations.

Sections 6-14 amend ss. 280.03(3)(a), 280.05, 280.52(1), 280.053(1)(c) and (2)(c), 280.055, 280.085, 280.10, 280.13, and 280.17(4)(b), F.S., respectively, to provide technical conforming changes to allow credit unions to participate as QPDs and subject to oversight by the public deposit program under the CFO.

Sections 15-32 reenact ss. 17.57(7)(a), 125.901(3)(e), 136.01, 159.609(11), 175.301, 175.401(8), 185.30, 185.50(8), 190.007(3), 191.006(16), 215.34(2), 218.415(16)(a) and (23)(a), 255.502(4)(h), 331.309(1) and (2), 373.553(2), 631.221 and 723.06115(3)(c), F.S., respectively, to incorporate amendments to ch. 280, F.S.

Section 33 provides this act takes effective July 1, 2018.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Under CS/SB 1170, a credit union that becomes a QPD and accepts public deposits may generate additional income associated with the public deposits program. The expansion of eligible QPDs may provide additional options for state and local governments. It is unclear what the impact of the bill will be on the existing QPDs (banks, savings banks, or savings associations).

C. Government Sector Impact:

The DFS provided the following analysis²³ regarding the fiscal impact of the bill, which takes effect July 1, 2018:

²³ Department of Financial Services, *Analysis of Senate Bill 1170* (March 9, 2017) (on file with Senate Committee on Banking and Insurance).

	FY 2018-19
Recurring Expenditures	
Financial ranking services to determine financial condition of credit unions.	\$5,728
Financial Examiner/Analyst II and annual expenses	\$62,388 \$10,583
Total Recurring Expenditures	\$78,699
Non-Recurring Expenditures	\$188,650
Modifications to the Collateral Administration program, the system used for account management, financial analysis, and collateral administration, to accommodate the addition of credit unions.	
Total Recurring & Non-Recurring Funds	\$267,349

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 280.02, 280.07, 280.03, 280.05, 280.052, 280.053, 280.055, 280.08, 280.085, 280.09, 280.10, 280.13, 280.17, 17.57, 24.114, 125.901, 136.01, 159.608, 175.301, 175.401, 185.30, 185.50, 190.007, 191.006, 215.34, 218.415, 255.502, 331.309, 373.553, 631.221, and 723.06115.

The bill creates section 280.042 of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Banking and Insurance on March 14, 2017:

The CS establishes minimum requirements for credit unions to be designated as QPDs by the CFO and to maintain their designation. The bill provides the CFO with additional authority designed to protect public deposits held by credit union QPDs. The CFO is required to withdraw a previous collateral agreement previously entered into with a credit union if fewer than five credit unions are designated as QPDs during any period of 90 calendar days or longer. The CFO is authorized to limit the amount of public deposits of any one credit union may hold in order to ensure that no single credit union holds an amount of public deposits, which may adversely affect the integrity of the program.

The bill requires the CFO to segregate and separately account for any money of the Public Deposit Trust Fund attributable to a credit union from any money attributable to any bank, savings bank, or savings association.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



146134

LEGISLATIVE ACTION

Senate

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House

The Committee on Appropriations (Hutson) recommended the following:

Senate Amendment (with title amendment)

Delete line 844

and insert:

Section 33. Effective July 1, 2017, the sum of \$188,650 in nonrecurring funds from the Treasury Administrative Investment Trust Fund is appropriated to the Treasury Deposit Security Program within the Department of Financial Services for the purposes of implementing this act.

Section 34. Except as otherwise expressly provided in this



146134

act, this act shall take effect July 1, 2018.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 56 - 57

and insert:

280.02, F.S., in references thereto; providing an
appropriation; providing effective dates.

By the Committee on Banking and Insurance; and Senators Hutson
and Garcia

597-02424-17

20171170c1

1 A bill to be entitled
2 An act relating to the Florida Security for Public
3 Deposits Act; amending s. 280.02, F.S.; redefining
4 terms, which includes the addition of credit unions as
5 qualified public depositories under the Florida
6 Security for Public Deposits Act; creating s. 280.042,
7 F.S.; specifying conditions that must be met before
8 the Chief Financial Officer may designate a credit
9 union as a qualified public depository; requiring the
10 Chief Financial Officer to withdraw from a collateral
11 agreement with a credit union under certain
12 circumstances; providing construction and notice and
13 public deposit return requirements after such
14 withdrawal; authorizing the Chief Financial Officer to
15 limit, for a certain purpose, the amount of public
16 deposits a credit union may hold; amending s. 280.07,
17 F.S.; specifying the mutual responsibility and
18 contingent liability of certain credit unions
19 designated as qualified public depositories;
20 conforming a provision to changes made by the act;
21 amending s. 280.08, F.S.; conforming provisions to
22 changes made by the act; providing that certain
23 assessments by the Chief Financial Officer upon
24 qualified public depositories are subject to certain
25 segregation of contingent liability provisions;
26 amending s. 280.09, F.S.; requiring the Chief
27 Financial Officer, in administering the Public
28 Deposits Trust Fund, to segregate and separately
29 account for certain proceeds, assessments, or

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30 penalties attributable to a credit union from those
31 attributable to a bank, savings bank, or savings
32 association; providing that payment of losses is
33 subject to such limitations; amending ss. 280.03,
34 280.05, 280.052, 280.053, 280.055, 280.085, 280.10,
35 280.13, and 280.17, F.S.; conforming provisions to
36 changes made by the act; reenacting ss. 17.57(7)(a);
37 24.114(1); 125.901(3)(e); 136.01; 159.608(11);
38 175.301; 175.401(8); 185.30; 185.50(8); 190.007(3);
39 191.006(16); 215.34(2); 218.415(16)(c), (17), and
40 (23)(a); 255.502(4)(h); 331.309(1) and (2);
41 373.553(2); 631.221; and 723.06115(3)(c), F.S.,
42 relating to deposits and investments of state money;
43 bank deposits and control of lottery transactions;
44 children's services and independent special districts;
45 county depositories; powers of housing finance
46 authorities; depositories for pension funds; retiree
47 health insurance subsidies; depositories for
48 retirement funds; retiree health insurance subsidies;
49 board of supervisors; general powers; state funds and
50 noncollectible items; local government investment
51 policies; definitions; treasurers, depositories, and a
52 fiscal agent; a treasurer of the board, payment of
53 funds, and depositories; deposit of moneys collected;
54 and the Florida Mobile Home Relocation Trust Fund,
55 respectively, to incorporate the amendments made to s.
56 280.02, F.S., in references thereto; providing an
57 effective date.
58

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

Section 1. Subsections (6), (10), (21), (23), and (26) of section 280.02, Florida Statutes, are amended to read:

280.02 Definitions.—As used in this chapter, the term:

(6) "Capital account" or "tangible equity capital" means total equity capital, as defined on the balance-sheet portion of the Consolidated Reports of Condition and Income (call report); or net worth, as defined in the National Credit Union Administration 5300 Call Report; less intangible assets, as submitted to the regulatory financial ~~banking~~ authority.

(10) "Custodian" means the Chief Financial Officer or a bank, credit union, savings association, or trust company that:

(a) Is organized and existing under the laws of this state, any other state, or the United States;

(b) Has executed all forms required under this chapter or any rule adopted hereunder;

(c) Agrees to be subject to the jurisdiction of the courts of this state, or of the courts of the United States which are located within this state, for the purpose of any litigation arising out of this chapter; and

(d) Has been approved by the Chief Financial Officer to act as a custodian.

(21) "Pool figure" means the total average monthly balances of public deposits held by all banks, savings banks, or savings associations, or held separately for all credit unions, ~~qualified public depositories~~ during the immediately preceding 12-month period.

(23) "Public deposit" means the moneys of the state or of

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any state university, county, school district, community college district, special district, metropolitan government, or municipality, including agencies, boards, bureaus, commissions, and institutions of any of the foregoing, or of any court, and includes the moneys of all county officers, including constitutional officers, which are placed on deposit in a bank, credit union, savings bank, or savings association. This includes, but is not limited to, time deposit accounts, demand deposit accounts, and nonnegotiable certificates of deposit. Moneys in deposit notes and in other nondeposit accounts such as repurchase or reverse repurchase operations are not public deposits. Securities, mutual funds, and similar types of investments are not public deposits and are not subject to this chapter.

(26) "Qualified public depository" means a bank, credit union, savings bank, or savings association that:

(a) Is organized and exists under the laws of the United States or the laws of this state or any other state or territory of the United States.

(b) Has its principal place of business in this state or has a branch office in this state which is authorized under the laws of this state or of the United States to receive deposits in this state.

(c) Is insured by the Federal Deposit Insurance Corporation or the National Credit Union Share Insurance Fund ~~Has deposit insurance pursuant to the Federal Deposit Insurance Act, as amended, 12 U.S.C. ss. 1811 et seq.~~

(d) Has procedures and practices for accurate identification, classification, reporting, and collateralization

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of public deposits.

(e) Meets all the requirements of this chapter.

(f) Has been designated by the Chief Financial Officer as a qualified public depository.

Section 2. Section 280.042, Florida Statutes, is created to read:

280.042 Conditions for designating credit unions as qualified public depositories; withdrawal by the Chief Financial Officer from a collateral agreement and return of deposits; limit on public deposits.-

(1) The Chief Financial Officer may not designate a credit union as a qualified public depository as defined under s. 280.02, unless, at the time the credit union submits its agreement of contingent liability and its collateral agreement:

(a) The credit union submits a signed statement from a public official indicating that if the credit union is designated as a qualified public depository, the public official intends to deposit more than \$250,000 of public funds with the credit union; and

(b) At least four other credit unions have each submitted an agreement of contingent liability, a collateral agreement, and a signed statement from a public official indicating that if the credit union is designated as a qualified public depository, the public official intends to deposit more than \$250,000 of public funds with the credit union.

(2) The Chief Financial Officer must withdraw from a collateral agreement previously entered into with a credit union if fewer than five credit unions are designated as qualified public depositories during any period of 90 calendar days or

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longer.

(3) A credit union that is a party to a collateral agreement from which the Chief Financial Officer withdraws in accordance with subsection (2) may no longer be designated as a qualified public depository. Within 10 business days after the Chief Financial Officer notifies the credit union that the Chief Financial Officer has withdrawn from the collateral agreement, the credit union must return all public deposits that the credit union holds to the public official who deposited the funds. The notice provided for in this subsection may be sent to a credit union by regular mail or by e-mail.

(4) The Chief Financial Officer may limit the amount of public deposits which any credit union may hold in order to ensure that no single credit union holds an amount of public deposits which might adversely affect the integrity of the public deposits program.

Section 3. Section 280.07, Florida Statutes, is amended to read:

280.07 Mutual responsibility and contingent liability.-

(1) Any bank, savings bank, or savings association that is designated as a qualified public depository and that is not insolvent shall guarantee public depositors against loss caused by the default or insolvency of other banks, savings banks, or savings associations designated as qualified public depositories.

(2) Any credit union that is designated as a qualified public depository and that is not insolvent shall guarantee public depositors against loss caused by the default or insolvency of other credit unions designated as qualified public

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175 depositories.

176
177 Each qualified public depository shall execute a form prescribed
178 by the Chief Financial Officer for such guarantee which must
179 ~~shall~~ be approved by the board of directors and ~~shall~~ become an
180 official record of the institution.

181 Section 4. Subsections (1) and (3) of section 280.08,
182 Florida Statutes, are amended to read:

183 280.08 Procedure for payment of losses.—When the Chief
184 Financial Officer determines that a default or insolvency has
185 occurred, he or she shall provide notice as required in s.
186 280.085 and implement the following procedures:

187 (1) The Division of Treasury, in cooperation with the
188 Office of Financial Regulation of the Financial Services
189 Commission or the receiver of the qualified public depository in
190 default, shall ascertain the amount of funds of each public
191 depositor on deposit at such depository and the amount of
192 deposit or share insurance applicable to such deposits.

193 (3)(a) The loss to public depositors shall be satisfied,
194 insofar as possible, first through any applicable deposit or
195 share insurance and then through demanding payment under letters
196 of credit or the sale of collateral pledged or deposited by the
197 defaulting depository. The Chief Financial Officer may assess
198 qualified public depositories as provided in paragraph (b),
199 subject to the segregation of contingent liability in s. 280.07,
200 for the total loss if the demand for payment or sale of
201 collateral cannot be accomplished within 7 business days.

202 (b) The Chief Financial Officer shall provide coverage of
203 any remaining loss by assessment against the other qualified

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204 public depositories. The Chief Financial Officer shall determine
205 such assessment for each qualified public depository by
206 multiplying the total amount of any remaining loss to all public
207 depositors by a percentage which represents the average monthly
208 balance of public deposits held by each qualified public
209 depository during the previous 12 months divided by the total
210 average monthly balances of public deposits held by all
211 qualified public depositories, excluding the defaulting
212 depository, during the same period. The assessment calculation
213 must ~~shall~~ be computed to six decimal places.

214 Section 5. Section 280.09, Florida Statutes, is amended to
215 read:

216 280.09 Public Deposits Trust Fund.—

217 (1) In order to facilitate the administration of this
218 chapter, there is created the Public Deposits Trust Fund,
219 hereafter in this section designated as "the fund." The proceeds
220 from the sale of securities or draw on letters of credit held as
221 collateral or from any assessment pursuant to s. 280.08 must
222 ~~shall~~ be deposited into the fund. The Chief Financial Officer
223 must segregate and separately account for any collateral
224 proceeds, assessments, or administrative penalties attributable
225 to a credit union from any collateral proceeds, assessments, or
226 administrative penalties attributable to any bank, savings bank,
227 or savings association. Any administrative penalty collected
228 pursuant to this chapter shall be deposited into the Treasury
229 Administrative and Investment Trust Fund.

230 (2) The Chief Financial Officer is authorized to pay any
231 losses to public depositors from the fund, subject to the
232 limitations provided in subsection (1), and there are hereby

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appropriated from the fund such sums as may be necessary from time to time to pay the losses. The term "losses," for purposes of this chapter, shall also include losses of interest or other accumulations to the public depositor as a result of penalties for early withdrawal required by Depository Institution Deregulatory Commission Regulations or applicable successor federal laws or regulations because of suspension or disqualification of a qualified public depository by the Chief Financial Officer pursuant to s. 280.05 or because of withdrawal from the public deposits program pursuant to s. 280.11. In that event, the Chief Financial Officer is authorized to assess against the suspended, disqualified, or withdrawing public depository, in addition to any amount authorized by any other provision of this chapter, an administrative penalty equal to the amount of the early withdrawal penalty and to pay that amount over to the public depositor as reimbursement for such loss. Any money in the fund estimated not to be needed for immediate cash requirements shall be invested pursuant to s. 17.61.

Section 6. Paragraph (a) of subsection (3) of section 280.03, Florida Statutes, is amended to read:

280.03 Public deposits to be secured; prohibitions; exemptions.—

(3) The following are exempt from the requirements of, and protection under, this chapter:

(a) Public deposits deposited in a bank, credit union, or savings association by a trust department or trust company which are fully secured under trust business laws.

Section 7. Subsection (11) of section 280.05, Florida

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Statutes, is amended to read:

280.05 Powers and duties of the Chief Financial Officer.—In fulfilling the requirements of this act, the Chief Financial Officer has the power to take the following actions he or she deems necessary to protect the integrity of the public deposits program:

(11) Sell securities for the purpose of paying losses to public depositors not covered by deposit or share insurance.

Section 8. Subsection (1) of section 280.052, Florida Statutes, is amended to read:

280.052 Order of suspension or disqualification; procedure.—

(1) The suspension or disqualification of a bank, credit union, or savings association as a qualified public depository must be by order of the Chief Financial Officer and must be mailed to the qualified public depository by registered or certified mail.

Section 9. Paragraph (c) of subsection (1) and paragraph (c) of subsection (2) of section 280.053, Florida Statutes, are amended to read:

280.053 Period of suspension or disqualification; obligations during period; reinstatement.—

(1)

(c) Upon expiration of the suspension period, the bank, credit union, or savings association may, by order of the Chief Financial Officer, be reinstated as a qualified public depository, unless the cause of the suspension has not been corrected or the bank, credit union, or savings association is otherwise not in compliance with this chapter or any rule

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adopted pursuant to this chapter.

(2)

(c) Upon expiration of the disqualification period, the bank, credit union, or savings association may reapply for qualification as a qualified public depository. If a disqualified bank, credit union, or savings association is purchased or otherwise acquired by new owners, it may reapply to the Chief Financial Officer to be a qualified public depository prior to the expiration date of the disqualification period. Redesignation as a qualified public depository may occur only after the Chief Financial Officer has determined that all requirements for holding public deposits under the law have been met.

Section 10. Section 280.055, Florida Statutes, is amended to read:

280.055 Cease and desist order; corrective order; administrative penalty.—

(1) The Chief Financial Officer may issue a cease and desist order and a corrective order upon determining that:

(a) A qualified public depository has requested and obtained a release of pledged collateral without approval of the Chief Financial Officer;

(b) A bank, credit union, savings association, or other financial institution is holding public deposits without a certificate of qualification issued by the Chief Financial Officer;

(c) A qualified public depository pledges, deposits, or arranges for the issuance of unacceptable collateral;

(d) A custodian has released pledged collateral without

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approval of the Chief Financial Officer;

(e) A qualified public depository or a custodian has not furnished to the Chief Financial Officer, when the Chief Financial Officer requested, a power of attorney or bond power or bond assignment form required by the bond agent or bond trustee for each issue of registered certificated securities pledged and registered in the name, or nominee name, of the qualified public depository or custodian; or

(f) A qualified public depository; a bank, credit union, savings association, or other financial institution; or a custodian has committed any other violation of this chapter or any rule adopted pursuant to this chapter that the Chief Financial Officer determines may be remedied by a cease and desist order or corrective order.

(2) Any qualified public depository or other bank, credit union, savings association, or financial institution or custodian that violates a cease and desist order or corrective order of the Chief Financial Officer is subject to an administrative penalty not exceeding \$1,000 for each violation of the order. Each day the violation of the order continues constitutes a separate violation.

Section 11. Subsection (4) of section 280.085, Florida Statutes, is amended to read:

280.085 Notice to claimants.—

(4) The notice required in subsection (1) is not required if the default or insolvency of a qualified public depository is resolved in a manner in which all Florida public deposits are acquired by another insured bank, credit union, savings bank, or savings association.

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Section 12. Subsections (1) and (3) of section 280.10, Florida Statutes, are amended to read:

280.10 Effect of merger, acquisition, or consolidation; change of name or address.—

(1) When a qualified public depository is merged into, acquired by, or consolidated with a bank, credit union, savings bank, or savings association that is not a qualified public depository:

(a) The resulting institution shall automatically become a qualified public depository subject to the requirements of the public deposits program.

(b) The contingent liability of the former institution shall be a liability of the resulting institution.

(c) The public deposits and associated collateral of the former institution shall be public deposits and collateral of the resulting institution.

(d) The resulting institution shall, within 90 calendar days after the effective date of the merger, acquisition, or consolidation, deliver to the Chief Financial Officer:

1. Documentation in its name as required for participation in the public deposits program; or

2. Written notice of intent to withdraw from the program as provided in s. 280.11 and a proposed effective date of withdrawal which shall be within 180 days after the effective date of the acquisition, merger, or consolidation of the former institution.

(e) If the resulting institution does not meet qualifications to become a qualified public depository or does not submit required documentation within 90 calendar days after

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the effective date of the merger, acquisition, or consolidation, the Chief Financial Officer shall initiate mandatory withdrawal actions as provided in s. 280.11 and shall set an effective date of withdrawal that is within 180 days after the effective date of the acquisition, merger, or consolidation of the former institution.

(3) If the default or insolvency of a qualified public depository results in acquisition of all or part of its Florida public deposits by a bank, credit union, savings bank, or savings association that is not a qualified public depository, the bank, credit union, savings bank, or savings association acquiring the Florida public deposits is subject to subsection (1).

Section 13. Subsection (1) of section 280.13, Florida Statutes, is amended to read:

280.13 Eligible collateral.—

(1) Securities eligible to be pledged as collateral by qualified public depositories are ~~banks and savings associations~~ shall be limited to:

(a) Direct obligations of the United States Government.

(b) Obligations of any federal agency that are fully guaranteed as to payment of principal and interest by the United States Government.

(c) Obligations of the following federal agencies:

1. Farm credit banks.
2. Federal land banks.
3. The Federal Home Loan Bank and its district banks.
4. Federal intermediate credit banks.
5. The Federal Home Loan Mortgage Corporation.

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6. The Federal National Mortgage Association.

7. Obligations guaranteed by the Government National Mortgage Association.

(d) General obligations of a state of the United States, or of Puerto Rico, or of a political subdivision or municipality thereof.

(e) Obligations issued by the Florida State Board of Education under authority of the State Constitution or applicable statutes.

(f) Tax anticipation certificates or warrants of counties or municipalities having maturities not exceeding 1 year.

(g) Public housing authority obligations.

(h) Revenue bonds or certificates of a state of the United States or of a political subdivision or municipality thereof.

(i) Corporate bonds of any corporation that is not an affiliate or subsidiary of the qualified public depository.

Section 14. Paragraph (b) of subsection (4) of section 280.17, Florida Statutes, is amended to read:

280.17 Requirements for public depositors; notice to public depositors and governmental units; loss of protection.—In addition to any other requirement specified in this chapter, public depositors shall comply with the following:

(4) If public deposits are in a qualified public depository that has been declared to be in default or insolvent, each public depositor shall:

(b) Submit to the Chief Financial Officer for each public deposit, within 30 days after the date of official notification from the Chief Financial Officer, the following:

1. A claim form and agreement, as prescribed by the Chief

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Financial Officer, executed under oath, accompanied by proof of authority to execute the form on behalf of the public depositor.

2. A completed public deposit identification and acknowledgment form, as described in subsection (2).

3. Evidence of the insurance afforded the deposit pursuant to the Federal Deposit Insurance Act or the Federal Credit Union Act, as appropriate.

Section 15. For the purpose of incorporating the amendment made by this act to section 280.02, Florida Statutes, in a reference thereto, paragraph (a) of subsection (7) of section 17.57, Florida Statutes, is reenacted to read:

17.57 Deposits and investments of state money.—

(7) In addition to the deposits authorized under this section and notwithstanding any other provisions of law, funds that are not needed to meet the disbursement needs of the state may be deposited by the Chief Financial Officer in accordance with the following conditions:

(a) The funds are initially deposited in a qualified public depository, as defined in s. 280.02, selected by the Chief Financial Officer.

Section 16. For the purpose of incorporating the amendment made by this act to section 280.02, Florida Statutes, in a reference thereto, subsection (1) of section 24.114, Florida Statutes, is reenacted to read:

24.114 Bank deposits and control of lottery transactions.—

(1) All moneys received by each retailer from the operation of the state lottery, including, but not limited to, all ticket sales, interest, gifts, and donations, less the amount retained as compensation for the sale of the tickets and the amount paid

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out as prizes, shall be remitted to the department or deposited in a qualified public depository, as defined in s. 280.02, as directed by the department. The department shall have the responsibility for all administrative functions related to the receipt of funds. The department may also require each retailer to file with the department reports of the retailer's receipts and transactions in the sale of lottery tickets in such form and containing such information as the department may require. The department may require any person, including a qualified public depository, to perform any function, activity, or service in connection with the operation of the lottery as it may deem advisable pursuant to this act and rules of the department, and such functions, activities, or services shall constitute lawful functions, activities, and services of such person.

Section 17. For the purpose of incorporating the amendment made by this act to section 280.02, Florida Statutes, in a reference thereto, paragraph (e) of subsection (3) of section 125.901, Florida Statutes, is reenacted to read:

125.901 Children's services; independent special district; council; powers, duties, and functions; public records exemption.—

(3)

(e)1. All moneys received by the council on children's services shall be deposited in qualified public depositories, as defined in s. 280.02, with separate and distinguishable accounts established specifically for the council and shall be withdrawn only by checks signed by the chair of the council and countersigned by either one other member of the council on children's services or by a chief executive officer who shall be

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so authorized by the council.

2. Upon entering the duties of office, the chair and the other member of the council or chief executive officer who signs its checks shall each give a surety bond in the sum of at least \$1,000 for each \$1 million or portion thereof of the council's annual budget, which bond shall be conditioned that each shall faithfully discharge the duties of his or her office. The premium on such bond may be paid by the district as part of the expense of the council. No other member of the council shall be required to give bond or other security.

3. No funds of the district shall be expended except by check as aforesaid, except expenditures from a petty cash account which shall not at any time exceed \$100. All expenditures from petty cash shall be recorded on the books and records of the council on children's services. No funds of the council on children's services, excepting expenditures from petty cash, shall be expended without prior approval of the council, in addition to the budgeting thereof.

Section 18. For the purpose of incorporating the amendment made by this act to section 280.02, Florida Statutes, in a reference thereto, section 136.01, Florida Statutes, is reenacted to read:

136.01 County depositories.—Each county depository shall be a qualified public depository as defined in s. 280.02 for the following funds: county funds; funds of all county officers, including constitutional officers; funds of the school board; and funds of the community college district board of trustees. This enumeration of funds is made not by way of limitation, but of illustration; and it is the intent hereof that all funds of

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the county, the board of county commissioners or the several county officers, the school board, or the community college district board of trustees be included.

Section 19. For the purpose of incorporating the amendment made by this act to section 280.02, Florida Statutes, in a reference thereto, subsection (11) of section 159.608, Florida Statutes, is reenacted to read:

159.608 Powers of housing finance authorities.—A housing finance authority shall constitute a public body corporate and politic, exercising the public and essential governmental functions set forth in this act, and shall exercise its power to borrow only for the purpose as provided herein:

(11) To invest and reinvest surplus funds of the housing finance authority in accordance with s. 218.415. However, in addition to the investments expressly authorized in s. 218.415(16)(a)-(g) and (17)(a)-(d), a housing finance authority may invest surplus funds in interest-bearing time deposits or savings accounts that are fully insured by the Federal Deposit Insurance Corporation regardless of whether the bank or financial institution in which the deposit or investment is made is a qualified public depository as defined in s. 280.02. This subsection is supplementary to and may not be construed as limiting any powers of a housing finance authority or providing or implying a limiting construction of any other statutory provision.

Section 20. For the purpose of incorporating the amendment made by this act to section 280.02, Florida Statutes, in a reference thereto, section 175.301, Florida Statutes, is reenacted to read:

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175.301 Depository for pension funds.—For any municipality, special fire control district, chapter plan, local law municipality, local law special fire control district, or local law plan under this chapter, all funds of the firefighters' pension trust fund of any chapter plan or local law plan under this chapter may be deposited by the board of trustees with the treasurer of the municipality or special fire control district, acting in a ministerial capacity only, who shall be liable in the same manner and to the same extent as he or she is liable for the safekeeping of funds for the municipality or special fire control district. However, any funds so deposited with the treasurer of the municipality or special fire control district shall be kept in a separate fund by the treasurer or clearly identified as such funds of the firefighters' pension trust fund. In lieu thereof, the board of trustees shall deposit the funds of the firefighters' pension trust fund in a qualified public depository as defined in s. 280.02, which depository with regard to such funds shall conform to and be bound by all of the provisions of chapter 280.

Section 21. For the purpose of incorporating the amendment made by this act to section 280.02, Florida Statutes, in references thereto, subsection (8) of section 175.401, Florida Statutes, is reenacted to read:

175.401 Retiree health insurance subsidy.—For any municipality, special fire control district, chapter plan, local law municipality, local law special fire control district, or local law plan under this chapter, under the broad grant of home rule powers under the Florida Constitution and chapter 166, municipalities have the authority to establish and administer

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locally funded health insurance subsidy programs. In addition, special fire control districts may, by resolution, establish and administer locally funded health insurance subsidy programs. Pursuant thereto:

(8) DEPOSIT OF HEALTH INSURANCE SUBSIDY FUNDS.—All funds of the health insurance subsidy fund may be deposited by the board of trustees with the treasurer of the municipality or special fire control district, acting in a ministerial capacity only, who shall be liable in the same manner and to the same extent as he or she is liable for the safekeeping of funds for the municipality or special fire control district. Any funds so deposited shall be segregated by the treasurer in a separate fund, clearly identified as funds of the health insurance subsidy fund. In lieu thereof, the board of trustees shall deposit the funds of the health insurance subsidy fund in a qualified public depository as defined in s. 280.02, which shall conform to and be bound by the provisions of chapter 280 with regard to such funds. In no case shall the funds of the health insurance subsidy fund be deposited in any financial institution, brokerage house trust company, or other entity that is not a public depository as provided by s. 280.02.

Section 22. For the purpose of incorporating the amendment made by this act to section 280.02, Florida Statutes, in a reference thereto, section 185.30, Florida Statutes, is reenacted to read:

185.30 Depository for retirement fund.—For any municipality, chapter plan, local law municipality, or local law plan under this chapter, all funds of the municipal police officers' retirement trust fund of any municipality, chapter

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plan, local law municipality, or local law plan under this chapter may be deposited by the board of trustees with the treasurer of the municipality acting in a ministerial capacity only, who shall be liable in the same manner and to the same extent as he or she is liable for the safekeeping of funds for the municipality. However, any funds so deposited with the treasurer of the municipality shall be kept in a separate fund by the municipal treasurer or clearly identified as such funds of the municipal police officers' retirement trust fund. In lieu thereof, the board of trustees shall deposit the funds of the municipal police officers' retirement trust fund in a qualified public depository as defined in s. 280.02, which depository with regard to such funds shall conform to and be bound by all of the provisions of chapter 280.

Section 23. For the purpose of incorporating the amendment made by this act to section 280.02, Florida Statutes, in references thereto, subsection (8) of section 185.50, Florida Statutes, is reenacted to read:

185.50 Retiree health insurance subsidy.—For any municipality, chapter plan, local law municipality, or local law plan under this chapter, under the broad grant of home rule powers under the Florida Constitution and chapter 166, municipalities have the authority to establish and administer locally funded health insurance subsidy programs. Pursuant thereto:

(8) DEPOSIT OF PENSION FUNDS.—All funds of the health insurance subsidy fund may be deposited by the board of trustees with the treasurer of the municipality, acting in a ministerial capacity only, who shall be liable in the same manner and to the

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639 same extent as he or she is liable for the safekeeping of funds
 640 for the municipality. Any funds so deposited shall be segregated
 641 by said treasurer in a separate fund, clearly identified as
 642 funds of the health insurance subsidy fund. In lieu thereof, the
 643 board of trustees shall deposit the funds of the health
 644 insurance subsidy fund in a qualified public depository as
 645 defined in s. 280.02, which shall conform to and be bound by the
 646 provisions of chapter 280 with regard to such funds. In no case
 647 shall the funds of the health insurance subsidy fund be
 648 deposited in any financial institution, brokerage house trust
 649 company, or other entity that is not a public depository as
 650 provided by s. 280.02.

651 Section 24. For the purpose of incorporating the amendment
 652 made by this act to section 280.02, Florida Statutes, in a
 653 reference thereto, subsection (3) of section 190.007, Florida
 654 Statutes, is reenacted to read:

655 190.007 Board of supervisors; general duties.—

656 (3) The board is authorized to select as a depository for
 657 its funds any qualified public depository as defined in s.
 658 280.02 which meets all the requirements of chapter 280 and has
 659 been designated by the Chief Financial Officer as a qualified
 660 public depository, upon such terms and conditions as to the
 661 payment of interest by such depository upon the funds so
 662 deposited as the board may deem just and reasonable.

663 Section 25. For the purpose of incorporating the amendment
 664 made by this act to section 280.02, Florida Statutes, in a
 665 reference thereto, subsection (16) of section 191.006, Florida
 666 Statutes, is reenacted to read:

667 191.006 General powers.—The district shall have, and the

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668 board may exercise by majority vote, the following powers:

669 (16) To select as a depository for its funds any qualified
 670 public depository as defined in s. 280.02 which meets all the
 671 requirements of chapter 280 and has been designated by the Chief
 672 Financial Officer as a qualified public depository, upon such
 673 terms and conditions as to the payment of interest upon the
 674 funds deposited as the board deems just and reasonable.

675 Section 26. For the purpose of incorporating the amendment
 676 made by this act to section 280.02, Florida Statutes, in a
 677 reference thereto, subsection (2) of section 215.34, Florida
 678 Statutes, is reenacted to read:

679 215.34 State funds; noncollectible items; procedure.—

680 (2) Whenever a check, draft, or other order for the payment
 681 of money is returned by the Chief Financial Officer, or by a
 682 qualified public depository as defined in s. 280.02, to a state
 683 officer, a state agency, or the judicial branch for collection,
 684 the officer, agency, or judicial branch shall add to the amount
 685 due a service fee of \$15 or 5 percent of the face amount of the
 686 check, draft, or order, whichever is greater. An agency or the
 687 judicial branch may adopt a rule which prescribes a lesser
 688 maximum service fee, which shall be added to the amount due for
 689 the dishonored check, draft, or other order tendered for a
 690 particular service, license, tax, fee, or other charge, but in
 691 no event shall the fee be less than \$15. The service fee shall
 692 be in addition to all other penalties imposed by law, except
 693 that when other charges or penalties are imposed by an agency
 694 related to a noncollectible item, the amount of the service fee
 695 shall not exceed \$150. Proceeds from this fee shall be deposited
 696 in the same fund as the collected item. Nothing in this section

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697 shall be construed as authorization to deposit moneys outside
698 the State Treasury unless specifically authorized by law.

699 Section 27. For the purpose of incorporating the amendment
700 made by this act to section 280.02, Florida Statutes, in
701 references thereto, paragraph (c) of subsection (16), subsection
702 (17), and paragraph (a) of subsection (23) of section 218.415,
703 Florida Statutes, are reenacted to read:

704 218.415 Local government investment policies.—Investment
705 activity by a unit of local government must be consistent with a
706 written investment plan adopted by the governing body, or in the
707 absence of the existence of a governing body, the respective
708 principal officer of the unit of local government and maintained
709 by the unit of local government or, in the alternative, such
710 activity must be conducted in accordance with subsection (17).
711 Any such unit of local government shall have an investment
712 policy for any public funds in excess of the amounts needed to
713 meet current expenses as provided in subsections (1)-(16), or
714 shall meet the alternative investment guidelines contained in
715 subsection (17). Such policies shall be structured to place the
716 highest priority on the safety of principal and liquidity of
717 funds. The optimization of investment returns shall be secondary
718 to the requirements for safety and liquidity. Each unit of local
719 government shall adopt policies that are commensurate with the
720 nature and size of the public funds within its custody.

721 (16) AUTHORIZED INVESTMENTS; WRITTEN INVESTMENT POLICIES.—
722 Those units of local government electing to adopt a written
723 investment policy as provided in subsections (1)-(15) may by
724 resolution invest and reinvest any surplus public funds in their
725 control or possession in:

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726 (c) Interest-bearing time deposits or savings accounts in
727 qualified public depositories as defined in s. 280.02.

728 (17) AUTHORIZED INVESTMENTS; NO WRITTEN INVESTMENT POLICY.—
729 Those units of local government electing not to adopt a written
730 investment policy in accordance with investment policies
731 developed as provided in subsections (1)-(15) may invest or
732 reinvest any surplus public funds in their control or possession
733 in:

734 (a) The Local Government Surplus Funds Trust Fund, or any
735 intergovernmental investment pool authorized pursuant to the
736 Florida Interlocal Cooperation Act of 1969, as provided in s.
737 163.01.

738 (b) Securities and Exchange Commission registered money
739 market funds with the highest credit quality rating from a
740 nationally recognized rating agency.

741 (c) Interest-bearing time deposits or savings accounts in
742 qualified public depositories, as defined in s. 280.02.

743 (d) Direct obligations of the U.S. Treasury.

744
745 The securities listed in paragraphs (c) and (d) shall be
746 invested to provide sufficient liquidity to pay obligations as
747 they come due.

748 (23) AUTHORIZED DEPOSITS.—In addition to the investments
749 authorized for local governments in subsections (16) and (17)
750 and notwithstanding any other provisions of law, a unit of local
751 government may deposit any portion of surplus public funds in
752 its control or possession in accordance with the following
753 conditions:

754 (a) The funds are initially deposited in a qualified public

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depository, as defined in s. 280.02, selected by the unit of local government.

Section 28. For the purpose of incorporating the amendment made by this act to section 280.02, Florida Statutes, in a reference thereto, paragraph (h) of subsection (4) of section 255.502, Florida Statutes, is reenacted to read:

255.502 Definitions; ss. 255.501-255.525.—As used in this act, the following words and terms shall have the following meanings unless the context otherwise requires:

(4) "Authorized investments" means and includes without limitation any investment in:

(h) Savings accounts in, or certificates of deposit of, qualified public depositories as defined in s. 280.02, in an amount that does not exceed 15 percent of the net worth of the institution, or a lesser amount as determined by rule by the State Board of Administration, provided such savings accounts and certificates of deposit are secured in the manner prescribed in chapter 280.

Investments in any security authorized in this subsection may be under repurchase agreements or reverse repurchase agreements.

Section 29. For the purpose of incorporating the amendment made by this act to section 280.02, Florida Statutes, in a reference thereto, subsections (1) and (2) of section 331.309, Florida Statutes, are reenacted to read:

331.309 Treasurer; depositories; fiscal agent.—

(1) The board shall designate an individual who is a resident of the state, or a qualified public depository as defined in s. 280.02, as treasurer of Space Florida, who shall

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have charge of the funds of Space Florida. Such funds shall be disbursed only upon the order of or pursuant to the resolution of the board by warrant, check, authorization, or direct deposit pursuant to s. 215.85, signed or authorized by the treasurer or his or her representative or by such other persons as may be authorized by the board. The board may give the treasurer such other or additional powers and duties as the board may deem appropriate and shall establish the treasurer's compensation. The board may require the treasurer to give a bond in such amount, on such terms, and with such sureties as may be deemed satisfactory to the board to secure the performance by the treasurer of his or her powers and duties. The board shall audit or have audited the books of the treasurer at least once a year.

(2) The board is authorized to select as depositories in which the funds of the board and of Space Florida shall be deposited any qualified public depository as defined in s. 280.02, upon such terms and conditions as to the payment of interest by such depository upon the funds so deposited as the board may deem just and reasonable. The funds of Space Florida may be kept in or removed from the State Treasury upon written notification from the chair of the board to the Chief Financial Officer.

Section 30. For the purpose of incorporating the amendment made by this act to section 280.02, Florida Statutes, in a reference thereto, subsection (2) of section 373.553, Florida Statutes, is reenacted to read:

373.553 Treasurer of the board; payment of funds; depositories.—

(2) The board is authorized to select as depositories in

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813 which the funds of the board and of the district shall be
 814 deposited in any qualified public depository as defined in s.
 815 280.02, and such deposits shall be secured in the manner
 816 provided in chapter 280.

817 Section 31. For the purpose of incorporating the amendment
 818 made by this act to section 280.02, Florida Statutes, in a
 819 reference thereto, section 631.221, Florida Statutes, is
 820 reenacted to read:

821 631.221 Deposit of moneys collected.—The moneys collected
 822 by the department in a proceeding under this chapter shall be
 823 deposited in a qualified public depository as defined in s.
 824 280.02, which depository with regards to such funds shall
 825 conform to and be bound by all the provisions of chapter 280, or
 826 invested with the Chief Financial Officer pursuant to chapter
 827 18. For the purpose of accounting for the assets and
 828 transactions of the estate, the receiver shall use such
 829 accounting books, records, and systems as the court directs
 830 after it hears and considers the recommendations of the
 831 receiver.

832 Section 32. For the purpose of incorporating the amendment
 833 made by this act to section 280.02, Florida Statutes, in a
 834 reference thereto, paragraph (c) of subsection (3) of section
 835 723.06115, Florida Statutes, is reenacted to read:

836 723.06115 Florida Mobile Home Relocation Trust Fund.—
 837 (3) The department shall distribute moneys in the Florida
 838 Mobile Home Relocation Trust Fund to the Florida Mobile Home
 839 Relocation Corporation in accordance with the following:
 840 (c) Funds transferred from the trust fund to the
 841 corporation shall be transferred electronically and shall be

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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842 transferred to and maintained in a qualified public depository
 843 as defined in s. 280.02 which is specified by the corporation.
 844 Section 33. This act shall take effect July 1, 2018.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: PCS/CS/SB 234 (544906)

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on the Environment and Natural Resources); Environmental Preservation and Conservation Committee; and Senator Bradley and others

SUBJECT: Land Acquisition Trust Fund

DATE: April 4, 2017

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Istler	Rogers	EP	Fav/CS
2.	Reagan	Betta	AEN	Recommend: Fav/CS
3.	Reagan	Hansen	AP	Pre-meeting

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/CS/SB 234 requires \$45 million to be appropriated from the Land Acquisition Trust Fund annually to the St. Johns River Water Management District for projects dedicated to the restoration of the St. Johns River and its tributaries or the Keystone Heights Lake Region.

II. Present Situation:

Land Acquisition Trust Fund

Documentary stamp tax revenues are collected under ch. 201, F.S., which requires an excise tax to be levied on two classes of documents: deeds and other documents related to real property, which are taxed at the rate of 70 cents per \$100; and certificates of indebtedness, promissory notes, wage assignments, and retail charge account agreements, which are taxed at 35 cents per \$100.¹

In 2014, Florida voters approved Amendment One, a constitutional amendment to provide a dedicated funding source for water and land conservation and restoration. The amendment required that starting on July 1, 2015, and for 20 years thereafter, 33 percent of net revenues derived from the documentary stamp taxes be deposited into the Land Acquisition Trust

¹ See ss. 201.02 and 201.08, F.S.

Fund (LATF). Article X, s. 28 of the State Constitution requires that funds in the LATF be expended only for the following purposes:

As provided by law, to finance or refinance: the acquisition and improvement of land, water areas, and related property interests, including conservation easements, and resources for conservation lands including wetlands, forests, and fish and wildlife habitat; wildlife management areas; lands that protect water resources and drinking water sources, including lands protecting the water quality and quantity of rivers, lakes, streams, springsheds, and lands providing recharge for groundwater and aquifer systems; lands in the Everglades Agricultural Area and the Everglades Protection Area, as defined in Article II, Section 7(b); beaches and shores; outdoor recreation lands, including recreational trails, parks, and urban open space; rural landscapes; working farms and ranches; historic or geologic sites; together with management, restoration of natural systems, and the enhancement of public access or recreational enjoyment of conservation lands.²

To implement Art. X, s. 28 of the State Constitution, the Legislature in the 2015 Special Session A passed ch. 2015-229 Laws of Florida.³ This act, in part, amended the following sections of law:

- Section 201.15, F.S., to conform to the constitutional requirement that the LATF receive at least 33 percent of net revenues derived from documentary stamp taxes; and
- Section 375.041, F.S., to designate the LATF within the Department of Environmental Protection as the trust fund to serve as the constitutionally mandated depository for a percentage of the tax revenues.⁴

In 2016, the Legislature passed ch. 2016-201, Laws of Florida, referred to as “Legacy Florida.”⁵ Legacy Florida amended s. 375.041, F.S., to require specified minimum distributions from the LATF. Under s. 375.041, F.S., funds deposited into the LATF must be distributed in the following order and amounts:

- First, obligations relating to debt service, specifically:
 - First to payments relating to debt service on Florida Forever Bonds and Everglades restoration bonds; and
 - Then, to payments relating to debt service on bonds issued before February 1, 2009, by the South Florida Water Management District and the St. Johns River Water Management District;
- Then, before funds are authorized to be appropriated for other uses:
 - A minimum of the lesser of 25 percent of the funds remaining after the payment of debt service or \$200 million annually for Everglades projects that implement the Comprehensive Everglades Restoration Plan (CERP), the Long-Term Plan,⁶ or the

² FLA. CONST. art. X, s. 28.

³ Ch. 2015-229, Laws of Fla.

⁴ Ch. 2015-229, s. 9, s. 50, Laws of Fla.

⁵ Ch. 2016-201, Laws of Fla.

⁶ Note that the “Long-Term Plan” includes the Restoration Strategies Regional Water Quality Plan.

- Northern Everglades and Estuaries Protection Program (NEEPP), with priority given to Everglades projects that reduce harmful discharges of water from Lake Okeechobee to the St. Lucie or Caloosahatchee estuaries in a timely manner. The following specified distributions are required from these funds:
- \$32 million through the 2023-2024 Fiscal Year for the Long-Term Plan;
 - After deducting the \$32 million, the minimum of the lesser of 76.5 percent of the remainder or \$100 million through the 2025-2026 Fiscal Year for the CERP; and
 - Any remaining funds for Everglades projects under the CERP, the Long-Term Plan, or the NEEPP.
- A minimum of the lesser of 7.6 percent of the funds remaining after the payment of debt service or \$50 million annually for springs restoration, protection, and management projects; and
 - Five million annually to the St. Johns River Water Management District for projects dedicated to the restoration of Lake Apopka.⁷
- Then any remaining moneys are authorized to be appropriated for the purposes set forth in Art. X, s. 28 of the State Constitution.⁸

The General Revenue Estimating Conference in December of 2016 estimated that for the 2017-2018 Fiscal Year a total of \$2.48 billion would be collected in documentary stamp taxes. Thirty-three percent of the net revenues collected or approximately \$814.1 million must be deposited into the LATF in accordance with Art. X, s. 28 of the State Constitution.⁹

St. Johns River Water Management District

The St. Johns River Water Management District (district) is one of five water management districts established in the state. The district covers all or part of 18 counties in northeast and east-central Florida and includes ten major watersheds.

St. Johns River

The St. Johns River is the longest river that is entirely within the state.¹⁰ The St. Johns River is divided into three watersheds: the Lower St. Johns River Basin, the Middle St. Johns River Basin, and the Upper St. Johns River Basin. Because the river flows north, the upper basin is the area that forms in Indian River and Brevard counties, south of the middle and lower basins.¹¹ Major tributaries that flow into the St. Johns River include the Wekiva River, the Econlockhatchee River, and the Ocklawaha River.¹²

Storm water runoff from urban areas, treated domestic and industrial wastewater, and agricultural runoff from farming areas affect the water quality of the St. Johns River.¹³ The

⁷ Section 375.041, F.S.

⁸ *Id.*

⁹ Office of Economic and Demographic Research, Revenue Estimating Conference, *Documentary Stamp Tax, Executive Summary* (Dec. 12, 2016) available at <http://www.edr.state.fl.us/Content/conferences/docstamp/docstampexecsummary.pdf> (last visited Jan. 23, 2017).

¹⁰ SJRMD, *The St. Johns River*, <http://www.sjrwmd.com/stjohnsriver/> (last visited Jan. 23, 2017).

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

largest contributor of pollution in the lower basin is treated wastewater with additional significant sources of nutrient pollution coming from agricultural areas.¹⁴ The upper basin was drained and diked and now the floodwaters from the basin are drained to the Indian River Lagoon to the east, which diminishes the water quality in the lagoon and degrades the upper basin's remaining marshes.¹⁵

Keystone Heights Area Lakes

The Keystone Heights area lakes are located in southwestern Clay County.¹⁶ The lakes were created when a layer of limestone collapsed creating sinkholes that connect to the Upper Floridan Aquifer.¹⁷ The natural geologic features of this karst terrain result in lake level fluctuations that have occurred over many decades.¹⁸

The district has been working to protect and maintain the water levels in the lakes in the Keystone Heights region and has undertaken numerous projects and studies regarding the region to better understand the dramatic fluctuations in lake water levels and to help meet current and long-term water supply needs for the region.¹⁹ The district has focused on projects that will lead to improved water levels in the lakes and the underlying Floridan aquifer. The district is reevaluating the minimum flows and levels for certain lakes to include the implementation of updated methods, development of a hydrologic model, and an analysis of additional long-term hydrologic data to ensure that the minimum flows and levels are based on the most up-to-date methods and criteria.²⁰ The district has also focused on projects that benefit the Floridan aquifer by increasing recharge or by reducing water withdrawals in the region.²¹

III. Effect of Proposed Changes:

This bill amends s. 375.041, F.S., to require that \$45 million be appropriated to the St. Johns River Water Management District for projects dedicated to the restoration of the St. Johns River and its tributaries or the Keystone Heights Lake Region.

The bill authorizes such funds to be used for land management and land acquisition and for increasing recreational opportunities associated with, and improving public access to, the St. Johns River and its tributaries or the Keystone Heights Lake Region.

The bill requires the distribution to be reduced by an amount equal to the debt service paid on bonds issued for such restoration purposes after July 1, 2017.

The bill takes effect July 1, 2017.

¹⁴ SJRWMD, *Lower St. Johns River Basin*, <http://www.sjrwmd.com/lowerstjohnsriver/> (last visited Jan. 23, 2017).

¹⁵ SJRWMD, *Upper St. Johns River Basin*, <http://www.sjrwmd.com/upperstjohnsriver/> (last visited Jan. 23, 2017).

¹⁶ SJRWMD, *Keystone Heights area lakes*, <http://www.sjrwmd.com/keystoneheights/> (last visited Jan. 23, 2017).

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ SJRWMD, *Status of Keystone Heights lakes projects*, <http://www.sjrwmd.com/keystoneheights/projectsstatus.html> (last visited Jan. 23, 2017).

²⁰ SJRWMD, *Senate Bill 234: Land Acquisition Trust Fund Bill Analysis* (Feb. 3, 2017) (on file with the Senate Environmental Preservation and Conservation Committee).

²¹ *Id.*

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. Constitutional Issues:

Article X, s. 28 of the State Constitution requires that 33 percent of net revenues derived from documentary stamp taxes be deposited into the LATF to be used for the acquisition and improvement of land, water areas, and related property interests, together with management, restoration of natural systems, and the enhancement of public access or recreational enjoyment of conservation lands. The bill requires that \$35 million of the money deposited into the LATF be used to fund projects for the restoration of the St. Johns River and the Keystone Heights Lakes region. The bill authorizes the funds to be used for land management and acquisition and for recreational opportunity and public access improvements to those areas. These authorized uses appear to be consistent with the constitutional requirements.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

PCS/CS/SB 234 requires \$45 million to be appropriated annually from the Land Acquisition Trust Fund to the St. Johns River Water Management District for projects dedicated to the restoration of the St. Johns River and its tributaries or the Keystone Heights Lake Region. This distribution may affect other programs that are funded through the trust fund. The bill also requires the distribution to be reduced by an amount equal to the debt service paid on bonds issued for such restoration purposes after July 1, 2017.

VI. Technical Deficiencies:

If the intent of this legislation is to establish a continuing appropriation of \$45 million annually, without further legislative action in subsequent fiscal years, the language “shall be appropriated annually” should be clarified to read, “is appropriated annually.”

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 375.041 of the Florida Statutes.

IX. Additional Information:

- A. Committee Substitute – Statement of Substantial Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

Recommended CS/CS by Appropriations Subcommittee on the Environment and Natural Resources on March 8, 2017:

The committee substitute amended the appropriation amount from \$35 million to \$45 million from the Land Acquisition Trust Fund.

CS by Environmental Preservation and Conservation on February 21, 2017:

The CS/SB 234 amended the relating to clause to the “Land Acquisition Trust Fund.”

- B. Amendments:

None.



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Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on the Environment and Natural
Resources)

A bill to be entitled

An act relating to the Land Acquisition Trust Fund;
amending s. 375.041, F.S.; requiring a specified
appropriation for certain projects related to the St.
Johns River and its tributaries or the Keystone Lake
Region; requiring the distribution to be reduced by an
amount equal to the debt service paid on certain
bonds; providing an effective date.

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

Section 1. Subsection (3) of section 375.041, Florida
Statutes, is amended to read:

375.041 Land Acquisition Trust Fund.—

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

(a) First, to pay debt service or to fund debt service
reserve funds, rebate obligations, or other amounts payable with
respect to Florida Forever bonds issued under s. 215.618; and
pay debt service, provide reserves, and pay rebate obligations
and other amounts due with respect to Everglades restoration
bonds issued under s. 215.619; and

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

1. A minimum of the lesser of 25 percent or \$200 million



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



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purposes set forth under this subparagraph.

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

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

4. The sum of \$45 million shall be appropriated annually to the St. Johns River Water Management District for projects dedicated to the restoration of the St. Johns River and its tributaries or the Keystone Heights Lake Region. Such funds may be used for land management and acquisition and for recreational opportunity and public access improvements connected with these areas. This distribution shall be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2017, for the purposes set forth in this



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subparagraph.

Section 2. This act shall take effect July 1, 2017.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: CS/CS/SB 234

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on the Environment and Natural Resources); Environmental Preservation and Conservation Committee; and Senator Bradley and others

SUBJECT: Land Acquisition Trust Fund

DATE: April 7, 2017

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Istler	Rogers	EP	Fav/CS
2. Reagan	Betta	AEN	Recommend: Fav/CS
3. Reagan	Hansen	AP	Fav/CS

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 234 requires \$45 million to be appropriated from the Land Acquisition Trust Fund annually to the St. Johns River Water Management District for projects dedicated to the restoration of the St. Johns River and its tributaries or the Keystone Heights Lake Region.

II. Present Situation:

Land Acquisition Trust Fund

Documentary stamp tax revenues are collected under ch. 201, F.S., which requires an excise tax to be levied on two classes of documents: deeds and other documents related to real property, which are taxed at the rate of 70 cents per \$100; and certificates of indebtedness, promissory notes, wage assignments, and retail charge account agreements, which are taxed at 35 cents per \$100.¹

In 2014, Florida voters approved Amendment One, a constitutional amendment to provide a dedicated funding source for water and land conservation and restoration. The amendment required that starting on July 1, 2015, and for 20 years thereafter, 33 percent of net revenues derived from the documentary stamp taxes be deposited into the Land Acquisition Trust

¹ See ss. 201.02 and 201.08, F.S.

Fund (LATF). Article X, s. 28 of the State Constitution requires that funds in the LATF be expended only for the following purposes:

As provided by law, to finance or refinance: the acquisition and improvement of land, water areas, and related property interests, including conservation easements, and resources for conservation lands including wetlands, forests, and fish and wildlife habitat; wildlife management areas; lands that protect water resources and drinking water sources, including lands protecting the water quality and quantity of rivers, lakes, streams, springsheds, and lands providing recharge for groundwater and aquifer systems; lands in the Everglades Agricultural Area and the Everglades Protection Area, as defined in Article II, Section 7(b); beaches and shores; outdoor recreation lands, including recreational trails, parks, and urban open space; rural landscapes; working farms and ranches; historic or geologic sites; together with management, restoration of natural systems, and the enhancement of public access or recreational enjoyment of conservation lands.²

To implement Art. X, s. 28 of the State Constitution, the Legislature in the 2015 Special Session A passed ch. 2015-229 Laws of Florida.³ This act, in part, amended the following sections of law:

- Section 201.15, F.S., to conform to the constitutional requirement that the LATF receive at least 33 percent of net revenues derived from documentary stamp taxes; and
- Section 375.041, F.S., to designate the LATF within the Department of Environmental Protection as the trust fund to serve as the constitutionally mandated depository for a percentage of the tax revenues.⁴

In 2016, the Legislature passed ch. 2016-201, Laws of Florida, referred to as “Legacy Florida.”⁵ Legacy Florida amended s. 375.041, F.S., to require specified minimum distributions from the LATF. Under s. 375.041, F.S., funds deposited into the LATF must be distributed in the following order and amounts:

- First, obligations relating to debt service, specifically:
 - First to payments relating to debt service on Florida Forever Bonds and Everglades restoration bonds; and
 - Then, to payments relating to debt service on bonds issued before February 1, 2009, by the South Florida Water Management District and the St. Johns River Water Management District;
- Then, before funds are authorized to be appropriated for other uses:
 - A minimum of the lesser of 25 percent of the funds remaining after the payment of debt service or \$200 million annually for Everglades projects that implement the Comprehensive Everglades Restoration Plan (CERP), the Long-Term Plan,⁶ or the

² FLA. CONST. art. X, s. 28.

³ Ch. 2015-229, Laws of Fla.

⁴ Ch. 2015-229, s. 9, s. 50, Laws of Fla.

⁵ Ch. 2016-201, Laws of Fla.

⁶ Note that the “Long-Term Plan” includes the Restoration Strategies Regional Water Quality Plan.

Northern Everglades and Estuaries Protection Program (NEEPP), with priority given to Everglades projects that reduce harmful discharges of water from Lake Okeechobee to the St. Lucie or Caloosahatchee estuaries in a timely manner. The following specified distributions are required from these funds:

- \$32 million through the 2023-2024 Fiscal Year for the Long-Term Plan;
 - After deducting the \$32 million, the minimum of the lesser of 76.5 percent of the remainder or \$100 million through the 2025-2026 Fiscal Year for the CERP; and
 - Any remaining funds for Everglades projects under the CERP, the Long-Term Plan, or the NEEPP.
- A minimum of the lesser of 7.6 percent of the funds remaining after the payment of debt service or \$50 million annually for springs restoration, protection, and management projects; and
 - Five million annually to the St. Johns River Water Management District for projects dedicated to the restoration of Lake Apopka.⁷
- Then any remaining moneys are authorized to be appropriated for the purposes set forth in Art. X, s. 28 of the State Constitution.⁸

The General Revenue Estimating Conference in December of 2016 estimated that for the 2017-2018 Fiscal Year a total of \$2.48 billion would be collected in documentary stamp taxes. Thirty-three percent of the net revenues collected or approximately \$814.1 million must be deposited into the LATF in accordance with Art. X, s. 28 of the State Constitution.⁹

St. Johns River Water Management District

The St. Johns River Water Management District (district) is one of five water management districts established in the state. The district covers all or part of 18 counties in northeast and east-central Florida and includes ten major watersheds.

St. Johns River

The St. Johns River is the longest river that is entirely within the state.¹⁰ The St. Johns River is divided into three watersheds: the Lower St. Johns River Basin, the Middle St. Johns River Basin, and the Upper St. Johns River Basin. Because the river flows north, the upper basin is the area that forms in Indian River and Brevard counties, south of the middle and lower basins.¹¹ Major tributaries that flow into the St. Johns River include the Wekiva River, the Econlockhatchee River, and the Ocklawaha River.¹²

Storm water runoff from urban areas, treated domestic and industrial wastewater, and agricultural runoff from farming areas affect the water quality of the St. Johns River.¹³ The

⁷ Section 375.041, F.S.

⁸ *Id.*

⁹ Office of Economic and Demographic Research, Revenue Estimating Conference, *Documentary Stamp Tax, Executive Summary* (Dec. 12, 2016) available at <http://www.edr.state.fl.us/Content/conferences/docstamp/docstampexecsummary.pdf> (last visited Jan. 23, 2017).

¹⁰ SJRMD, *The St. Johns River*, <http://www.sjrwmd.com/stjohnsriver/> (last visited Jan. 23, 2017).

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

largest contributor of pollution in the lower basin is treated wastewater with additional significant sources of nutrient pollution coming from agricultural areas.¹⁴ The upper basin was drained and diked and now the floodwaters from the basin are drained to the Indian River Lagoon to the east, which diminishes the water quality in the lagoon and degrades the upper basin's remaining marshes.¹⁵

Keystone Heights Area Lakes

The Keystone Heights area lakes are located in southwestern Clay County.¹⁶ The lakes were created when a layer of limestone collapsed creating sinkholes that connect to the Upper Floridan Aquifer.¹⁷ The natural geologic features of this karst terrain result in lake level fluctuations that have occurred over many decades.¹⁸

The district has been working to protect and maintain the water levels in the lakes in the Keystone Heights region and has undertaken numerous projects and studies regarding the region to better understand the dramatic fluctuations in lake water levels and to help meet current and long-term water supply needs for the region.¹⁹ The district has focused on projects that will lead to improved water levels in the lakes and the underlying Floridan aquifer. The district is reevaluating the minimum flows and levels for certain lakes to include the implementation of updated methods, development of a hydrologic model, and an analysis of additional long-term hydrologic data to ensure that the minimum flows and levels are based on the most up-to-date methods and criteria.²⁰ The district has also focused on projects that benefit the Floridan aquifer by increasing recharge or by reducing water withdrawals in the region.²¹

III. Effect of Proposed Changes:

This bill amends s. 375.041, F.S., to require that \$45 million be appropriated to the St. Johns River Water Management District for projects dedicated to the restoration of the St. Johns River and its tributaries or the Keystone Heights Lake Region.

The bill authorizes such funds to be used for land management and land acquisition and for increasing recreational opportunities associated with, and improving public access to, the St. Johns River and its tributaries or the Keystone Heights Lake Region.

The bill requires the distribution to be reduced by an amount equal to the debt service paid on bonds issued for such restoration purposes after July 1, 2017.

The bill takes effect July 1, 2017.

¹⁴ SJRWMD, *Lower St. Johns River Basin*, <http://www.sjrwmd.com/lowerstjohnsriver/> (last visited Jan. 23, 2017).

¹⁵ SJRWMD, *Upper St. Johns River Basin*, <http://www.sjrwmd.com/upperstjohnsriver/> (last visited Jan. 23, 2017).

¹⁶ SJRWMD, *Keystone Heights area lakes*, <http://www.sjrwmd.com/keystoneheights/> (last visited Jan. 23, 2017).

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ SJRWMD, *Status of Keystone Heights lakes projects*, <http://www.sjrwmd.com/keystoneheights/projectsstatus.html> (last visited Jan. 23, 2017).

²⁰ SJRWMD, *Senate Bill 234: Land Acquisition Trust Fund Bill Analysis* (Feb. 3, 2017) (on file with the Senate Environmental Preservation and Conservation Committee).

²¹ *Id.*

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. Constitutional Issues:

Article X, s. 28 of the State Constitution requires that 33 percent of net revenues derived from documentary stamp taxes be deposited into the LATF to be used for the acquisition and improvement of land, water areas, and related property interests, together with management, restoration of natural systems, and the enhancement of public access or recreational enjoyment of conservation lands. The bill requires that \$35 million of the money deposited into the LATF be used to fund projects for the restoration of the St. Johns River and the Keystone Heights Lakes region. The bill authorizes the funds to be used for land management and acquisition and for recreational opportunity and public access improvements to those areas. These authorized uses appear to be consistent with the constitutional requirements.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

CS/CS/SB 234 requires \$45 million to be appropriated annually from the Land Acquisition Trust Fund to the St. Johns River Water Management District for projects dedicated to the restoration of the St. Johns River and its tributaries or the Keystone Heights Lake Region. This distribution may affect other programs that are funded through the trust fund. The bill also requires the distribution to be reduced by an amount equal to the debt service paid on bonds issued for such restoration purposes after July 1, 2017.

VI. Technical Deficiencies:

If the intent of this legislation is to establish a continuing appropriation of \$45 million annually, without further legislative action in subsequent fiscal years, the language “shall be appropriated annually” should be clarified to read, “is appropriated annually.”

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 375.041 of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS by Appropriations on April 5, 2017:

The committee substitute amended the appropriation amount from \$35 million to \$45 million from the Land Acquisition Trust Fund.

CS by Environmental Preservation and Conservation on February 21, 2017:

The CS/SB 234 amended the relating to clause to the “Land Acquisition Trust Fund.”

- B. **Amendments:**

None.

By the Committee on Environmental Preservation and Conservation;
and Senators Bradley, Bean, Gibson, Hutson, and Stewart

592-01944-17

2017234c1

1 A bill to be entitled
2 An act relating to the Land Acquisition Trust Fund;
3 amending s. 375.041, F.S.; requiring a specified
4 appropriation for certain projects related to the St.
5 Johns River and its tributaries or the Keystone Lake
6 Region; requiring the distribution to be reduced by an
7 amount equal to the debt service paid on certain
8 bonds; providing an effective date.
9
10 Be It Enacted by the Legislature of the State of Florida:
11
12 Section 1. Subsection (3) of section 375.041, Florida
13 Statutes, is amended to read:
14 375.041 Land Acquisition Trust Fund.—
15 (3) Funds distributed into the Land Acquisition Trust Fund
16 pursuant to s. 201.15 shall be applied:
17 (a) First, to pay debt service or to fund debt service
18 reserve funds, rebate obligations, or other amounts payable with
19 respect to Florida Forever bonds issued under s. 215.618; and
20 pay debt service, provide reserves, and pay rebate obligations
21 and other amounts due with respect to Everglades restoration
22 bonds issued under s. 215.619; and
23 (b) Of the funds remaining after the payments required
24 under paragraph (a), but before funds may be appropriated,
25 pledged, or dedicated for other uses:
26 1. A minimum of the lesser of 25 percent or \$200 million
27 shall be appropriated annually for Everglades projects that
28 implement the Comprehensive Everglades Restoration Plan as set
29 forth in s. 373.470, including the Central Everglades Planning

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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30 Project subject to Congressional authorization; the Long-Term
31 Plan as defined in s. 373.4592(2); and the Northern Everglades
32 and Estuaries Protection Program as set forth in s. 373.4595.
33 From these funds, \$32 million shall be distributed each fiscal
34 year through the 2023-2024 fiscal year to the South Florida
35 Water Management District for the Long-Term Plan as defined in
36 s. 373.4592(2). After deducting the \$32 million distributed
37 under this subparagraph, from the funds remaining, a minimum of
38 the lesser of 76.5 percent or \$100 million shall be appropriated
39 each fiscal year through the 2025-2026 fiscal year for the
40 planning, design, engineering, and construction of the
41 Comprehensive Everglades Restoration Plan as set forth in s.
42 373.470, including the Central Everglades Planning Project
43 subject to Congressional authorization. The Department of
44 Environmental Protection and the South Florida Water Management
45 District shall give preference to those Everglades restoration
46 projects that reduce harmful discharges of water from Lake
47 Okeechobee to the St. Lucie or Caloosahatchee estuaries in a
48 timely manner. For the purpose of performing the calculation
49 provided in this subparagraph, the amount of debt service paid
50 pursuant to paragraph (a) for bonds issued after July 1, 2016,
51 for the purposes set forth under paragraph (b) shall be added to
52 the amount remaining after the payments required under paragraph
53 (a). The amount of the distribution calculated shall then be
54 reduced by an amount equal to the debt service paid pursuant to
55 paragraph (a) on bonds issued after July 1, 2016, for the
56 purposes set forth under this subparagraph.
57 2. A minimum of the lesser of 7.6 percent or \$50 million
58 shall be appropriated annually for spring restoration,

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59 protection, and management projects. For the purpose of
60 performing the calculation provided in this subparagraph, the
61 amount of debt service paid pursuant to paragraph (a) for bonds
62 issued after July 1, 2016, for the purposes set forth under
63 paragraph (b) shall be added to the amount remaining after the
64 payments required under paragraph (a). The amount of the
65 distribution calculated shall then be reduced by an amount equal
66 to the debt service paid pursuant to paragraph (a) on bonds
67 issued after July 1, 2016, for the purposes set forth under this
68 subparagraph.

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

76 4. The sum of \$35 million shall be appropriated annually to
77 the St. Johns River Water Management District for projects
78 dedicated to the restoration of the St. Johns River and its
79 tributaries or the Keystone Heights Lake Region. Such funds may
80 be used for land management and acquisition and for recreational
81 opportunity and public access improvements connected with these
82 areas. This distribution shall be reduced by an amount equal to
83 the debt service paid pursuant to paragraph (a) on bonds issued
84 after July 1, 2017, for the purposes set forth in this
85 subparagraph.

86 Section 2. This act shall take effect July 1, 2017.



521374

576-02664-17

Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on Health and Human Services)

A bill to be entitled

An act for the relief of "Survivor" and the Estate of
"Victim"; providing appropriations to compensate
Survivor and the Estate of Victim for injuries and
damages sustained as a result of the negligence of the
Department of Children and Families, formerly known as
the Department of Children and Family Services;
providing that the amount already paid by the
department and the appropriation satisfy all present
and future claims related to the injuries of Survivor
and the death of Victim; providing a limitation on the
payment of attorney fees; providing an effective date.

WHEREAS, on May 30, 2000, 4 days after their birth, a baby
boy, hereinafter referred to as "Survivor," and his twin sister,
hereinafter referred to as "Victim," first came to the attention
of the Department of Children and Families, formerly known as
the Department of Children and Family Services, due to the fact
that the children were to be sent to separate foster homes, and

WHEREAS, Survivor was reunited with their biological mother
and father on July 26, 2000, and Victim was reunited with them
on January 8, 2001, and

WHEREAS, on August 4, 2003, the court terminated the
parental rights of Survivor's and Victim's biological mother,
and

WHEREAS, on March 26, 2004, Survivor's and Victim's
biological father was arrested, which resulted in both Survivor



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and Victim being placed in the custody of the state and moved
into the foster home of Jorge and Carmen Barahona, and

WHEREAS, within 4 days of the placement of Survivor and
Victim in foster care, contact was made with paternal relatives
in Texas, Mr. and Mrs. Reyes, to explore their potential role as
caregivers, and

WHEREAS, on March 30, 2004, Mr. and Mrs. Reyes informed the
Department of Children and Families that they were interested in
caring for Survivor and Victim, and

WHEREAS, pursuant to s. 39.521, Florida Statutes, placement
with adult relatives takes priority over out-of-home licensed
foster care placement, and Survivor and Victim should have been
placed in the Reyes's home as soon as due diligence allowed, and

WHEREAS, pursuant to s. 39.001, Florida Statutes,
Department of Children and Families caseworkers are required to
achieve permanency within 1 year, either through reunification
with a child's natural parents or adoption, and

WHEREAS, due to significant delays in the placement
process, the Reyes were not permitted to adopt Survivor and
Victim, who remained in the care of the Barahonas, and

WHEREAS, significant events occurred which the Department
of Children and Families knew or should have known were
indicative of the perpetration of abuse of Survivor and Victim,
and

WHEREAS, in at least one instance, allegations of medical
neglect were reported and, pursuant to Department of Children
and Families Operating Procedure 175-28, the allegations should
have been verified, and Survivor and Victim should have been
immediately removed from the Barahona home, and



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57 WHEREAS, in January 2005, it was reported that Jorge
58 Barahona had "tickled the private parts" of Victim, which the
59 child protective investigator dismissed as being of "little
60 concern," and

61 WHEREAS, on March 20, 2007, Survivor's and Victim's school
62 principal called in an abuse report to the Department of
63 Children and Families which alleged that, for 5 months, Victim
64 had been going to school at least two to three times per week
65 with serious body odor, smelling rotten, and appearing unkempt;
66 that Victim's uniforms were not clean and her shoes were dirty;
67 that on one occasion Victim had spilled applesauce in her hair
68 at school and returned the following day with the applesauce
69 still in her hair; that Victim was always hungry and eating a
70 lot at school, hoarding food in her backpack from breakfast and
71 lunch, and there was a concern that she was not eating at home;
72 that Victim was afraid to talk; that Survivor also went to
73 school appearing unkempt; and that both Survivor and Victim were
74 having trouble staying awake during classes, and

75 WHEREAS, on March 29, 2007, the Department of Children and
76 Families learned that Survivor and Victim had been absent from
77 school approximately 20 days, taken out of school early about a
78 dozen times, and were expected to be retained in the first
79 grade, and

80 WHEREAS, on May 29, 2009, Victim and Survivor were adopted
81 by the Barahonas, despite numerous incidents that should have
82 led to an active investigation and discovery of abuse, and

83 WHEREAS, in February 2011, the Department of Children and
84 Families Abuse Hotline received another report concerning
85 Survivor and Victim, this time alleging that Survivor and Victim



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86 were being severely abused and imprisoned from the world, and

87 WHEREAS, it was the duty of the Department of Children and
88 Families to remove Survivor and Victim from a placement in which
89 there was a substantial risk of harm, and, over the course of 6
90 years, there were multiple instances of abuse which the
91 department either knew or should have known were occurring in
92 connection with their placement with the Barahonas, and

93 WHEREAS, on February 14, 2011, Victim was found dead in a
94 truck parked off I-95 in Palm Beach County, and Survivor was
95 found near death, in critical condition, and

96 WHEREAS, after the death of Victim and the discovery of the
97 severe abuse of both children, the Secretary of the Department
98 of Children and Families, David E. Wilkins, conducted an
99 investigation that culminated on March 14, 2011, with the
100 issuance of a report of findings and recommendations, and

101 WHEREAS, in the executive summary of the report,
102 investigators reported that there were significant gaps and
103 failures in common sense, critical thinking, ownership, follow-
104 through, and timely and accurate information sharing, all of
105 which defined the care of Survivor and Victim from the inception
106 of their relationship with the state child welfare system, and

107 WHEREAS, investigators determined that the systematic
108 failure included both investigative and case management
109 processes, as well as the preadoption and postadoption
110 processes, and

111 WHEREAS, the investigative report cited numerous incidents
112 of abuse of the children, including, but not limited to,
113 punching, kicking, choking, beatings, the denial of basic and
114 necessary medical care, forcing the children to eat cockroaches



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115 and food that contained feces, sexual abuse, sticking cotton
116 swabs with human feces in the children's ears, suffocating one
117 child with a plastic bag while the other child watched, smearing
118 feces over the children's faces and placing feces on the
119 children's hands for extended periods of time, and binding the
120 children with duct tape and placing them naked in a bathtub
121 together for days on end, and

122 WHEREAS, after the death of Victim and the discovery of
123 Survivor, criminal charges were filed against the Barahonas, and
124

125 WHEREAS, tort claims were filed on behalf of Victim and
126 Survivor in the United States District Court for the Southern
127 District of Florida, Case No. 1:11-civ-24611-PAS, and a
128 complaint was also filed in the Circuit Court for the Eleventh
129 Judicial Circuit of Miami-Dade County, Case No. 13-2715 CA 25,
130 and

131 WHEREAS, the personal representative of the Estate of
132 Victim and the new adoptive parents of Survivor have agreed to
133 amicably settle this matter and have entered into a settlement
134 agreement in which the Department of Children and Families has
135 agreed to pay \$5 million to Survivor and the Estate of Victim,
136 and

137 WHEREAS, as a result of the allegations of both negligence
138 and civil rights violations, and pursuant to s. 768.28, Florida
139 Statutes, the Department of Children and Families has paid \$1.25
140 million to Survivor and the Estate of Victim, and

141 WHEREAS, the balance of the settlement agreement is to be
142 paid through the passage of this claim bill in the amount of
143 \$3.75 million, and such funds shall be allocated between
Survivor and the Estate of Victim so that Survivor will receive



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144 \$1.125 million and the Estate of Victim will receive \$2.625
145 million, and

146 WHEREAS, the Department of Children and Families fully
147 supports the passage of this claim bill, NOW, THEREFORE,
148

149 Be It Enacted by the Legislature of the State of Florida:
150

151 Section 1. The facts stated in the preamble to this act are
152 found and declared to be true.

153 Section 2. For the relief of Survivor for personal injuries
154 he sustained and to the Estate of Victim for damages related to
155 the death of Victim:

156 (1) The sum of \$1.875 million is appropriated from the
157 Federal Grants Trust Fund to the Department of Children and
158 Families for the 2017-2018 fiscal year; and

159 (2) The sum of \$1.875 million is appropriated from the
160 Federal Grants Trust Fund to the Department of Children and
161 Families for the 2018-2019 fiscal year.

162 Section 3. The Chief Financial Officer is directed to draw
163 warrants upon the funds appropriated in section 2 of this act to
164 pay such funds, as follows:

165 (1) No later than August 1, 2017, in favor of the adoptive
166 parents of Survivor, as legal guardians of Survivor, in the
167 amount of \$562,500, and to Richard Milstein, as personal
168 representative of the Estate of Victim, in the amount of
169 \$1,312,500; and

170 (2) No later than August 1, 2018, in favor of the adoptive
171 parents of Survivor, as legal guardians of Survivor, in the
172 amount of \$562,500, and to Richard Milstein, as personal



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173 representative of the Estate of Victim, in the amount of
174 \$1,312,500.

175 Section 4. The amount paid by the Department of Children
176 and Families pursuant to s. 768.28, Florida Statutes, and the
177 amount awarded under this act are intended to provide the sole
178 compensation for all present and future claims arising out of
179 the factual situation described in the preamble to this act
180 which resulted in the personal injuries of Survivor and the
181 death of Victim. The total amount paid for attorney fees
182 relating to this claim may not exceed 25 percent of the amount
183 awarded under this act.

184 Section 5. This act shall take effect upon becoming a law.



THE FLORIDA SENATE

SPECIAL MASTER ON CLAIM BILLS

Location

302 Senate Office Building

Mailing Address

404 South Monroe Street
Tallahassee, Florida 32399-1100
(850) 487-5237

DATE	COMM	ACTION
1/2/17	SM	Favorable
2/22/17	JU	Fav/CS
3/22/17	AHS	Recommend: Fav/CS
4/6/17	AP	Fav/CS

January 2, 2017

The Honorable Joe Negron
President, The Florida Senate
Suite 409, The Capitol
Tallahassee, Florida 32399-1100

Re: **CS/CS/SB 18** – Appropriations Committee (Recommended by
Appropriations Subcommittee on Health and Human Services); Judiciary
Committee and Senator Anitere Flores Relief of “Survivor” and the
Estate of “Victim”

SPECIAL MASTER’S FINAL REPORT

THIS IS A SETTLED CLAIM FOR \$3.75 MILLION AGAINST THE DEPARTMENT OF CHILDREN AND FAMILIES, WHICH AROSE FROM TWO LAWSUITS AGAINST THE DEPARTMENT, ITS EMPLOYEES, AND OTHER DEFENDANTS. THESE LAWSUITS ALLEGED THAT THE NEGLIGENCE OF AND CIVIL RIGHTS VIOLATIONS BY THE DEPARTMENT, ITS EMPLOYEES, AND OTHER DEFENDANTS RESULTED IN THE SEVERE ABUSE AND NEGLECT OF SURVIVOR AND VICTIM AND THE DEATH OF VICTIM.

INTRODUCTION:

On February 14, 2011, Survivor and Victim were found in a pest control truck owned by their adoptive father, Jorge Barahona, along the side of I-95 in Palm Beach County. Victim was dead, and Survivor was severely injured and covered in chemicals. The adoptive parents, Jorge and Carmen Barahona, tortured the children in numerous ways, likely since gaining custody of them in 2004.

For their conduct, the Barahonas are facing charges for first degree murder and aggravated child abuse. The purpose of

this special master report is to determine whether the Department of Children and Families is also a legal cause of the abuse and neglect of the children.

The evidence on which the recommendation in this report is based was controlled by the claimants and consisted primarily of large volume of documents or records created by the department and its contractors and subcontractors and provided by the claimants. However, in some respects, the evidence available for the special master proceeding was limited because the underlying lawsuits settled before trial and discovery.¹ Had a trial or discovery occurred, transcripts of testimony made under oath by parties and eyewitnesses would have been available during the special master proceeding.² Additionally, because of the settlement, the department did not present any mitigating evidence during the special master proceeding or object to evidence presented by the claimants.

As a result of the limited evidence, the extent to which or the specific point in time the actions or omissions of the department and its employees became a legal cause of the abuse and neglect of Survivor and Victim cannot be determined. Similarly, the claimants made no effort and felt no obligation to present evidence showing the relative fault of the department and other defendants. Nevertheless, there is sufficient evidence to show that a jury likely would have found that failures by the department to uncover abuse were a legal cause of prolonging the suffering of Survivor and Victim and of Victim's death.

FINDINGS OF FACT:

The Findings of Fact are organized into three main components. The first component provides a chronological description of the department's interaction with Survivor and Victim. The second component describes other specific types

¹ The lack of traditional evidence complicates a special master's responsibility to independently determine liability.

Because governmental agencies occasionally settle cases against them for reasons not directly related to the merits of the claim, consent-based judgments are scrutinized carefully by the special master, by the legislative committees, and by both houses of the legislature, to ensure that independently developed facts exist to support the judgment and to justify the award.

D. Stephen Kahn, former General Counsel for the Florida Senate, *Legislative Claim Bills: A Practical Guide to a Potent(ial) Remedy*, FLA. B.J., Apr. 1988, at 27.

² Despite the settlement with the department, the claimants could have taken depositions of the relevant department employees under Senate Rule 4.81, which allows discovery consistent with the Florida Rules of Civil Procedure.

of evidence or descriptions of specific events which was made available during the special master proceeding. The last component is a summation of the evidence including reasonable inferences from the evidence.

I. Chronological Events

A. Initial Involvement with the Department, 2000

In May 2000, Survivor and Victim, a brother and sister who were twins, were born. From a few days after their birth until Victim was found dead in February 2000, the department was very involved in their lives. The department's first contact with the newborn children occurred because of their biological mother's substance abuse and Victim's medical condition.³ In March 2002, before Survivor and Victim turned 2 years old, their biological mother was arrested for domestic violence.⁴

In August 2003, when the children were 3 years old, the biological mother's rights were terminated.⁵ A few months later in March 2004, the children were removed from their father by the department after he was charged with sexual battery against a minor not related to him.⁶

B. Placement with the Barahonas, 2004

The department then placed Survivor and Victim in the foster home of Jorge and Carmen Barahona. Two other children that the Barahonas fostered and adopted also resided in the Barahona home at the time.⁷ There was no evidence presented during the special master proceeding that the Barahonas had mistreated their other children or were not qualified to foster additional children.

Within days after Survivor and Victim were placed with the Barahonas, the children's uncle in Texas sent a letter to the judge assigned to the case and department staff which expressed his and his wife's desire to obtain custody of Survivor and Victim. The letter stated in part:

We are eager to get the legal custody of those kids, and will like to know what we need to do to be able to do so. We are planning to fly to Miami next Tuesday or Wednesday to follow

³ Department of Children and Families, *The Barahona Case: Findings and Recommendations 2* (Mar. 14, 2011).

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

⁷ These two other children have filed separate lawsuits against the department and its employees.

the necessary legal steps to gain custody of those kids. The letter further expressed the willingness of the aunt and uncle to take full responsibility for the financial needs of the children during the adoption process.

As a prerequisite to placing the children with their relatives in Texas, a home study for the suitability of the placement was necessary. Notes from the children's guardian ad litem show that the department expected the home study would take 3 months.⁸ However, the home study was not completed for about 15 months.⁹ No explanation for the lengthier time period for the Texas home study was provided during the special master proceeding.¹⁰ Accordingly, what the department or others did or did not do with respect to the home study is unknown.

Evidence, however, showed that the lengthy time period for the completion of the Texas home study, at least in part, caused Survivor and Victim to remain with the Barahonas. After a year and a half with the Barahonas, for example, a psychological evaluation of the children by Dr. Vanessa Archer, concluded that Survivor and Victim had bonded with the Barahonas and that sending them to Texas would be "devastatingly detrimental."^{11, 12} The evidence presented by the claimants during the special master proceeding did not disclose whether the department or someone else selected Dr. Archer for the multiple psychological evaluations assigned to her.

C. Medical Neglect, 2004

During the hearing, the claimants presented evidence that in December 2004, the department became aware of allegations

⁸ Notes of Paul Neumann, guardian ad litem (May 18, 2004) (Bates 4764).

⁹ The Department of Children and Families, *The Barahona Case: Findings and Recommendations*, 2 (Mar. 14, 2011).

¹⁰ The third amended complaint in the underlying federal lawsuit alleged that the delay in the completion of the home study was caused by inexcusable delays in processing the relevant paperwork by the department and other defendants including Our Kids and the Center for Family and Child Enrichment. See Third Amended Complaint, paragraphs 69-70, 140-142, 162-164, and 166, *Survivor and Estate of Victim v. Our Kids of Miami/Dade/Monroe, Inc. et al.*, Case No.: 1:11-cv-24611-PAS (S.D. Fla.).

¹¹ Psychological Evaluation by Dr. Archer, Archer Psychological Services, Inc., Sept. 13, 2005 (Bates 4564-4567).

¹² The third amended complaint in the underlying federal lawsuit named Dr. Archer and Archer Psychological Services, Inc., as a defendant. The general allegations forming the basis of Dr. Archer's liability were that she made her placement recommendation without full information which would have included medical records, school records, and abuse reports. See *Id.* at paragraphs 171-189. The complaint further alleged that the Center for Family and Child Enrichment and one of its employees failed in its duties to provide the relevant information to Dr. Archer. See *Id.*

that the Barahonas were neglecting Victim's medical needs. The evidence was in the form of notes recorded by the Center for Family and Child Enrichment, Inc., (CFCE) a defendant in the underlying federal lawsuit.¹³ Victim would have been 4 years old at the time.

The notes show that the nurse for Victim's endocrinologist did not believe that Victim was in a good placement for two reasons.¹⁴ First, Victim had not been to an appointment in nearly a year when Victim needed to see the doctor three times a year. Second, Victim is sent to the doctor by herself, which shows that the foster mother does not care for Victim's well-being. Apparently, the department or one of its contractors transported Victim to medical appointments.

As part of the department's 2011 review of the circumstances leading to the claim bill, the department reviewed the response to the allegations of medical neglect. The department's review found that there was "no documentation of case management follow-up with the foster mother as to the nurse's concerns raised with [Victim's] medical care."¹⁵

D. Evidence of Sexual Abuse, 2005

During the hearing, the claimants presented evidence that the department became aware that Victim had been sexually molested though a phone call to the Central Abuse Hotline about 10 p.m., January 27, 2005. Victim was 4 years old at the time. A narrative of the call written by DCF staff describes the caller's concerns as follows: "In the past, the foster father (unknown) tickled [Victim's] private area (vagina) with his fingers. This happened more than once, and the incidents occurred in the presence of other adults in the home."¹⁶

Within 2 hours after the call, a department child protective investigator consulted a psychologist who had seen Victim the day before. The investigator's notes indicate that Victim had

¹³ The Center for Family and Child Enrichment (CFCE) is described in the underlying federal lawsuit as a contractor for Our Kids of Miami-Dade/Monroe, Inc. CFCE's contract with Our Kids, according to the lawsuit, required it to provide case management services to children in foster care and under protective supervision in Miami-Dade County. Our Kids, which was under a contract with the department, was described in the lawsuit as the lead agency for the coordination and delivery of community-based foster care and related services. See Third Amended Complaint, paragraphs 40-42, *Survivor and Estate of Victim v. Our Kids of Miami-Dade/Monroe, Inc. et al.*, Case No.: 1:11-cv-24611-PAS (S.D. Fla.).

¹⁴ Notes recorded by the Center for Family and Child Enrichment, Dec. 15, 2004 (Bates 4856).

¹⁵ The Department of Children and Families, *The Barahona Case: Findings and Recommendations* 6 (Mar. 14, 2011).

¹⁶ Intake Report to Central Abuse Hotline, 10:04 p.m., Jan. 27, 2005 (Bates 4500).

made allegations to the psychologist that were similar to those made to the Hotline. The notes further indicate that the psychologist found victim's story questionable and unfounded because of how Victim disclosed the story and because of circumstances around the narration of the story.¹⁷ Finally, the psychologist opined that it would be detrimental to wake the children up and confront them as it was then after midnight.¹⁸

The morning after the Hotline call, there was a face-to-face meeting by a department child protective investigator with all members of the Barahona household. The Barahonas denied any abuse and suggested that the perpetrator was the biological father. The investigator's notes from the meeting further state in part that Victim and Survivor:

were interviewed initially separately then together. [Victim] denied fo[ster] father touched her. Both children did make statements as to their biological father. They appeared to call both Daddy when speaking in English but called Papa and Papi when addressing them in Spanish clearly differentiating them.¹⁹

Apparently, department staff concluded that Victim was confusing her foster father with her biological father.²⁰ On February 9, 2005, department records state that the court was made aware of the abuse concerns as to the biological father and that there were no further concerns about the Barahonas.²¹

As part of the department's 2011 review of the circumstances leading to the claim bill, the department reviewed the sexual assault allegations against Mr. Barahona. The department's review found that the "Documentation suggests that the interview with [Victim] was not adequate."²² The review further found that Victim and Survivor should have been interviewed away from the Barahonas to get a more candid understanding of how they viewed their caretakers. This interviewing

¹⁷ Notes by David Palachi (Jan. 28, 2005) (Bates 4509).

¹⁸ *Id.*

¹⁹ Notes by David Palachi (Jan. 28, 2005) (Bates 4505-4506).

²⁰ The Department of Children and Families, *The Barahona Case: Findings and Recommendations* 7 (Mar. 14, 2011).

²¹ Notes by David Palachi (Feb. 9, 2005) (Bates 4503).

²² The Department of Children and Families, *The Barahona Case: Findings and Recommendations* 7 (Mar. 14, 2011).

technique was a “fundamental responsibility” according to the department, which might not have been well understood due to inadequate training and professional insight.²³

E. Report of Abuse from School, 2006

During the special master hearing, the claimants presented evidence of several incidents, not described in the claim bill, through which the claimants allege the department and others might have become aware of the abuse perpetrated by the Barahonas. For the sake of brevity, only some of the incidents, not identified in the claim bill, will be described in this report. One of these incidents, however, was based on a call to the Central Abuse Hotline at 2:07 p.m. on February 23, 2006, which described Victim as having a “huge bruise on her chin and neck area.”²⁴ According to the narrative of the call written by department staff, Victim made inconsistent statements about whether the bruises occurred at home or at school. The narrative also noted that Victim had missed several days of school.

The department's records show that by 3:30 p.m. a child protective investigator began investigating the call by obtaining Victim's and Survivor's attendance records and grades.²⁵ Among the first investigative notes, department staff recorded that between November and February 23, 2006, Victim had 17 absences from school.

Later that day, when the children were interviewed at school, Victim said she had slipped and fallen in class.²⁶ Both Survivor and Victim denied that anyone had hit Victim. However, the children's teacher said that Victim claimed the injury occurred at home and that Victim sometimes comes to school unclean.

The department's investigator had a face-to-face meeting with the Barahonas on the evening of the call to the Hotline. The Barahonas denied knowing about Victim's bruise. Mr. Barahona further explained that “the child usually gives him a hug before going to school and if the child had a mark, he would have seen it.”²⁷

²³ *Id.*

²⁴ Intake Report to Central Abuse Hotline, 2:07 p.m., Feb. 23, 2006 (Bates 4512-4514).

²⁵ Chronological Notes Reports, Feb. 23, 2006 (Bates 4527-4528).

²⁶ Chronological Notes Reports, Feb. 23, 2006 (Bates 4524-4526).

²⁷ Chronological Notes Reports, Feb. 23, 2006 (Bates 4521).

While department staff were speaking with Ms. Barahona, Victim “jumped in the middle and said she slipped and fell in class.”²⁸ The department’s notes further indicate that the Barahona home was clean at the time and well-stocked with food and that the other children in the house were free of bruises.

As part of the department’s continued investigation of Victim’s bruise, records indicate that a child protection team conducted a specialized interview of Victim about 2 weeks after the call to the Hotline. Child protection teams are a team of professionals who provide specialized diagnostic assessment, evaluation, coordination, consultation, and other supportive services.²⁹ The child protection team in this case concluded that the bruise was not the result of child abuse and that Victim needed testing for hyperactivity.³⁰

During the department’s 2011 review of the events leading to the claim bill, the department reviewed its response to the February 2006 call to the Hotline. The department’s report expressed concerns that what department staff did to investigate the abuse allegation was not fully documented.³¹

F. Report of Abuse from School, 2007

On March 20, 2007, the principal of Survivor and Victim’s elementary school reported potential abuse and neglect to Central Abuse Hotline.³² The narrative recorded by department staff states:

For the past five months, [Victim] has been smelling and appearing unkempt. At least 2 or 3 times a week, [Victim] smells. She smells rotten. Her uniform is not clean and her shoes are dirty. On one occasion, [Victim] got applesauce in her hair, the next day she had applesauce still in her hair. [Survivor] also appears unkempt. On 2/20/07, [Victim] had food in her backpack from breakfast and lunch. There is a concern that maybe she is not eating at home. [Victim]

²⁸ Chronological Notes Reports, Feb. 23, 2006 (Bates 4520-4521).

²⁹ Section 39.303(1), F.S., (2005).

³⁰ Chronological Notes Reports, Mar. 13, 2006 (Bates 4515-4516).

³¹ The Department of Children and Families, *The Barahona Case: Findings and Recommendations*, 7-8 (Mar. 14, 2011).

³² Intake Report to the Central Abuse Hotline, 3:46 p.m., Mar. 20, 2007 (Bates 4594-4596).

is always hungry and she eats a lot at school. [Victim] is afraid to talk.³³

The department's investigative summary, dated April 12, 2007, of its actions in response to the call to the Hotline concluded: "At this time the risk level is low. No evidence was found to support the allegation of environmental hazards toward the children."³⁴

In contrast to the department's conclusion, the children's guardian ad litem felt differently. In an email dated the same date as the department's investigative summary, the guardian ad litem informed his supervisor and a department attorney of the concerns of school staff.³⁵ The email explained that the reports from school, including the children's approximately 20 absences and failing grades, were causing him to rethink his prior conclusion that the children's placement with the Barahonas was best. In closing his email, the guardian ad litem wrote, "I believe some investigation needs to be done, to determine the very best place for these deserving kids to grow up and lead a healthy, happy life."³⁶ Whether the guardian ad litem reported his concerns to the dependency court is unknown.³⁷

In the department's 2011 review of the events leading to the claim bill, it reviewed its response to the March 2007 Hotline call. The department's review determined that there were "compelling facts" gathered by department staff that should have resulted in "'some indicators' or 'verified' findings for abuse."³⁸

G. Survivor and Victim Adopted, May 2009

The Barahonas finalized the adoption of Survivor and Victim in May 2009.

³³ *Id.*

³⁴ Investigative Summary (Apr. 12, 2007) (Bates 4616-4618).

³⁵ Email from Paul Neumann, guardian ad litem, to Cynthia Kline, guardian ad litem supervisor and a copy to Christine Lopez-Acevedo, a department attorney (Apr. 12, 2007) (Bates 4619-4620).

³⁶ *Id.*

³⁷ At all times relevant to the events described in the claim bill, s. 39.822(4), F.S., required the guardian ad litem for Survivor and Victim to submit written reports of recommendations to the court. These reports were not made available to the special masters.

³⁸ The Department of Children and Families, *The Barahona Case: Findings and Recommendations* 8 (Mar. 14, 2011).

H. Final Call to Central Abuse Hotline, 2011

The final call to the Central Abuse Hotline when both Survivor and Victim may have been alive, occurred at 2:22 p.m. on February 10, 2011.³⁹ The call was made by a therapist for the Barahona's niece. According to excerpts of department records, which the claimants transcribed onto a PowerPoint slide for the special master hearing, the call and the department's response were as follows:

2/10/11 2:22 PM Survivor and Victim are tied by their hands and feet with tape and made to stay in bathtub all day and night as a form of punishment tape is taken off to RESPONSE TIME 24 HOURS BATES 4684-86--- Transcript of Hotline call:-grandmother cares for her and she has foster children who are being abused.... They are being taped up w/their arms and legs and kept in a bathtub-all day and all night and she undoes their arms to eat... and she has been threatened not to say anything..... BATES 4672-73

2/10/11 6:42 PM CPI to home NO CALL TO POLICE when kids not home. Accepts mother's story that kids are with Foster Dad as they have separated. Bates 4634

According to a recording of a hearing before the Barahona Investigative Team, department staff explained that the Hotline operator and her supervisor misclassified the call as one requiring a response within 24 hours. The call, according, to the department should have resulted in an immediate response.

Similarly, in the department's 2011 review of the events leading to the claim bill, it reviewed its response to the final Hotline call. The department's review concluded that the allegations in the call "suggested criminal child abuse incidents requiring immediate response and outreach to law enforcement."⁴⁰

³⁹ This information is based on excerpts of documents provided by the claimants on a PowerPoint presentation. Copies of complete records relating to the final call to the Hotline and the department's response to the call were not provided to the special master by the claimants.

⁴⁰ The Department of Children and Families, *The Barahona Case: Findings and Recommendations* 10 (Mar. 14, 2011).

II. Specific Types of Evidence or Categories of Events

This component of the Findings of Fact focuses on the interaction of individuals, other than department staff, with Survivor and Victim and events occurring after Victim's death.

A. Judicial Review Proceedings

While Survivor and Victim were placed with the Barahonas, many individuals or entities were overseeing their care. One of these entities was the dependency court. Florida law required the dependency court to review the placement of Survivor and Victim on a regular basis. The information made available during the special master proceeding indicates that the dependency court knew information about the Barahonas' care of the children that, at least in hindsight, is troubling.

For example, during a hearing in December 2004, the guardian ad litem expressed concerns to the dependency court that "'play therapy' that had been originally suggested, and that the judge ordered several months ago had not begun."⁴¹ The guardian ad litem, according to his notes, believed that therapy was needed because Victim "had begun to touch her sexual areas again" since she started visitation with her biological father.⁴² In response to these concerns, "the judge told DCF to have another evaluation, and to begin therapy ASAP."⁴³

Later in the dependency process, the department reported to the court that Mr. Barahona prevented the guardian ad litem from visiting Survivor and Victim at home from May to August 2007.⁴⁴

Similarly, in October 2007, a Citizen Review Panel, appointed by the dependency court, issued a report of its findings and recommendations relating to Survivor and Victim.⁴⁵ Although the panel found that Survivor and Victim's placement with the Barahonas was "APPROPRIATE and SAFE," the report listed several recent legal events and several other concerns.⁴⁶

⁴¹ Guardian Ad Litem Case Log, Dec. 14, 2004 (BATES 4914).

⁴² *Id.*

⁴³ *Id.*

⁴⁴ Recording of hearing of the Barahona Investigative Team. On this issue, the claimants' PowerPoint presentation to the special masters cited to BATES 4635-36.

⁴⁵ Recommendations and Findings of the Citizen Review Panel, In and For the Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County, Florida based on a hearing on Oct. 3, 2007 (BATES 4621—27).

⁴⁶ *Id.*

The first legal event described by the panel was that the guardian ad litem had not seen the children in 3 months. The second legal event was an abuse report that had been filed with the dependency court. The panel described the events surrounding the abuse report as follows:

[The principal] reported that [Victim's] teacher called the foster mother with concerns that there has been an increase in absences and there has not been follow through. Both children doing poorly in school and falling asleep in class. They are scared to go home and is hoarding food. They are petrified of getting in trouble. The kindergarten teacher for [Survivor] and [Victim] was also present. She reported that she was their teacher for 2 1/2 months. The children were fearful of the mom and was petrified to have the mother called. The court ordered reevaluation of both children. Court order psycho-educational and psychological on the children.⁴⁷

The concerns relevant to the claim bill, which were in the panel's October 2007 report, included a concern that the children's dental exams had not been submitted to the panel for review.⁴⁸ The panel also stated that it was concerned that the judicial review social study report was not pre-filed by the Center for Family and Child Enrichment, as required by statute. Finally, the panel expressed a concern that the guardian ad litem had not been able to visit the children at the foster home. Despite the concern, the panel noted the statement of an unidentified foster parent that the guardian ad litem did not show up for visits at the scheduled times and called them at an inconvenient time.

After the Citizen Review Panel issued its October 2007 report and after a hearing in the dependency court, the guardian ad litem supervisor sent an email to the guardian ad litem describing the hearing. The supervisor explained, "the judge was not 'buying' what the foster parents were saying" about the guardian ad litem's access to the Barahona home.⁴⁹ The

⁴⁷ *Id.*

⁴⁸ *Id.* "On three different occasions, the Citizen's Review Panel held a hearing and found that there was no documentation of the current physical, dental or vision check-ups available for the children, nor were they receiving any required therapy." The Department of Children and Families, *The Barahona Case: Findings and Recommendations* 8 (Mar. 14, 2011).

⁴⁹ Email from Cynthia Kline, guardian ad litem supervisor, to Paul Neumann, guardian ad litem, Oct. 23, 2007 (BATES 4658).

supervisor further explained, “it appears everyone (although the Judge did not say so) is under the impression that the foster parents are trying to hide something.”⁵⁰ It was made very clear, wrote the supervisor, that the guardian ad litem was to be given access to the children in the home.

Nonetheless, the Barahona’s complaints about the guardian ad litem were considered. Eventually, the guardian ad litem was “discharged from the case to smooth over relationships with the Barahonas.”⁵¹

B. Psychological Evaluations

During the special master proceeding, the claimants provided the special master with a psychological evaluation written by Dr. Vanessa Archer in September 2005 along with portions of other evaluations written by her.⁵² The report from September 2005 concluded that “it would be extremely traumatic, if not devastatingly detrimental to the emotional and psychological well-being of these children if they were removed from their current home to be placed with relatives with whom they have no prior relationship. The effects of such a removal, regardless of what transition phase occurs, would have life-long consequences for these children.”⁵³

The children were evaluated again by Dr. Archer in 2007 when they were 7 years old. Her report stated that both Survivor and Victim had symptoms of depression and that they had thought of killing themselves.⁵⁴ The report further stated that Victim “is sure that terrible things are going to happen to her.”⁵⁵ Survivor expressed to Dr. Archer that he thought “the purpose of the evaluation was to talk about what his father did to him noting that his father ‘tickled’ him.”⁵⁶ Similarly, “[Victim] expressed the belief that the purpose of the evaluation was to talk about what her father said to her and that ‘people are lying.’”⁵⁷

⁵⁰ *Id.*

⁵¹ The Department of Children and Families, *The Barahona Case: Findings and Recommendations* 9 (Mar. 14, 2011).

⁵² Dr. Archer was a defendant in the underlying lawsuits. She was released, according to one of the claimants’ attorneys, because she had no insurance.

⁵³ Dr. Vanessa Archer, Archer Psychological Solutions, Inc., Psychological Evaluation (Sept. 7, 2005).

⁵⁴ Dr. Vanessa Archer, Archer Psychological Services, Inc., Psychological Evaluation (June 11, 2007) (BATES 4631, 4633).

⁵⁵ *Id.*

⁵⁶ *Id.*

⁵⁷ *Id.*

Despite the findings in her previous evaluations, in an excerpt of an evaluation from February 2008, Dr. Archer wrote, “it is astounding how these children have thrived. They clearly have a strong bond with their current care givers.” As a result, Dr. Archer concluded that adoption was clearly in the children’s best interest and “should be allowed to proceed without further delay.”⁵⁸

With respect to the February 2008 evaluation, the Barahona independent investigative panel appointed by the department concluded that Dr. Archer:

failed to consider critical information presented by the children’s principal and school professionals about potential signs of abuse and neglect by the Barahonas. That omission made Dr. Archer’s report, at best, incomplete, and should have brought into serious question the reliability of her recommendation of adoption. Several professionals, including the Our Kid’s case manager, the GAL, and the Children’s Legal Services attorney as well as the judge, were, or should have been, aware of that significant omission, and yet apparently failed to take any steps to rectify that critical flaw in her report.⁵⁹

No evidence was produced for the special master proceeding showing whether the department or someone else selected Dr. Archer to perform the psychological evaluations.

C. Abuse Suffered by Survivor and Victim

During the special master hearing, Dr. Eli Newberger testified about the specific types of abuse and neglect suffered by Survivor and Victim. Dr. Newberger is a pediatrician and an expert in matters relating to child abuse and neglect. His testimony was based on his physical examinations of and interviews with Survivor in February 2013 and September 2015. His testimony is also based on interviews of Survivor’s aunt and uncle in Texas, who were finally able to adopt Survivor in May 2012.

Dr. Newberger testified that the Barahonas abused and neglected Survivor and Victim in numerous ways. As explained to Dr. Newberger by Survivor:

⁵⁸ Excerpt of a psychological evaluation reproduced on the claimants’ PowerPoint presentation, labeled Vanessa L. Archer PhD Report: 2/12/08 (BATES 4991-95).

⁵⁹ *The Nubia Report: The Investigative Panel’s Findings and Recommendations*, 5

- Mr. Barahona put hot sauce in Survivor's and Victim's eyes, nose, ears, and private parts, both front and back.
- Mr. Barahona shoved a noisemaker in Survivor's ear.
- Mr. Barahona made Survivor and Victim sleep in the bathtub with ice nearly every day for almost 3 years.
- The Barahonas tied Survivor's and Victim's hands and feet together with tape.
- Mr. Barahona would hit Survivor with a shoe and a mop, hard enough to cause bleeding.
- Mr. Barahona punched Survivor in the mouth, which resulted in Survivor having corrective surgery.
- Mr. Barahona would place a plastic bag at random times over Survivor and Victim's heads for as long as Mr. Barahona would like.
- Mr. Barahona would give electric shocks to Victim for a minute at a time.
- Mr. Barahona had doused Survivor with chemicals.
- Survivor had gone without eating in the Barahona home for as long as 3 days.
- Before Victim had been found, Mr. Barahona gave Survivor pills that caused Survivor to have seizures.

Dr. Newberger's physical examinations of Survivor found numerous scars across his body which were consistent with the abuse described by Survivor above. On Survivor's forearms and ankles, Survivor had linear healing lacerations from cuts through the lowest level of the skin. These scars, according to Survivor, were from having been bound in the bathtub. On his lower abdomen and back, Survivor had scars that are consistent with chemical burns. Survivor also had scarring on his penis, consistent with chemical burns.

Between Dr. Newberger's first examination of Survivor in 2013 and his examination of Survivor in 2015, some of Survivor's scars faded, but others expanded and became more prominent. How long the scars will last is unknown, but they constantly remind Survivor of the abuse he suffered.

When Dr. Newberger asked Survivor whether he was frightened all the time in the Barahona home, Survivor replied, "At night, in the bathtub, we were scared about what would happen in the morning." Additionally, Survivor told Dr. Newberger that at some point in time near Victim's death, she

told him that she wanted to die because she couldn't take the abuse anymore.

The abuse Survivor suffered in the Barahona home continues to affect him in many ways. Survivor's aunt and uncle explained to Dr. Newberger that soon after Survivor was placed with them, they would find Survivor gasping for air in the middle of the night. He was having nightmares about bags being placed over his head.

Unusual smells tend to trigger memories of abuse. Survivor might suddenly say: "I can't stay here," "It reminds me of the chemicals in the truck," or "it reminds me of what [Victim's] body smelled like after she died." Mr. Barahona operated a pest control business, and Mr. Barahona's truck was carrying pest control chemicals when Survivor and Victim were found.

In school, Dr. Newberger explained, Survivor cannot solve math problems or understand what he is reading without a full-time aide by his side. He cannot take any tests without the presence of an aide. Survivor's grades are poor or failing. According to Survivor, he cannot concentrate because he is constantly thinking about the abuse.

A recent example of how memories of abuse affect Survivor occurred after Survivor met with a prosecutor for one of the Barahonas. After he met with the prosecutor, Survivor was tremendously distressed. He insisted on being treated as an infant for a few days. He wanted to be cuddled and called by various pet names that one would call an infant. In psychological terms, this event was a serious regression and was very unusual for a 15 year old, according to Dr. Newberger.

Dr. Newberger has diagnosed Survivor as having chronic post-traumatic stress disorder, noting that Survivor's entire arc of development has been nothing but deprivation, assaults, witnessing assaults, including a murderous assault on his sister. Dr. Newberger further opined that within a reasonable degree of medical probability, Survivor has suffered a permanent injury because of the abuse in the Barahona home.

Dr. Newberger concludes that Survivor will need psychiatric and psychological care for the rest of his life as he comes into

contact with things that provoke memories and distress. Moreover, Dr. Newberger opined that if Survivor does not have the capacity to learn, his capacity to have a job and provide for himself, his ability to live independently, and his capacity to have a family and conduct himself as an adult are crippled.

D. The Barahona Case: Findings and Recommendations

On February 21, 2011, days after Victim's body was found, the Secretary of the Department of Children and Families established an independent investigative panel to examine issues relating to the Barahonas.⁶⁰ The department attached the findings and suggestions from the investigative panel in its report titled *The Barahona Case: Findings and Recommendations*. When available, the department's assessments of its actions are included in the chronological description of its interaction with the children.

During the special master hearing, a member of the investigative panel, David Lawrence,⁶¹ described the panel's activities, information it reviewed, and the findings described in its report titled *The Nubia Report: The Investigative Panel's Findings and Recommendations*.⁶² The investigative panel's findings include the following:

- Dr. Archer failed to consider critical information about potential signs of abuse, making her reports incomplete.⁶³
- The case manager from Our Kids, the guardian ad litem, and the Children's Legal Services attorney, as well as the judge, were, or should have been, aware of significant omissions in Dr. Archer's reports but failed to take any serious steps to correct the critical flaws.⁶⁴
- There was no centralized system to ensure the dissemination of critical information to all parties overseeing the care of Survivor and Victim.⁶⁵

⁶⁰ David Lawrence Jr., Roberto Martinez, and Dr. James Sewell, *Barahona Investigative Team Report 4* (Mar. 10, 2011).

⁶¹ Mr. Lawrence was the president of The Early Childhood Initiative Foundation and chair of the Children's Movement of Florida.

⁶² *The Nubia Report: The Investigative Panel's Findings and Recommendations* is available at <https://www.dcf.state.fl.us/initiatives/barahona/docs/meetings/Nubias%20Story.pdf>.

⁶³ David Lawrence, Jr., et al., *supra* note 60.

⁶⁴ *Id.* at 5.

⁶⁵ *Id.*

- The guardian ad litem, school personnel, and a nurse practitioner raised serious concerns that should have required “intense and coordinated follow-up.”⁶⁶
- There was no person serving as the “system integrator” who ensured that relevant information, including allegations of abuse, was shared and made accessible to others.⁶⁷
- There is evidence of multiple instances in which the Barahonas did not ensure the health of Survivor and Victim.⁶⁸
- During the hearings before the panel, the actions and testimony of the Chief Executive Officers of Our Kids and the Center for Family and Child Enrichment “created suspicions as to what, if anything, they were trying to hide.”⁶⁹
- Post-adoption services should have been identified by Our Kids after a post-adoption call to the Hotline in June 2010.⁷⁰
- Much of the necessary information raising red flags about the Barahonas was present within the system, but the individuals involved relied on inadequate technology instead of talking to each other.⁷¹

E. Letter of Support

The department has provided a letter of support for a claim bill in an amount not to exceed \$3.75 million, consistent with the settlement agreement in this matter.

III. Inferential Findings of Fact

The evidence presented, including the guardian ad litem’s access to the children, lack of documentation of necessary medical care, the nature of the complaints to the Hotline, and the children’s statements to Dr. Archer, show that the department and other defendants to the underlying lawsuits would have had good reason to be suspicious of how the Barahonas were treating Survivor and Victim. Moreover, the shortcomings of the department in its responses to allegations of abuse and neglect, including admissions that its staff failed

⁶⁶ *Id.* at 6.

⁶⁷ *Id.*

⁶⁸ *Id.* at 7.

⁶⁹ *Id.* at 8.

⁷⁰ *Id.*

⁷¹ *Id.* at 9.

to follow procedures, are credible along with the findings of the independent review panel.

Because the individuals overseeing the care of Survivor and Victim, which included department staff and others, had reason to be suspicious, it seems appropriate to ask, what possible explanation could there be for failing to discover the abuse and neglect? Because this matter settled before discovery and trial and because the individuals involved were not asked to testify for the special master proceeding, they were never asked this question on the record. However, the evidence available suggests that their conduct might be explained by:

- Evidence and allegations of abuse and neglect by the children's biological mother who was a drug addict and their biological father, a child molester.
- The lack of evidence that Barahonas had improperly cared for their other adoptive children.
- The convincing nature of the Barahona's lies and the Barahona's ability to coerce the children into denying the allegations of abuse.
- Wishful thinking, coupled with a belief that the signs of the type of unimaginable abuse perpetrated by the Barahonas would have been more obvious.

Although one might explain the conduct of the department and others as above, the explanations become less and less of an excuse as the signs and allegations of abuse and neglect increase.

CONCLUSIONS OF LAW:

The lawsuits leading to this claim bill were based on allegations of negligence and civil rights violations.

I. Negligence

In a negligence action, "a plaintiff must establish the four elements of duty, breach, proximate causation, and damages."⁷² Whether a duty of care exists is a question of law.⁷³ The Department of Children and Families has a duty to reasonably investigate complaints of child abuse and neglect, which is recognized by case law.⁷⁴ Once a duty is found to

⁷² *Limones v. School Dist. of Lee County*, 161 So. 3d 384, 389 (Fla. 2015).

⁷³ *McCain v. Fla. Power Corp.*, 593 So. 2d 500, 502 (Fla. 1992).

⁷⁴ *Dept. of Health and Rehabilitative Svcs. v. Yamuni*, 498 So. 2d 441, 442-43 (Fla. 3d DCA 1986) (stating that the Dept. of Health and Rehabilitative Services, a precursor to the Dept. of Children and Families, has a statutory

exist, whether a defendant was negligent in fulfilling that duty is a question for the finder of fact.⁷⁵ In making that determination, a fact finder must decide whether a defendant exercised the degree of care that an ordinarily prudent person, or caseworker in this instance, would have under the same or similar circumstances.⁷⁶

I find that the claimants provided sufficient evidence in the proceeding to show that, had this case proceeded to trial, a jury would have found that the department and others breached their duties to Survivor and Victim. Juries have done so in somewhat similar lawsuits. However, due to the limited evidence, especially the lack of testimony of any of the various caseworkers, case managers, and child protective investigators, the specific point in time that the department breached its duty cannot be identified with precision.

I also find that the claimants presented sufficient evidence in this matter to show that a jury would have found that actions and inactions by the department proximately caused the suffering of Survivor and Victim to be prolonged and caused Survivor's death. "[T]he issue of proximate cause is generally a question of fact concerned with 'whether and to what extent the defendant's conduct foreseeably and substantially caused the specific injury that actually occurred.'"⁷⁷ In cases against the department having some similarities to this matter, the appellate court determined that "[t]he plaintiffs presented evidence that there is a natural, direct, and continuous sequence between DCF's negligence and [a child's] injuries such that it can be reasonably said that but for DCF's negligence, the abuse to [the child] would not have occurred."⁷⁸

Finally, I find that the claimants presented sufficient evidence that a jury would have further found that Survivor and Victim suffered damages because of the department's negligence. No amount of money can compensate for the pain and

duty of care to prevent further harm to children when reports of child abuse are received); *Dept. of Children and Family Svcs. v. Amora*, 944 So. 2d 431 (Fla. 4th DCA 2006).

⁷⁵ *Yamuni*, 529 So. 2d at 262.

⁷⁶ *Russel v. Jacksonville Gas Corp.*, 117 So. 2d 29, 32 (Fla 1st DCA 1960) (defining negligence as, "the doing of something that a reasonable and prudent person would not ordinarily have done under the same or similar circumstances, or the failure to do that which a reasonable and prudent person would have done under the same or similar circumstances").

⁷⁷ *Amora*, 944 So. 2d at 431.

⁷⁸ *Id.*

suffering that Survivor and Victim endured. However, the \$5 million settlement by the department in this matter is not excessive compared to jury verdicts in similar cases.

II. Federal Civil Rights Violations

The federal lawsuit underlying this claim bill alleged that the department, its employees, Our Kids and its employees, and the Center for Family and Child Enrichment and its employees violated the federal civil rights of Survivor and Victim.

The specific legal standard governing civil rights claims is set forth in 42 U.S.C. s. 1983, which states in relevant part:

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State . . . subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress

In contrast to a negligence action, in a civil rights action, the defense of sovereign immunity or the limits on the collectability of a judgment or the payment of a claim under s. 768.28, F.S., do not apply.⁷⁹ For the time periods applicable to the claim bill, s. 768.28, F.S., limited the collectability of a judgment or claim to \$100,000 per person and \$200,000 for all claims arising out of the same incident.⁸⁰

Case law clearly shows that under 42 U.S.C. s. 1983, state officials and contractors such as Our Kids can be held liable for violations of a foster child's civil rights.⁸¹ The applicable rights protected by statute include the "constitutional right to

⁷⁹ *Howlett v. Rose*, 496 U.S. 356 (1990).

⁸⁰ Chapter 2010-26, Laws of Fla., increased the limits on the payment of a claim or judgment to \$200,000 per person and \$300,000 for all claims arising out of the same incident. The increased limits apply to claims arising on or after October 1, 2011.

⁸¹ *Taylor v. Ledbetter*, 818 F.2d 791 (11th Cir. 1987); *Crispell v. Dept. of Children and Families*, 2012 WL 3599349 (M.D. Fla. 2012) (denying Children's Homes Society of Florida's motion to dismiss a civil rights action because the court found that the entity was not an arm of the state entitled to immunity under the 11th Amendment to the United States Constitution); *Woodburn v. Dept. of Children and Family Svcs.*, 854 F.Supp.2d 1184, 1201 (S.D. Fla. 2011) (finding that the plaintiff "alleged sufficient facts to support a facially plausible claim that her constitutional rights were violated by . . . Our Kids for the purpose of surviving a motion to dismiss").

be free from unnecessary pain and a fundamental right to physical safety.”⁸²

Proving a civil rights violation is different than proving negligence.⁸³ In a civil rights action, the plaintiff must show that the defendant was deliberately indifferent to the violation of a federal right. The defendant’s knowledge of a risk of harm is key. A state official acts with deliberate indifference only when disregarding a risk of harm of which he or she is actually aware.

Following the guidance above, the Federal 11th Circuit Court of appeals has stated that “in order to establish deliberate indifference, plaintiffs must be able to allege (and prove at trial) that the defendant (1) was objectively aware of a risk of serious harm; (2) recklessly disregarded the risk of harm; and (3) this conduct was more than merely negligent.”⁸⁴

The evidence presented during the special master proceeding showed that the actions of the department were negligent, not civil rights violations.⁸⁵

RELATED ISSUES:

A claim bill is an act of legislative grace, not an entitlement.⁸⁶ These bills are a “voluntary recognition of its moral obligation by the legislature . . . based on its view of justice and fair treatment of one who ha[s] suffered at the hands of the state.”⁸⁷ Consistently, the legislative proceedings relating to claim⁸⁸ bills are “separate and apart from the constraints of an earlier lawsuit.”⁸⁹

For these reasons, special masters inquire into matters that might not be admissible in court but may be relevant to

⁸² *Ray v. Foltz*, 370 F.3d 1079, 1082 (11th Cir. 2004) (citing *Taylor v. Ledbetter*, 818 F.2d 791, 794-95 (11th Cir. 1987) (en banc)).

⁸³ *Ray v. Foltz*, 370 F.3d 1079, 1083 (11th Cir. 2004).

⁸⁴ *Id.* (citing *McElligott v. Foley*, 182 F.3d 1248, 1255 (11th Cir. 1999)).

⁸⁵ Nonetheless, the department made a payment of \$1.25 million, which was in excess of the amounts authorized for negligence actions under s. 768.28, F.S. Perhaps there are facts that are known by the parties that were not presented. When I asked the claimants’ attorneys during the special master hearing what facts took the Barahona lawsuits from negligence to a civil rights action, they declined to directly answer the question.

⁸⁶ *Searcy Denny Scarola Barnhart & Shipley, P.A. v. State*, 2015 WL 4269031, *5 (Fla. 4th DCA), review granted, 2015 WL 6127021 (Fla. Oct. 14, 2015).

⁸⁷ *Noel v. Schlesinger*, 984 So. 2d 1265, 1267 Fla. 4th DCA) quoting *Gamble v. Wells*, 450 So. 2d 850, 853 (Fla. 1984).

⁸⁸ *Searcy, et al.*, *supra* note 86.

⁸⁹ *Id.*

decisions by legislators. These inquiries do not affect the recommendation of this report. However, common inquiries include: What is the claimant's criminal history? Is the claimant lawfully present in the United States? Is there any information about the claimant which would cause embarrassment to the Legislature should it enact the claim bill?

Because of the complexity of the department's system to oversee foster care and investigate allegations of abuse and neglect, different questions arise in this matter. These questions relate to the liability of other parties who were also defendants to the underlying lawsuits and were under contract to care for Survivor and Victim.

I. Fault and Damages Collected from Other Defendants

With respect to this claim bill, the most relevant inquiry asks: Who besides the Department of Children and Families was at fault for the abuse and neglect of Survivor and Victim? Of the others at fault, why were they at fault and what was their relative contribution to the damages suffered by Survivor and Victim? Finally, what amounts have been recovered from others?⁹⁰

The claimants declined my request to explain the responsibility of others for the abuse of Survivor and Victim and Victim's death.⁹¹ Nonetheless, there is information suggesting that others bear substantial responsibility, including Dr. Archer, Our Kids, and the Center for Family and Child Enrichment.

According to the settlement agreement in this matter, the department agreed to work cooperatively to reach a settlement with Dr. Archer "as part of which she will agree to take no more court or agency appointments relating to the

⁹⁰ If the lawsuit had proceeded to trial after the claimants reached a settlement with other defendants, a court may have found that the settlement agreement could not be used as a basis for offsetting damages owed by the department by damages paid by one of the defendants to the underlying lawsuits. See *Wal-Mart Stores v. Strachan*, 82 So. 3d 1052 (Fla. 4th DCA 2011). With the abolition of joint and several liability, an award against a defendant generally may not be offset by amounts recovered by a settlement with another defendant. *Id.*

⁹¹ The State Constitution permits a legislator to consider any information he or she deems to determine whether a claim bill is in the interests of his or her constituents or the state as a whole. Moreover, because claim bills are a type of appropriation bill, a legislator should have access to information necessary to determine how to rank a claim bill among the state's funding priorities.

foster care or dependency system, or children in it.”⁹² Further, according to one of the attorneys for the claimants, Dr. Archer was dismissed from the federal court case; she had no insurance, and she made no payment.⁹³

The claimants disclosed that they reached a settlement agreement with Our Kids and the Center for Family and Child Enrichment. I asked for the claimants’ attorneys for details about the settlement agreement. They refused to make the settlement agreement available or disclose the settlement amount.⁹⁴

Had the claimants fully disclosed information relative to the conduct of the other defendants to the underlying lawsuits and any settlements, the Legislature could independently evaluate whether the department’s settlement agreement is in the best interests of the state. Similarly, the lack of disclosure restricts the Legislature from independently determining whether it has a moral obligation to provide compensation in excess of the settlement agreement with the department.

The Supreme Court’s opinion in *Fabre v. Marin* shows that, had this matter been presented to a jury, the jury would have apportioned the damages among all the responsible persons.⁹⁵ Thus, the department would have been responsible only for that portion of damages equivalent to its percentage of fault.^{96, 97}

⁹² Mem. of Settlement, paragraph 5 (Mar. 6, 2013), *Survivor and Estate of Victim v. Our Kids of Miami/Dade/Monroe, Inc. et al.*, Case No.: 1:11-cv-24611-PAS.

⁹³ Statement of Neal Roth during the special master hearing (Oct. 30, 2015).

⁹⁴ The settlement agreement between the claimants and Our Kids and the Center for Family and Child Enrichment should be readily available as a public record, just as the claim bill, investigative reports by the department, and the settlement agreement between the claimants and the department is a public record. See ss. 409.1671 (2011), 287.058(1)(c), 119.011(2), and 119.07(1), F.S.; see also s. 69.081(8), F.S. The information is also available to the Legislature under s. 11.143, F.S.

⁹⁵ *Fabre v. Marin*, 623 So. 2d 1182 (Fla. 1993).

⁹⁶ *Id.* at 1185.

⁹⁷ Additionally, the lack of disclosure by the claimants’ attorneys precludes an analysis of whether the department could be legally responsible for the contractors. According to *Del Pilar v. DHL Customer Solutions, Inc.*, 993 So. 2d 142, 145-46 (Fla. 1st DCA 2008):

Generally, a principal is not vicariously liable for the negligence of its independent contractor, but the principal is liable for the negligence of its agent. See generally *Fla. Power & Light Co. v. Price*, 170 So.2d 293 (Fla.1964). Whether one laboring on behalf of another is a mere agent or an independent contractor “is a question of fact ... not controlled by descriptive labels employed by the parties themselves.” *Parker v. Domino's Pizza, Inc.*, 629 So.2d 1026, 1027 (Fla. 4th DCA 1993) (internal citations omitted); see also *Font v. Stanley Steamer Int'l, Inc.*, 849 So.2d 1214, 1216 (Fla. 5th DCA 2003) (noting that question of status “is normally one for the trier of fact to decide”).

II. Distribution of Settlement Proceeds

A second related issue is whether the settlement funds paid by the department have been distributed to Survivor and the Estate of Victim. Pursuant to its settlement agreement with the claimants, the department has made the required payment of \$1.25 million. The Memorandum of Settlement, filed in the federal lawsuit, required the department to pay the settlement funds to the claimants' attorneys by the beginning of April 2013.

In October 2015, the claimants successfully terminated any rights the Barahonas may have had to inherit from Victim's estate. However, as of the date of this report, the claimants' attorneys have not provided any information showing that the settlement funds were distributed to their clients.

ATTORNEYS FEES:

Section 768.28(8), F.S., states "[n]o attorney may charge, demand, receive, or collect, for services rendered, fees in excess of 25 percent of any judgment or settlement." In compliance with the statute, Neal Roth, one of the claimants' attorneys, submitted an attorney fee affidavit that states in pertinent part:

1. My name is Neal A. Roth and I am a partner of the Law Firm of Grossman Roth . . .
2. Grossman Roth, P.A., is counsel for Claimants, Survivor and Richard Milstein, as Personal Representative of the Estate of Victim, deceased.
3. As counsel for the Claimants, we have fully complied with all provisions of Section 768.28 (8).
4. Insofar as lobbying fees are concerned, the bill as filed provides that any lobbying fees related to the claim bill will be included as part of the statutory cap on attorneys' fees in Section 768.28.

Additionally, closing statements provided by the claimants' attorneys indicate that the contract with the claimants provides for an award of attorney fees in the amount of 25 percent of the \$5 million settlement, which is \$1.25 million, plus costs.

RECOMMENDATIONS:

For the reasons set forth above, I recommend that Senate Bill 18 be reported FAVORABLY.

Respectfully submitted,

Thomas C. Cibula
Senate Special Master

cc: Secretary of the Senate

CS/CS by Appropriations on April 5, 2017:

The committee substitute directs that the source of funds used for this relief bill be derived from the Federal Grants Trust Fund in the Department of Children and Families rather than from the General Revenue Fund. Also, funds are to be paid over a two year period rather than in a single year as originally specified.

CS by Judiciary:

The committee substitute, in conformity with a recent opinion of the Florida Supreme Court, does not limit the amount of lobbying fees that may be paid from the proceeds of the bill.

By the Committee on Judiciary; and Senator Flores

590-01948-17

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A bill to be entitled

An act for the relief of "Survivor" and the Estate of "Victim"; providing an appropriation to compensate Survivor and the Estate of Victim for injuries and damages sustained as result of the negligence of the Department of Children and Families, formerly known as the Department of Children and Family Services; providing that the amount already paid by the department and the appropriation satisfy all present and future claims related to the injuries of Survivor and the death of Victim; providing a limitation on the payment of attorney fees; providing an effective date.

WHEREAS, on May 30, 2000, 4 days after their birth, a baby boy, hereinafter referred to as "Survivor," and his twin sister, hereinafter referred to as "Victim," first came to the attention of the Department of Children and Families, formerly known as the Department of Children and Family Services, due to the fact that the children were to be sent to separate foster homes, and

WHEREAS, Survivor was reunited with their biological mother and father on July 26, 2000, and Victim was reunited with them on January 8, 2001, and

WHEREAS, on August 4, 2003, the court terminated the parental rights of Survivor's and Victim's biological mother, and

WHEREAS, on March 26, 2004, Survivor's and Victim's biological father was arrested, which resulted in both Survivor and Victim being placed in the custody of the state and moved into the foster home of Jorge and Carmen Barahona, and

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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WHEREAS, within 4 days of the placement of Survivor and Victim in foster care, contact was made with paternal relatives in Texas, Mr. and Mrs. Reyes, to explore their potential role as caregivers, and

WHEREAS, on March 30, 2004, Mr. and Mrs. Reyes informed the Department of Children and Families that they were interested in caring for Survivor and Victim, and

WHEREAS, pursuant to s. 39.521, Florida Statutes, placement with adult relatives takes priority over out-of-home licensed foster care placement, and Survivor and Victim should have been placed in the Reyes's home as soon as due diligence allowed, and

WHEREAS, pursuant to s. 39.001, Florida Statutes, Department of Children and Families case workers are required to achieve permanency within 1 year, either through reunification with a child's natural parents or adoption, and

WHEREAS, due to significant delays in the placement process, the Reyes were not permitted to adopt Survivor and Victim, who remained in the care of the Barahonas, and

WHEREAS, significant events occurred which the Department of Children and Families knew or should have known were indicative of the perpetration of abuse of Survivor and Victim, and

WHEREAS, in at least one instance, allegations of medical neglect were reported and, pursuant to Department of Children and Families Operating Procedure 175-28, the allegations should have been verified and Survivor and Victim should have been immediately removed from the Barahona home, and

WHEREAS, in January 2005, it was reported that Jorge Barahona had "tickled the private parts" of Victim, which the

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child protective investigator dismissed as being of "little concern," and

WHEREAS, on March 20, 2007, Survivor's and Victim's school principal called in an abuse report to the Department of Children and Families which alleged that, for 5 months, Victim had been going to school at least two to three times per week with serious body odor, smelling rotten, and appearing unkempt; that Victim's uniforms were not clean and her shoes were dirty; that on one occasion Victim had spilled applesauce in her hair at school and returned the following day with the applesauce still in her hair; that Victim was always hungry and eating a lot at school, hoarding food in her backpack from breakfast and lunch, and there was a concern that she was not eating at home; that Victim was afraid to talk; that Survivor also went to school appearing unkempt; and that both Survivor and Victim were having trouble staying awake during classes, and

WHEREAS, on March 29, 2007, the Department of Children and Families learned that Survivor and Victim had been absent from school approximately 20 days, taken out of school early about a dozen times, and were expected to be retained in the first grade, and

WHEREAS, on May 29, 2009, Victim and Survivor were adopted by the Barahonas, despite numerous incidents that should have led to an active investigation and discovery of abuse, and

WHEREAS, in February 2011, the Department of Children and Families Abuse Hotline received another report concerning Survivor and Victim, this time alleging that Survivor and Victim were being severely abused and imprisoned from the world, and

WHEREAS, it was the duty of the Department of Children and

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Families to remove Survivor and Victim from a placement in which there was a substantial risk of harm and, over the course of 6 years, there were multiple instances of abuse which the department either knew or should have known were occurring in connection with their placement with the Barahonas, and

WHEREAS, on February 14, 2011, Victim was found dead in a truck parked off I-95 in Palm Beach County, and Survivor was found near death, in critical condition, and

WHEREAS, after the death of Victim and the discovery of the severe abuse of both children, the Secretary of the Department of Children and Families, David E. Wilkins, conducted an investigation that culminated on March 14, 2011, with the issuance of a report of findings and recommendations, and

WHEREAS, in the executive summary of the report, investigators reported that there were significant gaps and failures in common sense, critical thinking, ownership, follow-through, and timely and accurate information sharing, all of which defined the care of Survivor and Victim from the inception of their relationship with the state child welfare system, and

WHEREAS, investigators determined that the systematic failure included both investigative and case management processes, as well as the preadoption and postadoption processes, and

WHEREAS, the investigative report cited numerous incidents of abuse of the children, including, but not limited to, punching, kicking, choking, beatings, the denial of basic and necessary medical care, forcing the children to eat cockroaches and food that contained feces, sexual abuse, sticking cotton swabs with human feces in the children's ears, suffocating one

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child with a plastic bag while the other child watched, smearing feces over the children's faces and placing feces on the children's hands for extended periods of time, and binding the children with duct tape and placing them naked in a bathtub together for days on end, and

WHEREAS, after the death of Victim and the discovery of Survivor, criminal charges were filed against the Barahonas, and

WHEREAS, tort claims were filed on behalf of Victim and Survivor in the United States District Court for the Southern District of Florida, Case No. 1:11-civ-24611-PAS, and a complaint was also filed in the Circuit Court for the Eleventh Judicial Circuit of Miami-Dade County, Case No. 13-2715 CA 25, and

WHEREAS, the personal representative of the Estate of Victim and the new adoptive parents of Survivor have agreed to amicably settle this matter and have entered into a settlement agreement in which the Department of Children and Families has agreed to pay \$5 million to Survivor and the Estate of Victim, and

WHEREAS, as a result of the allegations of both negligence and civil rights violations, and pursuant to s. 768.28, Florida Statutes, the Department of Children and Families has paid \$1.25 million to Survivor and the Estate of Victim, and

WHEREAS, the balance of the settlement agreement is to be paid through the passage of this claim bill in the amount of \$3.75 million, and such funds shall be allocated between Survivor and the Estate of Victim so that Survivor will receive \$1.125 million and the Estate of Victim will receive \$2.625 million, and

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WHEREAS, the Department of Children and Families fully supports the passage of this claim bill, NOW, THEREFORE,

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

Section 1. The facts stated in the preamble to this act are found and declared to be true.

Section 2. The sum of \$3.75 million is appropriated from the General Revenue Fund to the Department of Children and Families for the relief of Survivor for the personal injuries he sustained and to the Estate of Victim for damages relating to the death of Victim.

Section 3. The Chief Financial Officer is directed to draw a warrant in favor of the adoptive parents of Survivor, as legal guardians of Survivor, in the amount of \$1.125 million, and to Richard Milstein, as personal representative of the Estate of Victim, in the amount of \$2.625 million upon funds of the Department of Children and Families in the State Treasury, and the Chief Financial Officer is directed to pay the same out of such funds in the State Treasury.

Section 4. The amount paid by the Department of Children and Families pursuant to s. 768.28, Florida Statutes, and the amount awarded under this act are intended to provide the sole compensation for all present and future claims arising out of the factual situation described in the preamble to this act which resulted in the personal injuries of Survivor and the death of Victim. The total amount paid for attorney fees relating to this claim may not exceed 25 percent of the amount awarded under this act.

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Section 5. This act shall take effect upon becoming a law.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: PCS/CS/SB 64 (134064)

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on the Environment and Natural Resources); Environmental Preservation and Conservation Committee; and Senators Bean and Mayfield

SUBJECT: State Park Fees

DATE: April 4, 2017

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Mitchell</u>	<u>Rogers</u>	<u>EP</u>	<u>Fav/CS</u>
2.	<u>Reagan</u>	<u>Betta</u>	<u>AEN</u>	<u>Recommend: Fav/CS</u>
3.	<u>Reagan</u>	<u>Hansen</u>	<u>AP</u>	<u>Pre-meeting</u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Technical Changes

I. Summary:

PCS/CS/SB 64 requires the Division of Recreation and Parks (division) of the Department of Environmental Protection (DEP) to provide free annual state park entrance passes and a 50 percent discount on state park base campsite fees to foster families. In addition, the bill requires the division to provide a one-time free annual state park entrance pass at the time of adoption to families who adopt certain special needs children from the Department of Children and Families (DCF). The bill requires the Division, in consultation with the DCF, to identify the types of written documentation sufficient to establish eligibility for the free state park passes and discounted campsite fees and to establish a procedure for obtaining the discounts. Finally, the bill requires the division to continue its partnership with the DCF to promote fostering and adoption of special needs children with events held each year.

The impact on state revenues is expected to be insignificant.

II. Present Situation:

State Parks

Florida's state park system was created in 1935 when the Legislature enacted a series of laws authorizing the Florida Board of Forestry to establish a Florida Park Service and to develop and

maintain a system of state parks.¹ Today, the Division of Recreation and Parks (division) within the Department of Environmental Protection (DEP) has the duty to supervise, administer, regulate, and control the operation of all public parks owned by the state.² This includes 163 state parks, 11 state trails, nearly 800,000 acres, 100 miles of beaches, and more than 1,500 miles of multi-use trails.³

The National Recreation and Park Association annually honors state park systems that demonstrate excellence in long-range planning and resource management. In 2013, Florida became the first three-time National Recreation and Park Association Gold Medal award winner.⁴ It is the policy of the division to promote the state park system for the use, enjoyment, and benefit of the people and visitors of Florida.⁵ The total attendance for the 2015-2016 fiscal year was 31,840,658 visitors, an increase of over 730,000 visitors from the previous fiscal year.⁶

Section 258.014, F.S., authorizes the division to charge reasonable fees, rentals, or charges for the use or operation of facilities and concessions in state parks. All such fees, rentals, and charges collected must be credited to the State Park Trust Fund. The continuing balance of the trust fund is to be used for the administration, improvement, and maintenance of state parks and for the acquisition and development of lands acquired for state park purposes.⁷

The director of the division is authorized to recommend standard admission and other park fees. Daily admission fees can range from \$1-\$13 based upon factors such as user demand, the location of the park, the cost of managing and operating the park, the type of facilities available, the season, and the natural and historic resource values of the park.⁸ Currently, the family annual state park entrance pass costs \$120.⁹ Family campsite fees range from \$10-\$60.¹⁰ State park fees generated approximately \$68.5 million in revenue in Fiscal Year 2015-2016, with annual entrance pass sales totaling \$3.8 million and campsite fees totaling \$19.3 million of that revenue amount.¹¹

Section 258.016, F.S., provides a 50 percent discount on base camping fees at state parks to Florida citizens 65 years of age and older and to Florida citizens possessing a current social

¹ Florida Park Service Alumni Association, *Florida State Park History*, <http://fpsaa.org/traditions/fps-history> (last visited Jan. 30, 2017).

² Section 258.004, F.S.

³ DEP, Division of Recreation and Parks, *Program at a Glance*, <http://www.dep.state.fl.us/mainpage/programs/parks.htm> (last visited Jan. 30, 2017).

⁴ DEP, *About Florida State Parks*, <http://www.dep.state.fl.us/parks/> (last visited Jan. 30, 2017).

⁵ Section 258.037, F.S.

⁶ DEP, *Long Range Program Plan* (Fiscal Years: 2017-2018 through 2021-2022), 51, available at <http://floridafiscalportal.state.fl.us/Document.aspx?ID=14589&DocType=PDF>.

⁷ Section 258.014(1), F.S.

⁸ Fla. Admin. Code R. 62D-2.014(2)(c). See DEP, *Florida State Parks Fee Schedule*, available at <https://www.floridastateparks.org/sites/default/files/Division%20of%20Recreation%20and%20Parks/documents/FPSFeeSchedule.pdf>.

⁹ DEP, *Senate Bill 64 Agency Legislative Bill Analysis* (Dec. 9, 2016) (on file with the Senate Committee on Environmental Preservation and Conservation).

¹⁰ *Id.*

¹¹ DEP, *Senate Bill 64 Agency Legislative Bill Analysis* (Dec. 9, 2016) (on file with the Senate Committee on Environmental Preservation and Conservation).

security disability award certificate or a 100 percent disability award certificate from the Federal Government.¹² Section 258.0145, F.S., provides the following state park fee discounts:

- A discount of 25 percent on annual entrance passes to active duty members and honorably discharged veterans of the United States Armed Forces, National Guard, and Reserves; and
- Free lifetime family annual entrance passes to:
 - Honorably discharged veterans who have service-connected disabilities;
 - Surviving spouses and parents of deceased members of the United States Armed Forces, National Guard, or Reserves who have fallen in combat; and
 - Surviving spouses and parents of certain law enforcement officers and certain firefighters who have died in the line of duty.¹³

Foster and Adoptive Families

Section 409.175, F.S., provides for the licensure of family foster homes and includes requirements foster homes must meet in order to operate as a residence for a child.¹⁴ The number of foster families fluctuate, but as of December 2016 there were 5,064 foster homes licensed with the Department of Children and Families under s. 409.175, F.S.¹⁵

Subparagraph 409.166(2)(a)2., F.S., defines a “special needs child” in part as a child who has established significant emotional ties with his or her foster parents or is not likely to be adopted because he or she is:

- Eight years of age or older;
- Developmentally disabled;
- Physically or emotionally handicapped;
- Of black or racially mixed parentage; or
- A member of a sibling group of any age, provided 2 or more members of the sibling group remain together for purposes of adoption.¹⁶

As of November 2016, approximately 40,000 persons in Fiscal Year 2016-2017 qualify for an adoption subsidy payment.¹⁷ Adoption subsidy payments to help offset ongoing costs are paid to many families that adopt one of Florida’s children in care with special needs. The amount of the payment is negotiated on a child-by-child basis through Florida’s Adoption Assistance Program and is available until the child turns 18 years of age.¹⁸

Currently, there are no provisions in Florida Statutes related to state park fee discounts for foster or adoptive families, but the Division is authorized by rule to waive admission fees for certain groups, including clients of the DCF when such clients are part of an organized group or

¹² Section 258.016, F.S.

¹³ Section 258.0145, F.S.

¹⁴ Section 409.175, F.S.

¹⁵ Revenue Estimating Conference, Impact Analysis of SB 64, dated January 24, 2017, *available at* http://edr.state.fl.us/Content/conferences/revenueimpact/archives/2017/_pdf/page57-59.pdf.

¹⁶ Section 409.166(2)(a)2., F.S.

¹⁷ Revenue Estimating Conference, Impact Analysis of SB 64, dated January 24, 2017, *available at* http://edr.state.fl.us/Content/conferences/revenueimpact/archives/2017/_pdf/page57-59.pdf.

¹⁸ DCF, Adopt Florida, *Florida’s Adoption Assistance Program*, <http://www.adoptflorida.com/assistance-program.htm> (last visited Feb. 16, 2017).

program under the sponsorship and supervision of the DCF.¹⁹ The division has been using this rule to partner with the DCF since May of 2013 to provide free entry day passes to foster families.²⁰ Such passes are distributed through the DCF district representatives.

III. Effect of Proposed Changes:

This bill requires the division to provide free annual state park entrance passes and a 50 percent discount on state park base campsite fees to families operating a licensed family foster home. In addition, the bill requires the division to provide a one-time free annual state park entrance pass at the time of adoption to families who adopt from the DCF a special needs child as specifically described in s. 409.166(2)(a)2., F.S.

The division, in consultation with the DCF, must identify the types of written documentation sufficient to establish a person's eligibility for a free entrance pass or a discount on campsite fees and must establish a procedure for obtaining the discounts. The DEP indicates that a notification letter may be mailed to eligible families and that a return of the notice or the production of documentation of foster or adoptive family status that a family already possesses will be sufficient to establish eligibility. The DEP will be able to process free entrance passes in person at state parks or through the mail and may be able to develop an online capability for obtaining them. Camping fee discounts may be obtained in person at state parks, through online registration, or through a DEP call center.²¹

Finally, the bill mandates that the division continue its partnership with the DCF to promote fostering and adoption of special needs children with events held each year during National Foster Care Month and National Adoption Month.

The bill takes effect July 1, 2017.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

¹⁹ Fla. Admin. Code R. 62D-2.014(2)(b).

²⁰ Department of Children and Families press release, dated January 18, 2013 (on file with the Senate Committee on Environmental Preservation and Conservation).

²¹ Email message dated February 14, 2017, from Kevin Cleary, Director, Office of Legislative Affairs, Florida Department of Environmental Protection (on file with the Senate Committee on Environmental Preservation and Conservation).

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

PCS/CS/SB 64 eliminates annual state park entrance pass fees and provides a 50 percent discount on base campsite fees for families operating a licensed family foster home. The bill provides a one-time free annual state park entrance pass for families who adopt from the DCF a special needs child meeting certain statutory definitions.

B. Private Sector Impact:

If the free annual entrance passes and discount on campsite fees result in increased visitation at state parks, privately owned concession and rental operations would potentially see an increase in business, which would have a positive fiscal impact on the private sector.

C. Government Sector Impact:

The Revenue Estimating Conference has not analyzed the impact of the bill, but it is likely that impact to the State Park Trust Fund will be insignificant.

The division, in consultation with the DCF, must identify the types of written documentation sufficient to establish a person's eligibility for a discount on state park fees and must establish a procedure for obtaining the discounts. The DEP has stated that the annual cost to establish and administer the procedure for obtaining discounts would be nominal.²²

The free annual entrance passes and discount on campsite fees may increase state park visitation, which potentially will increase other types of park revenue such as entertainment, guided tours, and equipment rentals.

VI. Technical Deficiencies:

None.

VII. Related Issues:

The DEP does not anticipate a need for rulemaking as a result of this bill.²³

VIII. Statutes Affected:

This bill creates section 258.0142 of the Florida Statutes.

²² Email message dated February 14, 2017, from Kevin Cleary, Director, Office of Legislative Affairs, Florida Department of Environmental Protection (on file with the Senate Committee on Environmental Preservation and Conservation).

²³ DEP, *Senate Bill 64 Agency Legislative Bill Analysis* (Dec. 9, 2016) (on file with the Senate Committee on Environmental Preservation and Conservation).

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

Recommended CS/CS by Appropriations Subcommittee on the Environment and Natural Resources on March 15, 2017:

This committee substitute makes a technical change to delete the word “current” for clarification purposes.

CS by Environmental Preservation and Conservation on February 21, 2017:

- Adds legislative intent language.
- Limits the discount families that adopt special needs children from DCF receive to a one-time family annual state park entrance pass received at the time of adoption at no charge.
- Removes the requirement that a special needs child meet the definition of a child in s. 39.01, F.S., for an adoptive family to be eligible for the free annual entrance pass.
- Requires the Division, in identifying the types of documentation sufficient to establish eligibility and in establishing a procedure for obtaining the discounts, to consult with DCF.
- Specifies that the Division must continue its partnership with DCF to promote fostering and adoption of special needs children with events held each year during National Foster Care Month and National Adoption Month.

- B. **Amendments:**

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/05/2017	.	
	.	
	.	
	.	

The Committee on Appropriations (Bean) recommended the following:

Senate Amendment

Delete line 28
and insert:
charge and a waiver of base campsite fees at state



134064

576-02465-17

Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on the Environment and Natural
Resources)

A bill to be entitled

An act relating to state park fees; creating s.

258.0142, F.S.; providing certain discounts on state
park fees to specified foster and adoptive families;

requiring the Division of Recreation and Parks within
the Department of Environmental Protection to

establish certain documentation standards and create a
procedure for obtaining the discounts; requiring the

division to continue a partnership with the Department
of Children and Families to promote fostering and

adoption of special needs children with certain
events; providing an effective date.

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

Section 1. Section 258.0142, Florida Statutes, is created
to read:

258.0142 Foster and adoptive family state park fee
discounts.-

(1) To promote awareness of the contributions made by
foster families and adoptive families to the vitality of the
state, the Division of Recreation and Parks shall provide the
following discounts on state park fees to persons who present
written documentation satisfactory to the division which
evidences their eligibility for the discounts:

(a) Families operating a licensed family foster home under



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576-02465-17

s. 409.175 shall receive family annual entrance passes at no
charge and a 50 percent discount on base campsite fees at state
parks.

(b) Families who adopt a special needs child as described
in s. 409.166(2)(a)2. from the Department of Children and
Families shall receive a one-time family annual entrance pass at
no charge at the time of the adoption.

(2) The division, in consultation with the Department of
Children and Families, shall identify the types of documentation
sufficient to establish eligibility for the discounts under this
section and establish a procedure for obtaining these discounts.

(3) The division shall continue its partnership with the
Department of Children and Families to promote fostering and
adoption of special needs children with events held each year
during National Foster Care Month and National Adoption Month.

Section 2. This act shall take effect July 1, 2017.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: CS/CS/SB 64

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on the Environment and Natural Resources); Environmental Preservation and Conservation Committee; and Senators Bean and Mayfield

SUBJECT: State Park Fees

DATE: April 7, 2017

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Mitchell	Rogers	EP	Fav/CS
2. Reagan	Betta	AEN	Recommend: Fav/CS
3. Reagan	Hansen	AP	Fav/CS

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 64 requires the Division of Recreation and Parks (division) of the Department of Environmental Protection (DEP) to provide free annual state park entrance passes and a 50 percent discount on state park base campsite fees to foster families. In addition, the bill requires the division to provide a one-time free annual state park entrance pass at the time of adoption to families who adopt certain special needs children from the Department of Children and Families (DCF). The bill requires the Division, in consultation with the DCF, to identify the types of written documentation sufficient to establish eligibility for the free state park passes and discounted campsite fees and to establish a procedure for obtaining the discounts. Finally, the bill requires the division to continue its partnership with the DCF to promote fostering and adoption of special needs children with events held each year.

The impact on state revenues is expected to be insignificant.

II. Present Situation:

State Parks

Florida's state park system was created in 1935 when the Legislature enacted a series of laws authorizing the Florida Board of Forestry to establish a Florida Park Service and to develop and

maintain a system of state parks.¹ Today, the Division of Recreation and Parks (division) within the Department of Environmental Protection (DEP) has the duty to supervise, administer, regulate, and control the operation of all public parks owned by the state.² This includes 163 state parks, 11 state trails, nearly 800,000 acres, 100 miles of beaches, and more than 1,500 miles of multi-use trails.³

The National Recreation and Park Association annually honors state park systems that demonstrate excellence in long-range planning and resource management. In 2013, Florida became the first three-time National Recreation and Park Association Gold Medal award winner.⁴ It is the policy of the division to promote the state park system for the use, enjoyment, and benefit of the people and visitors of Florida.⁵ The total attendance for the 2015-2016 fiscal year was 31,840,658 visitors, an increase of over 730,000 visitors from the previous fiscal year.⁶

Section 258.014, F.S., authorizes the division to charge reasonable fees, rentals, or charges for the use or operation of facilities and concessions in state parks. All such fees, rentals, and charges collected must be credited to the State Park Trust Fund. The continuing balance of the trust fund is to be used for the administration, improvement, and maintenance of state parks and for the acquisition and development of lands acquired for state park purposes.⁷

The director of the division is authorized to recommend standard admission and other park fees. Daily admission fees can range from \$1-\$13 based upon factors such as user demand, the location of the park, the cost of managing and operating the park, the type of facilities available, the season, and the natural and historic resource values of the park.⁸ Currently, the family annual state park entrance pass costs \$120.⁹ Family campsite fees range from \$10-\$60.¹⁰ State park fees generated approximately \$68.5 million in revenue in Fiscal Year 2015-2016, with annual entrance pass sales totaling \$3.8 million and campsite fees totaling \$19.3 million of that revenue amount.¹¹

Section 258.016, F.S., provides a 50 percent discount on base camping fees at state parks to Florida citizens 65 years of age and older and to Florida citizens possessing a current social

¹ Florida Park Service Alumni Association, *Florida State Park History*, <http://fpsaa.org/traditions/fps-history> (last visited Jan. 30, 2017).

² Section 258.004, F.S.

³ DEP, Division of Recreation and Parks, *Program at a Glance*, <http://www.dep.state.fl.us/mainpage/programs/parks.htm> (last visited Jan. 30, 2017).

⁴ DEP, *About Florida State Parks*, <http://www.dep.state.fl.us/parks/> (last visited Jan. 30, 2017).

⁵ Section 258.037, F.S.

⁶ DEP, *Long Range Program Plan* (Fiscal Years: 2017-2018 through 2021-2022), 51, available at <http://floridafiscalportal.state.fl.us/Document.aspx?ID=14589&DocType=PDF>.

⁷ Section 258.014(1), F.S.

⁸ Fla. Admin. Code R. 62D-2.014(2)(c). See DEP, *Florida State Parks Fee Schedule*, available at <https://www.floridastateparks.org/sites/default/files/Division%20of%20Recreation%20and%20Parks/documents/FPSFeeSchedule.pdf>.

⁹ DEP, *Senate Bill 64 Agency Legislative Bill Analysis* (Dec. 9, 2016) (on file with the Senate Committee on Environmental Preservation and Conservation).

¹⁰ *Id.*

¹¹ DEP, *Senate Bill 64 Agency Legislative Bill Analysis* (Dec. 9, 2016) (on file with the Senate Committee on Environmental Preservation and Conservation).

security disability award certificate or a 100 percent disability award certificate from the Federal Government.¹² Section 258.0145, F.S., provides the following state park fee discounts:

- A discount of 25 percent on annual entrance passes to active duty members and honorably discharged veterans of the United States Armed Forces, National Guard, and Reserves; and
- Free lifetime family annual entrance passes to:
 - Honorably discharged veterans who have service-connected disabilities;
 - Surviving spouses and parents of deceased members of the United States Armed Forces, National Guard, or Reserves who have fallen in combat; and
 - Surviving spouses and parents of certain law enforcement officers and certain firefighters who have died in the line of duty.¹³

Foster and Adoptive Families

Section 409.175, F.S., provides for the licensure of family foster homes and includes requirements foster homes must meet in order to operate as a residence for a child.¹⁴ The number of foster families fluctuate, but as of December 2016 there were 5,064 foster homes licensed with the Department of Children and Families under s. 409.175, F.S.¹⁵

Subparagraph 409.166(2)(a)2., F.S., defines a “special needs child” in part as a child who has established significant emotional ties with his or her foster parents or is not likely to be adopted because he or she is:

- Eight years of age or older;
- Developmentally disabled;
- Physically or emotionally handicapped;
- Of black or racially mixed parentage; or
- A member of a sibling group of any age, provided 2 or more members of the sibling group remain together for purposes of adoption.¹⁶

As of November 2016, approximately 40,000 persons in Fiscal Year 2016-2017 qualify for an adoption subsidy payment.¹⁷ Adoption subsidy payments to help offset ongoing costs are paid to many families that adopt one of Florida’s children in care with special needs. The amount of the payment is negotiated on a child-by-child basis through Florida’s Adoption Assistance Program and is available until the child turns 18 years of age.¹⁸

Currently, there are no provisions in Florida Statutes related to state park fee discounts for foster or adoptive families, but the Division is authorized by rule to waive admission fees for certain groups, including clients of the DCF when such clients are part of an organized group or

¹² Section 258.016, F.S.

¹³ Section 258.0145, F.S.

¹⁴ Section 409.175, F.S.

¹⁵ Revenue Estimating Conference, Impact Analysis of SB 64, dated January 24, 2017, *available at* http://edr.state.fl.us/Content/conferences/revenueimpact/archives/2017/_pdf/page57-59.pdf.

¹⁶ Section 409.166(2)(a)2., F.S.

¹⁷ Revenue Estimating Conference, Impact Analysis of SB 64, dated January 24, 2017, *available at* http://edr.state.fl.us/Content/conferences/revenueimpact/archives/2017/_pdf/page57-59.pdf.

¹⁸ DCF, Adopt Florida, *Florida’s Adoption Assistance Program*, <http://www.adoptflorida.com/assistance-program.htm> (last visited Feb. 16, 2017).

program under the sponsorship and supervision of the DCF.¹⁹ The division has been using this rule to partner with the DCF since May of 2013 to provide free entry day passes to foster families.²⁰ Such passes are distributed through the DCF district representatives.

III. Effect of Proposed Changes:

This bill requires the division to provide free annual state park entrance passes and a 50 percent discount on state park base campsite fees to families operating a licensed family foster home. In addition, the bill requires the division to provide a one-time free annual state park entrance pass at the time of adoption to families who adopt from the DCF a special needs child as specifically described in s. 409.166(2)(a)2., F.S.

The division, in consultation with the DCF, must identify the types of written documentation sufficient to establish a person's eligibility for a free entrance pass or a discount on campsite fees and must establish a procedure for obtaining the discounts. The DEP indicates that a notification letter may be mailed to eligible families and that a return of the notice or the production of documentation of foster or adoptive family status that a family already possesses will be sufficient to establish eligibility. The DEP will be able to process free entrance passes in person at state parks or through the mail and may be able to develop an online capability for obtaining them. Camping fee discounts may be obtained in person at state parks, through online registration, or through a DEP call center.²¹

Finally, the bill mandates that the division continue its partnership with the DCF to promote fostering and adoption of special needs children with events held each year during National Foster Care Month and National Adoption Month.

The bill takes effect July 1, 2017.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

¹⁹ Fla. Admin. Code R. 62D-2.014(2)(b).

²⁰ Department of Children and Families press release, dated January 18, 2013 (on file with the Senate Committee on Environmental Preservation and Conservation).

²¹ Email message dated February 14, 2017, from Kevin Cleary, Director, Office of Legislative Affairs, Florida Department of Environmental Protection (on file with the Senate Committee on Environmental Preservation and Conservation).

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

CS/CS/SB 64 eliminates annual state park entrance pass fees and provides a 50 percent discount on base campsite fees for families operating a licensed family foster home. The bill provides a one-time free annual state park entrance pass for families who adopt from the DCF a special needs child meeting certain statutory definitions.

B. Private Sector Impact:

If the free annual entrance passes and discount on campsite fees result in increased visitation at state parks, privately owned concession and rental operations would potentially see an increase in business, which would have a positive fiscal impact on the private sector.

C. Government Sector Impact:

The Revenue Estimating Conference has not analyzed the impact of the bill, but it is likely that impact to the State Park Trust Fund will be insignificant.

The division, in consultation with the DCF, must identify the types of written documentation sufficient to establish a person's eligibility for a discount on state park fees and must establish a procedure for obtaining the discounts. The DEP has stated that the annual cost to establish and administer the procedure for obtaining discounts would be nominal.²²

The free annual entrance passes and discount on campsite fees may increase state park visitation, which potentially will increase other types of park revenue such as entertainment, guided tours, and equipment rentals.

VI. Technical Deficiencies:

None.

VII. Related Issues:

The DEP does not anticipate a need for rulemaking as a result of this bill.²³

VIII. Statutes Affected:

This bill creates section 258.0142 of the Florida Statutes.

²² Email message dated February 14, 2017, from Kevin Cleary, Director, Office of Legislative Affairs, Florida Department of Environmental Protection (on file with the Senate Committee on Environmental Preservation and Conservation).

²³ DEP, *Senate Bill 64 Agency Legislative Bill Analysis* (Dec. 9, 2016) (on file with the Senate Committee on Environmental Preservation and Conservation).

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS by Appropriations on April 5, 2017:

This committee substitute makes a technical change to delete the word “current” for clarification purposes.

CS by Environmental Preservation and Conservation on February 21, 2017:

- Adds legislative intent language.
- Limits the discount families that adopt special needs children from DCF receive to a one-time family annual state park entrance pass received at the time of adoption at no charge.
- Removes the requirement that a special needs child meet the definition of a child in s. 39.01, F.S., for an adoptive family to be eligible for the free annual entrance pass.
- Requires the Division, in identifying the types of documentation sufficient to establish eligibility and in establishing a procedure for obtaining the discounts, to consult with DCF.
- Specifies that the Division must continue its partnership with DCF to promote fostering and adoption of special needs children with events held each year during National Foster Care Month and National Adoption Month.

- B. **Amendments:**

None.



704926

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/04/2017	.	
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	.	
	.	

The Committee on Appropriations (Bean) recommended the following:

Senate Amendment

Delete line 28
and insert:
charge and a waiver of base campsite fees

By the Committee on Environmental Preservation and Conservation;
and Senator Bean

592-01942-17

201764c1

A bill to be entitled

An act relating to state park fees; creating s.
258.0142, F.S.; providing certain discounts on state
park fees to specified foster and adoptive families;
requiring the Division of Recreation and Parks within
the Department of Environmental Protection to
establish certain documentation standards and create a
procedure for obtaining the discounts; requiring the
division to continue a partnership with the Department
of Children and Families to promote fostering and
adoption of special needs children with certain
events; providing an effective date.

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

Section 1. Section 258.0142, Florida Statutes, is created
to read:

258.0142 Foster and adoptive family state park fee
discounts.-

(1) To promote awareness of the contributions made by
foster families and adoptive families to the vitality of the
state, the Division of Recreation and Parks shall provide the
following discounts on state park fees to persons who present
written documentation satisfactory to the division which
evidences their eligibility for the discounts:

(a) Families operating a licensed family foster home under
s. 409.175 shall receive family annual entrance passes at no
charge and a 50 percent discount on current base campsite fees
at state parks.

Page 1 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

592-01942-17

201764c1

(b) Families who adopt a special needs child as described
in s. 409.166(2)(a)2. from the Department of Children and
Families shall receive a one-time family annual entrance pass at
no charge at the time of the adoption.

(2) The division, in consultation with the Department of
Children and Families, shall identify the types of documentation
sufficient to establish eligibility for the discounts under this
section and establish a procedure for obtaining these discounts.

(3) The division shall continue its partnership with the
Department of Children and Families to promote fostering and
adoption of special needs children with events held each year
during National Foster Care Month and National Adoption Month.

Section 2. This act shall take effect July 1, 2017.

Page 2 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: PCS/CS/SB 154 (639172)

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on Criminal and Civil Justice); and Senators Thurston and Garcia

SUBJECT: Autism Awareness Training for Law Enforcement Officers

DATE: April 4, 2017

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Erickson	Hrdlicka	CJ	Fav/CS
2. Crosier	Hendon	CF	Favorable
3. McAuliffe	Sadberry	ACJ	Recommend: Fav/CS
4. McAuliffe	Hansen	AP	Pre-meeting

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Technical Changes

I. Summary:

PCS/CS/SB 154 requires the Florida Department of Law Enforcement (FDLE) to establish continued employment training relating to autism spectrum disorder (ASD). Instruction must include, but is not limited to, instruction on the recognition of the symptoms and characteristics of an individual on the autism disorder spectrum and appropriate responses to a person exhibiting such symptoms and idiosyncrasies. Completion of the training may count toward the 40 hours of required instruction for continued employment or appointment as a law enforcement officer.

The FDLE is currently developing a course that will address the symptoms of ASD, how to respond to it, and who to call for assistance. This course will be available to all Florida law enforcement officers in the Spring of 2017, and completion of this course may count toward an officer's mandatory retraining credit. The FDLE believes this course should meet the objectives of the bill. The FDLE states the estimated total costs of developing this course (\$10,548) will be covered by current budget resources. Course development is funded by the Criminal Justice Standards and Training Trust Fund.

The bill is effective October 1, 2017.

II. Present Situation:

Autism Spectrum Disorder

The Centers for Disease Control (CDC) estimates that one in 68 children have been identified with autism spectrum disorder.¹ The CDC defines “autism spectrum disorder” as a developmental disability that can cause significant social, communication, and behavioral challenges. Though there is nothing about how ASD people look that sets them apart from other people, the CDC states that people with ASD may communicate, interact, behave, and learn in ways that are different from most other people. The range of abilities of people with ASD can span from gifted to severely challenged.²

Though formerly diagnosed separately, autistic disorder, pervasive developmental disorder, and Asperger syndrome are now included in the diagnosis of ASD.³

The following definitions are codified in Florida law:

- “Autism” is a pervasive, neurologically based developmental disability of extended duration which causes severe learning, communication, and behavior disorders with age of onset during infancy or childhood. Individuals with autism exhibit impairment in reciprocal social interaction, impairment in verbal and nonverbal communication and imaginative ability, and a markedly restricted repertoire of activities and interests.⁴
- “Developmental disability” is a disorder or syndrome that is attributable to intellectual disability, cerebral palsy, autism, spina bifida, Phelan-McDermid syndrome, or Prader-Willi syndrome; that manifests before the age of 18; and that constitutes a substantial handicap that can reasonably be expected to continue indefinitely.⁵
- “Autism spectrum disorder” is any of the following disorders as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association:
 - Autistic disorder;
 - Asperger’s syndrome; and
 - Pervasive developmental disorder not otherwise specified.⁶

Interactions between law enforcement and persons with autism can be dangerous. Law enforcement officers may not understand the behaviors of a person with autism and such behaviors can be seen as a threat. Such interactions can lead to tragic results. An article in the Miami Herald July 20, 2016, reported that a caretaker for a man with autism was shot when the

¹ “Autism Spectrum Disorder (ASD), Autism and Developmental Disabilities Monitoring (ADDM) Network,” National Center on Birth Defects and Developmental Disabilities, Centers for Disease Control and Prevention, available at <http://www.cdc.gov/ncbddd/autism/addm.html> (last visited on February 9, 2017). Data is from the Autism and Developmental Disabilities Monitoring Network.

² “Autism Spectrum Disorder (ASD), Facts about ASD,” National Center on Birth Defects and Developmental Disabilities, Centers for Disease Control and Prevention, available at <http://www.cdc.gov/ncbddd/autism/facts.html> (last visited on February 9, 2017).

³ *Id.*

⁴ Section 393.063(5), F.S.

⁵ Section 393.063(12), F.S.

⁶ Sections 627.6686(2)(b) and 641.31098(2)(b), F.S.

autistic patient would not obey police commands. The caretaker recovered but the case highlights the dangers when law enforcement encounters persons with autism.⁷

Law Enforcement Training on Autism Spectrum Disorder

In order to maintain certification as a law enforcement officer, the officer must satisfy the continuing training and education requirements of s. 943.135, F.S., which requires officers, as a condition of continued employment or appointment, to receive continuing training or education at the rate of 40 hours every 4 years. The officer's employing agency⁸ must document that the continuing training or education is job-related and consistent with the needs of the employing agency, and report completion of the training to the Criminal Justice Standards and Training Commission (CJSTC) within the FDLE.⁹

The CJSTC does not currently offer specific post-basic training on ASD. Employing agencies that want to offer ASD training may seek such training directly from vendors, such as CIT International, or from CJSTC-certified training schools (contracting with vendors). CJSTC-certified training schools receive funding each fiscal year to provide post-basic training to officers at no charge.¹⁰ Additionally, ASD training is currently provided in the Crisis intervention Team Training (CIT) program ("Memphis Model"), a law enforcement-based crisis intervention team training program,¹¹ which is facilitated by the Florida Sheriffs Association.¹²

⁷ <http://www.miamiherald.com/news/local/crime/article90905442.html>

⁸ "Employing agency" means any agency or unit of government or any municipality or the state or any political subdivision thereof, or any agent thereof, which has constitutional or statutory authority to employ or appoint persons as officers. The term also includes any private entity which has contracted with the state or county for the operation and maintenance of a nonjuvenile detention facility. Section 943.10(4), F.S.

⁹ The CJSTC is a 19-member commission composed of law enforcement and correctional officers and officials, a state and county correctional institution administrator, and a state resident. Section 943.11, F.S. Its duties include, but are not limited to, "creating entry-level curricula and certification testing for criminal justice officers in Florida, establishing minimum standards for employment and certification, and revoking the certification of officers who fail to maintain these minimum standards of conduct." "Overview," Florida Department of Law Enforcement, available at <http://www.fdle.state.fl.us/cms/CJSTC/Overview.aspx> (last visited on February 9, 2017), and s. 943.12, F.S. Most of the information in this section of the analysis regarding law enforcement training on ASD is from the 2017 FDLE Legislative Bill Analysis (SB 154), dated December 20, 2017, Florida Department of Law Enforcement (on file with the Senate Committee on Criminal Justice). This document is further referenced in this analysis as "FDLE Analysis." This section of the analysis also incorporates additional information provided by the FDLE via phone and e-mail communications (on file with the Senate Committee on Criminal Justice).

¹⁰ Currently, FDLE/CJSTC is providing more than \$5.1 million dollars to the training schools, which equates to \$67 per officer. The training schools are provided quarterly disbursements and provide training that meets local needs in accordance with CJSTC rules.

¹¹ The CIT program ("Memphis Model") is a crisis intervention team training program that was created in Memphis, Tennessee, in the late 1980's to provide "a collaborative approach to safely and effectively address the needs of persons with mental illnesses, link them to appropriate services, and divert them from the criminal justice system if appropriate." Watson, Amy C. and Fulambarker, Anjali J. "The Crisis Intervention Team Model of Police Response to Mental Health Crises: A Primer for Mental Health Practitioners," *Best Pract Ment Health*. 2012 Dec; 8(2): 71. This article is available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3769782/> (last visited on February 9, 2017). The model includes "specialized training for a select group of officers that volunteer to become CIT officers," but also includes "an organizational and community intervention that involves changes in police department procedures as well as collaboration with mental health providers and other community stakeholders." *Id.* "CIT curriculums may also include content on developmental disabilities, older adult issues, trauma and excited delirium." *Id.*

¹² During the 2015 Regular Session, the Attorney General's Office (through the Department of Legal Affairs) was appropriated recurring funding for three fiscal years to contract with the Florida Sheriffs Association to provide this CIT

The topic of ASD is included in two sections of the Florida Law Enforcement Academy basic recruit curriculum:

- Chapter 3 (Interactions in a Diverse Community), Unit 2 (Communicating in a Diverse Society), Lesson 3 (Developmental Disabilities); and
- Chapter 6 (Calls for Service), Unit 6 (Responding to a Person in Crisis), Lesson 2 (Intervention and Referral).

There is no set number of training hours dedicated specifically to autism spectrum disorder. For the purpose of reference, Chapter 3 (Interactions in a Diverse Community) is 40 classroom hours and Chapter 6 (Calls for Service) is 36 classroom hours. Instructors for each of the referenced chapters are given resources such as videos and links to informational websites to aid classroom instruction. An instructor guide is provided to all instructors that, along with the required activities, includes suggested activities. Examples of suggested activities are reviewing websites such as floridaautismcenter.info, florida-card.org, and autismfl.com, reviewing case law, and inviting a guest speaker from the Autism Society or a member of the Exceptional Student Education Program (ESE).

The FDLE's Criminal Justice Professionalism Division¹³ is developing a course that will address the symptoms of ASD, how to respond to persons with ASD, and who to call for assistance in responding to persons with ASD. The course is expected to be available to officers in Spring 2017.

III. Effect of Proposed Changes:

The bill creates s. 943.1727, F.S., to require the FDLE to establish a continued employment training component relating to autism spectrum disorder as defined in s. 627.6686, F.S.¹⁴ Instruction must include, but is not limited to, instruction on the recognition of the symptoms and characteristics of an individual on the autism disorder spectrum and appropriate responses to a person exhibiting such symptoms and idiosyncrasies. Completion of the training component may count toward the 40 hours of instruction for continued employment or appointment as a law enforcement officer required under s. 943.135, F.S.

The bill takes effect on October 1, 2017.

program training statewide. According to the FDLE, if state funding is not appropriated beyond FY 2017-18, ASD training will still be available for Florida law enforcement agencies from vendors and the CJSTC-certified training schools.

¹³ The Criminal Justice Professionalism Division provides staff support to the Criminal Justice Standards & Training Commission (CJSTC), the Florida Medical Examiners Commission, and the Florida Accreditation Office. It is also responsible for the FDLE Criminal Justice Executive Institute, the Bureau of Professional Development, the Florida Alcohol Testing Program, the Florida Drug Abuse Resistance Education (D.A.R.E.) Program, and FDLE member training. "Overview," Florida Department of Law Enforcement, available at <http://www.fdle.state.fl.us/cms/CJSTC/Overview.aspx> (last visited on January 23, 2017).

¹⁴ Section 627.6686(2)(b), F.S., defines "autism spectrum disorder" as any of the following disorders as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association: autistic disorder; Asperger's syndrome; and pervasive developmental disorder not otherwise specified.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

PCS/CS/SB 154 requires the FDLE to establish a continued employment training component relating to autism spectrum disorder. The FDLE is currently developing a course that will address the symptoms of ASD and will be available to all Florida law enforcement officers in the Spring of 2017. The FDLE believes this course should meet the objectives of the bill and the estimated total costs of developing this course (\$10,548) will be paid from the Criminal Justice Standards and Training Trust Fund.¹⁵

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 943.1727 of the Florida Statutes.

¹⁵ FDLE Analysis and additional information provided by the FDLE via phone and e-mail communications (on file with the Senate Committee on Criminal Justice).

IX. Additional Information:

- A. Committee Substitute – Statement of Substantial Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

Recommended CS/CS by Appropriations Subcommittee on Criminal and Civil Justice on March 22, 2017:

The committee substitute replaces the word “idiosyncrasies” with the word “characteristics” so that instruction on autism spectrum disorder will include instruction on the recognition of the *characteristics* of an individual on the autism disorder spectrum and appropriate responses to a person exhibiting such *characteristics*.

CS by Criminal Justice on February 6, 2017:

The Committee Substitute:

- Deletes reference to the term “online” so that continued employment training relating to autism spectrum disorder may be delivered by any appropriate means.
- Defines the term “autism spectrum disorder” by reference to the definition of that term in s. 627.6686, F.S.

- B. Amendments:

None.



639172

576-02700-17

Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on Criminal and Civil Justice)

A bill to be entitled

An act relating to autism awareness training for law
enforcement officers; creating s. 943.1727, F.S.;
requiring the Department of Law Enforcement to
establish a continued employment training component
relating to autism spectrum disorder; specifying
instruction to be included in the training component;
providing that completion of the training may count
toward continued employment instruction requirements;
providing an effective date.

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

Section 1. Section 943.1727, Florida Statutes, is created
to read:

943.1727 Continued employment training relating to autism
spectrum disorder.-The department shall establish a continued
employment training component relating to autism spectrum
disorder as defined in s. 627.6686. The training component shall
include, but need not be limited to, instruction on the
recognition of the symptoms and characteristics of an individual
on the autism disorder spectrum and appropriate responses to a
person exhibiting such symptoms and characteristics. Completion
of the training component may count toward the 40 hours of
instruction for continued employment or appointment as a law
enforcement officer required under s. 943.135.

Section 2. This act shall take effect October 1, 2017.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: CS/CS/SB 154

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on Criminal and Civil Justice); Criminal Justice Committee; and Senators Thurston and Garcia

SUBJECT: Autism Awareness Training for Law Enforcement Officers

DATE: April 6, 2017

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Erickson	Hrdlicka	CJ	Fav/CS
2. Crosier	Hendon	CF	Favorable
3. McAuliffe	Sadberry	ACJ	Recommend: Fav/CS
4. McAuliffe	Hansen	AP	Fav/CS

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 154 requires the Florida Department of Law Enforcement (FDLE) to establish continued employment training relating to autism spectrum disorder (ASD). Instruction must include, but is not limited to, instruction on the recognition of the symptoms and characteristics of an individual on the autism disorder spectrum and appropriate responses to a person exhibiting such symptoms and idiosyncrasies. Completion of the training may count toward the 40 hours of required instruction for continued employment or appointment as a law enforcement officer.

The FDLE is currently developing a course that will address the symptoms of ASD, how to respond to it, and who to call for assistance. This course will be available to all Florida law enforcement officers in the Spring of 2017, and completion of this course may count toward an officer's mandatory retraining credit. The FDLE believes this course should meet the objectives of the bill. The FDLE states the estimated total costs of developing this course (\$10,548) will be covered by current budget resources. Course development is funded by the Criminal Justice Standards and Training Trust Fund.

The bill is effective October 1, 2017.

II. Present Situation:

Autism Spectrum Disorder

The Centers for Disease Control (CDC) estimates that one in 68 children have been identified with autism spectrum disorder.¹ The CDC defines “autism spectrum disorder” as a developmental disability that can cause significant social, communication, and behavioral challenges. Though there is nothing about how ASD people look that sets them apart from other people, the CDC states that people with ASD may communicate, interact, behave, and learn in ways that are different from most other people. The range of abilities of people with ASD can span from gifted to severely challenged.²

Though formerly diagnosed separately, autistic disorder, pervasive developmental disorder, and Asperger syndrome are now included in the diagnosis of ASD.³

The following definitions are codified in Florida law:

- “Autism” is a pervasive, neurologically based developmental disability of extended duration which causes severe learning, communication, and behavior disorders with age of onset during infancy or childhood. Individuals with autism exhibit impairment in reciprocal social interaction, impairment in verbal and nonverbal communication and imaginative ability, and a markedly restricted repertoire of activities and interests.⁴
- “Developmental disability” is a disorder or syndrome that is attributable to intellectual disability, cerebral palsy, autism, spina bifida, Phelan-McDermid syndrome, or Prader-Willi syndrome; that manifests before the age of 18; and that constitutes a substantial handicap that can reasonably be expected to continue indefinitely.⁵
- “Autism spectrum disorder” is any of the following disorders as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association:
 - Autistic disorder;
 - Asperger’s syndrome; and
 - Pervasive developmental disorder not otherwise specified.⁶

Interactions between law enforcement and persons with autism can be dangerous. Law enforcement officers may not understand the behaviors of a person with autism and such behaviors can be seen as a threat. Such interactions can lead to tragic results. An article in the Miami Herald July 20, 2016, reported that a caretaker for a man with autism was shot when the

¹ “Autism Spectrum Disorder (ASD), Autism and Developmental Disabilities Monitoring (ADDM) Network,” National Center on Birth Defects and Developmental Disabilities, Centers for Disease Control and Prevention, available at <http://www.cdc.gov/ncbddd/autism/addm.html> (last visited on February 9, 2017). Data is from the Autism and Developmental Disabilities Monitoring Network.

² “Autism Spectrum Disorder (ASD), Facts about ASD,” National Center on Birth Defects and Developmental Disabilities, Centers for Disease Control and Prevention, available at <http://www.cdc.gov/ncbddd/autism/facts.html> (last visited on February 9, 2017).

³ *Id.*

⁴ Section 393.063(5), F.S.

⁵ Section 393.063(12), F.S.

⁶ Sections 627.6686(2)(b) and 641.31098(2)(b), F.S.

autistic patient would not obey police commands. The caretaker recovered but the case highlights the dangers when law enforcement encounters persons with autism.⁷

Law Enforcement Training on Autism Spectrum Disorder

In order to maintain certification as a law enforcement officer, the officer must satisfy the continuing training and education requirements of s. 943.135, F.S., which requires officers, as a condition of continued employment or appointment, to receive continuing training or education at the rate of 40 hours every 4 years. The officer's employing agency⁸ must document that the continuing training or education is job-related and consistent with the needs of the employing agency, and report completion of the training to the Criminal Justice Standards and Training Commission (CJSTC) within the FDLE.⁹

The CJSTC does not currently offer specific post-basic training on ASD. Employing agencies that want to offer ASD training may seek such training directly from vendors, such as CIT International, or from CJSTC-certified training schools (contracting with vendors). CJSTC-certified training schools receive funding each fiscal year to provide post-basic training to officers at no charge.¹⁰ Additionally, ASD training is currently provided in the Crisis intervention Team Training (CIT) program ("Memphis Model"), a law enforcement-based crisis intervention team training program,¹¹ which is facilitated by the Florida Sheriffs Association.¹²

⁷ <http://www.miamiherald.com/news/local/crime/article90905442.html>

⁸ "Employing agency" means any agency or unit of government or any municipality or the state or any political subdivision thereof, or any agent thereof, which has constitutional or statutory authority to employ or appoint persons as officers. The term also includes any private entity which has contracted with the state or county for the operation and maintenance of a nonjuvenile detention facility. Section 943.10(4), F.S.

⁹ The CJSTC is a 19-member commission composed of law enforcement and correctional officers and officials, a state and county correctional institution administrator, and a state resident. Section 943.11, F.S. Its duties include, but are not limited to, "creating entry-level curricula and certification testing for criminal justice officers in Florida, establishing minimum standards for employment and certification, and revoking the certification of officers who fail to maintain these minimum standards of conduct." "Overview," Florida Department of Law Enforcement, available at <http://www.fdle.state.fl.us/cms/CJSTC/Overview.aspx> (last visited on February 9, 2017), and s. 943.12, F.S. Most of the information in this section of the analysis regarding law enforcement training on ASD is from the 2017 FDLE Legislative Bill Analysis (SB 154), dated December 20, 2017, Florida Department of Law Enforcement (on file with the Senate Committee on Criminal Justice). This document is further referenced in this analysis as "FDLE Analysis." This section of the analysis also incorporates additional information provided by the FDLE via phone and e-mail communications (on file with the Senate Committee on Criminal Justice).

¹⁰ Currently, FDLE/CJSTC is providing more than \$5.1 million dollars to the training schools, which equates to \$67 per officer. The training schools are provided quarterly disbursements and provide training that meets local needs in accordance with CJSTC rules.

¹¹ The CIT program ("Memphis Model") is a crisis intervention team training program that was created in Memphis, Tennessee, in the late 1980's to provide "a collaborative approach to safely and effectively address the needs of persons with mental illnesses, link them to appropriate services, and divert them from the criminal justice system if appropriate." Watson, Amy C. and Fulambarker, Anjali J. "The Crisis Intervention Team Model of Police Response to Mental Health Crises: A Primer for Mental Health Practitioners," *Best Pract Ment Health*. 2012 Dec; 8(2): 71. This article is available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3769782/> (last visited on February 9, 2017). The model includes "specialized training for a select group of officers that volunteer to become CIT officers," but also includes "an organizational and community intervention that involves changes in police department procedures as well as collaboration with mental health providers and other community stakeholders." *Id.* "CIT curriculums may also include content on developmental disabilities, older adult issues, trauma and excited delirium." *Id.*

¹² During the 2015 Regular Session, the Attorney General's Office (through the Department of Legal Affairs) was appropriated recurring funding for three fiscal years to contract with the Florida Sheriffs Association to provide this CIT

The topic of ASD is included in two sections of the Florida Law Enforcement Academy basic recruit curriculum:

- Chapter 3 (Interactions in a Diverse Community), Unit 2 (Communicating in a Diverse Society), Lesson 3 (Developmental Disabilities); and
- Chapter 6 (Calls for Service), Unit 6 (Responding to a Person in Crisis), Lesson 2 (Intervention and Referral).

There is no set number of training hours dedicated specifically to autism spectrum disorder. For the purpose of reference, Chapter 3 (Interactions in a Diverse Community) is 40 classroom hours and Chapter 6 (Calls for Service) is 36 classroom hours. Instructors for each of the referenced chapters are given resources such as videos and links to informational websites to aid classroom instruction. An instructor guide is provided to all instructors that, along with the required activities, includes suggested activities. Examples of suggested activities are reviewing websites such as floridaautismcenter.info, florida-card.org, and autismfl.com, reviewing case law, and inviting a guest speaker from the Autism Society or a member of the Exceptional Student Education Program (ESE).

The FDLE's Criminal Justice Professionalism Division¹³ is developing a course that will address the symptoms of ASD, how to respond to persons with ASD, and who to call for assistance in responding to persons with ASD. The course is expected to be available to officers in Spring 2017.

III. Effect of Proposed Changes:

The bill creates s. 943.1727, F.S., to require the FDLE to establish a continued employment training component relating to autism spectrum disorder as defined in s. 627.6686, F.S.¹⁴ Instruction must include, but is not limited to, instruction on the recognition of the symptoms and characteristics of an individual on the autism disorder spectrum and appropriate responses to a person exhibiting such symptoms and idiosyncrasies. Completion of the training component may count toward the 40 hours of instruction for continued employment or appointment as a law enforcement officer required under s. 943.135, F.S.

The bill takes effect on October 1, 2017.

program training statewide. According to the FDLE, if state funding is not appropriated beyond FY 2017-18, ASD training will still be available for Florida law enforcement agencies from vendors and the CJSTC-certified training schools.

¹³ The Criminal Justice Professionalism Division provides staff support to the Criminal Justice Standards & Training Commission (CJSTC), the Florida Medical Examiners Commission, and the Florida Accreditation Office. It is also responsible for the FDLE Criminal Justice Executive Institute, the Bureau of Professional Development, the Florida Alcohol Testing Program, the Florida Drug Abuse Resistance Education (D.A.R.E.) Program, and FDLE member training. "Overview," Florida Department of Law Enforcement, available at <http://www.fdle.state.fl.us/cms/CJSTC/Overview.aspx> (last visited on January 23, 2017).

¹⁴ Section 627.6686(2)(b), F.S., defines "autism spectrum disorder" as any of the following disorders as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association: autistic disorder; Asperger's syndrome; and pervasive developmental disorder not otherwise specified.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

CS/CS/SB 154 requires the FDLE to establish a continued employment training component relating to autism spectrum disorder. The FDLE is currently developing a course that will address the symptoms of ASD and will be available to all Florida law enforcement officers in the Spring of 2017. The FDLE believes this course should meet the objectives of the bill and the estimated total costs of developing this course (\$10,548) will be paid from the Criminal Justice Standards and Training Trust Fund.¹⁵

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 943.1727 of the Florida Statutes.

¹⁵ FDLE Analysis and additional information provided by the FDLE via phone and e-mail communications (on file with the Senate Committee on Criminal Justice).

IX. Additional Information:

- A. Committee Substitute – Statement of Substantial Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

Recommended CS/CS by Appropriations Subcommittee on Criminal and Civil Justice on March 22, 2017:

The committee substitute replaces the word “idiosyncrasies” with the word “characteristics” so that instruction on autism spectrum disorder will include instruction on the recognition of the *characteristics* of an individual on the autism disorder spectrum and appropriate responses to a person exhibiting such *characteristics*.

CS by Criminal Justice on February 6, 2017:

The Committee Substitute:

- Deletes reference to the term “online” so that continued employment training relating to autism spectrum disorder may be delivered by any appropriate means.
- Defines the term “autism spectrum disorder” by reference to the definition of that term in s. 627.6686, F.S.

- B. Amendments:

None.

By the Committee on Criminal Justice; and Senators Thurston and Garcia

591-01706-17

2017154c1

A bill to be entitled

An act relating to autism awareness training for law enforcement officers; creating s. 943.1727, F.S.; requiring the Department of Law Enforcement to establish a continued employment training component relating to autism spectrum disorder; specifying instruction to be included in the training component; providing that completion of the training may count toward continued employment instruction requirements; providing an effective date.

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

Section 1. Section 943.1727, Florida Statutes, is created to read:

943.1727 Continued employment training relating to autism spectrum disorder.—The department shall establish a continued employment training component relating to autism spectrum disorder as defined in s. 627.6686. The training component shall include, but need not be limited to, instruction on the recognition of the symptoms and idiosyncrasies of an individual on the autism disorder spectrum and appropriate responses to a person exhibiting such symptoms and idiosyncrasies. Completion of the training component may count toward the 40 hours of instruction for continued employment or appointment as a law enforcement officer required under s. 943.135.

Section 2. This act shall take effect October 1, 2017.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: PCS/CS/SB 370 (792908)

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on General Government); Military and Veterans Affairs, Space, and Domestic Security Committee; and Senator Stargel

SUBJECT: Florida Wing of the Civil Air Patrol

DATE: April 4, 2017

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Sanders	Ryon	MS	Fav/CS
2. Davis	Betta	AGG	Recommend: Fav/CS
3. Davis	Hansen	AP	Pre-meeting

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/CS/SB 370 provides employment protections for a member of the Florida Wing of the Civil Air Patrol who is absent from his or her place of employment due to service or training with the Civil Air Patrol (CAP). Specifically, the bill:

- Requires employers to provide unpaid leave to an employee engaged in CAP service or training;
- Prohibits the termination of an employee who is absent from work due to CAP service or training, except for cause;
- Entitles an employee returning to work following a period of CAP service or training to certain seniority rights;
- Authorizes a cause of action for a member of the Florida Wing of the CAP who is affected by a violation of a provision in the bill; and
- Provides a legislative determination that the act fulfills an important state interest.

The bill may have an indeterminate fiscal impact on state funds that could be handled with existing resources. See Section V. Fiscal Impact Statement.

The bill takes effect on July 1, 2017.

II. Present Situation:

Civil Air Patrol

The Civil Air Patrol (CAP) is a nonprofit, congressionally chartered corporation¹ created in 1946 with the purpose to:

- Encourage and aid citizens of the United States in contributing their efforts, services, and resources in developing aviation and in maintaining air supremacy;
- Encourage and develop by example the voluntary contribution of private citizens to the public welfare;
- Provide aviation education and training to its members;
- Encourage and foster civil aviation in local communities;
- Provide an organization of private citizens with adequate facilities to assist in meeting local and national emergencies; and
- Assist the Department of the Air Force in fulfilling its noncombat programs and missions.²

Pursuant to its charter, the CAP serves as an auxiliary of the U.S. Air Force (USAF). In 2015, the USAF expanded its description of total force³ to include regular, Guard, Reserve, civilian, and auxiliary members.⁴ Despite its inclusion in the total force of the USAF, members of the CAP are considered civilians and do not have any obligation to any branch of the military.⁵ Subsequently, members of the CAP do not qualify for most federal programs created to provide benefits for or protect the rights of servicemembers.

Members of the CAP are either cadet or senior members. Cadets are generally under the age of 18 and participate in a 16-step program that includes aerospace education, leadership training, physical fitness, and moral leadership.⁶ Cadets compete for academic scholarships to further their studies in fields such as engineering, science, aircraft mechanics, aerospace medicine, meteorology, as well as many others.⁷

¹ Organizations chartered by Congress have a patriotic, charitable, historical, educational, or other purpose. Chartering does not make the organizations “agencies of the United States,” confer any powers of a governmental character, or assign any benefits. The attraction for national organizations is that it tends to provide an “official” endorsement to their activities and, to that extent, it may provide them prestige and indirect financial benefit. See Congressional Research Service, *Congressionally Chartered Nonprofit Organizations (“Title 36 Corporations”): What They Are and How Congress Treats Them*, 5 (April 8, 2004), available at https://digital.library.unt.edu/ark:/67531/metacrs7367/m1/1/high_res_d/RL30340_2004Apr08.pdf (last visited Feb. 17, 2017).

² 36 U.S.C. 40302 (2000).

³ Total force is the summation of all resources and personnel available to the U.S. Air Force.

⁴ U.S. Air Force, *Civil Air Patrol joins total force ‘Airmen’* (Aug. 28, 2015), available at <http://www.af.mil/News/ArticleDisplay/tabid/223/Article/615251/civil-air-patrol-joins-total-force-airmen.aspx> (last visited Feb. 17, 2017).

⁵ Civil Air Patrol, *FAQs for Adults, Am I considered a member of the military?*, available at http://www.gocivilairpatrol.com/how_to_join/adults_faq/ (last visited Jan. 17, 2017).

⁶ Civil Air Patrol, *Cadet Programs*, available at http://www.gocivilairpatrol.com/about/civil_air_patrols_three_primary_missions/cadet-programs/ (last visited Feb. 17, 2017).

⁷ Id.

Senior members of the CAP either perform tactical operations or provide support for the CAP's primary missions of search and rescue, disaster relief, humanitarian services, air force support, and counterdrug operations.⁸ The CAP is the primary resource of the Air Force Rescue Coordination Center⁹ and performs approximately 75 percent of all aerial search activity in the inland area of the 48 continental United States.¹⁰

The CAP is divided into 52 wings geographically defined by state lines, Puerto Rico, and the District of Columbia.¹¹ Each wing is housed within one of six regions as part of the national command structure.¹² Subordinate units of the CAP are divided into groups and further organized into squadrons and flights.¹³

Florida Wing of the Civil Air Patrol

The Florida Wing (FLWG) of the Civil Air Patrol (CAP) was recognized in Florida Statutes in 1974 as an organization composed of citizens who volunteer and contribute their time, skill, facilities, and equipment from time to time to public safety and defense, to promote the education, health, welfare, peace, and safety of the citizens of this state.¹⁴ In addition to the fundamental operations of the CAP, the FLWG also provides light transport services, aerial photography, and communications capabilities in the form of amateur radio operations.¹⁵

There are approximately 3,306 members of the FLWG to include 1,460 cadets and 1,846 senior members active in seven groups statewide.¹⁶ During federal Fiscal Year 2015-2016, the FLWG executed 290 training and actual missions totaling 5,912 flying hours and completed 179,169 miles of driving in support of the CAP missions and programs.¹⁷

Both state and local agencies utilize the resources offered by the FLWG to conduct various public safety missions. The FLWG maintains relationships with local law enforcement to make the fleet and other assets of the FLWG available.¹⁸ At the state level, the FLWG participated in each annual state hurricane exercise and seven real world events within the last three years

⁸ Civil Air Patrol, *Emergency Services*, available at http://www.gocivilairpatrol.com/about/civil_air_patrols_three_primary_missions/emergency-services/ (last visited Feb. 17, 2017).

⁹ The Air Force Rescue Coordination Center is the United States' inland search and rescue coordinator. It is the single agency responsible for coordinating on-land federal search and rescue activities in the 48 contiguous United States, Mexico, and Canada. See CONR-1AF (AFNORTH), *Air Force Rescue Coordination Center*, available at <http://www.1af.acc.af.mil/Units/AFRCC.aspx> (last visited Feb. 17, 2017).

¹⁰ Air Combat Command, *SAR Agencies*, available at <http://www.acc.af.mil/AboutUs/FactSheets/Display/tabid/5768/Article/199165/sar-agencies.aspx> (last visited Feb. 17, 2017).

¹¹ Florida Wing, *Information, Florida Wing*, available at <http://www.flwg.us/Information.aspx> (last visited Feb. 17, 2017).

¹² Id.

¹³ Id.

¹⁴ Ch. 74-333, Laws of Fla. (Creating s. 252.33, F.S., effective July 1, 1974).

¹⁵ FLWG, *Information, CAP's Missions*, available at <http://www.flwg.us/Information.aspx> (last visited Feb. 17, 2017).

¹⁶ E-mail correspondence from FLWG on Feb. 10, 2017 (on file with the Senate Military and Veterans Affairs, Space, and Domestic Security Committee), and FLWG, *Information, Units*, available at <http://www.flwg.us/Information.aspx> (last visited Feb. 17, 2017).

¹⁷ E-mail correspondence from FLWG on Feb. 10, 2017 (on file with the Senate Military and Veterans Affairs, Space, and Domestic Security Committee).

¹⁸ Telephone conversation with FLWG representative (Feb. 3, 2017).

alongside both the Florida Division of Emergency Management (FDEM) and the State Emergency Response Team performing a total of 20 exercise missions and 15 real world missions.¹⁹

Pursuant to s. 252.55, F.S., the FLWG is eligible to receive state appropriations administered by the FDEM. The FLWG initially received \$50,000 per annum of general revenue beginning in 1974 and ending when the provision was repealed from the Florida Statutes in 1996.²⁰ The FDEM continued to issue payments to the FLWG each fiscal year following the repeal. Since Fiscal Year 2009-2010, the FDEM has paid \$49,500 per annum to the FLWG. These funds are to be used for the purpose of acquisition, installation, conditioning, and maintenance of the FLWG.²¹

Uniformed Services Employment and Reemployment Rights Act

The Uniformed Services Employment and Reemployment Rights Act²² (USERRA) is a Federal law enacted in 1994 that intends to ensure persons who serve or have served in the U.S. Armed Forces, U.S. Reserves, National Guard, or other uniformed services²³ are:

- Not disadvantaged in their civilian careers because of their service;
- Promptly reemployed in their civilian jobs upon their return from duty; and
- Not discriminated against in employment based on past, present, or future military service.²⁴

The provisions of USERRA apply to all public, private, and government employers in the U.S., foreign employers doing business in the U.S., and U.S. companies operating in foreign countries.²⁵ Employers are prohibited from denying initial employment, reemployment, retention in employment, promotion, or any benefit of employment to an individual on the basis of his or her military service.²⁶ The USERRA also protects individuals from retaliation by an employer in the event he or she takes action to enforce a protection afforded under the law.²⁷

Any person whose absence from a position of employment due to service in the uniformed services is entitled to the protections under the USERRA if:

¹⁹ E-mail correspondence from the FDEM and the FLWG on Feb. 17, 2017 and Feb. 16, 2017, respectively (on file with the Senate Military and Veterans Affairs, Space, and Domestic Security Committee).

²⁰ Ch. 96-423, Laws of Fla.

²¹ Section 252.55(2), F.S.

²² 38 U.S.C. 4301 et seq.

²³ The term “uniformed services” means the Armed Forces, the Army National Guard and the Air National Guard when engaged in active duty for training, inactive duty training, or full-time National Guard duty, the commissioned corps of the Public Health Service, System members of the National Urban Search and Rescue Response System during a period of appointment into Federal service under section 327 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and any other category of persons designated by the President in time of war or national emergency. See 38 U.S.C. s. 4303 (2016).

²⁴ Employer Support of the Guard and Reserve, *What is USERRA*, available at <http://www.esgr.mil/USERRA/What-is-USERRA.aspx> (last visited Feb. 13, 2017).

²⁵ Employer Support of the Guard and Reserve, *Frequently Asked Questions: What employees are covered by USERRA?*, available at <http://www.esgr.mil/USERRA/Frequently-Asked-Questions.aspx> (last visited Feb. 13, 2017).

²⁶ Employer Support of the Guard and Reserve, *Frequently Asked Questions: Can an employer discriminate based on past or present military service?*, available at <http://www.esgr.mil/USERRA/Frequently-Asked-Questions.aspx> (last visited Feb. 13, 2017).

²⁷ Id.

- The person has given advance written or verbal notice of such service to such person's employer;
- The cumulative length of the absence and of all previous absences from a position of employment with that employer by reason of service in the uniformed services does not exceed five years; and
- The person reports to, or submits an application for reemployment to, such employer.²⁸

An employer is not required to reemploy a person protected under the USERRA if:

- The employer's circumstances have changed as to make such reemployment impossible or unreasonable;
- In the case of a person entitled to reemployment, such employment would impose an undue hardship on the employer; or
- The employment from which the person leaves to serve in the uniformed services is for a brief, non-recurrent period and there is no reasonable expectation that such employment will continue indefinitely or for a significant period.²⁹

A member of the uniformed services who claims they were denied their rights may file a complaint, in writing, with the Secretary of the U.S. Department of Veterans Affairs.³⁰ If the Secretary determines that the action alleged in the complaint occurred, then the Secretary shall initiate the statutory procedure for resolving the complaint.³¹ It is then the burden of the employer to prove that the dismissal of the complainant was within the rights afforded to the employer by the USERRA.³²

Employment Protections for National Guard Members on State Active Duty

Members of the National Guard who do not qualify for the protections offered by the USERRA are provided similar rights when ordered into state active duty pursuant to ch. 250, F.S., or into active duty as defined by the law of any other state. Florida Statutes defines "state active duty" as:

"Full-time duty in active military service of the State of Florida when ordered by the Governor or Adjutant General...to preserve the public peace, execute the laws of the state, suppress insurrection, repel invasion, enhance security and respond to terrorist threats or attacks, respond to an emergency...or to imminent danger of an emergency, enforce the law, carry out counter-drug operations, provide training, provide for the security of the rights or lives of the public, protect property, or conduct ceremonies."³³

²⁸ 38 U.S.C. s. 4312 (2015).

²⁹ Id.

³⁰ 38 U.S.C. s. 4322 (2008).

³¹ See 38 U.S.C. ss. 4323-4325.

³² Supra note 28.

³³ Section 250.01(21), F.S.

Section 250.482(1), F.S., provides that an employer³⁴ may not discharge, reprimand, or in any other way penalize such member because of his or her absence by reason of state active duty.³⁵ Furthermore, a member of the National Guard who returns to work after serving on state active duty may not be discharged from such employment for a period of one year after the date the member returns to work, except for cause.³⁶

An employer may not require any National Guard member returning to employment following a period of state active duty to use vacation, annual, compensatory, or similar leave for the period during which the member was ordered into state active duty.³⁷ However, any returning member may request to use such leave as pay for the period in which he or she was ordered into state active duty.³⁸

An employer is not required to allow a member of the National Guard to return to work if able to prove that:

- The employer's circumstances have changed as to make employment impossible or unreasonable;
- Employment would impose an undue hardship on the employer;
- The employment from which the member of the National Guard leaves to serve in state active duty is for a brief, non-recurrent period and there is no reasonable expectation that such employment will continue indefinitely or for a significant period; or
- The employer had legally sufficient cause to terminate the member of the National Guard at the time he or she left for state active duty.³⁹

III. Effect of Proposed Changes:

This bill amends s. 252.55, F.S., to provide employment protections for employees engaged in a mission or training with the Florida Wing of the Civil Air Patrol.

Definitions

The bill defines the following terms:

- “Benefits” means all benefits, other than salary and wages, provided or made available to employees by an employer and includes group life insurance, health insurance, disability insurance, and pensions, regardless of whether such benefits are provided by a policy or practice of the employer.
- “Civil Air Patrol leave” means leave requested by an employee who is a Civil Air Patrol member for the purpose of participating in a Civil Air Patrol training or mission.
- “Civil Air Patrol member” means a senior member of the Florida Wing of the Civil Air Patrol.

³⁴ Section 250.482(1), F.S., defines an employer as a public or private employer, or an employing or appointing authority of this state, its counties, school districts, municipalities, political subdivisions, career centers, community colleges, or universities.

³⁵ Section 250.482(1), F.S.

³⁶ Section 250.482(2)(d), F.S.

³⁷ Section 250.482(2)(e), F.S.

³⁸ Id.

³⁹ Section 250.482(2)(b), F.S.

- “Employee” means any person who may be permitted, required, or directed by an employer in consideration of direct or indirect gain or profit to engage in any employment and who has been employed by the same employer for at least 90 days immediately preceding the commencement of Civil Air Patrol leave. The term does include an independent contractor.
- “Employer” means a private or public employer, or an employing or appointing authority of this state, its counties, school districts, municipalities, political subdivisions, career centers, Florida College System institutions, or state universities.

Employment Rights and Limitations

The bill requires an employer with 15 or more employees to provide up to 15 days of unpaid CAP leave annually to an employee who is also a CAP member, subject to certain conditions.

An employer may not require a CAP member returning to employment following CAP leave to use vacation, annual, compensatory, or similar leave. However, such employee is authorized, upon his or her request, to apply any vacation, annual, compensatory or similar leave accrued prior to the commencement of his or her CAP leave towards such leave.

Reemployment Rights and Limitations

The bill prohibits an employer from discharging, reprimanding, or otherwise penalizing a CAP member due to his or her CAP leave. Furthermore, the member may not be discharged from such employment for a period of one year after the date of his or her return to work, except for cause.

An employer is not required to allow a CAP member to return to work upon the completion of CAP leave if the employer can prove that:

- The employer’s circumstances have changed as to make employment impossible or unreasonable;
- Employment would impose an undue hardship on the employer;
- The employment from which the CAP member leaves is for a brief, nonrecurring period and there is no reasonable expectation that such employment will continue indefinitely or for a significant period; or
- The employer had legally sufficient cause to terminate the CAP member at the time he or she left to perform a CAP mission or participate in training.

A CAP member is required to notify their employer of his or her intent to return to work upon the completion of CAP leave. When the CAP member returns to work, he or she is entitled to the following:

- The seniority that the member had at his or her place of employment on the date his or her CAP leave began and any other rights and benefits that inure to the member as a result of such seniority; and
- Any additional seniority that the member would have attained at his or her place of employment if he or she had remained continuously employed and any other rights and benefits that inure to the member as a result of such seniority.

Procedures for Assistance, Enforcement, and Investigation

If the Wing Commander of the Florida Wing of the Civil Air Patrol certifies there is probable cause to believe an employer has violated this section, the member may bring civil action. A civil action against the employer may occur in a court in the county where the employer resides or has his or her principal place of business or in the county where the alleged violation occurred. Upon adverse adjudication, the defendant is liable for actual damages or \$500, whichever is greater. The prevailing party is entitled to recover reasonable attorney fees and court costs.

The certification of probable cause may not be issued until the Wing Commander, or his or her designee, has completed an investigation. All employers and other personnel involved with the subject of such an investigation must cooperate with the wing commander in the investigation.

Important State Interest

The bill provides a legislative determination that the act fulfills an important state interest.

The bill takes effect on July 1, 2017.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

Article VII, s. 18(a) of the State Constitution provides in pertinent part that “no county or municipality shall be bound by any general law requiring such county or municipality to spend funds . . . unless the Legislature has determined that such law fulfills an important state interest and unless:

- The law requiring such expenditure is approved by two-thirds of the membership in each house of the legislature; or
- The expenditure is required to comply with a law that applies to all persons similarly situated.”

The bill contains a finding that the bill fulfills an important state interest (section 2). The bill appears to apply to all persons similarly situated (those employers employing members of the Florida Wing of the Civil Air Patrol), including state agencies, school boards, community colleges, counties, municipalities and special districts. If this exception does not apply, the bill must be approved by two-thirds vote of each chamber to be binding upon the counties and municipalities.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

PCS/CS/SB 370 requires employers of a member of the Florida Wing of the Civil Air Patrol to provide employment protections under certain conditions.

C. Government Sector Impact:

The bill may require the Department of Management Services (department) to upgrade its personnel system to implement an additional time sheet accounting metric for Civil Air Patrol leave.⁴⁰ The department states the costs are indeterminate.⁴¹ However, the department's Human Resources System contract has system enhancement hours to implement new system functionality, so there should be no fiscal impact.

State and local governments may benefit from increased availability of Civil Air Patrol members to perform missions.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 252.55 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)**Recommended CS/CS by Appropriations Subcommittee on General Government on March 15, 2017:**

The committee substitute includes a legislative determination that the bill fulfills an important state interest.

⁴⁰ Florida Department of Management Services, *Senate Bill 370 Agency Analysis* (Feb. 17, 2017) (on file with the Senate Committee on Military and Veterans Affairs, Space, and Domestic Security).

⁴¹ *Id.*

CS by Military and Veterans Affairs, Space, and Domestic Security on February 21, 2017:

The CS:

- Refines the definition of the term “Civil Air Patrol leave”;
- Defines the term “Civil Air Patrol member” in order to clarify that the bill applies only to senior members of the Florida Wing of the Civil Air Patrol; and
- Makes technical changes to apply the defined terms consistently throughout the bill.

B. Amendments:

None.



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Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on General Government)

A bill to be entitled

An act relating to the Florida Wing of the Civil Air
Patrol; amending s. 252.55, F.S.; defining terms;
requiring certain employers to provide Civil Air
Patrol leave; prohibiting specified public and private
employers from discharging, reprimanding, or
penalizing a Civil Air Patrol member because of his or
her absence by reason of taking Civil Air Patrol
leave; providing procedures for and requirements of
employees and employers with respect to Civil Air
Patrol leave and employment following such leave;
specifying rights and entitlements of a Civil Air
Patrol member who returns to work following Civil Air
Patrol leave; providing for a civil action; specifying
damages; authorizing the award of attorney fees and
costs; specifying conditions under which a
certification of probable cause of a violation of the
act may be issued; providing a declaration of
important state interest; providing an effective date.

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

Section 1. Section 252.55, Florida Statutes, is amended to
read:

252.55 Civil Air Patrol, Florida Wing.—

(1) As used in this section, the term:

(a) "Benefits" means all benefits, other than salary and



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wages, provided or made available to employees by an employer
and includes group life insurance, health insurance, disability
insurance, and pensions, regardless of whether such benefits are
provided by a policy or practice of the employer.

(b) "Civil Air Patrol leave" means leave requested by an
employee who is a Civil Air Patrol member for the purpose of
participating in a Civil Air Patrol training or mission.

(c) "Civil Air Patrol member" means a senior member of the
Florida Wing of the Civil Air Patrol.

(d) "Employee" means any person who may be permitted,
required, or directed by an employer, in consideration of direct
or indirect gain or profit, to engage in any employment and who
has been employed by the same employer for at least 90 days
immediately preceding the commencement of Civil Air Patrol
leave. The term includes an independent contractor.

(e) "Employer" means a private or public employer, or an
employing or appointing authority of this state, a county, a
school district, a municipality, a political subdivision, a
career center, a Florida College System institution, or a state
university.

(2)(1) The Florida Wing of the Civil Air Patrol, an
auxiliary of the United States Air Force, ~~is shall be~~ recognized
as a nonprofit, educational, and emergency-management-related
organization and ~~is shall be~~ eligible to purchase materials from
the various surplus warehouses of the state.

(3)(2) Funds shall be appropriated annually from the
Emergency Management, Preparedness, and Assistance Trust Fund
for the purpose of acquisition, installation, conditioning, and
maintenance of the Florida Wing of the Civil Air Patrol.



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57 However, ~~no part of~~ the annual appropriation, or any part
58 thereof, may not ~~shall~~ be expended for the purchase of uniforms
59 or personal effects of members of the organization or for
60 compensation or salary to such members.

61 ~~(4)(3)~~ The wing commander of the Florida Wing of the Civil
62 Air Patrol may employ administrative help and purchase
63 educational materials for the training of Florida youth for
64 which funds from the annual appropriation may be used.

65 ~~(5)(4)~~ Purchase of aircraft ~~is shall be~~ limited to not more
66 than \$15,000 per year, and not more than \$15,000 per year may be
67 placed in a building reserve fund ~~to be used for the toward~~
68 acquisition of a permanent state headquarters and operations
69 facility.

70 ~~(6)(5)~~ The wing commander of the Florida Wing of the Civil
71 Air Patrol shall biennially furnish the division a 2-year
72 projection of the goals and objectives of the Civil Air Patrol
73 which shall be reported in the division's biennial report
74 submitted pursuant to s. 252.35.

75 (7) An employer:

76 (a) That employs 15 or more employees shall provide up to
77 15 days of unpaid Civil Air Patrol leave annually to an
78 employee, subject to the conditions in this section.

79 (b) May not require a Civil Air Patrol member returning to
80 employment following Civil Air Patrol leave to use vacation,
81 annual, compensatory, or similar leave for the period during
82 which the member was on Civil Air Patrol leave. However, any
83 such returning member is, upon his or her request, authorized to
84 use any vacation, annual, compensatory, or similar leave with
85 pay accrued by the member before the commencement of his or her



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86 Civil Air Patrol leave.

87 (c) May not discharge, reprimand, or otherwise penalize a
88 Civil Air Patrol member because of his or her absence by reason
89 of taking Civil Air Patrol leave.

90 (8)(a) Upon the completion of a Civil Air Patrol leave, the
91 Civil Air Patrol member shall promptly notify the employer of
92 his or her intent to return to work.

93 (b) An employer is not required to allow a Civil Air Patrol
94 member to return to work upon the completion of his or her Civil
95 Air Patrol leave if:

96 1. The employer's circumstances have so changed as to make
97 employment impossible or unreasonable;

98 2. Employment would impose an undue hardship on the
99 employer;

100 3. The employment from which the member takes such leave is
101 for a brief, nonrecurring period and there is no reasonable
102 expectation that such employment will continue indefinitely or
103 for a significant period; or

104 4. The employer had legally sufficient cause to terminate
105 the member at the time he or she commenced such leave.

106
107 The employer has the burden of proving any circumstance
108 specified in subparagraphs 1.-4. which served as the employer's
109 basis for not allowing a Civil Air Patrol member to return to
110 work upon completion of Civil Air Patrol leave.

111 (c) A Civil Air Patrol member who returns to work following
112 his or her Civil Air Patrol leave is entitled to:

113 1. The seniority that the member had at his or her place of
114 employment on the date his or her leave began and any other



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115 rights and benefits that inure to the member as a result of such
116 seniority; and

117 2. Any additional seniority that the member would have
118 attained at his or her place of employment if he or she had
119 remained continuously employed and any other rights and benefits
120 that would have inured to the member as a result of such
121 seniority.

122 (d) A Civil Air Patrol member who returns to work following
123 his or her Civil Air Patrol leave may not be discharged from
124 such employment for a period of 1 year after the date the member
125 returns to work, except for cause.

126 (9) If the wing commander of the Florida Wing of the Civil
127 Air Patrol certifies that there is probable cause to believe
128 that an employer has violated this section, an aggrieved
129 employee who had taken Civil Air Patrol leave may bring a civil
130 action against the employer in a court in the county where the
131 employer resides or has his or her principal place of business
132 or in the county where the alleged violation occurred. Upon
133 adverse adjudication, the defendant is liable for actual damages
134 or \$500, whichever is greater. The prevailing party is entitled
135 to recover reasonable attorney fees and court costs.

136 (10) The certification of probable cause may not be issued
137 until the wing commander of the Florida Wing of the Civil Air
138 Patrol, or his or her designee, has completed an investigation.
139 All employers and other personnel involved with the subject of
140 such an investigation must cooperate with the wing commander in
141 the investigation.

142 Section 2. The Legislature finds that a proper and
143 legitimate state purpose is served when allowing senior members



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144 of the Florida Wing of the Civil Air Patrol to take Civil Air
145 Patrol leave, as authorized under s. 252.55, Florida Statutes.
146 Therefore, the Legislature determines and declares that this act
147 fulfills an important state interest.

148 Section 3. This act shall take effect July 1, 2017.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: CS/CS/SB 370

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on General Government); Military and Veterans Affairs, Space, and Domestic Security Committee; and Senator Stargel

SUBJECT: Florida Wing of the Civil Air Patrol

DATE: April 7, 2017

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Sanders	Ryon	MS	Fav/CS
2. Davis	Betta	AGG	Recommend: Fav/CS
3. Davis	Hansen	AP	Fav/CS

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 370 provides employment protections for a member of the Florida Wing of the Civil Air Patrol who is absent from his or her place of employment due to service or training with the Civil Air Patrol (CAP). Specifically, the bill:

- Requires employers to provide unpaid leave to an employee engaged in CAP service or training;
- Prohibits the termination of an employee who is absent from work due to CAP service or training, except for cause;
- Entitles an employee returning to work following a period of CAP service or training to certain seniority rights;
- Authorizes a cause of action for a member of the Florida Wing of the CAP who is affected by a violation of a provision in the bill; and
- Provides a legislative determination that the act fulfills an important state interest.

The bill may have an indeterminate fiscal impact on state funds that could be handled with existing resources. See Section V. Fiscal Impact Statement.

The bill takes effect on July 1, 2017.

II. Present Situation:

Civil Air Patrol

The Civil Air Patrol (CAP) is a nonprofit, congressionally chartered corporation¹ created in 1946 with the purpose to:

- Encourage and aid citizens of the United States in contributing their efforts, services, and resources in developing aviation and in maintaining air supremacy;
- Encourage and develop by example the voluntary contribution of private citizens to the public welfare;
- Provide aviation education and training to its members;
- Encourage and foster civil aviation in local communities;
- Provide an organization of private citizens with adequate facilities to assist in meeting local and national emergencies; and
- Assist the Department of the Air Force in fulfilling its noncombat programs and missions.²

Pursuant to its charter, the CAP serves as an auxiliary of the U.S. Air Force (USAF). In 2015, the USAF expanded its description of total force³ to include regular, Guard, Reserve, civilian, and auxiliary members.⁴ Despite its inclusion in the total force of the USAF, members of the CAP are considered civilians and do not have any obligation to any branch of the military.⁵ Subsequently, members of the CAP do not qualify for most federal programs created to provide benefits for or protect the rights of servicemembers.

Members of the CAP are either cadet or senior members. Cadets are generally under the age of 18 and participate in a 16-step program that includes aerospace education, leadership training, physical fitness, and moral leadership.⁶ Cadets compete for academic scholarships to further their studies in fields such as engineering, science, aircraft mechanics, aerospace medicine, meteorology, as well as many others.⁷

¹ Organizations chartered by Congress have a patriotic, charitable, historical, educational, or other purpose. Chartering does not make the organizations “agencies of the United States,” confer any powers of a governmental character, or assign any benefits. The attraction for national organizations is that it tends to provide an “official” endorsement to their activities and, to that extent, it may provide them prestige and indirect financial benefit. See Congressional Research Service, *Congressionally Chartered Nonprofit Organizations (“Title 36 Corporations”): What They Are and How Congress Treats Them*, 5 (April 8, 2004), available at https://digital.library.unt.edu/ark:/67531/metacrs7367/m1/1/high_res_d/RL30340_2004Apr08.pdf (last visited Feb. 17, 2017).

² 36 U.S.C. 40302 (2000).

³ Total force is the summation of all resources and personnel available to the U.S. Air Force.

⁴ U.S. Air Force, *Civil Air Patrol joins total force ‘Airmen’* (Aug. 28, 2015), available at <http://www.af.mil/News/ArticleDisplay/tabid/223/Article/615251/civil-air-patrol-joins-total-force-airmen.aspx> (last visited Feb. 17, 2017).

⁵ Civil Air Patrol, *FAQs for Adults, Am I considered a member of the military?*, available at http://www.gocivilairpatrol.com/how_to_join/adults_faq/ (last visited Jan. 17, 2017).

⁶ Civil Air Patrol, *Cadet Programs*, available at http://www.gocivilairpatrol.com/about/civil_air_patrols_three_primary_missions/cadet-programs/ (last visited Feb. 17, 2017).

⁷ Id.

Senior members of the CAP either perform tactical operations or provide support for the CAP's primary missions of search and rescue, disaster relief, humanitarian services, air force support, and counterdrug operations.⁸ The CAP is the primary resource of the Air Force Rescue Coordination Center⁹ and performs approximately 75 percent of all aerial search activity in the inland area of the 48 continental United States.¹⁰

The CAP is divided into 52 wings geographically defined by state lines, Puerto Rico, and the District of Columbia.¹¹ Each wing is housed within one of six regions as part of the national command structure.¹² Subordinate units of the CAP are divided into groups and further organized into squadrons and flights.¹³

Florida Wing of the Civil Air Patrol

The Florida Wing (FLWG) of the Civil Air Patrol (CAP) was recognized in Florida Statutes in 1974 as an organization composed of citizens who volunteer and contribute their time, skill, facilities, and equipment from time to time to public safety and defense, to promote the education, health, welfare, peace, and safety of the citizens of this state.¹⁴ In addition to the fundamental operations of the CAP, the FLWG also provides light transport services, aerial photography, and communications capabilities in the form of amateur radio operations.¹⁵

There are approximately 3,306 members of the FLWG to include 1,460 cadets and 1,846 senior members active in seven groups statewide.¹⁶ During federal Fiscal Year 2015-2016, the FLWG executed 290 training and actual missions totaling 5,912 flying hours and completed 179,169 miles of driving in support of the CAP missions and programs.¹⁷

Both state and local agencies utilize the resources offered by the FLWG to conduct various public safety missions. The FLWG maintains relationships with local law enforcement to make the fleet and other assets of the FLWG available.¹⁸ At the state level, the FLWG participated in each annual state hurricane exercise and seven real world events within the last three years

⁸ Civil Air Patrol, *Emergency Services*, available at http://www.gocivilairpatrol.com/about/civil_air_patrols_three_primary_missions/emergency-services/ (last visited Feb. 17, 2017).

⁹ The Air Force Rescue Coordination Center is the United States' inland search and rescue coordinator. It is the single agency responsible for coordinating on-land federal search and rescue activities in the 48 contiguous United States, Mexico, and Canada. See CONR-1AF (AFNORTH), *Air Force Rescue Coordination Center*, available at <http://www.1af.acc.af.mil/Units/AFRCC.aspx> (last visited Feb. 17, 2017).

¹⁰ Air Combat Command, *SAR Agencies*, available at <http://www.acc.af.mil/AboutUs/FactSheets/Display/tabid/5768/Article/199165/sar-agencies.aspx> (last visited Feb. 17, 2017).

¹¹ Florida Wing, *Information, Florida Wing*, available at <http://www.flwg.us/Information.aspx> (last visited Feb. 17, 2017).

¹² Id.

¹³ Id.

¹⁴ Ch. 74-333, Laws of Fla. (Creating s. 252.33, F.S., effective July 1, 1974).

¹⁵ FLWG, *Information, CAP's Missions*, available at <http://www.flwg.us/Information.aspx> (last visited Feb. 17, 2017).

¹⁶ E-mail correspondence from FLWG on Feb. 10, 2017 (on file with the Senate Military and Veterans Affairs, Space, and Domestic Security Committee), and FLWG, *Information, Units*, available at <http://www.flwg.us/Information.aspx> (last visited Feb. 17, 2017).

¹⁷ E-mail correspondence from FLWG on Feb. 10, 2017 (on file with the Senate Military and Veterans Affairs, Space, and Domestic Security Committee).

¹⁸ Telephone conversation with FLWG representative (Feb. 3, 2017).

alongside both the Florida Division of Emergency Management (FDEM) and the State Emergency Response Team performing a total of 20 exercise missions and 15 real world missions.¹⁹

Pursuant to s. 252.55, F.S., the FLWG is eligible to receive state appropriations administered by the FDEM. The FLWG initially received \$50,000 per annum of general revenue beginning in 1974 and ending when the provision was repealed from the Florida Statutes in 1996.²⁰ The FDEM continued to issue payments to the FLWG each fiscal year following the repeal. Since Fiscal Year 2009-2010, the FDEM has paid \$49,500 per annum to the FLWG. These funds are to be used for the purpose of acquisition, installation, conditioning, and maintenance of the FLWG.²¹

Uniformed Services Employment and Reemployment Rights Act

The Uniformed Services Employment and Reemployment Rights Act²² (USERRA) is a Federal law enacted in 1994 that intends to ensure persons who serve or have served in the U.S. Armed Forces, U.S. Reserves, National Guard, or other uniformed services²³ are:

- Not disadvantaged in their civilian careers because of their service;
- Promptly reemployed in their civilian jobs upon their return from duty; and
- Not discriminated against in employment based on past, present, or future military service.²⁴

The provisions of USERRA apply to all public, private, and government employers in the U.S., foreign employers doing business in the U.S., and U.S. companies operating in foreign countries.²⁵ Employers are prohibited from denying initial employment, reemployment, retention in employment, promotion, or any benefit of employment to an individual on the basis of his or her military service.²⁶ The USERRA also protects individuals from retaliation by an employer in the event he or she takes action to enforce a protection afforded under the law.²⁷

Any person whose absence from a position of employment due to service in the uniformed services is entitled to the protections under the USERRA if:

¹⁹ E-mail correspondence from the FDEM and the FLWG on Feb. 17, 2017 and Feb. 16, 2017, respectively (on file with the Senate Military and Veterans Affairs, Space, and Domestic Security Committee).

²⁰ Ch. 96-423, Laws of Fla.

²¹ Section 252.55(2), F.S.

²² 38 U.S.C. 4301 et seq.

²³ The term “uniformed services” means the Armed Forces, the Army National Guard and the Air National Guard when engaged in active duty for training, inactive duty training, or full-time National Guard duty, the commissioned corps of the Public Health Service, System members of the National Urban Search and Rescue Response System during a period of appointment into Federal service under section 327 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and any other category of persons designated by the President in time of war or national emergency. See 38 U.S.C. s. 4303 (2016).

²⁴ Employer Support of the Guard and Reserve, *What is USERRA*, available at <http://www.esgr.mil/USERRA/What-is-USERRA.aspx> (last visited Feb. 13, 2017).

²⁵ Employer Support of the Guard and Reserve, *Frequently Asked Questions: What employees are covered by USERRA?*, available at <http://www.esgr.mil/USERRA/Frequently-Asked-Questions.aspx> (last visited Feb. 13, 2017).

²⁶ Employer Support of the Guard and Reserve, *Frequently Asked Questions: Can an employer discriminate based on past or present military service?*, available at <http://www.esgr.mil/USERRA/Frequently-Asked-Questions.aspx> (last visited Feb. 13, 2017).

²⁷ Id.

- The person has given advance written or verbal notice of such service to such person's employer;
- The cumulative length of the absence and of all previous absences from a position of employment with that employer by reason of service in the uniformed services does not exceed five years; and
- The person reports to, or submits an application for reemployment to, such employer.²⁸

An employer is not required to reemploy a person protected under the USERRA if:

- The employer's circumstances have changed as to make such reemployment impossible or unreasonable;
- In the case of a person entitled to reemployment, such employment would impose an undue hardship on the employer; or
- The employment from which the person leaves to serve in the uniformed services is for a brief, non-recurrent period and there is no reasonable expectation that such employment will continue indefinitely or for a significant period.²⁹

A member of the uniformed services who claims they were denied their rights may file a complaint, in writing, with the Secretary of the U.S. Department of Veterans Affairs.³⁰ If the Secretary determines that the action alleged in the complaint occurred, then the Secretary shall initiate the statutory procedure for resolving the complaint.³¹ It is then the burden of the employer to prove that the dismissal of the complainant was within the rights afforded to the employer by the USERRA.³²

Employment Protections for National Guard Members on State Active Duty

Members of the National Guard who do not qualify for the protections offered by the USERRA are provided similar rights when ordered into state active duty pursuant to ch. 250, F.S., or into active duty as defined by the law of any other state. Florida Statutes defines "state active duty" as:

"Full-time duty in active military service of the State of Florida when ordered by the Governor or Adjutant General...to preserve the public peace, execute the laws of the state, suppress insurrection, repel invasion, enhance security and respond to terrorist threats or attacks, respond to an emergency...or to imminent danger of an emergency, enforce the law, carry out counter-drug operations, provide training, provide for the security of the rights or lives of the public, protect property, or conduct ceremonies."³³

²⁸ 38 U.S.C. s. 4312 (2015).

²⁹ Id.

³⁰ 38 U.S.C. s. 4322 (2008).

³¹ See 38 U.S.C. ss. 4323-4325.

³² Supra note 28.

³³ Section 250.01(21), F.S.

Section 250.482(1), F.S., provides that an employer³⁴ may not discharge, reprimand, or in any other way penalize such member because of his or her absence by reason of state active duty.³⁵ Furthermore, a member of the National Guard who returns to work after serving on state active duty may not be discharged from such employment for a period of one year after the date the member returns to work, except for cause.³⁶

An employer may not require any National Guard member returning to employment following a period of state active duty to use vacation, annual, compensatory, or similar leave for the period during which the member was ordered into state active duty.³⁷ However, any returning member may request to use such leave as pay for the period in which he or she was ordered into state active duty.³⁸

An employer is not required to allow a member of the National Guard to return to work if able to prove that:

- The employer's circumstances have changed as to make employment impossible or unreasonable;
- Employment would impose an undue hardship on the employer;
- The employment from which the member of the National Guard leaves to serve in state active duty is for a brief, non-recurrent period and there is no reasonable expectation that such employment will continue indefinitely or for a significant period; or
- The employer had legally sufficient cause to terminate the member of the National Guard at the time he or she left for state active duty.³⁹

III. Effect of Proposed Changes:

This bill amends s. 252.55, F.S., to provide employment protections for employees engaged in a mission or training with the Florida Wing of the Civil Air Patrol.

Definitions

The bill defines the following terms:

- “Benefits” means all benefits, other than salary and wages, provided or made available to employees by an employer and includes group life insurance, health insurance, disability insurance, and pensions, regardless of whether such benefits are provided by a policy or practice of the employer.
- “Civil Air Patrol leave” means leave requested by an employee who is a Civil Air Patrol member for the purpose of participating in a Civil Air Patrol training or mission.
- “Civil Air Patrol member” means a senior member of the Florida Wing of the Civil Air Patrol.

³⁴ Section 250.482(1), F.S., defines an employer as a public or private employer, or an employing or appointing authority of this state, its counties, school districts, municipalities, political subdivisions, career centers, community colleges, or universities.

³⁵ Section 250.482(1), F.S.

³⁶ Section 250.482(2)(d), F.S.

³⁷ Section 250.482(2)(e), F.S.

³⁸ Id.

³⁹ Section 250.482(2)(b), F.S.

- “Employee” means any person who may be permitted, required, or directed by an employer in consideration of direct or indirect gain or profit to engage in any employment and who has been employed by the same employer for at least 90 days immediately preceding the commencement of Civil Air Patrol leave. The term does include an independent contractor.
- “Employer” means a private or public employer, or an employing or appointing authority of this state, its counties, school districts, municipalities, political subdivisions, career centers, Florida College System institutions, or state universities.

Employment Rights and Limitations

The bill requires an employer with 15 or more employees to provide up to 15 days of unpaid CAP leave annually to an employee who is also a CAP member, subject to certain conditions.

An employer may not require a CAP member returning to employment following CAP leave to use vacation, annual, compensatory, or similar leave. However, such employee is authorized, upon his or her request, to apply any vacation, annual, compensatory or similar leave accrued prior to the commencement of his or her CAP leave towards such leave.

Reemployment Rights and Limitations

The bill prohibits an employer from discharging, reprimanding, or otherwise penalizing a CAP member due to his or her CAP leave. Furthermore, the member may not be discharged from such employment for a period of one year after the date of his or her return to work, except for cause.

An employer is not required to allow a CAP member to return to work upon the completion of CAP leave if the employer can prove that:

- The employer’s circumstances have changed as to make employment impossible or unreasonable;
- Employment would impose an undue hardship on the employer;
- The employment from which the CAP member leaves is for a brief, nonrecurring period and there is no reasonable expectation that such employment will continue indefinitely or for a significant period; or
- The employer had legally sufficient cause to terminate the CAP member at the time he or she left to perform a CAP mission or participate in training.

A CAP member is required to notify their employer of his or her intent to return to work upon the completion of CAP leave. When the CAP member returns to work, he or she is entitled to the following:

- The seniority that the member had at his or her place of employment on the date his or her CAP leave began and any other rights and benefits that inure to the member as a result of such seniority; and
- Any additional seniority that the member would have attained at his or her place of employment if he or she had remained continuously employed and any other rights and benefits that inure to the member as a result of such seniority.

Procedures for Assistance, Enforcement, and Investigation

If the Wing Commander of the Florida Wing of the Civil Air Patrol certifies there is probable cause to believe an employer has violated this section, the member may bring civil action. A civil action against the employer may occur in a court in the county where the employer resides or has his or her principal place of business or in the county where the alleged violation occurred. Upon adverse adjudication, the defendant is liable for actual damages or \$500, whichever is greater. The prevailing party is entitled to recover reasonable attorney fees and court costs.

The certification of probable cause may not be issued until the Wing Commander, or his or her designee, has completed an investigation. All employers and other personnel involved with the subject of such an investigation must cooperate with the wing commander in the investigation.

Important State Interest

The bill provides a legislative determination that the act fulfills an important state interest.

The bill takes effect on July 1, 2017.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

Article VII, s. 18(a) of the State Constitution provides in pertinent part that “no county or municipality shall be bound by any general law requiring such county or municipality to spend funds . . . unless the Legislature has determined that such law fulfills an important state interest and unless:

- The law requiring such expenditure is approved by two-thirds of the membership in each house of the legislature; or
- The expenditure is required to comply with a law that applies to all persons similarly situated.”

The bill contains a finding that the bill fulfills an important state interest (section 2). The bill appears to apply to all persons similarly situated (those employers employing members of the Florida Wing of the Civil Air Patrol), including state agencies, school boards, community colleges, counties, municipalities and special districts. If this exception does not apply, the bill must be approved by two-thirds vote of each chamber to be binding upon the counties and municipalities.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

CS/CS/SB 370 requires employers of a member of the Florida Wing of the Civil Air Patrol to provide employment protections under certain conditions.

C. Government Sector Impact:

The bill may require the Department of Management Services (department) to upgrade its personnel system to implement an additional time sheet accounting metric for Civil Air Patrol leave.⁴⁰ The department states the costs are indeterminate.⁴¹ However, the department's Human Resources System contract has system enhancement hours to implement new system functionality, so there should be no fiscal impact.

State and local governments may benefit from increased availability of Civil Air Patrol members to perform missions.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 252.55 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)**CS/CS by Appropriations on April 5, 2017:**

The committee substitute includes a legislative determination that the bill fulfills an important state interest.

⁴⁰ Florida Department of Management Services, *Senate Bill 370 Agency Analysis* (Feb. 17, 2017) (on file with the Senate Committee on Military and Veterans Affairs, Space, and Domestic Security).

⁴¹ *Id.*

CS by Military and Veterans Affairs, Space, and Domestic Security on February 21, 2017:

The CS:

- Refines the definition of the term “Civil Air Patrol leave”;
- Defines the term “Civil Air Patrol member” in order to clarify that the bill applies only to senior members of the Florida Wing of the Civil Air Patrol; and
- Makes technical changes to apply the defined terms consistently throughout the bill.

B. Amendments:

None.

By the Committee on Military and Veterans Affairs, Space, and Domestic Security; and Senator Stargel

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A bill to be entitled

An act relating to the Florida Wing of the Civil Air Patrol; amending s. 252.55, F.S.; defining terms; requiring certain employers to provide Civil Air Patrol leave; prohibiting specified public and private employers from discharging, reprimanding, or penalizing a Civil Air Patrol member because of his or her absence by reason of taking Civil Air Patrol leave; providing procedures for and requirements of employees and employers with respect to Civil Air Patrol leave and employment following such leave; specifying rights and entitlements of a Civil Air Patrol member who returns to work following Civil Air Patrol leave; providing for a civil action; specifying damages; authorizing the award of attorney fees and costs; specifying conditions under which a certification of probable cause of a violation of the act may be issued; providing an effective date.

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

Section 1. Section 252.55, Florida Statutes, is amended to read:

252.55 Civil Air Patrol, Florida Wing.—

(1) As used in this section, the term:

(a) "Benefits" means all benefits, other than salary and wages, provided or made available to employees by an employer and includes group life insurance, health insurance, disability insurance, and pensions, regardless of whether such benefits are

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provided by a policy or practice of the employer.

(b) "Civil Air Patrol leave" means leave requested by an employee who is a Civil Air Patrol member for the purpose of participating in a Civil Air Patrol training or mission.

(c) "Civil Air Patrol member" means a senior member of the Florida Wing of the Civil Air Patrol.

(d) "Employee" means any person who may be permitted, required, or directed by an employer, in consideration of direct or indirect gain or profit, to engage in any employment and who has been employed by the same employer for at least 90 days immediately preceding the commencement of Civil Air Patrol leave. The term includes an independent contractor.

(e) "Employer" means a private or public employer, or an employing or appointing authority of this state, a county, a school district, a municipality, a political subdivision, a career center, a Florida College System institution, or a state university.

(2)(1) The Florida Wing of the Civil Air Patrol, an auxiliary of the United States Air Force, is ~~shall be~~ recognized as a nonprofit, educational, and emergency-management-related organization and is ~~shall be~~ eligible to purchase materials from the various surplus warehouses of the state.

(3)(2) Funds shall be appropriated annually from the Emergency Management, Preparedness, and Assistance Trust Fund for the purpose of acquisition, installation, conditioning, and maintenance of the Florida Wing of the Civil Air Patrol. However, no part of the annual appropriation, or any part thereof, may not ~~shall~~ be expended for the purchase of uniforms or personal effects of members of the organization or for

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compensation or salary to such members.

~~(4)(3)~~ The wing commander of the Florida Wing of the Civil Air Patrol may employ administrative help and purchase educational materials for the training of Florida youth for which funds from the annual appropriation may be used.

~~(5)(4)~~ Purchase of aircraft ~~is shall be~~ limited to not more than \$15,000 per year, and not more than \$15,000 per year may be placed in a building reserve fund to be used for the toward acquisition of a permanent state headquarters and operations facility.

~~(6)(5)~~ The wing commander of the Florida Wing of the Civil Air Patrol shall biennially furnish the division a 2-year projection of the goals and objectives of the Civil Air Patrol which shall be reported in the division's biennial report submitted pursuant to s. 252.35.

(7) An employer:

(a) That employs 15 or more employees shall provide up to 15 days of unpaid Civil Air Patrol leave annually to an employee, subject to the conditions in this section.

(b) May not require a Civil Air Patrol member returning to employment following Civil Air Patrol leave to use vacation, annual, compensatory, or similar leave for the period during which the member was on Civil Air Patrol leave. However, any such returning member is, upon his or her request, authorized to use any vacation, annual, compensatory, or similar leave with pay accrued by the member before the commencement of his or her Civil Air Patrol leave.

(c) May not discharge, reprimand, or otherwise penalize a Civil Air Patrol member because of his or her absence by reason

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of taking Civil Air Patrol leave.

(8) (a) Upon the completion of a Civil Air Patrol leave, the Civil Air Patrol member shall promptly notify the employer of his or her intent to return to work.

(b) An employer is not required to allow a Civil Air Patrol member to return to work upon the completion of his or her Civil Air Patrol leave if:

1. The employer's circumstances have so changed as to make employment impossible or unreasonable;

2. Employment would impose an undue hardship on the employer;

3. The employment from which the member takes such leave is for a brief, nonrecurring period and there is no reasonable expectation that such employment will continue indefinitely or for a significant period; or

4. The employer had legally sufficient cause to terminate the member at the time he or she commenced such leave.

The employer has the burden of proving any circumstance specified in subparagraphs 1.-4. which served as the employer's basis for not allowing a Civil Air Patrol member to return to work upon completion of Civil Air Patrol leave.

(c) A Civil Air Patrol member who returns to work following his or her Civil Air Patrol leave is entitled to:

1. The seniority that the member had at his or her place of employment on the date his or her leave began and any other rights and benefits that inure to the member as a result of such seniority; and

2. Any additional seniority that the member would have

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117 attained at his or her place of employment if he or she had
118 remained continuously employed and any other rights and benefits
119 that would have inured to the member as a result of such
120 seniority.

121 (d) A Civil Air Patrol member who returns to work following
122 his or her Civil Air Patrol leave may not be discharged from
123 such employment for a period of 1 year after the date the member
124 returns to work, except for cause.

125 (9) If the wing commander of the Florida Wing of the Civil
126 Air Patrol certifies that there is probable cause to believe
127 that an employer has violated this section, an aggrieved
128 employee who had taken Civil Air Patrol leave may bring a civil
129 action against the employer in a court in the county where the
130 employer resides or has his or her principal place of business
131 or in the county where the alleged violation occurred. Upon
132 adverse adjudication, the defendant is liable for actual damages
133 or \$500, whichever is greater. The prevailing party is entitled
134 to recover reasonable attorney fees and court costs.

135 (10) The certification of probable cause may not be issued
136 until the wing commander of the Florida Wing of the Civil Air
137 Patrol, or his or her designee, has completed an investigation.
138 All employers and other personnel involved with the subject of
139 such an investigation must cooperate with the wing commander in
140 the investigation.

141 Section 2. This act shall take effect July 1, 2017.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: SB 514

INTRODUCER: Senator Stargel

SUBJECT: Fees of the Department of Business and Professional Regulation

DATE: April 4, 2017

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Kraemer	McSwain	RI	Favorable
2.	Davis	Betta	AGG	Recommend: Favorable
3.	Davis	Hansen	AP	Favorable

I. Summary:

SB 514 sets the amount that a professional practice board may impose on a delinquent status licensee as a delinquency fee to \$25. Under current law, the delinquency fee for a profession regulated by the Department of Business and Professional Regulation (DBPR) may not exceed the amount of the biennial renewal fee for an active status license.

The bill reduces from 1.5 percent to 1.0 percent, the surcharge assessed on building permit fees which is transferred to the DBPR to administer and carry out the purposes of the Florida Building Code. Under current law, the surcharge is allocated to fund the Florida Building Commission, the Florida Building Code Compliance and Mitigation Program, and the Florida Fire Prevention Code informal interpretations managed by the State Fire Marshal.

The bill reduces the revenues deposited into the DBPR's Professional Regulation Trust Fund by approximately \$3.3 million annually and the General Revenue Fund by \$263,000 annually. Local governments are expected to lose about \$300,000 annually in building permit surcharge revenues that the local governments are permitted to retain.

The bill provides for an effective date of July 1, 2017.

II. Present Situation:

Department of Business and Professional Regulation

Section 20.165, F.S., establishes the organizational structure of the DBPR; the DBPR has 12 divisions:

- Administration;
- Alcoholic Beverages and Tobacco;
- Certified Public Accounting;

- Drugs, Devices, and Cosmetics;
- Florida Condominiums, Timeshares, and Mobile Homes;
- Hotels and Restaurants;
- Pari-mutuel Wagering;
- Professions;
- Real Estate;
- Regulation;
- Service Operations; and
- Technology.

Fifteen boards and programs exist within the Division of Professions,¹ two boards are within the Division of Real Estate,² and one board exists in the Division of Certified Public Accounting.³ The Florida State Boxing Commission is assigned to the DBPR for administrative and fiscal accountability purposes only.⁴ The DBPR also administers the Child Labor Law and Farm Labor Contractor Registration Law pursuant to parts I and III of ch. 450, F.S.

Chapter 455, F.S., applies to the regulation of professions constituting “any activity, occupation, profession, or vocation regulated by the DBPR in the Divisions of Certified Public Accounting, Professions, Real Estate, and Regulation.”⁵

Under Florida law, regulation of professions is undertaken “only for the preservation of the health, safety, and welfare of the public under the police powers of the state.”⁶ Regulation is required when:

- The potential for harming or endangering public health, safety, and welfare is recognizable and outweighs any anticompetitive impact that may result;
- The public is not effectively protected by other state statutes, local ordinances, federal legislation, or other means; and
- Less restrictive means of regulation are not available.⁷

However, “neither the department nor any board may create a regulation that has an unreasonable effect on job creation or job retention,” or a regulation that unreasonably restricts the ability of those who desire to engage in a profession or occupation to find employment.⁸

¹ Section 20.165(4)(a), F.S., establishes the following boards and programs which are noted with the implementing statutes: Board of Architecture and Interior Design, part I of ch. 481; Florida Board of Auctioneers, part VI of ch. 468; Barbers’ Board, ch. 476; Florida Building Code Administrators and Inspectors Board, part XII of ch. 468; Construction Industry Licensing Board, part I of ch. 489; Board of Cosmetology, ch. 477; Electrical Contractors’ Licensing Board, part II of ch. 489; Board of Employee Leasing Companies, part XI of ch. 468; Board of Landscape Architecture, part II of ch. 481; Board of Pilot Commissioners, ch. 310; Board of Professional Engineers, ch. 471; Board of Professional Geologists, ch. 492; Board of Veterinary Medicine, ch. 474; Home Inspection Services Licensing Program, part XV of ch. 468; and Mold-related Services Licensing Program, part XVI of ch. 468, F.S.

² See s. 20.165(4)(b), F.S. Florida Real Estate Appraisal Board, created under part II of ch. 475, F.S., and Florida Real Estate Commission, created under part I of ch. 475, F.S.

³ See s. 20.165(4)(c), F.S., which establishes the Board of Accountancy, created under ch. 473, F.S.

⁴ Section 548.003(1), F.S.

⁵ Section 455.01(6), F.S.

⁶ Section 455.201(2), F.S.

⁷ *Id.*

⁸ Section 455.201(4)(b), F.S.

Chapter 455, F.S., provides the general powers of the DBPR and sets forth the procedural and administrative framework for all of the professional boards housed under the DBPR as well as the Divisions of Certified Public Accounting, Professions, Real Estate, and Regulation.⁹ When a person is authorized to engage in a profession or occupation in Florida, the DBPR issues a “permit, registration, certificate, or license” to the licensee.¹⁰

In Fiscal Year 2015-2016, the Division of Certified Public Accounting had 39,216 licensees, the Division of Real Estate had 349,668 licensees, and the Board of Professional Engineers had 61,396 licensees.¹¹ In Fiscal Year 2015-2016, there were 434,001 licensees in the Division of Professions,¹² including:

- Architects and interior designers;
- Asbestos consultants and contractors;
- Athlete agents;
- Auctioneers;
- Barbers;
- Building code administrators and inspectors;
- Community association managers;
- Construction industry contractors;
- Cosmetologists;
- Electrical contractors;
- Employee leasing companies;
- Geologists;
- Home inspectors;
- Landscape architects;
- Harbor pilots;
- Mold-related services;
- Talent agencies; and
- Veterinarians.¹³

The Division of Florida Condominiums, Timeshares, and Mobile Homes (FCTMH) within the DBPR provides consumer protection for Florida residents living in regulated communities through education, complaint resolution, mediation and arbitration, and developer disclosure.¹⁴ The FCTMH has limited regulatory authority over the following business entities and individuals:

- Condominium Associations;

⁹ See s. 455.203, F.S. The DBPR must also provide legal counsel for boards within the DBPR by contracting with the Department of Legal Affairs, by retaining private counsel, or by providing DBPR staff counsel. See s. 455.221(1), F.S.

¹⁰ Sections 455.01(4) and (5), F.S.

¹¹ See Department of Business and Professional Regulation, *Annual Report, Fiscal Year 2015-2016*, at http://www.myfloridalicense.com/dbpr/os/documents/ProfessionsAnnualReportFY2015-2016_Final.pdf, (last visited Mar. 10, 2017) at page 21.

¹² Of the total 415,207 licensees in the Division of Professions, 23,183 are inactive. *Id.* at page 22.

¹³ *Id.* at pages 21-22.

¹⁴ Department of Business and Professional Regulation, *Division of Florida condominiums, Timeshares, and Mobile Homes*, <http://www.myfloridalicense.com/dbpr/lsc/index.html> (last visited Mar. 10, 2017).

- Cooperative Associations;
- Florida Mobile Home Parks and related associations;
- Vacation Units and Timeshares;
- Yacht and Ship Brokers and related business entities; and
- Homeowner's Associations (jurisdiction is limited to arbitration of election and recall disputes).¹⁵

Sections 455.203 and 455.213, F.S., establish general licensing authority for the DBPR, including the authority to charge license fees and license renewal fees. Each board within the DBPR must determine by administrative rule¹⁶ the amount of license fees for each profession, based on estimates of the required revenue to implement the regulatory laws affecting the profession.¹⁷

A licensee may practice a profession only if the licensee has an active status license.¹⁸ Generally, most licensees who practice a profession without an active status license¹⁹ are subject to the imposition of discipline, fines, or assessments as described in s. 455.227, F.S. At least 90 days before the end of a licensure cycle, the DBPR must provide a licensure renewal notification to an active or inactive licensee, and a notice of pending cancellation of licensure to a delinquent status licensee.²⁰

Each board, or the department when there is no board (board),²¹ must permit a licensee to choose active or inactive status at the time of licensure renewal, and impose a fee for an inactive status license that does not exceed the fee for an active status license.²² An inactive status licensee may change to active status at any time, if the licensee meets all requirements for active status, including payment of all required fees, and meeting all continuing education requirements. Failure of a licensee to renew a license before its expiration causes the license to become delinquent in the license cycle following expiration (delinquency cycle).²³

A delinquent status licensee must re-apply for active or inactive status during the delinquency cycle. Failure by a delinquent status licensee to become active or inactive before the expiration of the delinquency cycle renders the license void, with no further action by the board.²⁴

¹⁵ *Id.*

¹⁶ The administrative rules of the DBPR and of each Board are available through the DBPR's website at <http://www.myfloridalicense.com/dbpr/divisions.html> (last visited Mar. 10, 2017).

¹⁷ Section 455.219(1), F.S.

¹⁸ Section 455.271(1), F.S.

¹⁹ Section 455.271, F.S., on inactive and delinquent status of licenses, does not apply to a business establishment registered, permitted, or licensed by the department to do business or to a person licensed, permitted, registered, or certified pursuant to ch. 310, F.S. on Pilots, Piloting, and Pilotage, or ch. 475, F.S., on Real Estate Brokers, Sales Associates, Schools, and Appraisers.

²⁰ *See* s. 455.273, F.S.

²¹ Whenever a board for a profession does not exist, the DBPR is generally authorized by law to act instead. *See e.g.*, ss. 455.219 and 455.271, F.S., for multiple references to actions of "the board, or the department when there is no board."

²² The status or a change in status of a licensee does not alter the board's right to impose discipline or to enforce discipline previously imposed on a licensee for acts or omissions committed by the licensee while holding a license, whether active, inactive, or delinquent. *See* s. 455.271(11), F.S.

²³ *Id.*

²⁴ *Id.*

The DBPR may, at its discretion, reinstate a license that has become void (excepting those public accountancy licenses issued under ch. 473, F.S.) if the DBPR determines that the individual failed to comply because of illness or economic hardship. The individual must apply to the DBPR for reinstatement, pay all required fees, including a reinstatement fee, meet all continuing education requirements, and otherwise be eligible for renewal of licensure.²⁵

Section 455.271(7), F.S., provides that each board must impose an additional delinquency fee, not to exceed the biennial renewal fee for an active status license, when a delinquent status licensee applies for active or inactive status. Currently, all boards have adopted delinquency fees, which vary by profession and range, from \$25 to \$260.

Florida Building Code and Building Permit Surcharge

Part IV of ch. 553, F.S., is known as the “Florida Building Codes Act (Act).” The purpose and intent of the Act is to provide a mechanism for the uniform adoption, updating, amendment, interpretation, and enforcement of a single, unified state building code. The Florida Building Code must be applied, administered, and enforced uniformly and consistently from jurisdiction to jurisdiction. It is the intent of the Legislature that local governments have the power to inspect all buildings, structures, and facilities within their jurisdictions in protection of the public’s health, safety, and welfare. Under current law, counties and local enforcement agencies have authority to enforce the Florida Building Code and issue building permits.

Section 553.721, F.S., requires that all local building departments assess and collect a 1.5 percent surcharge on any building permit issued by their agency for the purpose of enforcing the Florida Building Code. The surcharge assessment is paid directly by the individual or construction professional pulling the permit and is generally passed on to consumers through increased costs for construction. The local jurisdictions collect the assessment and remit the surcharge fees to the DBPR to fund the activities of the Florida Building Commission and the DBPR’s Office of Codes and Standards. Local building departments are permitted to retain 10 percent of the surcharge amount they collect to fund participation of their agencies in the national and state building code adoption processes and to provide education related to enforcement of the Florida Building Code.

III. Effect of Proposed Changes:

Section 1 amends s. 455.271, F.S., to require a \$25 delinquency fee be imposed on delinquent status professional licensees, in lieu of the delinquency fee authorized under current law, which may not exceed the amount of the biennial renewal fee for an active status license.

Section 2 amends s. 553.721, F.S., to reduce from 1.5 percent to 1.0 percent, the surcharge assessed on permit fees assessed for the DBPR to administer and carry out the purposes of the Florida Building Code.

The bill provides for an effective date of July 1, 2017.

²⁵ *Id.*

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

The DBPR indicates SB 514 will reduce professional licensure expenditures due to delinquency fees, which will be limited to \$25 for each delinquent licensee, and that expenditures associated with the payment of fees for a building permit will be reduced.²⁶

C. Government Sector Impact:

The DBPR estimates there will be a recurring reduction in delinquency fee and building permit fee revenues of approximately \$3,290,233 beginning in Fiscal Year 2017-2018. There will be a corresponding recurring reduction in the eight percent service charge sent to the General Revenue Fund of approximately \$263,233 beginning in Fiscal Year 2017-2018.²⁷

Delinquency Fee and Building Permit Surcharge Reductions

	FY 2017-18	FY 2018-19	FY 2019-20
Delinquency Fee Revenue Reduction:	(680,060)	(680,060)	(680,060)
Building Permit Surcharge Reduction	<u>(2,610,355)</u>	<u>(2,610,355)</u>	<u>(2,610,355)</u>
Total Delinquency Fee and Surcharge Reduction	(3,290,415)	(3,290,415)	(3,290,415)
8% Surcharge to GR Reduction	(263,233)	(263,233)	(263,233)

Local Government Impact

In addition, the DBPR estimates local building departments will experience a reduction in surcharge revenues they are permitted to retain based on the lower amount of surcharge assessed against each building permit. The estimated loss of revenue to cities and

²⁶ See 2017 Agency Legislative Bill Analysis (AGENCY: Department of Business and Professional Regulation) for SB 514, dated Feb. 28, 2017, (on file with Senate Committee on Regulated Industries) at page 4.

²⁷ *Id.*

counties will be approximately \$290,039 in Fiscal Year 2017-2018 and the same amount in Fiscal Year 2018-19 and Fiscal Year 2019-2020.²⁸

Cities and Counties Revenue Reductions

	FY 2017-18	FY 2018-19	FY 2019-20
10% fee Collected by Locals based on 1.5% Surcharge (Current law)	870,118	870,118	870,118
10% fee Collected by Local based on 1% Surcharge (with reduction)	580,079	580,079	580,079
Net Reduction to Cities and Counties	(290,039)	(290,039)	(290,039)

The DBPR indicates the cost of modifications to software to address fee configurations for each affected profession could be minimized by authorizing such changes to occur as part of a profession's renewal cycle, but these modifications can be accomplished using existing resources.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 455.271 and 553.721.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

²⁸ *Id.*

By Senator Stargel

22-00502-17

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1 A bill to be entitled
 2 An act relating to fees of the Department of Business
 3 and Professional Regulation; amending s. 455.271,
 4 F.S.; revising the amount of the additional
 5 delinquency fee a board or the department must impose
 6 under certain circumstances; amending s. 553.721,
 7 F.S.; revising the surcharge rate assessed on certain
 8 permits; providing an effective date.
 9
 10 Be It Enacted by the Legislature of the State of Florida:
 11
 12 Section 1. Subsection (7) of section 455.271, Florida
 13 Statutes, is amended to read:
 14 455.271 Inactive and delinquent status.—
 15 (7) Notwithstanding the professional practice acts
 16 administered by the department, each board, or the department
 17 when there is no board, shall, by rule, impose an additional
 18 delinquency fee of \$25, ~~not to exceed the biennial renewal fee~~
 19 ~~for an active status license~~, on a delinquent status licensee
 20 when such licensee applies for active or inactive status.
 21 Section 2. Section 553.721, Florida Statutes, is amended to
 22 read:
 23 553.721 Surcharge.—In order for the Department of Business
 24 and Professional Regulation to administer and carry out the
 25 purposes of this part and related activities, there is created a
 26 surcharge, ~~to be~~ assessed at the rate of 1.0 ~~1.5~~ percent of the
 27 permit fees associated with enforcement of the Florida Building
 28 Code as defined by the uniform account criteria and specifically
 29 the uniform account code for building permits adopted for local
 30 government financial reporting pursuant to s. 218.32. The
 31 minimum amount collected on any permit issued shall be \$2. The
 32 unit of government responsible for collecting a permit fee

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

22-00502-17

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33 pursuant to s. 125.56(4) or s. 166.201 shall collect the
 34 surcharge and electronically remit the funds collected to the
 35 department on a quarterly calendar basis for the preceding
 36 quarter and continuing each third month thereafter. The unit of
 37 government shall retain 10 percent of the surcharge collected to
 38 fund the participation of building departments in the national
 39 and state building code adoption processes and to provide
 40 education related to enforcement of the Florida Building Code.
 41 All funds remitted to the department pursuant to this section
 42 shall be deposited in the Professional Regulation Trust Fund.
 43 Funds collected from the surcharge shall be allocated to fund
 44 the Florida Building Commission and the Florida Building Code
 45 Compliance and Mitigation Program under s. 553.841. Funds
 46 allocated to the Florida Building Code Compliance and Mitigation
 47 Program shall be \$925,000 each fiscal year. The Florida Building
 48 Code Compliance and Mitigation Program shall fund the
 49 recommendations made by the Building Code System Uniform
 50 Implementation Evaluation Workgroup, dated April 8, 2013, from
 51 existing resources, not to exceed \$30,000 in the 2016-2017
 52 fiscal year. Funds collected from the surcharge shall also be
 53 used to fund Florida Fire Prevention Code informal
 54 interpretations managed by the State Fire Marshal and shall be
 55 limited to \$15,000 each fiscal year. The State Fire Marshal
 56 shall adopt rules to address the implementation and expenditure
 57 of the funds allocated to fund the Florida Fire Prevention Code
 58 informal interpretations under this section. The funds collected
 59 from the surcharge may not be used to fund research on
 60 techniques for mitigation of radon in existing buildings. Funds
 61 used by the department as well as funds to be transferred to the

Page 2 of 3

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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62 Department of Health and the State Fire Marshal shall be as
63 prescribed in the annual General Appropriations Act. The
64 department shall adopt rules governing the collection and
65 remittance of surcharges pursuant to chapter 120.

66 Section 3. This act shall take effect July 1, 2017.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: PCS/CS/SB 374 (724756)

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on Higher Education); Education Committee; and Senator Hukill and others

SUBJECT: Postsecondary Education

DATE: April 4, 2017

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Bouck</u>	<u>Graf</u>	<u>ED</u>	Fav/CS
2.	<u>Sikes</u>	<u>Elwell</u>	<u>AHE</u>	Recommend: Fav/CS
3.	<u>Sikes</u>	<u>Hansen</u>	<u>AP</u>	Pre-meeting

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Technical Changes

I. Summary:

PCS/CS/SB 374 creates the “College Competitiveness Act of 2017” which restructures the governance of the Florida College System and modifies the mission of the system and its institutions. Specifically, the bill:

- Strengthens public college-to-university articulation by establishing the “2+2” targeted pathway program to provide to students guaranteed access to baccalaureate degree programs at state universities.
- Modifies the governance of the Florida Community College System (FCCS) by:
 - Renaming the Florida College System as the FCCS, and
 - Establishing a State Board of Community Colleges (SBCC), and transferring responsibilities regarding Florida’s community colleges from the State Board of Education (SBE) to the SBCC.
- Clarifies expectations and state oversight of baccalaureate degree programs offered by FCCS institutions, and:
 - Aligns the baccalaureate approval process for St. Petersburg College with the approval process for other FCCS institutions.
 - Establishes a cap on upper-level, undergraduate full-time equivalent (FTE) enrollment at Florida’s community colleges, but provides flexibility for planned and purposeful growth of baccalaureate degree programs if certain conditions are met.

- Clarifies the K-20 education system mission by emphasizing the mission must be to avoid wasteful duplication of programs, and reinforces the distinct mission of Florida's community colleges and technical centers in meeting Florida's labor market demands and regional needs.

Implementation of this bill requires the transfer of 34 existing positions and \$2.8 million from the State Board of Education budget for the creation of the State Board of Community Colleges. The State Board of Community Colleges will also need an additional 14 positions and \$1.7 million for necessary positions such as a General Counsel, Inspector General, Board Secretary, and others.

The bill takes effect October 1, 2017, except as otherwise expressly provided.

II. Present Situation:

Public higher education in Florida is delivered by school district-operated technical centers, Florida College System (FCS) institutions, and state universities. It is the intent of the Legislature to facilitate articulation and seamless integration of the K-20 education system by building, sustaining, and strengthening relationships among the various education sectors and delivery systems within the state.¹

2+2 Articulation

The State Board of Education (SBE) and the Board of Governors of the State University System (BOG) are required to enter into a statewide articulation agreement to preserve Florida's "2+2" system of articulation, facilitate the seamless articulation of student credit among Florida's education entities, and reinforce the articulation and admission policies specified in law.²

The articulation agreement must provide that every associate in arts graduate of an FCS institution has met all general education requirements, has indicated a baccalaureate degree offered by an institution of interest by the time the student earns 30 semester hours, and must be granted admission to the upper division, with certain exceptions,³ of a state university or an FCS institution that offers a baccalaureate degree.⁴ However, eligibility for admission to a state university does not provide to a transfer student guaranteed admission to the specific university or degree program that the student chooses.⁵

¹ Section 1007.01(1), F.S.

² Section 1007.23(1), F.S.

³ Exceptions include limited access programs, teacher certification programs, and those requiring an audition.

⁴ Section 1007.23(2)-(3), F.S.

⁵ Board of Governors Regulation 6.004.

Community College Governance

State Board of Education

The SBE⁶ is the “chief implementing and coordinating body of public education in Florida, except for the State University System” and is authorized to adopt rules to implement the provisions of law conferring duties upon the SBE to improve the state system of K-20 public education, except for the state university system.⁷ As such, the SBE has authority over the FCS institutions, and is authorized to delegate SBE’s general powers to the Commissioner of Education (Commissioner) or the directors of the divisions of the Florida Department of Education (DOE or department).⁸

Department of Education

The DOE is the administrative and supervisory agency under the implementation direction of the SBE.⁹ The Commissioner is appointed by the SBE and serves as the executive director of the department.¹⁰ Within the DOE, the Division of Florida Colleges (DFC)¹¹ is directed by the Chancellor of the DFC,¹² who reports directly to the Commissioner.¹³

Florida College System

The Legislature established the system of governance for the FCS to maximize open access for students, respond to community needs for postsecondary academic education and career degree education, and provide associate and baccalaureate degrees that will best meet the state’s employment needs.¹⁴

The FCS is comprised of 28 FCS institutions and the regional service areas for such institutions are specified in law.¹⁵ Each FCS institution is governed by a local board of trustees (BOT).¹⁶ The FCS BOT members are appointed by the Governor to staggered four-year terms, and confirmed

⁶ The State Board of Education is established in Art. IX, s. 2, Fla. Const., as “a body corporate and have such supervision of the system of free public education as is provided by law.”

⁷ Section 1001.02(1), F.S.

⁸ *Id.*

⁹ Section 1001.20(1), F.S.

¹⁰ Section 20.15(2), F.S.

¹¹ *Id.* at (3)(a).

¹² *Id.* at (4).

¹³ Email, Florida Department of Education, *2017 Agency Analysis of SB 374* (Feb. 2, 2017) at 10.

¹⁴ Section 1001.60(1), F.S.

¹⁵ The 28 Florida College System (FCS) institutions are Eastern Florida State College, Broward College, College of Central Florida, Chipola College, Daytona State College, Florida SouthWestern State College, Florida State College at Jacksonville, Florida Keys Community College, Gulf Coast State College, Hillsborough Community College, Indian River State College, Florida Gateway College, Lake-Sumter State College, State College of Florida, Manatee-Sarasota, Miami Dade College, North Florida Community College, Northwest Florida State College, Palm Beach State College, Pasco-Hernando State College, Pensacola State College, Polk State College, St. Johns River State College, St. Petersburg College, Santa Fe College, Seminole State College of Florida, South Florida State College, Tallahassee Community College, and Valencia College. Section 1000.21(3), F.S.

¹⁶ Sections 1001.60(3), 1001.61(1), and 1004.65(1), F.S. FCS institutions are statutorily designated as political subdivisions of the state. Section 1004.67, F.S.

by the Senate.¹⁷ Each FCS BOT is responsible for cost-effective policy decisions regarding the FCS institution's mission, the implementation and maintenance of high-quality education programs within law and rules of the SBE, the measurement of performance, the reporting of information, and the provision of input on state policy, budgeting, and education standards.¹⁸ FCS boards of trustees are authorized to adopt rules, procedures, and policies regarding admissions, programs, administration, personnel, contracts, and facilities.¹⁹

All 28 FCS institutions are regionally accredited by SACS.²⁰

Community College Baccalaureate Approval Process

The Legislature created the site-determined baccalaureate degree access program in 1999 to authorize FCS institutions to offer baccalaureate degrees to meet the economic development and educational needs of place-bound, nontraditional students in areas of the state that are underserved by 4-year institutions.²¹ However, the primary responsibility of FCS institutions is the provision of associate degrees that provide access to a university.²²

In 2001, the Legislature redesignated St. Petersburg Junior College as St. Petersburg College (SPC) and authorized community colleges to offer baccalaureate degrees in populous counties that are underserved by public baccalaureate degree granting institutions.²³ The legislative intent to provide access to baccalaureate degrees was to “address the state’s workforce needs, especially the need for teachers, nurses, and business managers in agencies and firms that require expertise in technology.”²⁴ The Legislature specified the purpose for authorizing SPC to offer high quality undergraduate education at affordable prices is to “promote economic development by preparing people for occupations that require a bachelor’s degree and are in demand by existing or emerging public and private employers in this state.”²⁵

The SBE is responsible for reviewing and approving proposals by FCS institutions to offer baccalaureate degree programs.²⁶ As a part of the approval process:

- FCS institutions must submit a notice of intent to the DFC regarding the proposed baccalaureate degree program 100 days before the submission of the program proposal.²⁷
- Within 10 days after receipt of the notice, the DFC must forward the notice of intent to the Chancellor of the State University System (SUS), the President of Independent Colleges and

¹⁷ Section 1001.61(2), F.S.

¹⁸ Section 1001.64(1), F.S.

¹⁹ *Id.* at (4).

²⁰ Southern Association of Colleges and Schools, Commission on Colleges, *SACSCOC Member and Candidate List*, available at <http://www.sacscoc.org/pdf/webmemlist.pdf>.

²¹ Section 1, ch. 99-290, L.O.F.

²² Section 1007.33(3), F.S.

²³ Section 40, ch. 2001-170, L.O.F.

²⁴ *Id.*

²⁵ *Id.*

²⁶ Section 1001.03(15), F.S.

²⁷ Section 1007.33(5)(a), F.S.

Universities of Florida, and the Executive Director of the Commission for Independent Education.²⁸

- State universities have 60 days, after receipt of the notice by the Chancellor of the SUS, to submit objections to the proposed program or submit an alternative proposal to offer the baccalaureate degree program.
- If the SBE does not receive a proposal from a state university within the 60-day period, the SBE must provide regionally accredited private colleges and universities 30 days to submit objections to the proposed program or submit an alternative proposal.
- Objections and alternative proposals must be submitted to the DFC, and must be considered by the SBE in making its decision to approve or deny a FCS institution's baccalaureate degree program proposal.²⁹
- The DFC must notify the FCS institution of any deficiencies in writing within 30 days following receipt of the proposal, and provide the FCS institution with an opportunity to correct the deficiencies.
- Within 45 days following receipt of a completed proposal by the DFC, the Commissioner must recommend approval or disapproval of the proposal to the SBE.
- The SBE must consider such recommendation, the proposal, and any objections or alternative proposals at its next meeting, and the SBE must provide to the FCS institution written reasons for any disapproval of baccalaureate degree proposals.

Currently, 27 FCS institutions offer 179 baccalaureate degree programs.³⁰ Since August 2015, 10 baccalaureate degree proposals have been approved, the DFC has withdrawn 11 baccalaureate degree proposals from consideration for SBE approval, and FCS institutions have submitted 14 new baccalaureate proposals to the DFC for approval by the SBE.³¹

In 2015-16, funded full-time-equivalent (FTE) enrollment in FCS upper-division programs was 15,281, which represented 4.7 percent of the total funded FCS FTE enrollment of 327,992.³²

²⁸ *Id.* at (5)(b).

²⁹ *Id.*

³⁰ The 27 colleges authorized to offer baccalaureate degree programs are Broward College, Chipola College, College of Central Florida, Daytona State College, Eastern Florida State College, Florida Gateway College, Florida Keys Community College, Florida SouthWestern State College, Florida State College at Jacksonville, Gulf Coast State College, Indian River State College, Lake-Sumter State College, Miami Dade College, North Florida Community College, Northwest Florida State College, Palm Beach State College, Pasco-Hernando State College, Pensacola State College, Polk State College, Santa Fe College, Seminole State College of Florida, South Florida State College, St. Johns River State College, St. Petersburg College, State College of Florida, Manatee-Sarasota, Tallahassee Community College, and Valencia College. Florida College System, *Baccalaureate Programs as of October 2016*, available at http://www.fldoe.org/core/fileparse.php/5592/urlt/0082821-program_list.xls.

³¹ Email, Florida Department of Education (Jan. 18, 2017).

³² Office of Economic & Demographic Research, Education Estimating Conference, Dec. 8, 2016, p. 2 of 39, available at http://edr.state.fl.us/Content/conferences/communitycolleges/DOE_Handout_120816.pdf.

Funded FTE enrollment in upper division programs in the FCS has risen by approximately 102 percent from 7,584 in 2010-11³³ to 15,281 in 2015-16.³⁴

Mission

The mission of Florida's K-20 education system is to allow its students to increase their proficiency by allowing them the opportunity to expand their knowledge and skills through rigorous and relevant learning opportunities in accordance with the mission statement and requirements of the K-20 education performance accountability system.³⁵

Florida College System

The primary mission and responsibility of FCS institutions is responding to community needs for postsecondary academic education and career degree education.³⁶ Florida law specifies the following as the primary mission of FCS institutions:³⁷

- Providing lower-level undergraduate instruction and awarding associate degrees.
- Preparing students directly for careers requiring less than baccalaureate degrees.
- Providing student development services to ensure student success.
- Promoting economic development for the state through special programs (e.g., Enterprise Florida-related programs and workforce literacy programs).
- Providing dual enrollment instruction.
- Providing upper-level instruction and awarding baccalaureate degrees authorized by law.

Additionally, a secondary mission of FCS institutions includes offering programs in:³⁸

- Community services that are not directly related to academic or occupational advancement.
- Adult education services.
- Recreational and leisure services.

Technical Centers

Florida law does not provide a specific mission for the career centers.³⁹ However, the law specifies that career centers, under the control of district school boards,⁴⁰ must offer terminal courses of a technical nature and courses for out-of-school youth and adults.⁴¹

³³ Florida Department of Education, *The Fact Book, Report for the Florida College System, 2016*, Fact Book 3.1F Florida College System FTE Enrollment (Funded) by Program Area, 2010-11 through 2014-15, available at <http://www.fldoe.org/core/fileparse.php/15267/urlt/FactBook2016.pdf>.

³⁴ Office of Economic & Demographic Research, Education Estimating Conference, Dec. 8, 2016, p. 2 of 39, available at http://edr.state.fl.us/Content/conferences/communitycolleges/DOE_Handout_120816.pdf.

³⁵ Section 1000.03(4), F.S.

³⁶ Section 1004.65(5), F.S.

³⁷ *Id.*

³⁸ Section 1004.65(6), F.S.

³⁹ Section 1001.44, F.S.

⁴⁰ There are 48 Council on Occupational Education-accredited career centers operated by school districts, 1 of which is a charter technical career center. Email, Department of Education (Jan. 18, 2017).

⁴¹ Section 1001.44(3)(a), F.S.

The purpose of charter technical career centers is to:⁴²

- Develop a competitive workforce to support local business and industry and economic development.
- Create a training and education model that is reflective of marketplace realities.
- Offer a continuum of career educational opportunities using school-to-work, tech-prep, technical academy, and magnet school model.
- Provide career pathways for lifelong learning and career mobility.
- Enhance career and technical training.

III. Effect of Proposed Changes:

This bill restructures the governance of the Florida College System and modifies the mission of the system and its institutions. Specifically, the bill:

- Strengthens public college-to-university articulation by establishing the “2+2” targeted pathway program to provide to students guaranteed access to baccalaureate degree programs at state universities.
- Modifies the governance of the Florida Community College System (FCCS) by:
 - Renaming the Florida College System as the FCCS.
 - Establishing a State Board of Community Colleges (SBCC), and transferring responsibilities regarding Florida’s community colleges from the State Board of Education (SBE) to the SBCC.
 - Removing the Division of Florida Colleges (DFC) as a division within the Department of Education (DOE).
- Clarifies expectations and state oversight of baccalaureate degree programs offered by FCCS institutions, and:
 - Aligns the baccalaureate approval process for St. Petersburg College with the approval process for other FCCS institutions.
 - Establishes a cap on upper-level, undergraduate FTE enrollment at Florida’s community colleges, but provides flexibility for planned and purposeful growth of baccalaureate degree programs if certain conditions are met.
- Clarifies the K-20 education system mission by emphasizing the mission must be to avoid wasteful duplication of programs, and reinforces the distinct mission of Florida’s community colleges and technical centers in meeting Florida’s labor market demands and community and regional needs. The bill also:
 - Changes providing upper-level instruction and awarding baccalaureate degrees from a primary mission to a secondary mission of Florida’s community colleges.
 - Establishes the primary mission of technical centers to promote workforce preparation and economic development and prohibits technical centers from offering college credit courses, college credit certificates, associate degrees, and baccalaureate degrees.

2+2 Articulation (Sections 55, 56, and 122)

Section 56 of the bill strengthens “2+2” articulation by creating a mechanism for expanding locally-developed “2+2” articulation agreements to include guaranteed pathways to

⁴² Section 1002.34(2), F.S. Currently, Lake Technical College is the only charter technical career center. Email, Florida Department of Education, *2017 Agency Analysis of SB 374* (Feb. 2, 2017), at 11.

baccalaureate degree programs at state universities for students enrolled in associate in arts (AA) degree programs at FCCS institutions. Specifically, the bill:

- Requires each FCCS institution to execute at least one “2+2” targeted pathway articulation agreement to establish a “2+2” targeted pathway program with one or more state universities.
- Requires the “2+2” targeted pathway articulation agreement to provide to students who meet specified requirements guaranteed access to the state university and baccalaureate degree program in accordance with the terms of the agreement.
- Establishes student eligibility criteria to participate in a “2+2” targeted pathway articulation program. A student must:
 - Enroll in the program before completing 30 credit hours;
 - Complete an AA degree; and
 - Meet the university’s transfer requirements.
- Establishes requirements for state universities that execute “2+2” targeted pathway articulation agreements with their partner public college. A state university must:
 - Establish a 4-year on-time graduation plan for a baccalaureate degree program;
 - Advise students enrolled in the program about the university’s transfer and degree program requirements; and
 - Provide students access to academic advisors and campus events, and guarantee admittance to the state university and degree program in accordance with the terms of the agreement.
- Requires the SBCC and Board of Governors of the State University System of Florida (BOG) to collaborate to eliminate barriers to executing “2+2” targeted pathway articulation agreements.

The “2+2” targeted pathway program is consistent with recent efforts by state universities to strengthen regional articulation. The statewide “2+2” articulation agreement established in law⁴³ does not require a 4-year graduation plan and does not guarantee access to a university or degree program of a student’s choice. To provide students a path to on-time graduation in four years with a baccalaureate degree, some state universities have established articulation agreements with regional public colleges.⁴⁴ For instance, the “DirectConnect to UCF”⁴⁵ guarantees admission to the University of Central Florida (UCF) with an associate degree from a partner institution, and offers university advising to develop an academic plan and access to UCF campuses for services and events. Similarly, the University of South Florida’s (USF) “FUSE” program⁴⁶ offers students guaranteed admission to a USF System institution. The FUSE program creates an academic pathway that provides a map for taking required courses, advising at USF and the partner institution regarding university requirements, a specially-designed orientation session for “2+2” students at the beginning of the program, and access to USF facilities and events.

⁴³ Section 1007.23(2), F.S.

⁴⁴ Board of Governors, *Enhancement Programs & Partnerships at State Universities* (Jan. 25, 2017), available at http://www.flbog.edu/documents_meetings/0260_1037_7837_2.2.2%202+2EnhancementPrograms.pdf.

⁴⁵ University of Central Florida, Presentation to the Senate Committee on Education, *DirectConnect to UCF* (Dec. 12, 2016), available at <http://www.flsenate.gov/Committees/Show/ED/Meeting%20Packet/3540/>.

⁴⁶ University of South Florida, Presentation to the Senate Committee on Education, *FUSE* (Dec. 12, 2016), available at <http://www.flsenate.gov/Committees/Show/ED/Meeting%20Packet/3540/>.

The value of such targeted “2+2” agreements is to assist AA-degree graduates to transfer to a state university and graduate on time in 4 years with a baccalaureate degree. In 2014-15, more than 36 percent of AA graduates from the FCS did not apply to the SUS. Forty-five percent of AA graduates from the FCS ultimately enrolled in the SUS.⁴⁷ The graduation rate for a 2011 cohort of AA transfer students to the SUS (those who transferred with an AA and graduated in two more years) was 25 percent.⁴⁸

Additionally, section 55 of the bill clarifies that to preserve Florida’s “2+2” system of articulation, the SBE, the BOG, and the SBCC must collaboratively establish and adopt articulation policies with input from relevant statewide advisory groups, and make recommendations to the Legislature. Section 122 of the bill also requires the SBCC to collaborate with the BOG to evaluate and report on the status of Florida’s “2+2” system of articulation using the articulation accountability measures established in law,⁴⁹ and include in the report due to the Governor and the Legislature by December 31, 2017, findings and recommendations for improvement.

Community College Governance (Sections 2 through 6, 18, 19, and 123)

The bill modifies the governance of the FCCS under a SBCC. Specifically, section 2 of the bill provides that:

- Effective July 1, 2017:
 - The Florida College System is renamed as the Florida Community College System.
 - The SBCC, administratively housed within the DOE, is created to oversee and coordinate the FCCS, and requires the Governor to appoint the membership of the SBCC in time for the board’s organizational meeting by September 30, 2017.
 - The DFC must provide administrative support to the SBCC until September 30, 2017.
 - Beginning September 1, 2017, SBCC staggered membership terms are established.
 - The SBCC is required to appoint a Chancellor of the FCCS by November 1, 2017. The Chancellor of the DFC must serve as the Chancellor of the FCCS until the SBCC selects a chancellor.
- Effective October 1, 2017:
 - FCS- and DFC-related powers and duties, functions, personnel, funds, contracts, and administrative rules are transferred, by type 2 transfer, to the SBCC.
 - The DOE must provide support services to the SBCC, consistent with the ongoing support services that the DOE provides to the BOG.
 - The Division of Florida Colleges is removed as a division within the DOE.
 - SBE approvals, policies, guidance, and appointments remain in effect unless acted upon by the SBCC.

⁴⁷ Board of Governors, *Associate in Arts Transfer Students in the State University System*, Presentation to the BOG Select Committee on 2+2 Articulation, (Mar. 17, 2016), available at http://www.flbog.edu/documents_meetings/0199_0978_7295_6.3.2%202+2%2003b_AA%20Transfer%20data%20points_JMI.pdf.

⁴⁸ Office of Program Policy Analysis and Government Accountability, *State University System Undergraduate Student Success Overview*, Presentation to the Committee on Education, The Florida Senate (Dec. 12, 2016), available at <http://www.flsenate.gov/Committees/Show/ED/Meeting%20Packet/3540/>.

⁴⁹ Section 1008.38, F.S.

In addition, sections 2 through 4 of the bill include technical and conforming provisions related to the transfer of responsibilities regarding Florida's community colleges, effective October 1, 2017. Specifically, the bill:

- Transfers general and specific powers and duties relating to the FCCS from the SBE to the SBCC.⁵⁰
- Removes the DFC as a division within the DOE, and transfers the division's duties to the SBCC or Chancellor of the FCCS.⁵¹
- Transfers specific powers and duties relating to the FCCS from the Commissioner of Education (Commissioner) to the Chancellor of the FCCS.⁵²
- Transfers general and specific powers and duties relating to the FCCS from the Commissioner to the SBCC.⁵³
- Transfers specific powers and duties relating to the FCCS from the DOE to the SBCC.⁵⁴
- Adds an SBCC role in specific duties currently performed by the SBE and BOG.⁵⁵
- Adds a Chancellor of the FCCS role in specific duties currently performed by multiple entities (i.e., the Commissioner and the Chancellor of the BOG).⁵⁶

Section 18 of the bill creates a new SBCC as a governing board for community colleges similar to the board that existed prior to 2003. The 1983 Legislature created the State Board of Community Colleges (former SBCC) as a coordinating board for the FCCS.⁵⁷ The law⁵⁸ charged the former SBCC with providing "statewide leadership in overseeing and coordinating the individually governed public community colleges."⁵⁹ The former SBCC was subject to the overall supervision of the State Board of Education.⁶⁰

⁵⁰ Sections 1000.03, 1000.05, 1001.02, 1001.03, 1001.60, 1001.602, 1001.61, 1001.64, 1001.65, 1001.66, 1001.67, 1002.34, 1004.02, 1004.03, 1004.07, 1004.084, 1004.085, 1004.096, 1004.0961, 1004.35, 1004.6495, 1004.65, 1004.67, 1004.70, 1004.71, 1004.78, 1004.80, 1004.91, 1004.92, 1004.925, 1004.93, 1006.60, 1006.61, 1006.62, 1006.71, 1007.25, 1007.263, 1007.264, 1007.265, 1007.27, 1007.273, 1007.33, 1008.30, 1008.31, 1008.32, 1008.405, 1008.44, 1008.45, 1009.21, 1009.22, 1009.23, 1009.25, 1009.26, 1009.28, 1010.01, 1010.02, 1010.04, 1010.07, 1010.08, 1010.09, 1010.22, 1010.30, 1010.58, 1011.01, 1011.30, 1011.32, 1011.80, 1011.801, 1011.81, 1011.82, 1011.83, 1011.84, 1011.85, 1012.01, 1012.80, 1012.81, 1012.83, 1012.855, 1012.86, 1013.02, 1013.28, 1013.31, 1013.36, 1013.4, and 1013.47, F.S.

⁵¹ Sections 20.15, 1001.67, 1004.015, 1004.65, 1004.7, 1007.33, 1008.30, 1009.23, and 1009.971, F.S.

⁵² Sections 1000.05, 1001.64, 1001.66, 1004.6495, 1004.93, 1006.71, 1012.86, and 1013.52, F.S.

⁵³ Sections 1001.10, 1001.11, 1001.20, 1001.602, 1008.32, and 1013.03, F.S.

⁵⁴ Sections 1001.20 and 1001.602, F.S.

⁵⁵ Sections 20.15, 1001.02, 1001.03, 1001.10, 1001.11, 1001.28, 1001.706, 1003.491, 1003.493, 1004.015, 1004.04, 1004.6495, 1004.91, 1007.01, 1007.23, 1007.24, 1007.27, 1007.271, 1007.33, 1008.30, 1008.31, 1008.345, 1008.37, 1008.38, 1009.26, 1009.90, 1009.91, 1010.01, 1011.01, 1011.011, 1011.80, 1012.01, 1013.01, 1013.03, 1013.31, 1013.52, and 1013.65, F.S.

⁵⁶ Sections 1004.74, 1007.01, 1007.24, 1007.25, 1007.33, 1008.44, 1012.01, 1013.03, 1013.31, and 1013.37, F.S.

⁵⁷ See s. 15, ch. 83-326, L.O.F., amending s. 240.305, F.S., to redesignate the State Community College Coordinating Board as the State Board of Community Colleges.

⁵⁸ Section 240.305, F.S. (1983).

⁵⁹ *Id.*

⁶⁰ *Id.*

In 1998, a constitutional amendment replaced the State Board of Education,⁶¹ composed of the elected governor and cabinet, with a new State Board of Education (SBE) appointed by the Governor.⁶² To implement this change in governance structure and achieve a seamless system of education,⁶³ the 2000 Legislature enacted the Florida Governance Reorganization Act of 2000,⁶⁴ which repealed the former SBCC and transferred governance of the FCCS to the new Governor-appointed SBE, effective January 7, 2003. The 2001 Legislature continued to make necessary changes to Florida education governance and created the Division of Community Colleges (DCC) and a Chancellor of Community Colleges within the DOE.⁶⁵

The following table shows the governance of the community college system in Florida since 1983.

Governance of Florida's Community Colleges			
	1983 – 2003	Current	Proposed
System	Florida Community College System ⁶⁶	Florida College System ⁶⁷	Florida Community College System
Board	SBCC as Coordinating Board ⁶⁸	SBE as Governing Board ⁶⁹	SBCC as Governing Board
Board Oversight	Commissioner of Education ⁷⁰ and SBE ^{71,72}	Appointed by Governor ⁷³	Governor
Board Membership	Commissioner of Education, 1 student, 11 lay citizens; appointed by the Governor, approved by the SBE, and confirmed by the Senate ⁷⁴	Seven members appointed by the Governor and confirmed by the Senate ⁷⁵	Commissioner of Education, 1 student and 1 faculty member, 10 lay citizens; appointed by the Governor, in a manner that provides equitable geographical representation. Except for the student member, all members must reside and be registered to vote in Florida and be confirmed by the Senate

⁶¹ Art. IX, s. 2, Fla. Const. (1968).

⁶² Art. IX, s. 2, Fla. Const. (Amended 1998). See also Preamble, ch. 2000-321, L.O.F.

⁶³ Section 2, ch. 2000-321, L.O.F.

⁶⁴ Section 6, ch. 2000-321, L.O.F.

⁶⁵ Section 3, ch. 2001-170, L.O.F.

⁶⁶ Section 240.3031, F.S., repealed January 7, 2003, by s. 3(7), ch. 2000-321, L.O.F.

⁶⁷ The Florida Community College System was renamed the Florida College System by s. 2, ch. 2008-52, L.O.F.

⁶⁸ Section 240.305, F.S., repealed January 7, 2003, by s. 3(7), ch. 2000-321.

⁶⁹ Section 1001.02(4), F.S.

⁷⁰ Art. IV, s. 5, Fla. Const. (1968).

⁷¹ Art. IX, s. 1, Fla. Const. (1968).

⁷² Section 240.305, F.S., repealed January 7, 2003, by s. 3(7), ch. 2000-321.

⁷³ The SBE is a body established in the Florida Constitution. Art. IX, s. 2, Fla. Const.

⁷⁴ Section 240.307(1), F.S., repealed January 7, 2003, by s. 3(7), ch. 2000-321.

⁷⁵ Art. IV, s. 2, Fla. Const. See also s. 1001.01(1), F.S.

Staff	DCC ⁷⁶	DFC ⁷⁷	SBCC
Staff Leadership	Executive Director of the Community College System ⁷⁸	Chancellor of the DFC ⁷⁹	Chancellor of the FCCS
Administrative Location	DOE	DOE	DOE (administrative assignment only; SBCC operates independently)
Institution Governance	Institution Board of Trustees ⁸⁰	Institution Board of Trustees ⁸¹	Institution Board of Trustees

Sections 5 and 6 of the bill provide parallel standards of conduct for members of the SBCC and members of a FCCS board of trustees, which mirror the requirements for the BOG and members of a state university board of trustees. Section 5 of the bill prohibits SBCC members and members of a FCCS board of trustees from being employed as a legislative lobbyist. Section 6 of the bill requires SBCC members and members of a FCCS board of trustees to disclose their financial interests.

Finally, section 123 of the bill directs the Division of Law Revision and Information to develop reviser's bill for the 2018 Regular Session to substitute the term "Florida Community College System" for "Florida College System" and the term "Florida Community College System institutions" for "Florida College System institutions" where those terms appear in the Florida Statutes.

Community College Baccalaureate Degree Approval Process (Sections 66)

Section 66 of the bill clarifies expectations and state oversight of baccalaureate degree programs offered by FCCS institutions. Specifically, the bill:

- Modifies the FCCS institution baccalaureate degree approval process to:
 - Require FCCS institutions to submit a notice of interest into a shared postsecondary database at least 180 days before submission of the notice of intent.
 - Require FCCS institutions to submit a notice of intent and justification for the proposed baccalaureate degree at least 100 days before submitting the baccalaureate degree proposal.
 - Specify that the required justification for the proposed baccalaureate degree include a data-driven analysis of workforce demand, including employment data and projections by the Department of Economic Opportunity, which must be verified by the Chancellor of the FCCS.

⁷⁶ Section 240.3031, F.S., repealed January 7, 2003, by s. 3(7), ch. 2000-321.

⁷⁷ Section 20.15(3), F.S.

⁷⁸ The executive director of the community college system served as the executive officer and as secretary to the former SBCC. Section 240.311(4), F.S., repealed January 7, 2003, by s. 3(7), ch. 2000-321, L.O.F.

⁷⁹ Section 20.15(4), F.S.

⁸⁰ Section 240.313, F.S., repealed January 7, 2003, by s. 3(7), ch. 2000-321.

⁸¹ Section 1001.64(3), F.S.

- Extend the timeframe from 30 days to 60 days for private regionally-accredited colleges and universities, to submit their objections to the proposed baccalaureate degree programs and provide reasons for such objections.
- Eliminate the requirement for state universities and private colleges and universities to submit alternative proposals to the proposed baccalaureate degree programs.
- Require the SBCC consider input from the Chancellor of the SUS and the president of the Independent Colleges and Universities of Florida, and any objections before approving or denying a college's proposal.
- Aligns the baccalaureate degree approval process for St. Petersburg College with the approval process for other FCCS institutions.

Section 66 of the bill reinforces state oversight responsibilities by requiring the SBCC to direct an FCCS institution's board of trustees to terminate a baccalaureate degree program if the state's review indicates negative performance and compliance results, and the college fails to demonstrate a need for the program.

Additionally, this section prohibits the community colleges from offering bachelor of arts degrees⁸² and establishes a cap on upper-level, undergraduate FTE enrollment at FCCS institutions while providing flexibility for planned and purposeful growth of baccalaureate degree programs if certain conditions are met. The bill requires FCCS institutions to obtain legislative approval for exceeding the specified upper-level, undergraduate FTE enrollment cap. Specifically, the bill:

- Provides that if the 2015-2016 total upper-level, undergraduate FTE enrollment at an FCCS institution is:
 - At or above 10 percent⁸³ of the 2015-2016 combined total lower-level and upper-level FTE enrollment at that institution, the total upper-level enrollment, as a percentage of the combined enrollment, may not increase by more than 4 percentage points unless the institution obtains prior legislative approval.
 - Below 10 percent⁸⁴ of the 2015-2016 combined total lower-level and upper-level FTE enrollment at that institution, the total upper-level enrollment, as a percentage of the

⁸² Currently, there are no bachelor of arts degrees offered by community colleges. Email, Florida Department of Education, *2017 Agency Analysis of SB 374* (Feb. 2, 2017).

⁸³ Community colleges at or above the 8 percent threshold in 2015-16 were Chipola College, Daytona Beach State College, Florida State College at Jacksonville, Indian River State College, Polk State College, and St. Petersburg College. The Florida Senate staff analysis, Florida Department of Education, *Florida College System FTE Enrollment: Funded-30, Lower and Upper Division, 2015-16 FTE-3*, available at <http://fldoe.org/core/fileparse.php/15267/urlt/1516FTE3EnrollmentReport.pdf>.

⁸⁴ Community colleges below the 8 percent threshold in 2015-16 were Broward College, College of Central Florida, Eastern Florida State College, Florida SouthWestern State College, Florida Gateway College, Florida Keys Community College, Gulf Coast State College, Hillsborough Community College, Lake Sumter State College, Miami Dade College, Northwest Florida State College, North Florida Community College, Palm Beach State College, Pasco Hernando State College, Pensacola State College, Santa Fe College, Seminole State College, South Florida State College, State College of Florida-Manatee, Sarasota, St. Johns River State College, Tallahassee Community College, and Valencia College. The Florida Senate staff analysis, Florida Department of Education, *Florida College System FTE Enrollment: Funded-30, Lower and Upper Division, 2015-16 FTE-3*, available at <http://fldoe.org/core/fileparse.php/15267/urlt/1516FTE3EnrollmentReport.pdf>.

- combined enrollment, may not increase by more than 8 percentage points unless the institution obtains prior legislative approval.
- Specifies that the total upper-level enrollment at any institution may not exceed 15 percent, of the combined upper- and lower-level enrollment.
 - Emphasizes that within the 4 percent or 8 percent authorized growth, for any planned and purposeful expansion of existing baccalaureate degree programs or creation of a new baccalaureate program, an FCCS institution must demonstrate satisfactory performance in:
 - Fulfilling its primary mission as specified in law;⁸⁵
 - Executing at least one “2+2” targeted pathway articulation agreement specified in law;⁸⁶ and
 - Meeting or exceeding the performance standards related to on-time graduation rates for students earning associate in arts or baccalaureate degrees.⁸⁷
 - Establishes reporting requirements relating to upper-level enrollment, provides a mechanism for the SBCC to ensure compliance, and prohibits community colleges from reporting for funding, the upper-level, undergraduate full-time equivalent enrollment that exceeds the upper-level enrollment percent specified in the bill.

This section also reinforces the state’s expectation of college affordability by requiring the college’s program enrollment projections and funding requirements to include the college’s efforts to sustain the program at a cost of tuition and fees for Florida residents not to exceed \$10,000 for the entire degree program, including flexible tuition and fee rates, and the use of waivers authorized by law.⁸⁸

Mission of Florida’s Public K-20 Education System (Section 7, 15, 16, 26, 40, and 48)

Section 7 of the bill reinforces the state’s expectation that institutions within Florida’s K-20 education system avoid wasteful duplication of programs offered by state universities, FCCS institutions, and career centers operated by district school boards.

The bill also clarifies the mission of Florida’s public K-20 education system. Specifically,

- Section 40 of the bill changes the provision of upper-level instruction and awarding baccalaureate degrees from a primary mission to a secondary mission of FCCS institutions.
- Sections 16 and 26 of the bill specify that the primary mission of a career center or a charter technical career center is to promote advances and innovations in workforce preparation and economic development; except that a career center or charter technical career center may not award college credit.

The bill modifies the scope and responsibilities for career education in school districts and FCCS institutions. Specifically,

- Section 40 of the bill expands the scope of career education at an FCCS institution to include nationally recognized industry certifications.

⁸⁵ Section 1004.65, F.S.

⁸⁶ Section 1007.23, F.S.

⁸⁷ Section 1001.66, F.S.

⁸⁸ Section 1009.26(11), F.S.

- Section 48 of the bill modifies the accountability for career education to specify that such accountability must reflect the quality components of career and technical education programs in developing program standards and industry-driven benchmarks for career, adult, and community education programs.

The bill takes effect October 1, 2017, except as otherwise expressly provided.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

PCS/CS/SB 374 may result in education-related cost savings⁸⁹ for students with an associate in arts degree who pursue a baccalaureate degree under the targeted “2+2” articulation pathway program and graduate on time in 4 years.

C. Government Sector Impact:

Implementation of this bill requires the transfer of 34 existing positions and \$2.8 million from the State Board of Education budget for the creation of the State Board of Community Colleges. The State Board of Community Colleges will also need an additional 14 positions and \$1.7 million for necessary positions such as a General Counsel, Inspector General, Board Secretary, and others.

VI. Technical Deficiencies:

None.

⁸⁹ The average annual cost of attendance in 2016-2017 at a state university is \$21,534.08. Board of Governors, *Fall/Spring Cost of Attendance On-Campus for Full-Time Undergraduate Florida Residents 2016-17*, available at http://www.flbog.edu/about/doc/budget/attendance/CostAttendance2016_17_FINAL.xlsx.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 20.15, 112.313, 112.3145, 1000.03, 1000.05, 1001.02, 1001.03, 1001.10, 1001.11, 1001.20, 1001.28, 1001.42, 1001.44, 1001.60, 1001.61, 1001.64, 1001.65, 1001.66, 1001.67, 1001.706, 1002.34, 1003.491, 1003.493, 1004.015, 1004.02, 1004.03, 1004.04, 1004.07, 1004.084, 1004.085, 1004.096, 1004.0961, 1004.35, 1004.6495, 1004.65, 1004.67, 1004.70, 1004.71, 1004.74, 1004.78, 1004.80, 1004.91, 1004.92, 1004.925, 1004.93, 1006.60, 1006.61, 1006.62, 1006.71, 1007.01, 1007.23, 1007.24, 1007.25, 1007.262, 1007.263, 1007.264, 1007.265, 1007.27, 1007.271, 1007.273, 1007.33, 1008.30, 1008.31, 1008.32, 1008.345, 1008.37, 1008.38, 1008.405, 1008.44, 1008.45, 1009.21, 1009.22, 1009.23, 1009.25, 1009.26, 1009.28, 1009.90, 1009.91, 1009.971, 1010.01, 1010.02, 1010.04, 1010.07, 1010.08, 1010.09, 1010.22, 1010.30, 1010.58, 1011.01, 1011.011, 1011.30, 1011.32, 1011.80, 1011.801, 1011.81, 1011.82, 1011.83, 1011.84, 1011.85, 1012.01, 1012.80, 1012.81, 1012.83, 1012.855, 1012.86, 1013.01, 1013.02, 1013.03, 1013.28, 1013.31, 1013.36, 1013.37, 1013.40, 1013.47, 1013.52, and 1013.65, F.S.

This bill creates the following sections of the Florida Statutes: 20.156, 1001.601, and 1001.602.

This bill creates two undesignated sections of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:**Recommended CS for CS by Appropriations Subcommittee on Higher Education on March 15, 2017:**

The committee substitute:

- Adds parallel standards of conduct language for State Board of Community Colleges (SBCC) and Florida Community College System (FCCS) institution board of trustees members that:
 - Prohibits appointed members from being employed as a legislative lobbyist, and
 - Requires disclosure of financial interests.
- Modifies the SBCC appointments by:
 - Including geographical representation,
 - Including a faculty member representative,
 - Changing the student member term to one year and exempting the student member from Senate confirmation,

- Requiring that, except for the student member, each member must reside and be registered to vote in Florida, and Removing the limit on the on the number of four-year terms for reappointment.
- Modifies the community college baccalaureate degree approval process to shorten the approval time and:
 - Include a new notice of interest, which must be submitted into a share postsecondary database at least 180 days before submission of the notice of intent,
 - Require a notice of intent and justification to be submitted at least 100 days before the degree proposal,
 - Require the justification for the degree program to include employment data and projections from the Department of Economic Opportunity,
 - Provide a consistent 60-day timeframe for state universities, and private institutions to provide feedback on a degree proposal, and
 - Modify SBCC rulemaking authority to prescribe requirements for various notices, proposals, and objections.
- Modifies the baccalaureate degree enrollment caps to specify that if the 2015-2016 baccalaureate degree program full-time equivalent (FTE) enrollment at an FCCS institution is:
 - At or above 10 percent of the 2015-2016 combined total lower-level and upper-level FTE enrollment at that institution, the total upper-level enrollment, as a percentage of the combined enrollment, may not increase by more than 4 percentage points unless the institution obtains prior legislative approval.
 - Below 10 percent of the 2015-2016 combined total lower-level and upper-level FTE enrollment at that institution, the total upper-level enrollment, as a percentage of the combined enrollment, may not increase by more than 8 percentage points unless the institution obtains prior legislative approval.
- Sets a 15 percent maximum baccalaureate program enrollment cap for all FCCS institutions.
- Clarifies that the SBCC and State Board of Education should collaborate on career education issues and standards.
- Makes technical changes regarding the effective dates of certain sections of the bill and the bill as a whole.

CS by Education on February 6, 2017:

The committee substitute clarifies that:

- The authorization to conduct an investigation of a community college president's actions rests with the inspector general of the State Board of Community Colleges instead of the inspector general of the Florida Department of Education.

The State Board of Community Colleges must be responsible for charter technical career centers operated by Florida Community College System institutions regarding the adoption of standards of basic skill mastery for completion of certificate career education programs.



151586

LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
04/07/2017	.	
	.	
	.	
	.	

The Committee on Appropriations (Brandes) recommended the following:

Senate Amendment (with title amendment)

Between lines 6996 and 6997

insert:

Section 115. Section 1013.29, Florida Statutes, is created to read:

1013.29 High school educational facilities on a public or private postsecondary institution campus.—A county in which a public or private postsecondary institution is located may authorize a public high school educational facility, including a



151586

charter school educational facility, which meets the
requirements of this chapter to be located on the postsecondary
institution's campus.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete line 293

and insert:

the State Board of Community Colleges; creating s.
1013.29, F.S.; authorizing certain high school
educational facilities to be located on a public or
private postsecondary institution campus under certain
circumstances; amending s.



973614

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/07/2017	.	
	.	
	.	
	.	

The Committee on Appropriations (Brandes) recommended the following:

Senate Substitute for Amendment (151586) (with title amendment)

Between lines 6996 and 6997
insert:

Section 115. Section 1013.29, Florida Statutes, is created
to read:

1013.29 High school educational facilities on a public or
private postsecondary institution campus.—A district school
board may authorize a public high school within the district,



973614

including, but not limited to, a charter school authorized to
operate under s. 1002.33, which meets the requirements of this
chapter, to be located on a postsecondary institution's campus.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

 Delete line 293

and insert:

 the State Board of Community Colleges; creating s.
 1013.29, F.S.; authorizing certain high schools to be
 located on a public or private postsecondary
 institution campus under certain circumstances;
 amending s.



724756

576-02483-17

Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on Higher Education)

A bill to be entitled

An act relating to postsecondary education; providing a short title; creating s. 1001.6001, F.S.; renaming the Florida College System as the Florida Community College System; creating the State Board of Community Colleges; requiring the Governor to appoint the membership of the board; providing that the appointments are subject to confirmation by the Senate; requiring the Division of Florida Colleges to provide administrative support to the board until a specified date; transferring the Florida College System and the Division of Florida Colleges to the State Board of Community Colleges by a specified date; requiring the State Board of Community Colleges to appoint a Chancellor of the Florida Community College System by a specified date; amending s. 20.15, F.S.; removing the Division of Florida Colleges from within the Department of Education; requiring the department to provide support to the State Board of Community Colleges; creating s. 20.156, F.S.; creating the State Board of Community Colleges and assigning and housing it for administrative purposes, only, within the department; providing the personnel for the state board; providing the powers and duties of the state board; requiring the state board to conduct an organizational meeting by a specified date; amending s. 112.313, F.S.; prohibiting citizen members of the



724756

576-02483-17

State Board of Community Colleges or Florida Community College System institution boards of trustees from having an employment or contractual relationship as specified lobbyists; amending s. 112.3145, F.S.; revising the term "state officer" to include certain Florida Community College System personnel; amending s. 1000.03, F.S.; revising the function and mission of the Florida K-20 education system; requiring the State Board of Community Colleges to oversee enforcement of Florida Community College System laws and rules; amending s. 1000.05, F.S.; requiring the State Board of Community Colleges, instead of the Commissioner of Education, to make certain determinations regarding equal opportunities at Florida Community College System institutions; requiring the State Board of Community Colleges to adopt rules; amending s. 1001.02, F.S.; revising the general powers of the State Board of Education to exempt provisions relating to the Florida Community College System; amending s. 1001.03, F.S.; revising certain articulation accountability and enforcement measures; requiring the State Board of Education to collect information in conjunction with the Board of Governors and the State Board of Community Colleges; deleting duties of the State Board of Education regarding the Florida Community College System; amending ss. 1001.10 and 1001.11, F.S.; revising the general powers and duties of the Commissioner of Education to exempt certain powers and duties related to the Florida Community



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57 College System; amending s. 1001.20, F.S.; revising
58 duties of the Office of Inspector General within the
59 department regarding the Florida Community College
60 System; amending s. 1001.28, F.S.; providing that the
61 powers and duties of the State Board of Community
62 Colleges are not abrogated, superseded, altered, or
63 amended by certain provisions relating to the
64 department's duties for distance learning; amending s.
65 1001.42, F.S.; prohibiting a technical center
66 governing board from approving certain types of
67 courses and programs; amending s. 1001.44, F.S.;
68 providing the primary mission of a career center
69 operated by a district school board; prohibiting
70 specified career centers from offering certain courses
71 and programs; amending s. 1001.60, F.S.; conforming
72 provisions to changes made by the act; creating s.
73 1001.601, F.S.; establishing the State Board of
74 Community Colleges; providing the membership of the
75 board; creating s. 1001.602, F.S.; providing the
76 responsibilities and duties of the State Board of
77 Community Colleges; requiring the board to coordinate
78 with the State Board of Education; amending ss.
79 1001.61, 1001.64, 1001.65, 1001.66, and 1001.67, F.S.;
80 conforming provisions to changes made by the act;
81 amending s. 1001.706, F.S.; revising cooperation
82 duties of the Board of Governors to include
83 requirements for working with the State Board of
84 Community Colleges; amending s. 1002.34, F.S.;
85 providing the primary mission of a charter technical



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576-02483-17

86 career center; prohibiting specified career centers or
87 charter technical career centers from offering certain
88 courses and programs; requiring the State Board of
89 Education to adopt rules; amending s. 1003.491, F.S.;
90 revising the Florida Career and Professional Education
91 Act to require the State Board of Community Colleges
92 to recommend, jointly with the Board of Governors and
93 the Commissioner of Education, certain deadlines for
94 new core courses; amending s. 1003.493, F.S.; revising
95 department duties regarding articulation and the
96 transfer of credits to postsecondary institutions to
97 include consultation with the State Board of Community
98 Colleges; amending s. 1004.015, F.S.; providing that
99 the Higher Education Coordinating Council serves as an
100 advisory board to, in addition to other bodies, the
101 State Board of Community Colleges; revising council
102 reporting requirements to include a report to the
103 State Board of Community Colleges; requiring the State
104 Board of Community Colleges, in addition to other
105 entities, to provide administrative support for the
106 council; amending ss. 1004.02 and 1004.03, F.S.;
107 conforming provisions to changes made by the act;
108 amending s. 1004.04, F.S.; revising department
109 reporting requirements regarding teacher preparation
110 programs to require a report to the State Board of
111 Community Colleges; amending s. 1004.07, F.S.;
112 providing that the State Board of Community Colleges,
113 instead of the State Board of Education, provide
114 guidelines for Florida Community College System



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115 institution boards of trustees' policies; amending ss.
116 1004.084, 1004.085, 1004.096, 1004.0961, 1004.35, and
117 1004.6495, F.S.; conforming provisions to changes made
118 by the act; amending s. 1004.65, F.S.; revising
119 Florida Community College System institution
120 governance, mission, and responsibilities to provide
121 authority and duties to the State Board of Community
122 Colleges, instead of the State Board of Education;
123 providing that offering upper-level instruction and
124 awarding baccalaureate degrees are a secondary and not
125 a primary role of a Florida Community College System
126 institution; amending ss. 1004.67, 1004.70, and
127 1004.71, F.S.; conforming provisions to changes made
128 by the act; amending s. 1004.74, F.S.; requiring the
129 Chancellor of the Florida Community College System,
130 jointly with the Commissioner of Education, to appoint
131 members of the Council for the Florida School for the
132 Arts; amending ss. 1004.78 and 1004.80, F.S.;
133 conforming provisions to changes made by the act;
134 amending s. 1004.91, F.S.; requiring the State Board
135 of Community Colleges to collaborate with the State
136 Board of Education to provide certain rules for
137 Florida Community College System institutions
138 regarding requirements for career education program
139 basic skills; amending s. 1004.92, F.S.; providing
140 accountability for career education for the State
141 Board of Community Colleges; revising the department's
142 accountability for career education; requiring the
143 department and the State Board of Community Colleges



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144 to collaborate to develop certain standards and
145 benchmarks; requiring the State Board of Education and
146 the State Board of Community Colleges to collaborate
147 to adopt rules; amending s. 1004.925, F.S.; revising
148 industry certification requirements for automotive
149 service technology education programs to include the
150 State Board of Community Colleges; amending s.
151 1004.93, F.S.; conforming provisions to changes made
152 by the act; amending s. 1006.60, F.S.; authorizing
153 sanctions for violations of certain rules of the State
154 Board of Community Colleges, instead of the State
155 Board of Education; amending ss. 1006.61, 1006.62, and
156 1006.71, F.S.; conforming provisions to changes made
157 by the act; amending s. 1007.01, F.S.; revising the
158 role of the State Board of Education and the Board of
159 Governors in the statewide articulation system to
160 include the State Board of Community Colleges and the
161 Chancellor of the Florida Community College System;
162 amending s. 1007.23, F.S.; requiring each Florida
163 Community College System institution to execute at
164 least one "2+2" targeted pathway articulation
165 agreement by a specified time; providing requirements
166 and student eligibility for the agreements; requiring
167 the State Board of Community Colleges and the Board of
168 Governors to collaborate to eliminate barriers for the
169 agreements; amending s. 1007.24, F.S.; revising the
170 statewide course numbering system to include
171 participation by and input from the State Board of
172 Community Colleges and the Chancellor of the Florida



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173 Community College System; amending ss. 1007.25,
174 1007.262, 1007.263, 1007.264, 1007.265, and 1007.27,
175 F.S.; conforming provisions to changes made by the
176 act; amending s. 1007.271, F.S.; requiring the State
177 Board of Education to collaborate with the State Board
178 of Community Colleges regarding certain articulation
179 agreements; amending s. 1007.273, F.S.; requiring the
180 State Board of Community Colleges to enforce
181 compliance with certain provisions relating to the
182 collegiate high school program by a specified date
183 each year; amending s. 1007.33, F.S.; prohibiting
184 Florida Community College System institutions from
185 offering bachelor of arts degree programs; deleting
186 provisions relating to an authorization for the Board
187 of Trustees of St. Petersburg College to establish
188 certain baccalaureate degree programs; revising the
189 approval process for baccalaureate degree programs
190 proposed by Florida Community College System
191 institutions; requiring a Florida Community College
192 System institution to annually report certain
193 information to the State Board of Community Colleges,
194 the Chancellor of the State University System, and the
195 Legislature; revising the circumstances under which a
196 baccalaureate degree program may be required to be
197 modified or terminated; requiring the termination of a
198 baccalaureate degree program under certain
199 circumstances; restricting total upper-level,
200 undergraduate full-time equivalent enrollment at
201 Florida Community College System institutions under



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202 certain circumstances; amending s. 1008.30, F.S.;
203 requiring the State Board of Community Colleges,
204 rather than the State Board of Education, to develop
205 and implement a specified common placement test and
206 approve a specified series of meta-majors and academic
207 pathways with the Board of Governors; amending s.
208 1008.31, F.S.; revising the legislative intent of
209 Florida's K-20 education performance and
210 accountability system to include recommendations from
211 and reports to the State Board of Community Colleges;
212 amending s. 1008.32, F.S.; removing the oversight
213 enforcement authority of the State Board of Education
214 relating to the Florida Community College System;
215 amending s. 1008.345, F.S.; removing provisions
216 requiring the department to maintain a listing of
217 certain skills associated with the system of
218 educational accountability; amending s. 1008.37, F.S.;
219 revising certain student reporting requirements of the
220 Commissioner of Education to also require a report to
221 the State Board of Community Colleges; amending s.
222 1008.38, F.S.; revising the articulation
223 accountability process to include participation by the
224 State Board of Community Colleges; amending s.
225 1008.405, F.S.; requiring the State Board of Community
226 Colleges to adopt rules for the maintaining of
227 specific information by Florida Community College
228 System institutions; amending ss. 1008.44, 1008.45,
229 1009.21, 1009.22, 1009.23, and 1009.25, F.S.;
230 conforming provisions to changes made by the act;



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231 amending s. 1009.26, F.S.; requiring that certain
232 information regarding fee waivers be reported to the
233 State Board of Community Colleges; requiring the State
234 Board of Community Colleges to adopt rules; amending
235 s. 1009.28, F.S.; conforming provisions to changes
236 made by the act; amending ss. 1009.90 and 1009.91,
237 F.S.; revising the duties of the department to include
238 reports to the State Board of Community Colleges;
239 amending s. 1009.971, F.S.; conforming provisions to
240 changes made by the act; amending s. 1010.01, F.S.;
241 requiring the financial records and accounts of
242 Florida Community College System institutions to
243 follow rules of the State Board of Community Colleges,
244 instead of the State Board of Education; requiring
245 each Florida Community College System institution to
246 annually file specified financial statements with the
247 State Board of Community Colleges; amending ss.
248 1010.02 and 1010.04, F.S.; requiring the funds
249 accruing to and purchases and leases by Florida
250 Community College System institutions to follow rules
251 of the State Board of Community Colleges, instead of
252 the State Board of Education; amending s. 1010.07,
253 F.S.; requiring certain contractors to give bonds in
254 an amount set by the State Board of Community
255 Colleges; amending s. 1010.08, F.S.; authorizing
256 Florida Community College System board of trustees to
257 budget for promotion and public relations from certain
258 funds; amending ss. 1010.09, 1010.22, 1010.30, and
259 1010.58, F.S.; conforming provisions to changes made



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260 by the act; amending s. 1011.01, F.S.; requiring each
261 Florida Community College System institution board of
262 trustees to submit an annual operating budget
263 according to rules of the State Board of Community
264 Colleges; amending s. 1011.011, F.S.; requiring the
265 State Board of Education to collaborate with the State
266 Board of Community Colleges for legislative budget
267 requests relating to Florida Community College System
268 institutions; amending ss. 1011.30 and 1011.32, F.S.;
269 conforming provisions to changes made by the act;
270 amending s. 1011.80, F.S.; conforming provisions to
271 changes made by the act; authorizing the State Board
272 of Community Colleges to adopt rules; amending s.
273 1011.801, F.S.; specifying duties of the State Board
274 of Community Colleges regarding funds for the
275 operation of workforce education programs and the
276 Workforce Development Capitalization Incentive Grant
277 Program; amending ss. 1011.81, 1011.82, 1011.83,
278 1011.84, and 1011.85, F.S.; conforming provisions to
279 changes made by the act; amending s. 1012.01, F.S.;
280 redefining the term "school officers"; amending ss.
281 1012.80, 1012.81, 1012.83, 1012.855, and 1012.86,
282 F.S.; conforming provisions to changes made by the
283 act; amending s. 1013.01, F.S.; providing that the
284 term "board" does not include the State Board of
285 Community Colleges when used in the context of certain
286 educational facilities provisions; amending ss.
287 1013.02 and 1013.03, F.S.; requiring the State Board
288 of Community Colleges to adopt rules for and provide



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289 functions relating to educational facilities; amending
290 s. 1013.28, F.S.; authorizing Florida Community
291 College System institution boards of trustees to
292 dispose of land or real property subject to rules of
293 the State Board of Community Colleges; amending s.
294 1013.31, F.S.; specifying the role of the State Board
295 of Community Colleges in educational plant surveys for
296 Florida Community College System institutions;
297 amending ss. 1013.36, 1013.37, and 1013.40, F.S.;
298 conforming provisions to changes made by the act;
299 amending s. 1013.47, F.S.; providing that certain
300 contractors are subject to rules of the State Board of
301 Community Colleges; amending s. 1013.52, F.S.;
302 specifying duties of the State Board of Community
303 Colleges with regard to the cooperative development
304 and joint use of facilities; amending s. 1013.65,
305 F.S.; requiring the State Board of Community Colleges
306 to be provided with copies of authorized allocations
307 or reallocations for the Public Education Capital
308 Outlay and Debt Service Trust Fund; requiring the
309 Board of Governors and the State Board of Community
310 Colleges to submit a report to the Governor and the
311 Legislature by a specified date; providing a directive
312 to the Division of Law Revision and Information;
313 providing effective dates.

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

316
317 Section 1. This act may be cited as the "College



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318 Competitiveness Act of 2017."

319 Section 2. Effective July 1, 2017, section 1001.6001,
320 Florida Statutes, is created to read:

321 1001.6001 Florida Community College System governance.-

322 (1) The Florida College System, established in s. 1001.60,
323 is renamed as the Florida Community College System.

324 (2) The State Board of Community Colleges is created
325 pursuant to s. 20.156 to oversee and coordinate the Florida
326 Community College System. The Governor shall appoint the
327 membership of the State Board of Community Colleges, subject to
328 confirmation by the Senate, in time for the members to convene
329 for the board's organizational meeting pursuant to s. 20.156(5).

330 (3) The Division of Florida Colleges shall provide
331 administrative support to the State Board of Community Colleges
332 until September 30, 2017.

333 (4) On October 1, 2017, all powers, duties, functions,
334 records, offices, personnel, property, pending issues and
335 existing contracts, administrative authority, administrative
336 rules, and unexpended balances of appropriations, allocations,
337 and other funds related to the Florida College System and the
338 Division of Florida Colleges are transferred by a type two
339 transfer, as defined in s. 20.06(2), from the State Board of
340 Education to the State Board of Community Colleges.

341 (5) The State Board of Community Colleges shall appoint a
342 Chancellor of the Florida Community College System by November
343 1, 2017, to aid the board in the implementation of its
344 responsibilities.

345 (6) Any State Board of Education approval, policy,
346 guidance, and appointment in effect on October 1, 2017, remain



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347 effective unless acted upon by the State Board of Community
348 Colleges.

349 Section 3. Subsections (3) and (8) of section 20.15,
350 Florida Statutes, are amended to read:

351 20.15 Department of Education.—There is created a
352 Department of Education.

353 (3) DIVISIONS.—The following divisions of the Department of
354 Education are established:

355 ~~(a) Division of Florida Colleges.~~

356 ~~(a) (b) Division of Public Schools.~~

357 ~~(b) (c) Division of Career and Adult Education.~~

358 ~~(c) (d) Division of Vocational Rehabilitation.~~

359 ~~(d) (e) Division of Blind Services.~~

360 ~~(e) (f) Division of Accountability, Research, and~~
361 ~~Measurement.~~

362 ~~(f) (g) Division of Finance and Operations.~~

363 ~~(g) (h) Office of K-20 Articulation.~~

364 ~~(h) (i) The Office of Independent Education and Parental~~
365 ~~Choice, which must include the following offices:~~

366 1. The Office of Early Learning, which shall be
367 administered by an executive director who is fully accountable
368 to the Commissioner of Education. The executive director shall,
369 pursuant to s. 1001.213, administer the early learning programs,
370 including the school readiness program and the Voluntary
371 Prekindergarten Education Program at the state level.

372 2. The Office of K-12 School Choice, which shall be
373 administered by an executive director who is fully accountable
374 to the Commissioner of Education.

375 (8) SUPPORT SERVICES.—The Department of Education shall



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376 continue to provide support to the Board of Governors of the
377 State University System and to the State Board of Community
378 Colleges of the Florida Community College System. At a minimum,
379 support services provided to the Board of Governors and the
380 State Board of Community Colleges shall include accounting,
381 printing, computer and Internet support, personnel and human
382 resources support, support for accountability initiatives, and
383 administrative support as needed for trust funds under the
384 jurisdiction of the Board of Governors and the State Board of
385 Community Colleges.

386 Section 4. Effective July 1, 2017, section 20.156, Florida
387 Statutes, is created to read:

388 20.156 State Board of Community Colleges.—

389 (1) GENERAL PROVISIONS.—The State Board of Community
390 Colleges is created. For the purposes of s. 6, Art. IV of the
391 State Constitution, the state board shall be assigned to and
392 administratively housed within the Department of Education.
393 However, the state board shall independently exercise the powers
394 and duties in s. 1001.602; is a separate budget program; and is
395 not subject to control, supervision, or direction by the
396 department. For purposes of this section, the State Board of
397 Community Colleges is referred to as the "state board."

398 (2) HEAD OF THE FLORIDA COMMUNITY COLLEGE SYSTEM.—The state
399 board is the head of the Florida Community College System. The
400 Governor shall appoint the board members, subject to
401 confirmation by the Senate.

402 (3) PERSONNEL.—The state board shall appoint a Chancellor
403 of the Florida Community College System by November 1, 2017, to
404 aid in carrying out the state board's duties. The chancellor is



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405 the chief executive officer and secretary to the state board and
406 directs the activities of the staff of the state board. The
407 Chancellor of the Division of Florida Colleges shall serve as
408 the Chancellor of the Florida Community College System until the
409 state board selects a chancellor.

410 (4) POWERS AND DUTIES.—Effective October 1, 2017, the state
411 board shall regulate, control, and be responsible for the
412 management of the Florida Community College System.

413 (5) ORGANIZATION.—The state board shall, by September 30,
414 2017, conduct an organizational meeting to adopt bylaws, elect a
415 chair and vice chair from the membership, and fix dates and
416 places for regular meetings.

417 Section 5. Subsection (18) is added to section 112.313,
418 Florida Statutes, to read:

419 112.313 Standards of conduct for public officers, employees
420 of agencies, and local government attorneys.—

421 (18) STATE BOARD OF COMMUNITY COLLEGES AND BOARDS OF
422 TRUSTEES.—A citizen member of the State Board of Community
423 Colleges or a citizen member of a Florida Community College
424 System institution board of trustees may not have or hold an
425 employment or contractual relationship as a legislative lobbyist
426 requiring annual registration and reporting pursuant to s.
427 11.045.

428 Section 6. Paragraph (c) of subsection (1) of section
429 112.3145, Florida Statutes, is amended to read:

430 112.3145 Disclosure of financial interests and clients
431 represented before agencies.—

432 (1) For purposes of this section, unless the context
433 otherwise requires, the term:



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434 (c) "State officer" means:

435 1. Any elected public officer, excluding those elected to
436 the United States Senate and House of Representatives, not
437 covered elsewhere in this part and any person who is appointed
438 to fill a vacancy for an unexpired term in such an elective
439 office.

440 2. An appointed member of each board, commission,
441 authority, or council having statewide jurisdiction, excluding a
442 member of an advisory body.

443 3. A member of the Board of Governors of the State
444 University System or a state university board of trustees, the
445 Chancellor and Vice Chancellors of the State University System,
446 and the president of a state university; or a member of the
447 State Board of Community Colleges and the Chancellor of the
448 Florida Community College System.

449 4. A member of the judicial nominating commission for any
450 district court of appeal or any judicial circuit.

451 Section 7. Subsections (2) and (4) of section 1000.03,
452 Florida Statutes, are amended to read:

453 1000.03 Function, mission, and goals of the Florida K-20
454 education system.—

455 (2)(a) The Legislature shall establish education policy,
456 enact education laws, and appropriate and allocate education
457 resources.

458 (b) With the exception of matters relating to the State
459 University System and the Florida Community College System, the
460 State Board of Education shall oversee the enforcement of all
461 laws and rules, and the timely provision of direction,
462 resources, assistance, intervention when needed, and strong



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463 incentives and disincentives to force accountability for
464 results.

465 (c) The Board of Governors shall oversee the enforcement of
466 all state university laws and rules and regulations and the
467 timely provision of direction, resources, assistance,
468 intervention when needed, and strong incentives and
469 disincentives to force accountability for results.

470 (d) The State Board of Community Colleges shall oversee the
471 enforcement of all Florida Community College System laws and
472 rules and the timely provision of direction, resources,
473 assistance, intervention when needed, and strong incentives and
474 disincentives to force accountability for results.

475 (4) The mission of Florida's K-20 education system is to
476 allow its students to increase their proficiency by allowing
477 them the opportunity to expand their knowledge and skills
478 through rigorous and relevant learning opportunities, in
479 accordance with the mission of the applicable career center or
480 system statement and the accountability requirements of s.
481 1008.31, and to avoid wasteful duplication of programs offered
482 by state universities, Florida Community College System
483 institutions, and career centers and charter technical career
484 centers that are operated by a district school board or a
485 Florida Community College System institution board of trustees.

486 Section 8. Paragraph (d) of subsection (3) and subsections
487 (5) and (6) of section 1000.05, Florida Statutes, are amended to
488 read:

489 1000.05 Discrimination against students and employees in
490 the Florida K-20 public education system prohibited; equality of
491 access required.-



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492 (3)

493 (d) A public K-20 educational institution which operates or
494 sponsors interscholastic, intercollegiate, club, or intramural
495 athletics shall provide equal athletic opportunity for members
496 of both genders.

497 1. The Board of Governors shall determine whether equal
498 opportunities are available at state universities.

499 2. The Commissioner of Education, for school districts, and
500 the Chancellor of the Florida Community College System, for
501 Florida Community College System institutions, shall determine
502 whether equal opportunities are available in school districts
503 and Florida Community College System institutions. In
504 determining whether equal opportunities are available in school
505 districts and Florida Community College System institutions, the
506 Commissioner of Education and the Chancellor of the Florida
507 Community College System shall consider, among other factors:

508 a. Whether the selection of sports and levels of
509 competition effectively accommodate the interests and abilities
510 of members of both genders.

511 b. The provision of equipment and supplies.

512 c. Scheduling of games and practice times.

513 d. Travel and per diem allowances.

514 e. Opportunities to receive coaching and academic tutoring.

515 f. Assignment and compensation of coaches and tutors.

516 g. Provision of locker room, practice, and competitive
517 facilities.

518 h. Provision of medical and training facilities and
519 services.

520 i. Provision of housing and dining facilities and services.



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521 j. Publicity.

522

523 Unequal aggregate expenditures for members of each gender or
524 unequal expenditures for male and female teams if a public
525 school or Florida Community College System institution operates
526 or sponsors separate teams do not constitute nonimplementation
527 of this subsection, but the Commissioner of Education shall
528 consider the failure to provide necessary funds for teams for
529 one gender in assessing equality of opportunity for members of
530 each gender.

531 (5) (a) The State Board of Education shall adopt rules to
532 implement this section as it relates to school districts ~~and~~
533 ~~Florida College System institutions.~~

534 (b) The Board of Governors shall adopt regulations to
535 implement this section as it relates to state universities.

536 (c) The State Board of Community Colleges shall adopt rules
537 to implement this section as it relates to Florida Community
538 College System institutions.

539 (6) The functions of the State Board of Community Colleges
540 for Florida Community College System institutions and the Office
541 of Equal Educational Opportunity of the Department of Education
542 shall include, but are not limited to:

543 (a) Requiring all district school boards and Florida
544 Community College System institution boards of trustees to
545 develop and submit plans for the implementation of this section
546 to the Department of Education.

547 (b) Conducting periodic reviews of school districts and
548 Florida Community College System institutions to determine
549 compliance with this section and, after a finding that a school



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550 district or a Florida Community College System institution is
551 not in compliance with this section, notifying the entity of the
552 steps that it must take to attain compliance and performing
553 followup monitoring.

554 (c) Providing technical assistance, including assisting
555 school districts or Florida Community College System
556 institutions in identifying unlawful discrimination and
557 instructing them in remedies for correction and prevention of
558 such discrimination and performing followup monitoring.

559 (d) Conducting studies of the effectiveness of methods and
560 strategies designed to increase the participation of students in
561 programs and courses in which students of a particular race,
562 ethnicity, national origin, gender, disability, or marital
563 status have been traditionally underrepresented and monitoring
564 the success of students in such programs or courses, including
565 performing followup monitoring.

566 (e) Requiring all district school boards and Florida
567 Community College System institution boards of trustees to
568 submit data and information necessary to determine compliance
569 with this section. The Commissioner of Education, for school
570 districts, and the Chancellor of the Florida Community College
571 System, for Florida Community College System institutions, shall
572 prescribe the format and the date for submission of such data
573 and any other educational equity data. If any board does not
574 submit the required compliance data or other required
575 educational equity data by the prescribed date, the commissioner
576 shall notify the board of this fact and, if the board does not
577 take appropriate action to immediately submit the required
578 report, the State Board of Education shall impose monetary



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sanctions.

(f) Based upon rules of the State Board of Education, for school districts, and the State Board of Community Colleges, for Florida Community College System institutions, developing and implementing enforcement mechanisms with appropriate penalties to ensure that public K-12 schools and Florida Community College System institutions comply with Title IX of the Education Amendments of 1972 and subsection (3) of this section. However, the State Board of Education may not force a public school or Florida Community College System institution to conduct, nor penalize such entity for not conducting, a program of athletic activity or athletic scholarship for female athletes unless it is an athletic activity approved for women by a recognized association whose purpose is to promote athletics and a conference or league exists to promote interscholastic or intercollegiate competition for women in that athletic activity.

(g) Reporting to the Commissioner of Education, for school districts, or to the Chancellor of the Florida Community College System, for Florida Community College System institutions, any district school board or Florida Community College System institution board of trustees found to be out of compliance with rules of the State Board of Education or the State Board of Community Colleges adopted as required by paragraph (f) or paragraph (3)(d). To penalize the respective board, the State Board of Education or the State Board of Community Colleges, as applicable, shall:

1. Declare the school district or Florida Community College System institution ineligible for competitive state grants.

2. Notwithstanding the provisions of s. 216.192, direct the



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Chief Financial Officer to withhold general revenue funds sufficient to obtain compliance from the school district or Florida Community College System institution.

The school district or Florida Community College System institution shall remain ineligible and the funds may shall not be paid until the institution comes into compliance or the State Board of Education or the State Board of Community Colleges, as applicable, approves a plan for compliance.

Section 9. Section 1001.02, Florida Statutes, is amended to read:

1001.02 General powers of State Board of Education.—

(1) The State Board of Education is the chief implementing and coordinating body of public education in Florida except for the State University System and the Florida Community College System, and it shall focus on high-level policy decisions. It has authority to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of law conferring duties upon it for the improvement of the state system of K-20 public education except for the State University System and the Florida Community College System. Except as otherwise provided herein, it may, as it finds appropriate, delegate its general powers to the Commissioner of Education or the directors of the divisions of the department.

(2) The State Board of Education has the following duties:

(a) To adopt comprehensive educational objectives for public education except for the State University System and the Florida Community College System.

(b) To adopt comprehensive long-range plans and short-range



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637 programs for the development of the state system of public
638 education except for the State University System and the Florida
639 Community College System.

640 (c) To exercise general supervision over the divisions of
641 the Department of Education as necessary to ensure coordination
642 of educational plans and programs and resolve controversies and
643 to minimize problems of articulation and student transfers, to
644 ensure that students moving from one level of education to the
645 next have acquired competencies necessary for satisfactory
646 performance at that level, and to ensure maximum utilization of
647 facilities.

648 (d) To adopt, in consultation with the Board of Governors
649 and the State Board of Community Colleges, and from time to time
650 modify, minimum and uniform standards of college-level
651 communication and computation skills generally associated with
652 successful performance and progression through the baccalaureate
653 level and to identify college-preparatory high school coursework
654 and postsecondary-level coursework that prepares students with
655 the academic skills necessary to succeed in postsecondary
656 education.

657 (e) To adopt and submit to the Governor and Legislature, as
658 provided in s. 216.023, a coordinated K-20 education budget that
659 estimates the expenditure requirements for the Board of
660 Governors, as provided in s. 1001.706, the State Board of
661 Education, including the Department of Education and the
662 Commissioner of Education, and all of the boards, institutions,
663 agencies, and services under the general supervision of the
664 Board of Governors, as provided in s. 1001.706, the State Board
665 of Community Colleges, as provided in s. 1001.602, or the State



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666 Board of Education for the ensuing fiscal year. The State Board
667 of Education may not amend the budget request submitted by the
668 Board of Governors or the State Board of Community Colleges. Any
669 program recommended by the Board of Governors, the State Board
670 of Community Colleges, or the State Board of Education which
671 will require increases in state funding for more than 1 year
672 must be presented in a multiyear budget plan.

673 (f) To hold meetings, transact business, keep records,
674 adopt a seal, and, except as otherwise provided by law, perform
675 such other duties as may be necessary for the enforcement of
676 laws and rules relating to the state system of public education.

677 (g) To approve plans for cooperating with the Federal
678 Government.

679 (h) To approve plans for cooperating with other public
680 agencies in the development of rules and in the enforcement of
681 laws for which the state board and such agencies are jointly
682 responsible.

683 (i) To review plans for cooperating with appropriate
684 nonpublic agencies for the improvement of conditions relating to
685 the welfare of schools.

686 (j) To create such subordinate advisory bodies as are
687 required by law or as it finds necessary for the improvement of
688 education.

689 (k) To constitute any education bodies or other structures
690 as required by federal law.

691 (l) To assist in the economic development of the state by
692 developing a state-level planning process to identify future
693 training needs for industry, especially high-technology
694 industry.



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695 (m) To assist in the planning and economic development of
696 the state by establishing a clearinghouse for information on
697 educational programs of value to economic development.

698 (n) To adopt cohesive rules pursuant to ss. 120.536(1) and
699 120.54, within statutory authority.

700 (o) To authorize the allocation of resources in accordance
701 with law and rule.

702 (p) To contract with independent institutions accredited by
703 an agency whose standards are comparable to the minimum
704 standards required to operate a postsecondary career center
705 ~~educational institution at that level in the state~~. The purpose
706 of the contract is to provide those educational programs and
707 facilities which will meet needs unfulfilled by the state system
708 of public postsecondary education.

709 (q) To recommend that a district school board take action
710 consistent with the state board's decision relating to an appeal
711 of a charter school application.

712 (r) To enforce systemwide education goals and policies
713 except as otherwise provided by law.

714 (s) To establish a detailed procedure for the
715 implementation and operation of a systemwide K-20 technology
716 plan that is based on a common set of data definitions.

717 (t) To establish accountability standards for existing
718 legislative performance goals, standards, and measures, and
719 order the development of mechanisms to implement new legislative
720 goals, standards, and measures.

721 (u) To adopt criteria and implementation plans for future
722 growth issues, ~~such as new Florida College System institutions~~
723 ~~and Florida College System institution campus mergers~~, and to



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724 provide for cooperative agreements between and within public and
725 private education sectors.

726 (v) To develop, in conjunction with the Board of Governors
727 and the State Board of Community Colleges, and periodically
728 review for adjustment, a coordinated 5-year plan for
729 postsecondary enrollment, identifying enrollment and graduation
730 expectations by baccalaureate degree program, and annually
731 submit the plan to the Legislature as part of its legislative
732 budget request.

733 ~~(w) Beginning in the 2014-2015 academic year and annually~~
734 ~~thereafter, to require each Florida College System institution~~
735 ~~prior to registration to provide each enrolled student~~
736 ~~electronic access to the economic security report of employment~~
737 ~~and earning outcomes prepared by the Department of Economic~~
738 ~~Opportunity pursuant to s. 445.07.~~

739 (3) (a) The State Board of Education shall adopt a strategic
740 plan that specifies goals and objectives for the state's public
741 schools ~~and Florida College System institutions~~. The plan shall
742 be formulated in conjunction with plans of the Board of
743 Governors and the State Board of Community Colleges in order to
744 provide for the roles of the universities and Florida Community
745 College System institutions to be coordinated to best meet state
746 needs and reflect cost-effective use of state resources. The
747 strategic plan must clarify the mission statements of each
748 Florida Community College System institution and the system as a
749 whole and identify degree programs, including baccalaureate
750 degree programs, to be offered at each Florida Community College
751 System institution in accordance with the objectives provided in
752 this subsection and the coordinated 5-year plan pursuant to



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paragraph (2)(v). The strategic plan must cover a period of 5 years, with modification of the program lists after 2 years. Development of each 5-year plan must be coordinated with and initiated after completion of the master plan. The strategic plans must specifically include programs and procedures for responding to the educational needs of teachers and students in the public schools of this state and consider reports and recommendations of the Higher Education Coordinating Council pursuant to s. 1004.015 and the Articulation Coordinating Committee pursuant to s. 1007.01. The state board shall submit a report to the President of the Senate and the Speaker of the House of Representatives upon modification of the plan and as part of its legislative budget request.

(b) The State Board of Education, ~~and~~ the Board of Governors, and the State Board of Community Colleges shall jointly develop long-range plans and annual reports for financial aid in this state. The long-range plans shall establish goals and objectives for a comprehensive program of financial aid for Florida students and shall be updated every 5 years. The annual report shall include programs administered by the department as well as awards made from financial aid fee revenues, any other funds appropriated by the Legislature for financial assistance, and the value of tuition and fees waived for students enrolled in a dual enrollment course at a public postsecondary educational institution. The annual report shall include an assessment of progress made in achieving goals and objectives established in the long-range plans and recommendations for repealing or modifying existing financial aid programs or establishing new programs. A long-range plan



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shall be submitted by January 1, 2004, and every 5 years thereafter. An annual report shall be submitted on January 1, 2004, and in each successive year that a long-range plan is not submitted, to the President of the Senate and the Speaker of the House of Representatives.

(4) The State Board of Education shall:

~~(a) Provide for each Florida College System institution to offer educational training and service programs designed to meet the needs of both students and the communities served.~~

~~(b) Specify, by rule, procedures to be used by the Florida College System institution boards of trustees in the annual evaluations of presidents and review the evaluations of presidents by the boards of trustees, including the extent to which presidents serve both institutional and system goals.~~

~~(c) Establish, in conjunction with the Board of Governors, an effective information system that will provide composite data concerning the Florida College System institutions and state universities and ensure that special analyses and studies concerning the institutions are conducted, as necessary, for provision of accurate and cost-effective information concerning the institutions.~~

~~(d) Establish criteria for making recommendations for modifying district boundary lines for Florida College System institutions, including criteria for service delivery areas of Florida College System institutions authorized to grant baccalaureate degrees.~~

~~(e) Establish criteria for making recommendations concerning all proposals for the establishment of additional centers or campuses for Florida College System institutions.~~



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811 ~~(f) Examine the annual administrative review of each~~
812 ~~Florida College System institution.~~
813 ~~(g) adopt and submit to the Legislature a 3-year list of~~
814 ~~priorities for fixed-capital-outlay projects. The State Board of~~
815 ~~Education may not amend the 3-year list of priorities of the~~
816 ~~Board of Governors or the State Board of Community Colleges.~~
817 ~~(5) The State Board of Education is responsible for~~
818 ~~reviewing and administering the state program of support for the~~
819 ~~Florida College System institutions and, subject to existing~~
820 ~~law, shall establish the tuition and out-of-state fees for~~
821 ~~developmental education and for credit instruction that may be~~
822 ~~counted toward an associate in arts degree, an associate in~~
823 ~~applied science degree, or an associate in science degree.~~
824 ~~(6) The State Board of Education shall prescribe minimum~~
825 ~~standards, definitions, and guidelines for Florida College~~
826 ~~System institutions that will ensure the quality of education,~~
827 ~~coordination among the Florida College System institutions and~~
828 ~~state universities, and efficient progress toward accomplishing~~
829 ~~the Florida College System institution mission. At a minimum,~~
830 ~~these rules must address:~~
831 ~~(a) Personnel.~~
832 ~~(b) Contracting.~~
833 ~~(c) Program offerings and classification, including~~
834 ~~college-level communication and computation skills associated~~
835 ~~with successful performance in college and with tests and other~~
836 ~~assessment procedures that measure student achievement of those~~
837 ~~skills. The performance measures must provide that students~~
838 ~~moving from one level of education to the next acquire the~~
839 ~~necessary competencies for that level.~~



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840 ~~(d) Provisions for curriculum development, graduation~~
841 ~~requirements, college calendars, and program service areas.~~
842 ~~These provisions must include rules that:~~
843 ~~1. Provide for the award of an associate in arts degree to~~
844 ~~a student who successfully completes 60 semester credit hours at~~
845 ~~the Florida College System institution.~~
846 ~~2. Require all of the credits accepted for the associate in~~
847 ~~arts degree to be in the statewide course numbering system as~~
848 ~~credits toward a baccalaureate degree offered by a state~~
849 ~~university or a Florida College System institution.~~
850 ~~3. Require no more than 36 semester credit hours in general~~
851 ~~education courses in the subject areas of communication,~~
852 ~~mathematics, social sciences, humanities, and natural sciences.~~
853 ~~The rules should encourage Florida College System institutions~~
854 ~~to enter into agreements with state universities that allow~~
855 ~~Florida College System institution students to complete upper-~~
856 ~~division-level courses at a Florida College System institution.~~
857 ~~An agreement may provide for concurrent enrollment at the~~
858 ~~Florida College System institution and the state university and~~
859 ~~may authorize the Florida College System institution to offer an~~
860 ~~upper-division-level course or distance learning.~~
861 ~~(e) Student admissions, conduct and discipline,~~
862 ~~nonclassroom activities, and fees.~~
863 ~~(f) Budgeting.~~
864 ~~(g) Business and financial matters.~~
865 ~~(h) Student services.~~
866 ~~(i) Reports, surveys, and information systems, including~~
867 ~~forms and dates of submission.~~
868



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869 Section 10. Subsections (7) through (17) of section
870 1001.03, Florida Statutes, are amended to read:
871 1001.03 Specific powers of State Board of Education.—
872 (7) ARTICULATION ACCOUNTABILITY.—The State Board of
873 Education shall develop articulation accountability measures
874 that assess the status of systemwide articulation processes, in
875 conjunction with the Board of Governors regarding the State
876 University System and the State Board of Community Colleges
877 regarding the Florida Community College System, and shall
878 establish an articulation accountability process in accordance
879 with the provisions of chapter 1008, in conjunction with the
880 Board of Governors regarding the State University System and the
881 State Board of Community Colleges regarding the Florida
882 Community College System.
883 (8) SYSTEMWIDE ENFORCEMENT.—The State Board of Education
884 shall enforce compliance with law and state board rule by all
885 school districts and public postsecondary educational
886 institutions, except for institutions within the State
887 University System and the Florida Community College System, in
888 accordance with the provisions of s. 1008.32.
889 (9) MANAGEMENT INFORMATION DATABASES.—The State Board of
890 Education, in conjunction with the Board of Governors regarding
891 the State University System and the State Board of Community
892 Colleges regarding the Florida Community College System, shall
893 continue to collect and maintain, at a minimum, the management
894 information databases for state universities, community
895 colleges, and all other components of the public K-20 education
896 system as such databases existed on June 30, 2002.
897 ~~(10) COMMON PLACEMENT TESTING FOR PUBLIC POSTSECONDARY~~



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898 ~~EDUCATION.—The State Board of Education, in conjunction with the~~
899 ~~Board of Governors, shall develop and implement a common~~
900 ~~placement test to assess the basic computation and communication~~
901 ~~skills of students who intend to enter a degree program at any~~
902 ~~Florida College System institution or state university.~~
903 ~~(10)(11)~~ MINIMUM STANDARDS FOR NONPUBLIC POSTSECONDARY
904 EDUCATION.—The State Board of Education shall adopt minimum
905 standards relating to nonpublic postsecondary education and
906 institutions, in accordance with the provisions of chapter 1005.
907 ~~(12) COMMON POSTSECONDARY DEFINITIONS.—The State Board of~~
908 ~~Education shall adopt, by rule, common definitions for associate~~
909 ~~in science degrees and for certificates.~~
910 ~~(13) CYCLIC REVIEW OF POSTSECONDARY ACADEMIC PROGRAMS.—The~~
911 ~~State Board of Education shall provide for the cyclic review of~~
912 ~~all academic programs in Florida College System institutions at~~
913 ~~least every 7 years. Program reviews shall document how~~
914 ~~individual academic programs are achieving stated student~~
915 ~~learning and program objectives within the context of the~~
916 ~~institution's mission. The results of the program reviews shall~~
917 ~~inform strategic planning, program development, and budgeting~~
918 ~~decisions at the institutional level.~~
919 ~~(11)(14)~~ UNIFORM CLASSIFICATION SYSTEM FOR SCHOOL DISTRICT
920 ADMINISTRATIVE AND MANAGEMENT PERSONNEL.—The State Board of
921 Education shall maintain a uniform classification system for
922 school district administrative and management personnel that
923 will facilitate the uniform coding of administrative and
924 management personnel to total district employees.
925 ~~(15) FLORIDA COLLEGE SYSTEM INSTITUTION BACCALAUREATE~~
926 ~~DEGREE PROGRAMS.—The State Board of Education shall provide for~~



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927 ~~the review and approval of proposals by Florida College System~~
928 ~~institutions to offer baccalaureate degree programs pursuant to~~
929 ~~s. 1007.33. A Florida College System institution, as defined in~~
930 ~~s. 1000.21, that is approved to offer baccalaureate degrees~~
931 ~~pursuant to s. 1007.33 remains under the authority of the State~~
932 ~~Board of Education and the Florida College System institution's~~
933 ~~board of trustees. The State Board of Education may not approve~~
934 ~~Florida College System institution baccalaureate degree program~~
935 ~~proposals from March 31, 2014, through May 31, 2015.~~
936 ~~(16) PLAN SPECIFYING GOALS AND OBJECTIVES. By July 1, 2013,~~
937 ~~the State Board of Education shall identify performance metrics~~
938 ~~for the Florida College System and develop a plan that specifies~~
939 ~~goals and objectives for each Florida College System~~
940 ~~institution. The plan must include:~~
941 ~~(a) Performance metrics and standards common for all~~
942 ~~institutions and metrics and standards unique to institutions~~
943 ~~depending on institutional core missions, including, but not~~
944 ~~limited to, remediation success, retention, graduation,~~
945 ~~employment, transfer rates, licensure passage, excess hours,~~
946 ~~student loan burden and default rates, job placement, faculty~~
947 ~~awards, and highly respected rankings for institution and~~
948 ~~program achievements.~~
949 ~~(b) Student enrollment and performance data delineated by~~
950 ~~method of instruction, including, but not limited to,~~
951 ~~traditional, online, and distance learning instruction.~~
952 (12)(17) UNIFIED STATE PLAN FOR SCIENCE, TECHNOLOGY,
953 ENGINEERING, AND MATHEMATICS (STEM).-The State Board of
954 Education, in consultation with the Board of Governors, the
955 State Board of Community Colleges, and the Department of



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956 Economic Opportunity, shall adopt a unified state plan to
957 improve K-20 STEM education and prepare students for high-skill,
958 high-wage, and high-demand employment in STEM and STEM-related
959 fields.
960 Section 11. Subsection (1), paragraphs (g) and (j) of
961 subsection (6), and subsection (7) of section 1001.10, Florida
962 Statutes, are amended to read:
963 1001.10 Commissioner of Education; general powers and
964 duties.-
965 (1) The Commissioner of Education is the chief educational
966 officer of the state and the sole custodian of the K-20 data
967 warehouse, and is responsible for giving full assistance to the
968 State Board of Education in enforcing compliance with the
969 mission and goals of the K-20 education system except for the
970 State University System and the Florida Community College
971 System.
972 (6) Additionally, the commissioner has the following
973 general powers and duties:
974 (g) To submit to the State Board of Education, on or before
975 October 1 of each year, recommendations for a coordinated K-20
976 education budget that estimates the expenditures for the Board
977 of Governors, the State Board of Community Colleges, the State
978 Board of Education, including the Department of Education and
979 the Commissioner of Education, and all of the boards,
980 institutions, agencies, and services under the general
981 supervision of the Board of Governors, the State Board of
982 Community Colleges, or the State Board of Education for the
983 ensuing fiscal year. Any program recommended to the State Board
984 of Education that will require increases in state funding for



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more than 1 year must be presented in a multiyear budget plan.

(j) To implement a program of school improvement and education accountability designed to provide all students the opportunity to make adequate learning gains in each year of school as provided by statute and State Board of Education rule based upon the achievement of the state education goals, recognizing the following:

1. The district school board is responsible for school and student performance.

2. The individual school is the unit for education accountability.

~~3. The Florida College System institution board of trustees is responsible for Florida College System institution performance and student performance.~~

~~(7) The commissioner, or the commissioner's designee, may conduct a review or investigation of practices, procedures, or actions at any Florida College System institution which appear to be inconsistent with sound financial, management, or academic practice.~~

Section 12. Paragraphs (c) through (f) of subsection (1) and subsection (3) of section 1001.11, Florida Statutes, are amended to read:

1001.11 Commissioner of Education; other duties.—

(1) The Commissioner of Education must independently perform the following duties:

(c) In cooperation with the Board of Governors and the State Board of Community Colleges, develop and implement a process for receiving and processing requests, in conjunction with the Legislature, for the allocation of PECO funds for



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qualified postsecondary education projects.

~~(d) Integrally work with the boards of trustees of the Florida College System institutions.~~

~~(d)~~ (e) Monitor the activities of the State Board of Education and provide information related to current and pending policies to the members of the boards of trustees of the Florida Community College System institutions and state universities.

~~(e)~~ (f) Ensure the timely provision of information requested by the Legislature from the State Board of Education, the commissioner's office, and the Department of Education.

(3) Notwithstanding any other provision of law to the contrary, the Commissioner of Education, in conjunction with the Legislature, and the Board of Governors regarding the State University System, and the State Board of Community Colleges regarding the Florida Community College System, must recommend funding priorities for the distribution of capital outlay funds for public postsecondary educational institutions, based on priorities that include, but are not limited to, the following criteria:

(a) Growth at the institutions.

(b) Need for specific skills statewide.

(c) Need for maintaining and repairing existing facilities.

Section 13. Paragraph (e) of subsection (4) of section 1001.20, Florida Statutes, is amended to read:

1001.20 Department under direction of state board.—

(4) The Department of Education shall establish the following offices within the Office of the Commissioner of Education which shall coordinate their activities with all other divisions and offices:



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1043 (e) *Office of Inspector General.*—Organized using existing
1044 resources and funds and responsible for promoting
1045 accountability, efficiency, and effectiveness and detecting
1046 fraud and abuse within school districts ~~and~~ the Florida School
1047 for the Deaf and the Blind, ~~and Florida College System~~
1048 ~~institutions in Florida.~~ If the Commissioner of Education
1049 determines that a district school board ~~or~~ the Board of
1050 Trustees for the Florida School for the Deaf and the Blind, ~~or a~~
1051 ~~Florida College System institution board of trustees is~~
1052 unwilling or unable to address substantiated allegations made by
1053 any person relating to waste, fraud, or financial mismanagement
1054 within the school district ~~or~~ the Florida School for the Deaf
1055 and the Blind, ~~or the Florida College System institution,~~ the
1056 office shall conduct, coordinate, or request investigations into
1057 such substantiated allegations. The office shall have access to
1058 all information and personnel necessary to perform its duties
1059 and shall have all of its current powers, duties, and
1060 responsibilities authorized in s. 20.055.

1061 Section 14. Section 1001.28, Florida Statutes, is amended
1062 to read:

1063 1001.28 Distance learning duties.—The duties of the
1064 Department of Education concerning distance learning include,
1065 but are not limited to, the duty to:

1066 (1) Facilitate the implementation of a statewide
1067 coordinated system and resource system for cost-efficient
1068 advanced telecommunications services and distance education
1069 which will increase overall student access to education.

1070 (2) Coordinate the use of existing resources, including,
1071 but not limited to, the state's satellite transponders, the



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1072 Florida Information Resource Network (FIRN), and distance
1073 learning initiatives.

1074 (3) Assist in the coordination of the utilization of the
1075 production and uplink capabilities available through Florida's
1076 public television stations, eligible facilities, independent
1077 colleges and universities, private firms, and others as needed.

1078 (4) Seek the assistance and cooperation of Florida's cable
1079 television providers in the implementation of the statewide
1080 advanced telecommunications services and distance learning
1081 network.

1082 (5) Seek the assistance and cooperation of Florida's
1083 telecommunications carriers to provide affordable student access
1084 to advanced telecommunications services and to distance
1085 learning.

1086 (6) Coordinate partnerships for development, acquisition,
1087 use, and distribution of distance learning.

1088 (7) Secure and administer funding for programs and
1089 activities for distance learning from federal, state, local, and
1090 private sources and from fees derived from services and
1091 materials.

1092 (8) Hire appropriate staff which may include a position
1093 that shall be exempt from part II of chapter 110 and is included
1094 in the Senior Management Service in accordance with s. 110.205.

1095
1096 Nothing in this section shall be construed to abrogate,
1097 supersede, alter, or amend the powers and duties of any state
1098 agency, district school board, Florida Community College System
1099 institution board of trustees, university board of trustees, the
1100 Board of Governors, the State Board of Community Colleges, or



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1101 the State Board of Education.

1102 Section 15. Effective July 1, 2017, subsection (26) of
1103 section 1001.42, Florida Statutes, is amended to read:

1104 1001.42 Powers and duties of district school board.—The
1105 district school board, acting as a board, shall exercise all
1106 powers and perform all duties listed below:

1107 (26) TECHNICAL CENTER GOVERNING BOARD.—May appoint a
1108 governing board for a school district technical center or a
1109 system of technical centers for the purpose of aligning the
1110 educational programs of the technical center with the needs of
1111 local businesses and responding quickly to the needs of local
1112 businesses for employees holding industry certifications. A
1113 technical center governing board shall be comprised of seven
1114 members, three of whom must be members of the district school
1115 board or their designees and four of whom must be local business
1116 leaders. The district school board shall delegate to the
1117 technical center governing board decisions regarding entrance
1118 requirements for students, curriculum, program development,
1119 budget and funding allocations, and the development with local
1120 businesses of partnership agreements and appropriate industry
1121 certifications in order to meet local and regional economic
1122 needs. A technical center governing board may approve only
1123 courses and programs that contain industry certifications. A
1124 course may be continued if at least 25 percent of the students
1125 enrolled in the course attain an industry certification. If
1126 fewer than 25 percent of the students enrolled in a course
1127 attain an industry certification, the course must be
1128 discontinued the following year. However, notwithstanding the
1129 authority to approve courses and programs under this subsection,



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1130 a technical center governing board may not approve a college
1131 credit course or a college credit certificate or an associate
1132 degree or baccalaureate degree program.

1133 Section 16. Effective July 1, 2017, section 1001.44,
1134 Florida Statutes, is amended to read:

1135 1001.44 Career centers; governance, mission, and
1136 responsibilities.—

1137 (1) DISTRICT SCHOOL BOARD MAY ESTABLISH OR ACQUIRE CAREER
1138 CENTERS.—Any district school board, after first obtaining the
1139 approval of the Department of Education, may, as a part of the
1140 district school system, organize, establish and operate a career
1141 center, or acquire and operate a career center previously
1142 established.

1143 (a) The primary mission of a career center that is operated
1144 by a district school board is to promote advances and
1145 innovations in workforce preparation and economic development. A
1146 career center may provide a learning environment that serves the
1147 needs of a specific population group or group of occupations,
1148 thus promoting diversity and choices within the public technical
1149 education community in this state.

1150 (b) A career center that is operated by a district school
1151 board may not offer a college credit course or a college credit
1152 certificate or an associate degree or baccalaureate degree
1153 program.

1154 (2) DISTRICT SCHOOL BOARDS OF CONTIGUOUS DISTRICTS MAY
1155 ESTABLISH OR ACQUIRE CAREER CENTERS.—The district school boards
1156 of any two or more contiguous districts may, upon first
1157 obtaining the approval of the department, enter into an
1158 agreement to organize, establish and operate, or acquire and



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operate, a career center under this section.

(3) CAREER CENTER PART OF DISTRICT SCHOOL SYSTEM DIRECTED BY A DIRECTOR.—

(a) A career center established or acquired under provisions of law and minimum standards prescribed by the commissioner shall comprise a part of the district school system and shall mean an educational institution offering terminal courses of a technical nature which are not for college credit, and courses for out-of-school youth and adults; shall be subject to all applicable provisions of this code; shall be under the control of the district school board of the school district in which it is located; and shall be directed by a director responsible through the district school superintendent to the district school board of the school district in which the center is located.

(b) Each career center shall maintain an academic transcript for each student enrolled in the center. Such transcript shall delineate each course completed by the student. Courses shall be delineated by the course prefix and title assigned pursuant to s. 1007.24. The center shall make a copy of a student's transcript available to any student who requests it.

Section 17. Effective July 1, 2017, section 1001.60, Florida Statutes, is amended to read:

1001.60 Florida Community College System.—

(1) PURPOSES.—In order to maximize open access for students, respond to community needs for postsecondary academic education and career degree education, and provide associate and baccalaureate degrees that will best meet the state's employment needs, the Legislature establishes a system of governance for



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the Florida Community College System.

(2) FLORIDA COMMUNITY COLLEGE SYSTEM.—There shall be a single Florida Community College System comprised of the Florida Community College System institutions identified in s. 1000.21(3). A Florida Community College System institution may not offer graduate degree programs.

(a) The programs and services offered by Florida Community College System institutions in providing associate and baccalaureate degrees shall be delivered in a cost-effective manner that demonstrates substantial savings to the student and to the state over the cost of providing the degree at a state university.

(b)1. With the approval of its district board of trustees, a Florida Community College System institution may change the institution's name set forth in s. 1000.21(3) and use the designation "college" or "state college" if it has been authorized to grant baccalaureate degrees pursuant to s. 1007.33 and has been accredited as a baccalaureate-degree-granting institution by the Commission on Colleges of the Southern Association of Colleges and Schools.

2. With the approval of its district board of trustees, a Florida Community College System institution that does not meet the criteria in subparagraph 1. may request approval from the State Board of Education to change the institution's name set forth in s. 1000.21(3) and use the designation "college." The State Board of Community Colleges Education may approve the request if the Florida Community College System institution enters into an agreement with the State Board of Community Colleges Education to do the following:



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1217 a. Maintain as its primary mission responsibility for
1218 responding to community needs for postsecondary academic
1219 education and career degree education as prescribed in s.
1220 1004.65(5).
1221 b. Maintain an open-door admissions policy for associate-
1222 level degree programs and workforce education programs.
1223 c. Continue to provide outreach to underserved populations.
1224 d. Continue to provide remedial education.
1225 e. Comply with all provisions of the statewide articulation
1226 agreement that relate to 2-year and 4-year public degree-
1227 granting institutions as adopted by the State Board of Community
1228 Colleges Education pursuant to s. 1007.23.
1229 (c) A district board of trustees that approves a change to
1230 the name of an institution under paragraph (b) must seek
1231 statutory codification of such name change in s. 1000.21(3)
1232 during the next regular legislative session.
1233 (d) A Florida Community College System institution may not
1234 use the designation "university."
1235 (3) LOCAL BOARDS OF TRUSTEES.—Each institution within the
1236 Florida Community College System shall be governed by a local
1237 board of trustees as provided in s. 1001.64. The membership of
1238 each local board of trustees shall be as provided in s. 1001.61.
1239 Section 18. Effective July 1, 2017, section 1001.601,
1240 Florida Statutes, is created to read:
1241 1001.601 State Board of Community Colleges of the Florida
1242 Community College System.—
1243 (1) The State Board of Community Colleges is established as
1244 a body corporate consisting of 13 members, which shall consist
1245 of the Commissioner of Education and 12 citizen members who are



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1246 appointed by the Governor in a manner that provides equitable
1247 geographical representation.
1248 (a) The 12 appointed citizen members must include a student
1249 enrolled in a Florida Community College System institution and a
1250 faculty member employed at a Florida Community College System
1251 institution.
1252 (b) Except for the student member, each citizen member must
1253 be confirmed by the Senate and must reside and be registered to
1254 vote in this state.
1255 (c) Except for the student member, who shall serve a 1-year
1256 term, appointed citizen members shall serve staggered 4-year
1257 terms. In order to achieve staggered terms, beginning September
1258 1, 2017, of the initial appointments, 3 members shall serve 2-
1259 year terms, 4 members shall serve 3-year terms, and 4 members
1260 shall serve 4-year terms.
1261 (2) Members of the State Board of Community Colleges may
1262 not receive compensation but may be reimbursed for travel and
1263 per diem expenses as provided in s. 112.061.
1264 Section 19. Section 1001.602, Florida Statutes, is created
1265 to read:
1266 1001.602 Powers and duties of the State Board of Community
1267 Colleges.—
1268 (1) RESPONSIBILITIES.—The State Board of Community Colleges
1269 is responsible for the efficient and effective operation and
1270 maintenance of the Florida Community College System, as defined
1271 in s. 1001.60. The State Board of Community Colleges may adopt
1272 rules pursuant to ss. 120.536(1) and 120.54 to implement
1273 provisions of law for the Florida Community College System. For
1274 the purposes of this section, the State Board of Community



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1275 Colleges is referred to as the "state board."

1276 (2) DUTIES.—The state board has the following duties:

1277 (a) Ensure Florida Community College System institutions
1278 operate consistent with the mission of the system, pursuant to
1279 s. 1004.65.

1280 (b) Oversee the Florida Community College System and
1281 coordinate with the Board of Governors and the State Board of
1282 Education to avoid wasteful duplication of facilities or
1283 programs.

1284 (c) Provide for each Florida Community College System
1285 institution to offer educational training and service programs
1286 designed to meet the needs of both students and the communities
1287 served.

1288 (d) Hold meetings, transact business, keep records, and,
1289 except as otherwise provided by law, perform such other duties
1290 as may be necessary for the enforcement of laws and rules
1291 relating to the Florida Community College System.

1292 (e) Provide for the coordination of educational plans and
1293 programs to resolve controversies, minimize problems of
1294 articulation and student transfers, ensure that students moving
1295 from one level of education to the next have acquired
1296 competencies necessary for satisfactory performance at that
1297 level, and ensure maximum utilization of facilities.

1298 (f) Establish and review, in consultation with the State
1299 Board of Education and the Board of Governors, minimum and
1300 uniform standards of college-level communication and computation
1301 skills generally associated with successful performance and
1302 progression through the baccalaureate level, to identify
1303 college-preparatory high school coursework and postsecondary-



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1304 level coursework that prepares students with the academic skills
1305 necessary to succeed in postsecondary education.

1306 (g) Approve plans for cooperating with the Federal
1307 Government.

1308 (h) Approve plans for cooperating with other public
1309 agencies in the development of rules and in the enforcement of
1310 laws for which the state board and the agencies are jointly
1311 responsible.

1312 (i) Create subordinate advisory bodies if required by law
1313 or as necessary for the improvement of the Florida Community
1314 College System.

1315 (j) Coordinate with the State Board of Education to collect
1316 and maintain data for the Florida Community College System.

1317 (k) Establish, in conjunction with the State Board of
1318 Education and the Board of Governors, an effective information
1319 system that will provide composite data concerning the Florida
1320 Community College System institutions and state universities and
1321 that will ensure that special analyses and studies concerning
1322 the institutions are conducted, as necessary, for provision of
1323 accurate and cost-effective information concerning the
1324 institutions.

1325 (l) Establish accountability standards for existing
1326 legislative performance goals, standards, and measures, and
1327 order the development of mechanisms to implement new legislative
1328 goals, standards, and measures.

1329 (m) Require each Florida Community College System
1330 institution, before registration, to provide each enrolled
1331 student electronic access to the economic security report of
1332 employment and earning outcomes prepared by the Department of



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1333 Economic Opportunity pursuant to s. 445.07.

1334 (n) Specify, by rule, procedures to be used by Florida
1335 Community College System institution boards of trustees in the
1336 annual evaluation of presidents, and review the evaluations of
1337 presidents by the boards of trustees, including the extent to
1338 which presidents serve both institutional and system goals.

1339 (o) Establish, subject to existing law, the tuition and
1340 out-of-state fees for developmental education and for credit
1341 instruction that may be counted toward an associate in arts
1342 degree, an associate in applied science degree, or an associate
1343 in science degree.

1344 (p) Develop, in conjunction with the Board of Governors and
1345 the State Board of Education, and implement a common placement
1346 test to assess the basic computation and communication skills of
1347 students who intend to enter a degree program at a Florida
1348 Community College System institution or state university.

1349 (q) May direct the Chancellor of the Florida Community
1350 College System to conduct investigations of practices,
1351 procedures, or actions at a Florida Community College System
1352 institution which appear to be inconsistent with sound
1353 financial, management, or academic practice.

1354 (r) Examine the annual administrative review of each
1355 Florida Community College System institution.

1356 (s) Through the Chancellor of the Florida Community College
1357 System, integrally work with the boards of trustees of the
1358 Florida Community College System institutions.

1359 (t) Establish criteria for making recommendations
1360 concerning all proposals to establish additional centers or
1361 campuses for a Florida Community College System institution.



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1362 (3) PLAN SPECIFYING GOALS AND OBJECTIVES.—To comply with
1363 the requirements under subsection (4) and the performance
1364 metrics and standards adopted under ss. 1001.66 and 1001.67, the
1365 state board shall identify performance metrics for the Florida
1366 Community College System and develop a plan that specifies goals
1367 and objectives for each Florida Community College System
1368 institution. The plan must include:

1369 (a) Performance metrics and standards common for all
1370 institutions and metrics and standards unique to institutions
1371 depending on institutional core missions, including, but not
1372 limited to, remediation success, retention, graduation,
1373 employment, transfer rates, licensure passage, excess hours,
1374 student loan burden and default rates, job placement, faculty
1375 awards, and highly respected rankings for institution and
1376 program achievements.

1377 (b) Student enrollment and performance data delineated by
1378 method of instruction, including, but not limited to,
1379 traditional, online, and distance learning instruction.

1380 (4) STRATEGIC PLAN, LONG-RANGE PLANS, AND OTHER PLANS.—

1381 (a) The state board shall adopt a strategic plan that
1382 specifies goals and objectives for the Florida Community College
1383 System. The plan must be formulated in conjunction with plans of
1384 the State Board of Education and the Board of Governors in order
1385 to coordinate the roles of the school districts and universities
1386 to best meet state needs and reflect cost-effective use of state
1387 resources. The strategic plan must clarify the mission
1388 statements of the Florida Community College System and each
1389 Florida Community College System institution and identify degree
1390 programs, including baccalaureate degree programs, to be offered



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1391 at each Florida Community College System institution in
1392 accordance with the objectives provided in this subsection and
1393 the coordinated 5-year plan pursuant to s. 1001.02(2)(v). The
1394 strategic plan must cover a period of 5 years, with modification
1395 of the program lists after 2 years. Development of each 5-year
1396 plan must be coordinated with and initiated after completion of
1397 the master plan. The strategic plan must consider reports and
1398 recommendations of the Higher Education Coordinating Council
1399 pursuant to s. 1004.015 and the Articulation Coordinating
1400 Committee pursuant to s. 1007.01. Upon modification of the plan,
1401 the state board shall submit a report to the President of the
1402 Senate and the Speaker of the House of Representatives as part
1403 of its legislative budget request.

1404 (b) The state board, the State Board of Education, and the
1405 Board of Governors shall jointly develop long-range plans and
1406 annual reports for financial aid in this state. The long-range
1407 plans must establish goals and objectives for a comprehensive
1408 program of financial aid for students and shall be updated every
1409 5 years. The annual report must include programs administered by
1410 the department as well as awards made from financial aid fee
1411 revenues, other funds appropriated by the Legislature for
1412 financial assistance, and the value of tuition and fees waived
1413 for students enrolled in a dual enrollment course at a public
1414 postsecondary educational institution. The annual report must
1415 include an assessment of the progress made in achieving goals
1416 and objectives established in the long-range plans and must
1417 include recommendations for repealing or modifying existing
1418 financial aid programs or establishing new programs. The state
1419 board, the State Board of Education, and the Board of Governors



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1420 shall submit their long-range plans by July 1, 2018, and every 5
1421 years thereafter and shall submit their annual reports on July
1422 1, 2018, and in each successive year that a long-range plan is
1423 not submitted, to the President of the Senate and the Speaker of
1424 the House of Representatives.

1425 (c) The state board shall also:

1426 1. Adopt comprehensive long-range plans and short-range
1427 programs for the development of the Florida Community College
1428 System.

1429 2. Assist in the economic development of the state by
1430 developing a state-level planning process to identify future
1431 training needs for industry, especially high-technology
1432 industry.

1433 3. Adopt criteria and implementation plans for future
1434 growth issues, such as new Florida Community College System
1435 institutions and Florida Community College System institution
1436 campus mergers, and provide for cooperative agreements between
1437 and within public and private education sectors.

1438 (5) MINIMUM STANDARDS AND GUIDELINES.—The state board shall
1439 prescribe minimum standards, definitions, and guidelines for
1440 Florida Community College System institutions which will ensure
1441 the quality of education, coordination among the Florida
1442 Community College System institutions and state universities,
1443 and efficient progress toward accomplishing the Florida
1444 Community College System institution's mission. At a minimum,
1445 these rules must address all of the following:

1446 (a) Personnel.

1447 (b) Contracting.

1448 (c) Program offerings and classification, including



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1449 college-level communication and computation skills associated
1450 with successful performance in college and with tests and other
1451 assessment procedures that measure student achievement of those
1452 skills. The performance measures must provide that students
1453 moving from one level of education to the next acquire the
1454 necessary competencies for that level.
1455 (d) Provisions for curriculum development, graduation
1456 requirements, college calendars, and program service areas.
1457 These provisions must include rules that:
1458 1. Provide for the award of an associate in arts degree to
1459 a student who successfully completes 60 semester credit hours at
1460 the Florida Community College System institution.
1461 2. Require all of the credits accepted for the associate in
1462 arts degree to be in the statewide course numbering system as
1463 credits toward a baccalaureate degree offered by a state
1464 university or a Florida Community College System institution.
1465 3. Require no more than 36 semester credit hours in general
1466 education courses in the subject areas of communication,
1467 mathematics, social sciences, humanities, and natural sciences.
1468
1469 The rules under this paragraph should encourage Florida
1470 Community College System institutions to enter into agreements
1471 with state universities which allow a Florida Community College
1472 System institution student to complete upper-division-level
1473 courses at a Florida Community College System institution. An
1474 agreement may provide for concurrent enrollment at the Florida
1475 Community College System institution and the state university
1476 and may authorize the Florida Community College System
1477 institution to offer an upper-division-level course or distance



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1478 learning.
1479 (e) Student admissions, conduct and discipline;
1480 nonclassroom activities; and fees.
1481 (f) Budgeting.
1482 (g) Business and financial matters.
1483 (h) Student services.
1484 (i) Reports, surveys, and information systems, including
1485 forms and dates of submission.
1486 (6) CYCLIC REVIEW OF ACADEMIC PROGRAMS.—The state board
1487 shall provide for the cyclic review of all academic programs in
1488 Florida Community College System institutions at least every 7
1489 years. Program reviews must document how individual academic
1490 programs are achieving stated student learning and program
1491 objectives within the context of the institution's mission. The
1492 results of the program reviews must inform strategic planning,
1493 program development, and budgeting decisions at the
1494 institutional level.
1495 (7) FLORIDA COMMUNITY COLLEGE SYSTEM INSTITUTION
1496 BACCALAUREATE DEGREE PROGRAMS.—The state board shall provide for
1497 the review and approval of proposals by Florida Community
1498 College System institutions to offer baccalaureate degree
1499 programs pursuant to s. 1007.33. A Florida Community College
1500 System institution, as defined in s. 1000.21, which is approved
1501 to offer baccalaureate degrees pursuant to s. 1007.33 remains
1502 under the authority of the state board and the Florida Community
1503 College System institution's board of trustees.
1504 (8) MODIFICATIONS TO SERVICE AREA.—The state board shall
1505 establish criteria for making recommendations for modifying
1506 district boundary lines for a Florida Community College System



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1507 institution, including criteria for service delivery areas of a
1508 Florida Community College System institution authorized to grant
1509 baccalaureate degrees.

1510 (9) PERFORMANCE OVERSIGHT.--The state board shall oversee
1511 the performance of Florida Community College System institution
1512 boards of trustees in enforcement of all laws and rules. Florida
1513 Community College System institution boards of trustees are
1514 primarily responsible for compliance with law and state board
1515 rule.

1516 (a) In order to ensure compliance with law or state board
1517 rule, the state board has the authority to request and receive
1518 information, data, and reports from Florida Community College
1519 System institutions. The Florida Community College System
1520 institution president is responsible for the accuracy of the
1521 information and data reported to the state board.

1522 (b) The Chancellor of the Florida Community College System
1523 may investigate allegations of noncompliance with law or state
1524 board rule and determine probable cause. The Chancellor shall
1525 report determinations of probable cause to the State Board of
1526 Community Colleges who shall require the Florida Community
1527 College System institution board of trustees to document
1528 compliance with law or state board rule.

1529 (c) If the Florida Community College System institution
1530 board of trustees cannot satisfactorily document compliance, the
1531 state board may order compliance within a specified timeframe.

1532 (d) If the state board determines that a Florida Community
1533 College System institution board of trustees is unwilling or
1534 unable to comply with law or state board rule within the
1535 specified time, the state board has the authority to initiate



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1536 any of the following actions:

1537 1. Report to the Legislature that the Florida Community
1538 College System institution is unwilling or unable to comply with
1539 law or state board rule and recommend that the Legislature take
1540 action against the institution;

1541 2. Withhold the transfer of state funds, discretionary
1542 grant funds, discretionary lottery funds, or any other funds
1543 specified as eligible for this purpose by the Legislature until
1544 the Florida Community College System institution complies with
1545 the law or state board rule;

1546 3. Declare the Florida Community College System institution
1547 ineligible for competitive grants; or

1548 4. Require monthly or periodic reporting on the situation
1549 related to noncompliance until it is remedied.

1550 (e) This section may not be construed to create a private
1551 cause of action or create any rights for individuals or entities
1552 in addition to those provided elsewhere in law or rule.

1553 (10) INSPECTOR GENERAL.--The inspector general is
1554 responsible for promoting accountability, efficiency, and
1555 effectiveness and detecting fraud and abuse within Florida
1556 Community College System institutions. If the Chancellor of the
1557 Florida Community College System determines that a Florida
1558 Community College System institution board of trustees is
1559 unwilling or unable to address substantiated allegations made by
1560 any person relating to waste, fraud, or financial mismanagement
1561 within the Florida Community College System institution, the
1562 inspector general shall conduct, coordinate, or request
1563 investigations into such substantiated allegations. The
1564 inspector general shall have access to all information and



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1565 personnel necessary to perform its duties and shall have all of
1566 his or her current powers, duties, and responsibilities
1567 authorized in s. 20.055.

1568 (11) COORDINATION WITH THE STATE BOARD OF EDUCATION.—The
1569 state board shall coordinate with the State Board of Education:

1570 (a) Pursuant to s. 1001.02(2)(e), in the adoption of a K-20
1571 education budget.

1572 (b) Pursuant to s. 1001.02(4)(g), to adopt and submit to
1573 the Legislature a 3-year list of priorities for fixed-capital-
1574 outlay projects.

1575 (12) COMMON POSTSECONDARY DEFINITIONS.—Adopt in
1576 collaboration with the State Board of Education, by rule,
1577 definitions for associate in science degrees and for
1578 certificates offered by Florida Community College System
1579 institutions.

1580 Section 20. Section 1001.61, Florida Statutes, is amended
1581 to read:

1582 1001.61 Florida Community College System institution boards
1583 of trustees; membership.—

1584 (1) Florida Community College System institution boards of
1585 trustees shall be comprised of five members when a Florida
1586 Community College System institution district is confined to one
1587 school board district; seven members when a Florida Community
1588 College System institution district is confined to one school
1589 board district and the board of trustees so elects; and not more
1590 than nine members when the district contains two or more school
1591 board districts, as provided by rules of the State Board of
1592 Community Colleges Education. However, Florida State College at
1593 Jacksonville shall have an odd number of trustees, and St. Johns



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1594 River State College shall have seven trustees from the three-
1595 county area that the college serves.

1596 (2) Trustees shall be appointed by the Governor to
1597 staggered 4-year terms, subject to confirmation by the Senate in
1598 regular session.

1599 (3) Members of the board of trustees shall receive no
1600 compensation but may receive reimbursement for expenses as
1601 provided in s. 112.061.

1602 (4) At its first regular meeting after July 1 of each year,
1603 each Florida Community College System institution board of
1604 trustees shall organize by electing a chair, whose duty as such
1605 is to preside at all meetings of the board, to call special
1606 meetings thereof, and to attest to actions of the board, and a
1607 vice chair, whose duty as such is to act as chair during the
1608 absence or disability of the elected chair. It is the further
1609 duty of the chair of each board of trustees to notify the
1610 Governor, in writing, whenever a board member fails to attend
1611 three consecutive regular board meetings in any one fiscal year,
1612 which absences may be grounds for removal.

1613 (5) A Florida Community College System institution
1614 president shall serve as the executive officer and corporate
1615 secretary of the board of trustees and shall be responsible to
1616 the board of trustees for setting the agenda for meetings of the
1617 board of trustees in consultation with the chair. The president
1618 also serves as the chief administrative officer of the Florida
1619 Community College System institution, and all the components of
1620 the institution and all aspects of its operation are responsible
1621 to the board of trustees through the president.

1622 Section 21. Section 1001.64, Florida Statutes, is amended



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to read:

1001.64 Florida Community College System institution boards of trustees; powers and duties.—

(1) The boards of trustees shall be responsible for cost-effective policy decisions appropriate to the Florida Community College System institution's mission, the implementation and maintenance of high-quality education programs within law and rules of the State Board of Community Colleges Education, the measurement of performance, the reporting of information, and the provision of input regarding state policy, budgeting, and education standards.

(2) Each board of trustees is vested with the responsibility to govern its respective Florida Community College System institution and with such necessary authority as is needed for the proper operation and improvement thereof in accordance with rules of the State Board of Community Colleges Education.

(3) A board of trustees shall have the power to take action without a recommendation from the president and shall have the power to require the president to deliver to the board of trustees all data and information required by the board of trustees in the performance of its duties. A board of trustees shall ask the Chancellor of the Florida Community College System ~~Commissioner of Education~~ to authorize an investigation of the president's actions by the State Board of Community College's ~~department's~~ inspector general if the board considers such investigation necessary. The inspector general shall provide a report detailing each issue under investigation and shall recommend corrective action. If the inspector general identifies



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potential legal violations, he or she shall refer the potential legal violations to the Commission on Ethics, the Department of Law Enforcement, the Attorney General, or another appropriate authority.

(4) (a) The board of trustees, after considering recommendations submitted by the Florida Community College System institution president, may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of law conferring duties upon it. These rules may supplement those prescribed by the State Board of Community Colleges Education if they will contribute to the more orderly and efficient operation of Florida Community College System institutions.

(b) Each board of trustees is specifically authorized to adopt rules, procedures, and policies, consistent with law and rules of the State Board of Community Colleges Education, related to its mission and responsibilities as set forth in s. 1004.65, its governance, personnel, budget and finance, administration, programs, curriculum and instruction, buildings and grounds, travel and purchasing, technology, students, contracts and grants, or college property.

(5) Each board of trustees shall have responsibility for the use, maintenance, protection, and control of Florida Community College System institution owned or Florida Community College System institution controlled buildings and grounds, property and equipment, name, trademarks and other proprietary marks, and the financial and other resources of the Florida Community College System institution. Such authority may include placing restrictions on activities and on access to facilities, firearms, food, tobacco, alcoholic beverages, distribution of



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printed materials, commercial solicitation, animals, and sound.

(6) Each board of trustees has responsibility for the establishment and discontinuance of program and course offerings in accordance with law and rule; provision for instructional and noninstructional community services, location of classes, and services provided; and dissemination of information concerning such programs and services. New programs must be approved pursuant to s. 1004.03.

(7) Each board of trustees has responsibility for+ ensuring that students have access to general education courses as identified in rule; requiring no more than 60 semester hours of degree program coursework, including 36 semester hours of general education coursework, for an associate in arts degree; notifying students that earned hours in excess of 60 semester hours may not be accepted by state universities; notifying students of unique program prerequisites; and ensuring that degree program coursework beyond general education coursework is consistent with degree program prerequisite requirements adopted pursuant to s. 1007.25(5).

(8) Each board of trustees has authority for policies related to students, enrollment of students, student records, student activities, financial assistance, and other student services.

(a) Each board of trustees shall govern admission of students pursuant to s. 1007.263 and rules of the State Board of Community Colleges Education. A board of trustees may establish additional admissions criteria, which shall be included in the dual enrollment articulation agreement developed according to s. 1007.271(21), to ensure student readiness for postsecondary



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instruction. Each board of trustees may consider the past actions of any person applying for admission or enrollment and may deny admission or enrollment to an applicant because of misconduct if determined to be in the best interest of the Florida Community College System institution.

(b) Each board of trustees shall adopt rules establishing student performance standards for the award of degrees and certificates pursuant to s. 1004.68.

(c) Boards of trustees are authorized to establish intrainstitutional and interinstitutional programs to maximize articulation pursuant to s. 1007.22.

(d) Boards of trustees shall identify their general education curricula pursuant to s. 1007.25(6).

(e) Each board of trustees must adopt a written antihazing policy, provide a program for the enforcement of such rules, and adopt appropriate penalties for violations of such rules pursuant to the provisions of s. 1006.63.

(f) Each board of trustees may establish a uniform code of conduct and appropriate penalties for violation of its rules by students and student organizations, including rules governing student academic honesty. Such penalties, unless otherwise provided by law, may include fines, the withholding of diplomas or transcripts pending compliance with rules or payment of fines, and the imposition of probation, suspension, or dismissal.

(g) Each board of trustees pursuant to s. 1006.53 shall adopt a policy in accordance with rules of the State Board of Community Colleges Education that reasonably accommodates the religious observance, practice, and belief of individual



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students in regard to admissions, class attendance, and the scheduling of examinations and work assignments.

(9) A board of trustees may contract with the board of trustees of a state university for the Florida Community College System institution to provide developmental education on the state university campus.

(10) Each board of trustees shall establish fees pursuant to ss. 1009.22, 1009.23, 1009.25, 1009.26, and 1009.27.

(11) Each board of trustees shall submit an institutional budget request, including a request for fixed capital outlay, and an operating budget to the State Board of Community Colleges Education for review in accordance with guidelines established by the State Board of Community Colleges Education.

(12) Each board of trustees shall account for expenditures of all state, local, federal, and other funds in the manner described by the State Board of Community Colleges Department of Education.

(13) Each board of trustees is responsible for the uses for the proceeds of academic improvement trust funds pursuant to s. 1011.85.

(14) Each board of trustees shall develop a strategic plan specifying institutional goals and objectives for the Florida Community College System institution for recommendation to the State Board of Community Colleges Education.

(15) Each board of trustees shall develop an accountability plan pursuant to s. 1008.45.

(16) Each board of trustees must expend performance funds provided for workforce education pursuant to the provisions of s. 1011.80.



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(17) Each board of trustees is accountable for performance in certificate career education and diploma programs pursuant to s. 1008.43.

(18) Each board of trustees shall establish the personnel program for all employees of the Florida Community College System institution, including the president, pursuant to the provisions of chapter 1012 and rules and guidelines of the State Board of Community Colleges Education, including: compensation and other conditions of employment; recruitment and selection; nonreappointment; standards for performance and conduct; evaluation; benefits and hours of work; leave policies; recognition; inventions and work products; travel; learning opportunities; exchange programs; academic freedom and responsibility; promotion; assignment; demotion; transfer; ethical obligations and conflict of interest; restrictive covenants; disciplinary actions; complaints; appeals and grievance procedures; and separation and termination from employment.

(19) Each board of trustees shall appoint, suspend, or remove the president of the Florida Community College System institution. The board of trustees may appoint a search committee. The board of trustees shall conduct annual evaluations of the president in accordance with rules of the State Board of Community Colleges Education and submit such evaluations to the State Board of Community Colleges Education for review. The evaluation must address the achievement of the performance goals established by the accountability process implemented pursuant to s. 1008.45 and the performance of the president in achieving the annual and long-term goals and



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1797 objectives established in the Florida Community College System
1798 institution's employment accountability program implemented
1799 pursuant to s. 1012.86.

1800 (20) Each board of trustees is authorized to enter into
1801 contracts to provide a State Community College System Optional
1802 Retirement Program pursuant to s. 1012.875 and to enter into
1803 consortia with other boards of trustees for this purpose.

1804 (21) Each board of trustees is authorized to purchase
1805 annuities for its Florida Community College System institution
1806 personnel who have 25 or more years of creditable service and
1807 who have reached age 55 and have applied for retirement under
1808 the Florida Retirement System pursuant to the provisions of s.
1809 1012.87.

1810 (22) A board of trustees may defray all costs of defending
1811 civil actions against officers, employees, or agents of the
1812 board of trustees pursuant to s. 1012.85.

1813 (23) Each board of trustees has authority for risk
1814 management, safety, security, and law enforcement operations.
1815 Each board of trustees is authorized to employ personnel,
1816 including police officers pursuant to s. 1012.88, to carry out
1817 the duties imposed by this subsection.

1818 (24) Each board of trustees shall provide rules governing
1819 parking and the direction and flow of traffic within campus
1820 boundaries. Except for sworn law enforcement personnel, persons
1821 employed to enforce campus parking rules have no authority to
1822 arrest or issue citations for moving traffic violations. The
1823 board of trustees may adopt a uniform code of appropriate
1824 penalties for violations. Such penalties, unless otherwise
1825 provided by law, may include the levying of fines, the



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1826 withholding of diplomas or transcripts pending compliance with
1827 rules or payment of fines, and the imposition of probation,
1828 suspension, or dismissal. Moneys collected from parking rule
1829 infractions shall be deposited in appropriate funds at each
1830 Florida Community College System institution for student
1831 financial aid purposes.

1832 (25) Each board of trustees constitutes the contracting
1833 agent of the Florida Community College System institution. It
1834 may when acting as a body make contracts, sue, and be sued in
1835 the name of the board of trustees. In any suit, a change in
1836 personnel of the board of trustees shall not abate the suit,
1837 which shall proceed as if such change had not taken place.

1838 (26) Each board of trustees is authorized to contract for
1839 the purchase, sale, lease, license, or acquisition in any
1840 manner, including purchase by installment or lease-purchase
1841 contract which may provide for the payment of interest on the
1842 unpaid portion of the purchase price and for the granting of a
1843 security interest in the items purchased, subject to the
1844 provisions of subsection (38) and ss. 1009.22 and 1009.23, of
1845 goods, materials, equipment, and services required by the
1846 Florida Community College System institution. The board of
1847 trustees may choose to consolidate equipment contracts under
1848 master equipment financing agreements made pursuant to s.
1849 287.064.

1850 (27) Each board of trustees shall be responsible for
1851 managing and protecting real and personal property acquired or
1852 held in trust for use by and for the benefit of such Florida
1853 Community College System institution. To that end, any board of
1854 trustees is authorized to be self-insured, to enter into risk



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1855 management programs, or to purchase insurance for whatever
1856 coverage it may choose, or to have any combination thereof, in
1857 anticipation of any loss, damage, or destruction. A board of
1858 trustees may contract for self-insurance services pursuant to s.
1859 1004.725.

1860 (28) Each board of trustees is authorized to enter into
1861 agreements for, and accept, credit card, charge card, and debit
1862 card payments as compensation for goods, services, tuition, and
1863 fees. Each Florida Community College System institution is
1864 further authorized to establish accounts in credit card, charge
1865 card, and debit card banks for the deposit of sales invoices.

1866 (29) Each board of trustees may provide incubator
1867 facilities to eligible small business concerns pursuant to s.
1868 1004.79.

1869 (30) Each board of trustees may establish a technology
1870 transfer center for the purpose of providing institutional
1871 support to local business and industry and governmental agencies
1872 in the application of new research in technology pursuant to the
1873 provisions of s. 1004.78.

1874 (31) Each board of trustees may establish economic
1875 development centers for the purpose of serving as liaisons
1876 between Florida Community College System institutions and the
1877 business sector pursuant to the provisions of s. 1004.80.

1878 (32) Each board of trustees may establish a child
1879 development training center pursuant to s. 1004.81.

1880 (33) Each board of trustees is authorized to develop and
1881 produce work products relating to educational endeavors that are
1882 subject to trademark, copyright, or patent statutes pursuant to
1883 chapter 1004.



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1884 (34) Each board of trustees shall administer the facilities
1885 program pursuant to chapter 1013, including but not limited to:
1886 the construction of public educational and ancillary plants; the
1887 acquisition and disposal of property; compliance with building
1888 and life safety codes; submission of data and information
1889 relating to facilities and construction; use of buildings and
1890 grounds; establishment of safety and sanitation programs for the
1891 protection of building occupants; and site planning and
1892 selection.

1893 (35) Each board of trustees may exercise the right of
1894 eminent domain pursuant to the provisions of chapter 1013.

1895 (36) Each board of trustees may enter into lease-purchase
1896 arrangements with private individuals or corporations for
1897 necessary grounds and buildings for Florida Community College
1898 System institution purposes, other than dormitories, or for
1899 buildings other than dormitories to be erected for Florida
1900 Community College System institution purposes. Such arrangements
1901 shall be paid from capital outlay and debt service funds as
1902 provided by s. 1011.84(2), with terms not to exceed 30 years at
1903 a stipulated rate. The provisions of such contracts, including
1904 building plans, are subject to approval by the Department of
1905 Education, and no such contract may be entered into without such
1906 approval.

1907 (37) Each board of trustees may purchase, acquire, receive,
1908 hold, own, manage, lease, sell, dispose of, and convey title to
1909 real property, in the best interests of the Florida Community
1910 College System institution.

1911 (38) Each board of trustees is authorized to enter into
1912 short-term loans and installment, lease-purchase, and other



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1913 financing contracts for a term of not more than 5 years,
1914 including renewals, extensions, and refundings. Payments on
1915 short-term loans and installment, lease-purchase, and other
1916 financing contracts pursuant to this subsection shall be subject
1917 to annual appropriation by the board of trustees. Each board of
1918 trustees is authorized to borrow funds and incur long-term debt,
1919 including promissory notes, installment sales agreements, lease-
1920 purchase agreements, certificates of participation, and other
1921 similar long-term financing arrangements, only as specifically
1922 provided in ss. 1009.22(6) and (9) and 1009.23(11) and (12). At
1923 the option of the board of trustees, bonds issued pursuant to
1924 ss. 1009.22(6) and (9) and 1009.23(11) and (12) may be secured
1925 by a combination of revenues authorized to be pledged to bonds
1926 pursuant to such subsections. Revenue bonds may not be secured
1927 by or paid from, directly or indirectly, tuition, financial aid
1928 fees, the Florida Community College System Program Fund, or any
1929 other operating revenues of a Florida Community College System
1930 institution. Lease-purchase agreements may be secured by a
1931 combination of revenues as specifically authorized pursuant to
1932 ss. 1009.22(7) and 1009.23(10).

1933 (39) Each board of trustees shall prescribe conditions for
1934 direct-support organizations to be certified and to use Florida
1935 Community College System institution property and services.
1936 Conditions relating to certification must provide for audit
1937 review and oversight by the board of trustees.

1938 (40) Each board of trustees may adopt policies pursuant to
1939 s. 1010.02 that provide procedures for transferring to the
1940 direct-support organization of that Florida Community College
1941 System institution for administration by such organization



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1942 contributions made to the Florida Community College System
1943 institution.

1944 (41) The board of trustees shall exert every effort to
1945 collect all delinquent accounts pursuant to s. 1010.03.

1946 (42) Each board of trustees shall implement a plan, in
1947 accordance with guidelines of the State Board of Community
1948 Colleges Education, for working on a regular basis with the
1949 other Florida Community College System institution boards of
1950 trustees, representatives of the university boards of trustees,
1951 and representatives of the district school boards to achieve the
1952 goals of the seamless education system.

1953 (43) Each board of trustees has responsibility for
1954 compliance with state and federal laws, rules, regulations, and
1955 requirements.

1956 (44) Each board of trustees may adopt rules, procedures,
1957 and policies related to institutional governance,
1958 administration, and management in order to promote orderly and
1959 efficient operation, including, but not limited to, financial
1960 management, budget management, physical plant management, and
1961 property management.

1962 (45) Each board of trustees may adopt rules and procedures
1963 related to data or technology, including, but not limited to,
1964 information systems, communications systems, computer hardware
1965 and software, and networks.

1966 (46) Each board of trustees may consider the past actions
1967 of any person applying for employment and may deny employment to
1968 a person because of misconduct if determined to be in the best
1969 interest of the Florida Community College System institution.

1970 (47) Each contract or employment agreement, or renewal or



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renegotiation of an existing contract or employment agreement, containing a provision for severance pay with an officer, agent, employee, or contractor must include the provisions required in s. 215.425.

(48) Each board of trustees shall use purchasing agreements and state term contracts pursuant to s. 287.056 or enter into consortia and cooperative agreements to maximize the purchasing power for goods and services. A consortium or cooperative agreement may be statewide, regional, or a combination of institutions, as appropriate to achieve the lowest cost, with the goal of achieving a 5-percent savings on existing contract prices through the use of new cooperative arrangements or new consortium contracts.

Section 22. Section 1001.65, Florida Statutes, is amended to read:

1001.65 Florida Community College System institution presidents; powers and duties.—The president is the chief executive officer of the Florida Community College System institution, shall be corporate secretary of the Florida Community College System institution board of trustees, and is responsible for the operation and administration of the Florida Community College System institution. Each Florida Community College System institution president shall:

(1) Recommend the adoption of rules, as appropriate, to the Florida Community College System institution board of trustees to implement provisions of law governing the operation and administration of the Florida Community College System institution, which shall include the specific powers and duties enumerated in this section. Such rules shall be consistent with



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law, the mission of the Florida Community College System institution, and the rules and policies of the State Board of Community Colleges ~~Education~~.

(2) Prepare a budget request and an operating budget pursuant to s. 1011.30 for approval by the Florida Community College System institution board of trustees at such time and in such format as the State Board of Community Colleges ~~Education~~ may prescribe.

(3) Establish and implement policies and procedures to recruit, appoint, transfer, promote, compensate, evaluate, reward, demote, discipline, and remove personnel, within law and rules of the State Board of Community College ~~Education~~ and in accordance with rules or policies approved by the Florida Community College System institution board of trustees.

(4) Govern admissions, subject to law and rules or policies of the Florida Community College System institution board of trustees and the State Board of Community Colleges ~~Education~~.

(5) Approve, execute, and administer contracts for and on behalf of the Florida Community College System institution board of trustees for licenses; the acquisition or provision of commodities, goods, equipment, and services; leases of real and personal property; and planning and construction to be rendered to or by the Florida Community College System institution, provided such contracts are within law and guidelines of the State Board of Community Colleges ~~Education~~ and in conformance with policies of the Florida Community College System institution board of trustees, and are for the implementation of approved programs of the Florida Community College System institution.



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2029 (6) Act for the Florida Community College System
2030 institution board of trustees as custodian of all Florida
2031 Community College System institution property and financial
2032 resources. The authority vested in the Florida Community College
2033 System institution president under this subsection includes the
2034 authority to prioritize the use of Florida Community College
2035 System institution space, property, equipment, and resources and
2036 the authority to impose charges for the use of those items.

2037 (7) Establish the internal academic calendar of the Florida
2038 Community College System institution within general guidelines
2039 of the State Board of Community Colleges Education.

2040 (8) Administer the Florida Community College System
2041 institution's program of intercollegiate athletics.

2042 (9) Recommend to the board of trustees the establishment
2043 and termination of programs within the approved role and scope
2044 of the Florida Community College System institution.

2045 (10) Award degrees.

2046 (11) Recommend to the board of trustees a schedule of
2047 tuition and fees to be charged by the Florida Community College
2048 System institution, within law and rules of the State Board of
2049 Community Colleges Education.

2050 (12) Organize the Florida Community College System
2051 institution to efficiently and effectively achieve the goals of
2052 the Florida Community College System institution.

2053 (13) Review periodically the operations of the Florida
2054 Community College System institution in order to determine how
2055 effectively and efficiently the Florida Community College System
2056 institution is being administered and whether it is meeting the
2057 goals of its strategic plan adopted by the State Board of



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2058 Community Colleges Education.

2059 (14) Enter into agreements for student exchange programs
2060 that involve students at the Florida Community College System
2061 institution and students in other institutions of higher
2062 learning.

2063 (15) Approve the internal procedures of student government
2064 organizations and provide purchasing, contracting, and budgetary
2065 review processes for these organizations.

2066 (16) Ensure compliance with federal and state laws, rules,
2067 regulations, and other requirements that are applicable to the
2068 Florida Community College System institution.

2069 (17) Maintain all data and information pertaining to the
2070 operation of the Florida Community College System institution,
2071 and report on the attainment by the Florida Community College
2072 System institution of institutional and statewide performance
2073 accountability goals.

2074 (18) Certify to the department a project's compliance with
2075 the requirements for expenditure of PECO funds prior to release
2076 of funds pursuant to ~~the provisions of~~ chapter 1013.

2077 (19) Provide to the law enforcement agency and fire
2078 department that has jurisdiction over the Florida Community
2079 College System institution a copy of the floor plans and other
2080 relevant documents for each educational facility as defined in
2081 s. 1013.01(6). After the initial submission of the floor plans
2082 and other relevant documents, the Florida Community College
2083 System institution president shall submit, by October 1 of each
2084 year, revised floor plans and other relevant documents for each
2085 educational facility that was modified during the preceding
2086 year.



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2087 (20) Develop and implement jointly with school
2088 superintendents a comprehensive dual enrollment articulation
2089 agreement for the students enrolled in their respective school
2090 districts and service areas pursuant to s. 1007.271(21).

2091 (21) Have authority, after notice to the student of the
2092 charges and after a hearing thereon, to expel, suspend, or
2093 otherwise discipline any student who is found to have violated
2094 any law, ordinance, or rule or regulation of the State Board of
2095 Community Colleges Education or of the board of trustees of the
2096 Florida Community College System institution pursuant to the
2097 provisions of s. 1006.62.

2098 (22) Submit an annual employment accountability plan to the
2099 State Board of Community Colleges Department of Education
2100 pursuant to the provisions of s. 1012.86.

2101 (23) Annually evaluate, or have a designee annually
2102 evaluate, each department chairperson, dean, provost, and vice
2103 president in achieving the annual and long-term goals and
2104 objectives of the Florida Community College System institution's
2105 employment accountability plan.

2106 (24) Have vested with the president or the president's
2107 designee the authority that is vested with the Florida Community
2108 College System institution.

2109 Section 23. Section 1001.66, Florida Statutes, is amended
2110 to read:

2111 1001.66 Florida Community College System Performance-Based
2112 Incentive.—

2113 (1) A Florida Community College System Performance-Based
2114 Incentive shall be awarded to Florida Community College System
2115 institutions using performance-based metrics adopted by the



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2116 State Board of Community Colleges Education. The performance-
2117 based metrics must include retention rates; program completion
2118 and graduation rates; postgraduation employment, salaries, and
2119 continuing education for workforce education and baccalaureate
2120 programs, with wage thresholds that reflect the added value of
2121 the certificate or degree; and outcome measures appropriate for
2122 associate of arts degree recipients. The state board shall adopt
2123 benchmarks to evaluate each institution's performance on the
2124 metrics to measure the institution's achievement of
2125 institutional excellence or need for improvement and the minimum
2126 requirements for eligibility to receive performance funding.

2127 (2) Each fiscal year, the amount of funds available for
2128 allocation to the Florida Community College System institutions
2129 based on the performance-based funding model shall consist of
2130 the state's investment in performance funding plus institutional
2131 investments consisting of funds to be redistributed from the
2132 base funding of the Florida Community College System Program
2133 Fund as determined in the General Appropriations Act. The State
2134 Board of Community Colleges Education shall establish minimum
2135 performance funding eligibility thresholds for the state's
2136 investment and the institutional investments. An institution
2137 that meets the minimum institutional investment eligibility
2138 threshold, but fails to meet the minimum state investment
2139 eligibility threshold, shall have its institutional investment
2140 restored but is ineligible for a share of the state's investment
2141 in performance funding. The institutional investment shall be
2142 restored for all institutions eligible for the state's
2143 investment under the performance-based funding model.

2144 (3) (a) Each Florida Community College System institution's



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2145 share of the performance funding shall be calculated based on
2146 its relative performance on the established metrics in
2147 conjunction with the institutional size and scope.

2148 (b) A Florida Community College System institution that
2149 fails to meet the State Board of Community Colleges' Education's
2150 minimum institutional investment performance funding eligibility
2151 threshold shall have a portion of its institutional investment
2152 withheld by the state board and must submit an improvement plan
2153 to the state board which specifies the activities and strategies
2154 for improving the institution's performance. The state board
2155 must review and approve the improvement plan and, if the plan is
2156 approved, must monitor the institution's progress in
2157 implementing the activities and strategies specified in the
2158 improvement plan. The institution shall submit monitoring
2159 reports to the state board by December 31 and May 31 of each
2160 year in which an improvement plan is in place. Beginning in the
2161 2017-2018 fiscal year, the ability of an institution to submit
2162 an improvement plan to the state board is limited to 1 fiscal
2163 year.

2164 (c) The Chancellor of the Florida Community College System
2165 Commissioner of Education shall withhold disbursement of the
2166 institutional investment until the monitoring report is approved
2167 by the State Board of Community Colleges Education. A Florida
2168 Community College System institution determined by the state
2169 board to be making satisfactory progress on implementing the
2170 improvement plan shall receive no more than one-half of the
2171 withheld institutional investment in January and the balance of
2172 the withheld institutional investment in June. An institution
2173 that fails to make satisfactory progress may not have its full



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2174 institutional investment restored. Any institutional investment
2175 funds that are not restored shall be redistributed in accordance
2176 with the state board's performance-based metrics.

2177 (4) Distributions of performance funding, as provided in
2178 this section, shall be made to each of the Florida Community
2179 College System institutions listed in the Florida Community
2180 Colleges category in the General Appropriations Act.

2181 (5) By October 1 of each year, the State Board of Community
2182 Colleges Education shall submit to the Governor, the President
2183 of the Senate, and the Speaker of the House of Representatives a
2184 report on the previous fiscal year's performance funding
2185 allocation, which must reflect the rankings and award
2186 distributions.

2187 (6) The State Board of Community Colleges Education shall
2188 adopt rules to administer this section.

2189 Section 24. Section 1001.67, Florida Statutes, is amended
2190 to read:

2191 1001.67 Distinguished Florida Community College System
2192 Institution Program.—A collaborative partnership is established
2193 between the State Board of Community Colleges Education and the
2194 Legislature to recognize the excellence of Florida's highest-
2195 performing Florida Community College System institutions.

2196 (1) EXCELLENCE STANDARDS.—The following excellence
2197 standards are established for the program:

2198 (a) A 150 percent-of-normal-time completion rate of 50
2199 percent or higher, as calculated by the Division of Florida
2200 Colleges.

2201 (b) A 150 percent-of-normal-time completion rate for Pell
2202 Grant recipients of 40 percent or higher, as calculated by the



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2203 ~~State Board of Community Division of Florida~~ Colleges.

2204 (c) A retention rate of 70 percent or higher, as calculated
2205 by the ~~State Board of Community Division of Florida~~ Colleges.

2206 (d) A continuing education, or transfer, rate of 72 percent
2207 or higher for students graduating with an associate of arts
2208 degree, as reported by the Florida Education and Training
2209 Placement Information Program (FETPIP).

2210 (e) A licensure passage rate on the National Council
2211 Licensure Examination for Registered Nurses (NCLEX-RN) of 90
2212 percent or higher for first-time exam takers, as reported by the
2213 Board of Nursing.

2214 (f) A job placement or continuing education rate of 88
2215 percent or higher for workforce programs, as reported by FETPIP.

2216 (g) A time-to-degree for students graduating with an
2217 associate of arts degree of 2.25 years or less for first-time-
2218 in-college students with accelerated college credits, as
2219 reported by the Southern Regional Education Board.

2220 (2) DISTINGUISHED COLLEGE DESIGNATION.—The State Board of
2221 ~~Community Colleges Education~~ shall designate each Florida
2222 ~~Community~~ College System institution that meets five of the
2223 seven standards identified in subsection (1) as a distinguished
2224 college.

2225 (3) DISTINGUISHED COLLEGE SUPPORT.—A Florida Community
2226 College System institution designated as a distinguished college
2227 by the State Board of ~~Community Colleges Education~~ is eligible
2228 for funding as specified in the General Appropriations Act.

2229 Section 25. Subsection (9) of section 1001.706, Florida
2230 Statutes, is amended to read:

2231 1001.706 Powers and duties of the Board of Governors.—



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2232 (9) COOPERATION WITH OTHER BOARDS.—The Board of Governors
2233 shall implement a plan for working on a regular basis with the
2234 State Board of Education, the State Board of Community Colleges,
2235 the Commission for Independent Education, the Higher Education
2236 Coordinating Council, the Articulation Coordinating Committee,
2237 the university boards of trustees, representatives of the
2238 Florida Community College System institution boards of trustees,
2239 representatives of the private colleges and universities, and
2240 representatives of the district school boards to achieve a
2241 seamless education system.

2242 Section 26. Subsections (1) and (18) of section 1002.34,
2243 Florida Statutes, are amended to read:

2244 1002.34 Charter technical career centers; governance,
2245 mission, and responsibilities.—

2246 (1) MISSION AND AUTHORIZATION.—

2247 (a) The primary mission of a charter technical career
2248 center is to promote ~~The Legislature finds that the~~
2249 ~~establishment of charter technical career centers can assist in~~
2250 ~~promoting~~ advances and innovations in workforce preparation and
2251 economic development. A charter technical career center may
2252 provide a learning environment that ~~better~~ serves the needs of a
2253 specific population group or a group of occupations, thus
2254 promoting diversity and choices within the public education and
2255 public postsecondary technical education community in this
2256 state. Therefore, the creation of such centers is authorized as
2257 part of the state's program of public education. A charter
2258 technical career center may be formed by creating a new school
2259 or converting an existing school district or Florida Community
2260 College System institution program to charter technical status.



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2261 (b) A charter technical career center that is operated by a
2262 district school board may not offer a college credit course or a
2263 college credit certificate or an associate degree or
2264 baccalaureate degree program.

2265 (18) RULES.—The State Board of Education, for technical
2266 centers operated by school districts, and the State Board of
2267 Community Colleges, for technical centers operated by Florida
2268 Community College System institutions, shall adopt rules,
2269 pursuant to ss. 120.536(1) and 120.54, relating to the
2270 implementation of charter technical career centers, including
2271 rules to implement a charter model application form and an
2272 evaluation instrument in accordance with this section.

2273 Section 27. Paragraph (b) of subsection (4) of section
2274 1003.491, Florida Statutes, is amended to read:

2275 1003.491 Florida Career and Professional Education Act.—The
2276 Florida Career and Professional Education Act is created to
2277 provide a statewide planning partnership between the business
2278 and education communities in order to attract, expand, and
2279 retain targeted, high-value industry and to sustain a strong,
2280 knowledge-based economy.

2281 (4) The State Board of Education shall establish a process
2282 for the continual and uninterrupted review of newly proposed
2283 core secondary courses and existing courses requested to be
2284 considered as core courses to ensure that sufficient rigor and
2285 relevance is provided for workforce skills and postsecondary
2286 education and aligned to state curriculum standards.

2287 (b) The curriculum review committee shall review newly
2288 proposed core courses electronically. Each proposed core course
2289 shall be approved or denied within 30 days after submission by a



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2290 district school board or local workforce development board. All
2291 courses approved as core courses for purposes of middle school
2292 promotion and high school graduation shall be immediately added
2293 to the Course Code Directory. Approved core courses shall also
2294 be reviewed and considered for approval for dual enrollment
2295 credit. The Board of Governors, the State Board of Community
2296 Colleges, and the Commissioner of Education shall jointly
2297 recommend an annual deadline for approval of new core courses to
2298 be included for purposes of postsecondary admissions and dual
2299 enrollment credit the following academic year. The State Board
2300 of Education shall establish an appeals process in the event
2301 that a proposed course is denied which shall require a consensus
2302 ruling by the Department of Economic Opportunity and the
2303 Commissioner of Education within 15 days.

2304 Section 28. Paragraph (b) of subsection (4) of section
2305 1003.493, Florida Statutes, is amended to read:

2306 1003.493 Career and professional academies and career-
2307 themed courses.—

2308 (4) Each career and professional academy and secondary
2309 school providing a career-themed course must:

2310 (b) Include one or more partnerships with postsecondary
2311 institutions, businesses, industry, employers, economic
2312 development organizations, or other appropriate partners from
2313 the local community. Such partnerships with postsecondary
2314 institutions shall be delineated in articulation agreements and
2315 include any career and professional academy courses or career-
2316 themed courses that earn postsecondary credit. Such agreements
2317 may include articulation between the secondary school and public
2318 or private 2-year and 4-year postsecondary institutions and



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2319 technical centers. The Department of Education, in consultation
2320 with the Board of Governors and the State Board of Community
2321 Colleges, shall establish a mechanism to ensure articulation and
2322 transfer of credits to postsecondary institutions in this state.
2323 Such partnerships must provide opportunities for:

- 2324 1. Instruction from highly skilled professionals who
- 2325 possess industry-certification credentials for courses they are
- 2326 teaching.
- 2327 2. Internships, externships, and on-the-job training.
- 2328 3. A postsecondary degree, diploma, or certificate.
- 2329 4. The highest available level of industry certification.
- 2330 5. Maximum articulation of credits pursuant to s. 1007.23
- 2331 upon program completion.

2332 Section 29. Subsections (4), (5), and (6) of section
2333 1004.015, Florida Statutes, are amended to read:

2334 1004.015 Higher Education Coordinating Council.—

2335 (4) The council shall serve as an advisory board to the
2336 Legislature, the State Board of Education, ~~and~~ the Board of
2337 Governors, and the State Board of Community Colleges.
2338 Recommendations of the council shall be consistent with the
2339 following guiding principles:

2340 (a) To achieve within existing resources a seamless
2341 academic educational system that fosters an integrated continuum
2342 of kindergarten through graduate school education for Florida's
2343 students.

2344 (b) To promote consistent education policy across all
2345 educational delivery systems, focusing on students.

2346 (c) To promote substantially improved articulation across
2347 all educational delivery systems.



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2348 (d) To promote a system that maximizes educational access
2349 and allows the opportunity for a high-quality education for all
2350 Floridians.

2351 (e) To promote a system of coordinated and consistent
2352 transfer of credit and data collection for improved
2353 accountability purposes between the educational delivery
2354 systems.

2355 (5) The council shall annually by December 31 submit to the
2356 Governor, the President of the Senate, the Speaker of the House
2357 of Representatives, the Board of Governors, the State Board of
2358 Community Colleges, and the State Board of Education a report
2359 outlining its recommendations relating to:

2360 (a) The primary core mission of public and nonpublic
2361 postsecondary education institutions in the context of state
2362 access demands and economic development goals.

2363 (b) Performance outputs and outcomes designed to meet
2364 annual and long-term state goals, including, but not limited to,
2365 increased student access, preparedness, retention, transfer, and
2366 completion. Performance measures must be consistent across
2367 sectors and allow for a comparison of the state's performance to
2368 that of other states.

2369 (c) The state's articulation policies and practices to
2370 ensure that cost benefits to the state are maximized without
2371 jeopardizing quality. The recommendations shall consider return
2372 on investment for both the state and students and propose
2373 systems to facilitate and ensure institutional compliance with
2374 state articulation policies.

2375 (d) Workforce development education, specifically
2376 recommending improvements to the consistency of workforce



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2377 education data collected and reported by Florida Community
2378 College System institutions and school districts, including the
2379 establishment of common elements and definitions for any data
2380 that is used for state and federal funding and program
2381 accountability.

2382 (6) The Office of K-20 Articulation, in collaboration with
2383 the Board of Governors and the State Board of Community Division
2384 ~~of Florida~~ Colleges, shall provide administrative support for
2385 the council.

2386 Section 30. Subsection (7) of section 1004.02, Florida
2387 Statutes, is amended to read:

2388 1004.02 Definitions.—As used in this chapter:

2389 (7) "Applied technology diploma program" means a course of
2390 study that is part of a technical degree program, is less than
2391 60 credit hours, and leads to employment in a specific
2392 occupation. An applied technology diploma program may consist of
2393 either technical credit or college credit. A public school
2394 district may offer an applied technology diploma program only as
2395 technical credit, with college credit awarded to a student upon
2396 articulation to a Florida Community College System institution.
2397 Statewide articulation among public schools and Florida
2398 Community College System institutions is guaranteed by s.
2399 1007.23, and is subject to guidelines and standards adopted by
2400 the State Board of Community Colleges Education pursuant to ss.
2401 1007.24 and 1007.25.

2402 Section 31. Subsection (2) of section 1004.03, Florida
2403 Statutes, is amended to read:

2404 1004.03 Program approval.—

2405 (2) The State Board of Community Colleges Education shall



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2406 establish criteria for the approval of new programs at Florida
2407 Community College System institutions, which criteria include,
2408 but are not limited to, the following:

2409 (a) New programs may not be approved unless the same
2410 objectives cannot be met through use of educational technology.

2411 (b) Unnecessary duplication of programs offered by
2412 independent institutions shall be avoided.

2413 (c) Cooperative programs, particularly within regions,
2414 should be encouraged.

2415 (d) New programs may be approved only if they are
2416 consistent with the ~~state master~~ plan adopted by the State Board
2417 of Community Colleges Education.

2418 Section 32. Paragraph (f) of subsection (4) of section
2419 1004.04, Florida Statutes, is amended to read:

2420 1004.04 Public accountability and state approval for
2421 teacher preparation programs.—

2422 (4) CONTINUED PROGRAM APPROVAL.—Continued approval of a
2423 teacher preparation program shall be based upon evidence that
2424 the program continues to implement the requirements for initial
2425 approval and upon significant, objective, and quantifiable
2426 measures of the program and the performance of the program
2427 completers.

2428 (f) By January 1 of each year, the Department of Education
2429 shall report the results of each approved program's annual
2430 progress on the performance measures in paragraph (a) as well as
2431 the current approval status of each program to:

- 2432 1. The Governor.
- 2433 2. The President of the Senate.
- 2434 3. The Speaker of the House of Representatives.



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- 2435 4. The State Board of Education.
2436 5. The Board of Governors.
2437 6. The State Board of Community Colleges.
2438 7. The Commissioner of Education.
2439 ~~8.7-~~ Each Florida postsecondary teacher preparation
2440 program.
2441 ~~9.8-~~ Each district school superintendent.
2442 ~~10.9-~~ The public.

2443
2444 This report may include the results of other continued approval
2445 requirements provided by State Board of Education rule and
2446 recommendations for improving teacher preparation programs in
2447 the state.

2448 Section 33. Section 1004.07, Florida Statutes, is amended
2449 to read:

2450 1004.07 Student withdrawal from courses due to military
2451 service; effect.—

2452 (1) Each district school board, Florida Community College
2453 System institution board of trustees, and state university board
2454 of trustees shall establish policies regarding currently
2455 enrolled students who are called to, or enlist in, active
2456 military service.

2457 (2) Such policies must ~~shall~~ provide that any student
2458 enrolled in a postsecondary course or courses at a career
2459 center, a Florida Community College System institution, or a
2460 state university may ~~shall~~ not incur academic or financial
2461 penalties by virtue of performing military service on behalf of
2462 our country. Such student shall be permitted the option of
2463 either completing the course or courses at a later date without



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2464 penalty or withdrawing from the course or courses with a full
2465 refund of fees paid. If the student chooses to withdraw, the
2466 student's record shall reflect that the withdrawal is due to
2467 active military service.

2468 (3) Policies of district school boards must ~~and Florida~~
2469 ~~College System institution boards of trustees shall~~ be
2470 established by rule and pursuant to guidelines of the State
2471 Board of Education.

2472 (4) Policies of state university boards of trustees must
2473 ~~shall~~ be established by regulation and pursuant to guidelines of
2474 the Board of Governors.

2475 (5) Policies of Florida Community College System
2476 institution boards of trustees must be established by rule and
2477 pursuant to guidelines of the State Board of Community Colleges.

2478 Section 34. Section 1004.084, Florida Statutes, is amended
2479 to read:

2480 1004.084 College affordability.—

2481 (1) The Board of Governors and the State Board of Community
2482 Colleges Education shall annually identify strategies to promote
2483 college affordability for all Floridians by evaluating, at a
2484 minimum, the impact of:

2485 (a) Tuition and fees on undergraduate, graduate, and
2486 professional students at public colleges and universities and
2487 graduate assistants employed by public universities.

2488 (b) Federal, state, and institutional financial aid
2489 policies on the actual cost of attendance for students and their
2490 families.

2491 (c) The costs of textbooks and instructional materials.

2492 (2) By December 31 of each year, ~~beginning in 2016,~~ the



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2493 Board of Governors and the State Board of Community Colleges
2494 ~~Education~~ shall submit a report on their respective college
2495 affordability initiatives to the Governor, the President of the
2496 Senate, and the Speaker of the House of Representatives.

2497 Section 35. Paragraph (d) of subsection (3) and subsections
2498 (6), (7), and (8) of section 1004.085, Florida Statutes, are
2499 amended to read:

2500 1004.085 Textbook and instructional materials
2501 affordability.—

2502 (3) An employee may receive:

2503 (d) Fees associated with activities such as reviewing,
2504 critiquing, or preparing support materials for textbooks or
2505 instructional materials pursuant to guidelines adopted by the
2506 State Board of Community Colleges ~~Education~~ or the Board of
2507 Governors.

2508 (6) Each Florida Community College System institution and
2509 state university shall post prominently in the course
2510 registration system and on its website, as early as is feasible,
2511 but at least 45 days before the first day of class for each
2512 term, a hyperlink to lists of required and recommended textbooks
2513 and instructional materials for at least 95 percent of all
2514 courses and course sections offered at the institution during
2515 the upcoming term. The lists must include the International
2516 Standard Book Number (ISBN) for each required and recommended
2517 textbook and instructional material or other identifying
2518 information, which must include, at a minimum, all of the
2519 following: the title, all authors listed, publishers, edition
2520 number, copyright date, published date, and other relevant
2521 information necessary to identify the specific textbooks or



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2522 instructional materials required and recommended for each
2523 course. The State Board of Community Colleges ~~Education~~ and the
2524 Board of Governors shall include in the policies, procedures,
2525 and guidelines adopted under subsection (7) certain limited
2526 exceptions to this notification requirement for classes added
2527 after the notification deadline.

2528 (7) After receiving input from students, faculty,
2529 bookstores, and publishers, the State Board of Community
2530 Colleges ~~Education~~ and the Board of Governors each shall adopt
2531 textbook and instructional materials affordability policies,
2532 procedures, and guidelines for implementation by Florida
2533 Community College System institutions and state universities,
2534 respectively, that further efforts to minimize the cost of
2535 textbooks and instructional materials for students attending
2536 such institutions while maintaining the quality of education and
2537 academic freedom. The policies, procedures, and guidelines shall
2538 address:

2539 (a) The establishment of deadlines for an instructor or
2540 department to notify the bookstore of required and recommended
2541 textbooks and instructional materials so that the bookstore may
2542 verify availability, source lower cost options when practicable,
2543 explore alternatives with faculty when academically appropriate,
2544 and maximize the availability of used textbooks and
2545 instructional materials.

2546 (b) Confirmation by the course instructor or academic
2547 department offering the course, before the textbook or
2548 instructional materials adoption is finalized, of the intent to
2549 use all items ordered, particularly each individual item sold as
2550 part of a bundled package.



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- 2551 (c) Determination by a course instructor or the academic
2552 department offering the course, before a textbook or
2553 instructional material is adopted, of the extent to which a new
2554 edition differs significantly and substantively from earlier
2555 versions and the value to the student of changing to a new
2556 edition or the extent to which an open-access textbook or
2557 instructional material is available.
- 2558 (d) The availability of required and recommended textbooks
2559 and instructional materials to students otherwise unable to
2560 afford the cost, including consideration of the extent to which
2561 an open-access textbook or instructional material may be used.
- 2562 (e) Participation by course instructors and academic
2563 departments in the development, adaptation, and review of open-
2564 access textbooks and instructional materials and, in particular,
2565 open-access textbooks and instructional materials for high-
2566 demand general education courses.
- 2567 (f) Consultation with school districts to identify
2568 practices that impact the cost of dual enrollment textbooks and
2569 instructional materials to school districts, including, but not
2570 limited to, the length of time that textbooks and instructional
2571 materials remain in use.
- 2572 (g) Selection of textbooks and instructional materials
2573 through cost-benefit analyses that enable students to obtain the
2574 highest-quality product at the lowest available price, by
2575 considering:
- 2576 1. Purchasing digital textbooks in bulk.
 - 2577 2. Expanding the use of open-access textbooks and
2578 instructional materials.
 - 2579 3. Providing rental options for textbooks and instructional



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- 2580 materials.
- 2581 4. Increasing the availability and use of affordable
2582 digital textbooks and learning objects.
- 2583 5. Developing mechanisms to assist in buying, renting,
2584 selling, and sharing textbooks and instructional materials.
- 2585 6. The length of time that textbooks and instructional
2586 materials remain in use.
- 2587 7. An evaluation of cost savings for textbooks and
2588 instructional materials which a student may realize if
2589 individual students are able to exercise opt-in provisions for
2590 the purchase of the materials.
- 2591 (8) The board of trustees of each Florida Community College
2592 System institution and state university shall report, by
2593 September 30 of each year, beginning in 2016, to the Chancellor
2594 of the Florida Community College System or the Chancellor of the
2595 State University System, as applicable, the textbook and
2596 instructional materials selection process for general education
2597 courses with a wide cost variance identified pursuant to
2598 subsection (4) and high-enrollment courses; specific initiatives
2599 of the institution designed to reduce the costs of textbooks and
2600 instructional materials; policies implemented in accordance with
2601 subsection (6); the number of courses and course sections that
2602 were not able to meet the textbook and instructional materials
2603 posting deadline for the previous academic year; and any
2604 additional information determined by the chancellors. By
2605 November 1 of each year, ~~beginning in 2016~~, each chancellor
2606 shall provide a summary of the information provided by
2607 institutions to the State Board of Community Colleges ~~Education~~
2608 and the Board of Governors, as applicable.



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2609 Section 36. Section 1004.096, Florida Statutes, is amended
2610 to read:

2611 1004.096 College credit for military training and education
2612 courses.—The Board of Governors shall adopt regulations and the
2613 State Board of Community Colleges Education shall adopt rules
2614 that enable eligible servicemembers or veterans of the United
2615 States Armed Forces to earn academic college credit at public
2616 postsecondary educational institutions for college-level
2617 training and education acquired in the military. The regulations
2618 and rules shall include procedures for credential evaluation and
2619 the award of academic college credit, including, but not limited
2620 to, equivalency and alignment of military coursework with
2621 appropriate college courses, course descriptions, type and
2622 amount of college credit that may be awarded, and transfer of
2623 credit.

2624 Section 37. Section 1004.0961, Florida Statutes, is amended
2625 to read:

2626 1004.0961 Credit for online courses.—~~Beginning in the 2015-~~
2627 ~~2016 school year,~~ The State Board of Community Colleges
2628 ~~Education~~ shall adopt rules and the Board of Governors shall
2629 adopt regulations that enable students to earn academic credit
2630 for online courses, including massive open online courses,
2631 before initial enrollment at a postsecondary institution. The
2632 rules of the State Board of Community Colleges Education and
2633 regulations of the Board of Governors must include procedures
2634 for credential evaluation and the award of credit, including,
2635 but not limited to, recommendations for credit by the American
2636 Council on Education; equivalency and alignment of coursework
2637 with appropriate courses; course descriptions; type and amount



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2638 of credit that may be awarded; and transfer of credit.

2639 Section 38. Section 1004.35, Florida Statutes, is amended
2640 to read:

2641 1004.35 Broward County campuses of Florida Atlantic
2642 University; coordination with other institutions.—The State
2643 Board of Community Colleges Education, the Board of Governors,
2644 and Florida Atlantic University shall consult with Broward
2645 College and Florida International University in coordinating
2646 course offerings at the postsecondary level in Broward County.
2647 Florida Atlantic University may contract with the Board of
2648 Trustees of Broward College and with Florida International
2649 University to provide instruction in courses offered at the
2650 Southeast Campus. Florida Atlantic University shall increase
2651 course offerings at the Southeast Campus as facilities become
2652 available.

2653 Section 39. Paragraphs (c) and (d) of subsection (5) and
2654 subsections (8) and (9) of section 1004.6495, Florida Statutes,
2655 are amended to read:

2656 1004.6495 Florida Postsecondary Comprehensive Transition
2657 Program and Florida Center for Students with Unique Abilities.—

2658 (5) CENTER RESPONSIBILITIES.—The Florida Center for
2659 Students with Unique Abilities is established within the
2660 University of Central Florida. At a minimum, the center shall:

2661 (c) Create the application for the initial approval and
2662 renewal of approval as an FPCTP for use by an eligible
2663 institution which, at a minimum, must align with the federal
2664 comprehensive transition and postsecondary program application
2665 requirements. Notwithstanding the program approval requirements
2666 of s. 1004.03, the director shall review applications for the



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initial approval of an application for, or renewal of approval of, an FPCTP.

1. Within 30 days after receipt of an application, the director shall issue his or her recommendation regarding approval to the Chancellor of the State University System, ~~or the Chancellor of the Florida Community College System, or the~~ Commissioner of Education, as applicable, or shall give written notice to the applicant of any deficiencies in the application, which the eligible institution must be given an opportunity to correct. Within 15 days after receipt of a notice of deficiencies, an eligible institution that chooses to continue to seek program approval shall correct the application deficiencies and return the application to the center. Within 30 days after receipt of a revised application, the director shall recommend approval or disapproval of the revised application to the applicable chancellor ~~or the commissioner, as applicable~~. Within 15 days after receipt of the director's recommendation, the applicable chancellor ~~or the commissioner~~ shall approve or disapprove the recommendation. If the applicable chancellor ~~or the commissioner~~ does not act on the director's recommendation within 15 days after receipt of such recommendation, the comprehensive transition program proposed by the institution shall be considered approved.

2. Initial approval of an application for an FPCTP that meets the requirements of this section is valid for the 3 academic years immediately following the academic year during which the approval is granted. An eligible institution may submit an application to the center requesting that the initial approval be renewed. If the approval is granted and the FPCTP



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continues to meet the requirements of this section, including, but not limited to, program and student performance outcomes, and federal requirements, a renewal is valid for the 5 academic years immediately following the academic year during which the renewal is granted.

3. An application must, at a minimum:

a. Identify a credential associated with the proposed program which will be awarded to eligible students upon completion of the FPCTP.

b. Outline the program length and design, including, at a minimum, inclusive and successful experiential education practices relating to curricular, assessment, and advising structure and internship and employment opportunities, which must support students with intellectual disabilities who are seeking to continue academic, career and technical, and independent living instruction at an eligible institution, including, but not limited to, opportunities to earn industry certifications, to prepare students for gainful employment. If an eligible institution offers a credit-bearing degree program, the institution is responsible for maintaining the rigor and effectiveness of a comprehensive transition degree program at the same level as other comparable degree programs offered by the institution pursuant to applicable accreditation standards.

c. Outline a plan for students with intellectual disabilities to be integrated socially and academically with nondisabled students, to the maximum extent possible, and to participate on not less than a half-time basis, as determined by the eligible institution, with such participation focusing on academic components and occurring through one or more of the



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following activities with nondisabled students:

(I) Regular enrollment in credit-bearing courses offered by the institution.

(II) Auditing or participating in courses offered by the institution for which the student does not receive academic credit.

(III) Enrollment in noncredit-bearing, nondegree courses.

(IV) Participation in internships or work-based training.

d. Outline a plan for partnerships with businesses to promote experiential training and employment opportunities for students with intellectual disabilities.

e. Identify performance indicators pursuant to subsection (8) and other requirements identified by the center.

f. Outline a 5-year plan incorporating enrollment and operational expectations for the program.

(d) Provide technical assistance regarding programs and services for students with intellectual disabilities to administrators, instructors, staff, and others, as applicable, at eligible institutions by:

1. Holding meetings and annual workshops to share successful practices and to address issues or concerns.

2. Facilitating collaboration between eligible institutions and school districts, private schools operating pursuant to s. 1002.42, and parents of students enrolled in home education programs operating pursuant to s. 1002.41 in assisting students with intellectual disabilities and their parents to plan for the transition of such students into an FPCTP or another program at an eligible institution.

3. Assisting eligible institutions with FPCTP and federal



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comprehensive transition and postsecondary program applications.

4. Assisting eligible institutions with the identification of funding sources for an FPCTP and for student financial assistance for students enrolled in an FPCTP.

5. Monitoring federal and state law relating to the comprehensive transition program and notifying the Legislature, the Governor, the Board of Governors, the State Board of Community Colleges, and the State Board of Education of any change in law which may impact the implementation of this section.

(8) ACCOUNTABILITY.—

(a) The center, in collaboration with the Board of Governors and the State Board of Community Colleges Education, shall identify indicators for the satisfactory progress of a student in an FPCTP and for the performance of such programs. Each eligible institution must address the indicators identified by the center in its application for the approval of a proposed program and for the renewal of an FPCTP and in the annual report that the institution submits to the center.

(b) By October 1 of each year, the center shall provide to the Governor, the President of the Senate, the Speaker of the House of Representatives, the Chancellor of the State University System, and the Chancellor of the Florida Community College System ~~Commissioner of Education~~ a report summarizing information including, but not limited to:

1. The status of the statewide coordination of FPCTPs and the implementation of FPCTPs at eligible institutions including, but not limited to:

a. The number of applications approved and disapproved and



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2783 the reasons for each disapproval and no action taken by the
2784 chancellor or the commissioner.

2785 b. The number and value of all scholarships awarded to
2786 students and undisbursed advances remitted to the center
2787 pursuant to subsection (7).

2788 2. Indicators identified by the center pursuant to
2789 paragraph (a) and the performance of each eligible institution
2790 based on the indicators identified in paragraph (6)(c).

2791 3. The projected number of students with intellectual
2792 disabilities who may be eligible to enroll in the FPCTPs within
2793 the next academic year.

2794 4. Education programs and services for students with
2795 intellectual disabilities which are available at eligible
2796 institutions.

2797 (c) Beginning in the 2016-2017 fiscal year, the center, in
2798 collaboration with the Board of Governors, State Board of
2799 Community Colleges Education, Higher Education Coordinating
2800 Council, and other stakeholders, by December 1 of each year,
2801 shall submit to the Governor, the President of the Senate, and
2802 the Speaker of the House of Representatives statutory and budget
2803 recommendations for improving the implementation and delivery of
2804 FPCTPs and other education programs and services for students
2805 with disabilities.

2806 (9) RULES.—The Board of Governors and the State Board of
2807 Community Colleges Education, in consultation with the center,
2808 shall expeditiously adopt any necessary regulations and rules,
2809 as applicable, to allow the center to perform its
2810 responsibilities pursuant to this section beginning in the 2016-
2811 2017 fiscal year.



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2812 Section 40. Section 1004.65, Florida Statutes, is amended
2813 to read:

2814 1004.65 Florida Community College System institutions;
2815 governance, mission, and responsibilities.—

2816 (1) Each Florida Community College System institution shall
2817 be governed by a district board of trustees under statutory
2818 authority and rules of the State Board of Community Colleges
2819 Education.

2820 (2) Each Florida Community College System institution
2821 district shall:

2822 (a) Consist of the county or counties served by the Florida
2823 Community College System institution pursuant to s. 1000.21(3).

2824 (b) Be an independent, separate, legal entity created for
2825 the operation of a Florida Community College System institution.

2826 (3) Florida Community College System institutions are
2827 locally based and governed entities with statutory and funding
2828 ties to state government. As such, the mission for Florida
2829 Community College System institutions reflects a commitment to
2830 be responsive to local educational needs and challenges. In
2831 achieving this mission, Florida Community College System
2832 institutions strive to maintain sufficient local authority and
2833 flexibility while preserving appropriate legal accountability to
2834 the state.

2835 (4) As comprehensive institutions, Florida Community
2836 College System institutions shall provide high-quality,
2837 affordable education and training opportunities, shall foster a
2838 climate of excellence, and shall provide opportunities to all
2839 while combining high standards with an open-door admission
2840 policy for lower-division programs. Florida Community College



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2841 System institutions shall, as open-access institutions, serve
2842 all who can benefit, without regard to age, race, gender, creed,
2843 or ethnic or economic background, while emphasizing the
2844 achievement of social and educational equity so that all can be
2845 prepared for full participation in society.

2846 (5) The primary mission and responsibility of Florida
2847 Community College System institutions is responding to community
2848 needs for postsecondary academic education and career degree
2849 education. This mission and responsibility includes being
2850 responsible for:

2851 (a) Providing lower-level ~~lower level~~ undergraduate
2852 instruction and awarding associate degrees.

2853 (b) Preparing students directly for careers requiring less
2854 than baccalaureate degrees. This may include preparing for job
2855 entry, supplementing of skills and knowledge, and responding to
2856 needs in new areas of technology. Career education in a Florida
2857 Community College System institution ~~consists shall consist~~ of
2858 career certificates, nationally recognized industry
2859 certifications, credit courses leading to associate in science
2860 degrees and associate in applied science degrees, and other
2861 programs in fields requiring substantial academic work,
2862 background, or qualifications. A Florida Community College
2863 System institution may offer career education programs in fields
2864 having lesser academic or technical requirements.

2865 (c) Providing student development services, including
2866 assessment, student tracking, support for disabled students,
2867 advisement, counseling, financial aid, career development, and
2868 remedial and tutorial services, to ensure student success.

2869 (d) Promoting economic development for the state within



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2870 each Florida Community College System institution district
2871 through the provision of special programs, including, but not
2872 limited to, the:

2873 1. Enterprise Florida-related programs.

2874 2. Technology transfer centers.

2875 3. Economic development centers.

2876 4. Workforce literacy programs.

2877 (e) Providing dual enrollment instruction.

2878 ~~(f) Providing upper level instruction and awarding~~
2879 ~~baccalaureate degrees as specifically authorized by law.~~

2880 (6) A separate and secondary role for Florida Community
2881 College System institutions includes ~~the offering of programs~~
2882 ~~in~~:

2883 (a) Programs in community services that are not directly
2884 related to academic or occupational advancement.

2885 (b) Programs in adult education services, including adult
2886 basic education, adult general education, adult secondary
2887 education, and high school equivalency examination instruction.

2888 (c) Programs in recreational and leisure services.

2889 (d) Upper-level instruction and awarding baccalaureate
2890 degrees as specifically authorized by law.

2891 (7) Funding for Florida Community College System
2892 institutions ~~must shall~~ reflect their mission as follows:

2893 (a) Postsecondary academic and career education programs
2894 and adult general education programs ~~must shall~~ have first
2895 priority in Florida Community College System institution
2896 funding.

2897 (b) Community service programs shall be presented to the
2898 Legislature with rationale for state funding. The Legislature



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2899 may identify priority areas for use of these funds.

2900 (c) The resources of a Florida Community College System
2901 institution, including staff, faculty, land, and facilities, may
2902 ~~shall~~ not be used to support the establishment of a new
2903 independent nonpublic educational institution. If any
2904 institution uses resources for such purpose, the State Board of
2905 Community Division of Florida Colleges shall notify the
2906 President of the Senate and the Speaker of the House of
2907 Representatives.

2908 (8) Florida Community College System institutions are
2909 authorized to:

2910 (a) Offer such programs and courses as are necessary to
2911 fulfill their mission.

2912 (b) Grant associate in arts degrees, associate in science
2913 degrees, associate in applied science degrees, certificates,
2914 awards, and diplomas.

2915 (c) Make provisions for the high school equivalency
2916 examination.

2917 (d) Provide access to and award baccalaureate degrees in
2918 accordance with law.

2919
2920 Authority to offer one or more baccalaureate degree programs
2921 does not alter the governance relationship of the Florida
2922 Community College System institution with its district board of
2923 trustees or the State Board of Community Colleges Education.

2924 Section 41. Section 1004.67, Florida Statutes, is amended
2925 to read:

2926 1004.67 Florida Community College System institutions;
2927 legislative intent.—It is The legislative intent that Florida



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2928 Community College System institutions, constituted as political
2929 subdivisions of the state, continue to be operated by Florida
2930 Community College System institution boards of trustees as
2931 provided in s. 1001.63 and that no department, bureau, division,
2932 agency, or subdivision of the state exercise any responsibility
2933 and authority to operate any Florida Community College System
2934 institution of the state except as specifically provided by law
2935 or rules of the State Board of Community Colleges Education.

2936 Section 42. Section 1004.70, Florida Statutes, is amended
2937 to read:

2938 1004.70 Florida Community College System institution
2939 direct-support organizations.—

2940 (1) DEFINITIONS.—For the purposes of this section:

2941 (a) "Florida Community College System institution direct-
2942 support organization" means an organization that is:

2943 1. A Florida corporation not for profit, incorporated under
2944 the provisions of chapter 617 and approved by the Department of
2945 State.

2946 2. Organized and operated exclusively to receive, hold,
2947 invest, and administer property and to make expenditures to, or
2948 for the benefit of, a Florida Community College System
2949 institution in this state.

2950 3. An organization that the Florida Community College
2951 System institution board of trustees, after review, has
2952 certified to be operating in a manner consistent with the goals
2953 of the Florida Community College System institution and in the
2954 best interest of the state. Any organization that is denied
2955 certification by the board of trustees may not use the name of
2956 the Florida Community College System institution that it serves.



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2957 (b) "Personal services" includes full-time or part-time
2958 personnel as well as payroll processing.

2959 (2) BOARD OF DIRECTORS.—The chair of the board of trustees
2960 shall appoint a representative to the board of directors and the
2961 executive committee of each direct-support organization
2962 established under this section, including those established
2963 before July 1, 1998. The president of the Florida Community
2964 College System institution for which the direct-support
2965 organization is established, or the president's designee, shall
2966 also serve on the board of directors and the executive committee
2967 of the direct-support organization, including any direct-support
2968 organization established before July 1, 1998.

2969 (3) USE OF PROPERTY.—

2970 (a) The board of trustees is authorized to permit the use
2971 of property, facilities, and personal services at any Florida
2972 Community College System institution by any Florida Community
2973 College System institution direct-support organization, subject
2974 to the provisions of this section.

2975 (b) The board of trustees is authorized to prescribe by
2976 rule any condition with which a Florida Community College System
2977 institution direct-support organization must comply in order to
2978 use property, facilities, or personal services at any Florida
2979 Community College System institution.

2980 (c) The board of trustees may not permit the use of
2981 property, facilities, or personal services at any Florida
2982 Community College System institution by any Florida Community
2983 College System institution direct-support organization that does
2984 not provide equal employment opportunities to all persons
2985 regardless of race, color, national origin, gender, age, or



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2986 religion.

2987 (4) ACTIVITIES; RESTRICTIONS.—

2988 (a) A direct-support organization may, at the request of
2989 the board of trustees, provide residency opportunities on or
2990 near campus for students.

2991 (b) A direct-support organization that constructs
2992 facilities for use by a Florida Community College System
2993 institution or its students must comply with all requirements of
2994 law relating to the construction of facilities by a Florida
2995 Community College System institution, including requirements for
2996 competitive bidding.

2997 (c) Any transaction or agreement between one direct-support
2998 organization and another direct-support organization must be
2999 approved by the board of trustees.

3000 (d) A Florida Community College System institution direct-
3001 support organization is prohibited from giving, either directly
3002 or indirectly, any gift to a political committee as defined in
3003 s. 106.011 for any purpose other than those certified by a
3004 majority roll call vote of the governing board of the direct-
3005 support organization at a regularly scheduled meeting as being
3006 directly related to the educational mission of the Florida
3007 Community College System institution.

3008 (e) A Florida Community College System institution board of
3009 trustees must authorize all debt, including lease-purchase
3010 agreements, incurred by a direct-support organization.
3011 Authorization for approval of short-term loans and lease-
3012 purchase agreements for a term of not more than 5 years,
3013 including renewals, extensions, and refundings, for goods,
3014 materials, equipment, and services may be delegated by the board



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of trustees to the board of directors of the direct-support organization. Trustees shall evaluate proposals for debt according to guidelines issued by the State Board of Community Division of Florida Colleges. Revenues of the Florida Community College System institution may not be pledged to debt issued by direct-support organizations.

(5) ANNUAL BUDGETS AND REPORTS.—Each direct-support organization shall submit to the board of trustees its federal Internal Revenue Service Application for Recognition of Exemption form (Form 1023) and its federal Internal Revenue Service Return of Organization Exempt from Income Tax form (Form 990).

(6) ANNUAL AUDIT.—Each direct-support organization shall provide for an annual financial audit in accordance with rules adopted by the Auditor General pursuant to s. 11.45(8). The annual audit report must be submitted, within 9 months after the end of the fiscal year, to the Auditor General, the State Board of Community Colleges Education, and the board of trustees for review. The board of trustees, the Auditor General, and the Office of Program Policy Analysis and Government Accountability may require and receive from the organization or from its independent auditor any detail or supplemental data relative to the operation of the organization. The identity of donors who desire to remain anonymous shall be protected, and that anonymity shall be maintained in the auditor's report. All records of the organization, other than the auditor's report, any information necessary for the auditor's report, any information related to the expenditure of funds, and any supplemental data requested by the board of trustees, the



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Auditor General, and the Office of Program Policy Analysis and Government Accountability, shall be confidential and exempt from the provisions of s. 119.07(1).

Section 43. Section 1004.71, Florida Statutes, is amended to read:

1004.71 Statewide Florida Community College System institution direct-support organizations.—

(1) DEFINITIONS.—For the purposes of this section:

(a) "Statewide Florida Community College System institution direct-support organization" means an organization that is:

1. A Florida corporation not for profit, incorporated under the provisions of chapter 617 and approved by the Department of State.

2. Organized and operated exclusively to receive, hold, invest, and administer property and to make expenditures to, or for the benefit of, the Florida Community College System institutions in this state.

3. An organization that the State Board of Community Colleges Education, after review, has certified to be operating in a manner consistent with the goals of the Florida Community College System institutions and in the best interest of the state.

(b) "Personal services" includes full-time or part-time personnel as well as payroll processing.

(2) BOARD OF DIRECTORS.—The chair of the State Board of Community Colleges Education may appoint a representative to the board of directors and the executive committee of any statewide, direct-support organization established under this section or s. 1004.70. The chair of the State Board of Community Colleges



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3073 ~~Education~~, or the chair's designee, shall also serve on the
3074 board of directors and the executive committee of any direct-
3075 support organization established to benefit Florida Community
3076 College System institutions.

3077 (3) USE OF PROPERTY.—

3078 (a) The State Board of Education may permit the use of
3079 property, facilities, and personal services of the Department of
3080 Education by any statewide Florida Community College System
3081 institution direct-support organization, subject to the
3082 provisions of this section.

3083 (b) The State Board of Education may prescribe by rule any
3084 condition with which a statewide Florida Community College
3085 System institution direct-support organization must comply in
3086 order to use property, facilities, or personal services of the
3087 Department of Education.

3088 (c) The State Board of Education may not permit the use of
3089 property, facilities, or personal services of the Department of
3090 Education by any statewide Florida Community College System
3091 institution direct-support organization that does not provide
3092 equal employment opportunities to all persons regardless of
3093 race, color, national origin, gender, age, or religion.

3094 (4) RESTRICTIONS.—

3095 (a) A statewide, direct-support organization may not use
3096 public funds to acquire, construct, maintain, or operate any
3097 facilities.

3098 (b) Any transaction or agreement between a statewide,
3099 direct-support organization and any other direct-support
3100 organization must be approved by the State Board of Community
3101 Colleges ~~Education~~.



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3102 (c) A statewide Florida Community College System
3103 institution direct-support organization is prohibited from
3104 giving, either directly or indirectly, any gift to a political
3105 committee as defined in s. 106.011 for any purpose other than
3106 those certified by a majority roll call vote of the governing
3107 board of the direct-support organization at a regularly
3108 scheduled meeting as being directly related to the educational
3109 mission of the State Board of Community Colleges ~~Education~~.

3110 (5) ANNUAL BUDGETS AND REPORTS.—Each direct-support
3111 organization shall submit to the State Board of Community
3112 Colleges ~~Education~~ its federal Internal Revenue Service
3113 Application for Recognition of Exemption form (Form 1023) and
3114 its federal Internal Revenue Service Return of Organization
3115 Exempt from Income Tax form (Form 990).

3116 (6) ANNUAL AUDIT.—A statewide Florida Community College
3117 System institution direct-support organization shall provide for
3118 an annual financial audit in accordance with s. 1004.70. The
3119 identity of a donor or prospective donor who desires to remain
3120 anonymous and all information identifying such donor or
3121 prospective donor are confidential and exempt from the
3122 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
3123 Constitution. Such anonymity shall be maintained in the
3124 auditor's report.

3125 Section 44. Subsection (4) of section 1004.74, Florida
3126 Statutes, is amended to read:

3127 1004.74 Florida School of the Arts.—

3128 (4) The Council for the Florida School of the Arts shall be
3129 established to advise the Florida Community College System
3130 institution district board of trustees on matters pertaining to



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3131 the operation of the school. The council shall consist of nine
3132 members, appointed jointly by the Chancellor of the Florida
3133 Community College System and the Commissioner of Education for
3134 4-year terms. A member may serve three terms and may serve until
3135 replaced.

3136 Section 45. Section 1004.78, Florida Statutes, is amended
3137 to read:

3138 1004.78 Technology transfer centers at Florida Community
3139 College System institutions.—

3140 (1) Each Florida Community College System institution may
3141 establish a technology transfer center for the purpose of
3142 providing institutional support to local business and industry
3143 and governmental agencies in the application of new research in
3144 technology. The primary responsibilities of such centers may
3145 include: identifying technology research developed by
3146 universities, research institutions, businesses, industries, the
3147 United States Armed Forces, and other state or federal
3148 governmental agencies; determining and demonstrating the
3149 application of technologies; training workers to integrate
3150 advanced equipment and production processes; and determining for
3151 business and industry the feasibility and efficiency of
3152 accommodating advanced technologies.

3153 (2) The Florida Community College System institution board
3154 of trustees shall set such policies to regulate the activities
3155 of the technology transfer center as it may consider necessary
3156 to effectuate the purposes of this section and to administer the
3157 programs of the center in a manner which assures efficiency and
3158 effectiveness, producing the maximum benefit for the educational
3159 programs and maximum service to the state. To this end,



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3160 materials that relate to methods of manufacture or production,
3161 potential trade secrets, potentially patentable material, actual
3162 trade secrets, business transactions, or proprietary information
3163 received, generated, ascertained, or discovered during the
3164 course of activities conducted within the Florida Community
3165 College System institutions shall be confidential and exempt
3166 from the provisions of s. 119.07(1), except that a Florida
3167 Community College System institution shall make available upon
3168 request the title and description of a project, the name of the
3169 investigator, and the amount and source of funding provided for
3170 such project.

3171 (3) A technology transfer center created under the
3172 provisions of this section shall be under the supervision of the
3173 board of trustees of that Florida Community College System
3174 institution, which is authorized to appoint a director; to
3175 employ full-time and part-time staff, research personnel, and
3176 professional services; to employ on a part-time basis personnel
3177 of the Florida Community College System institution; and to
3178 employ temporary employees whose salaries are paid entirely from
3179 the permanent technology transfer fund or from that fund in
3180 combination with other nonstate sources, with such positions
3181 being exempt from the requirements of the Florida Statutes
3182 relating to salaries, except that no such appointment shall be
3183 made for a total period of longer than 1 year.

3184 (4) The board of trustees of the Florida Community College
3185 System institution in which a technology transfer center is
3186 created, or its designee, may negotiate, enter into, and execute
3187 contracts; solicit and accept grants and donations; and fix and
3188 collect fees, other payments, and donations that may accrue by



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reason thereof for technology transfer activities. The board of trustees or its designee may negotiate, enter into, and execute contracts on a cost-reimbursement basis and may provide temporary financing of such costs prior to reimbursement from moneys on deposit in the technology transfer fund, except as may be prohibited elsewhere by law.

(5) A technology transfer center shall be financed from the Academic Improvement Program or from moneys of a Florida Community College System institution which are on deposit or received for use in the activities conducted in the center. Such moneys shall be deposited by the Florida Community College System institution in a permanent technology transfer fund in a depository or depositories approved for the deposit of state funds and shall be accounted for and disbursed subject to audit by the Auditor General.

(6) The fund balance in any existing research trust fund of a Florida Community College System institution at the time a technology transfer center is created shall be transferred to a permanent technology transfer fund established for the Florida Community College System institution, and thereafter the fund balance of the technology transfer fund at the end of any fiscal period may be used during any succeeding period pursuant to this section.

(7) Moneys deposited in the permanent technology transfer fund of a Florida Community College System institution shall be disbursed in accordance with the terms of the contract, grant, or donation under which they are received. Moneys received for overhead or indirect costs and other moneys not required for the payment of direct costs shall be applied to the cost of



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operating the technology transfer center.

(8) All purchases of a technology transfer center shall be made in accordance with the policies and procedures of the Florida Community College System institution.

(9) The Florida Community College System institution board of trustees may authorize the construction, alteration, or remodeling of buildings when the funds used are derived entirely from the technology transfer fund of a Florida Community College System institution or from that fund in combination with other nonstate sources, provided that such construction, alteration, or remodeling is for use exclusively by the center. It also may authorize the acquisition of real property when the cost is entirely from said funds. Title to all real property shall vest in the board of trustees.

(10) The State Board of Community Colleges Education may award grants to Florida Community College System institutions, or consortia of public and private colleges and universities and other public and private entities, for the purpose of supporting the objectives of this section. Grants awarded pursuant to this subsection shall be in accordance with rules of the State Board of Community Colleges Education. Such rules shall include the following provisions:

(a) The number of centers established with state funds provided expressly for the purpose of technology transfer shall be limited, but shall be geographically located to maximize public access to center resources and services.

(b) Grants to centers funded with state revenues appropriated specifically for technology transfer activities shall be reviewed and approved by the State Board of Community



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3247 ~~Colleges Education~~ using proposal solicitation, evaluation, and
3248 selection procedures established by the state board in
3249 consultation with Enterprise Florida, Inc. Such procedures may
3250 include designation of specific areas or applications of
3251 technology as priorities for the receipt of funding.

3252 (c) Priority for the receipt of state funds appropriated
3253 specifically for the purpose of technology transfer shall be
3254 given to grant proposals developed jointly by Florida Community
3255 College System institutions and public and private colleges and
3256 universities.

3257 (11) Each technology transfer center established under the
3258 provisions of this section shall establish a technology transfer
3259 center advisory committee. Each committee shall include
3260 representatives of a university or universities conducting
3261 research in the area of specialty of the center. Other members
3262 shall be determined by the Florida Community College System
3263 institution board of trustees.

3264 Section 46. Subsection (4) of section 1004.80, Florida
3265 Statutes, is amended to read:

3266 1004.80 Economic development centers.—

3267 (4) The State Board of Community Colleges ~~Education~~ may
3268 award grants to economic development centers for the purposes of
3269 this section. Grants awarded pursuant to this subsection shall
3270 be in accordance with rules established by the State Board of
3271 Community Colleges ~~Education~~.

3272 Section 47. Section 1004.91, Florida Statutes, is amended
3273 to read:

3274 1004.91 Requirements for career education program basic
3275 skills.—



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3276 (1) The State Board of Education, for career centers
3277 operated by district school boards, and the State Board of
3278 Community Colleges, for charter technical career centers
3279 operated by Florida Community College System institutions, shall
3280 collaborate to adopt, by rule, standards of basic skill mastery
3281 for completion of certificate career education programs. Each
3282 school district and Florida Community College System institution
3283 that conducts programs that confer career and technical
3284 certificates shall provide applied academics instruction through
3285 which students receive the basic skills instruction required
3286 pursuant to this section.

3287 (2) Students who enroll in a program offered for career
3288 credit of 450 hours or more shall complete an entry-level
3289 examination within the first 6 weeks after admission into the
3290 program. The State Board of Education and the State Board of
3291 Community Colleges shall collaborate to designate examinations
3292 that are currently in existence, the results of which are
3293 comparable across institutions, to assess student mastery of
3294 basic skills. Any student found to lack the required level of
3295 basic skills for such program shall be referred to applied
3296 academics instruction or another adult general education program
3297 for a structured program of basic skills instruction. Such
3298 instruction may include English for speakers of other languages.
3299 A student may not receive a career or technical certificate of
3300 completion without first demonstrating the basic skills required
3301 in the state curriculum frameworks for the career education
3302 program.

3303 (3) (a) An adult student with a disability may be exempted
3304 from this section.



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3305 (b) The following students are exempt from this section:

3306 1. A student who possesses a college degree at the
3307 associate in applied science level or higher.

3308 2. A student who demonstrates readiness for public
3309 postsecondary education pursuant to s. 1008.30 and applicable
3310 rules adopted by the State Board of Education and State Board of
3311 Community Colleges.

3312 3. A student who passes a state or national industry
3313 certification or licensure examination that is identified in
3314 State Board of Education or State Board of Community Colleges
3315 rules and aligned to the career education program in which the
3316 student is enrolled.

3317 4. An adult student who is enrolled in an apprenticeship
3318 program that is registered with the Department of Education in
3319 accordance with chapter 446.

3320 Section 48. Paragraph (b) of subsection (2) of section
3321 1004.92, Florida Statutes, is amended, and subsection (4) is
3322 added to that section, to read:

3323 1004.92 Purpose and responsibilities for career education.—

3324 (2)

3325 (b) Department of Education, for school districts, and the
3326 State Board of Community Colleges, for Florida Community College
3327 System institutions, have the following responsibilities related
3328 to accountability for career education includes, but is not
3329 limited to:

3330 1. The provision of timely, accurate technical assistance
3331 to school districts and Florida Community College System
3332 institutions.

3333 2. The provision of timely, accurate information to the



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3334 State Board of Education, the Legislature, and the public.

3335 3. The development of policies, rules, and procedures that
3336 facilitate institutional attainment of the accountability
3337 standards and coordinate the efforts of all divisions within the
3338 department.

3339 4. The development of program standards and industry-driven
3340 benchmarks for career, adult, and community education programs,
3341 which must be updated every 3 years. The standards must include
3342 career, academic, and workplace skills; viability of distance
3343 learning for instruction; ~~and~~ work/learn cycles that are
3344 responsive to business and industry; and provisions that reflect
3345 the quality components of career and technical education
3346 programs. The Department of Education and the State Board of
3347 Community Colleges shall collaborate to develop a common set of
3348 standards and benchmarks as specified under this subparagraph
3349 for the programs that are offered by both the school districts
3350 and Florida Community College System institutions.

3351 5. Overseeing school district and Florida Community College
3352 System institution compliance with the provisions of this
3353 chapter.

3354 6. Ensuring that the educational outcomes for the technical
3355 component of career programs are uniform and designed to provide
3356 a graduate who is capable of entering the workforce on an
3357 equally competitive basis regardless of the institution of
3358 choice.

3359 (4) The State Board of Education, for career education
3360 provided by school districts, and the State Board of Community
3361 Colleges, for career education provided by Florida Community
3362 College System institutions, shall collaborate to adopt rules to



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3363 administer this section.

3364 Section 49. Subsection (1) of section 1004.925, Florida
3365 Statutes, is amended to read:

3366 1004.925 Automotive service technology education programs;
3367 certification.—

3368 (1) All automotive service technology education programs
3369 shall be industry certified in accordance with rules adopted by
3370 the State Board of Education and the State Board of Community
3371 Colleges.

3372 Section 50. Paragraphs (c) and (d) of subsection (4) and
3373 subsections (6) and (9) of section 1004.93, Florida Statutes,
3374 are amended to read:

3375 1004.93 Adult general education.—

3376 (4)

3377 (c) The State Board of Community Colleges Education shall
3378 define, by rule, the levels and courses of instruction to be
3379 funded through the developmental education program. The State
3380 Board of Community Colleges shall coordinate the establishment
3381 of costs for developmental education courses, the establishment
3382 of statewide standards that define required levels of
3383 competence, acceptable rates of student progress, and the
3384 maximum amount of time to be allowed for completion of
3385 developmental education. Developmental education is part of an
3386 associate in arts degree program and may not be funded as an
3387 adult career education program.

3388 (d) Expenditures for developmental education and lifelong
3389 learning students shall be reported separately. Allocations for
3390 developmental education shall be based on proportional full-time
3391 equivalent enrollment. Program review results shall be included



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3392 in the determination of subsequent allocations. A student shall
3393 be funded to enroll in the same developmental education class
3394 within a skill area only twice, after which time the student
3395 shall pay 100 percent of the full cost of instruction to support
3396 the continuous enrollment of that student in the same class;
3397 however, students who withdraw or fail a class due to
3398 extenuating circumstances may be granted an exception only once
3399 for each class, provided approval is granted according to policy
3400 established by the board of trustees. Each Florida Community
3401 College System institution shall have the authority to review
3402 and reduce payment for increased fees due to continued
3403 enrollment in a developmental education class on an individual
3404 basis contingent upon the student's financial hardship, pursuant
3405 to definitions and fee levels established by the State Board of
3406 Community Colleges Education. Developmental education and
3407 lifelong learning courses do not generate credit toward an
3408 associate or baccalaureate degree.

3409 (6) The commissioner, for school districts, and the
3410 Chancellor of the Florida Community College System, for Florida
3411 Community College System institutions, shall recommend the level
3412 of funding for public school and Florida Community College
3413 System institution adult education within the legislative budget
3414 request and make other recommendations and reports considered
3415 necessary or required by rules of the State Board of Education.

3416 (9) The State Board of Education and the State Board of
3417 Community Colleges may adopt rules necessary for the
3418 implementation of this section.

3419 Section 51. Subsection (3) of section 1006.60, Florida
3420 Statutes, is amended to read:



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3421 1006.60 Codes of conduct; disciplinary measures; authority
3422 to adopt rules or regulations.-

3423 (3) Sanctions authorized by such codes of conduct may be
3424 imposed only for acts or omissions in violation of rules or
3425 regulations adopted by the institution, including rules or
3426 regulations adopted under this section, rules of the State Board
3427 of Community Colleges regarding the Florida Community College
3428 System Education, rules or regulations of the Board of Governors
3429 regarding the State University System, county and municipal
3430 ordinances, and the laws of this state, the United States, or
3431 any other state.

3432 Section 52. Subsection (1) of section 1006.61, Florida
3433 Statutes, is amended to read:

3434 1006.61 Participation by students in disruptive activities
3435 at public postsecondary educational institution; penalties.-

3436 (1) Any person who accepts the privilege extended by the
3437 laws of this state of attendance at any public postsecondary
3438 educational institution shall, by attending such institution, be
3439 deemed to have given his or her consent to the policies of that
3440 institution, the State Board of Community Colleges regarding the
3441 Florida Community College System Education, and the Board of
3442 Governors regarding the State University System, and the laws of
3443 this state. Such policies shall include prohibition against
3444 disruptive activities at public postsecondary educational
3445 institutions.

3446 Section 53. Section 1006.62, Florida Statutes, is amended
3447 to read:

3448 1006.62 Expulsion and discipline of students of Florida
3449 Community College System institutions and state universities.-



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3450 (1) Each student in a Florida Community College System
3451 institution or state university is subject to federal and state
3452 law, respective county and municipal ordinances, and all rules
3453 and regulations of the State Board of Community Colleges
3454 regarding the Florida Community College System Education, the
3455 Board of Governors regarding the State University System, or the
3456 board of trustees of the institution.

3457 (2) Violation of these published laws, ordinances, or rules
3458 and regulations may subject the violator to appropriate action
3459 by the institution's authorities.

3460 (3) Each president of a Florida Community College System
3461 institution or state university may, after notice to the student
3462 of the charges and after a hearing thereon, expel, suspend, or
3463 otherwise discipline any student who is found to have violated
3464 any law, ordinance, or rule or regulation of the State Board of
3465 Community Colleges regarding the Florida Community College
3466 System Education, the Board of Governors regarding the State
3467 University System, or the board of trustees of the institution.
3468 A student may be entitled to waiver of expulsion:

3469 (a) If the student provides substantial assistance in the
3470 identification, arrest, or conviction of any of his or her
3471 accomplices, accessories, coconspirators, or principals or of
3472 any other person engaged in violations of chapter 893 within a
3473 state university or Florida Community College System
3474 institution;

3475 (b) If the student voluntarily discloses his or her
3476 violations of chapter 893 prior to his or her arrest; or

3477 (c) If the student commits himself or herself, or is
3478 referred by the court in lieu of sentence, to a state-licensed



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drug abuse program and successfully completes the program.

Section 54. Paragraphs (c) and (g) of subsection (1), paragraph (b) of subsection (2), and subsection (3) of section 1006.71, Florida Statutes, are amended to read:

1006.71 Gender equity in intercollegiate athletics.—

(1) GENDER EQUITY PLAN.—

(c) The Chancellor of the Florida Community College System ~~Commissioner of Education~~ shall annually assess the progress of each Florida Community College System institution's plan and advise the State Board of Community Colleges ~~Education~~ and the Legislature regarding compliance.

(g)1. If a Florida Community College System institution is not in compliance with Title IX of the Education Amendments of 1972 and the Florida Educational Equity Act, the State Board of Community Colleges ~~Education~~ shall:

a. Declare the Florida Community College System institution ineligible for competitive state grants.

b. Withhold funds sufficient to obtain compliance.

The Florida Community College System institution shall remain ineligible and the funds may ~~shall~~ not be paid until the Florida Community College System institution comes into compliance or the Chancellor of the Florida Community College System ~~Commissioner of Education~~ approves a plan for compliance.

2. If a state university is not in compliance with Title IX of the Education Amendments of 1972 and the Florida Educational Equity Act, the Board of Governors shall:

a. Declare the state university ineligible for competitive state grants.



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b. Withhold funds sufficient to obtain compliance.

The state university shall remain ineligible and the funds may ~~shall~~ not be paid until the state university comes into compliance or the Board of Governors approves a plan for compliance.

(2) FUNDING.—

(b) The level of funding and percentage share of support for women's intercollegiate athletics for Florida Community College System institutions shall be determined by the State Board of Community Colleges ~~Education~~. The level of funding and percentage share of support for women's intercollegiate athletics for state universities shall be determined by the Board of Governors. The level of funding and percentage share attained in the 1980-1981 fiscal year shall be the minimum level and percentage maintained by each institution, except as the State Board of Community Colleges ~~Education~~ or the Board of Governors otherwise directs its respective institutions for the purpose of assuring equity. Consideration shall be given by the State Board of Community Colleges ~~Education~~ or the Board of Governors to emerging athletic programs at institutions which may not have the resources to secure external funds to provide athletic opportunities for women. It is the intent that the effect of any redistribution of funds among institutions may ~~shall~~ not negate the requirements as set forth in this section.

(3) STATE BOARD OF COMMUNITY COLLEGES ~~EDUCATION~~.—The State Board of Community Colleges ~~Education~~ shall assure equal opportunity for female athletes at Florida Community College System institutions and establish:



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3537 (a) In conjunction with the State Board of Education,
3538 guidelines for reporting of intercollegiate athletics data
3539 concerning financial, program, and facilities information for
3540 review by the State Board of Community Colleges Education
3541 annually.
3542 (b) Systematic audits for the evaluation of such data.
3543 (c) Criteria for determining and assuring equity.
3544 Section 55. Section 1007.01, Florida Statutes, is amended
3545 to read:
3546 1007.01 Articulation; legislative intent; purpose; role of
3547 the State Board of Education, the State Board of Community
3548 Colleges, and the Board of Governors; Articulation Coordinating
3549 Committee.—
3550 (1) It is the intent of the Legislature to facilitate
3551 articulation and seamless integration of the K-20 education
3552 system by building, sustaining, and strengthening relationships
3553 among K-20 public organizations, between public and private
3554 organizations, and between the education system as a whole and
3555 Florida's communities. The purpose of building, sustaining, and
3556 strengthening these relationships is to provide for the
3557 efficient and effective progression and transfer of students
3558 within the education system and to allow students to proceed
3559 toward their educational objectives as rapidly as their
3560 circumstances permit. The Legislature further intends that
3561 articulation policies and budget actions be implemented
3562 consistently in the practices of the Department of Education and
3563 postsecondary educational institutions and expressed in the
3564 collaborative policy efforts of the State Board of Education,
3565 and the Board of Governors, and the State Board of Community



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3566 Colleges.
3567 (2) To preserve Florida's "2+2" system of articulation and
3568 improve and facilitate articulation systemwide, the State Board
3569 of Education, and the Board of Governors, and the State Board of
3570 Community Colleges shall collaboratively establish and adopt
3571 policies with input from statewide K-20 advisory groups
3572 established by the Commissioner of Education, the Chancellor of
3573 the Florida Community College System, and the Chancellor of the
3574 State University System and shall recommend the policies to the
3575 Legislature. The policies shall relate to:
3576 (a) The alignment between the exit requirements of one
3577 education system and the admissions requirements of another
3578 education system into which students typically transfer.
3579 (b) The identification of common courses, the level of
3580 courses, institutional participation in a statewide course
3581 numbering system, and the transferability of credits among such
3582 institutions.
3583 (c) Identification of courses that meet general education
3584 or common degree program prerequisite requirements at public
3585 postsecondary educational institutions.
3586 (d) Dual enrollment course equivalencies.
3587 (e) Articulation agreements.
3588 (3) The Commissioner of Education, in consultation with the
3589 Chancellor of the Florida Community College System and the
3590 Chancellor of the State University System, shall establish the
3591 Articulation Coordinating Committee, which shall make
3592 recommendations related to statewide articulation policies and
3593 issues regarding access, quality, and reporting of data
3594 maintained by the K-20 data warehouse, established pursuant to



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3595 ss. 1001.10 and 1008.31, to the Higher Education Coordination
3596 Council, the State Board of Education, ~~and~~ the Board of
3597 Governors, and the State Board of Community Colleges. The
3598 committee shall consist of two members each representing the
3599 State University System, the Florida Community College System,
3600 public career and technical education, K-12 education, and
3601 nonpublic postsecondary education and one member representing
3602 students. The chair shall be elected from the membership. The
3603 Office of K-20 Articulation shall provide administrative support
3604 for the committee. The committee shall:

3605 (a) Monitor the alignment between the exit requirements of
3606 one education system and the admissions requirements of another
3607 education system into which students typically transfer and make
3608 recommendations for improvement.

3609 (b) Propose guidelines for interinstitutional agreements
3610 between and among public schools, career and technical education
3611 centers, Florida Community College System institutions, state
3612 universities, and nonpublic postsecondary institutions.

3613 (c) Annually recommend dual enrollment course and high
3614 school subject area equivalencies for approval by the State
3615 Board of Education, ~~and~~ the Board of Governors, and the State
3616 Board of Community Colleges.

3617 (d) Annually review the statewide articulation agreement
3618 pursuant to s. 1007.23 and make recommendations for revisions.

3619 (e) Annually review the statewide course numbering system,
3620 the levels of courses, and the application of transfer credit
3621 requirements among public and nonpublic institutions
3622 participating in the statewide course numbering system and
3623 identify instances of student transfer and admissions



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3624 difficulties.

3625 (f) Annually publish a list of courses that meet common
3626 general education and common degree program prerequisite
3627 requirements at public postsecondary institutions identified
3628 pursuant to s. 1007.25.

3629 (g) Foster timely collection and reporting of statewide
3630 education data to improve the K-20 education performance
3631 accountability system pursuant to ss. 1001.10 and 1008.31,
3632 including, but not limited to, data quality, accessibility, and
3633 protection of student records.

3634 (h) Recommend roles and responsibilities of public
3635 education entities in interfacing with the single, statewide
3636 computer-assisted student advising system established pursuant
3637 to s. 1006.735.

3638 (i) Make recommendations regarding the cost and
3639 requirements to develop and implement an online system for
3640 collecting and analyzing data regarding requests for transfer of
3641 credit by postsecondary education students. The online system,
3642 at a minimum, must collect information regarding the total
3643 number of credit transfer requests denied and the reason for
3644 each denial. Recommendations shall be reported to the President
3645 of the Senate and the Speaker of the House of Representatives on
3646 or before January 31, 2015.

3647 Section 56. Subsections (1) and (6) of section 1007.23,
3648 Florida Statutes, are amended, and subsection (7) is added to
3649 that section, to read:

3650 1007.23 Statewide articulation agreement.—

3651 (1) The State Board of Education, ~~and~~ the Board of
3652 Governors, and the State Board of Community Colleges shall enter



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3653 into a statewide articulation agreement which the State Board of
3654 Education and the State Board of Community Colleges shall adopt
3655 by rule. The agreement must preserve Florida's "2+2" system of
3656 articulation, facilitate the seamless articulation of student
3657 credit across and among Florida's educational entities, and
3658 reinforce the provisions of this chapter by governing:

3659 (a) Articulation between secondary and postsecondary
3660 education;

3661 (b) Admission of associate in arts degree graduates from
3662 Florida Community College System institutions and state
3663 universities;

3664 (c) Admission of applied technology diploma program
3665 graduates from Florida Community College System institutions or
3666 career centers;

3667 (d) Admission of associate in science degree and associate
3668 in applied science degree graduates from Florida Community
3669 College System institutions;

3670 (e) The use of acceleration mechanisms, including
3671 nationally standardized examinations through which students may
3672 earn credit;

3673 (f) General education requirements and statewide course
3674 numbers as provided for in ss. 1007.24 and 1007.25; and

3675 (g) Articulation among programs in nursing.

3676 (6) The articulation agreement must guarantee the
3677 articulation of 9 credit hours toward a postsecondary degree in
3678 early childhood education for programs approved by the State
3679 Board of Community Colleges ~~Education~~ and the Board of Governors
3680 which:

3681 (a) Award a child development associate credential issued



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3682 by the National Credentialing Program of the Council for
3683 Professional Recognition or award a credential approved under s.
3684 1002.55(3)(c)1.b. or s. 402.305(3)(c) as being equivalent to the
3685 child development associate credential; and

3686 (b) Include training in emergent literacy which meets or
3687 exceeds the minimum standards for training courses for
3688 prekindergarten instructors of the Voluntary Prekindergarten
3689 Education Program in s. 1002.59.

3690 (7) To strengthen Florida's "2+2" system of articulation
3691 and improve student retention and on-time graduation, by the
3692 2018-2019 academic year, each Florida Community College System
3693 institution shall execute at least one "2+2" targeted pathway
3694 articulation agreement with one or more state universities to
3695 establish "2+2" targeted pathway programs. The agreement must
3696 provide students who graduate with an associate in arts degree
3697 and who meet specified requirements guaranteed access to the
3698 state university and a degree program at that university, in
3699 accordance with the terms of the "2+2" targeted pathway
3700 articulation agreement.

3701 (a) To participate in a "2+2" targeted pathway program, a
3702 student must:

3703 1. Enroll in the program before completing 30 credit hours,
3704 including, but not limited to, college credits earned through
3705 articulated acceleration mechanisms pursuant to s. 1007.27;

3706 2. Complete an associate in arts degree; and

3707 3. Meet the university's transfer requirements.

3708 (b) A state university that executes a "2+2" targeted
3709 pathway articulation agreement must meet the following
3710 requirements in order to implement a "2+2" targeted pathway



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3711 program in collaboration with its partner Florida Community
3712 College System institution:

3713 1. Establish a 4-year on-time graduation plan for a
3714 baccalaureate degree program, including, but not limited to, a
3715 plan for students to complete associate in arts degree programs,
3716 general education courses, common prerequisite courses, and
3717 elective courses;

3718 2. Advise students enrolled in the program about the
3719 university's transfer and degree program requirements; and

3720 3. Provide students who meet the requirements under this
3721 paragraph with access to academic advisors and campus events and
3722 with guaranteed admittance to the state university and a degree
3723 program of the state university, in accordance with the terms of
3724 the agreement.

3725 (c) To assist the state universities and Florida Community
3726 College System institutions with implementing the "2+2" targeted
3727 pathway programs effectively, the State Board of Community
3728 Colleges and the Board of Governors shall collaborate to
3729 eliminate barriers in executing "2+2" targeted pathway
3730 articulation agreements.

3731 Section 57. Subsections (1), (2), and (3) of section
3732 1007.24, Florida Statutes, are amended to read:

3733 1007.24 Statewide course numbering system.—

3734 (1) The Department of Education, in conjunction with the
3735 Board of Governors and the State Board of Community Colleges,
3736 shall develop, coordinate, and maintain a statewide course
3737 numbering system for postsecondary and dual enrollment education
3738 in school districts, public postsecondary educational
3739 institutions, and participating nonpublic postsecondary



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3740 educational institutions that will improve program planning,
3741 increase communication among all delivery systems, and
3742 facilitate student acceleration and the transfer of students and
3743 credits between public school districts, public postsecondary
3744 educational institutions, and participating nonpublic
3745 educational institutions. The continuing maintenance of the
3746 system shall be accomplished with the assistance of appropriate
3747 faculty committees representing public and participating
3748 nonpublic educational institutions.

3749 (2) The Commissioner of Education, in conjunction with the
3750 Chancellor of the Florida Community College System and the
3751 Chancellor of the State University System, shall appoint faculty
3752 committees representing faculties of participating institutions
3753 to recommend a single level for each course, including
3754 postsecondary career education courses, included in the
3755 statewide course numbering system.

3756 (a) Any course designated as an upper-division-level course
3757 must be characterized by a need for advanced academic
3758 preparation and skills that a student would be unlikely to
3759 achieve without significant prior coursework.

3760 (b) A course that is offered as part of an associate in
3761 science degree program and as an upper-division course for a
3762 baccalaureate degree shall be designated for both the lower and
3763 upper division.

3764 (c) A course designated as lower-division may be offered by
3765 any Florida Community College System institution.

3766 (3) The Commissioner of Education shall recommend to the
3767 State Board of Education the levels for the courses. The State
3768 Board of Education, with input from the Board of Governors and



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3769 the State Board of Community Colleges, shall approve the levels
3770 for the courses.

3771 Section 58. Subsections (3), (5), and (8) through (11) of
3772 section 1007.25, Florida Statutes, are amended to read:

3773 1007.25 General education courses; common prerequisites;
3774 other degree requirements.—

3775 (3) The chair of the State Board of Community Colleges
3776 ~~Education~~ and the chair of the Board of Governors, or their
3777 designees, shall jointly appoint faculty committees to identify
3778 statewide general education core course options. General
3779 education core course options shall consist of a maximum of five
3780 courses within each of the subject areas of communication,
3781 mathematics, social sciences, humanities, and natural sciences.
3782 The core courses may be revised, or the five-course maximum
3783 within each subject area may be exceeded, if approved by the
3784 State Board of Community Colleges ~~Education~~ and the Board of
3785 Governors, as recommended by the subject area faculty committee
3786 and approved by the Articulation Coordinating Committee as
3787 necessary for a subject area. Each general education core course
3788 option must contain high-level academic and critical thinking
3789 skills and common competencies that students must demonstrate to
3790 successfully complete the course. Beginning with students
3791 initially entering a Florida Community College System
3792 institution or state university in 2015-2016 and thereafter,
3793 each student must complete at least one identified core course
3794 in each subject area as part of the general education course
3795 requirements. All public postsecondary educational institutions
3796 shall accept these courses as meeting general education core
3797 course requirements. The remaining general education course



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3798 requirements shall be identified by each institution and
3799 reported to the department by their statewide course number. The
3800 general education core course options shall be adopted in rule
3801 by the State Board of Community Colleges ~~Education~~ and in
3802 regulation by the Board of Governors.

3803 (5) The department shall identify common prerequisite
3804 courses and course substitutions for degree programs across all
3805 institutions. Common degree program prerequisites shall be
3806 offered and accepted by all state universities and Florida
3807 Community College System institutions, except in cases approved
3808 by the State Board of Community Colleges, ~~Education~~ for Florida
3809 Community College System institutions, and the Board of
3810 Governors, for state universities. The department shall develop
3811 a centralized database containing the list of courses and course
3812 substitutions that meet the prerequisite requirements for each
3813 baccalaureate degree program.

3814 (8) A baccalaureate degree program shall require no more
3815 than 120 semester hours of college credit and include 36
3816 semester hours of general education coursework, unless prior
3817 approval has been granted by the Board of Governors for
3818 baccalaureate degree programs offered by state universities and
3819 by the State Board of Community Colleges ~~Education~~ for
3820 baccalaureate degree programs offered by Florida Community
3821 College System institutions.

3822 (9) A student who received an associate in arts degree for
3823 successfully completing 60 semester credit hours may continue to
3824 earn ~~additional~~ credits at a Florida Community College System
3825 institution. The university must provide credit toward the
3826 student's baccalaureate degree for a an additional Florida



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3827 Community College System institution course if, according to the
3828 statewide course numbering, the Florida Community College System
3829 institution course is a course listed in the university catalog
3830 as required for the degree or as prerequisite to a course
3831 required for the degree. Of the courses required for the degree,
3832 at least half of the credit hours required for the degree shall
3833 be achievable through courses designated as lower division,
3834 except in degree programs approved by the State Board of
3835 Community Colleges ~~Education~~ for programs offered by Florida
3836 Community College System institutions and by the Board of
3837 Governors for programs offered by state universities.

3838 (10) Students at state universities may request associate
3839 in arts certificates if they have successfully completed the
3840 minimum requirements for the degree of associate in arts (A.A.).
3841 The university must grant the student an associate in arts
3842 degree if the student has successfully completed minimum
3843 requirements for college-level communication and computation
3844 skills adopted by the State Board of Community Colleges
3845 ~~Education~~ and 60 academic semester hours or the equivalent
3846 within a degree program area, including 36 semester hours in
3847 general education courses in the subject areas of communication,
3848 mathematics, social sciences, humanities, and natural sciences,
3849 consistent with the general education requirements specified in
3850 the articulation agreement pursuant to s. 1007.23.

3851 (11) The Commissioner of Education and the Chancellor of
3852 the Florida Community College System shall jointly appoint
3853 faculty committees representing both Florida Community College
3854 System institution and public school faculties to recommend to
3855 the commissioner, or the Chancellor of the Florida Community



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3856 College System, as applicable, for approval by the State Board
3857 of Education and the State Board of Community Colleges, as
3858 applicable, a standard program length and appropriate
3859 occupational completion points for each postsecondary career
3860 certificate program, diploma, and degree offered by a school
3861 district or a Florida Community College System institution.

3862 Section 59. Section 1007.262, Florida Statutes, is amended
3863 to read:

3864 1007.262 Foreign language competence; equivalence
3865 determinations.—The Department of Education shall identify the
3866 competencies demonstrated by students upon the successful
3867 completion of 2 credits of sequential high school foreign
3868 language instruction. For the purpose of determining
3869 postsecondary equivalence, the State Board of Community Colleges
3870 ~~department~~ shall develop rules through which Florida Community
3871 College System institutions correlate such competencies to the
3872 competencies required of students in the colleges' respective
3873 courses. Based on this correlation, each Florida Community
3874 College System institution shall identify the minimum number of
3875 postsecondary credits that students must earn in order to
3876 demonstrate a level of competence in a foreign language at least
3877 equivalent to that of students who have completed 2 credits of
3878 such instruction in high school. The department may also specify
3879 alternative means by which students can demonstrate equivalent
3880 foreign language competence, including means by which a student
3881 whose native language is not English may demonstrate proficiency
3882 in the native language. A student who demonstrates proficiency
3883 in a native language other than English is exempt from a
3884 requirement of completing foreign language courses at the



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3885 secondary or Florida Community College System level.

3886 Section 60. Section 1007.263, Florida Statutes, is amended
3887 to read:

3888 1007.263 Florida Community College System institutions;
3889 admissions of students.—Each Florida Community College System
3890 institution board of trustees is authorized to adopt rules
3891 governing admissions of students subject to this section and
3892 rules of the State Board of Community Colleges Education. These
3893 rules shall include the following:

3894 (1) Admissions counseling shall be provided to all students
3895 entering college or career credit programs. For students who are
3896 not otherwise exempt from testing under s. 1008.30, counseling
3897 must use tests to measure achievement of college-level
3898 communication and computation competencies by students entering
3899 college credit programs or tests to measure achievement of basic
3900 skills for career education programs as prescribed in s.
3901 1004.91. Counseling includes providing developmental education
3902 options for students whose assessment results, determined under
3903 s. 1008.30, indicate that they need to improve communication or
3904 computation skills that are essential to perform college-level
3905 work.

3906 (2) Admission to associate degree programs is subject to
3907 minimum standards adopted by the State Board of Community
3908 Colleges Education and shall require:

3909 (a) A standard high school diploma, a high school
3910 equivalency diploma as prescribed in s. 1003.435, previously
3911 demonstrated competency in college credit postsecondary
3912 coursework, or, in the case of a student who is home educated, a
3913 signed affidavit submitted by the student's parent or legal



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3914 guardian attesting that the student has completed a home
3915 education program pursuant to the requirements of s. 1002.41.
3916 Students who are enrolled in a dual enrollment or early
3917 admission program pursuant to s. 1007.271 are exempt from this
3918 requirement.

3919 (b) A demonstrated level of achievement of college-level
3920 communication and computation skills.

3921 (c) Any other requirements established by the board of
3922 trustees.

3923 (3) Admission to other programs within the Florida
3924 Community College System institution shall include education
3925 requirements as established by the board of trustees.

3926 (4) A student who has been awarded a certificate of
3927 completion under s. 1003.4282 is eligible to enroll in
3928 certificate career education programs.

3929 (5) A student with a documented disability may be eligible
3930 for reasonable substitutions, as prescribed in ss. 1007.264 and
3931 1007.265.

3932
3933 Each board of trustees shall establish policies that notify
3934 students about developmental education options for improving
3935 their communication or computation skills that are essential to
3936 performing college-level work, including tutoring, extended time
3937 in gateway courses, free online courses, adult basic education,
3938 adult secondary education, or private provider instruction.

3939 Section 61. Subsection (2) of section 1007.264, Florida
3940 Statutes, is amended to read:

3941 1007.264 Persons with disabilities; admission to
3942 postsecondary educational institutions; substitute requirements;



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rules and regulations.-

(2) The State Board of Community Colleges Education, in consultation with the Board of Governors, shall adopt rules to implement this section for Florida Community College System institutions and shall develop substitute admission requirements where appropriate.

Section 62. Subsections (2) and (3) of section 1007.265, Florida Statutes, are amended to read:

1007.265 Persons with disabilities; graduation, study program admission, and upper-division entry; substitute requirements; rules and regulations.-

(2) The State Board of Community Colleges Education, in consultation with the Board of Governors, shall adopt rules to implement this section for Florida Community College System institutions and shall develop substitute requirements where appropriate.

(3) The Board of Governors, in consultation with the State Board of Community Colleges Education, shall adopt regulations to implement this section for state universities and shall develop substitute requirements where appropriate.

Section 63. Subsections (6), (7), and (8) of section 1007.27, Florida Statutes, are amended to read:

1007.27 Articulated acceleration mechanisms.-

(6) Credit by examination shall be the program through which secondary and postsecondary students generate postsecondary credit based on the receipt of a specified minimum score on nationally standardized general or subject-area examinations. For the purpose of statewide application, such examinations and the corresponding minimum scores required for



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an award of credit shall be delineated by the State Board of Education, ~~and the Board of Governors, and the State Board of~~ Community Colleges in the statewide articulation agreement required by s. 1007.23(1). The maximum credit generated by a student pursuant to this subsection shall be mitigated by any related postsecondary credit earned by the student prior to the administration of the examination. This subsection shall not preclude Florida Community College System institutions and universities from awarding credit by examination based on student performance on examinations developed within and recognized by the individual postsecondary institutions.

(7) The International Baccalaureate Program shall be the curriculum in which eligible secondary students are enrolled in a program of studies offered through the International Baccalaureate Program administered by the International Baccalaureate Office. The State Board of Community Colleges Education and the Board of Governors shall specify in the statewide articulation agreement required by s. 1007.23(1) the cutoff scores and International Baccalaureate Examinations which will be used to grant postsecondary credit at Florida Community College System institutions and universities. Any changes to the articulation agreement, which have the effect of raising the required cutoff score or of changing the International Baccalaureate Examinations which will be used to grant postsecondary credit, shall only apply to students taking International Baccalaureate Examinations after such changes are adopted by the State Board of Community Colleges Education and the Board of Governors. Students shall be awarded a maximum of 30 semester credit hours pursuant to this subsection. The



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4001 specific course for which a student may receive such credit
4002 shall be specified in the statewide articulation agreement
4003 required by s. 1007.23(1). Students enrolled pursuant to this
4004 subsection shall be exempt from the payment of any fees for
4005 administration of the examinations regardless of whether or not
4006 the student achieves a passing score on the examination.

4007 (8) The Advanced International Certificate of Education
4008 Program and the International General Certificate of Secondary
4009 Education (pre-AICE) Program shall be the curricula in which
4010 eligible secondary students are enrolled in programs of study
4011 offered through the Advanced International Certificate of
4012 Education Program or the International General Certificate of
4013 Secondary Education (pre-AICE) Program administered by the
4014 University of Cambridge Local Examinations Syndicate. The State
4015 Board of Community Colleges Education and the Board of Governors
4016 shall specify in the statewide articulation agreement required
4017 by s. 1007.23(1) the cutoff scores and Advanced International
4018 Certificate of Education examinations which will be used to
4019 grant postsecondary credit at Florida Community College System
4020 institutions and universities. Any changes to the cutoff scores,
4021 which changes have the effect of raising the required cutoff
4022 score or of changing the Advanced International Certification of
4023 Education examinations which will be used to grant postsecondary
4024 credit, shall apply to students taking Advanced International
4025 Certificate of Education examinations after such changes are
4026 adopted by the State Board of Community Colleges Education and
4027 the Board of Governors. Students shall be awarded a maximum of
4028 30 semester credit hours pursuant to this subsection. The
4029 specific course for which a student may receive such credit



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4030 shall be determined by the Florida Community College System
4031 institution or university that accepts the student for
4032 admission. Students enrolled in either program of study pursuant
4033 to this subsection shall be exempt from the payment of any fees
4034 for administration of the examinations regardless of whether the
4035 student achieves a passing score on the examination.

4036 Section 64. Subsections (3) and (22) of section 1007.271,
4037 Florida Statutes, are amended to read:

4038 1007.271 Dual enrollment programs.—

4039 (3) Student eligibility requirements for initial enrollment
4040 in college credit dual enrollment courses must include a 3.0
4041 unweighted high school grade point average and the minimum score
4042 on a common placement test adopted by the State Board of
4043 Education which indicates that the student is ready for college-
4044 level coursework. Student eligibility requirements for continued
4045 enrollment in college credit dual enrollment courses must
4046 include the maintenance of a 3.0 unweighted high school grade
4047 point average and the minimum postsecondary grade point average
4048 established by the postsecondary institution. Regardless of
4049 meeting student eligibility requirements for continued
4050 enrollment, a student may lose the opportunity to participate in
4051 a dual enrollment course if the student is disruptive to the
4052 learning process such that the progress of other students or the
4053 efficient administration of the course is hindered. Student
4054 eligibility requirements for initial and continued enrollment in
4055 career certificate dual enrollment courses must include a 2.0
4056 unweighted high school grade point average. Exceptions to the
4057 required grade point averages may be granted on an individual
4058 student basis if the educational entities agree and the terms of



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4059 the agreement are contained within the dual enrollment
4060 articulation agreement established pursuant to subsection (21).
4061 Florida Community College System institution boards of trustees
4062 may establish additional initial student eligibility
4063 requirements, which shall be included in the dual enrollment
4064 articulation agreement, to ensure student readiness for
4065 postsecondary instruction. Additional requirements included in
4066 the agreement may not arbitrarily prohibit students who have
4067 demonstrated the ability to master advanced courses from
4068 participating in dual enrollment courses.

4069 (22) The Department of Education shall develop an
4070 electronic submission system for dual enrollment articulation
4071 agreements and shall review, for compliance, each dual
4072 enrollment articulation agreement submitted pursuant to
4073 subsections (13), (21), and (24). The Commissioner of Education
4074 shall notify the district school superintendent and the Florida
4075 Community College System institution president if the dual
4076 enrollment articulation agreement does not comply with statutory
4077 requirements and shall submit any dual enrollment articulation
4078 agreement with unresolved issues of noncompliance to the State
4079 Board of Education. The State Board of Education shall
4080 collaborate with the State Board of Community Colleges to
4081 resolve unresolved issues of noncompliance.

4082 Section 65. Subsection (6) of section 1007.273, Florida
4083 Statutes, is amended to read:

4084 1007.273 Collegiate high school program.—

4085 (6) The collegiate high school program shall be funded
4086 pursuant to ss. 1007.271 and 1011.62. The State Board of
4087 Education shall enforce compliance with this section by



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4088 withholding the transfer of funds for the school districts ~~and~~
4089 ~~the Florida College System institutions~~ in accordance with s.
4090 1008.32. Annually by December 31, the State Board of Community
4091 Colleges shall enforce compliance with this section by
4092 withholding the transfer of funds for the Florida Community
4093 College System institutions in accordance with s. 1001.602.

4094 Section 66. Section 1007.33, Florida Statutes, is amended
4095 to read:

4096 1007.33 Site-determined baccalaureate degree access.—

4097 (1) (a) The Legislature recognizes that public and private
4098 postsecondary educational institutions play an essential role in
4099 improving the quality of life and economic well-being of the
4100 state and its residents. The Legislature also recognizes that
4101 economic development needs and the educational needs of place-
4102 bound, nontraditional students have increased the demand for
4103 local access to baccalaureate degree programs. It is therefore
4104 the intent of the Legislature to further expand access to
4105 baccalaureate degree programs through the use of Florida
4106 Community College System institutions.

4107 (b) For purposes of this section, the term "district"
4108 refers to the county or counties served by a Florida Community
4109 College System institution pursuant to s. 1000.21(3).

4110 (2) Any Florida Community College System institution that
4111 offers one or more baccalaureate degree programs must:

4112 (a) Maintain as its primary mission:

4113 1. Responsibility for responding to community needs for
4114 postsecondary academic education and career degree education as
4115 prescribed in s. 1004.65(5).

4116 2. The provision of associate degrees that provide access



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to a university.

(b) Maintain an open-door admission policy for associate-level degree programs and workforce education programs.

(c) Continue to provide outreach to underserved populations.

(d) Continue to provide remedial education pursuant to s. 1008.30.

(e) Comply with all provisions of the statewide articulation agreement which relate to 2-year and 4-year public degree-granting institutions as adopted by the State Board of Education or the State Board of Community Colleges, as applicable, pursuant to s. 1007.23.

(f) Not award graduate credit.

(g) Not participate in intercollegiate athletics beyond the 2-year level.

(3) A Florida Community College System institution may not terminate its associate in arts or associate in science degree programs as a result of being authorized to offer one or more baccalaureate degree programs. The Legislature intends that the primary responsibility of a Florida Community College System institution, including a Florida Community College System institution that offers baccalaureate degree programs, continues to be the provision of associate degrees that provide access to a university.

(4) A Florida Community College System institution may:

(a) Offer specified baccalaureate degree programs through formal agreements between the Florida Community College System institution and other regionally accredited postsecondary educational institutions pursuant to s. 1007.22.



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(b) Offer baccalaureate degree programs that are ~~were~~ authorized by law ~~prior to July 1, 2009.~~

~~(c) Beginning July 1, 2009, establish a first or subsequent baccalaureate degree program for purposes of meeting district, regional, or statewide workforce needs if approved by the State Board of Community Colleges Education under this section. However, a Florida Community College System institution may not offer a bachelor of arts degree program.~~

~~Beginning July 1, 2009, the Board of Trustees of St. Petersburg College is authorized to establish one or more bachelor of applied science degree programs based on an analysis of workforce needs in Pinellas, Pasco, and Hernando Counties and other counties approved by the Department of Education. For each program selected, St. Petersburg College must offer a related associate in science or associate in applied science degree program, and the baccalaureate degree level program must be designed to articulate fully with at least one associate in science degree program. The college is encouraged to develop articulation agreements for enrollment of graduates of related associate in applied science degree programs. The Board of Trustees of St. Petersburg College is authorized to establish additional baccalaureate degree programs if it determines a program is warranted and feasible based on each of the factors in paragraph (5)(d). However, the Board of Trustees of St. Petersburg College may not establish any new baccalaureate degree programs from March 31, 2014, through May 31, 2015. Prior to developing or proposing a new baccalaureate degree program, St. Petersburg College shall engage in need, demand, and impact~~



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4175 ~~discussions with the state university in its service district~~
4176 ~~and other local and regional, accredited postsecondary providers~~
4177 ~~in its region. Documentation, data, and other information from~~
4178 ~~inter-institutional discussions regarding program need, demand,~~
4179 ~~and impact shall be provided to the college's board of trustees~~
4180 ~~to inform the program approval process. Employment at St.~~
4181 ~~Petersburg College is governed by the same laws that govern~~
4182 ~~Florida College System institutions, except that upper-division~~
4183 ~~faculty are eligible for continuing contracts upon the~~
4184 ~~completion of the fifth year of teaching. Employee records for~~
4185 ~~all personnel shall be maintained as required by s. 1012.81.~~

4186 (5) The approval process for baccalaureate degree programs
4187 ~~requires shall require:~~

4188 (a) Each Florida Community College System institution to
4189 submit a notice of interest at least 180 days before submitting
4190 a notice of its intent to propose a baccalaureate degree program
4191 ~~to the Division of Florida Colleges at least 100 days before the~~
4192 ~~submission of its proposal under paragraph (d).~~ The notice of
4193 interest must be submitted into a shared postsecondary database
4194 that allows other postsecondary institutions to preview and
4195 provide feedback on the notice of interest. A written notice of
4196 intent must be submitted to the Chancellor of the Florida
4197 Community College System at least 100 days before the submission
4198 of a baccalaureate degree program proposal under paragraph (c).
4199 The notice of intent must include a brief description of the
4200 program, the workforce demand and unmet need for graduates of
4201 the program to include evidence from entities independent of the
4202 institution, the geographic region to be served, and an
4203 estimated timeframe for implementation. Notices of interest and



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4204 intent may be submitted by a Florida Community College System
4205 institution at any time throughout the year. The notice of of
4206 intent must also include evidence that the Florida Community
4207 College System institution engaged in need, demand, and impact
4208 discussions with the state university and other regionally
4209 accredited postsecondary education providers in its service
4210 district.

4211 (b) The Chancellor of the Florida Community College System
4212 ~~Division of Florida Colleges~~ to forward the notice of intent
4213 submitted pursuant to paragraph (a) and the justification for
4214 the proposed baccalaureate degree program required under
4215 paragraph (c) within 10 business days after receiving such
4216 notice and justification to the Chancellor of the State
4217 University System, the president of the Independent Colleges and
4218 Universities of Florida, and the Executive Director of the
4219 Commission for Independent Education. State universities ~~shall~~
4220 have 60 days following receipt of the notice of intent and
4221 justification by the Chancellor of the State University System
4222 to submit an objection and a reason for the objection to the
4223 proposed baccalaureate degree program, which may include
4224 ~~objections to the proposed new program or submit~~ an alternative
4225 proposal to offer the baccalaureate degree program. The
4226 Chancellor of the State University System shall review the
4227 objection raised by a state university and inform the Board of
4228 Governors of the objection before a state university submits its
4229 objection to the Chancellor of the Florida Community College
4230 System. The Chancellor of the Florida Community College System
4231 must consult with the Chancellor of the State University System
4232 to consider the objection raised by the state university before



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4233 ~~the State Board of Community Colleges approves or denies a~~
4234 ~~Florida Community College System institution's proposal~~
4235 ~~submitted pursuant to paragraph (c). If a proposal from a state~~
4236 ~~university is not received within the 60-day period, The~~
4237 ~~Chancellor of the Florida Community College System State Board~~
4238 ~~of Education shall also~~ provide regionally accredited private
4239 colleges and universities 60 30 days to submit an objection and
4240 a reason for the objection to the proposed baccalaureate degree
4241 program, which may include an alternative proposal to offer a
4242 baccalaureate degree program objections to the proposed new
4243 program or submit an alternative proposal. Objections by a
4244 regionally accredited private college or university or
4245 alternative proposals shall be submitted to the Chancellor of
4246 the Florida Community College System, and the state board must
4247 consider such objections before ~~Division of Florida Colleges and~~
4248 ~~must be considered by the State Board of Education in~~ making its
4249 decision to approve or deny a Florida Community College System
4250 institution's proposal submitted pursuant to paragraph (c).

4251 ~~(e) An alternative proposal submitted by a state university~~
4252 ~~or private college or university to adequately address:~~

4253 ~~1. The extent to which the workforce demand and unmet need~~
4254 ~~described in the notice of intent will be met.~~

4255 ~~2. The extent to which students will be able to complete~~
4256 ~~the degree in the geographic region proposed to be served by the~~
4257 ~~Florida College System institution.~~

4258 ~~3. The level of financial commitment of the college or~~
4259 ~~university to the development, implementation, and maintenance~~
4260 ~~of the specified degree program, including timelines.~~

4261 ~~4. The extent to which faculty at both the Florida College~~



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4262 ~~System institution and the college or university will~~
4263 ~~collaborate in the development and offering of the curriculum.~~

4264 ~~5. The ability of the Florida College System institution~~
4265 ~~and the college or university to develop and approve the~~
4266 ~~curriculum for the specified degree program within 6 months~~
4267 ~~after an agreement between the Florida College System~~
4268 ~~institution and the college or university is signed.~~

4269 ~~6. The extent to which the student may incur additional~~
4270 ~~costs above what the student would expect to incur if the~~
4271 ~~program were offered by the Florida College System institution.~~

4272 ~~(c)(d) Each Florida Community College System institution to~~
4273 ~~submit a baccalaureate degree program proposal at least 100 days~~
4274 ~~after submitting the notice of intent. Each proposal must~~
4275 ~~submitted by a Florida College System institution to, at a~~
4276 ~~minimum, include:~~

4277 ~~1. A description of the planning process and timeline for~~
4278 ~~implementation.~~

4279 ~~2. A justification for the proposed baccalaureate degree~~
4280 ~~program, including, at a minimum, a data-driven ~~An~~ analysis of~~
4281 ~~workforce demand and unmet need for graduates of the program on~~
4282 ~~a district, regional, or statewide basis, as appropriate, and~~
4283 ~~the extent to which the proposed program will meet the workforce~~
4284 ~~demand and unmet need. The analysis must include workforce and~~
4285 ~~employment data for the most recent years and projections by the~~
4286 ~~Department of Economic Opportunity for future years, and a~~
4287 ~~summary of degree programs similar to the proposed degree~~
4288 ~~program which are currently offered by state universities or by~~
4289 ~~independent nonprofit colleges or universities that are eligible~~
4290 ~~to participate in a grant program pursuant to s. 1009.89 and~~



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4291 which are located in the Florida Community College System
4292 institution's regional service area. The analysis and evidence
4293 must be verified by the Chancellor of the Florida Community
4294 College System including evidence from entities independent of
4295 the institution.

4296 3. Identification of the facilities, equipment, and library
4297 and academic resources that will be used to deliver the program.

4298 4. The program cost analysis of creating a new
4299 baccalaureate degree when compared to ~~alternative proposals and~~
4300 other program delivery options.

4301 5. The program's admission requirements, academic content,
4302 curriculum, faculty credentials, student-to-teacher ratios, and
4303 accreditation plan.

4304 6. The program's student enrollment projections and funding
4305 requirements, including:

4306 a. The impact of the program's enrollment projections on
4307 compliance with the upper-level enrollment provisions under
4308 subsection (6); and

4309 b. The institution's efforts to sustain the program at the
4310 cost of tuition and fees for students who are classified as
4311 residents for tuition purposes under s. 1009.21, not to exceed
4312 \$10,000 for the entire degree program, including flexible
4313 tuition and fee rates, and the use of waivers pursuant to s.
4314 1009.26(11).

4315 7. A plan of action if the program is terminated.

4316 ~~(d)(e)~~ The State Board of Community Division of Florida
4317 Colleges to review the proposal, notify the Florida Community
4318 College System institution of any deficiencies in writing within
4319 30 days following receipt of the proposal, and provide the



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4320 Florida Community College System institution with an opportunity
4321 to correct the deficiencies. Within 45 days following receipt of
4322 a completed proposal by the State Board of Community Division of
4323 Florida Colleges, the Chancellor of the Florida Community
4324 College System Commissioner of Education shall recommend
4325 approval or disapproval of the proposal to the State Board of
4326 Community Colleges Education. The State Board of Community
4327 Colleges Education shall consider such recommendation, the
4328 proposal, input from the Chancellor of the State University
4329 System and the president of the Independent Colleges and
4330 Universities of Florida, and any objections or alternative
4331 proposals at its next meeting. If the State Board of Community
4332 Colleges Education disapproves the Florida Community College
4333 System institution's proposal, it shall provide the Florida
4334 Community College System institution with written reasons for
4335 that determination.

4336 ~~(e)(f)~~ The Florida Community College System institution to
4337 obtain from the Commission on Colleges of the Southern
4338 Association of Colleges and Schools accreditation as a
4339 baccalaureate-degree-granting institution if approved by the
4340 State Board of Community Colleges Education to offer its first
4341 baccalaureate degree program.

4342 ~~(f)(g)~~ The Florida Community College System institution to
4343 notify the Commission on Colleges of the Southern Association of
4344 Colleges and Schools of subsequent degree programs that are
4345 approved by the State Board of Community Colleges Education and
4346 to comply with the association's required substantive change
4347 protocols for accreditation purposes.

4348 ~~(g)(h)~~ The Florida Community College System institution to



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4349 annually report to the State Board of Community Colleges, the
4350 Chancellor of the State University System, and upon request of
4351 the State Board of Education, the Commissioner of Education, the
4352 Chancellor of the Florida College System, or the Legislature,
4353 ~~report~~ its status using the following performance and compliance
4354 indicators:

- 4355 1. Obtaining and maintaining appropriate Southern
- 4356 Association of Colleges and Schools accreditation;
- 4357 2. Maintaining qualified faculty and institutional
- 4358 resources;
- 4359 3. Maintaining student enrollment in previously approved
- 4360 programs;
- 4361 4. Managing fiscal resources appropriately;
- 4362 5. Complying with the primary mission and responsibility
- 4363 requirements in subsections (2) and (3); ~~and~~
- 4364 6. Other indicators of success, including program
- 4365 completions, employment and earnings outcomes, student
- 4366 acceptance into and performance in graduate programs placements,
- 4367 and surveys of graduates and employers; and-
- 4368 7. Continuing to meet workforce demand, as provided in
- 4369 subparagraph (c)2., as demonstrated through a data-driven needs
- 4370 assessment by the Florida Community College System institution
- 4371 which is verified by more than one third-party professional
- 4372 entity that is independent of the institution.
- 4373 8. Complying with the upper-level enrollment provisions
- 4374 under subsection (6).

4375
4376 The State Board of Community Colleges Education, upon annual
4377 review of the baccalaureate degree program performance and



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4378 compliance indicators and needs assessment, may require a
4379 Florida Community College System institution's board of trustees
4380 to modify or terminate a baccalaureate degree program authorized
4381 under this section. If the annual review indicates negative
4382 program performance and compliance results, and if the needs
4383 assessment fails to demonstrate a need for the program, the
4384 State Board of Community Colleges must require a Florida
4385 Community College System institution's board of trustees to
4386 terminate that baccalaureate degree program.

4387 (6) (a) If the 2015-2016 total upper-level, undergraduate
4388 full-time equivalent enrollment at a Florida Community College
4389 System institution is at or above 10 percent of the 2015-2016
4390 combined total lower-level and upper-level full-time equivalent
4391 enrollment at that institution, the total upper-level
4392 enrollment, as a percentage of the combined enrollment, may not
4393 increase by more than 4 percentage points unless the institution
4394 obtains prior legislative approval.

4395 (b) If the 2015-2016 total upper-level, undergraduate full-
4396 time equivalent enrollment at a Florida Community College System
4397 institution is below 10 percent of the 2015-2016 combined total
4398 lower-level and upper-level full-time equivalent enrollment at
4399 that institution, the total upper-level enrollment, as a
4400 percentage of the combined enrollment, may not increase by more
4401 than 8 percentage points unless the institution obtains prior
4402 legislative approval.

4403 (c) Notwithstanding enrollment provisions in paragraphs (a)
4404 and (b), the upper-level, undergraduate full-time equivalent
4405 enrollment at a Florida Community College System institution may
4406 not exceed 15 percent of the combined total lower-level and



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upper-level full-time equivalent enrollment at that institution.

(d) Within the 4 percent or 8 percent growth authorized under paragraph (a) or paragraph (b), for any planned and purposeful expansion of existing baccalaureate degree programs or creation of a new baccalaureate program, a community college must demonstrate satisfactory performance in fulfilling its primary mission pursuant to s. 1004.65, executing at least one "2+2" targeted pathway articulation agreement pursuant to s. 1007.23, and meeting or exceeding the performance standards related to on-time completion and graduation rates under s. 1001.66 for students earning associate of arts or baccalaureate degrees. The State Board of Community Colleges may not approve a new baccalaureate degree program proposal for a community college that does not meet the conditions specified in this subsection in addition to the other requirements for approval under this section. Each community college that offers a baccalaureate degree must annually review each baccalaureate degree program and annually report to the State Board of Community Colleges, in a format prescribed by the state board, current and projected student enrollment for such program, justification for continuation of each baccalaureate degree program, and a plan to comply with the upper-level enrollment provisions of this subsection. A Florida Community College System institution that does not comply with the requirements of this section is subject to s. 1001.602(9) and may not report for funding, the upper-level, undergraduate full-time equivalent enrollment that exceeds the upper-level enrollment percent provision of this subsection.

(7)(6) The State Board of Community Colleges Education



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shall adopt rules to prescribe format and content requirements and submission procedures for notices of interest and intent, baccalaureate degree program proposals, objections, proposals, alternative proposals, and compliance reviews under subsection (5).

Section 67. Subsections (1), (3), (4), and (5) of section 1008.30, Florida Statutes, are amended to read:

1008.30 Common placement testing for public postsecondary education.—

(1) The State Board of Community Colleges Education, in conjunction with the Board of Governors and the State Board of Education, shall develop and implement a common placement test for the purpose of assessing the basic computation and communication skills of students who intend to enter a degree program at any public postsecondary educational institution. Alternative assessments that may be accepted in lieu of the common placement test shall also be identified in rule. Public postsecondary educational institutions shall provide appropriate modifications of the test instruments or test procedures for students with disabilities.

(3) ~~By October 31, 2013,~~ The State Board of Community Colleges, in conjunction with the Board of Governors and the State Board of Education, Education shall establish by rule the test scores a student must achieve to demonstrate readiness to perform college-level work, and the rules must specify the following:

(a) A student who entered 9th grade in a Florida public school in the 2003-2004 school year, or any year thereafter, and earned a Florida standard high school diploma or a student who



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4465 is serving as an active duty member of any branch of the United
4466 States Armed Services shall not be required to take the common
4467 placement test and shall not be required to enroll in
4468 developmental education instruction in a Florida Community
4469 College System institution. However, a student who is not
4470 required to take the common placement test and is not required
4471 to enroll in developmental education under this paragraph may
4472 opt to be assessed and to enroll in developmental education
4473 instruction, and the college shall provide such assessment and
4474 instruction upon the student's request.

4475 (b) A student who takes the common placement test and whose
4476 score on the test indicates a need for developmental education
4477 must be advised of all the developmental education options
4478 offered at the institution and, after advisement, shall be
4479 allowed to enroll in the developmental education option of his
4480 or her choice.

4481 (c) A student who demonstrates readiness by achieving or
4482 exceeding the test scores established by the state board and
4483 enrolls in a Florida Community College System institution within
4484 2 years after achieving such scores shall not be required to
4485 retest or complete developmental education when admitted to any
4486 Florida Community College System institution.

4487 (4) ~~By December 31, 2013,~~ The State Board of Community
4488 Colleges Education, in consultation with the Board of Governors,
4489 shall approve a series of meta-majors and the academic pathways
4490 that identify the gateway courses associated with each meta-
4491 major. Florida Community College System institutions shall use
4492 placement test results to determine the extent to which each
4493 student demonstrates sufficient communication and computation



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4494 skills to indicate readiness for his or her chosen meta-major.
4495 Florida Community College System institutions shall counsel
4496 students into college credit courses as quickly as possible,
4497 with developmental education limited to that content needed for
4498 success in the meta-major.

4499 (5) (a) Each Florida Community College System institution
4500 board of trustees shall develop a plan to implement the
4501 developmental education strategies defined in s. 1008.02 and
4502 rules established by the State Board of Community Colleges
4503 Education. The plan must be submitted to the Chancellor of the
4504 Florida Community College System for approval no later than
4505 March 1, 2014, for implementation no later than the fall
4506 semester 2014. Each plan must include, at a minimum, local
4507 policies that outline:

4508 1. Documented student achievements such as grade point
4509 averages, work history, military experience, participation in
4510 juried competitions, career interests, degree major declaration,
4511 or any combination of such achievements that the institution may
4512 consider, in addition to common placement test scores, for
4513 advising students regarding enrollment options.

4514 2. Developmental education strategies available to
4515 students.

4516 3. A description of student costs and financial aid
4517 opportunities associated with each option.

4518 4. Provisions for the collection of student success data.

4519 5. A comprehensive plan for advising students into
4520 appropriate developmental education strategies based on student
4521 success data.

4522 (b) Beginning October 31, 2015, each Florida Community



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4523 College System institution shall annually prepare an
4524 accountability report that includes student success data
4525 relating to each developmental education strategy implemented by
4526 the institution. The report shall be submitted to the State
4527 Board of Community Division of Florida Colleges by October 31 in
4528 a format determined by the Chancellor of the Florida Community
4529 College System. By December 31, the chancellor shall compile and
4530 submit the institutional reports to the Governor, the President
4531 of the Senate, the Speaker of the House of Representatives, and
4532 the State Board of Community Colleges and the State Board of
4533 Education.

4534 (c) A university board of trustees may contract with a
4535 Florida Community College System institution board of trustees
4536 for the Florida Community College System institution to provide
4537 developmental education on the state university campus. Any
4538 state university in which the percentage of incoming students
4539 requiring developmental education equals or exceeds the average
4540 percentage of such students for the Florida Community College
4541 System may offer developmental education without contracting
4542 with a Florida Community College System institution; however,
4543 any state university offering college-preparatory instruction as
4544 of January 1, 1996, may continue to provide such services.

4545 Section 68. Paragraphs (d) and (e) of subsection (1) and
4546 paragraphs (a) and (c) of subsection (3) of section 1008.31,
4547 Florida Statutes, are amended to read:

4548 1008.31 Florida's K-20 education performance accountability
4549 system; legislative intent; mission, goals, and systemwide
4550 measures; data quality improvements.-

4551 (1) LEGISLATIVE INTENT.-It is the intent of the Legislature



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4552 that:

4553 (d) The State Board of Education, ~~and~~ the Board of
4554 Governors of the State University System, and the State Board of
4555 Community Colleges of the Florida Community College System
4556 recommend to the Legislature systemwide performance standards;
4557 the Legislature establish systemwide performance measures and
4558 standards; and the systemwide measures and standards provide
4559 Floridians with information on what the public is receiving in
4560 return for the funds it invests in education and how well the K-
4561 20 system educates its students.

4562 (e)1. The State Board of Education establish performance
4563 measures and set performance standards for individual public
4564 schools ~~and Florida College System institutions~~, with measures
4565 and standards based primarily on student achievement.

4566 2. The Board of Governors of the State University System
4567 establish performance measures and set performance standards for
4568 individual state universities, including actual completion
4569 rates.

4570 3. The State Board of Community Colleges establish
4571 performance measures and set performance standards for
4572 individual Florida Community College System institutions.

4573 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.-To provide
4574 data required to implement education performance accountability
4575 measures in state and federal law, the Commissioner of Education
4576 shall initiate and maintain strategies to improve data quality
4577 and timeliness. The Board of Governors shall make available to
4578 the department all data within the State University Database
4579 System to be integrated into the K-20 data warehouse. The
4580 commissioner shall have unlimited access to such data for the



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purposes of conducting studies, reporting annual and longitudinal student outcomes, and improving college readiness and articulation. All public educational institutions shall annually provide data from the prior year to the K-20 data warehouse in a format based on data elements identified by the commissioner.

(a) School districts and public postsecondary educational institutions shall maintain information systems that will provide the State Board of Education, the Board of Governors of the State University System, the State Board of Community Colleges of the Florida Community College System, and the Legislature with information and reports necessary to address the specifications of the accountability system. The level of comprehensiveness and quality must be no less than that which was available as of June 30, 2001.

(c) The Commissioner of Education shall determine the standards for the required data, monitor data quality, and measure improvements. The commissioner shall report annually to the State Board of Education, the Board of Governors of the State University System, the State Board of Community Colleges of the Florida Community College System, the President of the Senate, and the Speaker of the House of Representatives data quality indicators and ratings for all school districts and public postsecondary educational institutions.

Section 69. Section 1008.32, Florida Statutes, is amended to read:

1008.32 State Board of Education oversight enforcement authority.—The State Board of Education shall oversee the performance of district school boards ~~and Florida College System~~



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~~institution boards of trustees~~ in enforcement of all laws and rules. District school boards ~~and Florida College System institution boards of trustees~~ shall be primarily responsible for compliance with law and state board rule.

(1) In order to ensure compliance with law or state board rule, the State Board of Education shall have the authority to request and receive information, data, and reports from school districts ~~and Florida College System institutions~~. District school superintendents ~~and Florida College System institution presidents~~ are responsible for the accuracy of the information and data reported to the state board.

(2) The Commissioner of Education may investigate allegations of noncompliance with law or state board rule and determine probable cause. The commissioner shall report determinations of probable cause to the State Board of Education which shall require the district school board ~~or Florida College System institution board of trustees~~ to document compliance with law or state board rule.

(3) If the district school board ~~or Florida College System institution board of trustees~~ cannot satisfactorily document compliance, the State Board of Education may order compliance within a specified timeframe.

(4) If the State Board of Education determines that a district school board ~~or Florida College System institution board of trustees~~ is unwilling or unable to comply with law or state board rule within the specified time, the state board shall have the authority to initiate any of the following actions:

(a) Report to the Legislature that the school district ~~or~~



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4639 ~~Florida College System institution~~ is unwilling or unable to
4640 comply with law or state board rule and recommend action to be
4641 taken by the Legislature.

4642 (b) Withhold the transfer of state funds, discretionary
4643 grant funds, discretionary lottery funds, or any other funds
4644 specified as eligible for this purpose by the Legislature until
4645 the school district ~~or Florida College System institution~~
4646 complies with the law or state board rule.

4647 (c) Declare the school district ~~or Florida College System~~
4648 ~~institution~~ ineligible for competitive grants.

4649 (d) Require monthly or periodic reporting on the situation
4650 related to noncompliance until it is remedied.

4651 (5) Nothing in this section shall be construed to create a
4652 private cause of action or create any rights for individuals or
4653 entities in addition to those provided elsewhere in law or rule.

4654 Section 70. Paragraphs (e) and (f) of subsection (7) of
4655 section 1008.345, Florida Statutes, are amended to read:

4656 1008.345 Implementation of state system of school
4657 improvement and education accountability.—

4658 (7) As a part of the system of educational accountability,
4659 the Department of Education shall:

4660 (e) Maintain a listing of college-level communication and
4661 mathematics skills associated with successful student
4662 performance through the baccalaureate level and submit it to the
4663 State Board of Education, ~~and~~ the Board of Governors, ~~and the~~
4664 State Board of Community Colleges for approval.

4665 (f) Perform any other functions that may be involved in
4666 educational planning, research, and evaluation or that may be
4667 required by the commissioner, the State Board of Education, the



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4668 State Board of Community Colleges, the Board of Governors, or
4669 law.

4670 Section 71. Subsections (1) and (2) of section 1008.37,
4671 Florida Statutes, are amended to read:

4672 1008.37 Postsecondary feedback of information to high
4673 schools.—

4674 (1) The Commissioner of Education shall report to the State
4675 Board of Education, the Board of Governors, the State Board of
4676 Community Colleges, the Legislature, and the district school
4677 boards on the performance of each first-time-in-postsecondary
4678 education student from each public high school in this state who
4679 is enrolled in a public postsecondary institution or public
4680 career center. Such reports must be based on information
4681 databases maintained by the Department of Education. In
4682 addition, the public postsecondary educational institutions and
4683 career centers shall provide district school boards access to
4684 information on student performance in regular and preparatory
4685 courses and shall indicate students referred for remediation
4686 pursuant to s. 1004.91 or s. 1008.30.

4687 (2) The Commissioner of Education shall report, by high
4688 school, to the State Board of Education, the Board of Governors,
4689 the State Board of Community Colleges, and the Legislature, no
4690 later than November 30 of each year, on the number of prior year
4691 Florida high school graduates who enrolled for the first time in
4692 public postsecondary education in this state during the previous
4693 summer, fall, or spring term, indicating the number of students
4694 whose scores on the common placement test indicated the need for
4695 developmental education under s. 1008.30 or for applied
4696 academics for adult education under s. 1004.91.



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4697 Section 72. Section 1008.38, Florida Statutes, is amended
4698 to read:

4699 1008.38 Articulation accountability process.—The State
4700 Board of Education, in conjunction with the Board of Governors
4701 and the State Board of Community Colleges, shall develop
4702 articulation accountability measures which assess the status of
4703 systemwide articulation processes authorized under s. 1007.23
4704 and establish an articulation accountability process which at a
4705 minimum shall address:

4706 (1) The impact of articulation processes on ensuring
4707 educational continuity and the orderly and unobstructed
4708 transition of students between public secondary and
4709 postsecondary education systems and facilitating the transition
4710 of students between the public and private sectors.

4711 (2) The adequacy of preparation of public secondary
4712 students to smoothly articulate to a public postsecondary
4713 institution.

4714 (3) The effectiveness of articulated acceleration
4715 mechanisms available to secondary students.

4716 (4) The smooth transfer of Florida Community College System
4717 associate degree graduates to a Florida Community College System
4718 institution or a state university.

4719 (5) An examination of degree requirements that exceed the
4720 parameters of 60 credit hours for an associate degree and 120
4721 hours for a baccalaureate degree in public postsecondary
4722 programs.

4723 (6) The relationship between student attainment of college-
4724 level academic skills and articulation to the upper division in
4725 public postsecondary institutions.



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4726 Section 73. Section 1008.405, Florida Statutes, is amended
4727 to read:

4728 1008.405 Adult student information.—Each school district
4729 and Florida Community College System institution shall maintain
4730 sufficient information for each student enrolled in workforce
4731 education to allow local and state administrators to locate such
4732 student upon the termination of instruction and to determine the
4733 appropriateness of student placement in specific instructional
4734 programs. The State Board of Education and the State Board of
4735 Community Colleges shall adopt, by rule, specific information
4736 that must be maintained and acceptable means of maintaining that
4737 information.

4738 Section 74. Subsection (2) of section 1008.44, Florida
4739 Statutes, is amended to read:

4740 1008.44 CAPE Industry Certification Funding List and CAPE
4741 Postsecondary Industry Certification Funding List.—

4742 (2) The State Board of Education, for school districts, and
4743 the State Board of Community Colleges, for Florida Community
4744 College System institutions, shall collaborate to approve, at
4745 least annually, the CAPE Postsecondary Industry Certification
4746 Funding List pursuant to this section. The Commissioner of
4747 Education and the Chancellor of the Florida Community College
4748 System shall recommend, at least annually, the CAPE
4749 Postsecondary Industry Certification Funding List to the State
4750 Board of Education and the State Board of Community Colleges,
4751 respectively, and may at any time recommend adding
4752 certifications. The Chancellor of the State University System,
4753 the Chancellor of the Florida Community College System, and the
4754 Chancellor of Career and Adult Education shall work with local



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workforce boards, other postsecondary institutions, businesses, and industry to identify, create, and recommend to the Commissioner of Education industry certifications to be placed on the funding list. The list shall be used to determine annual performance funding distributions to school districts or Florida Community College System institutions as specified in ss. 1011.80 and 1011.81, respectively. The chancellors shall review results of the economic security report of employment and earning outcomes produced annually pursuant to s. 445.07 when determining recommended certifications for the list, as well as other reports and indicators available regarding certification needs.

Section 75. Section 1008.45, Florida Statutes, is amended to read:

1008.45 Florida Community College System institution accountability process.—

(1) It is the intent of the Legislature that a management and accountability process be implemented which provides for the systematic, ongoing improvement and assessment of the improvement of the quality and efficiency of the Florida Community College System institutions. Accordingly, the State Board of Community Colleges Education and the Florida Community College System institution boards of trustees shall develop and implement an accountability plan to improve and evaluate the instructional and administrative efficiency and effectiveness of the Florida Community College System. This plan shall be designed in consultation with staff of the Governor and the Legislature and must address the following issues:

(a) Graduation rates of A.A. and A.S. degree-seeking



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students compared to first-time-enrolled students seeking the associate degree.

(b) Minority student enrollment and retention rates.

(c) Student performance, including student performance in college-level academic skills, mean grade point averages for Florida Community College System institution A.A. transfer students, and Florida Community College System institution student performance on state licensure examinations.

(d) Job placement rates of Florida Community College System institution career students.

(e) Student progression by admission status and program.

(f) Career accountability standards identified in s. 1008.42.

(g) Institutional assessment efforts related to the requirements of s. III in the Criteria for Accreditation of the Commission on Colleges of the Southern Association of Colleges and Schools.

(h) Other measures approved by the State Board of Community Colleges Education.

(2) The State Board of Community Colleges Education shall submit an annual report, to coincide with the submission of the state board's agency strategic plan required by law, providing the results of initiatives taken during the prior year and the initiatives and related objective performance measures proposed for the next year.

(3) The State Board of Community Colleges Education shall address within the annual evaluation of the performance of the chancellor executive director, and the Florida Community College System institution boards of trustees shall address within the



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4813 annual evaluation of the presidents, the achievement of the
4814 performance goals established by the accountability process.

4815 Section 76. Section 1009.21, Florida Statutes, is amended
4816 to read:

4817 1009.21 Determination of resident status for tuition
4818 purposes.—Students shall be classified as residents or
4819 nonresidents for the purpose of assessing tuition in
4820 postsecondary educational programs offered by charter technical
4821 career centers or career centers operated by school districts,
4822 in Florida Community College System institutions, and in state
4823 universities.

4824 (1) As used in this section, the term:

4825 (a) "Dependent child" means any person, whether or not
4826 living with his or her parent, who is eligible to be claimed by
4827 his or her parent as a dependent under the federal income tax
4828 code.

4829 (b) "Initial enrollment" means the first day of class at an
4830 institution of higher education.

4831 (c) "Institution of higher education" means any charter
4832 technical career center as defined in s. 1002.34, career center
4833 operated by a school district as defined in s. 1001.44, Florida
4834 Community College System institution as defined in s.
4835 1000.21(3), or state university as defined in s. 1000.21(6).

4836 (d) "Legal resident" or "resident" means a person who has
4837 maintained his or her residence in this state for the preceding
4838 year, has purchased a home which is occupied by him or her as
4839 his or her residence, or has established a domicile in this
4840 state pursuant to s. 222.17.

4841 (e) "Nonresident for tuition purposes" means a person who



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4842 does not qualify for the in-state tuition rate.

4843 (f) "Parent" means either or both parents of a student, any
4844 guardian of a student, or any person in a parental relationship
4845 to a student.

4846 (g) "Resident for tuition purposes" means a person who
4847 qualifies as provided in this section for the in-state tuition
4848 rate.

4849 (2)(a) To qualify as a resident for tuition purposes:

4850 1. A person or, if that person is a dependent child, his or
4851 her parent or parents must have established legal residence in
4852 this state and must have maintained legal residence in this
4853 state for at least 12 consecutive months immediately prior to
4854 his or her initial enrollment in an institution of higher
4855 education.

4856 2. Every applicant for admission to an institution of
4857 higher education shall be required to make a statement as to his
4858 or her length of residence in the state and, further, shall
4859 establish that his or her presence or, if the applicant is a
4860 dependent child, the presence of his or her parent or parents in
4861 the state currently is, and during the requisite 12-month
4862 qualifying period was, for the purpose of maintaining a bona
4863 fide domicile, rather than for the purpose of maintaining a mere
4864 temporary residence or abode incident to enrollment in an
4865 institution of higher education.

4866 (b) However, with respect to a dependent child living with
4867 an adult relative other than the child's parent, such child may
4868 qualify as a resident for tuition purposes if the adult relative
4869 is a legal resident who has maintained legal residence in this
4870 state for at least 12 consecutive months immediately before the



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4871 child's initial enrollment in an institution of higher
4872 education, provided the child has resided continuously with such
4873 relative for the 3 years immediately before the child's initial
4874 enrollment in an institution of higher education, during which
4875 time the adult relative has exercised day-to-day care,
4876 supervision, and control of the child.

4877 (c) The legal residence of a dependent child whose parents
4878 are divorced, separated, or otherwise living apart will be
4879 deemed to be this state if either parent is a legal resident of
4880 this state, regardless of which parent is entitled to claim, and
4881 does in fact claim, the minor as a dependent pursuant to federal
4882 individual income tax provisions.

4883 (d) A dependent child who is a United States citizen may
4884 not be denied classification as a resident for tuition purposes
4885 based solely upon the immigration status of his or her parent.

4886 (3) (a) An individual shall not be classified as a resident
4887 for tuition purposes and, thus, shall not be eligible to receive
4888 the in-state tuition rate until he or she has provided such
4889 evidence related to legal residence and its duration or, if that
4890 individual is a dependent child, evidence of his or her parent's
4891 legal residence and its duration, as may be required by law and
4892 by officials of the institution of higher education from which
4893 he or she seeks the in-state tuition rate.

4894 (b) Except as otherwise provided in this section, evidence
4895 of legal residence and its duration shall include clear and
4896 convincing documentation that residency in this state was for a
4897 minimum of 12 consecutive months prior to a student's initial
4898 enrollment in an institution of higher education.

4899 (c) Each institution of higher education shall



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4900 affirmatively determine that an applicant who has been granted
4901 admission to that institution as a Florida resident meets the
4902 residency requirements of this section at the time of initial
4903 enrollment. The residency determination must be documented by
4904 the submission of written or electronic verification that
4905 includes two or more of the documents identified in this
4906 paragraph. No single piece of evidence shall be conclusive.

4907 1. The documents must include at least one of the
4908 following:

- 4909 a. A Florida voter's registration card.
- 4910 b. A Florida driver license.
- 4911 c. A State of Florida identification card.
- 4912 d. A Florida vehicle registration.
- 4913 e. Proof of a permanent home in Florida which is occupied
4914 as a primary residence by the individual or by the individual's
4915 parent if the individual is a dependent child.
- 4916 f. Proof of a homestead exemption in Florida.
- 4917 g. Transcripts from a Florida high school for multiple
4918 years if the Florida high school diploma or high school
4919 equivalency diploma was earned within the last 12 months.
- 4920 h. Proof of permanent full-time employment in Florida for
4921 at least 30 hours per week for a 12-month period.
- 4922 2. The documents may include one or more of the following:
- 4923 a. A declaration of domicile in Florida.
- 4924 b. A Florida professional or occupational license.
- 4925 c. Florida incorporation.
- 4926 d. A document evidencing family ties in Florida.
- 4927 e. Proof of membership in a Florida-based charitable or
4928 professional organization.



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4929 f. Any other documentation that supports the student's
4930 request for resident status, including, but not limited to,
4931 utility bills and proof of 12 consecutive months of payments; a
4932 lease agreement and proof of 12 consecutive months of payments;
4933 or an official state, federal, or court document evidencing
4934 legal ties to Florida.

4935 (4) With respect to a dependent child, the legal residence
4936 of the dependent child's parent or parents is prima facie
4937 evidence of the dependent child's legal residence, which
4938 evidence may be reinforced or rebutted, relative to the age and
4939 general circumstances of the dependent child, by the other
4940 evidence of legal residence required of or presented by the
4941 dependent child. However, the legal residence of a dependent
4942 child's parent or parents who are domiciled outside this state
4943 is not prima facie evidence of the dependent child's legal
4944 residence if that dependent child has lived in this state for 5
4945 consecutive years prior to enrolling or reregistering at the
4946 institution of higher education at which resident status for
4947 tuition purposes is sought.

4948 (5) A person who physically resides in this state may be
4949 classified as a resident for tuition purposes if he or she
4950 marries a person who meets the 12-month residency requirement
4951 under subsection (2) and who is a legal resident of this state.

4952 (6) (a) Except as otherwise provided in this section, a
4953 person who is classified as a nonresident for tuition purposes
4954 may become eligible for reclassification as a resident for
4955 tuition purposes if that person or, if that person is a
4956 dependent child, his or her parent presents clear and convincing
4957 documentation that supports permanent legal residency in this



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4958 state for at least 12 consecutive months rather than temporary
4959 residency for the purpose of pursuing an education, such as
4960 documentation of full-time permanent employment for the prior 12
4961 months or the purchase of a home in this state and residence
4962 therein for the prior 12 months while not enrolled in an
4963 institution of higher education.

4964 (b) If a person who is a dependent child and his or her
4965 parent move to this state while such child is a high school
4966 student and the child graduates from a high school in this
4967 state, the child may become eligible for reclassification as a
4968 resident for tuition purposes when the parent submits evidence
4969 that the parent qualifies for permanent residency.

4970 (c) If a person who is a dependent child and his or her
4971 parent move to this state after such child graduates from high
4972 school, the child may become eligible for reclassification as a
4973 resident for tuition purposes after the parent submits evidence
4974 that he or she has established legal residence in the state and
4975 has maintained legal residence in the state for at least 12
4976 consecutive months.

4977 (d) A person who is classified as a nonresident for tuition
4978 purposes and who marries a legal resident of the state or
4979 marries a person who becomes a legal resident of the state may,
4980 upon becoming a legal resident of the state, become eligible for
4981 reclassification as a resident for tuition purposes upon
4982 submitting evidence of his or her own legal residency in the
4983 state, evidence of his or her marriage to a person who is a
4984 legal resident of the state, and evidence of the spouse's legal
4985 residence in the state for at least 12 consecutive months
4986 immediately preceding the application for reclassification.



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4987 (7) A person shall not lose his or her resident status for
4988 tuition purposes solely by reason of serving, or, if such person
4989 is a dependent child, by reason of his or her parent's or
4990 parents' serving, in the Armed Forces outside this state.

4991 (8) A person who has been properly classified as a resident
4992 for tuition purposes but who, while enrolled in an institution
4993 of higher education in this state, loses his or her resident
4994 tuition status because the person or, if he or she is a
4995 dependent child, the person's parent or parents establish
4996 domicile or legal residence elsewhere shall continue to enjoy
4997 the in-state tuition rate for a statutory grace period, which
4998 period shall be measured from the date on which the
4999 circumstances arose that culminated in the loss of resident
5000 tuition status and shall continue for 12 months. However, if the
5001 12-month grace period ends during a semester or academic term
5002 for which such former resident is enrolled, such grace period
5003 shall be extended to the end of that semester or academic term.

5004 (9) Any person who ceases to be enrolled at or who
5005 graduates from an institution of higher education while
5006 classified as a resident for tuition purposes and who
5007 subsequently abandons his or her domicile in this state shall be
5008 permitted to reenroll at an institution of higher education in
5009 this state as a resident for tuition purposes without the
5010 necessity of meeting the 12-month durational requirement of this
5011 section if that person has reestablished his or her domicile in
5012 this state within 12 months of such abandonment and continuously
5013 maintains the reestablished domicile during the period of
5014 enrollment. The benefit of this subsection shall not be accorded
5015 more than once to any one person.



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5016 (10) The following persons shall be classified as residents
5017 for tuition purposes:

5018 (a) Active duty members of the Armed Services of the United
5019 States residing or stationed in this state, their spouses, and
5020 dependent children, and active drilling members of the Florida
5021 National Guard.

5022 (b) Active duty members of the Armed Services of the United
5023 States and their spouses and dependents attending a Florida
5024 Community College System institution or state university within
5025 50 miles of the military establishment where they are stationed,
5026 if such military establishment is within a county contiguous to
5027 Florida.

5028 (c) United States citizens living on the Isthmus of Panama,
5029 who have completed 12 consecutive months of college work at the
5030 Florida State University Panama Canal Branch, and their spouses
5031 and dependent children.

5032 (d) Full-time instructional and administrative personnel
5033 employed by state public schools and institutions of higher
5034 education and their spouses and dependent children.

5035 (e) Students from Latin America and the Caribbean who
5036 receive scholarships from the federal or state government. Any
5037 student classified pursuant to this paragraph shall attend, on a
5038 full-time basis, a Florida institution of higher education.

5039 (f) Southern Regional Education Board's Academic Common
5040 Market graduate students attending Florida's state universities.

5041 (g) Full-time employees of state agencies or political
5042 subdivisions of the state when the student fees are paid by the
5043 state agency or political subdivision for the purpose of job-
5044 related law enforcement or corrections training.



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5045 (h) McKnight Doctoral Fellows and Finalists who are United
5046 States citizens.
5047 (i) United States citizens living outside the United States
5048 who are teaching at a Department of Defense Dependent School or
5049 in an American International School and who enroll in a graduate
5050 level education program which leads to a Florida teaching
5051 certificate.
5052 (j) Active duty members of the Canadian military residing
5053 or stationed in this state under the North American Air Defense
5054 (NORAD) agreement, and their spouses and dependent children,
5055 attending a Florida Community College System institution or
5056 state university within 50 miles of the military establishment
5057 where they are stationed.
5058 (k) Active duty members of a foreign nation's military who
5059 are serving as liaison officers and are residing or stationed in
5060 this state, and their spouses and dependent children, attending
5061 a Florida Community College System institution or state
5062 university within 50 miles of the military establishment where
5063 the foreign liaison officer is stationed.
5064 (11) Once a student has been classified as a resident for
5065 tuition purposes, an institution of higher education to which
5066 the student transfers is not required to reevaluate the
5067 classification unless inconsistent information suggests that an
5068 erroneous classification was made or the student's situation has
5069 changed. However, the student must have attended the institution
5070 making the initial classification within the prior 12 months,
5071 and the residency classification must be noted on the student's
5072 transcript. The Higher Education Coordinating Council shall
5073 consider issues related to residency determinations and make



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5074 recommendations relating to efficiency and effectiveness of
5075 current law.
5076 (12) Each institution of higher education shall establish a
5077 residency appeal committee comprised of at least three members
5078 to consider student appeals of residency determinations, in
5079 accordance with the institution's official appeal process. The
5080 residency appeal committee must render to the student the final
5081 residency determination in writing. The institution must advise
5082 the student of the reasons for the determination.
5083 (13) The State Board of Education, ~~and~~ the Board of
5084 Governors, and the State Board of Community Colleges shall adopt
5085 rules to implement this section.
5086 Section 77. Paragraph (e) of subsection (3) of section
5087 1009.22, Florida Statutes, is amended to read:
5088 1009.22 Workforce education postsecondary student fees.—
5089 (3)
5090 (e) The State Board of Education and the State Board of
5091 Community Colleges may adopt, by rule, the definitions and
5092 procedures that district school boards and Florida Community
5093 College System institution boards of trustees shall use in the
5094 calculation of cost borne by students.
5095 Section 78. Section 1009.23, Florida Statutes, is amended
5096 to read:
5097 1009.23 Florida Community College System institution
5098 student fees.—
5099 (1) Unless otherwise provided, this section applies only to
5100 fees charged for college credit instruction leading to an
5101 associate in arts degree, an associate in applied science
5102 degree, an associate in science degree, or a baccalaureate



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5103 degree authorized pursuant to s. 1007.33, for noncollege credit
5104 developmental education defined in s. 1004.02, and for educator
5105 preparation institute programs defined in s. 1004.85.

5106 (2) (a) All students shall be charged fees except students
5107 who are exempt from fees or students whose fees are waived.

5108 (b) Tuition and out-of-state fees for upper-division
5109 courses must reflect the fact that the Florida Community College
5110 System institution has a less expensive cost structure than that
5111 of a state university. Therefore, the board of trustees shall
5112 establish tuition and out-of-state fees for upper-division
5113 courses in baccalaureate degree programs approved pursuant to s.
5114 1007.33 consistent with law and proviso language in the General
5115 Appropriations Act. However, the board of trustees may vary
5116 tuition and out-of-state fees only as provided in subsection (6)
5117 and s. 1009.26(11).

5118 (3) (a) Effective July 1, 2014, for advanced and
5119 professional, postsecondary vocational, developmental education,
5120 and educator preparation institute programs, the standard
5121 tuition shall be \$71.98 per credit hour for residents and
5122 nonresidents, and the out-of-state fee shall be \$215.94 per
5123 credit hour.

5124 (b) Effective July 1, 2014, for baccalaureate degree
5125 programs, the following tuition and fee rates shall apply:

5126 1. The tuition shall be \$91.79 per credit hour for students
5127 who are residents for tuition purposes.

5128 2. The sum of the tuition and the out-of-state fee per
5129 credit hour for students who are nonresidents for tuition
5130 purposes shall be no more than 85 percent of the sum of the
5131 tuition and the out-of-state fee at the state university nearest



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5132 the Florida Community College System institution.

5133 (4) Each Florida Community College System institution board
5134 of trustees shall establish tuition and out-of-state fees, which
5135 may vary no more than 10 percent below and 15 percent above the
5136 combined total of the standard tuition and fees established in
5137 subsection (3).

5138 (5) Except as otherwise provided in law, the sum of
5139 nonresident student tuition and out-of-state fees must be
5140 sufficient to defray the full cost of each program.

5141 (6) (a) A Florida Community College System institution board
5142 of trustees that has a service area that borders another state
5143 may implement a plan for a differential out-of-state fee.

5144 (b) A Florida Community College System institution board of
5145 trustees may establish a differential out-of-state fee for a
5146 student who has been determined to be a nonresident for tuition
5147 purposes pursuant to s. 1009.21 and is enrolled in a distance
5148 learning course offered by the institution. A differential out-
5149 of-state fee established pursuant to this paragraph shall be
5150 applicable only to distance learning courses and must be
5151 established such that the sum of tuition and the differential
5152 out-of-state fee is sufficient to defray the full cost of
5153 instruction.

5154 (7) Each Florida Community College System institution board
5155 of trustees may establish a separate activity and service fee
5156 not to exceed 10 percent of the tuition fee, according to rules
5157 of the State Board of Community Colleges Education. The student
5158 activity and service fee shall be collected as a component part
5159 of the tuition and fees. The student activity and service fees
5160 shall be paid into a student activity and service fund at the



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5161 Florida Community College System institution and shall be
5162 expended for lawful purposes to benefit the student body in
5163 general. These purposes include, but are not limited to, student
5164 publications and grants to duly recognized student
5165 organizations, the membership of which is open to all students
5166 at the Florida Community College System institution without
5167 regard to race, sex, or religion. No Florida Community College
5168 System institution shall be required to lower any activity and
5169 service fee approved by the board of trustees of the Florida
5170 Community College System institution and in effect prior to
5171 October 26, 2007, in order to comply with the provisions of this
5172 subsection.

5173 (8) (a) Each Florida Community College System institution
5174 board of trustees is authorized to establish a separate fee for
5175 financial aid purposes in an additional amount up to, but not to
5176 exceed, 5 percent of the total student tuition or out-of-state
5177 fees collected. Each Florida Community College System
5178 institution board of trustees may collect up to an additional 2
5179 percent if the amount generated by the total financial aid fee
5180 is less than \$500,000. If the amount generated is less than
5181 \$500,000, a Florida Community College System institution that
5182 charges tuition and out-of-state fees at least equal to the
5183 average fees established by rule may transfer from the general
5184 current fund to the scholarship fund an amount equal to the
5185 difference between \$500,000 and the amount generated by the
5186 total financial aid fee assessment. No other transfer from the
5187 general current fund to the loan, endowment, or scholarship
5188 fund, by whatever name known, is authorized.

5189 (b) All funds collected under this program shall be placed



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5190 in the loan and endowment fund or scholarship fund of the
5191 college, by whatever name known. Such funds shall be disbursed
5192 to students as quickly as possible. An amount not greater than
5193 40 percent of the fees collected in a fiscal year may be carried
5194 forward unexpended to the following fiscal year. However, funds
5195 collected prior to July 1, 1989, and placed in an endowment fund
5196 may not be considered part of the balance of funds carried
5197 forward unexpended to the following fiscal year.

5198 (c) Up to 25 percent or \$600,000, whichever is greater, of
5199 the financial aid fees collected may be used to assist students
5200 who demonstrate academic merit; who participate in athletics,
5201 public service, cultural arts, and other extracurricular
5202 programs as determined by the institution; or who are identified
5203 as members of a targeted gender or ethnic minority population.
5204 The financial aid fee revenues allocated for athletic
5205 scholarships and any fee exemptions provided to athletes
5206 pursuant to s. 1009.25(2) must be distributed equitably as
5207 required by s. 1000.05(3)(d). A minimum of 75 percent of the
5208 balance of these funds for new awards shall be used to provide
5209 financial aid based on absolute need, and the remainder of the
5210 funds shall be used for academic merit purposes and other
5211 purposes approved by the boards of trustees. Such other purposes
5212 shall include the payment of child care fees for students with
5213 financial need. The State Board of Education shall develop
5214 criteria for making financial aid awards. Each college shall
5215 report annually to the Department of Education on the revenue
5216 collected pursuant to this paragraph, the amount carried
5217 forward, the criteria used to make awards, the amount and number
5218 of awards for each criterion, and a delineation of the



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5219 distribution of such awards. The report shall include an
5220 assessment by category of the financial need of every student
5221 who receives an award, regardless of the purpose for which the
5222 award is received. Awards that are based on financial need shall
5223 be distributed in accordance with a nationally recognized system
5224 of need analysis approved by the State Board of Education. An
5225 award for academic merit requires a minimum overall grade point
5226 average of 3.0 on a 4.0 scale or the equivalent for both initial
5227 receipt of the award and renewal of the award.

5228 (d) These funds may not be used for direct or indirect
5229 administrative purposes or salaries.

5230 (9) Any Florida Community College System institution that
5231 reports students who have not paid fees in an approved manner in
5232 calculations of full-time equivalent enrollments for state
5233 funding purposes shall be penalized at a rate equal to two times
5234 the value of such enrollments. Such penalty shall be charged
5235 against the following year's allocation from the Florida
5236 Community College System Program Fund and shall revert to the
5237 General Revenue Fund.

5238 (10) Each Florida Community College System institution
5239 board of trustees is authorized to establish a separate fee for
5240 technology, which may not exceed 5 percent of tuition per credit
5241 hour or credit-hour equivalent for resident students and may not
5242 exceed 5 percent of tuition and the out-of-state fee per credit
5243 hour or credit-hour equivalent for nonresident students.
5244 Revenues generated from the technology fee shall be used to
5245 enhance instructional technology resources for students and
5246 faculty. The technology fee may apply to both college credit and
5247 developmental education and shall not be included in any award



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5248 under the Florida Bright Futures Scholarship Program. Fifty
5249 percent of technology fee revenues may be pledged by a Florida
5250 Community College System institution board of trustees as a
5251 dedicated revenue source for the repayment of debt, including
5252 lease-purchase agreements, not to exceed the useful life of the
5253 asset being financed. Revenues generated from the technology fee
5254 may not be bonded.

5255 (11) (a) Each Florida Community College System institution
5256 board of trustees may establish a separate fee for capital
5257 improvements, technology enhancements, equipping student
5258 buildings, or the acquisition of improved real property which
5259 may not exceed 20 percent of tuition for resident students or 20
5260 percent of the sum of tuition and out-of-state fees for
5261 nonresident students. The fee for resident students shall be
5262 limited to an increase of \$2 per credit hour over the prior
5263 year. Funds collected by Florida Community College System
5264 institutions through the fee may be bonded only as provided in
5265 this subsection for the purpose of financing or refinancing new
5266 construction and equipment, renovation, remodeling of
5267 educational facilities, or the acquisition and renovation or
5268 remodeling of improved real property for use as educational
5269 facilities. The fee shall be collected as a component part of
5270 the tuition and fees, paid into a separate account, and expended
5271 only to acquire improved real property or construct and equip,
5272 maintain, improve, or enhance the educational facilities of the
5273 Florida Community College System institution. Projects and
5274 acquisitions of improved real property funded through the use of
5275 the capital improvement fee shall meet the survey and
5276 construction requirements of chapter 1013. Pursuant to s.



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5277 216.0158, each Florida Community College System institution
5278 shall identify each project, including maintenance projects,
5279 proposed to be funded in whole or in part by such fee.

5280 (b) Capital improvement fee revenues may be pledged by a
5281 board of trustees as a dedicated revenue source to the repayment
5282 of debt, including lease-purchase agreements, with an overall
5283 term of not more than 7 years, including renewals, extensions,
5284 and refundings, and revenue bonds with a term not exceeding 20
5285 annual maturities and not exceeding the useful life of the asset
5286 being financed, only for financing or refinancing of the new
5287 construction and equipment, renovation, or remodeling of
5288 educational facilities. Bonds authorized pursuant to this
5289 subsection shall be requested by the Florida Community College
5290 System institution board of trustees and shall be issued by the
5291 Division of Bond Finance in compliance with s. 11(d), Art. VII
5292 of the State Constitution and the State Bond Act. The Division
5293 of Bond Finance may pledge fees collected by one or more Florida
5294 Community College System institutions to secure such bonds. Any
5295 project included in the approved educational plant survey
5296 pursuant to chapter 1013 is approved pursuant to s. 11(f), Art.
5297 VII of the State Constitution.

5298 (c) Bonds issued pursuant to this subsection may be
5299 validated in the manner provided by chapter 75. Only the initial
5300 series of bonds is required to be validated. The complaint for
5301 such validation shall be filed in the circuit court of the
5302 county where the seat of state government is situated, the
5303 notice required to be published by s. 75.06 shall be published
5304 only in the county where the complaint is filed, and the
5305 complaint and order of the circuit court shall be served only on



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5306 the state attorney of the circuit in which the action is
5307 pending.

5308 (d) A maximum of 15 percent may be allocated from the
5309 capital improvement fee for child care centers conducted by the
5310 Florida Community College System institution. The use of capital
5311 improvement fees for such purpose shall be subordinate to the
5312 payment of any bonds secured by the fees.

5313 (e) The state does hereby covenant with the holders of the
5314 bonds issued under this subsection that it will not take any
5315 action that will materially and adversely affect the rights of
5316 such holders so long as the bonds authorized by this subsection
5317 are outstanding.

5318 (12)(a) In addition to tuition, out-of-state, financial
5319 aid, capital improvement, student activity and service, and
5320 technology fees authorized in this section, each Florida
5321 Community College System institution board of trustees is
5322 authorized to establish fee schedules for the following user
5323 fees and fines: laboratory fees, which do not apply to a
5324 distance learning course; parking fees and fines; library fees
5325 and fines; fees and fines relating to facilities and equipment
5326 use or damage; access or identification card fees; duplicating,
5327 photocopying, binding, or microfilming fees; standardized
5328 testing fees; diploma replacement fees; transcript fees;
5329 application fees; graduation fees; and late fees related to
5330 registration and payment. Such user fees and fines shall not
5331 exceed the cost of the services provided and shall only be
5332 charged to persons receiving the service. A Florida Community
5333 College System institution may not charge any fee except as
5334 authorized by law. Parking fee revenues may be pledged by a



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5335 Florida Community College System institution board of trustees
5336 as a dedicated revenue source for the repayment of debt,
5337 including lease-purchase agreements, with an overall term of not
5338 more than 7 years, including renewals, extensions, and
5339 refundings, and revenue bonds with a term not exceeding 20 years
5340 and not exceeding the useful life of the asset being financed.
5341 Florida Community College System institutions shall use the
5342 services of the Division of Bond Finance of the State Board of
5343 Administration to issue any revenue bonds authorized by this
5344 subsection. Any such bonds issued by the Division of Bond
5345 Finance shall be in compliance with the provisions of the State
5346 Bond Act. Bonds issued pursuant to the State Bond Act may be
5347 validated in the manner established in chapter 75. The complaint
5348 for such validation shall be filed in the circuit court of the
5349 county where the seat of state government is situated, the
5350 notice required to be published by s. 75.06 shall be published
5351 only in the county where the complaint is filed, and the
5352 complaint and order of the circuit court shall be served only on
5353 the state attorney of the circuit in which the action is
5354 pending.

5355 (b) The State Board of Community Colleges Education may
5356 adopt rules pursuant to ss. 120.536(1) and 120.54 to administer
5357 this subsection.

5358 (13) The State Board of Community Colleges Education shall
5359 specify, as necessary, by rule, approved methods of student fee
5360 payment. Such methods shall include, but not be limited to,
5361 student fee payment; payment through federal, state, or
5362 institutional financial aid; and employer fee payments.

5363 (14) Each Florida Community College System institution



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5364 board of trustees shall report only those students who have
5365 actually enrolled in instruction provided or supervised by
5366 instructional personnel under contract with the Florida
5367 Community College System institution in calculations of actual
5368 full-time equivalent enrollments for state funding purposes. No
5369 student who has been exempted from taking a course or who has
5370 been granted academic or career credit through means other than
5371 actual coursework completed at the granting institution shall be
5372 calculated for enrollment in the course from which he or she has
5373 been exempted or granted credit. Florida Community College
5374 System institutions that report enrollments in violation of this
5375 subsection shall be penalized at a rate equal to two times the
5376 value of such enrollments. Such penalty shall be charged against
5377 the following year's allocation from the Florida Community
5378 College System Program Fund and shall revert to the General
5379 Revenue Fund.

5380 (15) Each Florida Community College System institution may
5381 assess a service charge for the payment of tuition and fees in
5382 installments and a convenience fee for the processing of
5383 automated or online credit card payments. However, the amount of
5384 the convenience fee may not exceed the total cost charged by the
5385 credit card company to the Florida Community College System
5386 institution. Such service charge or convenience fee must be
5387 approved by the Florida Community College System institution
5388 board of trustees.

5389 (16) (a) Each Florida Community College System institution
5390 may assess a student who enrolls in a course listed in the
5391 distance learning catalog, established pursuant to s. 1006.735,
5392 a per-credit-hour distance learning course user fee. For



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5393 purposes of assessing this fee, a distance learning course is a
5394 course in which at least 80 percent of the direct instruction of
5395 the course is delivered using some form of technology when the
5396 student and instructor are separated by time or space, or both.

5397 (b) The amount of the distance learning course user fee may
5398 not exceed the additional costs of the services provided which
5399 are attributable to the development and delivery of the distance
5400 learning course. If a Florida Community College System
5401 institution assesses the distance learning course user fee, the
5402 institution may not assess any other fees to cover the
5403 additional costs. By September 1 of each year, each board of
5404 trustees shall report to the State Board of Community Colleges
5405 ~~Division of Florida Colleges~~ the total amount of revenue
5406 generated by the distance learning course user fee for the prior
5407 fiscal year and how the revenue was expended.

5408 (c) If an institution assesses the distance learning fee,
5409 the institution must provide a link to the catalog within the
5410 advising and distance learning sections of the institution's
5411 website, using a graphic and description provided by the
5412 Complete Florida Plus Program, to inform students of the
5413 catalog.

5414 (17) Each Florida Community College System institution that
5415 accepts transient students, pursuant to s. 1006.735, may
5416 establish a transient student fee not to exceed \$5 per course
5417 for processing the transient student admissions application.

5418 (18) (a) The Board of Trustees of Santa Fe College may
5419 establish a transportation access fee. Revenue from the fee may
5420 be used only to provide or improve access to transportation
5421 services for students enrolled at Santa Fe College. The fee may



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5422 not exceed \$6 per credit hour. An increase in the transportation
5423 access fee may occur only once each fiscal year and must be
5424 implemented beginning with the fall term. A referendum must be
5425 held by the student government to approve the application of the
5426 fee.

5427 (b) Notwithstanding ss. 1009.534, 1009.535, and 1009.536,
5428 the transportation access fee authorized under paragraph (a) may
5429 not be included in calculating the amount a student receives for
5430 a Florida Academic Scholars award, a Florida Medallion Scholars
5431 award, or a Florida Gold Seal Vocational Scholars award.

5432 (19) The State Board of Community Colleges ~~Education~~ shall
5433 adopt a rule specifying the definitions and procedures to be
5434 used in the calculation of the percentage of cost paid by
5435 students. The rule must provide for the calculation of the full
5436 cost of educational programs based on the allocation of all
5437 funds provided through the general current fund to programs of
5438 instruction, and other activities as provided in the annual
5439 expenditure analysis. The rule shall be developed in
5440 consultation with the Legislature.

5441 (20) Each Florida Community College System institution
5442 shall publicly notice and notify all enrolled students of any
5443 proposal to increase tuition or fees at least 28 days before its
5444 consideration at a board of trustees meeting. The notice must:

5445 (a) Include the date and time of the meeting at which the
5446 proposal will be considered.

5447 (b) Specifically outline the details of existing tuition
5448 and fees, the rationale for the proposed increase, and how the
5449 funds from the proposed increase will be used.

5450 (c) Be posted on the institution's website and issued in a



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press release.

Section 79. Subsection (2) of section 1009.25, Florida Statutes, is amended to read:

1009.25 Fee exemptions.—

(2) Each Florida Community College System institution is authorized to grant student fee exemptions from all fees adopted by the State Board of Community Colleges ~~Education~~ and the Florida Community College System institution board of trustees for up to 54 full-time equivalent students or 1 percent of the institution's total full-time equivalent enrollment, whichever is greater, at each institution.

Section 80. Paragraph (b) of subsection (12), paragraphs (c) and (d) of subsection (13), and paragraph (d) of subsection (14) of section 1009.26, Florida Statutes, are amended, to read:

1009.26 Fee waivers.—

(12)

(b) Tuition and fees charged to a student who qualifies for the out-of-state fee waiver under this subsection may not exceed the tuition and fees charged to a resident student. The waiver is applicable for 110 percent of the required credit hours of the degree or certificate program for which the student is enrolled. Each state university, Florida Community College System institution, career center operated by a school district under s. 1001.44, and charter technical career center shall report to the Board of Governors, the State Board of Community Colleges, and the State Board of Education, respectively, the number and value of all fee waivers granted annually under this subsection. By October 1 of each year, the Board of Governors, for the state universities; ~~and~~ the State Board of Community



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Colleges, ~~Education~~ for Florida Community College System institutions; ~~7~~ career centers operated by a school district under s. 1001.44; ~~7~~ and charter technical career centers shall annually report for the previous academic year the percentage of resident and nonresident students enrolled systemwide.

(13)

(c) Each state university, Florida Community College System institution, career center operated by a school district under s. 1001.44, and charter technical career center shall report to the Board of Governors, the State Board of Community, and the State Board of Education, respectively, the number and value of all fee waivers granted annually under this subsection.

(d) The Board of Governors, the State Board of Community Colleges, and the State Board of Education shall respectively adopt regulations and rules to administer this subsection.

(14)

(d) The Board of Governors, the State Board of Community Colleges, and the State Board of Education shall respectively adopt regulations and rules to administer this subsection.

Section 81. Section 1009.28, Florida Statutes, is amended to read:

1009.28 Fees for repeated enrollment in developmental education classes.—A student enrolled in the same developmental education class more than twice shall pay 100 percent of the full cost of instruction to support continuous enrollment of that student in the same class, and the student shall not be included in calculations of full-time equivalent enrollments for state funding purposes; however, students who withdraw or fail a class due to extenuating circumstances may be granted an



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5509 exception only once for each class, provided approval is granted
5510 according to policy established by the board of trustees. Each
5511 Florida Community College System institution may review and
5512 reduce fees paid by students due to continued enrollment in a
5513 developmental education class on an individual basis contingent
5514 upon the student's financial hardship, pursuant to definitions
5515 and fee levels established by the State Board of Community
5516 Colleges Education.

5517 Section 82. Subsections (9) and (12) of section 1009.90,
5518 Florida Statutes, are amended to read:

5519 1009.90 Duties of the Department of Education.—The duties
5520 of the department shall include:

5521 (9) Development and submission of a report, annually, to
5522 the State Board of Education, the Board of Governors, the State
5523 Board of Community Colleges, the President of the Senate, and
5524 the Speaker of the House of Representatives, which shall
5525 include, but not be limited to, recommendations for the
5526 distribution of state financial aid funds.

5527 (12) Calculation of the amount of need-based student
5528 financial aid required to offset fee increases recommended by
5529 the State Board of Education, and the Board of Governors, and
5530 the State Board of Community Colleges, and inclusion of such
5531 amount within the legislative budget request for student
5532 assistance grant programs.

5533 Section 83. Subsection (4) of section 1009.91, Florida
5534 Statutes, is amended to read:

5535 1009.91 Assistance programs and activities of the
5536 department.—

5537 (4) The department shall maintain records on the student



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5538 loan default rate of each Florida postsecondary institution and
5539 report that information annually to both the institution and the
5540 State Board of Education. Information relating to state
5541 universities shall also be reported annually to the Board of
5542 Governors. Information relating to Florida Community College
5543 System institutions shall be reported annually to the State
5544 Board of Community Colleges.

5545 Section 84. Subsection (2) of section 1009.971, Florida
5546 Statutes, is amended to read:

5547 1009.971 Florida Prepaid College Board.—

5548 (2) FLORIDA PREPAID COLLEGE BOARD; MEMBERSHIP.—The board
5549 shall consist of seven members to be composed of the Attorney
5550 General, the Chief Financial Officer, the Chancellor of the
5551 State University System, the Chancellor of the Florida Community
5552 College System ~~Division of Florida Colleges~~, and three members
5553 appointed by the Governor and subject to confirmation by the
5554 Senate. Each member appointed by the Governor shall possess
5555 knowledge, skill, and experience in the areas of accounting,
5556 actuary, risk management, or investment management. Each member
5557 of the board not appointed by the Governor may name a designee
5558 to serve on the board on behalf of the member; however, any
5559 designee so named shall meet the qualifications required of
5560 gubernatorial appointees to the board. Members appointed by the
5561 Governor shall serve terms of 3 years. Any person appointed to
5562 fill a vacancy on the board shall be appointed in a like manner
5563 and shall serve for only the unexpired term. Any member shall be
5564 eligible for reappointment and shall serve until a successor
5565 qualifies. Members of the board shall serve without compensation
5566 but shall be reimbursed for per diem and travel in accordance



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5567 with s. 112.061. Each member of the board shall file a full and
5568 public disclosure of his or her financial interests pursuant to
5569 s. 8, Art. II of the State Constitution and corresponding
5570 statute.

5571 Section 85. Section 1010.01, Florida Statutes, is amended
5572 to read:

5573 1010.01 Uniform records and accounts.—

5574 (1)(a) The financial records and accounts of each school
5575 district, ~~Florida College System institution,~~ and other
5576 institution or agency under the supervision of the State Board
5577 of Education shall be prepared and maintained as prescribed by
5578 law and rules of the State Board of Education.

5579 (b) The financial records and accounts of each state
5580 university under the supervision of the Board of Governors shall
5581 be prepared and maintained as prescribed by law and rules of the
5582 Board of Governors.

5583 (c) The financial records and accounts of each Florida
5584 Community College System institution under the supervision of
5585 the State Board of Community Colleges shall be prepared and
5586 maintained as prescribed by law and rules of the State Board of
5587 Community Colleges.

5588 (2) Rules of the State Board of Education, ~~and rules of the~~
5589 ~~Board of Governors, and the State Board of Community Colleges~~
5590 shall incorporate the requirements of law and accounting
5591 principles generally accepted in the United States. Such rules
5592 shall include a uniform classification of accounts.

5593 (3) Each state university shall annually file with the
5594 Board of Governors financial statements prepared in conformity
5595 with accounting principles generally accepted by the United



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5596 States and the uniform classification of accounts prescribed by
5597 the Board of Governors. The Board of Governors' rules shall
5598 prescribe the filing deadline for the financial statements.

5599 (4) Required financial accounts and reports shall include
5600 provisions that are unique to each of the following: K-12 school
5601 districts, Florida Community College System institutions, and
5602 state universities, and shall provide for the data to be
5603 reported to the National Center of Educational Statistics and
5604 other governmental and professional educational data information
5605 services as appropriate.

5606 (5) Each Florida Community College System institution shall
5607 annually file with the State Board of Community Colleges
5608 financial statements prepared in conformity with accounting
5609 principles generally accepted by the United States and the
5610 uniform classification of accounts prescribed by the State Board
5611 of Community Colleges. The State Board of Community Colleges'
5612 rules shall prescribe the filing deadline for the financial
5613 statements.

5614 Section 86. Subsection (1) of section 1010.02, Florida
5615 Statutes, is amended, and subsection (3) is added to that
5616 section, to read:

5617 1010.02 Financial accounting and expenditures.—

5618 (1) All funds accruing to a school district ~~or a Florida~~
5619 ~~College System institution~~ must be received, accounted for, and
5620 expended in accordance with law and rules of the State Board of
5621 Education.

5622 (3) All funds accruing to a Florida Community College
5623 System institution must be received, accounted for, and expended
5624 in accordance with law and rules of the State Board of Community



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5625 Colleges.

5626 Section 87. Section 1010.04, Florida Statutes, is amended
5627 to read:

5628 1010.04 Purchasing.—

5629 (1) (a) Purchases and leases by school districts must ~~and~~
5630 ~~Florida College System institutions shall~~ comply with the
5631 requirements of law and rules of the State Board of Education.

5632 (b) Before purchasing nonacademic commodities and
5633 contractual services, each district school board and Florida
5634 Community College System institution board of trustees shall
5635 review the purchasing agreements and state term contracts
5636 available under s. 287.056 to determine whether it is in the
5637 school board's or the board of trustees' economic advantage to
5638 use the agreements and contracts. Each bid specification for
5639 nonacademic commodities and contractual services must include a
5640 statement indicating that the purchasing agreements and state
5641 term contracts available under s. 287.056 have been reviewed.
5642 Each district school board may also use the cooperative state
5643 purchasing programs managed through the regional consortium
5644 service organizations pursuant to their authority under s.
5645 1001.451(3). This paragraph does not apply to services that are
5646 eligible for reimbursement under the federal E-rate program
5647 administered by the Universal Service Administrative Company.

5648 (c) Purchases and leases by state universities must ~~shall~~
5649 comply with the requirements of law and regulations of the Board
5650 of Governors.

5651 (d) Purchases and leases by Florida Community College
5652 System institutions must comply with the requirements of law and
5653 rules of the State Board of Community Colleges.



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5654 (2) Each district school board and Florida Community
5655 College System institution board of trustees shall adopt rules,
5656 and each university board of trustees shall adopt regulations,
5657 to be followed in making purchases. Purchases may be made
5658 through an online procurement system, an electronic auction
5659 service, or other efficient procurement tool.

5660 (3) In districts in which the county purchasing agent is
5661 authorized by law to make purchases for the benefit of other
5662 governmental agencies within the county, the district school
5663 board and Florida Community College System institution board of
5664 trustees shall have the option to purchase from the current
5665 county contracts at the unit price stated therein if such
5666 purchase is to the economic advantage of the district school
5667 board or the Florida Community College System institution board
5668 of trustees; subject to confirmation of the items of purchase to
5669 the standards and specifications prescribed by the school
5670 district or Florida Community College System institution.

5671 (4) (a) The State Board of Education may, by rule, provide
5672 for alternative procedures for school districts ~~and Florida~~
5673 ~~College System institutions~~ for bidding or purchasing in cases
5674 in which the character of the item requested renders competitive
5675 bidding impractical.

5676 (b) The Board of Governors may, by regulation, provide for
5677 alternative procedures for state universities for bidding or
5678 purchasing in cases in which the character of the item requested
5679 renders competitive bidding impractical.

5680 (c) The State Board of Community Colleges may, by rule,
5681 provide for alternative procedures for Florida Community College
5682 System institutions for bidding or purchasing in cases in which



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5683 the character of the item requested renders competitive bidding
5684 impractical.

5685 Section 88. Section 1010.07, Florida Statutes, is amended
5686 to read:

5687 1010.07 Bonds or insurance required.—

5688 (1) Each district school board, Florida Community College
5689 System institution board of trustees, and university board of
5690 trustees shall ensure that each official and employee
5691 responsible for handling, expending, or authorizing the
5692 expenditure of funds shall be appropriately bonded or insured to
5693 protect the board and the funds involved.

5694 (2) (a) Contractors paid from school district ~~or Florida~~
5695 ~~College System institution~~ funds shall give bond for the
5696 faithful performance of their contracts in such amount and for
5697 such purposes as prescribed by s. 255.05 or by rules of the
5698 State Board of Education relating to the type of contract
5699 involved. It shall be the duty of the district school board ~~or~~
5700 ~~Florida College System institution board of trustees~~ to require
5701 from construction contractors a bond adequate to protect the
5702 board and the board's funds involved.

5703 (b) Contractors paid from university funds shall give bond
5704 for the faithful performance of their contracts in such amount
5705 and for such purposes as prescribed by s. 255.05 or by
5706 regulations of the Board of Governors relating to the type of
5707 contract involved. It shall be the duty of the university board
5708 of trustees to require from construction contractors a bond
5709 adequate to protect the board and the board's funds involved.

5710 (c) Contractors paid from Florida Community College System
5711 institution funds shall give bonds for the faithful performance



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5712 of their contracts in such amount and for such purposes as
5713 prescribed by s. 255.05 or by rules of the State Board of
5714 Community Colleges relating to the type of contract involved. It
5715 is the duty of the Florida Community College System institution
5716 board of trustees to require construction contractors to provide
5717 a bond adequate to protect the board and the board's funds
5718 involved.

5719 Section 89. Section 1010.08, Florida Statutes, is amended
5720 to read:

5721 1010.08 Promotion and public relations; funding.—

5722 (1) Each district school board ~~and Florida College System~~
5723 ~~institution board of trustees~~ may budget and use a portion of
5724 the funds accruing to it from auxiliary enterprises and
5725 undesignated gifts for promotion and public relations as
5726 prescribed by rules of the State Board of Education. Such funds
5727 may be used to provide hospitality to business guests in the
5728 district or elsewhere. However, such hospitality expenses may
5729 not exceed the amount authorized for such contingency funds as
5730 prescribed by rules of the State Board of Education.

5731 (2) Each Florida Community College System institution board
5732 of trustees may budget and use a portion of the funds accruing
5733 to it from auxiliary enterprises and undesignated gifts for
5734 promotion and public relations as prescribed by rules of the
5735 State Board of Community Colleges. Such funds may be used to
5736 provide hospitality to business guests in the district or
5737 elsewhere. However, such hospitality expenses may not exceed the
5738 amount authorized for such contingency funds as prescribed by
5739 rules of the State Board of Community Colleges.

5740 Section 90. Subsection (1) of section 1010.09, Florida



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5741 Statutes, is amended and subsection (3) is added to that
5742 section, to read:

5743 1010.09 Direct-support organizations.—

5744 (1) School district ~~and Florida College System institution~~
5745 direct-support organizations shall be organized and conducted
5746 under the provisions of ss. 1001.453 and 1004.70 and rules of
5747 the State Board of Education, as applicable.

5748 (3) Florida Community College System institution direct-
5749 support organizations shall be organized and conducted under the
5750 provisions of s. 1004.70 and rules of the State Board of
5751 Community Colleges.

5752 Section 91. Section 1010.22, Florida Statutes, is amended
5753 to read:

5754 1010.22 Cost accounting and reporting for workforce
5755 education.—

5756 (1) (a) Each school district ~~and each Florida College System~~
5757 ~~institution~~ shall account for expenditures of all state, local,
5758 federal, and other funds in the manner prescribed by the State
5759 Board of Education.

5760 (b) Each Florida Community College System institution shall
5761 account for expenditures of all state, local, federal, and other
5762 funds in the manner prescribed by the State Board of Community
5763 Colleges.

5764 (2) (a) Each school district ~~and each Florida College System~~
5765 ~~institution~~ shall report expenditures for workforce education in
5766 accordance with requirements prescribed by the State Board of
5767 Education.

5768 (b) Each Florida Community College System institution shall
5769 report expenditures for workforce education in accordance with



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5770 requirements prescribed by the State Board of Community
5771 Colleges.

5772 (3) The Department of Education, in cooperation with school
5773 districts and Florida Community College System institutions,
5774 shall develop and maintain a database of valid comparable
5775 information on workforce education which will meet both state
5776 and local needs.

5777 Section 92. Subsection (1) of section 1010.30, Florida
5778 Statutes, is amended to read:

5779 1010.30 Audits required.—

5780 (1) School districts, ~~Florida College System institutions,~~
5781 and other institutions and agencies under the supervision of the
5782 State Board of Education, Florida Community College System
5783 institutions under the supervision of the State Board of
5784 Community Colleges, and state universities under the supervision
5785 of the Board of Governors are subject to the audit provisions of
5786 ss. 11.45 and 218.39.

5787 Section 93. Section 1010.58, Florida Statutes, is amended
5788 to read:

5789 1010.58 Procedure for determining number of instruction
5790 units for Florida Community College System institutions.—The
5791 number of instruction units for Florida Community College System
5792 institutions shall be determined from the full-time equivalent
5793 students in the Florida Community College System institution,
5794 provided that full-time equivalent students may not be counted
5795 more than once in determining instruction units. Instruction
5796 units for Florida Community College System institutions shall be
5797 computed as follows:

5798 (1) One unit for each 12 full-time equivalent students at a



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5799 Florida Community College System institution for the first 420
5800 students and one unit for each 15 full-time equivalent students
5801 for all over 420 students, in other than career education
5802 programs as defined by rules of the State Board of Community
5803 Colleges Education, and one unit for each 10 full-time
5804 equivalent students in career education programs and
5805 compensatory education programs as defined by rules of the State
5806 Board of Community Colleges Education. Full-time equivalent
5807 students enrolled in a Florida Community College System
5808 institution shall be defined by rules of the State Board of
5809 Community Colleges Education.

5810 (2) For each 8 instruction units in a Florida Community
5811 College System institution, 1 instruction unit or proportionate
5812 fraction of a unit shall be allowed for administrative and
5813 special instructional services, and for each 20 instruction
5814 units, 1 instruction unit or proportionate fraction of a unit
5815 shall be allowed for student personnel services.

5816 Section 94. Section 1011.01, Florida Statutes, is amended
5817 to read:

5818 1011.01 Budget system established.—

5819 (1) The State Board of Education shall prepare and submit a
5820 coordinated K-20 education annual legislative budget request to
5821 the Governor and the Legislature on or before the date provided
5822 by the Governor and the Legislature. The board's legislative
5823 budget request must clearly define the needs of school
5824 districts, Florida Community College System institutions,
5825 universities, other institutions, organizations, programs, and
5826 activities under the supervision of the board and that are
5827 assigned by law or the General Appropriations Act to the



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5828 Department of Education.

5829 (2) (a) There ~~is shall be~~ established in each school
5830 district ~~and Florida College System institution~~ a budget system
5831 as prescribed by law and rules of the State Board of Education.

5832 (b) There ~~is shall be~~ established in each state university
5833 a budget system as prescribed by law and rules of the Board of
5834 Governors.

5835 (c) There is established in each Florida Community College
5836 System institution a budget system as prescribed by law and
5837 rules of the State Board of Community Colleges.

5838 (3) (a) Each district school board ~~and each Florida College~~
5839 ~~System institution board of trustees~~ shall prepare, adopt, and
5840 submit to the Commissioner of Education an annual operating
5841 budget. Operating budgets must shall be prepared and submitted
5842 in accordance with the provisions of law, rules of the State
5843 Board of Education, the General Appropriations Act, and for
5844 district school boards in accordance with the provisions of ss.
5845 200.065 and 1011.64.

5846 (b) Each state university board of trustees shall prepare,
5847 adopt, and submit to the Chancellor of the State University
5848 System for review an annual operating budget in accordance with
5849 provisions of law, rules of the Board of Governors, and the
5850 General Appropriations Act.

5851 (c) Each Florida Community College System institution board
5852 of trustees shall prepare, adopt, and submit to the State Board
5853 of Community Colleges an annual operating budget in accordance
5854 with provisions of law, rules of the State Board of Community
5855 Colleges, and the General Appropriations Act.

5856 (4) The State Board of Education shall coordinate with the



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5857 Board of Governors and the State Board of Community Colleges to
5858 facilitate the budget system requirements of this section. The
5859 State Board of Community College exclusively retains the review
5860 and approval powers of this section for Florida Community
5861 College System institutions. The Board of Governors exclusively
5862 retains the review and approval powers of this section for state
5863 universities.

5864 Section 95. Section 1011.011, Florida Statutes, is amended
5865 to read:

5866 1011.011 Legislative capital outlay budget request.—The
5867 State Board of Education shall submit an integrated,
5868 comprehensive budget request for educational facilities
5869 construction and fixed capital outlay needs for school
5870 districts, and, in conjunction with the State Board of Community
5871 Colleges for Florida Community College System institutions, and
5872 in conjunction with the Board of Governors for state,
5873 universities, pursuant to this section and s. 1013.46 and
5874 applicable provisions of chapter 216.

5875 Section 96. Section 1011.30, Florida Statutes, is amended
5876 to read:

5877 1011.30 Budgets for Florida Community College System
5878 institutions.—Each Florida Community College System institution
5879 president shall recommend to the Florida Community College
5880 System institution board of trustees a budget of income and
5881 expenditures at such time and in such form as the State Board of
5882 Community Colleges ~~Education~~ may prescribe. Upon approval of a
5883 budget by the Florida Community College System institution board
5884 of trustees, such budget must ~~shall~~ be transmitted to the State
5885 Board of Community Colleges ~~Department of Education~~ for review.



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5886 Rules of the State Board of Community Colleges must ~~Education~~
5887 ~~shall~~ prescribe procedures for effecting budget amendments
5888 subsequent to the final approval of a budget for a given year.

5889 Section 97. Section 1011.32, Florida Statutes, is amended
5890 to read:

5891 1011.32 Florida Community College System Institution
5892 Facility Enhancement Challenge Grant Program.—

5893 (1) The Legislature recognizes that ~~the~~ Florida Community
5894 College System institutions do not have sufficient physical
5895 facilities to meet the current demands of their instructional
5896 and community programs. It further recognizes that, to
5897 strengthen and enhance Florida Community College System
5898 institutions, it is necessary to provide facilities in addition
5899 to those currently available from existing revenue sources. It
5900 further recognizes that there are sources of private support
5901 that, if matched with state support, can assist in constructing
5902 much needed facilities and strengthen the commitment of citizens
5903 and organizations in promoting excellence at each Florida
5904 Community College System institution. Therefore, it is the
5905 intent of the Legislature to establish a program to provide the
5906 opportunity for each Florida Community College System
5907 institution through its direct-support organization to receive
5908 and match challenge grants for instructional and community-
5909 related capital facilities within the Florida Community College
5910 System institution.

5911 (2) There is established the Florida Community College
5912 System Institution Facility Enhancement Challenge Grant Program
5913 for the purpose of assisting the Florida Community College
5914 System institutions in building high priority instructional and



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community-related capital facilities consistent with s. 1004.65, including common areas connecting such facilities. The direct-support organizations that serve the Florida Community College System institutions shall solicit gifts from private sources to provide matching funds for capital facilities. For the purposes of this section, private sources of funds shall not include any federal or state government funds that a Florida Community College System institution may receive.

(3) The Florida Community College System Institution Capital Facilities Matching Program shall provide funds to match private contributions for the development of high priority instructional and community-related capital facilities, including common areas connecting such facilities, within the Florida Community College System institutions.

(4) Within the direct-support organization of each Florida Community College System institution there must be established a separate capital facilities matching account for the purpose of providing matching funds from the direct-support organization's unrestricted donations or other private contributions for the development of high priority instructional and community-related capital facilities, including common areas connecting such facilities. The Legislature shall appropriate funds for distribution to a Florida Community College System institution after matching funds are certified by the direct-support organization and Florida Community College System institution. The Public Education Capital Outlay and Debt Service Trust Fund shall not be used as the source of the state match for private contributions.

(5) A project may not be initiated unless all private funds



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for planning, construction, and equipping the facility have been received and deposited in the direct-support organization's matching account for this purpose. However, this requirement does not preclude the Florida Community College System institution or direct-support organization from expending available funds from private sources to develop a prospectus, including preliminary architectural schematics or models, for use in its efforts to raise private funds for a facility and for site preparation, planning, and construction. The Legislature may appropriate the state's matching funds in one or more fiscal years for the planning, construction, and equipping of an eligible facility. Each Florida Community College System institution shall notify all donors of private funds of a substantial delay in the availability of state matching funds for this program.

(6) To be eligible to participate in the Florida Community College System Institution Facility Enhancement Challenge Grant Program, a Florida Community College System institution, through its direct-support organization, shall raise a contribution equal to one-half of the total cost of a facilities construction project from private sources which shall be matched by a state appropriation equal to the amount raised for a facilities construction project, subject to the General Appropriations Act.

(7) If the state's share of the required match is insufficient to meet the requirements of subsection (6), the Florida Community College System institution shall renegotiate the terms of the contribution with the donors. If the project is terminated, each private donation, plus accrued interest, reverts to the direct-support organization for remittance to the



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donor.

(8) By October 15 of each year, the State Board of Community Colleges Education shall transmit to the Governor and the Legislature a list of projects that meet all eligibility requirements to participate in the Florida Community College System Institution Facility Enhancement Challenge Grant Program and a budget request that includes the recommended schedule necessary to complete each project.

(9) In order for a project to be eligible under this program, it must be survey recommended under the provisions of s. 1013.31 and included in the Florida Community College System Institution's 5-year capital improvement plan, and it must receive approval from the State Board of Community Colleges Education or the Legislature.

(10) A Florida Community College System institution project may not be removed from the approved 3-year PECO priority list because of its successful participation in this program until approved by the Legislature and provided for in the General Appropriations Act. When such a project is completed and removed from the list, all other projects shall move up on the 3-year PECO priority list.

(11) Any private matching funds for a project which are unexpended after the project is completed shall revert to the Florida Community College System institution's direct-support organization capital facilities matching account. The balance of any unexpended state matching funds shall be returned to the fund from which those funds were appropriated.

(12) The surveys, architectural plans, facility, and equipment shall be the property of the participating Florida



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Community College System institution. A facility constructed under this section may be named in honor of a donor at the option of the Florida Community College System institution district board of trustees. A facility may not be named after a living person without prior approval by the State Board of Community Colleges Education.

(13) Effective July 1, 2011, state matching funds are temporarily suspended for donations received for the program on or after June 30, 2011. Existing eligible donations remain eligible for future matching funds. The program may be restarted after \$200 million of the backlog for programs under this section and ss. 1011.85, 1011.94, and 1013.79 have been matched.

Section 98. Subsection (2), paragraph (b) of subsection (5), and subsections (8), (9), and (11) of section 1011.80, Florida Statutes, are amended to read:

1011.80 Funds for operation of workforce education programs.—

(2) Any workforce education program may be conducted by a Florida Community College System institution or a school district, except that college credit in an associate in applied science or an associate in science degree may be awarded only by a Florida Community College System institution. However, if an associate in applied science or an associate in science degree program contains within it an occupational completion point that confers a certificate or an applied technology diploma, that portion of the program may be conducted by a school district career center. Any instruction designed to articulate to a degree program is subject to guidelines and standards adopted by the State Board of Community Colleges Education pursuant to s.



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6031 1007.25.

6032 (5) State funding and student fees for workforce education
6033 instruction shall be established as follows:

6034 (b) For all other workforce education programs, state
6035 funding shall equal 75 percent of the average cost of
6036 instruction with the remaining 25 percent made up from student
6037 fees. Fees for courses within a program shall not vary according
6038 to the cost of the individual program, but instead shall be
6039 based on a uniform fee calculated and set at the state level, as
6040 adopted by the State Board of Education, for school districts
6041 and the State Board of Community Colleges, for Florida Community
6042 College System institutions, unless otherwise specified in the
6043 General Appropriations Act.

6044 (8) The State Board of Education, the State Board of
6045 Community Colleges, and CareerSource Florida, Inc., shall
6046 provide the Legislature with recommended formulas, criteria,
6047 timeframes, and mechanisms for distributing performance funds.
6048 The commissioner shall consolidate the recommendations and
6049 develop a consensus proposal for funding. The Legislature shall
6050 adopt a formula and distribute the performance funds to the
6051 State Board of Community Colleges Education for Florida
6052 Community College System institutions and to the State Board of
6053 Education for school districts through the General
6054 Appropriations Act. These recommendations shall be based on
6055 formulas that would discourage low-performing or low-demand
6056 programs and encourage through performance-funding awards:

6057 (a) Programs that prepare people to enter high-wage
6058 occupations identified by the Workforce Estimating Conference
6059 created by s. 216.136 and other programs as approved by



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6060 CareerSource Florida, Inc. At a minimum, performance incentives
6061 shall be calculated for adults who reach completion points or
6062 complete programs that lead to specified high-wage employment
6063 and to their placement in that employment.

6064 (b) Programs that successfully prepare adults who are
6065 eligible for public assistance, economically disadvantaged,
6066 disabled, not proficient in English, or dislocated workers for
6067 high-wage occupations. At a minimum, performance incentives
6068 shall be calculated at an enhanced value for the completion of
6069 adults identified in this paragraph and job placement of such
6070 adults upon completion. In addition, adjustments may be made in
6071 payments for job placements for areas of high unemployment.

6072 (c) Programs that are specifically designed to be
6073 consistent with the workforce needs of private enterprise and
6074 regional economic development strategies, as defined in
6075 guidelines set by CareerSource Florida, Inc. CareerSource
6076 Florida, Inc., shall develop guidelines to identify such needs
6077 and strategies based on localized research of private employers
6078 and economic development practitioners.

6079 (d) Programs identified by CareerSource Florida, Inc., as
6080 increasing the effectiveness and cost efficiency of education.

6081 (9) School districts shall report full-time equivalent
6082 students by discipline category for the programs specified in
6083 subsection (1). There shall be an annual cost analysis for the
6084 school district workforce education programs that reports cost
6085 by discipline category consistent with the reporting for full-
6086 time equivalent students. The annual financial reports submitted
6087 by the school districts must accurately report on the student
6088 fee revenues by fee type according to the programs specified in



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6089 subsection (1). The Department of Education and the State Board
6090 of Community Colleges shall develop a plan for comparable
6091 reporting of program, student, facility, personnel, and
6092 financial data between the Florida Community College System
6093 institutions and the school district workforce education
6094 programs.

6095 (11) The State Board of Education and the State Board of
6096 Community Colleges may adopt rules to administer this section.

6097 Section 99. Section 1011.801, Florida Statutes, is amended
6098 to read:

6099 1011.801 Workforce Development Capitalization Incentive
6100 Grant Program.—The Legislature recognizes that the need for
6101 school districts and Florida Community College System
6102 institutions to be able to respond to emerging local or
6103 statewide economic development needs is critical to the
6104 workforce development system. The Workforce Development
6105 Capitalization Incentive Grant Program is created to provide
6106 grants to school districts and Florida Community College System
6107 institutions on a competitive basis to fund some or all of the
6108 costs associated with the creation or expansion of workforce
6109 development programs that serve specific employment workforce
6110 needs.

6111 (1) Funds awarded for a workforce development
6112 capitalization incentive grant may be used for instructional
6113 equipment, laboratory equipment, supplies, personnel, student
6114 services, or other expenses associated with the creation or
6115 expansion of a workforce development program. Expansion of a
6116 program may include either the expansion of enrollments in a
6117 program or expansion into new areas of specialization within a



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6118 program. No grant funds may be used for recurring instructional
6119 costs or for institutions' indirect costs.

6120 (2) The State Board of Education shall accept applications
6121 from school districts, and the State Board of Community Colleges
6122 shall accept applications from ~~or~~ Florida Community College
6123 System institutions, for workforce development capitalization
6124 incentive grants. Applications from school districts or Florida
6125 Community College System institutions must ~~shall~~ contain
6126 projected enrollments and projected costs for the new or
6127 expanded workforce development program. The State Board of
6128 Education or the State Board of Community Colleges, as
6129 appropriate, in consultation with CareerSource Florida, Inc.,
6130 shall review and rank each application for a grant according to
6131 subsection (3) and shall submit to the Legislature a list in
6132 priority order of applications recommended for a grant award.

6133 (3) The State Board of Education or the State Board of
6134 Community Colleges, as appropriate, shall give highest priority
6135 to programs that train people to enter high-skill, high-wage
6136 occupations identified by the Workforce Estimating Conference
6137 and other programs approved by CareerSource Florida, Inc.;
6138 programs that train people to enter occupations under the
6139 welfare transition program; or programs that train for the
6140 workforce adults who are eligible for public assistance,
6141 economically disadvantaged, disabled, not proficient in English,
6142 or dislocated workers. The State Board of Education or the State
6143 Board of Community Colleges, as appropriate, shall consider the
6144 statewide geographic dispersion of grant funds in ranking the
6145 applications and shall give priority to applications from
6146 education agencies that are making maximum use of their



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6147 workforce development funding by offering high-performing, high-
6148 demand programs.

6149 Section 100. Section 1011.81, Florida Statutes, is amended
6150 to read:

6151 1011.81 Florida Community College System Program Fund.—

6152 (1) There is established a Florida Community College System
6153 Program Fund. This fund shall comprise all appropriations made
6154 by the Legislature for the support of the current operating
6155 program and shall be apportioned and distributed to the Florida
6156 Community College System institution districts of the state on
6157 the basis of procedures established by law and rules of the
6158 State Board of Education. The annual apportionment for each
6159 Florida Community College System institution district shall be
6160 distributed monthly in payments as nearly equal as possible.

6161 (2) Performance funding for industry certifications for
6162 Florida Community College System institutions is contingent upon
6163 specific appropriation in the General Appropriations Act and
6164 shall be determined as follows:

6165 (a) Occupational areas for which industry certifications
6166 may be earned, as established in the General Appropriations Act,
6167 are eligible for performance funding. Priority shall be given to
6168 the occupational areas emphasized in state, national, or
6169 corporate grants provided to Florida educational institutions.

6170 (b) The Chancellor of the Florida Community College System,
6171 for the Florida Community College System institutions, shall
6172 identify the industry certifications eligible for funding on the
6173 CAPE Postsecondary Industry Certification Funding List approved
6174 by the State Board of Community Colleges Education pursuant to
6175 s. 1008.44, based on the occupational areas specified in the



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6176 General Appropriations Act.

6177 (c) Each Florida Community College System institution shall
6178 be provided \$1,000 for each industry certification earned by a
6179 student. The maximum amount of funding appropriated for
6180 performance funding pursuant to this subsection shall be limited
6181 to \$15 million annually. If funds are insufficient to fully fund
6182 the calculated total award, such funds shall be prorated.

6183 (3) None of the funds made available in the Florida
6184 Community College System Program Fund, or funds made available
6185 to Florida Community College System institutions outside the
6186 Florida Community College System Program Fund, may be used to
6187 implement, organize, direct, coordinate, or administer, or to
6188 support the implementation, organization, direction,
6189 coordination, or administration of, activities related to, or
6190 involving, travel to a terrorist state. For purposes of this
6191 section, "terrorist state" is defined as any state, country, or
6192 nation designated by the United States Department of State as a
6193 state sponsor of terrorism.

6194 (4) State funds provided for the Florida Community College
6195 System Program Fund may not be expended for the education of
6196 state or federal inmates.

6197 Section 101. Section 1011.82, Florida Statutes, is amended
6198 to read:

6199 1011.82 Requirements for participation in Florida Community
6200 College System Program Fund.—Each Florida Community College
6201 System institution district which participates in the state
6202 appropriations for the Florida Community College System Program
6203 Fund shall provide evidence of its effort to maintain an
6204 adequate Florida Community College System institution program



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which shall:

(1) Meet the minimum standards prescribed by the State Board of Community Colleges Education in accordance with s. 1001.602(5) ~~s. 1001.02(6)~~.

(2) Effectively fulfill the mission of the Florida Community College System institutions in accordance with s. 1004.65.

Section 102. Section 1011.83, Florida Statutes, is amended to read:

1011.83 Financial support of Florida Community College System institutions.—

(1) Each Florida Community College System institution that ~~has been approved by the Department of Education and~~ meets the requirements of law and rules of the State Board of Community Colleges Education shall participate in the Florida Community College System Program Fund. However, funds to support workforce education programs conducted by Florida Community College System institutions shall be provided pursuant to s. 1011.80.

(2) A student in a baccalaureate degree program approved pursuant to s. 1007.33 who is not classified as a resident for tuition purposes pursuant to s. 1009.21 may not be included in calculations of full-time equivalent enrollments for state funding purposes.

Section 103. Section 1011.84, Florida Statutes, is amended to read:

1011.84 Procedure for determining state financial support and annual apportionment of state funds to each Florida Community College System institution district.—The procedure for determining state financial support and the annual apportionment



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to each Florida Community College System institution district authorized to operate a Florida Community College System institution under the provisions of s. 1001.61 shall be as follows:

(1) DETERMINING THE AMOUNT TO BE INCLUDED IN THE FLORIDA COMMUNITY COLLEGE SYSTEM PROGRAM FUND FOR THE CURRENT OPERATING PROGRAM.—

(a) The State Board of Community Colleges ~~Department of Education~~ shall determine annually, from an analysis of operating costs, ~~prepared in the manner prescribed by rules of the State Board of Education,~~ the costs per full-time equivalent student served in courses and fields of study offered in Florida Community College System institutions. This information and current college operating budgets shall be submitted to the Executive Office of the Governor with the legislative budget request prior to each regular session of the Legislature.

(b) The allocation of funds for Florida Community College System institutions must ~~shall~~ be based on advanced and professional disciplines, developmental education, and other programs for adults funded pursuant to s. 1011.80.

(c) The category of lifelong learning is for students enrolled pursuant to s. 1004.93. A student shall also be reported as a lifelong learning student for his or her enrollment in any course that he or she has previously taken, unless it is a credit course in which the student earned a grade of D or F.

(d) If an adult student has been determined to be a disabled student eligible for an approved educational program for disabled adults provided pursuant to s. 1004.93 and rules of



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6263 the State Board of Community Colleges Education and is enrolled
6264 in a class with curriculum frameworks developed for the program,
6265 state funding for that student shall be provided at a level
6266 double that of a student enrolled in a special adult general
6267 education program provided by a Florida Community College System
6268 institution.

6269 (e) All state inmate education provided by Florida
6270 Community College System institutions shall be reported by
6271 program, FTE expenditure, and revenue source. These enrollments,
6272 expenditures, and revenues shall be reported and projected
6273 separately. Instruction of state inmates may ~~shall~~ not be
6274 included in the full-time equivalent student enrollment for
6275 funding through the Florida Community College System Program
6276 Fund.

6277 (f) When a public educational institution has been fully
6278 funded by an external agency for direct instructional costs of
6279 any course or program, the FTE generated may ~~shall~~ not be
6280 reported for state funding.

6281 (g) The State Board of Education shall adopt rules to
6282 implement s. 9(d)(8)f., Art. XII of the State Constitution.
6283 These rules shall provide for the use of the funds available
6284 under s. 9(d)(8)f., Art. XII by an individual Florida Community
6285 College System institution for operating expense in any fiscal
6286 year during which the State Board of Education has determined
6287 that all major capital outlay needs have been met. Highest
6288 priority for the use of these funds for purposes other than
6289 financing approved capital outlay projects shall be for the
6290 proper maintenance and repair of existing facilities for
6291 projects approved by the State Board of Education. However, in



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6292 any fiscal year in which funds from this source are authorized
6293 for operating expense other than approved maintenance and repair
6294 projects, the allocation of Florida Community College System
6295 institution program funds shall be reduced by an amount equal to
6296 the sum used for such operating expense for that Florida
6297 Community College System institution that year, and that amount
6298 shall not be released or allocated among the other Florida
6299 Community College System institutions that year.

6300 (2) DETERMINING THE AMOUNT TO BE INCLUDED FOR CAPITAL
6301 OUTLAY AND DEBT SERVICE.-The amount included for capital outlay
6302 and debt service shall be as determined and provided in s. 18,
6303 Art. XII of the State Constitution of 1885, as adopted by s.
6304 9(d), Art. XII of the 1968 revised State Constitution and State
6305 Board of Education rules.

6306 (3) DETERMINING THE APPORTIONMENT FROM STATE FUNDS.-

6307 (a) By December 15 of each year, the State Board of
6308 Community Colleges Department of Education shall estimate the
6309 annual enrollment of each Florida Community College System
6310 institution for the current fiscal year and for the 3 subsequent
6311 fiscal years. These estimates shall be based upon prior years'
6312 enrollments, upon the initial fall term enrollments for the
6313 current fiscal year for each college, and upon each college's
6314 estimated current enrollment and demographic changes in the
6315 respective Florida Community College System institution
6316 districts. Upper-division enrollment shall be estimated
6317 separately from lower-division enrollment.

6318 (b) The apportionment to each Florida Community College
6319 System institution from the Florida Community College System
6320 Program Fund shall be determined annually in the General



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6321 Appropriations Act. In determining each college's apportionment,
6322 the Legislature shall consider the following components:

6323 1. Base budget, which includes the state appropriation to
6324 the Florida Community College System Program Fund in the current
6325 year plus the related student tuition and out-of-state fees
6326 assigned in the current General Appropriations Act.

6327 2. The cost-to-continue allocation, which consists of
6328 incremental changes to the base budget, including salaries,
6329 price levels, and other related costs allocated through a
6330 funding model approved by the Legislature which may recognize
6331 differing economic factors arising from the individual
6332 educational approaches of the various Florida Community College
6333 System institutions, including, but not limited to:

6334 a. Direct Instructional Funding, including class size,
6335 faculty productivity factors, average faculty salary, ratio of
6336 full-time to part-time faculty, costs of programs, and
6337 enrollment factors.

6338 b. Academic Support, including small colleges factor,
6339 multicampus factor, and enrollment factor.

6340 c. Student Services Support, including headcount of
6341 students as well as FTE count and enrollment factors.

6342 d. Library Support, including volume and other
6343 materials/audiovisual requirements.

6344 e. Special Projects.

6345 f. Operations and Maintenance of Plant, including square
6346 footage and utilization factors.

6347 g. District Cost Differential.

6348 3. Students enrolled in a recreation and leisure program
6349 and students enrolled in a lifelong learning program who may not



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6350 be counted as full-time equivalent enrollments for purposes of
6351 enrollment workload adjustments.

6352 4. Operating costs of new facilities adjustments, which
6353 shall be provided, from funds available, for each new facility
6354 that is owned by the college and is recommended in accordance
6355 with s. 1013.31.

6356 5. New and improved program enhancements, which shall be
6357 determined by the Legislature.

6358
6359 Student fees in the base budget plus student fee revenues
6360 generated by increases in fee rates shall be deducted from the
6361 sum of the components determined in subparagraphs 1.-5. The
6362 amount remaining shall be the net annual state apportionment to
6363 each college.

6364 (c) ~~A~~ No Florida Community College System institution may
6365 not shall commit funds for the employment of personnel or
6366 resources in excess of those required to continue the same level
6367 of support for either the previously approved enrollment or the
6368 revised enrollment, whichever is lower.

6369 (d) The apportionment to each Florida Community College
6370 System institution district for capital outlay and debt service
6371 shall be the amount determined in accordance with subsection
6372 (2). This amount, less any amount determined as necessary for
6373 administrative expense by the State Board of Education and any
6374 amount necessary for debt service on bonds issued by the State
6375 Board of Education, shall be transmitted to the Florida
6376 Community College System institution board of trustees to be
6377 expended in a manner prescribed by rules of the State Board of
6378 Education.



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6379 (e) If at any time the unencumbered balance in the general
6380 fund of the Florida Community College System institution board
6381 of trustees approved operating budget goes below 5 percent, the
6382 president shall provide written notification to the State Board
6383 of Education.

6384 (f) Expenditures for apprenticeship programs must ~~shall~~ be
6385 reported separately.

6386 (g) Expenditures for upper-division enrollment in a Florida
6387 Community College System institution that grants baccalaureate
6388 degrees must ~~shall~~ be reported separately from expenditures for
6389 lower-division enrollment, in accordance with law and State
6390 Board of Education rule.

6391 (4) EXPENDITURE OF ALLOCATED FUNDS.—Any funds allocated
6392 herein to any Florida Community College System institution must
6393 ~~shall~~ be expended only for the purpose of supporting that
6394 Florida Community College System institution.

6395 (5) REPORT OF DEVELOPMENTAL EDUCATION.—Each Florida
6396 Community College System institution board of trustees shall
6397 report, as a separate item in its annual cost accounting system,
6398 the volume and cost of developmental education options provided
6399 to help students attain the communication and computation skills
6400 that are essential for college-level work pursuant to s.
6401 1008.30.

6402 Section 104. Section 1011.85, Florida Statutes, is amended
6403 to read:

6404 1011.85 Dr. Philip Benjamin Matching Grant Program for
6405 Florida Community College System Institutions.—

6406 (1) There is created the Dr. Philip Benjamin Matching Grant
6407 Program for Florida Community College System Institutions as a



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6408 single matching gifts program that encompasses the goals
6409 originally set out in the Academic Improvement Program, the
6410 Scholarship Matching Program, and the Health Care Education
6411 Quality Enhancement Challenge Grant. The program shall be
6412 administered according to rules of the State Board of Community
6413 Colleges ~~Education~~ and used to encourage private support in
6414 enhancing Florida Community College System institutions by
6415 providing the Florida Community College System with the
6416 opportunity to receive and match challenge grants. Funds
6417 received prior to the effective date of this act for each of the
6418 three programs shall be retained in the separate account for
6419 which it was designated.

6420 (2) Each Florida Community College System institution board
6421 of trustees receiving state appropriations under this program
6422 shall approve each gift to ensure alignment with the unique
6423 mission of the Florida Community College System institution. The
6424 board of trustees must link all requests for a state match to
6425 the goals and mission statement. The Florida Community College
6426 System Institution Foundation Board receiving state
6427 appropriations under this program shall approve each gift to
6428 ensure alignment with its goals and mission statement. Funds
6429 received from community events and festivals are not eligible
6430 for state matching funds under this program.

6431 (3) Upon approval by the Florida Community College System
6432 institution board of trustees and the State Board of Community
6433 Colleges ~~Education~~, the ordering of donations for priority
6434 listing of unmatched gifts should be determined by the
6435 submitting Florida Community College System institution.

6436 (4) Each year, eligible contributions received by a Florida



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6437 Community College System institution's foundation or the State
6438 Board of Community Colleges Education by February 1 shall be
6439 eligible for state matching funds.

6440 (a) Each Florida Community College System institution board
6441 of trustees and, when applicable, the Florida Community College
6442 System Institution Foundation Board, receiving state
6443 appropriations under this program shall also certify in an
6444 annual report to the State Board of Community Colleges Education
6445 the receipt of eligible cash contributions that were previously
6446 unmatched by the state. The State Board of Education shall adopt
6447 rules providing all Florida Community College System
6448 institutions with an opportunity to apply for excess funds
6449 before the awarding of such funds.

6450 (b) Florida Community College System institutions must
6451 submit to the State Board of Community Colleges Education an
6452 annual expenditure report tracking the use of all matching
6453 funds.

6454 (c) The audit of each foundation receiving state funds from
6455 this program must include a certification of accuracy in the
6456 amount reported for matching funds.

6457 (5) The matching ratio for donations that are specifically
6458 designated to support scholarships, including scholarships for
6459 first-generation-in-college students, student loans, or need-
6460 based grants shall be \$1 of state funds to \$1 of local private
6461 funds.

6462 (6) Otherwise, funds must ~~shall~~ be proportionately
6463 allocated to the Florida Community College System institutions
6464 on the basis of matching each \$6 of local or private funds with
6465 \$4 of state funds. To be eligible, a minimum of \$4,500 must be



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6466 raised from private sources.

6467 (7) The Florida Community College System institution board
6468 of trustees, in conjunction with the donor, shall determine ~~make~~
6469 ~~the determination of~~ whether scholarships established pursuant
6470 to this program are endowed.

6471 (8) (a) Funds sufficient to provide the match shall be
6472 transferred from the state appropriations to the local Florida
6473 Community College System institution foundation or the statewide
6474 Florida Community College System institution foundation upon
6475 notification that a proportionate amount has been received and
6476 deposited by a Florida Community College System institution in
6477 its own trust fund.

6478 (b) If state funds appropriated for the program are
6479 insufficient to match contributions, the amount allocated must
6480 ~~shall~~ be reduced in proportion to its share of the total
6481 eligible contributions. However, in making proportional
6482 reductions, every Florida Community College System institution
6483 shall receive a minimum of \$75,000 in state matching funds if
6484 its eligible contributions would have generated an amount at
6485 least equal to \$75,000. All unmet contributions must ~~shall~~ be
6486 eligible for state matching funds in subsequent fiscal years.

6487 (9) Each Florida Community College System institution
6488 entity shall establish its own matching grant program fund as a
6489 depository for the private contributions and matching state
6490 funds provided under this section. Florida Community College
6491 System institution foundations are responsible for the
6492 maintenance, investment, and administration of their matching
6493 grant program funds.

6494 (10) The State Board of Community Colleges Education may



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6495 receive submissions of requests for matching funds and
6496 documentation relating to those requests, may approve requests
6497 for matching funds, and may allocate such funds to the Florida
6498 Community College System institutions.

6499 (11) The board of trustees of the Florida Community College
6500 System institution and the State Board of Community Colleges
6501 ~~Education~~ are responsible for determining the uses for the
6502 proceeds of their respective trust funds. Such use of the
6503 proceeds shall include, but not be limited to, expenditure of
6504 the funds for:

6505 (a) Scientific and technical equipment.

6506 (b) Scholarships, loans, or need-based grants.

6507 (c) Other activities that will benefit future students as
6508 well as students currently enrolled at the Florida Community
6509 College System institution, will improve the quality of
6510 education at the Florida Community College System institution,
6511 or will enhance economic development in the community.

6512 (12) Each Florida Community College System institution
6513 shall notify all donors of private funds of a substantial delay
6514 in the availability of state matching funds for this program.

6515 (13) Effective July 1, 2011, state matching funds are
6516 temporarily suspended for donations received for this program on
6517 or after June 30, 2011. Existing eligible donations remain
6518 eligible for future matching funds. The program may be restarted
6519 after \$200 million of the backlog for programs under this
6520 section and ss. 1011.32, 1011.94, and 1013.79 have been matched.

6521 Section 105. Subsection (1) of section 1012.01, Florida
6522 Statutes, is amended to read:

6523 1012.01 Definitions.—As used in this chapter, the following



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6524 terms have the following meanings:

6525 (1) SCHOOL OFFICERS.—The officers of the state system of
6526 public K-12 ~~and Florida College System institution~~ education
6527 shall be the Commissioner of Education and the members of the
6528 State Board of Education; for the Florida Community College
6529 System, the officers shall be the Chancellor of the Florida
6530 Community College System and the members of the State Board of
6531 Community Colleges; for each district school system, the
6532 officers shall be the district school superintendent and members
6533 of the district school board; and for each Florida Community
6534 College System institution, the officers shall be the Florida
6535 Community College System institution president and members of
6536 the Florida Community College System institution board of
6537 trustees.

6538 Section 106. Paragraph (a) of subsection (1) of section
6539 1012.80, Florida Statutes, is amended to read:

6540 1012.80 Participation by employees in disruptive activities
6541 at public postsecondary educational institutions; penalties.—

6542 (1) (a) Any person who accepts the privilege extended by the
6543 laws of this state of employment at any Florida Community
6544 College System institution shall, by working at such
6545 institution, be deemed to have given his or her consent to the
6546 policies of that institution, the policies of the State Board of
6547 Community Colleges ~~Education~~, and the laws of this state. Such
6548 policies shall include prohibition against disruptive activities
6549 at Florida Community College System institutions.

6550 Section 107. Subsection (1) of section 1012.81, Florida
6551 Statutes, is amended to read:

6552 1012.81 Personnel records.—



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6553 (1) The State Board of Community Colleges Education shall
6554 adopt rules prescribing the content and custody of limited-
6555 access records that a Florida Community College System
6556 institution may maintain on its employees. Limited-access
6557 employee records are confidential and exempt from ~~the provisions~~
6558 ~~of~~ s. 119.07(1). Limited-access records include only the
6559 following:

6560 (a) Records containing information reflecting academic
6561 evaluations of employee performance; however, the employee and
6562 officials of the institution responsible for supervision of the
6563 employee shall have access to such records.

6564 (b) Records maintained for the purposes of any
6565 investigation of employee misconduct, including, but not limited
6566 to, a complaint against an employee and all information obtained
6567 pursuant to the investigation of such complaint; however, these
6568 records become public after the investigation ceases to be
6569 active or when the institution provides written notice to the
6570 employee who is the subject of the complaint that the
6571 institution has either:

- 6572 1. Concluded the investigation with a finding not to
6573 proceed with disciplinary action;
6574 2. Concluded the investigation with a finding to proceed
6575 with disciplinary action; or
6576 3. Issued a letter of discipline.

6577
6578 For the purpose of this paragraph, an investigation shall be
6579 considered active as long as it is continuing with a reasonable,
6580 good faith anticipation that a finding will be made in the
6581 foreseeable future. An investigation shall be presumed to be



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6582 inactive if no finding is made within 90 days after the
6583 complaint is filed.

6584 Section 108. Subsection (1) of section 1012.83, Florida
6585 Statutes, is amended to read:

6586 1012.83 Contracts with administrative and instructional
6587 staff.—

6588 (1) Each person employed in an administrative or
6589 instructional capacity in a Florida Community College System
6590 institution shall be entitled to a contract as provided by rules
6591 of the State Board of Community Colleges Education.

6592 Section 109. Section 1012.855, Florida Statutes, is amended
6593 to read:

6594 1012.855 Employment of Florida Community College System
6595 institution personnel; discrimination in granting salary
6596 prohibited.—

6597 (1) (a) Employment of all personnel in each Florida
6598 Community College System institution shall be upon
6599 recommendation of the president, subject to rejection for cause
6600 by the Florida Community College System institution board of
6601 trustees; to the rules of the State Board of Community Colleges
6602 ~~Education~~ relative to certification, tenure, leaves of absence
6603 of all types, including sabbaticals, remuneration, and such
6604 other conditions of employment as the State Board of Community
6605 Colleges Education deems necessary and proper; and to policies
6606 of the Florida Community College System institution board of
6607 trustees not inconsistent with law.

6608 (b) Any internal auditor employed by a Florida Community
6609 College System institution shall be hired by the Florida
6610 Community College System institution board of trustees and shall



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report directly to the board.

(2) Each Florida Community College System institution board of trustees shall undertake a program to eradicate any discrimination on the basis of gender, race, or physical handicap in the granting of salaries to employees.

Section 110. Section 1012.86, Florida Statutes, is amended to read:

1012.86 Florida Community College System institution employment equity accountability program.—

(1) Each Florida Community College System institution shall include in its annual equity update a plan for increasing the representation of women and minorities in senior-level administrative positions and in full-time faculty positions, and for increasing the representation of women and minorities who have attained continuing-contract status. Positions shall be defined in the personnel data element directory of the Department of Education. The plan must include specific measurable goals and objectives, specific strategies and timelines for accomplishing these goals and objectives, and comparable national standards as provided by the Department of Education. The goals and objectives shall be based on meeting or exceeding comparable national standards and shall be reviewed and recommended by the State Board of Community Colleges ~~Education~~ as appropriate. Such plans shall be maintained until appropriate representation has been achieved and maintained for at least 3 consecutive reporting years.

(2) (a) On or before May 1 of each year, each Florida Community College System institution president shall submit an annual employment accountability plan to the Chancellor of the



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Florida Community College System and the State Board of Community Colleges ~~Commissioner of Education and the State Board of Education~~. The accountability plan must show faculty and administrator employment data according to requirements specified on the federal Equal Employment Opportunity (EEO-6) report.

(b) The plan must show the following information for those positions including, but not limited to:

1. Job classification title.
2. Gender.
3. Ethnicity.
4. Appointment status.

5. Salary information. At each Florida Community College System institution, salary information shall also include the salary ranges in which new hires were employed compared to the salary ranges for employees with comparable experience and qualifications.

6. Other comparative information including, but not limited to, composite information regarding the total number of positions within the particular job title classification for the Florida Community College System institution by race, gender, and salary range compared to the number of new hires.

7. A statement certifying diversity and balance in the gender and ethnic composition of the selection committee for each vacancy, including a brief description of guidelines used for ensuring balanced and diverse membership on selection and review committees.

(c) The annual employment accountability plan shall also include an analysis and an assessment of the Florida Community



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6669 College System institution's attainment of annual goals and of
6670 long-range goals for increasing the number of women and
6671 minorities in faculty and senior-level administrative positions,
6672 and a corrective action plan for addressing underrepresentation.

6673 (d) Each Florida Community College System institution's
6674 employment accountability plan must also include:

6675 1. The requirements for receiving a continuing contract.

6676 2. A brief description of the process used to grant
6677 continuing-contract status.

6678 3. A brief description of the process used to annually
6679 apprise each eligible faculty member of progress toward
6680 attainment of continuing-contract status.

6681 (3) Florida Community College System institution presidents
6682 and the heads of each major administrative division shall be
6683 evaluated annually on the progress made toward meeting the goals
6684 and objectives of the Florida Community College System
6685 institution's employment accountability plan.

6686 (a) The Florida Community College System institution
6687 presidents, or the presidents' designees, shall annually
6688 evaluate each department chairperson, dean, provost, and vice
6689 president in achieving the annual and long-term goals and
6690 objectives. A summary of the results of such evaluations shall
6691 be reported annually by the Florida Community College System
6692 institution president to the Florida Community College System
6693 institution board of trustees. Annual budget allocations by the
6694 Florida Community College System institution board of trustees
6695 for positions and funding must take into consideration these
6696 evaluations.

6697 (b) Florida Community College System institution boards of



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6698 trustees shall annually evaluate the performance of the Florida
6699 Community College System institution presidents in achieving the
6700 annual and long-term goals and objectives. A summary of the
6701 results of such evaluations shall be reported to the State Board
6702 of Community Colleges ~~Commissioner of Education and the State~~
6703 ~~Board of Education~~ as part of the Florida Community College
6704 System institution's annual employment accountability plan, and
6705 to the Legislature as part of the annual equity progress report
6706 submitted by the State Board of Community Colleges ~~Education~~.

6707 (4) The State Board of Community Colleges ~~Education~~ shall
6708 submit an annual equity progress report to the President of the
6709 Senate and the Speaker of the House of Representatives on or
6710 before January 1 of each year.

6711 (5) Each Florida Community College System institution shall
6712 develop a budgetary incentive plan to support and ensure
6713 attainment of the goals developed pursuant to this section. The
6714 plan shall specify, at a minimum, how resources shall be
6715 allocated to support the achievement of goals and the
6716 implementation of strategies in a timely manner. After prior
6717 review and approval by the Florida Community College System
6718 institution president and the Florida Community College System
6719 institution board of trustees, the plan shall be submitted as
6720 part of the annual employment accountability plan submitted by
6721 each Florida Community College System institution to the State
6722 Board of Community Colleges ~~Education~~.

6723 (6) Subject to available funding, the Legislature shall
6724 provide an annual appropriation to the State Board of Community
6725 Colleges ~~Education~~ to be allocated to Florida Community College
6726 System institution presidents, faculty, and administrative



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6727 personnel to further enhance equity initiatives and related
6728 priorities that support the mission of colleges and departments
6729 in recognition of the attainment of the equity goals and
6730 objectives.

6731 Section 111. Subsection (3) of section 1013.01, Florida
6732 Statutes, is amended to read:

6733 1013.01 Definitions.—The following terms shall be defined
6734 as follows for the purpose of this chapter:

6735 (3) "Board," unless otherwise specified, means a district
6736 school board, a Florida Community College System institution
6737 board of trustees, a university board of trustees, and the Board
6738 of Trustees for the Florida School for the Deaf and the Blind.
6739 The term "board" does not include the State Board of Education,
6740 ~~or the Board of Governors, or the State Board of Community~~
6741 Colleges.

6742 Section 112. Subsection (2) of section 1013.02, Florida
6743 Statutes, is amended to read:

6744 1013.02 Purpose; rules and regulations.—

6745 (2) (a) The State Board of Education shall adopt rules
6746 pursuant to ss. 120.536(1) and 120.54 to implement ~~the~~
6747 ~~provisions of this chapter for school districts and Florida~~
6748 ~~College System institutions.~~

6749 (b) The Board of Governors shall adopt regulations pursuant
6750 to its regulation development procedure to implement ~~the~~
6751 ~~provisions of this chapter for state universities.~~

6752 (c) The State Board of Community Colleges shall adopt rules
6753 pursuant to ss. 120.536(1) and 120.54 to implement this chapter
6754 for Florida Community College System institutions.

6755 Section 113. Section 1013.03, Florida Statutes, is amended



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6756 to read:

6757 1013.03 Functions of the department, the State Board of
6758 Community Colleges, and the Board of Governors.—The functions of
6759 the Department of Education as it pertains to educational
6760 facilities of school districts, of the State Board of Community
6761 Colleges as it pertains to educational facilities of and Florida
6762 Community College System institutions, and of the Board of
6763 Governors as it pertains to educational facilities of state
6764 universities shall include, but not be limited to, the
6765 following:

6766 (1) Establish recommended minimum and maximum square
6767 footage standards for different functions and areas and
6768 procedures for determining the gross square footage for each
6769 educational facility to be funded in whole or in part by the
6770 state, including public broadcasting stations but excluding
6771 postsecondary special purpose laboratory space. The gross square
6772 footage determination standards may be exceeded when the core
6773 facility space of an educational facility is constructed or
6774 renovated to accommodate the future addition of classrooms to
6775 meet projected increases in student enrollment. The department,
6776 the State Board of Community Colleges, and the Board of
6777 Governors shall encourage multiple use of facilities and spaces
6778 in educational plants.

6779 (2) Establish, for the purpose of determining need,
6780 equitably uniform utilization standards for all types of like
6781 space, regardless of the level of education. These standards
6782 shall also establish, for postsecondary education classrooms, a
6783 minimum room utilization rate of 40 hours per week and a minimum
6784 station utilization rate of 60 percent. These rates shall be



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6785 subject to increase based on national norms for utilization of
6786 postsecondary education classrooms.

6787 (3) Require boards to submit other educational plant
6788 inventories data and statistical data or information relevant to
6789 construction, capital improvements, and related costs.

6790 (4) Require each board and other appropriate agencies to
6791 submit complete and accurate financial data as to the amounts of
6792 funds from all sources that are available and spent for
6793 construction and capital improvements. The commissioner shall
6794 prescribe the format and the date for the submission of this
6795 data and any other educational facilities data. If any district
6796 does not submit the required educational facilities fiscal data
6797 by the prescribed date, the Commissioner of Education shall
6798 notify the district school board of this fact and, if
6799 appropriate action is not taken to immediately submit the
6800 required report, the district school board shall be directed to
6801 proceed pursuant to s. 1001.42(13)(b). If any Florida Community
6802 College System institution or university does not submit the
6803 required educational facilities fiscal data by the prescribed
6804 date, the same policy prescribed in this subsection for school
6805 districts shall be implemented.

6806 (5) Administer, under the supervision of the Commissioner
6807 of Education, the Public Education Capital Outlay and Debt
6808 Service Trust Fund and the School District and Community College
6809 District Capital Outlay and Debt Service Trust Fund.

6810 (6) Develop, review, update, revise, and recommend a
6811 mandatory portion of the Florida Building Code for educational
6812 facilities construction and capital improvement by Florida
6813 Community College System institution boards and district school



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6814 boards.

6815 (7) Provide training, technical assistance, and building
6816 code interpretation for requirements of the mandatory Florida
6817 Building Code for the educational facilities construction and
6818 capital improvement programs of ~~the Florida College System~~
6819 ~~institution boards~~ and district school boards and, upon request,
6820 approve phase III construction documents for remodeling,
6821 renovation, or new construction of educational plants or
6822 ancillary facilities, except that Florida Community College
6823 System institutions and university boards of trustees shall
6824 approve specifications and construction documents for their
6825 respective institutions pursuant to guidelines of the Board of
6826 Governors or State Board of Community Colleges, as applicable.

6827 The Department of Management Services may, upon request, provide
6828 similar services for the Florida School for the Deaf and the
6829 Blind and shall use the Florida Building Code and the Florida
6830 Fire Prevention Code.

6831 (8) Provide minimum criteria, procedures, and training to
6832 boards to conduct educational plant surveys and document the
6833 determination of future needs.

6834 (9) Make available to boards technical assistance,
6835 awareness training, and research and technical publications
6836 relating to lifesafety, casualty, sanitation, environmental,
6837 maintenance, and custodial issues; and, as needed, technical
6838 assistance for survey, planning, design, construction,
6839 operation, and evaluation of educational and ancillary
6840 facilities and plants, facilities administrative procedures
6841 review, and training for new administrators.

6842 (10)(a) Review and validate surveys proposed or amended by



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6843 the boards and recommend to the Commissioner of Education, the
6844 Chancellor of the Florida Community College System, or the
6845 Chancellor of the State University System, as appropriate, for
6846 approval, surveys that meet the requirements of this chapter.

6847 1. The term "validate" as applied to surveys by school
6848 districts means to review inventory data as submitted to the
6849 department by district school boards; provide for review and
6850 inspection, where required, of student stations and aggregate
6851 square feet of inventory changed from satisfactory to
6852 unsatisfactory or changed from unsatisfactory to satisfactory;
6853 compare new school inventory to allocation limits provided by
6854 this chapter; review cost projections for conformity with cost
6855 limits set by s. 1013.64(6); compare total capital outlay full-
6856 time equivalent enrollment projections in the survey with the
6857 department's projections; review facilities lists to verify that
6858 student station and auxiliary facility space allocations do not
6859 exceed the limits provided by this chapter and related rules;
6860 review and confirm the application of uniform facility
6861 utilization factors, where provided by this chapter or related
6862 rules; ~~use~~ utilize the documentation of programs offered per
6863 site, as submitted by the board, to analyze facility needs;
6864 confirm that need projections for career and adult educational
6865 programs comply with needs documented by the Department of
6866 Education; and confirm the assignment of full-time student
6867 stations to all space except auxiliary facilities, which, for
6868 purposes of exemption from student station assignment, include
6869 the following:

- 6870 a. Cafeterias.
- 6871 b. Multipurpose dining areas.



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- 6872 c. Media centers.
- 6873 d. Auditoriums.
- 6874 e. Administration.
- 6875 f. Elementary, middle, and high school resource rooms, up
6876 to the number of such rooms recommended for the applicable
6877 occupant and space design capacity of the educational plant in
6878 the State Requirements for Educational Facilities, beyond which
6879 student stations must be assigned.
- 6880 g. Elementary school skills labs, up to the number of such
6881 rooms recommended for the applicable occupant and space design
6882 capacity of the educational plant in the State Requirements for
6883 Educational Facilities, beyond which student stations must be
6884 assigned.
- 6885 h. Elementary school art and music rooms.

6886
6887 The Commissioner of Education may grant a waiver from the
6888 requirements of this subparagraph if a district school board
6889 determines that such waiver will make possible a substantial
6890 savings of funds or will be advantageous to the welfare of the
6891 educational system. The district school board shall present a
6892 full statement to the commissioner which sets forth the facts
6893 that warrant the waiver. If the commissioner denies a request
6894 for a waiver, the district school board may appeal such decision
6895 to the State Board of Education.

6896 2. The term "validate" as applied to surveys by Florida
6897 Community College System institutions and universities means to
6898 review and document the approval of each new site and official
6899 designation, where applicable; review the inventory database as
6900 submitted by each board to the department, including noncareer,



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6901 and total capital outlay full-time equivalent enrollment
6902 projections per site and per college; provide for the review and
6903 inspection, where required, of student stations and aggregate
6904 square feet of space changed from satisfactory to
6905 unsatisfactory; ~~use~~ utilize and review the documentation of
6906 programs offered per site submitted by the boards as accurate
6907 for analysis of space requirements and needs; confirm that needs
6908 projected for career and adult educational programs comply with
6909 needs documented by the Department of Education; compare new
6910 facility inventory to allocations limits as provided in this
6911 chapter; review cost projections for conformity with state
6912 averages or limits designated by this chapter; compare student
6913 enrollment projections in the survey to the department's
6914 projections; review facilities lists to verify that area
6915 allocations and space factors for generating space needs do not
6916 exceed the limits as provided by this chapter and related rules;
6917 confirm the application of facility utilization factors as
6918 provided by this chapter and related rules; and review, as
6919 submitted, documentation of how survey recommendations will
6920 implement the detail of current campus master plans and
6921 integrate with local comprehensive plans and development
6922 regulations.

6923 (b) Recommend priority of projects to be funded.

6924 (11) Prepare the commissioner's comprehensive fixed capital
6925 outlay legislative budget request and provide annually an
6926 estimate of the funds available for developing required 3-year
6927 priority lists. This amount shall be based upon the average
6928 percentage for the 5 prior years of funds appropriated by the
6929 Legislature for fixed capital outlay to each level of public



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6930 education: public schools, Florida Community College System
6931 institutions, and universities.

6932 (12) Perform any other functions that may be involved in
6933 educational facilities construction and capital improvement
6934 which shall ensure that the intent of the Legislature is
6935 implemented.

6936 Section 114. Section 1013.28, Florida Statutes, is amended
6937 to read:

6938 1013.28 Disposal of property.—

6939 (1) REAL PROPERTY.—

6940 (a) Subject to rules of the State Board of Education, a
6941 district school board ~~or~~ the Board of Trustees for the Florida
6942 School for the Deaf and the Blind, ~~or a Florida College System~~
6943 ~~institution board of trustees~~ may dispose of any land or real
6944 property to which the board holds title which is, by resolution
6945 of the board, determined to be unnecessary for educational
6946 purposes as recommended in an educational plant survey. A
6947 district school board ~~or~~ the Board of Trustees for the Florida
6948 School for the Deaf and the Blind, ~~or a Florida College System~~
6949 ~~institution board of trustees~~ shall take diligent measures to
6950 dispose of educational property only in the best interests of
6951 the public. However, appraisals may be obtained by the district
6952 school board ~~or~~ the Board of Trustees for the Florida School
6953 for the Deaf and the Blind ~~before, or the Florida College System~~
6954 ~~institution board of trustees prior to~~ or simultaneously with
6955 the receipt of bids.

6956 (b) Subject to regulations of the Board of Governors, a
6957 state university board of trustees may dispose of any land or
6958 real property to which it holds valid title which is, by



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6959 resolution of the state university board of trustees, determined
6960 to be unnecessary for educational purposes as recommended in an
6961 educational plant survey. A state university board of trustees
6962 shall take diligent measures to dispose of educational property
6963 only in the best interests of the public. However, appraisals
6964 may be obtained by the state university board of trustees prior
6965 to or simultaneously with the receipt of bids.

6966 (c) Subject to rules of the State Board of Community
6967 Colleges, a Florida Community College System institution board
6968 of trustees may dispose of any land or real property to which it
6969 holds valid title which is, by resolution of the Florida
6970 Community College System institution board of trustees,
6971 determined to be unnecessary for educational purposes as
6972 recommended in an educational plant survey. A Florida Community
6973 College System institution board of trustees shall take diligent
6974 measures to dispose of educational property only in the best
6975 interests of the public. However, appraisals may be obtained by
6976 the Florida Community College System institution board of
6977 trustees prior to or simultaneously with the receipt of bids.

6978 (2) TANGIBLE PERSONAL PROPERTY.—

6979 (a) Tangible personal property that has been properly
6980 classified as surplus by a district school board ~~or Florida~~
6981 ~~College System institution board of trustees~~ shall be disposed
6982 of in accordance with the procedure established by chapter 274.
6983 However, the provisions of chapter 274 shall not be applicable
6984 to a motor vehicle used in driver education to which title is
6985 obtained for a token amount from an automobile dealer or
6986 manufacturer. In such cases, the disposal of the vehicle shall
6987 be as prescribed in the contractual agreement between the



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6988 automotive agency or manufacturer and the board.

6989 (b) Tangible personal property that has been properly
6990 classified as surplus by a state university board of trustees
6991 shall be disposed of in accordance with the procedure
6992 established by chapter 273.

6993 (c) Tangible personal property that has been properly
6994 classified as surplus by a Florida Community College System
6995 institution board of trustees shall be disposed of in accordance
6996 with the procedure established by chapter 274.

6997 Section 115. Subsection (1) of section 1013.31, Florida
6998 Statutes, is amended to read:

6999 1013.31 Educational plant survey; localized need
7000 assessment; PECO project funding.—

7001 (1) At least every 5 years, each board shall arrange for an
7002 educational plant survey, to aid in formulating plans for
7003 housing the educational program and student population, faculty,
7004 administrators, staff, and auxiliary and ancillary services of
7005 the district or campus, including consideration of the local
7006 comprehensive plan. The Department of Education, for school
7007 districts, and the State Board of Community Colleges, for the
7008 Florida Community College System, shall document the need for
7009 additional career and adult education programs and the
7010 continuation of existing programs before facility construction
7011 or renovation related to career or adult education may be
7012 included in the educational plant survey of a school district or
7013 Florida Community College System institution that delivers
7014 career or adult education programs. Information used by the
7015 Department of Education or State Board of Community Colleges to
7016 establish facility needs must include, but need not be limited



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to, labor market data, needs analysis, and information submitted by the school district or Florida Community College System institution.

(a) *Survey preparation and required data.*—Each survey shall be conducted by the board or an agency employed by the board. Surveys shall be reviewed and approved by the board, and a file copy shall be submitted to the Department of Education, the Chancellor of the Florida Community College System, or the Chancellor of the State University System, as appropriate. The survey report shall include at least an inventory of existing educational and ancillary plants, including safe access facilities; recommendations for existing educational and ancillary plants; recommendations for new educational or ancillary plants, including the general location of each in coordination with the land use plan and safe access facilities; campus master plan update and detail for Florida Community College System institutions; the use utilization of school plants based on an extended school day or year-round operation; and such other information as may be required by the Department of Education. This report may be amended, if conditions warrant, at the request of the department or commissioner.

(b) *Required need assessment criteria for district, Florida Community College System institution, state university, and Florida School for the Deaf and the Blind plant surveys.*—Educational plant surveys must use uniform data sources and criteria specified in this paragraph. Each revised educational plant survey and each new educational plant survey supersedes previous surveys.

1. The school district's survey must be submitted as a part



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of the district educational facilities plan defined in s. 1013.35. To ensure that the data reported to the Department of Education as required by this section is correct, the department shall annually conduct an onsite review of 5 percent of the facilities reported for each school district completing a new survey that year. If the department's review finds the data reported by a district is less than 95 percent accurate, within 1 year from the time of notification by the department the district must submit revised reports correcting its data. If a district fails to correct its reports, the commissioner may direct that future fixed capital outlay funds be withheld until such time as the district has corrected its reports so that they are not less than 95 percent accurate.

2. Each survey of a special facility, joint-use facility, or cooperative career education facility must be based on capital outlay full-time equivalent student enrollment data prepared by the department for school districts and Florida Community College System institutions and by the Chancellor of the State University System for universities. A survey of space needs of a joint-use facility shall be based upon the respective space needs of the school districts, Florida Community College System institutions, and universities, as appropriate. Projections of a school district's facility space needs may not exceed the norm space and occupant design criteria established by the State Requirements for Educational Facilities.

3. Each Florida Community College System institution's survey must reflect the capacity of existing facilities as specified in the inventory maintained and validated by the Chancellor of the Florida Community College System ~~by the~~



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7075 ~~Department of Education.~~ Projections of facility space needs
7076 must comply with standards for determining space needs as
7077 specified by rule of the State Board of Community Colleges
7078 ~~Education.~~ The 5-year projection of capital outlay student
7079 enrollment must be consistent with the annual report of capital
7080 outlay full-time student enrollment prepared by the Department
7081 of Education.

7082 4. Each state university's survey must reflect the capacity
7083 of existing facilities as specified in the inventory maintained
7084 and validated by the Chancellor of the State University System.
7085 Projections of facility space needs must be consistent with
7086 standards for determining space needs as specified by regulation
7087 of the Board of Governors. The projected capital outlay full-
7088 time equivalent student enrollment must be consistent with the
7089 5-year planned enrollment cycle for the State University System
7090 approved by the Board of Governors.

7091 5. The district educational facilities plan of a school
7092 district and the educational plant survey of a Florida Community
7093 College System institution, state university, or the Florida
7094 School for the Deaf and the Blind may include space needs that
7095 deviate from approved standards for determining space needs if
7096 the deviation is justified by the district or institution and
7097 approved by the department, the State Board of Community
7098 Colleges, or the Board of Governors, as appropriate, as
7099 necessary for the delivery of an approved educational program.

7100 (c) *Review and validation.*—The Department of Education
7101 shall review and validate the surveys of school districts, the
7102 Chancellor of the Florida Community College System shall review
7103 and validate the surveys of ~~and~~ Florida Community College System



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7104 institutions, and the Chancellor of the State University System
7105 shall review and validate the surveys of universities, and any
7106 amendments thereto for compliance with the requirements of this
7107 chapter and shall recommend those in compliance for approval by
7108 the State Board of Education, the State Board of Community
7109 Colleges, or the Board of Governors, as appropriate. Annually,
7110 the department shall perform an in-depth analysis of a
7111 representative sample of each survey of recommended needs for
7112 five districts selected by the commissioner from among districts
7113 with the largest need-to-revenue ratio. For the purpose of this
7114 subsection, the need-to-revenue ratio is determined by dividing
7115 the total 5-year cost of projects listed on the district survey
7116 by the total 5-year fixed capital outlay revenue projections
7117 from state and local sources as determined by the department.
7118 The commissioner may direct fixed capital outlay funds to be
7119 withheld from districts until such time as the survey accurately
7120 projects facilities needs.

7121 (d) *Periodic update of Florida Inventory of School Houses.*—
7122 School districts shall periodically update their inventory of
7123 educational facilities as new capacity becomes available and as
7124 unsatisfactory space is eliminated. The State Board of Education
7125 shall adopt rules to determine the timeframe in which districts
7126 must provide a periodic update.

7127 Section 116. Subsections (1) and (3) of section 1013.36,
7128 Florida Statutes, are amended to read:

7129 1013.36 Site planning and selection.—

7130 (1) Before acquiring property for sites, each district
7131 school board and Florida Community College System institution
7132 board of trustees shall determine the location of proposed



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7133 educational centers or campuses. In making this determination,
7134 the board shall consider existing and anticipated site needs and
7135 the most economical and practicable locations of sites. The
7136 board shall coordinate with the long-range or comprehensive
7137 plans of local, regional, and state governmental agencies to
7138 assure the consistency of such plans. Boards are encouraged to
7139 locate district educational facilities proximate to urban
7140 residential areas to the extent possible, and shall seek to
7141 collocate district educational facilities with other public
7142 facilities, such as parks, libraries, and community centers, to
7143 the extent possible and to encourage using elementary schools as
7144 focal points for neighborhoods.

7145 (3) Sites recommended for purchase or purchased must meet
7146 standards prescribed in law and such supplementary standards as
7147 the State Board of Education or State Board of Community
7148 Colleges, as appropriate, prescribes to promote the educational
7149 interests of the students. Each site must be well drained and
7150 suitable for outdoor educational purposes as appropriate for the
7151 educational program or collocated with facilities to serve this
7152 purpose. As provided in s. 333.03, the site must not be located
7153 within any path of flight approach of any airport. Insofar as is
7154 practicable, the site must not adjoin a right-of-way of any
7155 railroad or through highway and must not be adjacent to any
7156 factory or other property from which noise, odors, or other
7157 disturbances, or at which conditions, would be likely to
7158 interfere with the educational program. To the extent
7159 practicable, sites must be chosen which will provide safe access
7160 from neighborhoods to schools.

7161 Section 117. Subsections (3) and (4) of section 1013.37,



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7162 Florida Statutes, are amended to read:

7163 1013.37 State uniform building code for public educational
7164 facilities construction.—

7165 (3) REVIEW PROCEDURE.—The Commissioner of Education and the
7166 Chancellor of the Florida Community College System, as
7167 appropriate, shall cooperate with the Florida Building
7168 Commission in addressing all questions, disputes, or
7169 interpretations involving the provisions of the Florida Building
7170 Code which govern the construction of public educational and
7171 ancillary facilities, and any objections to decisions made by
7172 the inspectors or the department must be submitted in writing.

7173 (4) BIENNIAL REVIEW AND UPDATE; DISSEMINATION.—The
7174 department, for school districts, and the State Board of
7175 Community Colleges, for Florida Community College System
7176 institutions, shall biennially review and recommend to the
7177 Florida Building Commission updates and revisions to the
7178 provisions of the Florida Building Code which govern the
7179 construction of public educational and ancillary facilities. The
7180 department, for school districts, and the State Board of
7181 Community Colleges, for Florida Community College System
7182 institutions, shall publish and make available to each board at
7183 no cost copies of the State Requirements for Educational
7184 Facilities and each amendment and revision thereto. The
7185 department and state board shall make additional copies
7186 available to all interested persons at a price sufficient to
7187 recover costs.

7188 Section 118. Section 1013.40, Florida Statutes, is amended
7189 to read:

7190 1013.40 Planning and construction of Florida Community



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College System institution facilities; property acquisition.—

(1) The need for Florida Community College System institution facilities shall be established by a survey conducted pursuant to this chapter. The facilities recommended by such survey must be approved by the State Board of Community Colleges Education, and the projects must be constructed according to the provisions of this chapter and State Board of Community Colleges Education rules.

(2) A ~~Ne~~ Florida Community College System institution may not expend public funds for the acquisition of additional property without the specific approval of the Legislature.

(3) A ~~Ne~~ facility may not be acquired or constructed by a Florida Community College System institution or its direct-support organization if such facility requires general revenue funds for operation or maintenance upon project completion or in subsequent years of operation, unless prior approval is received from the Legislature.

(4) The campus of a Florida Community College System institution within a municipality designated as an area of critical state concern, as defined in s. 380.05, and having a comprehensive plan and land development regulations containing a building permit allocation system that limits annual growth, may construct dormitories for up to 300 beds for Florida Community College System institution students. Such dormitories are exempt from the building permit allocation system and may be constructed up to 45 feet in height if the dormitories are otherwise consistent with the comprehensive plan, the Florida Community College System institution has a hurricane evacuation plan that requires all dormitory occupants to be evacuated 48



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hours in advance of tropical force winds, and transportation is provided for dormitory occupants during an evacuation. State funds and tuition and fee revenues may not be used for construction, debt service payments, maintenance, or operation of such dormitories. Additional dormitory beds constructed after July 1, 2016, may not be financed through the issuance of a bond.

Section 119. Section 1013.47, Florida Statutes, is amended to read:

1013.47 Substance of contract; contractors to give bond; penalties.—Each board shall develop contracts consistent with this chapter and statutes governing public facilities. Such a contract must contain the drawings and specifications of the work to be done and the material to be furnished, the time limit in which the construction is to be completed, the time and method by which payments are to be made upon the contract, and the penalty to be paid by the contractor for a failure to comply with the terms of the contract. The board may require the contractor to pay a penalty for any failure to comply with the terms of the contract and may provide an incentive for early completion. Upon accepting a satisfactory bid, the board shall enter into a contract with the party or parties whose bid has been accepted. The contractor shall furnish the board with a performance and payment bond as set forth in s. 255.05. A board or other public entity may not require a contractor to secure a surety bond under s. 255.05 from a specific agent or bonding company. A person, firm, or corporation that constructs any part of any educational plant, or addition thereto, on the basis of any unapproved plans or in violation of any plans approved in



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7249 accordance with the provisions of this chapter and rules of the
7250 State Board of Education or State Board of Community Colleges or
7251 regulations of the Board of Governors relating to building
7252 standards or specifications is subject to forfeiture of the
7253 surety bond and unpaid compensation in an amount sufficient to
7254 reimburse the board for any costs that will need to be incurred
7255 in making any changes necessary to assure that all requirements
7256 are met and is also guilty of a misdemeanor of the second
7257 degree, punishable as provided in s. 775.082 or s. 775.083, for
7258 each separate violation.

7259 Section 120. Section 1013.52, Florida Statutes, is amended
7260 to read:

7261 1013.52 Cooperative development and joint use of facilities
7262 by two or more boards.—

7263 (1) Two or more boards, including district school boards,
7264 Florida Community College System institution boards of trustees,
7265 the Board of Trustees for the Florida School for the Deaf and
7266 the Blind, and university boards of trustees, desiring to
7267 cooperatively establish a common educational facility to
7268 accommodate students shall:

7269 (a) Jointly request a formal assessment by the Commissioner
7270 of Education, ~~or~~ the Chancellor of the State University System,
7271 or the Chancellor of the State Board of Community Colleges, as
7272 appropriate, of the academic program need and the need to build
7273 new joint-use facilities to house approved programs. Completion
7274 of the assessment and approval of the project by the State Board
7275 of Education, the State Board of Community Colleges, the
7276 Chancellor of the Florida Community College System, the Board of
7277 Governors, the Chancellor of the State University System, or the



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7278 Commissioner of Education, as appropriate, should be done prior
7279 to conducting an educational facilities survey.

7280 (b) Demonstrate the need for construction of new joint-use
7281 facilities involving postsecondary institutions by those
7282 institutions presenting evidence of the presence of sufficient
7283 actual full-time equivalent enrollments in the locale in leased,
7284 rented, or borrowed spaces to justify the requested facility for
7285 the programs identified in the formal assessment rather than
7286 using projected or anticipated future full-time equivalent
7287 enrollments as justification. If the decision is made to
7288 construct new facilities to meet this demonstrated need, then
7289 building plans should consider full-time equivalent enrollment
7290 growth facilitated by this new construction and subsequent new
7291 program offerings made possible by the existence of the new
7292 facilities.

7293 (c) Adopt and submit to the Commissioner of Education, the
7294 Chancellor of the Florida Community College System, or and the
7295 Chancellor of the State University System, as appropriate, if
7296 the joint request involves a state university, a joint
7297 resolution of the participating boards indicating their
7298 commitment to the utilization of the requested facility and
7299 designating the locale of the proposed facility. The joint
7300 resolution shall contain a statement of determination by the
7301 participating boards that alternate options, including the use
7302 of leased, rented, or borrowed space, were considered and found
7303 less appropriate than construction of the proposed facility. The
7304 joint resolution shall contain assurance that the development of
7305 the proposed facility has been examined in conjunction with the
7306 programs offered by neighboring public educational facilities



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offering instruction at the same level. The joint resolution also shall contain assurance that each participating board shall provide for continuity of educational progression. All joint resolutions shall be submitted by August 1 for consideration of funding by the subsequent Legislature.

(d) Submit requests for funding of joint-use facilities projects involving state universities and Florida Community College System institutions for approval by the Chancellor of the Florida Community College System ~~Commissioner of Education~~ and the Chancellor of the State University System. The Chancellor of the Florida Community College System ~~Commissioner of Education~~ and the Chancellor of the State University System shall jointly determine the priority for funding these projects in relation to the priority of all other capital outlay projects under their consideration. To be eligible for funding from the Public Education Capital Outlay and Debt Service Trust Fund under the provisions of this section, projects involving both state universities and Florida Community College System institutions shall appear on the 3-year capital outlay priority lists of Florida Community College System institutions and of universities required by s. 1013.64. Projects involving a state university, a Florida Community College System institution, and a public school, and in which the larger share of the proposed facility is for the use of the state university or the Florida Community College System institution, shall appear on the 3-year capital outlay priority lists of the Florida Community College System institutions or of the universities, as applicable.

(e) Include in their joint resolution for the joint-use facilities, comprehensive plans for the operation and management



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of the facility upon completion. Institutional responsibilities for specific functions shall be identified, including designation of one participating board as sole owner of the facility. Operational funding arrangements shall be clearly defined.

(2) An educational plant survey must be conducted within 90 days after submission of the joint resolution and substantiating data describing the benefits to be obtained, the programs to be offered, and the estimated cost of the proposed project. Upon completion of the educational plant survey, the participating boards may include the recommended projects in their plan as provided in s. 1013.31. Upon approval of the project by the commissioner, the Chancellor of the Florida Community College System, or the Chancellor of the State University System, as appropriate, 25 percent of the total cost of the project, or the pro rata share based on space utilization of 25 percent of the cost, must be included in the department's legislative capital outlay budget request as provided in s. 1013.60 for educational plants. The participating boards must include in their joint resolution a commitment to finance the remaining funds necessary to complete the planning, construction, and equipping of the facility. Funds from the Public Education Capital Outlay and Debt Service Trust Fund may not be expended on any project unless specifically authorized by the Legislature.

(3) Included in all proposals for joint-use facilities must be documentation that the proposed new campus or new joint-use facility has been reviewed by the State Board of Education, the State Board of Community Colleges, or the Board of Governors, as appropriate, and has been formally requested for authorization



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by the Legislature.

(4) ~~A~~ ~~No~~ district school board, Florida Community College System institution, or state university may not ~~shall~~ receive funding for more than one approved joint-use facility per campus in any 3-year period.

Section 121. Subsection (1) of section 1013.65, Florida Statutes, is amended to read:

1013.65 Educational and ancillary plant construction funds; Public Education Capital Outlay and Debt Service Trust Fund; allocation of funds.—

(1) The commissioner, through the department, shall administer the Public Education Capital Outlay and Debt Service Trust Fund. The commissioner shall allocate or reallocate funds as authorized by the Legislature. Copies of each allocation or reallocation shall be provided to members of the State Board of Education, the State Board of Community Colleges, and the Board of Governors and to the chairs of the House of Representatives and Senate appropriations committees. The commissioner shall provide for timely encumbrances of funds for duly authorized projects. Encumbrances may include proceeds to be received under a resolution approved by the State Board of Education authorizing the issuance of public education capital outlay bonds pursuant to s. 9(a)(2), Art. XII of the State Constitution, s. 215.61, and other applicable law. The commissioner shall provide for the timely disbursement of moneys necessary to meet the encumbrance authorizations of the boards. Records shall be maintained by the department to identify legislative appropriations, allocations, encumbrance authorizations, disbursements, transfers, investments, sinking



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funds, and revenue receipts by source. The Department of Education shall pay the administrative costs of the Public Education Capital Outlay and Debt Service Trust Fund from the funds which comprise the trust fund.

Section 122. The State Board of Community Colleges, in collaboration with the Board of Governors, shall evaluate and report on the status of Florida's "2+2" system of articulation using the accountability measures required pursuant to s. 1008.38, Florida Statutes, and any other applicable state law. By December 31, 2017, the state board and the Board of Governors shall submit their report to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The report must include findings regarding the effectiveness of Florida's "2+2" system of articulation and recommendations for improvement.

Section 123. The Division of Law Revision and Information is directed to prepare a reviser's bill for the 2018 Regular Session to substitute the term "Florida Community College System" for "Florida College System" and the term "Florida Community College System institution" for "Florida College System institution" where those terms appear in the Florida Statutes.

Section 124. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect October 1, 2017.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: CS/CS/SB 374

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on Higher Education); Education Committee; and Senator Hukill and others

SUBJECT: Postsecondary Education

DATE: April 7, 2017

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Bouck</u>	<u>Graf</u>	<u>ED</u>	Fav/CS
2.	<u>Sikes</u>	<u>Elwell</u>	<u>AHE</u>	Recommend: Fav/CS
3.	<u>Sikes</u>	<u>Hansen</u>	<u>AP</u>	Fav/CS

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 374 creates the “College Competitiveness Act of 2017” which restructures the governance of the Florida College System and modifies the mission of the system and its institutions. Specifically, the bill:

- Strengthens public college-to-university articulation by establishing the “2+2” targeted pathway program to provide to students guaranteed access to baccalaureate degree programs at state universities.
- Modifies the governance of the Florida Community College System (FCCS) by:
 - Renaming the Florida College System as the FCCS, and
 - Establishing a State Board of Community Colleges (SBCC), and transferring responsibilities regarding Florida’s community colleges from the State Board of Education (SBE) to the SBCC.
- Clarifies expectations and state oversight of baccalaureate degree programs offered by FCCS institutions, and:
 - Aligns the baccalaureate approval process for St. Petersburg College with the approval process for other FCCS institutions.
 - Establishes a cap on upper-level, undergraduate full-time equivalent (FTE) enrollment at Florida’s community colleges, but provides flexibility for planned and purposeful growth of baccalaureate degree programs if certain conditions are met.

- Clarifies the K-20 education system mission by emphasizing the mission must be to avoid wasteful duplication of programs, and reinforces the distinct mission of Florida's community colleges and technical centers in meeting Florida's labor market demands and regional needs.
- Specifies that a district school board may authorize a public high school within the district, including a charter school, to be located on a public or private postsecondary institution's campus.

Implementation of this bill requires the transfer of 34 existing positions and \$2.8 million from the State Board of Education budget for the creation of the State Board of Community Colleges. The State Board of Community Colleges will also need an additional 14 positions and \$1.7 million for necessary positions such as a General Counsel, Inspector General, Board Secretary, and others.

The bill takes effect October 1, 2017, except as otherwise expressly provided.

II. Present Situation:

Public higher education in Florida is delivered by school district-operated technical centers, Florida College System (FCS) institutions, and state universities. It is the intent of the Legislature to facilitate articulation and seamless integration of the K-20 education system by building, sustaining, and strengthening relationships among the various education sectors and delivery systems within the state.¹

2+2 Articulation

The State Board of Education (SBE) and the Board of Governors of the State University System (BOG) are required to enter into a statewide articulation agreement to preserve Florida's "2+2" system of articulation, facilitate the seamless articulation of student credit among Florida's education entities, and reinforce the articulation and admission policies specified in law.²

The articulation agreement must provide that every associate in arts graduate of an FCS institution has met all general education requirements, has indicated a baccalaureate degree offered by an institution of interest by the time the student earns 30 semester hours, and must be granted admission to the upper division, with certain exceptions,³ of a state university or an FCS institution that offers a baccalaureate degree.⁴ However, eligibility for admission to a state university does not provide to a transfer student guaranteed admission to the specific university or degree program that the student chooses.⁵

¹ Section 1007.01(1), F.S.

² Section 1007.23(1), F.S.

³ Exceptions include limited access programs, teacher certification programs, and those requiring an audition.

⁴ Section 1007.23(2)-(3), F.S.

⁵ Board of Governors Regulation 6.004.

Community College Governance

State Board of Education

The SBE⁶ is the “chief implementing and coordinating body of public education in Florida, except for the State University System” and is authorized to adopt rules to implement the provisions of law conferring duties upon the SBE to improve the state system of K-20 public education, except for the state university system.⁷ As such, the SBE has authority over the FCS institutions, and is authorized to delegate SBE’s general powers to the Commissioner of Education (Commissioner) or the directors of the divisions of the Florida Department of Education (DOE or department).⁸

Department of Education

The DOE is the administrative and supervisory agency under the implementation direction of the SBE.⁹ The Commissioner is appointed by the SBE and serves as the executive director of the department.¹⁰ Within the DOE, the Division of Florida Colleges (DFC)¹¹ is directed by the Chancellor of the DFC,¹² who reports directly to the Commissioner.¹³

Florida College System

The Legislature established the system of governance for the FCS to maximize open access for students, respond to community needs for postsecondary academic education and career degree education, and provide associate and baccalaureate degrees that will best meet the state’s employment needs.¹⁴

The FCS is comprised of 28 FCS institutions and the regional service areas for such institutions are specified in law.¹⁵ Each FCS institution is governed by a local board of trustees (BOT).¹⁶ The FCS BOT members are appointed by the Governor to staggered four-year terms, and confirmed

⁶ The State Board of Education is established in Art. IX, s. 2, Fla. Const., as “a body corporate and have such supervision of the system of free public education as is provided by law.”

⁷ Section 1001.02(1), F.S.

⁸ *Id.*

⁹ Section 1001.20(1), F.S.

¹⁰ Section 20.15(2), F.S.

¹¹ *Id.* at (3)(a).

¹² *Id.* at (4).

¹³ Email, Florida Department of Education, *2017 Agency Analysis of SB 374* (Feb. 2, 2017) at 10.

¹⁴ Section 1001.60(1), F.S.

¹⁵ The 28 Florida College System (FCS) institutions are Eastern Florida State College, Broward College, College of Central Florida, Chipola College, Daytona State College, Florida SouthWestern State College, Florida State College at Jacksonville, Florida Keys Community College, Gulf Coast State College, Hillsborough Community College, Indian River State College, Florida Gateway College, Lake-Sumter State College, State College of Florida, Manatee-Sarasota, Miami Dade College, North Florida Community College, Northwest Florida State College, Palm Beach State College, Pasco-Hernando State College, Pensacola State College, Polk State College, St. Johns River State College, St. Petersburg College, Santa Fe College, Seminole State College of Florida, South Florida State College, Tallahassee Community College, and Valencia College. Section 1000.21(3), F.S.

¹⁶ Sections 1001.60(3), 1001.61(1), and 1004.65(1), F.S. FCS institutions are statutorily designated as political subdivisions of the state. Section 1004.67, F.S.

by the Senate.¹⁷ Each FCS BOT is responsible for cost-effective policy decisions regarding the FCS institution's mission, the implementation and maintenance of high-quality education programs within law and rules of the SBE, the measurement of performance, the reporting of information, and the provision of input on state policy, budgeting, and education standards.¹⁸ FCS boards of trustees are authorized to adopt rules, procedures, and policies regarding admissions, programs, administration, personnel, contracts, and facilities.¹⁹

All 28 FCS institutions are regionally accredited by SACS.²⁰

Community College Baccalaureate Approval Process

The Legislature created the site-determined baccalaureate degree access program in 1999 to authorize FCS institutions to offer baccalaureate degrees to meet the economic development and educational needs of place-bound, nontraditional students in areas of the state that are underserved by 4-year institutions.²¹ However, the primary responsibility of FCS institutions is the provision of associate degrees that provide access to a university.²²

In 2001, the Legislature redesignated St. Petersburg Junior College as St. Petersburg College (SPC) and authorized community colleges to offer baccalaureate degrees in populous counties that are underserved by public baccalaureate degree granting institutions.²³ The legislative intent to provide access to baccalaureate degrees was to “address the state’s workforce needs, especially the need for teachers, nurses, and business managers in agencies and firms that require expertise in technology.”²⁴ The Legislature specified the purpose for authorizing SPC to offer high quality undergraduate education at affordable prices is to “promote economic development by preparing people for occupations that require a bachelor’s degree and are in demand by existing or emerging public and private employers in this state.”²⁵

The SBE is responsible for reviewing and approving proposals by FCS institutions to offer baccalaureate degree programs.²⁶ As a part of the approval process:

- FCS institutions must submit a notice of intent to the DFC regarding the proposed baccalaureate degree program 100 days before the submission of the program proposal.²⁷
- Within 10 days after receipt of the notice, the DFC must forward the notice of intent to the Chancellor of the State University System (SUS), the President of Independent Colleges and

¹⁷ Section 1001.61(2), F.S.

¹⁸ Section 1001.64(1), F.S.

¹⁹ *Id.* at (4).

²⁰ Southern Association of Colleges and Schools, Commission on Colleges, *SACSCOC Member and Candidate List*, available at <http://www.sacscoc.org/pdf/webmemlist.pdf>.

²¹ Section 1, ch. 99-290, L.O.F.

²² Section 1007.33(3), F.S.

²³ Section 40, ch. 2001-170, L.O.F.

²⁴ *Id.*

²⁵ *Id.*

²⁶ Section 1001.03(15), F.S.

²⁷ Section 1007.33(5)(a), F.S.

Universities of Florida, and the Executive Director of the Commission for Independent Education.²⁸

- State universities have 60 days, after receipt of the notice by the Chancellor of the SUS, to submit objections to the proposed program or submit an alternative proposal to offer the baccalaureate degree program.
- If the SBE does not receive a proposal from a state university within the 60-day period, the SBE must provide regionally accredited private colleges and universities 30 days to submit objections to the proposed program or submit an alternative proposal.
- Objections and alternative proposals must be submitted to the DFC, and must be considered by the SBE in making its decision to approve or deny a FCS institution's baccalaureate degree program proposal.²⁹
- The DFC must notify the FCS institution of any deficiencies in writing within 30 days following receipt of the proposal, and provide the FCS institution with an opportunity to correct the deficiencies.
- Within 45 days following receipt of a completed proposal by the DFC, the Commissioner must recommend approval or disapproval of the proposal to the SBE.
- The SBE must consider such recommendation, the proposal, and any objections or alternative proposals at its next meeting, and the SBE must provide to the FCS institution written reasons for any disapproval of baccalaureate degree proposals.

Currently, 27 FCS institutions offer 179 baccalaureate degree programs.³⁰ Since August 2015, 10 baccalaureate degree proposals have been approved, the DFC has withdrawn 11 baccalaureate degree proposals from consideration for SBE approval, and FCS institutions have submitted 14 new baccalaureate proposals to the DFC for approval by the SBE.³¹

In 2015-16, funded full-time-equivalent (FTE) enrollment in FCS upper-division programs was 15,281, which represented 4.7 percent of the total funded FCS FTE enrollment of 327,992.³²

²⁸ *Id.* at (5)(b).

²⁹ *Id.*

³⁰ The 27 colleges authorized to offer baccalaureate degree programs are Broward College, Chipola College, College of Central Florida, Daytona State College, Eastern Florida State College, Florida Gateway College, Florida Keys Community College, Florida SouthWestern State College, Florida State College at Jacksonville, Gulf Coast State College, Indian River State College, Lake-Sumter State College, Miami Dade College, North Florida Community College, Northwest Florida State College, Palm Beach State College, Pasco-Hernando State College, Pensacola State College, Polk State College, Santa Fe College, Seminole State College of Florida, South Florida State College, St. Johns River State College, St. Petersburg College, State College of Florida, Manatee-Sarasota, Tallahassee Community College, and Valencia College. Florida College System, *Baccalaureate Programs as of October 2016*, available at http://www.fldoe.org/core/fileparse.php/5592/urlt/0082821-program_list.xls.

³¹ Email, Florida Department of Education (Jan. 18, 2017).

³² Office of Economic & Demographic Research, Education Estimating Conference, Dec. 8, 2016, p. 2 of 39, available at http://edr.state.fl.us/Content/conferences/communitycolleges/DOE_Handout_120816.pdf.

Funded FTE enrollment in upper division programs in the FCS has risen by approximately 102 percent from 7,584 in 2010-11³³ to 15,281 in 2015-16.³⁴

Mission

The mission of Florida's K-20 education system is to allow its students to increase their proficiency by allowing them the opportunity to expand their knowledge and skills through rigorous and relevant learning opportunities in accordance with the mission statement and requirements of the K-20 education performance accountability system.³⁵

Florida College System

The primary mission and responsibility of FCS institutions is responding to community needs for postsecondary academic education and career degree education.³⁶ Florida law specifies the following as the primary mission of FCS institutions:³⁷

- Providing lower-level undergraduate instruction and awarding associate degrees.
- Preparing students directly for careers requiring less than baccalaureate degrees.
- Providing student development services to ensure student success.
- Promoting economic development for the state through special programs (e.g., Enterprise Florida-related programs and workforce literacy programs).
- Providing dual enrollment instruction.
- Providing upper-level instruction and awarding baccalaureate degrees authorized by law.

Additionally, a secondary mission of FCS institutions includes offering programs in:³⁸

- Community services that are not directly related to academic or occupational advancement.
- Adult education services.
- Recreational and leisure services.

Technical Centers

Florida law does not provide a specific mission for the career centers.³⁹ However, the law specifies that career centers, under the control of district school boards,⁴⁰ must offer terminal courses of a technical nature and courses for out-of-school youth and adults.⁴¹

³³ Florida Department of Education, *The Fact Book, Report for the Florida College System, 2016*, Fact Book 3.1F Florida College System FTE Enrollment (Funded) by Program Area, 2010-11 through 2014-15, available at <http://www.fldoe.org/core/fileparse.php/15267/urlt/FactBook2016.pdf>.

³⁴ Office of Economic & Demographic Research, Education Estimating Conference, Dec. 8, 2016, p. 2 of 39, available at http://edr.state.fl.us/Content/conferences/communitycolleges/DOE_Handout_120816.pdf.

³⁵ Section 1000.03(4), F.S.

³⁶ Section 1004.65(5), F.S.

³⁷ *Id.*

³⁸ Section 1004.65(6), F.S.

³⁹ Section 1001.44, F.S.

⁴⁰ There are 48 Council on Occupational Education-accredited career centers operated by school districts, 1 of which is a charter technical career center. Email, Department of Education (Jan. 18, 2017).

⁴¹ Section 1001.44(3)(a), F.S.

The purpose of charter technical career centers is to:⁴²

- Develop a competitive workforce to support local business and industry and economic development.
- Create a training and education model that is reflective of marketplace realities.
- Offer a continuum of career educational opportunities using school-to-work, tech-prep, technical academy, and magnet school model.
- Provide career pathways for lifelong learning and career mobility.
- Enhance career and technical training.

Educational Facilities

Florida law authorizes state and local officials to cooperate in establishing and maintaining educational plants that will provide for public educational needs throughout the state.⁴³

III. Effect of Proposed Changes:

This bill restructures the governance of the Florida College System and modifies the mission of the system and its institutions. Specifically, the bill:

- Strengthens public college-to-university articulation by establishing the “2+2” targeted pathway program to provide to students guaranteed access to baccalaureate degree programs at state universities.
- Modifies the governance of the Florida Community College System (FCCS) by:
 - Renaming the Florida College System as the FCCS.
 - Establishing a State Board of Community Colleges (SBCC), and transferring responsibilities regarding Florida’s community colleges from the State Board of Education (SBE) to the SBCC.
 - Removing the Division of Florida Colleges (DFC) as a division within the Department of Education (DOE).
- Clarifies expectations and state oversight of baccalaureate degree programs offered by FCCS institutions, and:
 - Aligns the baccalaureate approval process for St. Petersburg College with the approval process for other FCCS institutions.
 - Establishes a cap on upper-level, undergraduate FTE enrollment at Florida’s community colleges, but provides flexibility for planned and purposeful growth of baccalaureate degree programs if certain conditions are met.
- Clarifies the K-20 education system mission by emphasizing the mission must be to avoid wasteful duplication of programs, and reinforces the distinct mission of Florida’s community colleges and technical centers in meeting Florida’s labor market demands and community and regional needs. The bill also:
 - Changes providing upper-level instruction and awarding baccalaureate degrees from a primary mission to a secondary mission of Florida’s community colleges.

⁴² Section 1002.34(2), F.S. Currently, Lake Technical College is the only charter technical career center. Email, Florida Department of Education, *2017 Agency Analysis of SB 374* (Feb. 2, 2017), at 11.

⁴³ Section 1013.02(1), F.S.

- Establishes the primary mission of technical centers to promote workforce preparation and economic development and prohibits technical centers from offering college credit courses, college credit certificates, associate degrees, and baccalaureate degrees.

2+2 Articulation (Sections 55, 56, and 123)

Section 56 of the bill strengthens “2+2” articulation by creating a mechanism for expanding locally-developed “2+2” articulation agreements to include guaranteed pathways to baccalaureate degree programs at state universities for students enrolled in associate in arts (AA) degree programs at FCCS institutions. Specifically, the bill:

- Requires each FCCS institution to execute at least one “2+2” targeted pathway articulation agreement to establish a “2+2” targeted pathway program with one or more state universities.
- Requires the “2+2” targeted pathway articulation agreement to provide to students who meet specified requirements guaranteed access to the state university and baccalaureate degree program in accordance with the terms of the agreement.
- Establishes student eligibility criteria to participate in a “2+2” targeted pathway articulation program. A student must:
 - Enroll in the program before completing 30 credit hours;
 - Complete an AA degree; and
 - Meet the university’s transfer requirements.
- Establishes requirements for state universities that execute “2+2” targeted pathway articulation agreements with their partner public college. A state university must:
 - Establish a 4-year on-time graduation plan for a baccalaureate degree program;
 - Advise students enrolled in the program about the university’s transfer and degree program requirements; and
 - Provide students access to academic advisors and campus events, and guarantee admittance to the state university and degree program in accordance with the terms of the agreement.
- Requires the SBCC and Board of Governors of the State University System of Florida (BOG) to collaborate to eliminate barriers to executing “2+2” targeted pathway articulation agreements.

The “2+2” targeted pathway program is consistent with recent efforts by state universities to strengthen regional articulation. The statewide “2+2” articulation agreement established in law⁴⁴ does not require a 4-year graduation plan and does not guarantee access to a university or degree program of a student’s choice. To provide students a path to on-time graduation in four years with a baccalaureate degree, some state universities have established articulation agreements with regional public colleges.⁴⁵ For instance, the “DirectConnect to UCF”⁴⁶ guarantees admission to the University of Central Florida (UCF) with an associate degree from a partner institution, and offers university advising to develop an academic plan and access to UCF campuses for

⁴⁴ Section 1007.23(2), F.S.

⁴⁵ Board of Governors, *Enhancement Programs & Partnerships at State Universities* (Jan. 25, 2017), available at http://www.flbog.edu/documents_meetings/0260_1037_7837_2.2.2%202+2EnhancementPrograms.pdf.

⁴⁶ University of Central Florida, Presentation to the Senate Committee on Education, *DirectConnect to UCF* (Dec. 12, 2016), available at <http://www.flsenate.gov/Committees/Show/ED/Meeting%20Packet/3540/>.

services and events. Similarly, the University of South Florida's (USF) "FUSE" program⁴⁷ offers students guaranteed admission to a USF System institution. The FUSE program creates an academic pathway that provides a map for taking required courses, advising at USF and the partner institution regarding university requirements, a specially-designed orientation session for "2+2" students at the beginning of the program, and access to USF facilities and events.

The value of such targeted "2+2" agreements is to assist AA-degree graduates to transfer to a state university and graduate on time in 4 years with a baccalaureate degree. In 2014-15, more than 36 percent of AA graduates from the FCS did not apply to the SUS. Forty-five percent of AA graduates from the FCS ultimately enrolled in the SUS.⁴⁸ The graduation rate for a 2011 cohort of AA transfer students to the SUS (those who transferred with an AA and graduated in two more years) was 25 percent.⁴⁹

Additionally, section 55 of the bill clarifies that to preserve Florida's "2+2" system of articulation, the SBE, the BOG, and the SBCC must collaboratively establish and adopt articulation policies with input from relevant statewide advisory groups, and make recommendations to the Legislature. Section 123 of the bill also requires the SBCC to collaborate with the BOG to evaluate and report on the status of Florida's "2+2" system of articulation using the articulation accountability measures established in law,⁵⁰ and include in the report due to the Governor and the Legislature by December 31, 2017, findings and recommendations for improvement.

Community College Governance (Sections 2 through 6, 18, 19, and 124)

The bill modifies the governance of the FCCS under a SBCC. Specifically, section 2 of the bill provides that:

- Effective July 1, 2017:
 - The Florida College System is renamed as the Florida Community College System.
 - The SBCC, administratively housed within the DOE, is created to oversee and coordinate the FCCS, and requires the Governor to appoint the membership of the SBCC in time for the board's organizational meeting by September 30, 2017.
 - The DFC must provide administrative support to the SBCC until September 30, 2017.
 - Beginning September 1, 2017, SBCC staggered membership terms are established.
 - The SBCC is required to appoint a Chancellor of the FCCS by November 1, 2017. The Chancellor of the DFC must serve as the Chancellor of the FCCS until the SBCC selects a chancellor.
- Effective October 1, 2017:

⁴⁷ University of South Florida, Presentation to the Senate Committee on Education, *FUSE* (Dec. 12, 2016), available at <http://www.flsenate.gov/Committees/Show/ED/Meeting%20Packet/3540/>.

⁴⁸ Board of Governors, *Associate in Arts Transfer Students in the State University System*, Presentation to the BOG Select Committee on 2+2 Articulation, (Mar. 17, 2016), available at http://www.flbog.edu/documents_meetings/0199_0978_7295_6.3.2%202+2%2003b_AA%20Transfer%20data%20points_JML.pdf.

⁴⁹ Office of Program Policy Analysis and Government Accountability, *State University System Undergraduate Student Success Overview*, Presentation to the Committee on Education, The Florida Senate (Dec. 12, 2016), available at <http://www.flsenate.gov/Committees/Show/ED/Meeting%20Packet/3540/>.

⁵⁰ Section 1008.38, F.S.

- FCS- and DFC-related powers and duties, functions, personnel, funds, contracts, and administrative rules are transferred, by type 2 transfer, to the SBCC.
- The DOE must provide support services to the SBCC, consistent with the ongoing support services that the DOE provides to the BOG.
- The Division of Florida Colleges is removed as a division within the DOE.
- SBE approvals, policies, guidance, and appointments remain in effect unless acted upon by the SBCC.

In addition, sections 2 through 4 of the bill include technical and conforming provisions related to the transfer of responsibilities regarding Florida's community colleges, effective October 1, 2017. Specifically, the bill:

- Transfers general and specific powers and duties relating to the FCCS from the SBE to the SBCC.⁵¹
- Removes the DFC as a division within the DOE, and transfers the division's duties to the SBCC or Chancellor of the FCCS.⁵²
- Transfers specific powers and duties relating to the FCCS from the Commissioner of Education (Commissioner) to the Chancellor of the FCCS.⁵³
- Transfers general and specific powers and duties relating to the FCCS from the Commissioner to the SBCC.⁵⁴
- Transfers specific powers and duties relating to the FCCS from the DOE to the SBCC.⁵⁵
- Adds an SBCC role in specific duties currently performed by the SBE and BOG.⁵⁶
- Adds a Chancellor of the FCCS role in specific duties currently performed by multiple entities (i.e., the Commissioner and the Chancellor of the BOG).⁵⁷

Section 18 of the bill creates a new SBCC as a governing board for community colleges similar to the board that existed prior to 2003. The 1983 Legislature created the State Board of Community Colleges (former SBCC) as a coordinating board for the FCCS.⁵⁸ The law⁵⁹ charged

⁵¹ Sections 1000.03, 1000.05, 1001.02, 1001.03, 1001.60, 1001.602, 1001.61, 1001.64, 1001.65, 1001.66, 1001.67, 1002.34, 1004.02, 1004.03, 1004.07, 1004.084, 1004.085, 1004.096, 1004.0961, 1004.35, 1004.6495, 1004.65, 1004.67, 1004.70, 1004.71, 1004.78, 1004.80, 1004.91, 1004.92, 1004.925, 1004.93, 1006.60, 1006.61, 1006.62, 1006.71, 1007.25, 1007.263, 1007.264, 1007.265, 1007.27, 1007.273, 1007.33, 1008.30, 1008.31, 1008.32, 1008.405, 1008.44, 1008.45, 1009.21, 1009.22, 1009.23, 1009.25, 1009.26, 1009.28, 1010.01, 1010.02, 1010.04, 1010.07, 1010.08, 1010.09, 1010.22, 1010.30, 1010.58, 1011.01, 1011.30, 1011.32, 1011.80, 1011.801, 1011.81, 1011.82, 1011.83, 1011.84, 1011.85, 1012.01, 1012.80, 1012.81, 1012.83, 1012.855, 1012.86, 1013.02, 1013.28, 1013.31, 1013.36, 1013.4, and 1013.47, F.S.

⁵² Sections 20.15, 1001.67, 1004.015, 1004.65, 1004.7, 1007.33, 1008.30, 1009.23, and 1009.971, F.S.

⁵³ Sections 1000.05, 1001.64, 1001.66, 1004.6495, 1004.93, 1006.71, 1012.86, and 1013.52, F.S.

⁵⁴ Sections 1001.10, 1001.11, 1001.20, 1001.602, 1008.32, and 1013.03, F.S.

⁵⁵ Sections 1001.20 and 1001.602, F.S.

⁵⁶ Sections 20.15, 1001.02, 1001.03, 1001.10, 1001.11, 1001.28, 1001.706, 1003.491, 1003.493, 1004.015, 1004.04, 1004.6495, 1004.91, 1007.01, 1007.23, 1007.24, 1007.27, 1007.271, 1007.33, 1008.30, 1008.31, 1008.345, 1008.37, 1008.38, 1009.26, 1009.90, 1009.91, 1010.01, 1011.01, 1011.011, 1011.80, 1012.01, 1013.01, 1013.03, 1013.31, 1013.52, and 1013.65, F.S.

⁵⁷ Sections 1004.74, 1007.01, 1007.24, 1007.25, 1007.33, 1008.44, 1012.01, 1013.03, 1013.31, and 1013.37, F.S.

⁵⁸ See s. 15, ch. 83-326, L.O.F., amending s. 240.305, F.S., to redesignate the State Community College Coordinating Board as the State Board of Community Colleges.

⁵⁹ Section 240.305, F.S. (1983).

the former SBCC with providing “statewide leadership in overseeing and coordinating the individually governed public community colleges.”⁶⁰ The former SBCC was subject to the overall supervision of the State Board of Education.⁶¹

In 1998, a constitutional amendment replaced the State Board of Education,⁶² composed of the elected governor and cabinet, with a new State Board of Education (SBE) appointed by the Governor.⁶³ To implement this change in governance structure and achieve a seamless system of education,⁶⁴ the 2000 Legislature enacted the Florida Governance Reorganization Act of 2000,⁶⁵ which repealed the former SBCC and transferred governance of the FCCS to the new Governor-appointed SBE, effective January 7, 2003. The 2001 Legislature continued to make necessary changes to Florida education governance and created the Division of Community Colleges (DCC) and a Chancellor of Community Colleges within the DOE.⁶⁶

The following table shows the governance of the community college system in Florida since 1983.

Governance of Florida’s Community Colleges			
	1983 – 2003	Current	Proposed
System	Florida Community College System ⁶⁷	Florida College System ⁶⁸	Florida Community College System
Board	SBCC as Coordinating Board ⁶⁹	SBE as Governing Board ⁷⁰	SBCC as Governing Board
Board Oversight	Commissioner of Education ⁷¹ and SBE ^{72,73}	Appointed by Governor ⁷⁴	Governor
Board Membership	Commissioner of Education, 1 student, 11 lay citizens; appointed by the Governor, approved by the SBE, and confirmed by the Senate ⁷⁵	Seven members appointed by the Governor and confirmed by the Senate ⁷⁶	Commissioner of Education, 1 student and 1 faculty member, 10 lay citizens; appointed by the Governor, in a manner that provides equitable

⁶⁰ *Id.*

⁶¹ *Id.*

⁶² Art. IX, s. 2, Fla. Const. (1968).

⁶³ Art. IX, s. 2, Fla. Const. (Amended 1998). See also Preamble, ch. 2000-321, L.O.F.

⁶⁴ Section 2, ch. 2000-321, L.O.F.

⁶⁵ Section 6, ch. 2000-321, L.O.F.

⁶⁶ Section 3, ch. 2001-170, L.O.F.

⁶⁷ Section 240.3031, F.S., repealed January 7, 2003, by s. 3(7), ch. 2000-321, L.O.F.

⁶⁸ The Florida Community College System was renamed the Florida College System by s. 2, ch. 2008-52, L.O.F.

⁶⁹ Section 240.305, F.S., repealed January 7, 2003, by s. 3(7), ch. 2000-321.

⁷⁰ Section 1001.02(4), F.S.

⁷¹ Art. IV, s. 5, Fla. Const. (1968).

⁷² Art. IX, s. 1, Fla. Const. (1968).

⁷³ Section 240.305, F.S., repealed January 7, 2003, by s. 3(7), ch. 2000-321.

⁷⁴ The SBE is a body established in the Florida Constitution. Art. IX, s. 2, Fla. Const.

⁷⁵ Section 240.307(1), F.S., repealed January 7, 2003, by s. 3(7), ch. 2000-321.

⁷⁶ Art. IV, s. 2, Fla. Const. See also s. 1001.01(1), F.S.

			geographical representation. Except for the student member, all members must reside and be registered to vote in Florida and be confirmed by the Senate
Staff	DCC ⁷⁷	DFC ⁷⁸	SBCC
Staff Leadership	Executive Director of the Community College System ⁷⁹	Chancellor of the DFC ⁸⁰	Chancellor of the FCCS
Administrative Location	DOE	DOE	DOE (administrative assignment only; SBCC operates independently)
Institution Governance	Institution Board of Trustees ⁸¹	Institution Board of Trustees ⁸²	Institution Board of Trustees

Sections 5 and 6 of the bill provide parallel standards of conduct for members of the SBCC and members of a FCCS board of trustees, which mirror the requirements for the BOG and members of a state university board of trustees. Section 5 of the bill prohibits SBCC members and members of a FCCS board of trustees from being employed as a legislative lobbyist. Section 6 of the bill requires SBCC members and members of a FCCS board of trustees to disclose their financial interests.

Finally, section 124 of the bill directs the Division of Law Revision and Information to develop reviser's bill for the 2018 Regular Session to substitute the term "Florida Community College System" for "Florida College System" and the term "Florida Community College System institutions" for "Florida College System institutions" where those terms appear in the Florida Statutes.

Community College Baccalaureate Degree Approval Process (Sections 66)

Section 66 of the bill clarifies expectations and state oversight of baccalaureate degree programs offered by FCCS institutions. Specifically, the bill:

- Modifies the FCCS institution baccalaureate degree approval process to:
 - Require FCCS institutions to submit a notice of interest into a shared postsecondary database at least 180 days before submission of the notice of intent.
 - Require FCCS institutions to submit a notice of intent and justification for the proposed baccalaureate degree at least 100 days before submitting the baccalaureate degree proposal.

⁷⁷ Section 240.3031, F.S., repealed January 7, 2003, by s. 3(7), ch. 2000-321.

⁷⁸ Section 20.15(3), F.S.

⁷⁹ The executive director of the community college system served as the executive officer and as secretary to the former SBCC. Section 240.311(4), F.S., repealed January 7, 2003, by s. 3(7), ch. 2000-321, L.O.F.

⁸⁰ Section 20.15(4), F.S.

⁸¹ Section 240.313, F.S., repealed January 7, 2003, by s. 3(7), ch. 2000-321.

⁸² Section 1001.64(3), F.S.

- Specify that the required justification for the proposed baccalaureate degree include a data-driven analysis of workforce demand, including employment data and projections by the Department of Economic Opportunity, which must be verified by the Chancellor of the FCCS.
- Extend the timeframe from 30 days to 60days for private regionally-accredited colleges and universities, to submit their objections to the proposed baccalaureate degree programs and provide reasons for such objections.
- Eliminate the requirement for state universities and private colleges and universities to submit alternative proposals to the proposed baccalaureate degree programs.
- Require the SBCC consider input from the Chancellor of the SUS and the president of the Independent Colleges and Universities of Florida, and any objections before approving or denying a college's proposal.
- Aligns the baccalaureate degree approval process for St. Petersburg College with the approval process for other FCCS institutions.

Section 66 of the bill reinforces state oversight responsibilities by requiring the SBCC to direct an FCCS institution's board of trustees to terminate a baccalaureate degree program if the state's review indicates negative performance and compliance results, and the college fails to demonstrate a need for the program.

Additionally, this section prohibits the community colleges from offering bachelor of arts degrees⁸³ and establishes a cap on upper-level, undergraduate FTE enrollment at FCCS institutions while providing flexibility for planned and purposeful growth of baccalaureate degree programs if certain conditions are met. The bill requires FCCS institutions to obtain legislative approval for exceeding the specified upper-level, undergraduate FTE enrollment cap. Specifically, the bill:

- Provides that if the 2015-2016 total upper-level, undergraduate FTE enrollment at an FCCS institution is:
 - At or above 10 percent⁸⁴ of the 2015-2016 combined total lower-level and upper-level FTE enrollment at that institution, the total upper-level enrollment, as a percentage of the combined enrollment, may not increase by more than 4 percentage points unless the institution obtains prior legislative approval.
 - Below 10 percent⁸⁵ of the 2015-2016 combined total lower-level and upper-level FTE enrollment at that institution, the total upper-level enrollment, as a percentage of the

⁸³ Currently, there are no bachelor of arts degrees offered by community colleges. Email, Florida Department of Education, *2017 Agency Analysis of SB 374* (Feb. 2, 2017).

⁸⁴ Community colleges at or above the 8 percent threshold in 2015-16 were Chipola College, Daytona Beach State College, Florida State College at Jacksonville, Indian River State College, Polk State College, and St. Petersburg College. The Florida Senate staff analysis, Florida Department of Education, *Florida College System FTE Enrollment: Funded-30, Lower and Upper Division, 2015-16 FTE-3*, available at <http://fldoe.org/core/fileparse.php/15267/urlt/1516FTE3EnrollmentReport.pdf>.

⁸⁵ Community colleges below the 8 percent threshold in 2015-16 were Broward College, College of Central Florida, Eastern Florida State College, Florida SouthWestern State College, Florida Gateway College, Florida Keys Community College, Gulf Coast State College, Hillsborough Community College, Lake Sumter State College, Miami Dade College, Northwest Florida State College, North Florida Community College, Palm Beach State College, Pasco Hernando State College, Pensacola State College, Santa Fe College, Seminole State College, South Florida State College, State College of Florida-Manatee, Sarasota, St. Johns River State College,

- combined enrollment, may not increase by more than 8 percentage points unless the institution obtains prior legislative approval.
- Specifies that the total upper-level enrollment at any institution may not exceed 15 percent, of the combined upper- and lower-level enrollment.
 - Emphasizes that within the 4 percent or 8 percent authorized growth, for any planned and purposeful expansion of existing baccalaureate degree programs or creation of a new baccalaureate program, an FCCS institution must demonstrate satisfactory performance in:
 - Fulfilling its primary mission as specified in law;⁸⁶
 - Executing at least one “2+2” targeted pathway articulation agreement specified in law;⁸⁷ and
 - Meeting or exceeding the performance standards related to on-time graduation rates for students earning associate in arts or baccalaureate degrees.⁸⁸
 - Establishes reporting requirements relating to upper-level enrollment, provides a mechanism for the SBCC to ensure compliance, and prohibits community colleges from reporting for funding, the upper-level, undergraduate full-time equivalent enrollment that exceeds the upper-level enrollment percent specified in the bill.

This section also reinforces the state’s expectation of college affordability by requiring the college’s program enrollment projections and funding requirements to include the college’s efforts to sustain the program at a cost of tuition and fees for Florida residents not to exceed \$10,000 for the entire degree program, including flexible tuition and fee rates, and the use of waivers authorized by law.⁸⁹

Mission of Florida’s Public K-20 Education System (Section 7, 15, 16, 26, 40, and 48)

Section 7 of the bill reinforces the state’s expectation that institutions within Florida’s K-20 education system avoid wasteful duplication of programs offered by state universities, FCCS institutions, and career centers operated by district school boards.

The bill also clarifies the mission of Florida’s public K-20 education system. Specifically,

- Section 40 of the bill changes the provision of upper-level instruction and awarding baccalaureate degrees from a primary mission to a secondary mission of FCCS institutions.
- Sections 16 and 26 of the bill specify that the primary mission of a career center or a charter technical career center is to promote advances and innovations in workforce preparation and economic development; except that a career center or charter technical career center may not award college credit.

The bill modifies the scope and responsibilities for career education in school districts and FCCS institutions. Specifically,

Tallahassee Community College, and Valencia College. The Florida Senate staff analysis, Florida Department of Education, *Florida College System FTE Enrollment: Funded-30, Lower and Upper Division, 2015-16 FTE-3*, available at <http://fldoe.org/core/fileparse.php/15267/urlt/1516FTE3EnrollmentReport.pdf>.

⁸⁶ Section 1004.65, F.S.

⁸⁷ Section 1007.23, F.S.

⁸⁸ Section 1001.66, F.S.

⁸⁹ Section 1009.26(11), F.S.

- Section 40 of the bill expands the scope of career education at an FCCS institution to include nationally recognized industry certifications.
- Section 48 of the bill modifies the accountability for career education to specify that such accountability must reflect the quality components of career and technical education programs in developing program standards and industry-driven benchmarks for career, adult, and community education programs.

High School Educational Facilities (Section 115)

Section 115 specifies that a district school board may authorize a public high school within the district, including a charter school authorized to operate under s. 1002.33, F.S., to be located on a public or private postsecondary institution's campus. Currently, Florida law has authorized Florida Agricultural and Mechanical University, Florida Atlantic University, Florida State University, University of Florida and other universities approved by the State Board of Education and the Legislature to sponsor a developmental research (laboratory) school.⁹⁰ Laboratory schools are public schools and must be affiliated with the college of education within the state university of closest proximity.⁹¹ This section allows a district school board to authorize a public high school, unaffiliated with a postsecondary institution, to operate on a postsecondary institution's campus.

The bill takes effect October 1, 2017, except as otherwise expressly provided.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

⁹⁰ Section 1002.32(2), F.S.

⁹¹ *Id.*

B. Private Sector Impact:

CS/CS/SB 374 may result in education-related cost savings⁹² for students with an associate in arts degree who pursue a baccalaureate degree under the targeted “2+2” articulation pathway program and graduate on time in 4 years.

C. Government Sector Impact:

Implementation of this bill requires the transfer of 34 existing positions and \$2.8 million from the State Board of Education budget for the creation of the State Board of Community Colleges. The State Board of Community Colleges will also need an additional 14 positions and \$1.7 million for necessary positions such as a General Counsel, Inspector General, Board Secretary, and others.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 20.15, 112.313, 112.3145, 1000.03, 1000.05, 1001.02, 1001.03, 1001.10, 1001.11, 1001.20, 1001.28, 1001.42, 1001.44, 1001.60, 1001.61, 1001.64, 1001.65, 1001.66, 1001.67, 1001.706, 1002.34, 1003.491, 1003.493, 1004.015, 1004.02, 1004.03, 1004.04, 1004.07, 1004.084, 1004.085, 1004.096, 1004.0961, 1004.35, 1004.6495, 1004.65, 1004.67, 1004.70, 1004.71, 1004.74, 1004.78, 1004.80, 1004.91, 1004.92, 1004.925, 1004.93, 1006.60, 1006.61, 1006.62, 1006.71, 1007.01, 1007.23, 1007.24, 1007.25, 1007.262, 1007.263, 1007.264, 1007.265, 1007.27, 1007.271, 1007.273, 1007.33, 1008.30, 1008.31, 1008.32, 1008.345, 1008.37, 1008.38, 1008.405, 1008.44, 1008.45, 1009.21, 1009.22, 1009.23, 1009.25, 1009.26, 1009.28, 1009.90, 1009.91, 1009.971, 1010.01, 1010.02, 1010.04, 1010.07, 1010.08, 1010.09, 1010.22, 1010.30, 1010.58, 1011.01, 1011.011, 1011.30, 1011.32, 1011.80, 1011.801, 1011.81, 1011.82, 1011.83, 1011.84, 1011.85, 1012.01, 1012.80, 1012.81, 1012.83, 1012.855, 1012.86, 1013.01, 1013.02, 1013.03, 1013.28, 1013.31, 1013.36, 1013.37, 1013.40, 1013.47, 1013.52, and 1013.65, F.S.

This bill creates the following sections of the Florida Statutes: 20.156, 1001.601, 1001.602, and 1013.29.

This bill creates two undesignated sections of the Florida Statutes.

⁹² The average annual cost of attendance in 2016-2017 at a state university is \$21,534.08. Board of Governors, *Fall/Spring Cost of Attendance On-Campus for Full-Time Undergraduate Florida Residents 2016-17*, available at http://www.flbog.edu/about/doc/budget/attendance/CostAttendance2016_17_FINAL.xlsx.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

CS/CS by Appropriations on April 6, 2017:

The committee substitute:

- Adds parallel standards of conduct language for State Board of Community Colleges (SBCC) and Florida Community College System (FCCS) institution board of trustees members that:
 - Prohibits appointed members from being employed as a legislative lobbyist, and
 - Requires disclosure of financial interests.
- Modifies the SBCC appointments by:
 - Including geographical representation,
 - Including a faculty member representative,
 - Changing the student member term to one year and exempting the student member from Senate confirmation,
 - Requiring that, except for the student member, each member must reside and be registered to vote in Florida, and Removing the limit on the on the number of four-year terms for reappointment.
- Modifies the community college baccalaureate degree approval process to shorten the approval time and:
 - Include a new notice of interest, which must be submitted into a share postsecondary database at least 180 days before submission of the notice of intent,
 - Require a notice of intent and justification to be submitted at least 100 days before the degree proposal,
 - Require the justification for the degree program to include employment data and projections from the Department of Economic Opportunity,
 - Provide a consistent 60-day timeframe for state universities, and private institutions to provide feedback on a degree proposal, and
 - Modify SBCC rulemaking authority to prescribe requirements for various notices, proposals, and objections.
- Modifies the baccalaureate degree enrollment caps to specify that if the 2015-2016 baccalaureate degree program full-time equivalent (FTE) enrollment at an FCCS institution is:
 - At or above 10 percent of the 2015-2016 combined total lower-level and upper-level FTE enrollment at that institution, the total upper-level enrollment, as a percentage of the combined enrollment, may not increase by more than 4 percentage points unless the institution obtains prior legislative approval.
 - Below 10 percent of the 2015-2016 combined total lower-level and upper-level FTE enrollment at that institution, the total upper-level enrollment, as a percentage of the combined enrollment, may not increase by more than 8 percentage points unless the institution obtains prior legislative approval.

- Sets a 15 percent maximum baccalaureate program enrollment cap for all FCCS institutions.
- Clarifies that the SBCC and State Board of Education should collaborate on career education issues and standards.
- Specifies that a district school board may authorize a public high school within the district, including a charter school, to be located on a public or private postsecondary institution's campus.
- Makes technical changes regarding the effective dates of certain sections of the bill and the bill as a whole.

CS by Education on February 6, 2017:

The committee substitute clarifies that:

- The authorization to conduct an investigation of a community college president's actions rests with the inspector general of the State Board of Community Colleges instead of the inspector general of the Florida Department of Education.

The State Board of Community Colleges must be responsible for charter technical career centers operated by Florida Community College System institutions regarding the adoption of standards of basic skill mastery for completion of certificate career education programs.

By the Committee on Education; and Senators Hukill, Galvano, and Simpson

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A bill to be entitled

An act relating to postsecondary education; providing a short title; renaming the Florida College System as the Florida Community College System; creating the State Board of Community Colleges; requiring the Governor to appoint the membership of the board; providing that the appointments are subject to confirmation by the Senate; requiring the Division of Florida Colleges to provide administrative support to the board until a specified date; transferring the Florida College System and the Division of Florida Colleges to the State Board of Community Colleges by a specified date; requiring the State Board of Community Colleges to appoint a Chancellor of the Florida Community College System by a specified date; amending s. 20.15, F.S.; removing the Division of Florida Colleges from within the Department of Education; requiring the department to provide support to the State Board of Community Colleges; creating s. 20.156, F.S.; creating the State Board of Community Colleges and assigning and housing it for administrative purposes, only, within the department; providing the personnel for the state board; providing the powers and duties of the state board; requiring the state board to conduct an organizational meeting by a specified date; amending s. 1000.03, F.S.; revising the function and mission of the Florida K-20 education system; requiring the State Board of Community Colleges to oversee enforcement of Florida Community College System laws and rules; amending s. 1000.05, F.S.; requiring the State Board of Community Colleges,

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instead of the Commissioner of Education, to make certain determinations regarding equal opportunities at Florida Community College System institutions; requiring the State Board of Community Colleges to adopt rules; amending s. 1001.02, F.S.; revising the general powers of the State Board of Education to exempt provisions relating to the Florida Community College System; amending s. 1001.03, F.S.; revising certain articulation accountability and enforcement measures; requiring the State Board of Education to collect information in conjunction with the Board of Governors and the State Board of Community Colleges; deleting duties of the State Board of Education regarding the Florida Community College System; amending ss. 1001.10 and 1001.11, F.S.; revising the general powers and duties of the Commissioner of Education to exempt certain powers and duties related to the Florida Community College System; amending s. 1001.20, F.S.; revising duties of the Office of Inspector General within the department regarding the Florida Community College System; amending s. 1001.28, F.S.; providing that the powers and duties of the State Board of Community Colleges are not abrogated, superseded, altered, or amended by certain provisions relating to the department's duties for distance learning; amending s. 1001.42, F.S.; prohibiting a technical center governing board from approving certain types of courses and programs; amending s. 1001.44, F.S.; providing the primary mission of a

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61 career center operated by a district school board;
 62 prohibiting specified career centers from offering
 63 certain courses and programs; amending s. 1001.60,
 64 F.S.; conforming provisions to changes made by the
 65 act; creating s. 1001.601, F.S.; establishing the
 66 State Board of Community Colleges; providing the
 67 membership of the board; creating s. 1001.602, F.S.;
 68 providing the responsibilities and duties of the State
 69 Board of Community Colleges; requiring the board to
 70 coordinate with the State Board of Education; amending
 71 ss. 1001.61, 1001.64, 1001.65, 1001.66, and 1001.67,
 72 F.S.; conforming provisions to changes made by the
 73 act; amending s. 1001.706, F.S.; revising cooperation
 74 duties of the Board of Governors to include
 75 requirements for working with the State Board of
 76 Community Colleges; amending s. 1002.34, F.S.;
 77 providing the primary mission of a charter technical
 78 career center; prohibiting specified career centers or
 79 charter technical career centers from offering certain
 80 courses and programs; requiring the State Board of
 81 Education to adopt rules; amending s. 1003.491, F.S.;
 82 revising the Florida Career and Professional Education
 83 Act to require the State Board of Community Colleges
 84 to recommend, jointly with the Board of Governors and
 85 the Commissioner of Education, certain deadlines for
 86 new core courses; amending s. 1003.493, F.S.; revising
 87 department duties regarding articulation and the
 88 transfer of credits to postsecondary institutions to
 89 include consultation with the State Board of Community

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90 Colleges; amending s. 1004.015, F.S.; providing that
 91 the Higher Education Coordinating Council serves as an
 92 advisory board to, in addition to other bodies, the
 93 State Board of Community Colleges; revising council
 94 reporting requirements to include a report to the
 95 State Board of Community Colleges; requiring the State
 96 Board of Community Colleges, in addition to other
 97 entities, to provide administrative support for the
 98 council; amending ss. 1004.02 and 1004.03, F.S.;
 99 conforming provisions to changes made by the act;
 100 amending s. 1004.04, F.S.; revising department
 101 reporting requirements regarding teacher preparation
 102 programs to require a report to the State Board of
 103 Community Colleges; amending s. 1004.07, F.S.;
 104 providing that the State Board of Community Colleges,
 105 instead of the State Board of Education, provide
 106 guidelines for Florida Community College System
 107 institution boards of trustees' policies; amending ss.
 108 1004.084, 1004.085, 1004.096, 1004.0961, 1004.35, and
 109 1004.6495, F.S.; conforming provisions to changes made
 110 by the act; amending s. 1004.65, F.S.; revising
 111 Florida Community College System institution
 112 governance, mission, and responsibilities to provide
 113 authority and duties to the State Board of Community
 114 Colleges, instead of the State Board of Education;
 115 providing that offering upper-level instruction and
 116 awarding baccalaureate degrees are a secondary and not
 117 a primary role of a Florida Community College System
 118 institution; amending ss. 1004.67, 1004.70, and

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119 1004.71, F.S.; conforming provisions to changes made
 120 by the act; amending s. 1004.74, F.S.; requiring the
 121 Chancellor of the Florida Community College System,
 122 jointly with the Commissioner of Education, to appoint
 123 members of the Council for the Florida School for the
 124 Arts; amending ss. 1004.78 and 1004.80, F.S.;
 125 conforming provisions to changes made by the act;
 126 amending s. 1004.91, F.S.; requiring the State Board
 127 of Community Colleges, instead of the State Board of
 128 Education, to provide certain rules for Florida
 129 Community College System institutions regarding
 130 requirements for career education program basic
 131 skills; amending s. 1004.92, F.S.; providing
 132 accountability for career education for the State
 133 Board of Community Colleges; revising the department's
 134 accountability for career education; requiring the
 135 State Board of Education and the State Board of
 136 Community Colleges to adopt rules; amending s.
 137 1004.925, F.S.; revising industry certification
 138 requirements for automotive service technology
 139 education programs to include the State Board of
 140 Community Colleges; amending s. 1004.93, F.S.;
 141 conforming provisions to changes made by the act;
 142 amending s. 1006.60, F.S.; authorizing sanctions for
 143 violations of certain rules of the State Board of
 144 Community Colleges, instead of the State Board of
 145 Education; amending ss. 1006.61, 1006.62, and 1006.71,
 146 F.S.; conforming provisions to changes made by the
 147 act; amending s. 1007.01, F.S.; revising the role of

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148 the State Board of Education and the Board of
 149 Governors in the statewide articulation system to
 150 include the State Board of Community Colleges and the
 151 Chancellor of the Florida Community College System;
 152 amending s. 1007.23, F.S.; requiring each Florida
 153 Community College System institution to execute at
 154 least one "2+2" targeted pathway articulation
 155 agreement by a specified time; providing requirements
 156 and student eligibility for the agreements; requiring
 157 the State Board of Community Colleges and the Board of
 158 Governors to collaborate to eliminate barriers for the
 159 agreements; amending s. 1007.24, F.S.; revising the
 160 statewide course numbering system to include
 161 participation by and input from the State Board of
 162 Community Colleges and the Chancellor of the Florida
 163 Community College System; amending ss. 1007.25,
 164 1007.262, 1007.263, 1007.264, 1007.265, and 1007.27,
 165 F.S.; conforming provisions to changes made by the
 166 act; amending s. 1007.271, F.S.; requiring the State
 167 Board of Education to collaborate with the State Board
 168 of Community Colleges regarding certain articulation
 169 agreements; amending s. 1007.273, F.S.; requiring the
 170 State Board of Community Colleges to enforce
 171 compliance with certain provisions relating to the
 172 collegiate high school program by a specified date
 173 each year; amending s. 1007.33, F.S.; prohibiting
 174 Florida Community College System institutions from
 175 offering bachelor of arts degree programs; deleting
 176 provisions relating to an authorization for the Board

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177 of Trustees of St. Petersburg College to establish
 178 certain baccalaureate degree programs; revising the
 179 approval process for baccalaureate degree programs
 180 proposed by Florida Community College System
 181 institutions; requiring a Florida Community College
 182 System institution to annually report certain
 183 information to the State Board of Community Colleges,
 184 the Chancellor of the State University System, and the
 185 Legislature; revising the circumstances under which a
 186 baccalaureate degree program may be required to be
 187 modified or terminated; requiring the termination of a
 188 baccalaureate degree program under certain
 189 circumstances; restricting total upper-level,
 190 undergraduate full-time equivalent enrollment at
 191 Florida Community College System institutions under
 192 certain circumstances; amending s. 1008.30, F.S.;
 193 requiring the State Board of Community Colleges,
 194 rather than the State Board of Education, to develop
 195 and implement a specified common placement test and
 196 approve a specified series of meta-majors and academic
 197 pathways with the Board of Governors; amending s.
 198 1008.31, F.S.; revising the legislative intent of
 199 Florida's K-20 education performance and
 200 accountability system to include recommendations from
 201 and reports to the State Board of Community Colleges;
 202 amending s. 1008.32, F.S.; removing the oversight
 203 enforcement authority of the State Board of Education
 204 relating to the Florida Community College System;
 205 amending s. 1008.345, F.S.; removing provisions

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206 requiring the department to maintain a listing of
 207 certain skills associated with the system of
 208 educational accountability; amending s. 1008.37, F.S.;
 209 revising certain student reporting requirements of the
 210 Commissioner of Education to also require a report to
 211 the State Board of Community Colleges; amending s.
 212 1008.38, F.S.; revising the articulation
 213 accountability process to include participation by the
 214 State Board of Community Colleges; amending s.
 215 1008.405, F.S.; requiring the State Board of Community
 216 Colleges to adopt rules for the maintaining of
 217 specific information by Florida Community College
 218 System institutions; amending ss. 1008.44, 1008.45,
 219 1009.21, 1009.22, 1009.23, and 1009.25, F.S.;
 220 conforming provisions to changes made by the act;
 221 amending s. 1009.26, F.S.; requiring that certain
 222 information regarding fee waivers be reported to the
 223 State Board of Community Colleges; requiring the State
 224 Board of Community Colleges to adopt rules; amending
 225 s. 1009.28, F.S.; conforming provisions to changes
 226 made by the act; amending ss. 1009.90 and 1009.91,
 227 F.S.; revising the duties of the department to include
 228 reports to the State Board of Community Colleges;
 229 amending s. 1009.971, F.S.; conforming provisions to
 230 changes made by the act; amending s. 1010.01, F.S.;
 231 requiring the financial records and accounts of
 232 Florida Community College System institutions to
 233 follow rules of the State Board of Community Colleges,
 234 instead of the State Board of Education; requiring

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235 each Florida Community College System institution to
 236 annually file specified financial statements with the
 237 State Board of Community Colleges; amending ss.
 238 1010.02 and 1010.04, F.S.; requiring the funds
 239 accruing to and purchases and leases by Florida
 240 Community College System institutions to follow rules
 241 of the State Board of Community Colleges, instead of
 242 the State Board of Education; amending s. 1010.07,
 243 F.S.; requiring certain contractors to give bonds in
 244 an amount set by the State Board of Community
 245 Colleges; amending s. 1010.08, F.S.; authorizing
 246 Florida Community College System board of trustees to
 247 budget for promotion and public relations from certain
 248 funds; amending ss. 1010.09, 1010.22, 1010.30, and
 249 1010.58, F.S.; conforming provisions to changes made
 250 by the act; amending s. 1011.01, F.S.; requiring each
 251 Florida Community College System institution board of
 252 trustees to submit an annual operating budget
 253 according to rules of the State Board of Community
 254 Colleges; amending s. 1011.011, F.S.; requiring the
 255 State Board of Education to collaborate with the State
 256 Board of Community Colleges for legislative budget
 257 requests relating to Florida Community College System
 258 institutions; amending ss. 1011.30 and 1011.32, F.S.;
 259 conforming provisions to changes made by the act;
 260 amending s. 1011.80, F.S.; conforming provisions to
 261 changes made by the act; authorizing the State Board
 262 of Community Colleges to adopt rules; amending s.
 263 1011.801, F.S.; specifying duties of the State Board

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264 of Community Colleges regarding funds for the
 265 operation of workforce education programs and the
 266 Workforce Development Capitalization Incentive Grant
 267 Program; amending ss. 1011.81, 1011.82, 1011.83,
 268 1011.84, and 1011.85, F.S.; conforming provisions to
 269 changes made by the act; amending s. 1012.01, F.S.;
 270 redefining the term "school officers"; amending ss.
 271 1012.80, 1012.81, 1012.83, 1012.855, and 1012.86,
 272 F.S.; conforming provisions to changes made by the
 273 act; amending s. 1013.01, F.S.; providing that the
 274 term "board" does not include the State Board of
 275 Community Colleges when used in the context of certain
 276 educational facilities provisions; amending ss.
 277 1013.02 and 1013.03, F.S.; requiring the State Board
 278 of Community Colleges to adopt rules for and provide
 279 functions relating to educational facilities; amending
 280 s. 1013.28, F.S.; authorizing Florida Community
 281 College System institution boards of trustees to
 282 dispose of land or real property subject to rules of
 283 the State Board of Community Colleges; amending s.
 284 1013.31, F.S.; specifying the role of the State Board
 285 of Community Colleges in educational plant surveys for
 286 Florida Community College System institutions;
 287 amending ss. 1013.36, 1013.37, and 1013.40, F.S.;
 288 conforming provisions to changes made by the act;
 289 amending s. 1013.47, F.S.; providing that certain
 290 contractors are subject to rules of the State Board of
 291 Community Colleges; amending s. 1013.52, F.S.;
 292 specifying duties of the State Board of Community

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293 Colleges with regard to the cooperative development
 294 and joint use of facilities; amending s. 1013.65,
 295 F.S.; requiring the State Board of Community Colleges
 296 to be provided with copies of authorized allocations
 297 or reallocations for the Public Education Capital
 298 Outlay and Debt Service Trust Fund; requiring the
 299 Board of Governors and the State Board of Community
 300 Colleges to submit a report to the Governor and the
 301 Legislature by a specified date; providing a directive
 302 to the Division of Law Revision and Information;
 303 providing effective dates.

304
 305 Be It Enacted by the Legislature of the State of Florida:

306
 307 Section 1. This act may be cited as the "College
 308 Competitiveness Act of 2017."

309 Section 2. Florida Community College System Governance.-

310 (1) Effective July 1, 2017:

311 (a) The Florida College System, established in s. 1001.60,
 312 Florida Statutes, is renamed as the Florida Community College
 313 System.

314 (b) The State Board of Community Colleges is created,
 315 pursuant to s. 20.156, Florida Statutes, to oversee and
 316 coordinate the Florida Community College System. The Governor
 317 shall appoint the membership of the State Board of Community
 318 Colleges, subject to confirmation by the Senate, in time for the
 319 members to convene for the board's organizational meeting
 320 pursuant to s. 20.156(5), Florida Statutes.

321 (c) The Division of Florida Colleges shall provide

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322 administrative support to the State Board of Community Colleges
 323 until September 30, 2017.

324 (2) (a) Effective October 1, 2017, powers, duties,
 325 functions, records, offices, personnel, property, pending issues
 326 and existing contracts, administrative authority, administrative
 327 rules, and unexpended balances of appropriations, allocations,
 328 and other funds related to the Florida College System and the
 329 Division of Florida Colleges are transferred by a type two
 330 transfer, as defined in s. 20.06(2), Florida Statutes, from the
 331 State Board of Education to the State Board of Community
 332 Colleges.

333 (b) The State Board of Community Colleges shall appoint a
 334 Chancellor of the Florida Community College System by November
 335 1, 2017, to aid the board in the implementation of its
 336 responsibilities.

337 (c) Any current State Board of Education approvals,
 338 policies, guidance, and appointments remain effective unless
 339 acted upon by the State Board of Community Colleges.

340 Section 3. Subsections (3) and (8) of section 20.15,
 341 Florida Statutes, are amended to read:

342 20.15 Department of Education.—There is created a
 343 Department of Education.

344 (3) DIVISIONS.—The following divisions of the Department of
 345 Education are established:

346 ~~(a) Division of Florida Colleges.~~

347 ~~(a) (b)~~ Division of Public Schools.

348 ~~(b) (c)~~ Division of Career and Adult Education.

349 ~~(c) (d)~~ Division of Vocational Rehabilitation.

350 ~~(d) (e)~~ Division of Blind Services.

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351 (e)~~(f)~~ Division of Accountability, Research, and
 352 Measurement.
 353 (f)~~(g)~~ Division of Finance and Operations.
 354 (g)~~(h)~~ Office of K-20 Articulation.
 355 (h)~~(i)~~ The Office of Independent Education and Parental
 356 Choice, which must include the following offices:
 357 1. The Office of Early Learning, which shall be
 358 administered by an executive director who is fully accountable
 359 to the Commissioner of Education. The executive director shall,
 360 pursuant to s. 1001.213, administer the early learning programs,
 361 including the school readiness program and the Voluntary
 362 Prekindergarten Education Program at the state level.
 363 2. The Office of K-12 School Choice, which shall be
 364 administered by an executive director who is fully accountable
 365 to the Commissioner of Education.
 366 (8) SUPPORT SERVICES.—The Department of Education shall
 367 continue to provide support to the Board of Governors of the
 368 State University System and to the State Board of Community
 369 Colleges of the Florida Community College System. At a minimum,
 370 support services provided to the Board of Governors and the
 371 State Board of Community Colleges shall include accounting,
 372 printing, computer and Internet support, personnel and human
 373 resources support, support for accountability initiatives, and
 374 administrative support as needed for trust funds under the
 375 jurisdiction of the Board of Governors and the State Board of
 376 Community Colleges.
 377 Section 4. Effective July 1, 2017, section 20.156, Florida
 378 Statutes, is created to read:
 379 20.156 State Board of Community Colleges.—

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380 (1) GENERAL PROVISIONS.—The State Board of Community
 381 Colleges is created. For the purposes of s. 6, Art. IV of the
 382 State Constitution, the state board shall be assigned to and
 383 administratively housed within the Department of Education.
 384 However, the state board shall independently exercise the powers
 385 and duties in s. 1001.602; is a separate budget program; and is
 386 not subject to control, supervision, or direction by the
 387 department. For purposes of this section, the State Board of
 388 Community Colleges is referred to as the "state board."
 389 (2) HEAD OF THE FLORIDA COMMUNITY COLLEGE SYSTEM.—The state
 390 board is the head of the Florida Community College System. The
 391 Governor shall appoint the board members, subject to
 392 confirmation by the Senate.
 393 (3) PERSONNEL.—The state board shall appoint a Chancellor
 394 of the Florida Community College System by November 1, 2017, to
 395 aid in carrying out the state board's duties. The chancellor is
 396 the chief executive officer and secretary to the state board and
 397 directs the activities of the staff of the state board. The
 398 Chancellor of the Division of Florida Colleges shall serve as
 399 the Chancellor of the Florida Community College System until the
 400 state board selects a chancellor.
 401 (4) POWERS AND DUTIES.—Effective October 1, 2017, the state
 402 board shall regulate, control, and be responsible for the
 403 management of the Florida Community College System.
 404 (5) ORGANIZATION.—The state board shall, by September 30,
 405 2017, conduct an organizational meeting to adopt bylaws, elect a
 406 chair and vice chair from the membership, and fix dates and
 407 places for regular meetings.
 408 Section 5. Subsections (2) and (4) of section 1000.03,

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Florida Statutes, are amended to read:

1000.03 Function, mission, and goals of the Florida K-20 education system.—

(2) (a) The Legislature shall establish education policy, enact education laws, and appropriate and allocate education resources.

(b) With the exception of matters relating to the State University System and the Florida Community College System, the State Board of Education shall oversee the enforcement of all laws and rules, and the timely provision of direction, resources, assistance, intervention when needed, and strong incentives and disincentives to force accountability for results.

(c) The Board of Governors shall oversee the enforcement of all state university laws and rules and regulations and the timely provision of direction, resources, assistance, intervention when needed, and strong incentives and disincentives to force accountability for results.

(d) The State Board of Community Colleges shall oversee the enforcement of all Florida Community College System laws and rules and the timely provision of direction, resources, assistance, intervention when needed, and strong incentives and disincentives to force accountability for results.

(4) The mission of Florida's K-20 education system is to allow its students to increase their proficiency by allowing them the opportunity to expand their knowledge and skills through rigorous and relevant learning opportunities, in accordance with the mission of the applicable career center or system ~~statement~~ and the accountability requirements of s.

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1008.31, and to avoid wasteful duplication of programs offered by state universities, Florida Community College System institutions, and career centers and charter technical career centers that are operated by a district school board or a Florida Community College System institution board of trustees.

Section 6. Paragraph (d) of subsection (3) and subsections (5) and (6) of section 1000.05, Florida Statutes, are amended to read:

1000.05 Discrimination against students and employees in the Florida K-20 public education system prohibited; equality of access required.—

(3)

(d) A public K-20 educational institution which operates or sponsors interscholastic, intercollegiate, club, or intramural athletics shall provide equal athletic opportunity for members of both genders.

1. The Board of Governors shall determine whether equal opportunities are available at state universities.

2. The Commissioner of Education, for school districts, and the Chancellor of the Florida Community College System, for Florida Community College System institutions, shall determine whether equal opportunities are available in school districts and Florida Community College System institutions. In determining whether equal opportunities are available in school districts and Florida Community College System institutions, the Commissioner of Education and the Chancellor of the Florida Community College System shall consider, among other factors:

a. Whether the selection of sports and levels of competition effectively accommodate the interests and abilities

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of members of both genders.

b. The provision of equipment and supplies.

c. Scheduling of games and practice times.

d. Travel and per diem allowances.

e. Opportunities to receive coaching and academic tutoring.

f. Assignment and compensation of coaches and tutors.

g. Provision of locker room, practice, and competitive facilities.

h. Provision of medical and training facilities and services.

i. Provision of housing and dining facilities and services.

j. Publicity.

Unequal aggregate expenditures for members of each gender or unequal expenditures for male and female teams if a public school or Florida Community College System institution operates or sponsors separate teams do not constitute nonimplementation of this subsection, but the Commissioner of Education shall consider the failure to provide necessary funds for teams for one gender in assessing equality of opportunity for members of each gender.

(5) (a) The State Board of Education shall adopt rules to implement this section as it relates to school districts ~~and Florida College System institutions~~.

(b) The Board of Governors shall adopt regulations to implement this section as it relates to state universities.

(c) The State Board of Community Colleges shall adopt rules to implement this section as it relates to Florida Community College System institutions.

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(6) The functions of the State Board of Community Colleges for Florida Community College System institutions and the Office of Equal Educational Opportunity of the Department of Education shall include, but are not limited to:

(a) Requiring all district school boards and Florida Community College System institution boards of trustees to develop and submit plans for the implementation of this section to the Department of Education.

(b) Conducting periodic reviews of school districts and Florida Community College System institutions to determine compliance with this section and, after a finding that a school district or a Florida Community College System institution is not in compliance with this section, notifying the entity of the steps that it must take to attain compliance and performing followup monitoring.

(c) Providing technical assistance, including assisting school districts or Florida Community College System institutions in identifying unlawful discrimination and instructing them in remedies for correction and prevention of such discrimination and performing followup monitoring.

(d) Conducting studies of the effectiveness of methods and strategies designed to increase the participation of students in programs and courses in which students of a particular race, ethnicity, national origin, gender, disability, or marital status have been traditionally underrepresented and monitoring the success of students in such programs or courses, including performing followup monitoring.

(e) Requiring all district school boards and Florida Community College System institution boards of trustees to

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submit data and information necessary to determine compliance with this section. The Commissioner of Education, for school districts, and the Chancellor of the Florida Community College System, for Florida Community College System institutions, shall prescribe the format and the date for submission of such data and any other educational equity data. If any board does not submit the required compliance data or other required educational equity data by the prescribed date, the commissioner shall notify the board of this fact and, if the board does not take appropriate action to immediately submit the required report, the State Board of Education shall impose monetary sanctions.

(f) Based upon rules of the State Board of Education, for school districts, and the State Board of Community Colleges, for Florida Community College System institutions, developing and implementing enforcement mechanisms with appropriate penalties to ensure that public K-12 schools and Florida Community College System institutions comply with Title IX of the Education Amendments of 1972 and subsection (3) of this section. However, the State Board of Education may not force a public school or Florida Community College System institution to conduct, nor penalize such entity for not conducting, a program of athletic activity or athletic scholarship for female athletes unless it is an athletic activity approved for women by a recognized association whose purpose is to promote athletics and a conference or league exists to promote interscholastic or intercollegiate competition for women in that athletic activity.

(g) Reporting to the Commissioner of Education, for school districts, or to the Chancellor of the Florida Community College

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System, for Florida Community College System institutions, any district school board or Florida Community College System institution board of trustees found to be out of compliance with rules of the State Board of Education or the State Board of Community Colleges adopted as required by paragraph (f) or paragraph (3)(d). To penalize the respective board, the State Board of Education or the State Board of Community Colleges, as applicable, shall:

1. Declare the school district or Florida Community College System institution ineligible for competitive state grants.

2. Notwithstanding the provisions of s. 216.192, direct the Chief Financial Officer to withhold general revenue funds sufficient to obtain compliance from the school district or Florida Community College System institution.

The school district or Florida Community College System institution shall remain ineligible and the funds may shall not be paid until the institution comes into compliance or the State Board of Education or the State Board of Community Colleges, as applicable, approves a plan for compliance.

Section 7. Section 1001.02, Florida Statutes, is amended to read:

1001.02 General powers of State Board of Education.—

(1) The State Board of Education is the chief implementing and coordinating body of public education in Florida except for the State University System and the Florida Community College System, and it shall focus on high-level policy decisions. It has authority to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of law conferring duties upon

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it for the improvement of the state system of K-20 public education except for the State University System and the Florida Community College System. Except as otherwise provided herein, it may, as it finds appropriate, delegate its general powers to the Commissioner of Education or the directors of the divisions of the department.

(2) The State Board of Education has the following duties:

(a) To adopt comprehensive educational objectives for public education except for the State University System and the Florida Community College System.

(b) To adopt comprehensive long-range plans and short-range programs for the development of the state system of public education except for the State University System and the Florida Community College System.

(c) To exercise general supervision over the divisions of the Department of Education as necessary to ensure coordination of educational plans and programs and resolve controversies and to minimize problems of articulation and student transfers, to ensure that students moving from one level of education to the next have acquired competencies necessary for satisfactory performance at that level, and to ensure maximum utilization of facilities.

(d) To adopt, in consultation with the Board of Governors and the State Board of Community Colleges, and from time to time modify, minimum and uniform standards of college-level communication and computation skills generally associated with successful performance and progression through the baccalaureate level and to identify college-preparatory high school coursework and postsecondary-level coursework that prepares students with

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the academic skills necessary to succeed in postsecondary education.

(e) To adopt and submit to the Governor and Legislature, as provided in s. 216.023, a coordinated K-20 education budget that estimates the expenditure requirements for the Board of Governors, as provided in s. 1001.706, the State Board of Education, including the Department of Education and the Commissioner of Education, and all of the boards, institutions, agencies, and services under the general supervision of the Board of Governors, as provided in s. 1001.706, the State Board of Community Colleges, as provided in s. 1001.602, or the State Board of Education for the ensuing fiscal year. The State Board of Education may not amend the budget request submitted by the Board of Governors or the State Board of Community Colleges. Any program recommended by the Board of Governors, the State Board of Community Colleges, or the State Board of Education which will require increases in state funding for more than 1 year must be presented in a multiyear budget plan.

(f) To hold meetings, transact business, keep records, adopt a seal, and, except as otherwise provided by law, perform such other duties as may be necessary for the enforcement of laws and rules relating to the state system of public education.

(g) To approve plans for cooperating with the Federal Government.

(h) To approve plans for cooperating with other public agencies in the development of rules and in the enforcement of laws for which the state board and such agencies are jointly responsible.

(i) To review plans for cooperating with appropriate

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641 nonpublic agencies for the improvement of conditions relating to
 642 the welfare of schools.

643 (j) To create such subordinate advisory bodies as are
 644 required by law or as it finds necessary for the improvement of
 645 education.

646 (k) To constitute any education bodies or other structures
 647 as required by federal law.

648 (l) To assist in the economic development of the state by
 649 developing a state-level planning process to identify future
 650 training needs for industry, especially high-technology
 651 industry.

652 (m) To assist in the planning and economic development of
 653 the state by establishing a clearinghouse for information on
 654 educational programs of value to economic development.

655 (n) To adopt cohesive rules pursuant to ss. 120.536(1) and
 656 120.54, within statutory authority.

657 (o) To authorize the allocation of resources in accordance
 658 with law and rule.

659 (p) To contract with independent institutions accredited by
 660 an agency whose standards are comparable to the minimum
 661 standards required to operate a postsecondary career center
 662 ~~educational institution at that level in the state.~~ The purpose
 663 of the contract is to provide those educational programs and
 664 facilities which will meet needs unfulfilled by the state system
 665 of public postsecondary education.

666 (q) To recommend that a district school board take action
 667 consistent with the state board's decision relating to an appeal
 668 of a charter school application.

669 (r) To enforce systemwide education goals and policies

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670 except as otherwise provided by law.

671 (s) To establish a detailed procedure for the
 672 implementation and operation of a systemwide K-20 technology
 673 plan that is based on a common set of data definitions.

674 (t) To establish accountability standards for existing
 675 legislative performance goals, standards, and measures, and
 676 order the development of mechanisms to implement new legislative
 677 goals, standards, and measures.

678 (u) To adopt criteria and implementation plans for future
 679 growth issues, ~~such as new Florida College System institutions~~
 680 ~~and Florida College System institution campus mergers,~~ and to
 681 provide for cooperative agreements between and within public and
 682 private education sectors.

683 (v) To develop, in conjunction with the Board of Governors
 684 and the State Board of Community Colleges, and periodically
 685 review for adjustment, a coordinated 5-year plan for
 686 postsecondary enrollment, identifying enrollment and graduation
 687 expectations by baccalaureate degree program, and annually
 688 submit the plan to the Legislature as part of its legislative
 689 budget request.

690 ~~(w) Beginning in the 2014-2015 academic year and annually~~
 691 ~~thereafter, to require each Florida College System institution~~
 692 ~~prior to registration to provide each enrolled student~~
 693 ~~electronic access to the economic security report of employment~~
 694 ~~and earning outcomes prepared by the Department of Economic~~
 695 ~~Opportunity pursuant to s. 445.07.~~

696 (3) (a) The State Board of Education shall adopt a strategic
 697 plan that specifies goals and objectives for the state's public
 698 schools ~~and Florida College System institutions.~~ The plan shall

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699 be formulated in conjunction with plans of the Board of
 700 Governors and the State Board of Community Colleges in order to
 701 provide for the roles of the universities and Florida Community
 702 College System institutions to be coordinated to best meet state
 703 needs and reflect cost-effective use of state resources. The
 704 strategic plan must clarify the mission statements of each
 705 Florida Community College System institution and the system as a
 706 whole and identify degree programs, including baccalaureate
 707 degree programs, to be offered at each Florida Community College
 708 System institution in accordance with the objectives provided in
 709 this subsection and the coordinated 5-year plan pursuant to
 710 paragraph (2)(v). The strategic plan must cover a period of 5
 711 years, with modification of the program lists after 2 years.
 712 Development of each 5-year plan must be coordinated with and
 713 initiated after completion of the master plan. The strategic
 714 plans must specifically include programs and procedures for
 715 responding to the educational needs of teachers and students in
 716 the public schools of this state and consider reports and
 717 recommendations of the Higher Education Coordinating Council
 718 pursuant to s. 1004.015 and the Articulation Coordinating
 719 Committee pursuant to s. 1007.01. The state board shall submit a
 720 report to the President of the Senate and the Speaker of the
 721 House of Representatives upon modification of the plan and as
 722 part of its legislative budget request.

723 (b) The State Board of Education, and the Board of
 724 Governors, and the State Board of Community Colleges shall
 725 jointly develop long-range plans and annual reports for
 726 financial aid in this state. The long-range plans shall
 727 establish goals and objectives for a comprehensive program of

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728 financial aid for Florida students and shall be updated every 5
 729 years. The annual report shall include programs administered by
 730 the department as well as awards made from financial aid fee
 731 revenues, any other funds appropriated by the Legislature for
 732 financial assistance, and the value of tuition and fees waived
 733 for students enrolled in a dual enrollment course at a public
 734 postsecondary educational institution. The annual report shall
 735 include an assessment of progress made in achieving goals and
 736 objectives established in the long-range plans and
 737 recommendations for repealing or modifying existing financial
 738 aid programs or establishing new programs. A long-range plan
 739 shall be submitted by January 1, 2004, and every 5 years
 740 thereafter. An annual report shall be submitted on January 1,
 741 2004, and in each successive year that a long-range plan is not
 742 submitted, to the President of the Senate and the Speaker of the
 743 House of Representatives.

744 (4) The State Board of Education shall+

745 ~~(a) Provide for each Florida College System institution to~~
 746 ~~offer educational training and service programs designed to meet~~
 747 ~~the needs of both students and the communities served.~~

748 ~~(b) Specify, by rule, procedures to be used by the Florida~~
 749 ~~College System institution boards of trustees in the annual~~
 750 ~~evaluations of presidents and review the evaluations of~~
 751 ~~presidents by the boards of trustees, including the extent to~~
 752 ~~which presidents serve both institutional and system goals.~~

753 ~~(c) Establish, in conjunction with the Board of Governors,~~
 754 ~~an effective information system that will provide composite data~~
 755 ~~concerning the Florida College System institutions and state~~
 756 ~~universities and ensure that special analyses and studies~~

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concerning the institutions are conducted, as necessary, for provision of accurate and cost-effective information concerning the institutions.

~~(d) Establish criteria for making recommendations for modifying district boundary lines for Florida College System institutions, including criteria for service delivery areas of Florida College System institutions authorized to grant baccalaureate degrees.~~

~~(e) Establish criteria for making recommendations concerning all proposals for the establishment of additional centers or campuses for Florida College System institutions.~~

~~(f) Examine the annual administrative review of each Florida College System institution.~~

~~(g) adopt and submit to the Legislature a 3-year list of priorities for fixed-capital-outlay projects. The State Board of Education may not amend the 3-year list of priorities of the Board of Governors or the State Board of Community Colleges.~~

~~(5) The State Board of Education is responsible for reviewing and administering the state program of support for the Florida College System institutions and, subject to existing law, shall establish the tuition and out-of-state fees for developmental education and for credit instruction that may be counted toward an associate in arts degree, an associate in applied science degree, or an associate in science degree.~~

~~(6) The State Board of Education shall prescribe minimum standards, definitions, and guidelines for Florida College System institutions that will ensure the quality of education, coordination among the Florida College System institutions and state universities, and efficient progress toward accomplishing~~

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the Florida College System institution mission. At a minimum, these rules must address:

~~(a) Personnel.~~

~~(b) Contracting.~~

~~(c) Program offerings and classification, including college-level communication and computation skills associated with successful performance in college and with tests and other assessment procedures that measure student achievement of those skills. The performance measures must provide that students moving from one level of education to the next acquire the necessary competencies for that level.~~

~~(d) Provisions for curriculum development, graduation requirements, college calendars, and program service areas. These provisions must include rules that:~~

~~1. Provide for the award of an associate in arts degree to a student who successfully completes 60 semester credit hours at the Florida College System institution.~~

~~2. Require all of the credits accepted for the associate in arts degree to be in the statewide course numbering system as credits toward a baccalaureate degree offered by a state university or a Florida College System institution.~~

~~3. Require no more than 36 semester credit hours in general education courses in the subject areas of communication, mathematics, social sciences, humanities, and natural sciences.~~

~~The rules should encourage Florida College System institutions to enter into agreements with state universities that allow Florida College System institution students to complete upper-division-level courses at a Florida College System institution.~~

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~~An agreement may provide for concurrent enrollment at the Florida College System institution and the state university and may authorize the Florida College System institution to offer an upper-division-level course or distance learning.~~

~~(e) Student admissions, conduct and discipline, nonclassroom activities, and fees.~~

~~(f) Budgeting.~~

~~(g) Business and financial matters.~~

~~(h) Student services.~~

~~(i) Reports, surveys, and information systems, including forms and dates of submission.~~

Section 8. Subsections (7) through (17) of section 1001.03, Florida Statutes, are amended to read:

1001.03 Specific powers of State Board of Education.—

(7) ARTICULATION ACCOUNTABILITY.—The State Board of Education shall develop articulation accountability measures that assess the status of systemwide articulation processes, in conjunction with the Board of Governors regarding the State University System and the State Board of Community Colleges regarding the Florida Community College System, and shall establish an articulation accountability process in accordance with the provisions of chapter 1008, in conjunction with the Board of Governors regarding the State University System and the State Board of Community Colleges regarding the Florida Community College System.

(8) SYSTEMWIDE ENFORCEMENT.—The State Board of Education shall enforce compliance with law and state board rule by all school districts and public postsecondary educational institutions, except for institutions within the State

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University System and the Florida Community College System, in accordance with the provisions of s. 1008.32.

(9) MANAGEMENT INFORMATION DATABASES.—The State Board of Education, in conjunction with the Board of Governors regarding the State University System and the State Board of Community Colleges regarding the Florida Community College System, shall continue to collect and maintain, at a minimum, the management information databases for state universities, community colleges, and all other components of the public K-20 education system as such databases existed on June 30, 2002.

~~(10) COMMON PLACEMENT TESTING FOR PUBLIC POSTSECONDARY EDUCATION.~~ The State Board of Education, in conjunction with the Board of Governors, shall develop and implement a common placement test to assess the basic computation and communication skills of students who intend to enter a degree program at any ~~Florida College System institution or state university.~~

~~(10)(11) MINIMUM STANDARDS FOR NONPUBLIC POSTSECONDARY EDUCATION.~~—The State Board of Education shall adopt minimum standards relating to nonpublic postsecondary education and institutions, in accordance with the provisions of chapter 1005.

~~(12) COMMON POSTSECONDARY DEFINITIONS.~~—The State Board of Education shall adopt, by rule, common definitions for associate in science degrees and for certificates.

~~(13) CYCLIC REVIEW OF POSTSECONDARY ACADEMIC PROGRAMS.~~—The State Board of Education shall provide for the cyclic review of all academic programs in Florida College System institutions at least every 7 years. Program reviews shall document how individual academic programs are achieving stated student learning and program objectives within the context of the

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institution's mission. The results of the program reviews shall inform strategic planning, program development, and budgeting decisions at the institutional level.

~~(11)-(14)~~ UNIFORM CLASSIFICATION SYSTEM FOR SCHOOL DISTRICT ADMINISTRATIVE AND MANAGEMENT PERSONNEL.—The State Board of Education shall maintain a uniform classification system for school district administrative and management personnel that will facilitate the uniform coding of administrative and management personnel to total district employees.

~~(15)~~ FLORIDA COLLEGE SYSTEM INSTITUTION BACCALAUREATE DEGREE PROGRAMS.—The State Board of Education shall provide for the review and approval of proposals by Florida College System institutions to offer baccalaureate degree programs pursuant to s. 1007.33. A Florida College System institution, as defined in s. 1000.21, that is approved to offer baccalaureate degrees pursuant to s. 1007.33 remains under the authority of the State Board of Education and the Florida College System institution's board of trustees. The State Board of Education may not approve Florida College System institution baccalaureate degree program proposals from March 31, 2014, through May 31, 2015.

~~(16)~~ PLAN SPECIFYING GOALS AND OBJECTIVES.—By July 1, 2013, the State Board of Education shall identify performance metrics for the Florida College System and develop a plan that specifies goals and objectives for each Florida College System institution. The plan must include:

~~(a)~~ Performance metrics and standards common for all institutions and metrics and standards unique to institutions depending on institutional core missions, including, but not limited to, remediation success, retention, graduation,

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employment, transfer rates, licensure passage, excess hours, student loan burden and default rates, job placement, faculty awards, and highly respected rankings for institution and program achievements.

~~(b)~~ Student enrollment and performance data delineated by method of instruction, including, but not limited to, traditional, online, and distance learning instruction.

~~(12)-(17)~~ UNIFIED STATE PLAN FOR SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS (STEM).—The State Board of Education, in consultation with the Board of Governors, the State Board of Community Colleges, and the Department of Economic Opportunity, shall adopt a unified state plan to improve K-20 STEM education and prepare students for high-skill, high-wage, and high-demand employment in STEM and STEM-related fields.

Section 9. Subsection (1), paragraphs (g) and (j) of subsection (6), and subsection (7) of section 1001.10, Florida Statutes, are amended to read:

1001.10 Commissioner of Education; general powers and duties.—

(1) The Commissioner of Education is the chief educational officer of the state and the sole custodian of the K-20 data warehouse, and is responsible for giving full assistance to the State Board of Education in enforcing compliance with the mission and goals of the K-20 education system except for the State University System and the Florida Community College System.

(6) Additionally, the commissioner has the following general powers and duties:

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(g) To submit to the State Board of Education, on or before October 1 of each year, recommendations for a coordinated K-20 education budget that estimates the expenditures for the Board of Governors, the State Board of Community Colleges, the State Board of Education, including the Department of Education and the Commissioner of Education, and all of the boards, institutions, agencies, and services under the general supervision of the Board of Governors, the State Board of Community Colleges, or the State Board of Education for the ensuing fiscal year. Any program recommended to the State Board of Education that will require increases in state funding for more than 1 year must be presented in a multiyear budget plan.

(j) To implement a program of school improvement and education accountability designed to provide all students the opportunity to make adequate learning gains in each year of school as provided by statute and State Board of Education rule based upon the achievement of the state education goals, recognizing the following:

1. The district school board is responsible for school and student performance.

2. The individual school is the unit for education accountability.

~~3. The Florida College System institution board of trustees is responsible for Florida College System institution performance and student performance.~~

~~(7) The commissioner, or the commissioner's designee, may conduct a review or investigation of practices, procedures, or actions at any Florida College System institution which appear to be inconsistent with sound financial, management, or academic~~

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~~practice.~~

Section 10. Paragraphs (c) through (f) of subsection (1) and subsection (3) of section 1001.11, Florida Statutes, are amended to read:

1001.11 Commissioner of Education; other duties.—

(1) The Commissioner of Education must independently perform the following duties:

(c) In cooperation with the Board of Governors and the State Board of Community Colleges, develop and implement a process for receiving and processing requests, in conjunction with the Legislature, for the allocation of PECO funds for qualified postsecondary education projects.

~~(d) Integrally work with the boards of trustees of the Florida College System institutions.~~

(d)(e) Monitor the activities of the State Board of Education and provide information related to current and pending policies to the members of the boards of trustees of the Florida Community College System institutions and state universities.

(e)(f) Ensure the timely provision of information requested by the Legislature from the State Board of Education, the commissioner's office, and the Department of Education.

(3) Notwithstanding any other provision of law to the contrary, the Commissioner of Education, in conjunction with the Legislature, and the Board of Governors regarding the State University System, and the State Board of Community Colleges regarding the Florida Community College System, must recommend funding priorities for the distribution of capital outlay funds for public postsecondary educational institutions, based on priorities that include, but are not limited to, the following

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criteria:

(a) Growth at the institutions.

(b) Need for specific skills statewide.

(c) Need for maintaining and repairing existing facilities.

Section 11. Paragraph (e) of subsection (4) of section

1001.20, Florida Statutes, is amended to read:

1001.20 Department under direction of state board.—

(4) The Department of Education shall establish the following offices within the Office of the Commissioner of Education which shall coordinate their activities with all other divisions and offices:

(e) *Office of Inspector General*.—Organized using existing resources and funds and responsible for promoting accountability, efficiency, and effectiveness and detecting fraud and abuse within school districts and the Florida School for the Deaf and the Blind, ~~and Florida College System institutions in Florida~~. If the Commissioner of Education determines that a district school board or the Board of Trustees for the Florida School for the Deaf and the Blind, ~~or a Florida College System institution board of trustees~~ is unwilling or unable to address substantiated allegations made by any person relating to waste, fraud, or financial mismanagement within the school district or the Florida School for the Deaf and the Blind, ~~or the Florida College System institution~~, the office shall conduct, coordinate, or request investigations into such substantiated allegations. The office shall have access to all information and personnel necessary to perform its duties and shall have all of its current powers, duties, and responsibilities authorized in s. 20.055.

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Section 12. Section 1001.28, Florida Statutes, is amended to read:

1001.28 Distance learning duties.—The duties of the Department of Education concerning distance learning include, but are not limited to, the duty to:

(1) Facilitate the implementation of a statewide coordinated system and resource system for cost-efficient advanced telecommunications services and distance education which will increase overall student access to education.

(2) Coordinate the use of existing resources, including, but not limited to, the state's satellite transponders, the Florida Information Resource Network (FIRN), and distance learning initiatives.

(3) Assist in the coordination of the utilization of the production and uplink capabilities available through Florida's public television stations, eligible facilities, independent colleges and universities, private firms, and others as needed.

(4) Seek the assistance and cooperation of Florida's cable television providers in the implementation of the statewide advanced telecommunications services and distance learning network.

(5) Seek the assistance and cooperation of Florida's telecommunications carriers to provide affordable student access to advanced telecommunications services and to distance learning.

(6) Coordinate partnerships for development, acquisition, use, and distribution of distance learning.

(7) Secure and administer funding for programs and activities for distance learning from federal, state, local, and

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private sources and from fees derived from services and materials.

(8) Hire appropriate staff which may include a position that shall be exempt from part II of chapter 110 and is included in the Senior Management Service in accordance with s. 110.205.

Nothing in this section shall be construed to abrogate, supersede, alter, or amend the powers and duties of any state agency, district school board, Florida Community College System institution board of trustees, university board of trustees, the Board of Governors, the State Board of Community Colleges, or the State Board of Education.

Section 13. Effective July 1, 2017, subsection (26) of section 1001.42, Florida Statutes, is amended to read:

1001.42 Powers and duties of district school board.—The district school board, acting as a board, shall exercise all powers and perform all duties listed below:

(26) TECHNICAL CENTER GOVERNING BOARD.—May appoint a governing board for a school district technical center or a system of technical centers for the purpose of aligning the educational programs of the technical center with the needs of local businesses and responding quickly to the needs of local businesses for employees holding industry certifications. A technical center governing board shall be comprised of seven members, three of whom must be members of the district school board or their designees and four of whom must be local business leaders. The district school board shall delegate to the technical center governing board decisions regarding entrance requirements for students, curriculum, program development,

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budget and funding allocations, and the development with local businesses of partnership agreements and appropriate industry certifications in order to meet local and regional economic needs. A technical center governing board may approve only courses and programs that contain industry certifications. A course may be continued if at least 25 percent of the students enrolled in the course attain an industry certification. If fewer than 25 percent of the students enrolled in a course attain an industry certification, the course must be discontinued the following year. However, notwithstanding the authority to approve courses and programs under this subsection, a technical center governing board may not approve a college credit course or a college credit certificate or an associate degree or baccalaureate degree program.

Section 14. Effective July 1, 2017, section 1001.44, Florida Statutes, is amended to read:

1001.44 Career centers; governance, mission, and responsibilities.—

(1) DISTRICT SCHOOL BOARD MAY ESTABLISH OR ACQUIRE CAREER CENTERS.—Any district school board, after first obtaining the approval of the Department of Education, may, as a part of the district school system, organize, establish and operate a career center, or acquire and operate a career center previously established.

(a) The primary mission of a career center that is operated by a district school board is to promote advances and innovations in workforce preparation and economic development. A career center may provide a learning environment that serves the needs of a specific population group or group of occupations,

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1105 thus promoting diversity and choices within the public technical
 1106 education community in this state.

1107 (b) A career center that is operated by a district school
 1108 board may not offer a college credit course or a college credit
 1109 certificate or an associate degree or baccalaureate degree
 1110 program.

1111 (2) DISTRICT SCHOOL BOARDS OF CONTIGUOUS DISTRICTS MAY
 1112 ESTABLISH OR ACQUIRE CAREER CENTERS.—The district school boards
 1113 of any two or more contiguous districts may, upon first
 1114 obtaining the approval of the department, enter into an
 1115 agreement to organize, establish and operate, or acquire and
 1116 operate, a career center under this section.

1117 (3) CAREER CENTER PART OF DISTRICT SCHOOL SYSTEM DIRECTED
 1118 BY A DIRECTOR.—

1119 (a) A career center established or acquired under
 1120 provisions of law and minimum standards prescribed by the
 1121 commissioner shall comprise a part of the district school system
 1122 and shall mean an educational institution offering terminal
 1123 courses of a technical nature which are not for college credit,
 1124 and courses for out-of-school youth and adults; shall be subject
 1125 to all applicable provisions of this code; shall be under the
 1126 control of the district school board of the school district in
 1127 which it is located; and shall be directed by a director
 1128 responsible through the district school superintendent to the
 1129 district school board of the school district in which the center
 1130 is located.

1131 (b) Each career center shall maintain an academic
 1132 transcript for each student enrolled in the center. Such
 1133 transcript shall delineate each course completed by the student.

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1134 Courses shall be delineated by the course prefix and title
 1135 assigned pursuant to s. 1007.24. The center shall make a copy of
 1136 a student's transcript available to any student who requests it.

1137 Section 15. Section 1001.60, Florida Statutes, is amended
 1138 to read:

1139 1001.60 Florida Community College System.—

1140 (1) PURPOSES.—In order to maximize open access for
 1141 students, respond to community needs for postsecondary academic
 1142 education and career degree education, and provide associate and
 1143 baccalaureate degrees that will best meet the state's employment
 1144 needs, the Legislature establishes a system of governance for
 1145 the Florida Community College System.

1146 (2) FLORIDA COMMUNITY COLLEGE SYSTEM.—There shall be a
 1147 single Florida Community College System comprised of the Florida
 1148 Community College System institutions identified in s.
 1149 1000.21(3). A Florida Community College System institution may
 1150 not offer graduate degree programs.

1151 (a) The programs and services offered by Florida Community
 1152 College System institutions in providing associate and
 1153 baccalaureate degrees shall be delivered in a cost-effective
 1154 manner that demonstrates substantial savings to the student and
 1155 to the state over the cost of providing the degree at a state
 1156 university.

1157 (b)1. With the approval of its district board of trustees,
 1158 a Florida Community College System institution may change the
 1159 institution's name set forth in s. 1000.21(3) and use the
 1160 designation "college" or "state college" if it has been
 1161 authorized to grant baccalaureate degrees pursuant to s. 1007.33
 1162 and has been accredited as a baccalaureate-degree-granting

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institution by the Commission on Colleges of the Southern Association of Colleges and Schools.

2. With the approval of its district board of trustees, a Florida Community College System institution that does not meet the criteria in subparagraph 1. may request approval from the State Board of Education to change the institution's name set forth in s. 1000.21(3) and use the designation "college." The State Board of Community Colleges ~~Education~~ may approve the request if the Florida Community College System institution enters into an agreement with the State Board of Community Colleges ~~Education~~ to do the following:

a. Maintain as its primary mission responsibility for responding to community needs for postsecondary academic education and career degree education as prescribed in s. 1004.65(5).

b. Maintain an open-door admissions policy for associate-level degree programs and workforce education programs.

c. Continue to provide outreach to underserved populations.

d. Continue to provide remedial education.

e. Comply with all provisions of the statewide articulation agreement that relate to 2-year and 4-year public degree-granting institutions as adopted by the State Board of Community Colleges ~~Education~~ pursuant to s. 1007.23.

(c) A district board of trustees that approves a change to the name of an institution under paragraph (b) must seek statutory codification of such name change in s. 1000.21(3) during the next regular legislative session.

(d) A Florida Community College System institution may not use the designation "university."

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(3) LOCAL BOARDS OF TRUSTEES.—Each institution within the Florida Community College System shall be governed by a local board of trustees as provided in s. 1001.64. The membership of each local board of trustees shall be as provided in s. 1001.61.

Section 16. Effective July 1, 2017, section 1001.601, Florida Statutes, is created to read:

1001.601 State Board of Community Colleges of the Florida Community College System.—

(1) The State Board of Community Colleges is established as a body corporate consisting of 13 members as follows: 12 citizen members appointed by the Governor, one of whom must be a student currently enrolled in a Florida Community College System institution, and the Commissioner of Education. Appointed members shall serve staggered 4-year terms. In order to achieve staggered terms, beginning September 1, 2017, 4 members shall serve a 2-year term, 4 members shall serve a 3-year term, and 4 members shall serve a 4-year term. Members may be reappointed to one additional 4-year term.

(2) Members of the State Board of Community Colleges may not receive compensation but may be reimbursed for travel and per diem expenses as provided in s. 112.061.

Section 17. Section 1001.602, Florida Statutes, is created to read:

1001.602 Powers and duties of the State Board of Community Colleges.—

(1) RESPONSIBILITIES.—The State Board of Community Colleges is responsible for the efficient and effective operation and maintenance of the Florida Community College System, as defined in s. 1001.60. The State Board of Community Colleges may adopt

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1221 rules pursuant to ss. 120.536(1) and 120.54 to implement
 1222 provisions of law for the Florida Community College System. For
 1223 the purposes of this section, the State Board of Community
 1224 Colleges is referred to as the "state board."
 1225 (2) DUTIES.—The state board has the following duties:
 1226 (a) Ensure Florida Community College System institutions
 1227 operate consistent with the mission of the system, pursuant to
 1228 s. 1004.65.
 1229 (b) Oversee the Florida Community College System and
 1230 coordinate with the Board of Governors and the State Board of
 1231 Education to avoid wasteful duplication of facilities or
 1232 programs.
 1233 (c) Provide for each Florida Community College System
 1234 institution to offer educational training and service programs
 1235 designed to meet the needs of both students and the communities
 1236 served.
 1237 (d) Hold meetings, transact business, keep records, and,
 1238 except as otherwise provided by law, perform such other duties
 1239 as may be necessary for the enforcement of laws and rules
 1240 relating to the Florida Community College System.
 1241 (e) Provide for the coordination of educational plans and
 1242 programs to resolve controversies, minimize problems of
 1243 articulation and student transfers, ensure that students moving
 1244 from one level of education to the next have acquired
 1245 competencies necessary for satisfactory performance at that
 1246 level, and ensure maximum utilization of facilities.
 1247 (f) Establish and review, in consultation with the State
 1248 Board of Education and the Board of Governors, minimum and
 1249 uniform standards of college-level communication and computation

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1250 skills generally associated with successful performance and
 1251 progression through the baccalaureate level, to identify
 1252 college-preparatory high school coursework and postsecondary-
 1253 level coursework that prepares students with the academic skills
 1254 necessary to succeed in postsecondary education.
 1255 (g) Approve plans for cooperating with the Federal
 1256 Government.
 1257 (h) Approve plans for cooperating with other public
 1258 agencies in the development of rules and in the enforcement of
 1259 laws for which the state board and the agencies are jointly
 1260 responsible.
 1261 (i) Create subordinate advisory bodies if required by law
 1262 or as necessary for the improvement of the Florida Community
 1263 College System.
 1264 (j) Coordinate with the State Board of Education to collect
 1265 and maintain data for the Florida Community College System.
 1266 (k) Establish, in conjunction with the State Board of
 1267 Education and the Board of Governors, an effective information
 1268 system that will provide composite data concerning the Florida
 1269 Community College System institutions and state universities and
 1270 that will ensure that special analyses and studies concerning
 1271 the institutions are conducted, as necessary, for provision of
 1272 accurate and cost-effective information concerning the
 1273 institutions.
 1274 (l) Establish accountability standards for existing
 1275 legislative performance goals, standards, and measures, and
 1276 order the development of mechanisms to implement new legislative
 1277 goals, standards, and measures.
 1278 (m) Require each Florida Community College System

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1279 institution, before registration, to provide each enrolled
 1280 student electronic access to the economic security report of
 1281 employment and earning outcomes prepared by the Department of
 1282 Economic Opportunity pursuant to s. 445.07.

1283 (n) Specify, by rule, procedures to be used by Florida
 1284 Community College System institution boards of trustees in the
 1285 annual evaluation of presidents, and review the evaluations of
 1286 presidents by the boards of trustees, including the extent to
 1287 which presidents serve both institutional and system goals.

1288 (o) Establish, subject to existing law, the tuition and
 1289 out-of-state fees for developmental education and for credit
 1290 instruction that may be counted toward an associate in arts
 1291 degree, an associate in applied science degree, or an associate
 1292 in science degree.

1293 (p) Develop, in conjunction with the Board of Governors and
 1294 the State Board of Education, and implement a common placement
 1295 test to assess the basic computation and communication skills of
 1296 students who intend to enter a degree program at a Florida
 1297 Community College System institution or state university.

1298 (q) May direct the Chancellor of the Florida Community
 1299 College System to conduct investigations of practices,
 1300 procedures, or actions at a Florida Community College System
 1301 institution which appear to be inconsistent with sound
 1302 financial, management, or academic practice.

1303 (r) Examine the annual administrative review of each
 1304 Florida Community College System institution.

1305 (s) Through the Chancellor of the Florida Community College
 1306 System, integrally work with the boards of trustees of the
 1307 Florida Community College System institutions.

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1308 (t) Establish criteria for making recommendations
 1309 concerning all proposals to establish additional centers or
 1310 campuses for a Florida Community College System institution.

1311 (3) PLAN SPECIFYING GOALS AND OBJECTIVES.—To comply with
 1312 the requirements under subsection (4) and the performance
 1313 metrics and standards adopted under ss. 1001.66 and 1001.67, the
 1314 state board shall identify performance metrics for the Florida
 1315 Community College System and develop a plan that specifies goals
 1316 and objectives for each Florida Community College System
 1317 institution. The plan must include:

1318 (a) Performance metrics and standards common for all
 1319 institutions and metrics and standards unique to institutions
 1320 depending on institutional core missions, including, but not
 1321 limited to, remediation success, retention, graduation,
 1322 employment, transfer rates, licensure passage, excess hours,
 1323 student loan burden and default rates, job placement, faculty
 1324 awards, and highly respected rankings for institution and
 1325 program achievements.

1326 (b) Student enrollment and performance data delineated by
 1327 method of instruction, including, but not limited to,
 1328 traditional, online, and distance learning instruction.

1329 (4) STRATEGIC PLAN, LONG-RANGE PLANS, AND OTHER PLANS.—

1330 (a) The state board shall adopt a strategic plan that
 1331 specifies goals and objectives for the Florida Community College
 1332 System. The plan must be formulated in conjunction with plans of
 1333 the State Board of Education and the Board of Governors in order
 1334 to coordinate the roles of the school districts and universities
 1335 to best meet state needs and reflect cost-effective use of state
 1336 resources. The strategic plan must clarify the mission

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statements of the Florida Community College System and each Florida Community College System institution and identify degree programs, including baccalaureate degree programs, to be offered at each Florida Community College System institution in accordance with the objectives provided in this subsection and the coordinated 5-year plan pursuant to s. 1001.02(2)(v). The strategic plan must cover a period of 5 years, with modification of the program lists after 2 years. Development of each 5-year plan must be coordinated with and initiated after completion of the master plan. The strategic plan must consider reports and recommendations of the Higher Education Coordinating Council pursuant to s. 1004.015 and the Articulation Coordinating Committee pursuant to s. 1007.01. Upon modification of the plan, the state board shall submit a report to the President of the Senate and the Speaker of the House of Representatives as part of its legislative budget request.

(b) The state board, the State Board of Education, and the Board of Governors shall jointly develop long-range plans and annual reports for financial aid in this state. The long-range plans must establish goals and objectives for a comprehensive program of financial aid for students and shall be updated every 5 years. The annual report must include programs administered by the department as well as awards made from financial aid fee revenues, other funds appropriated by the Legislature for financial assistance, and the value of tuition and fees waived for students enrolled in a dual enrollment course at a public postsecondary educational institution. The annual report must include an assessment of the progress made in achieving goals and objectives established in the long-range plans and must

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include recommendations for repealing or modifying existing financial aid programs or establishing new programs. The state board, the State Board of Education, and the Board of Governors shall submit their long-range plans by July 1, 2018, and every 5 years thereafter and shall submit their annual reports on July 1, 2018, and in each successive year that a long-range plan is not submitted, to the President of the Senate and the Speaker of the House of Representatives.

(c) The state board shall also:

1. Adopt comprehensive long-range plans and short-range programs for the development of the Florida Community College System.

2. Assist in the economic development of the state by developing a state-level planning process to identify future training needs for industry, especially high-technology industry.

3. Adopt criteria and implementation plans for future growth issues, such as new Florida Community College System institutions and Florida Community College System institution campus mergers, and provide for cooperative agreements between and within public and private education sectors.

(5) MINIMUM STANDARDS AND GUIDELINES.—The state board shall prescribe minimum standards, definitions, and guidelines for Florida Community College System institutions which will ensure the quality of education, coordination among the Florida Community College System institutions and state universities, and efficient progress toward accomplishing the Florida Community College System institution's mission. At a minimum, these rules must address all of the following:

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1395 (a) Personnel.
 1396 (b) Contracting.
 1397 (c) Program offerings and classification, including
 1398 college-level communication and computation skills associated
 1399 with successful performance in college and with tests and other
 1400 assessment procedures that measure student achievement of those
 1401 skills. The performance measures must provide that students
 1402 moving from one level of education to the next acquire the
 1403 necessary competencies for that level.
 1404 (d) Provisions for curriculum development, graduation
 1405 requirements, college calendars, and program service areas.
 1406 These provisions must include rules that:
 1407 1. Provide for the award of an associate in arts degree to
 1408 a student who successfully completes 60 semester credit hours at
 1409 the Florida Community College System institution.
 1410 2. Require all of the credits accepted for the associate in
 1411 arts degree to be in the statewide course numbering system as
 1412 credits toward a baccalaureate degree offered by a state
 1413 university or a Florida Community College System institution.
 1414 3. Require no more than 36 semester credit hours in general
 1415 education courses in the subject areas of communication,
 1416 mathematics, social sciences, humanities, and natural sciences.
 1417
 1418 The rules under this paragraph should encourage Florida
 1419 Community College System institutions to enter into agreements
 1420 with state universities which allow a Florida Community College
 1421 System institution student to complete upper-division-level
 1422 courses at a Florida Community College System institution. An
 1423 agreement may provide for concurrent enrollment at the Florida

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1424 Community College System institution and the state university
 1425 and may authorize the Florida Community College System
 1426 institution to offer an upper-division-level course or distance
 1427 learning.
 1428 (e) Student admissions, conduct and discipline;
 1429 nonclassroom activities; and fees.
 1430 (f) Budgeting.
 1431 (g) Business and financial matters.
 1432 (h) Student services.
 1433 (i) Reports, surveys, and information systems, including
 1434 forms and dates of submission.
 1435 (6) CYCLIC REVIEW OF ACADEMIC PROGRAMS.—The state board
 1436 shall provide for the cyclic review of all academic programs in
 1437 Florida Community College System institutions at least every 7
 1438 years. Program reviews must document how individual academic
 1439 programs are achieving stated student learning and program
 1440 objectives within the context of the institution's mission. The
 1441 results of the program reviews must inform strategic planning,
 1442 program development, and budgeting decisions at the
 1443 institutional level.
 1444 (7) FLORIDA COMMUNITY COLLEGE SYSTEM INSTITUTION
 1445 BACCALAUREATE DEGREE PROGRAMS.—The state board shall provide for
 1446 the review and approval of proposals by Florida Community
 1447 College System institutions to offer baccalaureate degree
 1448 programs pursuant to s. 1007.33. A Florida Community College
 1449 System institution, as defined in s. 1000.21, which is approved
 1450 to offer baccalaureate degrees pursuant to s. 1007.33 remains
 1451 under the authority of the state board and the Florida Community
 1452 College System institution's board of trustees.

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(8) MODIFICATIONS TO SERVICE AREA.—The state board shall establish criteria for making recommendations for modifying district boundary lines for a Florida Community College System institution, including criteria for service delivery areas of a Florida Community College System institution authorized to grant baccalaureate degrees.

(9) PERFORMANCE OVERSIGHT.—The state board shall oversee the performance of Florida Community College System institution boards of trustees in enforcement of all laws and rules. Florida Community College System institution boards of trustees are primarily responsible for compliance with law and state board rule.

(a) In order to ensure compliance with law or state board rule, the state board has the authority to request and receive information, data, and reports from Florida Community College System institutions. The Florida Community College System institution president is responsible for the accuracy of the information and data reported to the state board.

(b) The Chancellor of the Florida Community College System may investigate allegations of noncompliance with law or state board rule and determine probable cause. The Chancellor shall report determinations of probable cause to the State Board of Community Colleges who shall require the Florida Community College System institution board of trustees to document compliance with law or state board rule.

(c) If the Florida Community College System institution board of trustees cannot satisfactorily document compliance, the state board may order compliance within a specified timeframe.

(d) If the state board determines that a Florida Community

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College System institution board of trustees is unwilling or unable to comply with law or state board rule within the specified time, the state board has the authority to initiate any of the following actions:

1. Report to the Legislature that the Florida Community College System institution is unwilling or unable to comply with law or state board rule and recommend that the Legislature take action against the institution;

2. Withhold the transfer of state funds, discretionary grant funds, discretionary lottery funds, or any other funds specified as eligible for this purpose by the Legislature until the Florida Community College System institution complies with the law or state board rule;

3. Declare the Florida Community College System institution ineligible for competitive grants; or

4. Require monthly or periodic reporting on the situation related to noncompliance until it is remedied.

(e) This section may not be construed to create a private cause of action or create any rights for individuals or entities in addition to those provided elsewhere in law or rule.

(10) INSPECTOR GENERAL.—The inspector general is responsible for promoting accountability, efficiency, and effectiveness and detecting fraud and abuse within Florida Community College System institutions. If the Chancellor of the Florida Community College System determines that a Florida Community College System institution board of trustees is unwilling or unable to address substantiated allegations made by any person relating to waste, fraud, or financial mismanagement within the Florida Community College System institution, the

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1511 inspector general shall conduct, coordinate, or request
 1512 investigations into such substantiated allegations. The
 1513 inspector general shall have access to all information and
 1514 personnel necessary to perform its duties and shall have all of
 1515 his or her current powers, duties, and responsibilities
 1516 authorized in s. 20.055.

1517 (11) COORDINATION WITH THE STATE BOARD OF EDUCATION.—The
 1518 state board shall coordinate with the State Board of Education:

1519 (a) Pursuant to s. 1001.02(2)(e), in the adoption of a K-20
 1520 education budget.

1521 (b) Pursuant to s. 1001.02(4)(g), to adopt and submit to
 1522 the Legislature a 3-year list of priorities for fixed-capital-
 1523 outlay projects.

1524 (12) COMMON POSTSECONDARY DEFINITIONS.—Adopt in
 1525 collaboration with the State Board of Education, by rule,
 1526 definitions for associate in science degrees and for
 1527 certificates offered by Florida Community College System
 1528 institutions.

1529 Section 18. Section 1001.61, Florida Statutes, is amended
 1530 to read:

1531 1001.61 Florida Community College System institution boards
 1532 of trustees; membership.—

1533 (1) Florida Community College System institution boards of
 1534 trustees shall be comprised of five members when a Florida
 1535 Community College System institution district is confined to one
 1536 school board district; seven members when a Florida Community
 1537 College System institution district is confined to one school
 1538 board district and the board of trustees so elects; and not more
 1539 than nine members when the district contains two or more school

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1540 board districts, as provided by rules of the State Board of
 1541 Community Colleges Education. However, Florida State College at
 1542 Jacksonville shall have an odd number of trustees, and St. Johns
 1543 River State College shall have seven trustees from the three-
 1544 county area that the college serves.

1545 (2) Trustees shall be appointed by the Governor to
 1546 staggered 4-year terms, subject to confirmation by the Senate in
 1547 regular session.

1548 (3) Members of the board of trustees shall receive no
 1549 compensation but may receive reimbursement for expenses as
 1550 provided in s. 112.061.

1551 (4) At its first regular meeting after July 1 of each year,
 1552 each Florida Community College System institution board of
 1553 trustees shall organize by electing a chair, whose duty as such
 1554 is to preside at all meetings of the board, to call special
 1555 meetings thereof, and to attest to actions of the board, and a
 1556 vice chair, whose duty as such is to act as chair during the
 1557 absence or disability of the elected chair. It is the further
 1558 duty of the chair of each board of trustees to notify the
 1559 Governor, in writing, whenever a board member fails to attend
 1560 three consecutive regular board meetings in any one fiscal year,
 1561 which absences may be grounds for removal.

1562 (5) A Florida Community College System institution
 1563 president shall serve as the executive officer and corporate
 1564 secretary of the board of trustees and shall be responsible to
 1565 the board of trustees for setting the agenda for meetings of the
 1566 board of trustees in consultation with the chair. The president
 1567 also serves as the chief administrative officer of the Florida
 1568 Community College System institution, and all the components of

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the institution and all aspects of its operation are responsible to the board of trustees through the president.

Section 19. Section 1001.64, Florida Statutes, is amended to read:

1001.64 Florida Community College System institution boards of trustees; powers and duties.—

(1) The boards of trustees shall be responsible for cost-effective policy decisions appropriate to the Florida Community College System institution's mission, the implementation and maintenance of high-quality education programs within law and rules of the State Board of Community Colleges ~~Education~~, the measurement of performance, the reporting of information, and the provision of input regarding state policy, budgeting, and education standards.

(2) Each board of trustees is vested with the responsibility to govern its respective Florida Community College System institution and with such necessary authority as is needed for the proper operation and improvement thereof in accordance with rules of the State Board of Community Colleges ~~Education~~.

(3) A board of trustees shall have the power to take action without a recommendation from the president and shall have the power to require the president to deliver to the board of trustees all data and information required by the board of trustees in the performance of its duties. A board of trustees shall ask the Chancellor of the Florida Community College System ~~Commissioner of Education~~ to authorize an investigation of the president's actions by the State Board of Community College's ~~department's~~ inspector general if the board considers such

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investigation necessary. The inspector general shall provide a report detailing each issue under investigation and shall recommend corrective action. If the inspector general identifies potential legal violations, he or she shall refer the potential legal violations to the Commission on Ethics, the Department of Law Enforcement, the Attorney General, or another appropriate authority.

(4) (a) The board of trustees, after considering recommendations submitted by the Florida Community College System institution president, may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of law conferring duties upon it. These rules may supplement those prescribed by the State Board of Community Colleges ~~Education~~ if they will contribute to the more orderly and efficient operation of Florida Community College System institutions.

(b) Each board of trustees is specifically authorized to adopt rules, procedures, and policies, consistent with law and rules of the State Board of Community Colleges ~~Education~~, related to its mission and responsibilities as set forth in s. 1004.65, its governance, personnel, budget and finance, administration, programs, curriculum and instruction, buildings and grounds, travel and purchasing, technology, students, contracts and grants, or college property.

(5) Each board of trustees shall have responsibility for the use, maintenance, protection, and control of Florida Community College System institution owned or Florida Community College System institution controlled buildings and grounds, property and equipment, name, trademarks and other proprietary marks, and the financial and other resources of the Florida

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Community College System institution. Such authority may include placing restrictions on activities and on access to facilities, firearms, food, tobacco, alcoholic beverages, distribution of printed materials, commercial solicitation, animals, and sound.

(6) Each board of trustees has responsibility for the establishment and discontinuance of program and course offerings in accordance with law and rule; provision for instructional and noninstructional community services, location of classes, and services provided; and dissemination of information concerning such programs and services. New programs must be approved pursuant to s. 1004.03.

(7) Each board of trustees has responsibility for ensuring that students have access to general education courses as identified in rule; requiring no more than 60 semester hours of degree program coursework, including 36 semester hours of general education coursework, for an associate in arts degree; notifying students that earned hours in excess of 60 semester hours may not be accepted by state universities; notifying students of unique program prerequisites; and ensuring that degree program coursework beyond general education coursework is consistent with degree program prerequisite requirements adopted pursuant to s. 1007.25(5).

(8) Each board of trustees has authority for policies related to students, enrollment of students, student records, student activities, financial assistance, and other student services.

(a) Each board of trustees shall govern admission of students pursuant to s. 1007.263 and rules of the State Board of Community Colleges Education. A board of trustees may establish

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additional admissions criteria, which shall be included in the dual enrollment articulation agreement developed according to s. 1007.271(21), to ensure student readiness for postsecondary instruction. Each board of trustees may consider the past actions of any person applying for admission or enrollment and may deny admission or enrollment to an applicant because of misconduct if determined to be in the best interest of the Florida Community College System institution.

(b) Each board of trustees shall adopt rules establishing student performance standards for the award of degrees and certificates pursuant to s. 1004.68.

(c) Boards of trustees are authorized to establish intrainstitutional and interinstitutional programs to maximize articulation pursuant to s. 1007.22.

(d) Boards of trustees shall identify their general education curricula pursuant to s. 1007.25(6).

(e) Each board of trustees must adopt a written antihazing policy, provide a program for the enforcement of such rules, and adopt appropriate penalties for violations of such rules pursuant to the provisions of s. 1006.63.

(f) Each board of trustees may establish a uniform code of conduct and appropriate penalties for violation of its rules by students and student organizations, including rules governing student academic honesty. Such penalties, unless otherwise provided by law, may include fines, the withholding of diplomas or transcripts pending compliance with rules or payment of fines, and the imposition of probation, suspension, or dismissal.

(g) Each board of trustees pursuant to s. 1006.53 shall

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1685 adopt a policy in accordance with rules of the State Board of
 1686 Community Colleges ~~Education~~ that reasonably accommodates the
 1687 religious observance, practice, and belief of individual
 1688 students in regard to admissions, class attendance, and the
 1689 scheduling of examinations and work assignments.

1690 (9) A board of trustees may contract with the board of
 1691 trustees of a state university for the Florida Community College
 1692 System institution to provide developmental education on the
 1693 state university campus.

1694 (10) Each board of trustees shall establish fees pursuant
 1695 to ss. 1009.22, 1009.23, 1009.25, 1009.26, and 1009.27.

1696 (11) Each board of trustees shall submit an institutional
 1697 budget request, including a request for fixed capital outlay,
 1698 and an operating budget to the State Board of Community Colleges
 1699 ~~Education~~ for review in accordance with guidelines established
 1700 by the State Board of Community Colleges ~~Education~~.

1701 (12) Each board of trustees shall account for expenditures
 1702 of all state, local, federal, and other funds in the manner
 1703 described by the State Board of Community Colleges ~~Department of~~
 1704 ~~Education~~.

1705 (13) Each board of trustees is responsible for the uses for
 1706 the proceeds of academic improvement trust funds pursuant to s.
 1707 1011.85.

1708 (14) Each board of trustees shall develop a strategic plan
 1709 specifying institutional goals and objectives for the Florida
 1710 Community College System institution for recommendation to the
 1711 State Board of Community Colleges ~~Education~~.

1712 (15) Each board of trustees shall develop an accountability
 1713 plan pursuant to s. 1008.45.

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1714 (16) Each board of trustees must expend performance funds
 1715 provided for workforce education pursuant to the provisions of
 1716 s. 1011.80.

1717 (17) Each board of trustees is accountable for performance
 1718 in certificate career education and diploma programs pursuant to
 1719 s. 1008.43.

1720 (18) Each board of trustees shall establish the personnel
 1721 program for all employees of the Florida Community College
 1722 System institution, including the president, pursuant to the
 1723 provisions of chapter 1012 and rules and guidelines of the State
 1724 Board of Community Colleges ~~Education~~, including: compensation
 1725 and other conditions of employment; recruitment and selection;
 1726 nonreappointment; standards for performance and conduct;
 1727 evaluation; benefits and hours of work; leave policies;
 1728 recognition; inventions and work products; travel; learning
 1729 opportunities; exchange programs; academic freedom and
 1730 responsibility; promotion; assignment; demotion; transfer;
 1731 ethical obligations and conflict of interest; restrictive
 1732 covenants; disciplinary actions; complaints; appeals and
 1733 grievance procedures; and separation and termination from
 1734 employment.

1735 (19) Each board of trustees shall appoint, suspend, or
 1736 remove the president of the Florida Community College System
 1737 institution. The board of trustees may appoint a search
 1738 committee. The board of trustees shall conduct annual
 1739 evaluations of the president in accordance with rules of the
 1740 State Board of Community Colleges ~~Education~~ and submit such
 1741 evaluations to the State Board of Community Colleges ~~Education~~
 1742 for review. The evaluation must address the achievement of the

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performance goals established by the accountability process implemented pursuant to s. 1008.45 and the performance of the president in achieving the annual and long-term goals and objectives established in the Florida Community College System institution's employment accountability program implemented pursuant to s. 1012.86.

(20) Each board of trustees is authorized to enter into contracts to provide a State Community College System Optional Retirement Program pursuant to s. 1012.875 and to enter into consortia with other boards of trustees for this purpose.

(21) Each board of trustees is authorized to purchase annuities for its Florida Community College System institution personnel who have 25 or more years of creditable service and who have reached age 55 and have applied for retirement under the Florida Retirement System pursuant to the provisions of s. 1012.87.

(22) A board of trustees may defray all costs of defending civil actions against officers, employees, or agents of the board of trustees pursuant to s. 1012.85.

(23) Each board of trustees has authority for risk management, safety, security, and law enforcement operations. Each board of trustees is authorized to employ personnel, including police officers pursuant to s. 1012.88, to carry out the duties imposed by this subsection.

(24) Each board of trustees shall provide rules governing parking and the direction and flow of traffic within campus boundaries. Except for sworn law enforcement personnel, persons employed to enforce campus parking rules have no authority to arrest or issue citations for moving traffic violations. The

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board of trustees may adopt a uniform code of appropriate penalties for violations. Such penalties, unless otherwise provided by law, may include the levying of fines, the withholding of diplomas or transcripts pending compliance with rules or payment of fines, and the imposition of probation, suspension, or dismissal. Moneys collected from parking rule infractions shall be deposited in appropriate funds at each Florida Community College System institution for student financial aid purposes.

(25) Each board of trustees constitutes the contracting agent of the Florida Community College System institution. It may when acting as a body make contracts, sue, and be sued in the name of the board of trustees. In any suit, a change in personnel of the board of trustees shall not abate the suit, which shall proceed as if such change had not taken place.

(26) Each board of trustees is authorized to contract for the purchase, sale, lease, license, or acquisition in any manner, including purchase by installment or lease-purchase contract which may provide for the payment of interest on the unpaid portion of the purchase price and for the granting of a security interest in the items purchased, subject to the provisions of subsection (38) and ss. 1009.22 and 1009.23, of goods, materials, equipment, and services required by the Florida Community College System institution. The board of trustees may choose to consolidate equipment contracts under master equipment financing agreements made pursuant to s. 287.064.

(27) Each board of trustees shall be responsible for managing and protecting real and personal property acquired or

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held in trust for use by and for the benefit of such Florida Community College System institution. To that end, any board of trustees is authorized to be self-insured, to enter into risk management programs, or to purchase insurance for whatever coverage it may choose, or to have any combination thereof, in anticipation of any loss, damage, or destruction. A board of trustees may contract for self-insurance services pursuant to s. 1004.725.

(28) Each board of trustees is authorized to enter into agreements for, and accept, credit card, charge card, and debit card payments as compensation for goods, services, tuition, and fees. Each Florida Community College System institution is further authorized to establish accounts in credit card, charge card, and debit card banks for the deposit of sales invoices.

(29) Each board of trustees may provide incubator facilities to eligible small business concerns pursuant to s. 1004.79.

(30) Each board of trustees may establish a technology transfer center for the purpose of providing institutional support to local business and industry and governmental agencies in the application of new research in technology pursuant to the provisions of s. 1004.78.

(31) Each board of trustees may establish economic development centers for the purpose of serving as liaisons between Florida Community College System institutions and the business sector pursuant to the provisions of s. 1004.80.

(32) Each board of trustees may establish a child development training center pursuant to s. 1004.81.

(33) Each board of trustees is authorized to develop and

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produce work products relating to educational endeavors that are subject to trademark, copyright, or patent statutes pursuant to chapter 1004.

(34) Each board of trustees shall administer the facilities program pursuant to chapter 1013, including but not limited to: the construction of public educational and ancillary plants; the acquisition and disposal of property; compliance with building and life safety codes; submission of data and information relating to facilities and construction; use of buildings and grounds; establishment of safety and sanitation programs for the protection of building occupants; and site planning and selection.

(35) Each board of trustees may exercise the right of eminent domain pursuant to the provisions of chapter 1013.

(36) Each board of trustees may enter into lease-purchase arrangements with private individuals or corporations for necessary grounds and buildings for Florida Community College System institution purposes, other than dormitories, or for buildings other than dormitories to be erected for Florida Community College System institution purposes. Such arrangements shall be paid from capital outlay and debt service funds as provided by s. 1011.84(2), with terms not to exceed 30 years at a stipulated rate. The provisions of such contracts, including building plans, are subject to approval by the Department of Education, and no such contract may be entered into without such approval.

(37) Each board of trustees may purchase, acquire, receive, hold, own, manage, lease, sell, dispose of, and convey title to real property, in the best interests of the Florida Community

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College System institution.

(38) Each board of trustees is authorized to enter into short-term loans and installment, lease-purchase, and other financing contracts for a term of not more than 5 years, including renewals, extensions, and refundings. Payments on short-term loans and installment, lease-purchase, and other financing contracts pursuant to this subsection shall be subject to annual appropriation by the board of trustees. Each board of trustees is authorized to borrow funds and incur long-term debt, including promissory notes, installment sales agreements, lease-purchase agreements, certificates of participation, and other similar long-term financing arrangements, only as specifically provided in ss. 1009.22(6) and (9) and 1009.23(11) and (12). At the option of the board of trustees, bonds issued pursuant to ss. 1009.22(6) and (9) and 1009.23(11) and (12) may be secured by a combination of revenues authorized to be pledged to bonds pursuant to such subsections. Revenue bonds may not be secured by or paid from, directly or indirectly, tuition, financial aid fees, the Florida Community College System Program Fund, or any other operating revenues of a Florida Community College System institution. Lease-purchase agreements may be secured by a combination of revenues as specifically authorized pursuant to ss. 1009.22(7) and 1009.23(10).

(39) Each board of trustees shall prescribe conditions for direct-support organizations to be certified and to use Florida Community College System institution property and services. Conditions relating to certification must provide for audit review and oversight by the board of trustees.

(40) Each board of trustees may adopt policies pursuant to

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s. 1010.02 that provide procedures for transferring to the direct-support organization of that Florida Community College System institution for administration by such organization contributions made to the Florida Community College System institution.

(41) The board of trustees shall exert every effort to collect all delinquent accounts pursuant to s. 1010.03.

(42) Each board of trustees shall implement a plan, in accordance with guidelines of the State Board of Community Colleges Education, for working on a regular basis with the other Florida Community College System institution boards of trustees, representatives of the university boards of trustees, and representatives of the district school boards to achieve the goals of the seamless education system.

(43) Each board of trustees has responsibility for compliance with state and federal laws, rules, regulations, and requirements.

(44) Each board of trustees may adopt rules, procedures, and policies related to institutional governance, administration, and management in order to promote orderly and efficient operation, including, but not limited to, financial management, budget management, physical plant management, and property management.

(45) Each board of trustees may adopt rules and procedures related to data or technology, including, but not limited to, information systems, communications systems, computer hardware and software, and networks.

(46) Each board of trustees may consider the past actions of any person applying for employment and may deny employment to

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a person because of misconduct if determined to be in the best interest of the Florida Community College System institution.

(47) Each contract or employment agreement, or renewal or renegotiation of an existing contract or employment agreement, containing a provision for severance pay with an officer, agent, employee, or contractor must include the provisions required in s. 215.425.

(48) Each board of trustees shall use purchasing agreements and state term contracts pursuant to s. 287.056 or enter into consortia and cooperative agreements to maximize the purchasing power for goods and services. A consortium or cooperative agreement may be statewide, regional, or a combination of institutions, as appropriate to achieve the lowest cost, with the goal of achieving a 5-percent savings on existing contract prices through the use of new cooperative arrangements or new consortium contracts.

Section 20. Section 1001.65, Florida Statutes, is amended to read:

1001.65 Florida Community College System institution presidents; powers and duties.—The president is the chief executive officer of the Florida Community College System institution, shall be corporate secretary of the Florida Community College System institution board of trustees, and is responsible for the operation and administration of the Florida Community College System institution. Each Florida Community College System institution president shall:

(1) Recommend the adoption of rules, as appropriate, to the Florida Community College System institution board of trustees to implement provisions of law governing the operation and

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administration of the Florida Community College System institution, which shall include the specific powers and duties enumerated in this section. Such rules shall be consistent with law, the mission of the Florida Community College System institution, and the rules and policies of the State Board of Community Colleges ~~Education~~.

(2) Prepare a budget request and an operating budget pursuant to s. 1011.30 for approval by the Florida Community College System institution board of trustees at such time and in such format as the State Board of Community Colleges ~~Education~~ may prescribe.

(3) Establish and implement policies and procedures to recruit, appoint, transfer, promote, compensate, evaluate, reward, demote, discipline, and remove personnel, within law and rules of the State Board of Community College ~~Education~~ and in accordance with rules or policies approved by the Florida Community College System institution board of trustees.

(4) Govern admissions, subject to law and rules or policies of the Florida Community College System institution board of trustees and the State Board of Community Colleges ~~Education~~.

(5) Approve, execute, and administer contracts for and on behalf of the Florida Community College System institution board of trustees for licenses; the acquisition or provision of commodities, goods, equipment, and services; leases of real and personal property; and planning and construction to be rendered to or by the Florida Community College System institution, provided such contracts are within law and guidelines of the State Board of Community Colleges ~~Education~~ and in conformance with policies of the Florida Community College System

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1975 institution board of trustees, and are for the implementation of
1976 approved programs of the Florida Community College System
1977 institution.

1978 (6) Act for the Florida Community College System
1979 institution board of trustees as custodian of all Florida
1980 Community College System institution property and financial
1981 resources. The authority vested in the Florida Community College
1982 System institution president under this subsection includes the
1983 authority to prioritize the use of Florida Community College
1984 System institution space, property, equipment, and resources and
1985 the authority to impose charges for the use of those items.

1986 (7) Establish the internal academic calendar of the Florida
1987 Community College System institution within general guidelines
1988 of the State Board of Community Colleges ~~Education~~.

1989 (8) Administer the Florida Community College System
1990 institution's program of intercollegiate athletics.

1991 (9) Recommend to the board of trustees the establishment
1992 and termination of programs within the approved role and scope
1993 of the Florida Community College System institution.

1994 (10) Award degrees.

1995 (11) Recommend to the board of trustees a schedule of
1996 tuition and fees to be charged by the Florida Community College
1997 System institution, within law and rules of the State Board of
1998 Community Colleges ~~Education~~.

1999 (12) Organize the Florida Community College System
2000 institution to efficiently and effectively achieve the goals of
2001 the Florida Community College System institution.

2002 (13) Review periodically the operations of the Florida
2003 Community College System institution in order to determine how

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2004 effectively and efficiently the Florida Community College System
2005 institution is being administered and whether it is meeting the
2006 goals of its strategic plan adopted by the State Board of
2007 Community Colleges ~~Education~~.

2008 (14) Enter into agreements for student exchange programs
2009 that involve students at the Florida Community College System
2010 institution and students in other institutions of higher
2011 learning.

2012 (15) Approve the internal procedures of student government
2013 organizations and provide purchasing, contracting, and budgetary
2014 review processes for these organizations.

2015 (16) Ensure compliance with federal and state laws, rules,
2016 regulations, and other requirements that are applicable to the
2017 Florida Community College System institution.

2018 (17) Maintain all data and information pertaining to the
2019 operation of the Florida Community College System institution,
2020 and report on the attainment by the Florida Community College
2021 System institution of institutional and statewide performance
2022 accountability goals.

2023 (18) Certify to the department a project's compliance with
2024 the requirements for expenditure of PECO funds prior to release
2025 of funds pursuant to ~~the provisions of~~ chapter 1013.

2026 (19) Provide to the law enforcement agency and fire
2027 department that has jurisdiction over the Florida Community
2028 College System institution a copy of the floor plans and other
2029 relevant documents for each educational facility as defined in
2030 s. 1013.01(6). After the initial submission of the floor plans
2031 and other relevant documents, the Florida Community College
2032 System institution president shall submit, by October 1 of each

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year, revised floor plans and other relevant documents for each educational facility that was modified during the preceding year.

(20) Develop and implement jointly with school superintendents a comprehensive dual enrollment articulation agreement for the students enrolled in their respective school districts and service areas pursuant to s. 1007.271(21).

(21) Have authority, after notice to the student of the charges and after a hearing thereon, to expel, suspend, or otherwise discipline any student who is found to have violated any law, ordinance, or rule or regulation of the State Board of Community Colleges ~~Education~~ or of the board of trustees of the Florida Community College System institution pursuant to the provisions of s. 1006.62.

(22) Submit an annual employment accountability plan to the State Board of Community Colleges ~~Department of Education~~ pursuant to the provisions of s. 1012.86.

(23) Annually evaluate, or have a designee annually evaluate, each department chairperson, dean, provost, and vice president in achieving the annual and long-term goals and objectives of the Florida Community College System institution's employment accountability plan.

(24) Have vested with the president or the president's designee the authority that is vested with the Florida Community College System institution.

Section 21. Section 1001.66, Florida Statutes, is amended to read:

1001.66 Florida Community College System Performance-Based Incentive.—

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

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

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restored for all institutions eligible for the state's investment under the performance-based funding model.

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

(b) A Florida Community College System institution that fails to meet the State Board of Community Colleges' Education's minimum institutional investment performance funding eligibility threshold shall have a portion of its institutional investment withheld by the state board and must submit an improvement plan to the state board which specifies the activities and strategies for improving the institution's performance. The state board must review and approve the improvement plan and, if the plan is approved, must monitor the institution's progress in implementing the activities and strategies specified in the improvement plan. The institution shall submit monitoring reports to the state board by December 31 and May 31 of each year in which an improvement plan is in place. Beginning in the 2017-2018 fiscal year, the ability of an institution to submit an improvement plan to the state board is limited to 1 fiscal year.

(c) The Chancellor of the Florida Community College System ~~Commissioner of Education~~ shall withhold disbursement of the institutional investment until the monitoring report is approved by the State Board of Community Colleges Education. A Florida Community College System institution determined by the state board to be making satisfactory progress on implementing the improvement plan shall receive no more than one-half of the

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withheld institutional investment in January and the balance of the withheld institutional investment in June. An institution that fails to make satisfactory progress may not have its full institutional investment restored. Any institutional investment funds that are not restored shall be redistributed in accordance with the state board's performance-based metrics.

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

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

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

Section 22. Section 1001.67, Florida Statutes, is amended to read:

1001.67 Distinguished Florida Community College System Institution Program.—A collaborative partnership is established between the State Board of Community Colleges Education and the Legislature to recognize the excellence of Florida's highest-performing Florida Community College System institutions.

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

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

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2150 (b) A 150 percent-of-normal-time completion rate for Pell
2151 Grant recipients of 40 percent or higher, as calculated by the
2152 State Board of Community Division of Florida Colleges.

2153 (c) A retention rate of 70 percent or higher, as calculated
2154 by the State Board of Community Division of Florida Colleges.

2155 (d) A continuing education, or transfer, rate of 72 percent
2156 or higher for students graduating with an associate of arts
2157 degree, as reported by the Florida Education and Training
2158 Placement Information Program (FETPIP).

2159 (e) A licensure passage rate on the National Council
2160 Licensure Examination for Registered Nurses (NCLEX-RN) of 90
2161 percent or higher for first-time exam takers, as reported by the
2162 Board of Nursing.

2163 (f) A job placement or continuing education rate of 88
2164 percent or higher for workforce programs, as reported by FETPIP.

2165 (g) A time-to-degree for students graduating with an
2166 associate of arts degree of 2.25 years or less for first-time-
2167 in-college students with accelerated college credits, as
2168 reported by the Southern Regional Education Board.

2169 (2) DISTINGUISHED COLLEGE DESIGNATION.—The State Board of
2170 Community Colleges Education shall designate each Florida
2171 Community College System institution that meets five of the
2172 seven standards identified in subsection (1) as a distinguished
2173 college.

2174 (3) DISTINGUISHED COLLEGE SUPPORT.—A Florida Community
2175 College System institution designated as a distinguished college
2176 by the State Board of Community Colleges Education is eligible
2177 for funding as specified in the General Appropriations Act.

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2178 Section 23. Subsection (9) of section 1001.706, Florida
2179 Statutes, is amended to read:

2180 1001.706 Powers and duties of the Board of Governors.—

2181 (9) COOPERATION WITH OTHER BOARDS.—The Board of Governors
2182 shall implement a plan for working on a regular basis with the
2183 State Board of Education, the State Board of Community Colleges,
2184 the Commission for Independent Education, the Higher Education
2185 Coordinating Council, the Articulation Coordinating Committee,
2186 the university boards of trustees, representatives of the
2187 Florida Community College System institution boards of trustees,
2188 representatives of the private colleges and universities, and
2189 representatives of the district school boards to achieve a
2190 seamless education system.

2191 Section 24. Subsections (1) and (18) of section 1002.34,
2192 Florida Statutes, are amended to read:

2193 1002.34 Charter technical career centers; governance,
2194 mission, and responsibilities.—

2195 (1) MISSION AND AUTHORIZATION.—

2196 (a) The primary mission of a charter technical career
2197 center is to promote ~~The Legislature finds that the~~
2198 ~~establishment of charter technical career centers can assist in~~
2199 ~~promoting~~ advances and innovations in workforce preparation and
2200 economic development. A charter technical career center may
2201 provide a learning environment that ~~better~~ serves the needs of a
2202 specific population group or a group of occupations, thus
2203 promoting diversity and choices within the public education and
2204 public postsecondary technical education community in this
2205 state. Therefore, the creation of such centers is authorized as
2206 part of the state's program of public education. A charter

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technical career center may be formed by creating a new school or converting an existing school district or Florida Community College System institution program to charter technical status.

(b) A charter technical career center that is operated by a district school board may not offer a college credit course or a college credit certificate or an associate degree or baccalaureate degree program.

(18) RULES.—The State Board of Education, for technical centers operated by school districts, and the State Board of Community Colleges, for technical centers operated by Florida Community College System institutions, shall adopt rules, pursuant to ss. 120.536(1) and 120.54, relating to the implementation of charter technical career centers, including rules to implement a charter model application form and an evaluation instrument in accordance with this section.

Section 25. Paragraph (b) of subsection (4) of section 1003.491, Florida Statutes, is amended to read:

1003.491 Florida Career and Professional Education Act.—The Florida Career and Professional Education Act is created to provide a statewide planning partnership between the business and education communities in order to attract, expand, and retain targeted, high-value industry and to sustain a strong, knowledge-based economy.

(4) The State Board of Education shall establish a process for the continual and uninterrupted review of newly proposed core secondary courses and existing courses requested to be considered as core courses to ensure that sufficient rigor and relevance is provided for workforce skills and postsecondary education and aligned to state curriculum standards.

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(b) The curriculum review committee shall review newly proposed core courses electronically. Each proposed core course shall be approved or denied within 30 days after submission by a district school board or local workforce development board. All courses approved as core courses for purposes of middle school promotion and high school graduation shall be immediately added to the Course Code Directory. Approved core courses shall also be reviewed and considered for approval for dual enrollment credit. The Board of Governors, the State Board of Community Colleges, and the Commissioner of Education shall jointly recommend an annual deadline for approval of new core courses to be included for purposes of postsecondary admissions and dual enrollment credit the following academic year. The State Board of Education shall establish an appeals process in the event that a proposed course is denied which shall require a consensus ruling by the Department of Economic Opportunity and the Commissioner of Education within 15 days.

Section 26. Paragraph (b) of subsection (4) of section 1003.493, Florida Statutes, is amended to read:

1003.493 Career and professional academies and career-themed courses.—

(4) Each career and professional academy and secondary school providing a career-themed course must:

(b) Include one or more partnerships with postsecondary institutions, businesses, industry, employers, economic development organizations, or other appropriate partners from the local community. Such partnerships with postsecondary institutions shall be delineated in articulation agreements and include any career and professional academy courses or career-

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2265 themed courses that earn postsecondary credit. Such agreements
 2266 may include articulation between the secondary school and public
 2267 or private 2-year and 4-year postsecondary institutions and
 2268 technical centers. The Department of Education, in consultation
 2269 with the Board of Governors and the State Board of Community
 2270 Colleges, shall establish a mechanism to ensure articulation and
 2271 transfer of credits to postsecondary institutions in this state.
 2272 Such partnerships must provide opportunities for:

- 2273 1. Instruction from highly skilled professionals who
- 2274 possess industry-certification credentials for courses they are
- 2275 teaching.
- 2276 2. Internships, externships, and on-the-job training.
- 2277 3. A postsecondary degree, diploma, or certificate.
- 2278 4. The highest available level of industry certification.
- 2279 5. Maximum articulation of credits pursuant to s. 1007.23
- 2280 upon program completion.

2281 Section 27. Subsections (4), (5), and (6) of section
 2282 1004.015, Florida Statutes, are amended to read:

2283 1004.015 Higher Education Coordinating Council.—

2284 (4) The council shall serve as an advisory board to the
 2285 Legislature, the State Board of Education, ~~and~~ the Board of
 2286 Governors, and the State Board of Community Colleges.
 2287 Recommendations of the council shall be consistent with the
 2288 following guiding principles:

2289 (a) To achieve within existing resources a seamless
 2290 academic educational system that fosters an integrated continuum
 2291 of kindergarten through graduate school education for Florida's
 2292 students.

2293 (b) To promote consistent education policy across all

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2294 educational delivery systems, focusing on students.

2295 (c) To promote substantially improved articulation across
 2296 all educational delivery systems.

2297 (d) To promote a system that maximizes educational access
 2298 and allows the opportunity for a high-quality education for all
 2299 Floridians.

2300 (e) To promote a system of coordinated and consistent
 2301 transfer of credit and data collection for improved
 2302 accountability purposes between the educational delivery
 2303 systems.

2304 (5) The council shall annually by December 31 submit to the
 2305 Governor, the President of the Senate, the Speaker of the House
 2306 of Representatives, the Board of Governors, the State Board of
 2307 Community Colleges, and the State Board of Education a report
 2308 outlining its recommendations relating to:

2309 (a) The primary core mission of public and nonpublic
 2310 postsecondary education institutions in the context of state
 2311 access demands and economic development goals.

2312 (b) Performance outputs and outcomes designed to meet
 2313 annual and long-term state goals, including, but not limited to,
 2314 increased student access, preparedness, retention, transfer, and
 2315 completion. Performance measures must be consistent across
 2316 sectors and allow for a comparison of the state's performance to
 2317 that of other states.

2318 (c) The state's articulation policies and practices to
 2319 ensure that cost benefits to the state are maximized without
 2320 jeopardizing quality. The recommendations shall consider return
 2321 on investment for both the state and students and propose
 2322 systems to facilitate and ensure institutional compliance with

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state articulation policies.

(d) Workforce development education, specifically recommending improvements to the consistency of workforce education data collected and reported by Florida Community College System institutions and school districts, including the establishment of common elements and definitions for any data that is used for state and federal funding and program accountability.

(6) The Office of K-20 Articulation, in collaboration with the Board of Governors and the State Board of Community Division of Florida Colleges, shall provide administrative support for the council.

Section 28. Subsection (7) of section 1004.02, Florida Statutes, is amended to read:

1004.02 Definitions.—As used in this chapter:

(7) "Applied technology diploma program" means a course of study that is part of a technical degree program, is less than 60 credit hours, and leads to employment in a specific occupation. An applied technology diploma program may consist of either technical credit or college credit. A public school district may offer an applied technology diploma program only as technical credit, with college credit awarded to a student upon articulation to a Florida Community College System institution. Statewide articulation among public schools and Florida Community College System institutions is guaranteed by s. 1007.23, and is subject to guidelines and standards adopted by the State Board of Community Colleges Education pursuant to ss. 1007.24 and 1007.25.

Section 29. Subsection (2) of section 1004.03, Florida

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Statutes, is amended to read:

1004.03 Program approval.—

(2) The State Board of Community Colleges Education shall establish criteria for the approval of new programs at Florida Community College System institutions, which criteria include, but are not limited to, the following:

(a) New programs may not be approved unless the same objectives cannot be met through use of educational technology.

(b) Unnecessary duplication of programs offered by independent institutions shall be avoided.

(c) Cooperative programs, particularly within regions, should be encouraged.

(d) New programs may be approved only if they are consistent with the ~~state master~~ plan adopted by the State Board of Community Colleges Education.

Section 30. Paragraph (f) of subsection (4) of section 1004.04, Florida Statutes, is amended to read:

1004.04 Public accountability and state approval for teacher preparation programs.—

(4) CONTINUED PROGRAM APPROVAL.—Continued approval of a teacher preparation program shall be based upon evidence that the program continues to implement the requirements for initial approval and upon significant, objective, and quantifiable measures of the program and the performance of the program completers.

(f) By January 1 of each year, the Department of Education shall report the results of each approved program's annual progress on the performance measures in paragraph (a) as well as the current approval status of each program to:

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- 2381 1. The Governor.
 2382 2. The President of the Senate.
 2383 3. The Speaker of the House of Representatives.
 2384 4. The State Board of Education.
 2385 5. The Board of Governors.
 2386 6. The State Board of Community Colleges.
 2387 7. The Commissioner of Education.
 2388 ~~8.7-~~ Each Florida postsecondary teacher preparation
 2389 program.
 2390 ~~9.8-~~ Each district school superintendent.
 2391 ~~10.9-~~ The public.

2392

2393 This report may include the results of other continued approval
 2394 requirements provided by State Board of Education rule and
 2395 recommendations for improving teacher preparation programs in
 2396 the state.

2397 Section 31. Section 1004.07, Florida Statutes, is amended
 2398 to read:

2399 1004.07 Student withdrawal from courses due to military
 2400 service; effect.—

2401 (1) Each district school board, Florida Community College
 2402 System institution board of trustees, and state university board
 2403 of trustees shall establish policies regarding currently
 2404 enrolled students who are called to, or enlist in, active
 2405 military service.

2406 (2) Such policies must ~~shall~~ provide that any student
 2407 enrolled in a postsecondary course or courses at a career
 2408 center, a Florida Community College System institution, or a
 2409 state university may ~~shall~~ not incur academic or financial

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2410 penalties by virtue of performing military service on behalf of
 2411 our country. Such student shall be permitted the option of
 2412 either completing the course or courses at a later date without
 2413 penalty or withdrawing from the course or courses with a full
 2414 refund of fees paid. If the student chooses to withdraw, the
 2415 student's record shall reflect that the withdrawal is due to
 2416 active military service.

2417 (3) Policies of district school boards must ~~and Florida~~
 2418 ~~College System institution boards of trustees shall~~ be
 2419 established by rule and pursuant to guidelines of the State
 2420 Board of Education.

2421 (4) Policies of state university boards of trustees must
 2422 ~~shall~~ be established by regulation and pursuant to guidelines of
 2423 the Board of Governors.

2424 (5) Policies of Florida Community College System
 2425 institution boards of trustees must be established by rule and
 2426 pursuant to guidelines of the State Board of Community Colleges.

2427 Section 32. Section 1004.084, Florida Statutes, is amended
 2428 to read:

2429 1004.084 College affordability.—

2430 (1) The Board of Governors and the State Board of Community
 2431 Colleges Education shall annually identify strategies to promote
 2432 college affordability for all Floridians by evaluating, at a
 2433 minimum, the impact of:

2434 (a) Tuition and fees on undergraduate, graduate, and
 2435 professional students at public colleges and universities and
 2436 graduate assistants employed by public universities.

2437 (b) Federal, state, and institutional financial aid
 2438 policies on the actual cost of attendance for students and their

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families.

(c) The costs of textbooks and instructional materials.

(2) By December 31 of each year, ~~beginning in 2016,~~ the Board of Governors and the State Board of Community Colleges ~~Education~~ shall submit a report on their respective college affordability initiatives to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

Section 33. Paragraph (d) of subsection (3) and subsections (6), (7), and (8) of section 1004.085, Florida Statutes, are amended to read:

1004.085 Textbook and instructional materials affordability.—

(3) An employee may receive:

(d) Fees associated with activities such as reviewing, critiquing, or preparing support materials for textbooks or instructional materials pursuant to guidelines adopted by the State Board of Community Colleges ~~Education~~ or the Board of Governors.

(6) Each Florida Community College System institution and state university shall post prominently in the course registration system and on its website, as early as is feasible, but at least 45 days before the first day of class for each term, a hyperlink to lists of required and recommended textbooks and instructional materials for at least 95 percent of all courses and course sections offered at the institution during the upcoming term. The lists must include the International Standard Book Number (ISBN) for each required and recommended textbook and instructional material or other identifying information, which must include, at a minimum, all of the

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following: the title, all authors listed, publishers, edition number, copyright date, published date, and other relevant information necessary to identify the specific textbooks or instructional materials required and recommended for each course. The State Board of Community Colleges ~~Education~~ and the Board of Governors shall include in the policies, procedures, and guidelines adopted under subsection (7) certain limited exceptions to this notification requirement for classes added after the notification deadline.

(7) After receiving input from students, faculty, bookstores, and publishers, the State Board of Community Colleges ~~Education~~ and the Board of Governors each shall adopt textbook and instructional materials affordability policies, procedures, and guidelines for implementation by Florida Community College System institutions and state universities, respectively, that further efforts to minimize the cost of textbooks and instructional materials for students attending such institutions while maintaining the quality of education and academic freedom. The policies, procedures, and guidelines shall address:

(a) The establishment of deadlines for an instructor or department to notify the bookstore of required and recommended textbooks and instructional materials so that the bookstore may verify availability, source lower cost options when practicable, explore alternatives with faculty when academically appropriate, and maximize the availability of used textbooks and instructional materials.

(b) Confirmation by the course instructor or academic department offering the course, before the textbook or

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instructional materials adoption is finalized, of the intent to use all items ordered, particularly each individual item sold as part of a bundled package.

(c) Determination by a course instructor or the academic department offering the course, before a textbook or instructional material is adopted, of the extent to which a new edition differs significantly and substantively from earlier versions and the value to the student of changing to a new edition or the extent to which an open-access textbook or instructional material is available.

(d) The availability of required and recommended textbooks and instructional materials to students otherwise unable to afford the cost, including consideration of the extent to which an open-access textbook or instructional material may be used.

(e) Participation by course instructors and academic departments in the development, adaptation, and review of open-access textbooks and instructional materials and, in particular, open-access textbooks and instructional materials for high-demand general education courses.

(f) Consultation with school districts to identify practices that impact the cost of dual enrollment textbooks and instructional materials to school districts, including, but not limited to, the length of time that textbooks and instructional materials remain in use.

(g) Selection of textbooks and instructional materials through cost-benefit analyses that enable students to obtain the highest-quality product at the lowest available price, by considering:

1. Purchasing digital textbooks in bulk.

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2. Expanding the use of open-access textbooks and instructional materials.

3. Providing rental options for textbooks and instructional materials.

4. Increasing the availability and use of affordable digital textbooks and learning objects.

5. Developing mechanisms to assist in buying, renting, selling, and sharing textbooks and instructional materials.

6. The length of time that textbooks and instructional materials remain in use.

7. An evaluation of cost savings for textbooks and instructional materials which a student may realize if individual students are able to exercise opt-in provisions for the purchase of the materials.

(8) The board of trustees of each Florida Community College System institution and state university shall report, by September 30 of each year, beginning in 2016, to the Chancellor of the Florida Community College System or the Chancellor of the State University System, as applicable, the textbook and instructional materials selection process for general education courses with a wide cost variance identified pursuant to subsection (4) and high-enrollment courses; specific initiatives of the institution designed to reduce the costs of textbooks and instructional materials; policies implemented in accordance with subsection (6); the number of courses and course sections that were not able to meet the textbook and instructional materials posting deadline for the previous academic year; and any additional information determined by the chancellors. By November 1 of each year, ~~beginning in 2016~~, each chancellor

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shall provide a summary of the information provided by institutions to the State Board of Community Colleges ~~Education~~ and the Board of Governors, as applicable.

Section 34. Section 1004.096, Florida Statutes, is amended to read:

1004.096 College credit for military training and education courses.—The Board of Governors shall adopt regulations and the State Board of Community Colleges ~~Education~~ shall adopt rules that enable eligible servicemembers or veterans of the United States Armed Forces to earn academic college credit at public postsecondary educational institutions for college-level training and education acquired in the military. The regulations and rules shall include procedures for credential evaluation and the award of academic college credit, including, but not limited to, equivalency and alignment of military coursework with appropriate college courses, course descriptions, type and amount of college credit that may be awarded, and transfer of credit.

Section 35. Section 1004.0961, Florida Statutes, is amended to read:

1004.0961 Credit for online courses.—~~Beginning in the 2015-2016 school year,~~ The State Board of Community Colleges ~~Education~~ shall adopt rules and the Board of Governors shall adopt regulations that enable students to earn academic credit for online courses, including massive open online courses, before initial enrollment at a postsecondary institution. The rules of the State Board of Community Colleges ~~Education~~ and regulations of the Board of Governors must include procedures for credential evaluation and the award of credit, including,

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but not limited to, recommendations for credit by the American Council on Education; equivalency and alignment of coursework with appropriate courses; course descriptions; type and amount of credit that may be awarded; and transfer of credit.

Section 36. Section 1004.35, Florida Statutes, is amended to read:

1004.35 Broward County campuses of Florida Atlantic University; coordination with other institutions.—The State Board of Community Colleges ~~Education~~, the Board of Governors, and Florida Atlantic University shall consult with Broward College and Florida International University in coordinating course offerings at the postsecondary level in Broward County. Florida Atlantic University may contract with the Board of Trustees of Broward College and with Florida International University to provide instruction in courses offered at the Southeast Campus. Florida Atlantic University shall increase course offerings at the Southeast Campus as facilities become available.

Section 37. Paragraphs (c) and (d) of subsection (5) and subsections (8) and (9) of section 1004.6495, Florida Statutes, are amended to read:

1004.6495 Florida Postsecondary Comprehensive Transition Program and Florida Center for Students with Unique Abilities.—

(5) CENTER RESPONSIBILITIES.—The Florida Center for Students with Unique Abilities is established within the University of Central Florida. At a minimum, the center shall:

(c) Create the application for the initial approval and renewal of approval as an FPCTP for use by an eligible institution which, at a minimum, must align with the federal

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comprehensive transition and postsecondary program application requirements. Notwithstanding the program approval requirements of s. 1004.03, the director shall review applications for the initial approval of an application for, or renewal of approval of, an FPCTP.

1. Within 30 days after receipt of an application, the director shall issue his or her recommendation regarding approval to the Chancellor of the State University System, ~~or the~~ the Chancellor of the Florida Community College System, or the Commissioner of Education, as applicable, or shall give written notice to the applicant of any deficiencies in the application, which the eligible institution must be given an opportunity to correct. Within 15 days after receipt of a notice of deficiencies, an eligible institution that chooses to continue to seek program approval shall correct the application deficiencies and return the application to the center. Within 30 days after receipt of a revised application, the director shall recommend approval or disapproval of the revised application to the applicable chancellor ~~or the commissioner, as applicable~~. Within 15 days after receipt of the director's recommendation, the applicable chancellor ~~or the commissioner~~ shall approve or disapprove the recommendation. If the applicable chancellor ~~or the commissioner~~ does not act on the director's recommendation within 15 days after receipt of such recommendation, the comprehensive transition program proposed by the institution shall be considered approved.

2. Initial approval of an application for an FPCTP that meets the requirements of this section is valid for the 3 academic years immediately following the academic year during

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which the approval is granted. An eligible institution may submit an application to the center requesting that the initial approval be renewed. If the approval is granted and the FPCTP continues to meet the requirements of this section, including, but not limited to, program and student performance outcomes, and federal requirements, a renewal is valid for the 5 academic years immediately following the academic year during which the renewal is granted.

3. An application must, at a minimum:

- a. Identify a credential associated with the proposed program which will be awarded to eligible students upon completion of the FPCTP.
- b. Outline the program length and design, including, at a minimum, inclusive and successful experiential education practices relating to curricular, assessment, and advising structure and internship and employment opportunities, which must support students with intellectual disabilities who are seeking to continue academic, career and technical, and independent living instruction at an eligible institution, including, but not limited to, opportunities to earn industry certifications, to prepare students for gainful employment. If an eligible institution offers a credit-bearing degree program, the institution is responsible for maintaining the rigor and effectiveness of a comprehensive transition degree program at the same level as other comparable degree programs offered by the institution pursuant to applicable accreditation standards.
- c. Outline a plan for students with intellectual disabilities to be integrated socially and academically with nondisabled students, to the maximum extent possible, and to

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2671 participate on not less than a half-time basis, as determined by
 2672 the eligible institution, with such participation focusing on
 2673 academic components and occurring through one or more of the
 2674 following activities with nondisabled students:

2675 (I) Regular enrollment in credit-bearing courses offered by
 2676 the institution.

2677 (II) Auditing or participating in courses offered by the
 2678 institution for which the student does not receive academic
 2679 credit.

2680 (III) Enrollment in noncredit-bearing, nondegree courses.

2681 (IV) Participation in internships or work-based training.

2682 d. Outline a plan for partnerships with businesses to
 2683 promote experiential training and employment opportunities for
 2684 students with intellectual disabilities.

2685 e. Identify performance indicators pursuant to subsection
 2686 (8) and other requirements identified by the center.

2687 f. Outline a 5-year plan incorporating enrollment and
 2688 operational expectations for the program.

2689 (d) Provide technical assistance regarding programs and
 2690 services for students with intellectual disabilities to
 2691 administrators, instructors, staff, and others, as applicable,
 2692 at eligible institutions by:

2693 1. Holding meetings and annual workshops to share
 2694 successful practices and to address issues or concerns.

2695 2. Facilitating collaboration between eligible institutions
 2696 and school districts, private schools operating pursuant to s.
 2697 1002.42, and parents of students enrolled in home education
 2698 programs operating pursuant to s. 1002.41 in assisting students
 2699 with intellectual disabilities and their parents to plan for the

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2700 transition of such students into an FPCTP or another program at
 2701 an eligible institution.

2702 3. Assisting eligible institutions with FPCTP and federal
 2703 comprehensive transition and postsecondary program applications.

2704 4. Assisting eligible institutions with the identification
 2705 of funding sources for an FPCTP and for student financial
 2706 assistance for students enrolled in an FPCTP.

2707 5. Monitoring federal and state law relating to the
 2708 comprehensive transition program and notifying the Legislature,
 2709 the Governor, the Board of Governors, the State Board of
 2710 Community Colleges, and the State Board of Education of any
 2711 change in law which may impact the implementation of this
 2712 section.

2713 (8) ACCOUNTABILITY.—

2714 (a) The center, in collaboration with the Board of
 2715 Governors and the State Board of Community Colleges Education,
 2716 shall identify indicators for the satisfactory progress of a
 2717 student in an FPCTP and for the performance of such programs.
 2718 Each eligible institution must address the indicators identified
 2719 by the center in its application for the approval of a proposed
 2720 program and for the renewal of an FPCTP and in the annual report
 2721 that the institution submits to the center.

2722 (b) By October 1 of each year, the center shall provide to
 2723 the Governor, the President of the Senate, the Speaker of the
 2724 House of Representatives, the Chancellor of the State University
 2725 System, and the Chancellor of the Florida Community College
 2726 System ~~Commissioner of Education~~ a report summarizing
 2727 information including, but not limited to:

2728 1. The status of the statewide coordination of FPCTPs and

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2729 the implementation of FPCTPs at eligible institutions including,
2730 but not limited to:

2731 a. The number of applications approved and disapproved and
2732 the reasons for each disapproval and no action taken by the
2733 chancellor or the commissioner.

2734 b. The number and value of all scholarships awarded to
2735 students and undisbursed advances remitted to the center
2736 pursuant to subsection (7).

2737 2. Indicators identified by the center pursuant to
2738 paragraph (a) and the performance of each eligible institution
2739 based on the indicators identified in paragraph (6)(c).

2740 3. The projected number of students with intellectual
2741 disabilities who may be eligible to enroll in the FPCTPs within
2742 the next academic year.

2743 4. Education programs and services for students with
2744 intellectual disabilities which are available at eligible
2745 institutions.

2746 (c) Beginning in the 2016-2017 fiscal year, the center, in
2747 collaboration with the Board of Governors, State Board of
2748 Community Colleges Education, Higher Education Coordinating
2749 Council, and other stakeholders, by December 1 of each year,
2750 shall submit to the Governor, the President of the Senate, and
2751 the Speaker of the House of Representatives statutory and budget
2752 recommendations for improving the implementation and delivery of
2753 FPCTPs and other education programs and services for students
2754 with disabilities.

2755 (9) RULES.—The Board of Governors and the State Board of
2756 Community Colleges Education, in consultation with the center,
2757 shall expeditiously adopt any necessary regulations and rules,

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2758 as applicable, to allow the center to perform its
2759 responsibilities pursuant to this section beginning in the 2016-
2760 2017 fiscal year.

2761 Section 38. Section 1004.65, Florida Statutes, is amended
2762 to read:

2763 1004.65 Florida Community College System institutions;
2764 governance, mission, and responsibilities.—

2765 (1) Each Florida Community College System institution shall
2766 be governed by a district board of trustees under statutory
2767 authority and rules of the State Board of Community Colleges
2768 Education.

2769 (2) Each Florida Community College System institution
2770 district shall:

2771 (a) Consist of the county or counties served by the Florida
2772 Community College System institution pursuant to s. 1000.21(3).

2773 (b) Be an independent, separate, legal entity created for
2774 the operation of a Florida Community College System institution.

2775 (3) Florida Community College System institutions are
2776 locally based and governed entities with statutory and funding
2777 ties to state government. As such, the mission for Florida
2778 Community College System institutions reflects a commitment to
2779 be responsive to local educational needs and challenges. In
2780 achieving this mission, Florida Community College System
2781 institutions strive to maintain sufficient local authority and
2782 flexibility while preserving appropriate legal accountability to
2783 the state.

2784 (4) As comprehensive institutions, Florida Community
2785 College System institutions shall provide high-quality,
2786 affordable education and training opportunities, shall foster a

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climate of excellence, and shall provide opportunities to all while combining high standards with an open-door admission policy for lower-division programs. Florida Community College System institutions shall, as open-access institutions, serve all who can benefit, without regard to age, race, gender, creed, or ethnic or economic background, while emphasizing the achievement of social and educational equity so that all can be prepared for full participation in society.

(5) The primary mission and responsibility of Florida Community College System institutions is responding to community needs for postsecondary academic education and career degree education. This mission and responsibility includes being responsible for:

(a) Providing lower-level ~~lower-level~~ undergraduate instruction and awarding associate degrees.

(b) Preparing students directly for careers requiring less than baccalaureate degrees. This may include preparing for job entry, supplementing of skills and knowledge, and responding to needs in new areas of technology. Career education in a Florida Community College System institution consists ~~shall consist~~ of career certificates, nationally recognized industry certifications, credit courses leading to associate in science degrees and associate in applied science degrees, and other programs in fields requiring substantial academic work, background, or qualifications. A Florida Community College System institution may offer career education programs in fields having lesser academic or technical requirements.

(c) Providing student development services, including assessment, student tracking, support for disabled students,

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advisement, counseling, financial aid, career development, and remedial and tutorial services, to ensure student success.

(d) Promoting economic development for the state within each Florida Community College System institution district through the provision of special programs, including, but not limited to, the:

1. Enterprise Florida-related programs.
2. Technology transfer centers.
3. Economic development centers.
4. Workforce literacy programs.

(e) Providing dual enrollment instruction.

~~(f) Providing upper level instruction and awarding baccalaureate degrees as specifically authorized by law.~~

(6) A separate and secondary role for Florida Community College System institutions includes ~~the offering of programs in:~~

(a) Programs in community services that are not directly related to academic or occupational advancement.

(b) Programs in adult education services, including adult basic education, adult general education, adult secondary education, and high school equivalency examination instruction.

(c) Programs in recreational and leisure services.

(d) Upper-level instruction and awarding baccalaureate degrees as specifically authorized by law.

(7) Funding for Florida Community College System institutions must ~~shall~~ reflect their mission as follows:

(a) Postsecondary academic and career education programs and adult general education programs must ~~shall~~ have first priority in Florida Community College System institution

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2845 funding.

2846 (b) Community service programs shall be presented to the
2847 Legislature with rationale for state funding. The Legislature
2848 may identify priority areas for use of these funds.

2849 (c) The resources of a Florida Community College System
2850 institution, including staff, faculty, land, and facilities, may
2851 ~~shall~~ not be used to support the establishment of a new
2852 independent nonpublic educational institution. If any
2853 institution uses resources for such purpose, the State Board of
2854 Community Division of Florida Colleges shall notify the
2855 President of the Senate and the Speaker of the House of
2856 Representatives.

2857 (8) Florida Community College System institutions are
2858 authorized to:

2859 (a) Offer such programs and courses as are necessary to
2860 fulfill their mission.

2861 (b) Grant associate in arts degrees, associate in science
2862 degrees, associate in applied science degrees, certificates,
2863 awards, and diplomas.

2864 (c) Make provisions for the high school equivalency
2865 examination.

2866 (d) Provide access to and award baccalaureate degrees in
2867 accordance with law.

2868 Authority to offer one or more baccalaureate degree programs
2869 does not alter the governance relationship of the Florida
2870 Community College System institution with its district board of
2871 trustees or the State Board of Community Colleges Education.

2872 Section 39. Section 1004.67, Florida Statutes, is amended
2873

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2874 to read:

2875 1004.67 Florida Community College System institutions;
2876 legislative intent.—It is The legislative intent that Florida
2877 Community College System institutions, constituted as political
2878 subdivisions of the state, continue to be operated by Florida
2879 Community College System institution boards of trustees as
2880 provided in s. 1001.63 and that no department, bureau, division,
2881 agency, or subdivision of the state exercise any responsibility
2882 and authority to operate any Florida Community College System
2883 institution of the state except as specifically provided by law
2884 or rules of the State Board of Community Colleges Education.

2885 Section 40. Section 1004.70, Florida Statutes, is amended
2886 to read:

2887 1004.70 Florida Community College System institution
2888 direct-support organizations.—

2889 (1) DEFINITIONS.—For the purposes of this section:

2890 (a) "Florida Community College System institution direct-
2891 support organization" means an organization that is:

2892 1. A Florida corporation not for profit, incorporated under
2893 the provisions of chapter 617 and approved by the Department of
2894 State.

2895 2. Organized and operated exclusively to receive, hold,
2896 invest, and administer property and to make expenditures to, or
2897 for the benefit of, a Florida Community College System
2898 institution in this state.

2899 3. An organization that the Florida Community College
2900 System institution board of trustees, after review, has
2901 certified to be operating in a manner consistent with the goals
2902 of the Florida Community College System institution and in the

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best interest of the state. Any organization that is denied certification by the board of trustees may not use the name of the Florida Community College System institution that it serves.

(b) "Personal services" includes full-time or part-time personnel as well as payroll processing.

(2) BOARD OF DIRECTORS.—The chair of the board of trustees shall appoint a representative to the board of directors and the executive committee of each direct-support organization established under this section, including those established before July 1, 1998. The president of the Florida Community College System institution for which the direct-support organization is established, or the president's designee, shall also serve on the board of directors and the executive committee of the direct-support organization, including any direct-support organization established before July 1, 1998.

(3) USE OF PROPERTY.—

(a) The board of trustees is authorized to permit the use of property, facilities, and personal services at any Florida Community College System institution by any Florida Community College System institution direct-support organization, subject to the provisions of this section.

(b) The board of trustees is authorized to prescribe by rule any condition with which a Florida Community College System institution direct-support organization must comply in order to use property, facilities, or personal services at any Florida Community College System institution.

(c) The board of trustees may not permit the use of property, facilities, or personal services at any Florida Community College System institution by any Florida Community

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College System institution direct-support organization that does not provide equal employment opportunities to all persons regardless of race, color, national origin, gender, age, or religion.

(4) ACTIVITIES; RESTRICTIONS.—

(a) A direct-support organization may, at the request of the board of trustees, provide residency opportunities on or near campus for students.

(b) A direct-support organization that constructs facilities for use by a Florida Community College System institution or its students must comply with all requirements of law relating to the construction of facilities by a Florida Community College System institution, including requirements for competitive bidding.

(c) Any transaction or agreement between one direct-support organization and another direct-support organization must be approved by the board of trustees.

(d) A Florida Community College System institution direct-support organization is prohibited from giving, either directly or indirectly, any gift to a political committee as defined in s. 106.011 for any purpose other than those certified by a majority roll call vote of the governing board of the direct-support organization at a regularly scheduled meeting as being directly related to the educational mission of the Florida Community College System institution.

(e) A Florida Community College System institution board of trustees must authorize all debt, including lease-purchase agreements, incurred by a direct-support organization. Authorization for approval of short-term loans and lease-

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purchase agreements for a term of not more than 5 years, including renewals, extensions, and refundings, for goods, materials, equipment, and services may be delegated by the board of trustees to the board of directors of the direct-support organization. Trustees shall evaluate proposals for debt according to guidelines issued by the State Board of Community ~~Division of Florida~~ Colleges. Revenues of the Florida Community College System institution may not be pledged to debt issued by direct-support organizations.

(5) ANNUAL BUDGETS AND REPORTS.—Each direct-support organization shall submit to the board of trustees its federal Internal Revenue Service Application for Recognition of Exemption form (Form 1023) and its federal Internal Revenue Service Return of Organization Exempt from Income Tax form (Form 990).

(6) ANNUAL AUDIT.—Each direct-support organization shall provide for an annual financial audit in accordance with rules adopted by the Auditor General pursuant to s. 11.45(8). The annual audit report must be submitted, within 9 months after the end of the fiscal year, to the Auditor General, the State Board of Community Colleges Education, and the board of trustees for review. The board of trustees, the Auditor General, and the Office of Program Policy Analysis and Government Accountability may require and receive from the organization or from its independent auditor any detail or supplemental data relative to the operation of the organization. The identity of donors who desire to remain anonymous shall be protected, and that anonymity shall be maintained in the auditor's report. All records of the organization, other than the auditor's report,

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any information necessary for the auditor's report, any information related to the expenditure of funds, and any supplemental data requested by the board of trustees, the Auditor General, and the Office of Program Policy Analysis and Government Accountability, shall be confidential and exempt from the provisions of s. 119.07(1).

Section 41. Section 1004.71, Florida Statutes, is amended to read:

1004.71 Statewide Florida Community College System institution direct-support organizations.—

(1) DEFINITIONS.—For the purposes of this section:

(a) "Statewide Florida Community College System institution direct-support organization" means an organization that is:

1. A Florida corporation not for profit, incorporated under the provisions of chapter 617 and approved by the Department of State.

2. Organized and operated exclusively to receive, hold, invest, and administer property and to make expenditures to, or for the benefit of, the Florida Community College System institutions in this state.

3. An organization that the State Board of Community Colleges Education, after review, has certified to be operating in a manner consistent with the goals of the Florida Community College System institutions and in the best interest of the state.

(b) "Personal services" includes full-time or part-time personnel as well as payroll processing.

(2) BOARD OF DIRECTORS.—The chair of the State Board of Community Colleges Education may appoint a representative to the

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board of directors and the executive committee of any statewide, direct-support organization established under this section or s. 1004.70. The chair of the State Board of Community Colleges Education, or the chair's designee, shall also serve on the board of directors and the executive committee of any direct-support organization established to benefit Florida Community College System institutions.

(3) USE OF PROPERTY.—

(a) The State Board of Education may permit the use of property, facilities, and personal services of the Department of Education by any statewide Florida Community College System institution direct-support organization, subject to the provisions of this section.

(b) The State Board of Education may prescribe by rule any condition with which a statewide Florida Community College System institution direct-support organization must comply in order to use property, facilities, or personal services of the Department of Education.

(c) The State Board of Education may not permit the use of property, facilities, or personal services of the Department of Education by any statewide Florida Community College System institution direct-support organization that does not provide equal employment opportunities to all persons regardless of race, color, national origin, gender, age, or religion.

(4) RESTRICTIONS.—

(a) A statewide, direct-support organization may not use public funds to acquire, construct, maintain, or operate any facilities.

(b) Any transaction or agreement between a statewide,

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direct-support organization and any other direct-support organization must be approved by the State Board of Community Colleges Education.

(c) A statewide Florida Community College System institution direct-support organization is prohibited from giving, either directly or indirectly, any gift to a political committee as defined in s. 106.011 for any purpose other than those certified by a majority roll call vote of the governing board of the direct-support organization at a regularly scheduled meeting as being directly related to the educational mission of the State Board of Community Colleges Education.

(5) ANNUAL BUDGETS AND REPORTS.—Each direct-support organization shall submit to the State Board of Community Colleges Education its federal Internal Revenue Service Application for Recognition of Exemption form (Form 1023) and its federal Internal Revenue Service Return of Organization Exempt from Income Tax form (Form 990).

(6) ANNUAL AUDIT.—A statewide Florida Community College System institution direct-support organization shall provide for an annual financial audit in accordance with s. 1004.70. The identity of a donor or prospective donor who desires to remain anonymous and all information identifying such donor or prospective donor are confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution. Such anonymity shall be maintained in the auditor's report.

Section 42. Subsection (4) of section 1004.74, Florida Statutes, is amended to read:

1004.74 Florida School of the Arts.—

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(4) The Council for the Florida School of the Arts shall be established to advise the Florida Community College System institution district board of trustees on matters pertaining to the operation of the school. The council shall consist of nine members, appointed jointly by the Chancellor of the Florida Community College System and the Commissioner of Education for 4-year terms. A member may serve three terms and may serve until replaced.

Section 43. Section 1004.78, Florida Statutes, is amended to read:

1004.78 Technology transfer centers at Florida Community College System institutions.—

(1) Each Florida Community College System institution may establish a technology transfer center for the purpose of providing institutional support to local business and industry and governmental agencies in the application of new research in technology. The primary responsibilities of such centers may include: identifying technology research developed by universities, research institutions, businesses, industries, the United States Armed Forces, and other state or federal governmental agencies; determining and demonstrating the application of technologies; training workers to integrate advanced equipment and production processes; and determining for business and industry the feasibility and efficiency of accommodating advanced technologies.

(2) The Florida Community College System institution board of trustees shall set such policies to regulate the activities of the technology transfer center as it may consider necessary to effectuate the purposes of this section and to administer the

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programs of the center in a manner which assures efficiency and effectiveness, producing the maximum benefit for the educational programs and maximum service to the state. To this end, materials that relate to methods of manufacture or production, potential trade secrets, potentially patentable material, actual trade secrets, business transactions, or proprietary information received, generated, ascertained, or discovered during the course of activities conducted within the Florida Community College System institutions shall be confidential and exempt from the provisions of s. 119.07(1), except that a Florida Community College System institution shall make available upon request the title and description of a project, the name of the investigator, and the amount and source of funding provided for such project.

(3) A technology transfer center created under the provisions of this section shall be under the supervision of the board of trustees of that Florida Community College System institution, which is authorized to appoint a director; to employ full-time and part-time staff, research personnel, and professional services; to employ on a part-time basis personnel of the Florida Community College System institution; and to employ temporary employees whose salaries are paid entirely from the permanent technology transfer fund or from that fund in combination with other nonstate sources, with such positions being exempt from the requirements of the Florida Statutes relating to salaries, except that no such appointment shall be made for a total period of longer than 1 year.

(4) The board of trustees of the Florida Community College System institution in which a technology transfer center is

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created, or its designee, may negotiate, enter into, and execute contracts; solicit and accept grants and donations; and fix and collect fees, other payments, and donations that may accrue by reason thereof for technology transfer activities. The board of trustees or its designee may negotiate, enter into, and execute contracts on a cost-reimbursement basis and may provide temporary financing of such costs prior to reimbursement from moneys on deposit in the technology transfer fund, except as may be prohibited elsewhere by law.

(5) A technology transfer center shall be financed from the Academic Improvement Program or from moneys of a Florida Community College System institution which are on deposit or received for use in the activities conducted in the center. Such moneys shall be deposited by the Florida Community College System institution in a permanent technology transfer fund in a depository or depositories approved for the deposit of state funds and shall be accounted for and disbursed subject to audit by the Auditor General.

(6) The fund balance in any existing research trust fund of a Florida Community College System institution at the time a technology transfer center is created shall be transferred to a permanent technology transfer fund established for the Florida Community College System institution, and thereafter the fund balance of the technology transfer fund at the end of any fiscal period may be used during any succeeding period pursuant to this section.

(7) Moneys deposited in the permanent technology transfer fund of a Florida Community College System institution shall be disbursed in accordance with the terms of the contract, grant,

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or donation under which they are received. Moneys received for overhead or indirect costs and other moneys not required for the payment of direct costs shall be applied to the cost of operating the technology transfer center.

(8) All purchases of a technology transfer center shall be made in accordance with the policies and procedures of the Florida Community College System institution.

(9) The Florida Community College System institution board of trustees may authorize the construction, alteration, or remodeling of buildings when the funds used are derived entirely from the technology transfer fund of a Florida Community College System institution or from that fund in combination with other nonstate sources, provided that such construction, alteration, or remodeling is for use exclusively by the center. It also may authorize the acquisition of real property when the cost is entirely from said funds. Title to all real property shall vest in the board of trustees.

(10) The State Board of Community Colleges ~~Education~~ may award grants to Florida Community College System institutions, or consortia of public and private colleges and universities and other public and private entities, for the purpose of supporting the objectives of this section. Grants awarded pursuant to this subsection shall be in accordance with rules of the State Board of Community Colleges ~~Education~~. Such rules shall include the following provisions:

(a) The number of centers established with state funds provided expressly for the purpose of technology transfer shall be limited, but shall be geographically located to maximize public access to center resources and services.

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3193 (b) Grants to centers funded with state revenues
 3194 appropriated specifically for technology transfer activities
 3195 shall be reviewed and approved by the State Board of Community
 3196 Colleges Education using proposal solicitation, evaluation, and
 3197 selection procedures established by the state board in
 3198 consultation with Enterprise Florida, Inc. Such procedures may
 3199 include designation of specific areas or applications of
 3200 technology as priorities for the receipt of funding.

3201 (c) Priority for the receipt of state funds appropriated
 3202 specifically for the purpose of technology transfer shall be
 3203 given to grant proposals developed jointly by Florida Community
 3204 College System institutions and public and private colleges and
 3205 universities.

3206 (11) Each technology transfer center established under the
 3207 provisions of this section shall establish a technology transfer
 3208 center advisory committee. Each committee shall include
 3209 representatives of a university or universities conducting
 3210 research in the area of specialty of the center. Other members
 3211 shall be determined by the Florida Community College System
 3212 institution board of trustees.

3213 Section 44. Subsection (4) of section 1004.80, Florida
 3214 Statutes, is amended to read:

3215 1004.80 Economic development centers.—

3216 (4) The State Board of Community Colleges Education may
 3217 award grants to economic development centers for the purposes of
 3218 this section. Grants awarded pursuant to this subsection shall
 3219 be in accordance with rules established by the State Board of
 3220 Community Colleges Education.

3221 Section 45. Section 1004.91, Florida Statutes, is amended

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3222 to read:

3223 1004.91 Requirements for career education program basic
 3224 skills.—

3225 (1) The State Board of Education, for career centers
 3226 operated by district school boards, and the State Board of
 3227 Community Colleges, for charter technical career centers
 3228 operated by Florida Community College System institutions, shall
 3229 adopt, by rule, standards of basic skill mastery for completion
 3230 of certificate career education programs. Each school district
 3231 and Florida Community College System institution that conducts
 3232 programs that confer career and technical certificates shall
 3233 provide applied academics instruction through which students
 3234 receive the basic skills instruction required pursuant to this
 3235 section.

3236 (2) Students who enroll in a program offered for career
 3237 credit of 450 hours or more shall complete an entry-level
 3238 examination within the first 6 weeks after admission into the
 3239 program. The State Board of Education and the State Board of
 3240 Community Colleges shall collaborate to designate examinations
 3241 that are currently in existence, the results of which are
 3242 comparable across institutions, to assess student mastery of
 3243 basic skills. Any student found to lack the required level of
 3244 basic skills for such program shall be referred to applied
 3245 academics instruction or another adult general education program
 3246 for a structured program of basic skills instruction. Such
 3247 instruction may include English for speakers of other languages.
 3248 A student may not receive a career or technical certificate of
 3249 completion without first demonstrating the basic skills required
 3250 in the state curriculum frameworks for the career education

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program.

(3) (a) An adult student with a disability may be exempted from this section.

(b) The following students are exempt from this section:

1. A student who possesses a college degree at the associate in applied science level or higher.

2. A student who demonstrates readiness for public postsecondary education pursuant to s. 1008.30 and applicable rules adopted by the State Board of Education and State Board of Community Colleges.

3. A student who passes a state or national industry certification or licensure examination that is identified in State Board of Education or State Board of Community Colleges rules and aligned to the career education program in which the student is enrolled.

4. An adult student who is enrolled in an apprenticeship program that is registered with the Department of Education in accordance with chapter 446.

Section 46. Paragraph (b) of subsection (2) of section 1004.92, Florida Statutes, is amended, and subsection (4) is added to that section, to read:

1004.92 Purpose and responsibilities for career education.—

(2)

(b) Department of Education, for school districts, and the State Board of Community Colleges, for Florida Community College System institutions, have the following responsibilities related to accountability for career education ~~includes, but is not limited to:~~

1. The provision of timely, accurate technical assistance

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to school districts and Florida Community College System institutions.

2. The provision of timely, accurate information to the State Board of Education, the Legislature, and the public.

3. The development of policies, rules, and procedures that facilitate institutional attainment of the accountability standards and coordinate the efforts of all divisions within the department.

4. The development of program standards and industry-driven benchmarks for career, adult, and community education programs, which must be updated every 3 years. The standards must include career, academic, and workplace skills; viability of distance learning for instruction; ~~and~~ work/learn cycles that are responsive to business and industry; and provisions that reflect the quality components of career and technical education programs.

5. Overseeing school district and Florida Community College System institution compliance with ~~the provisions of~~ this chapter.

6. Ensuring that the educational outcomes for the technical component of career programs are uniform and designed to provide a graduate who is capable of entering the workforce on an equally competitive basis regardless of the institution of choice.

(4) The State Board of Education, for career education provided by school districts, and the State Board of Community Colleges, for career education provided by Florida Community College System institutions, shall adopt rules to administer this section.

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Section 47. Subsection (1) of section 1004.925, Florida Statutes, is amended to read:

1004.925 Automotive service technology education programs; certification.—

(1) All automotive service technology education programs shall be industry certified in accordance with rules adopted by the State Board of Education and the State Board of Community Colleges.

Section 48. Paragraphs (c) and (d) of subsection (4) and subsections (6) and (9) of section 1004.93, Florida Statutes, are amended to read:

1004.93 Adult general education.—

(4)

(c) The State Board of Community Colleges ~~Education~~ shall define, by rule, the levels and courses of instruction to be funded through the developmental education program. The State Board of Community Colleges shall coordinate the establishment of costs for developmental education courses, the establishment of statewide standards that define required levels of competence, acceptable rates of student progress, and the maximum amount of time to be allowed for completion of developmental education. Developmental education is part of an associate in arts degree program and may not be funded as an adult career education program.

(d) Expenditures for developmental education and lifelong learning students shall be reported separately. Allocations for developmental education shall be based on proportional full-time equivalent enrollment. Program review results shall be included in the determination of subsequent allocations. A student shall

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be funded to enroll in the same developmental education class within a skill area only twice, after which time the student shall pay 100 percent of the full cost of instruction to support the continuous enrollment of that student in the same class; however, students who withdraw or fail a class due to extenuating circumstances may be granted an exception only once for each class, provided approval is granted according to policy established by the board of trustees. Each Florida Community College System institution shall have the authority to review and reduce payment for increased fees due to continued enrollment in a developmental education class on an individual basis contingent upon the student's financial hardship, pursuant to definitions and fee levels established by the State Board of Community Colleges ~~Education~~. Developmental education and lifelong learning courses do not generate credit toward an associate or baccalaureate degree.

(6) The commissioner, for school districts, and the Chancellor of the Florida Community College System, for Florida Community College System institutions, shall recommend the level of funding for public school and Florida Community College System institution adult education within the legislative budget request and make other recommendations and reports considered necessary or required by rules of the State Board of Education.

(9) The State Board of Education and the State Board of Community Colleges may adopt rules necessary for the implementation of this section.

Section 49. Subsection (3) of section 1006.60, Florida Statutes, is amended to read:

1006.60 Codes of conduct; disciplinary measures; authority

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to adopt rules or regulations.—

(3) Sanctions authorized by such codes of conduct may be imposed only for acts or omissions in violation of rules or regulations adopted by the institution, including rules or regulations adopted under this section, rules of the State Board of Community Colleges regarding the Florida Community College System Education, rules or regulations of the Board of Governors regarding the State University System, county and municipal ordinances, and the laws of this state, the United States, or any other state.

Section 50. Subsection (1) of section 1006.61, Florida Statutes, is amended to read:

1006.61 Participation by students in disruptive activities at public postsecondary educational institution; penalties.—

(1) Any person who accepts the privilege extended by the laws of this state of attendance at any public postsecondary educational institution shall, by attending such institution, be deemed to have given his or her consent to the policies of that institution, the State Board of Community Colleges regarding the Florida Community College System Education, and the Board of Governors regarding the State University System, and the laws of this state. Such policies shall include prohibition against disruptive activities at public postsecondary educational institutions.

Section 51. Section 1006.62, Florida Statutes, is amended to read:

1006.62 Expulsion and discipline of students of Florida Community College System institutions and state universities.—

(1) Each student in a Florida Community College System

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institution or state university is subject to federal and state law, respective county and municipal ordinances, and all rules and regulations of the State Board of Community Colleges regarding the Florida Community College System Education, the Board of Governors regarding the State University System, or the board of trustees of the institution.

(2) Violation of these published laws, ordinances, or rules and regulations may subject the violator to appropriate action by the institution's authorities.

(3) Each president of a Florida Community College System institution or state university may, after notice to the student of the charges and after a hearing thereon, expel, suspend, or otherwise discipline any student who is found to have violated any law, ordinance, or rule or regulation of the State Board of Community Colleges regarding the Florida Community College System Education, the Board of Governors regarding the State University System, or the board of trustees of the institution. A student may be entitled to waiver of expulsion:

(a) If the student provides substantial assistance in the identification, arrest, or conviction of any of his or her accomplices, accessories, coconspirators, or principals or of any other person engaged in violations of chapter 893 within a state university or Florida Community College System institution;

(b) If the student voluntarily discloses his or her violations of chapter 893 prior to his or her arrest; or

(c) If the student commits himself or herself, or is referred by the court in lieu of sentence, to a state-licensed drug abuse program and successfully completes the program.

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Section 52. Paragraphs (c) and (g) of subsection (1), paragraph (b) of subsection (2), and subsection (3) of section 1006.71, Florida Statutes, are amended to read:

1006.71 Gender equity in intercollegiate athletics.—

(1) GENDER EQUITY PLAN.—

(c) The Chancellor of the Florida Community College System ~~Commissioner of Education~~ shall annually assess the progress of each Florida Community College System institution's plan and advise the State Board of Community Colleges Education and the Legislature regarding compliance.

(g)1. If a Florida Community College System institution is not in compliance with Title IX of the Education Amendments of 1972 and the Florida Educational Equity Act, the State Board of Community Colleges Education shall:

a. Declare the Florida Community College System institution ineligible for competitive state grants.

b. Withhold funds sufficient to obtain compliance.

The Florida Community College System institution shall remain ineligible and the funds may ~~shall~~ not be paid until the Florida Community College System institution comes into compliance or the Chancellor of the Florida Community College System ~~Commissioner of Education~~ approves a plan for compliance.

2. If a state university is not in compliance with Title IX of the Education Amendments of 1972 and the Florida Educational Equity Act, the Board of Governors shall:

a. Declare the state university ineligible for competitive state grants.

b. Withhold funds sufficient to obtain compliance.

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The state university shall remain ineligible and the funds may ~~shall~~ not be paid until the state university comes into compliance or the Board of Governors approves a plan for compliance.

(2) FUNDING.—

(b) The level of funding and percentage share of support for women's intercollegiate athletics for Florida Community College System institutions shall be determined by the State Board of Community Colleges Education. The level of funding and percentage share of support for women's intercollegiate athletics for state universities shall be determined by the Board of Governors. The level of funding and percentage share attained in the 1980-1981 fiscal year shall be the minimum level and percentage maintained by each institution, except as the State Board of Community Colleges Education or the Board of Governors otherwise directs its respective institutions for the purpose of assuring equity. Consideration shall be given by the State Board of Community Colleges Education or the Board of Governors to emerging athletic programs at institutions which may not have the resources to secure external funds to provide athletic opportunities for women. It is the intent that the effect of any redistribution of funds among institutions may ~~shall~~ not negate the requirements as set forth in this section.

(3) STATE BOARD OF COMMUNITY COLLEGES EDUCATION.—The State Board of Community Colleges Education shall assure equal opportunity for female athletes at Florida Community College System institutions and establish:

(a) In conjunction with the State Board of Education,

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guidelines for reporting of intercollegiate athletics data concerning financial, program, and facilities information for review by the State Board of Community Colleges ~~Education~~ annually.

(b) Systematic audits for the evaluation of such data.

(c) Criteria for determining and assuring equity.

Section 53. Section 1007.01, Florida Statutes, is amended to read:

1007.01 Articulation; legislative intent; purpose; role of the State Board of Education, the State Board of Community Colleges, and the Board of Governors; Articulation Coordinating Committee.—

(1) It is the intent of the Legislature to facilitate articulation and seamless integration of the K-20 education system by building, sustaining, and strengthening relationships among K-20 public organizations, between public and private organizations, and between the education system as a whole and Florida's communities. The purpose of building, sustaining, and strengthening these relationships is to provide for the efficient and effective progression and transfer of students within the education system and to allow students to proceed toward their educational objectives as rapidly as their circumstances permit. The Legislature further intends that articulation policies and budget actions be implemented consistently in the practices of the Department of Education and postsecondary educational institutions and expressed in the collaborative policy efforts of the State Board of Education, ~~and the Board of Governors, and the State Board of Community Colleges~~.

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(2) To preserve Florida's "2+2" system of articulation and improve and facilitate articulation systemwide, the State Board of Education, ~~and the Board of Governors, and the State Board of Community Colleges~~ shall collaboratively establish and adopt policies with input from statewide K-20 advisory groups established by the Commissioner of Education, the Chancellor of the Florida Community College System, and the Chancellor of the State University System and shall recommend the policies to the Legislature. The policies shall relate to:

(a) The alignment between the exit requirements of one education system and the admissions requirements of another education system into which students typically transfer.

(b) The identification of common courses, the level of courses, institutional participation in a statewide course numbering system, and the transferability of credits among such institutions.

(c) Identification of courses that meet general education or common degree program prerequisite requirements at public postsecondary educational institutions.

(d) Dual enrollment course equivalencies.

(e) Articulation agreements.

(3) The Commissioner of Education, in consultation with the Chancellor of the Florida Community College System and the Chancellor of the State University System, shall establish the Articulation Coordinating Committee, which shall make recommendations related to statewide articulation policies and issues regarding access, quality, and reporting of data maintained by the K-20 data warehouse, established pursuant to ss. 1001.10 and 1008.31, to the Higher Education Coordination

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Council, the State Board of Education, ~~and~~ the Board of Governors, and the State Board of Community Colleges. The committee shall consist of two members each representing the State University System, the Florida Community College System, public career and technical education, K-12 education, and nonpublic postsecondary education and one member representing students. The chair shall be elected from the membership. The Office of K-20 Articulation shall provide administrative support for the committee. The committee shall:

(a) Monitor the alignment between the exit requirements of one education system and the admissions requirements of another education system into which students typically transfer and make recommendations for improvement.

(b) Propose guidelines for interinstitutional agreements between and among public schools, career and technical education centers, Florida Community College System institutions, state universities, and nonpublic postsecondary institutions.

(c) Annually recommend dual enrollment course and high school subject area equivalencies for approval by the State Board of Education, ~~and~~ the Board of Governors, and the State Board of Community Colleges.

(d) Annually review the statewide articulation agreement pursuant to s. 1007.23 and make recommendations for revisions.

(e) Annually review the statewide course numbering system, the levels of courses, and the application of transfer credit requirements among public and nonpublic institutions participating in the statewide course numbering system and identify instances of student transfer and admissions difficulties.

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(f) Annually publish a list of courses that meet common general education and common degree program prerequisite requirements at public postsecondary institutions identified pursuant to s. 1007.25.

(g) Foster timely collection and reporting of statewide education data to improve the K-20 education performance accountability system pursuant to ss. 1001.10 and 1008.31, including, but not limited to, data quality, accessibility, and protection of student records.

(h) Recommend roles and responsibilities of public education entities in interfacing with the single, statewide computer-assisted student advising system established pursuant to s. 1006.735.

(i) Make recommendations regarding the cost and requirements to develop and implement an online system for collecting and analyzing data regarding requests for transfer of credit by postsecondary education students. The online system, at a minimum, must collect information regarding the total number of credit transfer requests denied and the reason for each denial. Recommendations shall be reported to the President of the Senate and the Speaker of the House of Representatives on or before January 31, 2015.

Section 54. Subsections (1) and (6) of section 1007.23, Florida Statutes, are amended, and subsection (7) is added to that section, to read:

1007.23 Statewide articulation agreement.—

(1) The State Board of Education, ~~and~~ the Board of Governors, and the State Board of Community Colleges shall enter into a statewide articulation agreement which the State Board of

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3599 Education ~~and the State Board of Community Colleges~~ shall adopt
 3600 by rule. The agreement must preserve Florida's "2+2" system of
 3601 articulation, facilitate the seamless articulation of student
 3602 credit across and among Florida's educational entities, and
 3603 reinforce the provisions of this chapter by governing:
 3604 (a) Articulation between secondary and postsecondary
 3605 education;
 3606 (b) Admission of associate in arts degree graduates from
 3607 Florida Community College System institutions and state
 3608 universities;
 3609 (c) Admission of applied technology diploma program
 3610 graduates from Florida Community College System institutions or
 3611 career centers;
 3612 (d) Admission of associate in science degree and associate
 3613 in applied science degree graduates from Florida Community
 3614 College System institutions;
 3615 (e) The use of acceleration mechanisms, including
 3616 nationally standardized examinations through which students may
 3617 earn credit;
 3618 (f) General education requirements and statewide course
 3619 numbers as provided for in ss. 1007.24 and 1007.25; and
 3620 (g) Articulation among programs in nursing.
 3621 (6) The articulation agreement must guarantee the
 3622 articulation of 9 credit hours toward a postsecondary degree in
 3623 early childhood education for programs approved by the State
 3624 Board of Community Colleges ~~Education~~ and the Board of Governors
 3625 which:
 3626 (a) Award a child development associate credential issued
 3627 by the National Credentialing Program of the Council for

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3628 Professional Recognition or award a credential approved under s.
 3629 1002.55(3)(c)1.b. or s. 402.305(3)(c) as being equivalent to the
 3630 child development associate credential; and
 3631 (b) Include training in emergent literacy which meets or
 3632 exceeds the minimum standards for training courses for
 3633 prekindergarten instructors of the Voluntary Prekindergarten
 3634 Education Program in s. 1002.59.
 3635 (7) To strengthen Florida's "2+2" system of articulation
 3636 and improve student retention and on-time graduation, by the
 3637 2018-2019 academic year, each Florida Community College System
 3638 institution shall execute at least one "2+2" targeted pathway
 3639 articulation agreement with one or more state universities to
 3640 establish "2+2" targeted pathway programs. The agreement must
 3641 provide students who graduate with an associate in arts degree
 3642 and who meet specified requirements guaranteed access to the
 3643 state university and a degree program at that university, in
 3644 accordance with the terms of the "2+2" targeted pathway
 3645 articulation agreement.
 3646 (a) To participate in a "2+2" targeted pathway program, a
 3647 student must:
 3648 1. Enroll in the program before completing 30 credit hours,
 3649 including, but not limited to, college credits earned through
 3650 articulated acceleration mechanisms pursuant to s. 1007.27;
 3651 2. Complete an associate in arts degree; and
 3652 3. Meet the university's transfer requirements.
 3653 (b) A state university that executes a "2+2" targeted
 3654 pathway articulation agreement must meet the following
 3655 requirements in order to implement a "2+2" targeted pathway
 3656 program in collaboration with its partner Florida Community

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College System institution:

1. Establish a 4-year on-time graduation plan for a baccalaureate degree program, including, but not limited to, a plan for students to complete associate in arts degree programs, general education courses, common prerequisite courses, and elective courses;

2. Advise students enrolled in the program about the university's transfer and degree program requirements; and

3. Provide students who meet the requirements under this paragraph with access to academic advisors and campus events and with guaranteed admittance to the state university and a degree program of the state university, in accordance with the terms of the agreement.

(c) To assist the state universities and Florida Community College System institutions with implementing the "2+2" targeted pathway programs effectively, the State Board of Community Colleges and the Board of Governors shall collaborate to eliminate barriers in executing "2+2" targeted pathway articulation agreements.

Section 55. Subsections (1), (2), and (3) of section 1007.24, Florida Statutes, are amended to read:

1007.24 Statewide course numbering system.—

(1) The Department of Education, in conjunction with the Board of Governors and the State Board of Community Colleges, shall develop, coordinate, and maintain a statewide course numbering system for postsecondary and dual enrollment education in school districts, public postsecondary educational institutions, and participating nonpublic postsecondary educational institutions that will improve program planning,

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increase communication among all delivery systems, and facilitate student acceleration and the transfer of students and credits between public school districts, public postsecondary educational institutions, and participating nonpublic educational institutions. The continuing maintenance of the system shall be accomplished with the assistance of appropriate faculty committees representing public and participating nonpublic educational institutions.

(2) The Commissioner of Education, in conjunction with the Chancellor of the Florida Community College System and the Chancellor of the State University System, shall appoint faculty committees representing faculties of participating institutions to recommend a single level for each course, including postsecondary career education courses, included in the statewide course numbering system.

(a) Any course designated as an upper-division-level course must be characterized by a need for advanced academic preparation and skills that a student would be unlikely to achieve without significant prior coursework.

(b) A course that is offered as part of an associate in science degree program and as an upper-division course for a baccalaureate degree shall be designated for both the lower and upper division.

(c) A course designated as lower-division may be offered by any Florida Community College System institution.

(3) The Commissioner of Education shall recommend to the State Board of Education the levels for the courses. The State Board of Education, with input from the Board of Governors and the State Board of Community Colleges, shall approve the levels

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for the courses.

Section 56. Subsections (3), (5), and (8) through (11) of section 1007.25, Florida Statutes, are amended to read:

1007.25 General education courses; common prerequisites; other degree requirements.—

(3) The chair of the State Board of Community Colleges ~~Education~~ and the chair of the Board of Governors, or their designees, shall jointly appoint faculty committees to identify statewide general education core course options. General education core course options shall consist of a maximum of five courses within each of the subject areas of communication, mathematics, social sciences, humanities, and natural sciences. The core courses may be revised, or the five-course maximum within each subject area may be exceeded, if approved by the State Board of Community Colleges ~~Education~~ and the Board of Governors, as recommended by the subject area faculty committee and approved by the Articulation Coordinating Committee as necessary for a subject area. Each general education core course option must contain high-level academic and critical thinking skills and common competencies that students must demonstrate to successfully complete the course. Beginning with students initially entering a Florida Community College System institution or state university in 2015–2016 and thereafter, each student must complete at least one identified core course in each subject area as part of the general education course requirements. All public postsecondary educational institutions shall accept these courses as meeting general education core course requirements. The remaining general education course requirements shall be identified by each institution and

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reported to the department by their statewide course number. The general education core course options shall be adopted in rule by the State Board of Community Colleges ~~Education~~ and in regulation by the Board of Governors.

(5) The department shall identify common prerequisite courses and course substitutions for degree programs across all institutions. Common degree program prerequisites shall be offered and accepted by all state universities and Florida Community College System institutions, except in cases approved by the State Board of Community Colleges, ~~Education~~ for Florida Community College System institutions, and the Board of Governors, for state universities. The department shall develop a centralized database containing the list of courses and course substitutions that meet the prerequisite requirements for each baccalaureate degree program.

(8) A baccalaureate degree program shall require no more than 120 semester hours of college credit and include 36 semester hours of general education coursework, unless prior approval has been granted by the Board of Governors for baccalaureate degree programs offered by state universities and by the State Board of Community Colleges ~~Education~~ for baccalaureate degree programs offered by Florida Community College System institutions.

(9) A student who received an associate in arts degree for successfully completing 60 semester credit hours may continue to earn ~~additional~~ credits at a Florida Community College System institution. The university must provide credit toward the student's baccalaureate degree for ~~a an additional~~ Florida Community College System institution course if, according to the

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statewide course numbering, the Florida Community College System institution course is a course listed in the university catalog as required for the degree or as prerequisite to a course required for the degree. Of the courses required for the degree, at least half of the credit hours required for the degree shall be achievable through courses designated as lower division, except in degree programs approved by the State Board of Community Colleges ~~Education~~ for programs offered by Florida Community College System institutions and by the Board of Governors for programs offered by state universities.

(10) Students at state universities may request associate in arts certificates if they have successfully completed the minimum requirements for the degree of associate in arts (A.A.). The university must grant the student an associate in arts degree if the student has successfully completed minimum requirements for college-level communication and computation skills adopted by the State Board of Community Colleges ~~Education~~ and 60 academic semester hours or the equivalent within a degree program area, including 36 semester hours in general education courses in the subject areas of communication, mathematics, social sciences, humanities, and natural sciences, consistent with the general education requirements specified in the articulation agreement pursuant to s. 1007.23.

(11) The Commissioner of Education and the Chancellor of the Florida Community College System shall jointly appoint faculty committees representing both Florida Community College System institution and public school faculties to recommend to the commissioner, or the Chancellor of the Florida Community College System, as applicable, for approval by the State Board

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of Education and the State Board of Community Colleges, as applicable, a standard program length and appropriate occupational completion points for each postsecondary career certificate program, diploma, and degree offered by a school district or a Florida Community College System institution.

Section 57. Section 1007.262, Florida Statutes, is amended to read:

1007.262 Foreign language competence; equivalence determinations.—The Department of Education shall identify the competencies demonstrated by students upon the successful completion of 2 credits of sequential high school foreign language instruction. For the purpose of determining postsecondary equivalence, the State Board of Community Colleges ~~department~~ shall develop rules through which Florida Community College System institutions correlate such competencies to the competencies required of students in the colleges' respective courses. Based on this correlation, each Florida Community College System institution shall identify the minimum number of postsecondary credits that students must earn in order to demonstrate a level of competence in a foreign language at least equivalent to that of students who have completed 2 credits of such instruction in high school. The department may also specify alternative means by which students can demonstrate equivalent foreign language competence, including means by which a student whose native language is not English may demonstrate proficiency in the native language. A student who demonstrates proficiency in a native language other than English is exempt from a requirement of completing foreign language courses at the secondary or Florida Community College System level.

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3831 Section 58. Section 1007.263, Florida Statutes, is amended
 3832 to read:

3833 1007.263 Florida Community College System institutions;
 3834 admissions of students.—Each Florida Community College System
 3835 institution board of trustees is authorized to adopt rules
 3836 governing admissions of students subject to this section and
 3837 rules of the State Board of Community Colleges Education. These
 3838 rules shall include the following:

3839 (1) Admissions counseling shall be provided to all students
 3840 entering college or career credit programs. For students who are
 3841 not otherwise exempt from testing under s. 1008.30, counseling
 3842 must use tests to measure achievement of college-level
 3843 communication and computation competencies by students entering
 3844 college credit programs or tests to measure achievement of basic
 3845 skills for career education programs as prescribed in s.
 3846 1004.91. Counseling includes providing developmental education
 3847 options for students whose assessment results, determined under
 3848 s. 1008.30, indicate that they need to improve communication or
 3849 computation skills that are essential to perform college-level
 3850 work.

3851 (2) Admission to associate degree programs is subject to
 3852 minimum standards adopted by the State Board of Community
 3853 Colleges Education and shall require:

3854 (a) A standard high school diploma, a high school
 3855 equivalency diploma as prescribed in s. 1003.435, previously
 3856 demonstrated competency in college credit postsecondary
 3857 coursework, or, in the case of a student who is home educated, a
 3858 signed affidavit submitted by the student's parent or legal
 3859 guardian attesting that the student has completed a home

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3860 education program pursuant to the requirements of s. 1002.41.
 3861 Students who are enrolled in a dual enrollment or early
 3862 admission program pursuant to s. 1007.271 are exempt from this
 3863 requirement.

3864 (b) A demonstrated level of achievement of college-level
 3865 communication and computation skills.

3866 (c) Any other requirements established by the board of
 3867 trustees.

3868 (3) Admission to other programs within the Florida
 3869 Community College System institution shall include education
 3870 requirements as established by the board of trustees.

3871 (4) A student who has been awarded a certificate of
 3872 completion under s. 1003.4282 is eligible to enroll in
 3873 certificate career education programs.

3874 (5) A student with a documented disability may be eligible
 3875 for reasonable substitutions, as prescribed in ss. 1007.264 and
 3876 1007.265.

3877 Each board of trustees shall establish policies that notify
 3878 students about developmental education options for improving
 3879 their communication or computation skills that are essential to
 3880 performing college-level work, including tutoring, extended time
 3881 in gateway courses, free online courses, adult basic education,
 3882 adult secondary education, or private provider instruction.

3883 Section 59. Subsection (2) of section 1007.264, Florida
 3884 Statutes, is amended to read:

3885 1007.264 Persons with disabilities; admission to
 3886 postsecondary educational institutions; substitute requirements;
 3887 rules and regulations.—

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3889 (2) The State Board of Community Colleges Education, in
 3890 consultation with the Board of Governors, shall adopt rules to
 3891 implement this section for Florida Community College System
 3892 institutions and shall develop substitute admission requirements
 3893 where appropriate.

3894 Section 60. Subsections (2) and (3) of section 1007.265,
 3895 Florida Statutes, are amended to read:

3896 1007.265 Persons with disabilities; graduation, study
 3897 program admission, and upper-division entry; substitute
 3898 requirements; rules and regulations.-

3899 (2) The State Board of Community Colleges Education, in
 3900 consultation with the Board of Governors, shall adopt rules to
 3901 implement this section for Florida Community College System
 3902 institutions and shall develop substitute requirements where
 3903 appropriate.

3904 (3) The Board of Governors, in consultation with the State
 3905 Board of Community Colleges Education, shall adopt regulations
 3906 to implement this section for state universities and shall
 3907 develop substitute requirements where appropriate.

3908 Section 61. Subsections (6), (7), and (8) of section
 3909 1007.27, Florida Statutes, are amended to read:

3910 1007.27 Articulated acceleration mechanisms.-

3911 (6) Credit by examination shall be the program through
 3912 which secondary and postsecondary students generate
 3913 postsecondary credit based on the receipt of a specified minimum
 3914 score on nationally standardized general or subject-area
 3915 examinations. For the purpose of statewide application, such
 3916 examinations and the corresponding minimum scores required for
 3917 an award of credit shall be delineated by the State Board of

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3918 Education, ~~and~~ the Board of Governors, and the State Board of
 3919 Community Colleges in the statewide articulation agreement
 3920 required by s. 1007.23(1). The maximum credit generated by a
 3921 student pursuant to this subsection shall be mitigated by any
 3922 related postsecondary credit earned by the student prior to the
 3923 administration of the examination. This subsection shall not
 3924 preclude Florida Community College System institutions and
 3925 universities from awarding credit by examination based on
 3926 student performance on examinations developed within and
 3927 recognized by the individual postsecondary institutions.

3928 (7) The International Baccalaureate Program shall be the
 3929 curriculum in which eligible secondary students are enrolled in
 3930 a program of studies offered through the International
 3931 Baccalaureate Program administered by the International
 3932 Baccalaureate Office. The State Board of Community Colleges
 3933 Education and the Board of Governors shall specify in the
 3934 statewide articulation agreement required by s. 1007.23(1) the
 3935 cutoff scores and International Baccalaureate Examinations which
 3936 will be used to grant postsecondary credit at Florida Community
 3937 College System institutions and universities. Any changes to the
 3938 articulation agreement, ~~which~~ have the effect of raising the
 3939 required cutoff score or of changing the International
 3940 Baccalaureate Examinations which will be used to grant
 3941 postsecondary credit, ~~shall~~ only apply to students taking
 3942 International Baccalaureate Examinations after such changes are
 3943 adopted by the State Board of Community Colleges Education and
 3944 the Board of Governors. Students shall be awarded a maximum of
 3945 30 semester credit hours pursuant to this subsection. The
 3946 specific course for which a student may receive such credit

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shall be specified in the statewide articulation agreement required by s. 1007.23(1). Students enrolled pursuant to this subsection shall be exempt from the payment of any fees for administration of the examinations regardless of whether or not the student achieves a passing score on the examination.

(8) The Advanced International Certificate of Education Program and the International General Certificate of Secondary Education (pre-AICE) Program shall be the curricula in which eligible secondary students are enrolled in programs of study offered through the Advanced International Certificate of Education Program or the International General Certificate of Secondary Education (pre-AICE) Program administered by the University of Cambridge Local Examinations Syndicate. The State Board of Community Colleges Education and the Board of Governors shall specify in the statewide articulation agreement required by s. 1007.23(1) the cutoff scores and Advanced International Certificate of Education examinations which will be used to grant postsecondary credit at Florida Community College System institutions and universities. Any changes to the cutoff scores, which changes have the effect of raising the required cutoff score or of changing the Advanced International Certification of Education examinations which will be used to grant postsecondary credit, shall apply to students taking Advanced International Certificate of Education examinations after such changes are adopted by the State Board of Community Colleges Education and the Board of Governors. Students shall be awarded a maximum of 30 semester credit hours pursuant to this subsection. The specific course for which a student may receive such credit shall be determined by the Florida Community College System

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institution or university that accepts the student for admission. Students enrolled in either program of study pursuant to this subsection shall be exempt from the payment of any fees for administration of the examinations regardless of whether the student achieves a passing score on the examination.

Section 62. Subsections (3) and (22) of section 1007.271, Florida Statutes, are amended to read:

1007.271 Dual enrollment programs.—

(3) Student eligibility requirements for initial enrollment in college credit dual enrollment courses must include a 3.0 unweighted high school grade point average and the minimum score on a common placement test adopted by the State Board of Education which indicates that the student is ready for college-level coursework. Student eligibility requirements for continued enrollment in college credit dual enrollment courses must include the maintenance of a 3.0 unweighted high school grade point average and the minimum postsecondary grade point average established by the postsecondary institution. Regardless of meeting student eligibility requirements for continued enrollment, a student may lose the opportunity to participate in a dual enrollment course if the student is disruptive to the learning process such that the progress of other students or the efficient administration of the course is hindered. Student eligibility requirements for initial and continued enrollment in career certificate dual enrollment courses must include a 2.0 unweighted high school grade point average. Exceptions to the required grade point averages may be granted on an individual student basis if the educational entities agree and the terms of the agreement are contained within the dual enrollment

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articulation agreement established pursuant to subsection (21).
Florida Community College System institution boards of trustees
may establish additional initial student eligibility
requirements, which shall be included in the dual enrollment
articulation agreement, to ensure student readiness for
postsecondary instruction. Additional requirements included in
the agreement may not arbitrarily prohibit students who have
demonstrated the ability to master advanced courses from
participating in dual enrollment courses.

(22) The Department of Education shall develop an
electronic submission system for dual enrollment articulation
agreements and shall review, for compliance, each dual
enrollment articulation agreement submitted pursuant to
subsections (13), (21), and (24). The Commissioner of Education
shall notify the district school superintendent and the Florida
Community College System institution president if the dual
enrollment articulation agreement does not comply with statutory
requirements and shall submit any dual enrollment articulation
agreement with unresolved issues of noncompliance to the State
Board of Education. The State Board of Education shall
collaborate with the State Board of Community Colleges to
resolve unresolved issues of noncompliance.

Section 63. Subsection (6) of section 1007.273, Florida
Statutes, is amended to read:

1007.273 Collegiate high school program.—

(6) The collegiate high school program shall be funded
pursuant to ss. 1007.271 and 1011.62. The State Board of
Education shall enforce compliance with this section by
withholding the transfer of funds for the school districts ~~and~~

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~~the Florida College System institutions~~ in accordance with s.
1008.32. Annually by December 31, the State Board of Community
Colleges shall enforce compliance with this section by
withholding the transfer of funds for the Florida Community
College System institutions in accordance with s. 1001.602.

Section 64. Section 1007.33, Florida Statutes, is amended
to read:

1007.33 Site-determined baccalaureate degree access.—

(1)(a) The Legislature recognizes that public and private
postsecondary educational institutions play an essential role in
improving the quality of life and economic well-being of the
state and its residents. The Legislature also recognizes that
economic development needs and the educational needs of place-
bound, nontraditional students have increased the demand for
local access to baccalaureate degree programs. It is therefore
the intent of the Legislature to further expand access to
baccalaureate degree programs through the use of Florida
Community College System institutions.

(b) For purposes of this section, the term "district"
refers to the county or counties served by a Florida Community
College System institution pursuant to s. 1000.21(3).

(2) Any Florida Community College System institution that
offers one or more baccalaureate degree programs must:

(a) Maintain as its primary mission:

1. Responsibility for responding to community needs for
postsecondary academic education and career degree education as
prescribed in s. 1004.65(5).

2. The provision of associate degrees that provide access
to a university.

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(b) Maintain an open-door admission policy for associate-level degree programs and workforce education programs.

(c) Continue to provide outreach to underserved populations.

(d) Continue to provide remedial education pursuant to s. 1008.30.

(e) Comply with all provisions of the statewide articulation agreement which relate to 2-year and 4-year public degree-granting institutions as adopted by the State Board of Education or the State Board of Community Colleges, as applicable, pursuant to s. 1007.23.

(f) Not award graduate credit.

(g) Not participate in intercollegiate athletics beyond the 2-year level.

(3) A Florida Community College System institution may not terminate its associate in arts or associate in science degree programs as a result of being authorized to offer one or more baccalaureate degree programs. The Legislature intends that the primary responsibility of a Florida Community College System institution, including a Florida Community College System institution that offers baccalaureate degree programs, continues to be the provision of associate degrees that provide access to a university.

(4) A Florida Community College System institution may:

(a) Offer specified baccalaureate degree programs through formal agreements between the Florida Community College System institution and other regionally accredited postsecondary educational institutions pursuant to s. 1007.22.

(b) Offer baccalaureate degree programs that are ~~were~~

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authorized by law ~~prior to July 1, 2009.~~

~~(e) Beginning July 1, 2009, establish a first or subsequent baccalaureate degree program for purposes of meeting district, regional, or statewide workforce needs if approved by the State Board of Community Colleges Education under this section. However, a Florida Community College System institution may not offer a bachelor of arts degree program.~~

~~Beginning July 1, 2009, the Board of Trustees of St. Petersburg College is authorized to establish one or more bachelor of applied science degree programs based on an analysis of workforce needs in Pinellas, Pasco, and Hernando Counties and other counties approved by the Department of Education. For each program selected, St. Petersburg College must offer a related associate in science or associate in applied science degree program, and the baccalaureate degree level program must be designed to articulate fully with at least one associate in science degree program. The college is encouraged to develop articulation agreements for enrollment of graduates of related associate in applied science degree programs. The Board of Trustees of St. Petersburg College is authorized to establish additional baccalaureate degree programs if it determines a program is warranted and feasible based on each of the factors in paragraph (5)(d). However, the Board of Trustees of St. Petersburg College may not establish any new baccalaureate degree programs from March 31, 2014, through May 31, 2015. Prior to developing or proposing a new baccalaureate degree program, St. Petersburg College shall engage in need, demand, and impact discussions with the state university in its service district~~

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4121 ~~and other local and regional, accredited postsecondary providers~~
 4122 ~~in its region. Documentation, data, and other information from~~
 4123 ~~inter-institutional discussions regarding program need, demand,~~
 4124 ~~and impact shall be provided to the college's board of trustees~~
 4125 ~~to inform the program approval process. Employment at St.~~
 4126 ~~Petersburg College is governed by the same laws that govern~~
 4127 ~~Florida College System institutions, except that upper-division~~
 4128 ~~faculty are eligible for continuing contracts upon the~~
 4129 ~~completion of the fifth year of teaching. Employee records for~~
 4130 ~~all personnel shall be maintained as required by s. 1012.81.~~

4131 (5) The approval process for baccalaureate degree programs
 4132 requires ~~shall require~~:

4133 (a) Each Florida Community College System institution to
 4134 submit a notice of its intent to propose a baccalaureate degree
 4135 program to the State Board of Community Division of Florida
 4136 Colleges at least 1 year ~~100 days~~ before the submission of its
 4137 proposal under paragraph (c) ~~(d)~~. The notice must include a
 4138 brief description of the program, the workforce demand and unmet
 4139 need for graduates of the program to include evidence from
 4140 entities independent of the institution, the geographic region
 4141 to be served, and an estimated timeframe for implementation.
 4142 Notices of intent may be submitted by a Florida Community
 4143 College System institution at any time throughout the year. The
 4144 notice must also include evidence that the Florida Community
 4145 College System institution engaged in need, demand, and impact
 4146 discussions with the state university and other regionally
 4147 accredited postsecondary education providers in its service
 4148 district.

4149 (b) The State Board of Community Division of Florida

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4150 Colleges to forward the notice of intent submitted pursuant to
 4151 paragraph (a) and the justification for the proposed
 4152 baccalaureate degree program submitted pursuant to paragraph (c)
 4153 within 10 business days after receiving such notice and
 4154 justification to the Chancellor of the State University System,
 4155 the president of the Independent Colleges and Universities of
 4156 Florida, and the Executive Director of the Commission for
 4157 Independent Education. State universities ~~shall~~ have 180 ~~60~~ days
 4158 following receipt of the notice and justification by the
 4159 Chancellor of the State University System to submit an
 4160 objection, including a reason for the objection, objections to
 4161 the proposed new program or submit an alternative proposal to
 4162 offer the baccalaureate degree program. The Chancellor of the
 4163 State University System shall review the objection raised by a
 4164 state university and inform the Board of Governors of the
 4165 objection before a state university submits its objection to the
 4166 State Board of Community Colleges. The State Board of Community
 4167 Colleges must consult with the Chancellor of the State
 4168 University System to consider the objection raised by the state
 4169 university before approving or denying a Florida Community
 4170 College System institution's proposal submitted pursuant to
 4171 paragraph (c). If a proposal from a state university is not
 4172 received within the 60-day period, The State Board of Community
 4173 Colleges Education shall also provide regionally accredited
 4174 private colleges and universities 180 ~~30~~ days to submit
 4175 objections to the proposed new program or submit an alternative
 4176 proposal. Objections by a regionally accredited private college
 4177 or university or alternative proposals shall be submitted to the
 4178 State Board of Community Division of Florida Colleges, and the

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state board must consider such objections before ~~and must be~~
 considered by the State Board of Education in making its
 decision to approve or deny a Florida Community College System
 institution's proposal submitted pursuant to paragraph (c).

~~(e) An alternative proposal submitted by a state university
 or private college or university to adequately address:~~

~~1. The extent to which the workforce demand and unmet need
 described in the notice of intent will be met.~~

~~2. The extent to which students will be able to complete
 the degree in the geographic region proposed to be served by the
 Florida College System institution.~~

~~3. The level of financial commitment of the college or
 university to the development, implementation, and maintenance
 of the specified degree program, including timelines.~~

~~4. The extent to which faculty at both the Florida College
 System institution and the college or university will
 collaborate in the development and offering of the curriculum.~~

~~5. The ability of the Florida College System institution
 and the college or university to develop and approve the
 curriculum for the specified degree program within 6 months
 after an agreement between the Florida College System
 institution and the college or university is signed.~~

~~6. The extent to which the student may incur additional
 costs above what the student would expect to incur if the
 program were offered by the Florida College System institution.~~

~~(c)(d)~~ Each proposal submitted by a Florida Community
 College System institution to, at a minimum, include:

1. A description of the planning process and timeline for
 implementation.

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2. A justification for the proposed baccalaureate degree
 program, including, at a minimum, a data-driven ~~an~~ analysis of
 workforce demand and unmet need for graduates of the program on
 a district, regional, or statewide basis, as appropriate, and
the extent to which the proposed program will meet the workforce
demand and unmet need. The analysis must include workforce and
employment data for the most recent 5 years and projections for
the next 3 years, and a summary of degree programs similar to
the proposed degree program which are currently offered by state
universities or by independent nonprofit colleges or
universities that are eligible to participate in a grant program
pursuant to s. 1009.89 and which are located in the Florida
Community College System institution's regional service area.
The analysis must be verified by more than one third-party
professional entity that is including evidence from entities
independent of the Florida Community College System institution.
A Florida Community College System institution must submit the
justification to the State Board of Community Colleges within 90
days after forwarding the institution's notice of intent to
propose a baccalaureate degree program. The State Board of
Community Colleges must forward the justification for the
proposed baccalaureate degree program within 10 business days
after receiving the justification to the Chancellor of the State
University System, the president of the Independent Colleges and
Universities of Florida, and the Executive Director of the
Commission for Independent Education.

3. Identification of the facilities, equipment, and library
 and academic resources that will be used to deliver the program.

4. The program cost analysis of creating a new

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baccalaureate degree when compared to ~~alternative proposals and~~
other program delivery options.

5. The program's admission requirements, academic content, curriculum, faculty credentials, student-to-teacher ratios, and accreditation plan.

6. The program's enrollment ~~projections~~ and funding requirements, including:

a. The impact of the program's enrollment projections on compliance with the upper-level enrollment provisions under subsection (6); and

b. The institution's efforts to sustain the program at the cost of tuition and fees for students who are classified as residents for tuition purposes under s. 1009.21, not to exceed \$10,000 for the entire degree program, including flexible tuition and fee rates, and the use of waivers pursuant to s. 1009.26(11).

7. A plan of action if the program is terminated.

(d) ~~(e)~~ The State Board of Community ~~Division of Florida~~ Colleges to review the proposal, notify the Florida Community College System institution of any deficiencies in writing within 30 days following receipt of the proposal, and provide the Florida Community College System institution with an opportunity to correct the deficiencies. Within 45 days following receipt of a completed proposal by the State Board of Community Colleges, the Chancellor of the Florida Community College System ~~Commissioner of Education~~ shall recommend approval or disapproval of the proposal to the State Board of Community Colleges Education. The State Board of Community Colleges Education shall consider such recommendation, the

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proposal, input from the Chancellor of the State University System and the president of the Independent Colleges and Universities of Florida, and any objections ~~or alternative proposals~~ at its next meeting. If the State Board of Community Colleges Education disapproves the Florida Community College System institution's proposal, it shall provide the Florida Community College System institution with written reasons for that determination.

(e) ~~(f)~~ The Florida Community College System institution to obtain from the Commission on Colleges of the Southern Association of Colleges and Schools accreditation as a baccalaureate-degree-granting institution if approved by the State Board of Community Colleges Education to offer its first baccalaureate degree program.

(f) ~~(g)~~ The Florida Community College System institution to notify the Commission on Colleges of the Southern Association of Colleges and Schools of subsequent degree programs that are approved by the State Board of Community Colleges Education and to comply with the association's required substantive change protocols for accreditation purposes.

(g) ~~(h)~~ The Florida Community College System institution to annually report to the State Board of Community Colleges, the Chancellor of the State University System, and upon request of the State Board of Education, the Commissioner of Education, the Chancellor of the Florida College System, or the Legislature, ~~report~~ its status using the following performance and compliance indicators:

1. Obtaining and maintaining appropriate Southern Association of Colleges and Schools accreditation;

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4295 2. Maintaining qualified faculty and institutional
 4296 resources;
 4297 3. Maintaining enrollment in previously approved programs;
 4298 4. Managing fiscal resources appropriately;
 4299 5. Complying with the primary mission and responsibility
 4300 requirements in subsections (2) and (3); ~~and~~
 4301 6. Other indicators of success, including program
 4302 completions, employment and earnings outcomes, student
 4303 acceptance into and performance in graduate programs placements,
 4304 and surveys of graduates and employers; and-
 4305 7. Continuing to meet workforce demand, as provided in
 4306 subparagraph (c)2., as demonstrated through a data-driven needs
 4307 assessment by the Florida Community College System institution
 4308 which is verified by more than one third-party professional
 4309 entity that is independent of the institution.
 4310 8. Complying with the upper-level enrollment provisions
 4311 under subsection (6).
 4312
 4313 The State Board of Community Colleges ~~Education~~, upon annual
 4314 review of the baccalaureate degree program performance and
 4315 compliance indicators and needs assessment, may require a
 4316 Florida Community College System institution's board of trustees
 4317 to modify or terminate a baccalaureate degree program authorized
 4318 under this section. If the annual review indicates negative
 4319 program performance and compliance results, and if the needs
 4320 assessment fails to demonstrate a need for the program, the
 4321 State Board of Community Colleges must require a Florida
 4322 Community College System institution's board of trustees to
 4323 terminate that baccalaureate degree program.

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4324 (6) (a) If the 2015-2016 total upper-level, undergraduate
 4325 full-time equivalent enrollment at a Florida Community College
 4326 System institution is at or above 8 percent of the 2015-2016
 4327 combined total lower-level and upper-level full-time equivalent
 4328 enrollment at that institution, the total upper-level
 4329 enrollment, as a percentage of the combined enrollment, may not
 4330 increase by more than 2 percentage points unless the institution
 4331 obtains prior legislative approval.
 4332 (b) If the 2015-2016 total upper-level, undergraduate full-
 4333 time equivalent enrollment at a Florida Community College System
 4334 institution is below 8 percent of the 2015-2016 combined total
 4335 lower-level and upper-level full-time equivalent enrollment at
 4336 that institution, the total upper-level enrollment, as a
 4337 percentage of the combined enrollment, may not increase by more
 4338 than 4 percentage points unless the institution obtains prior
 4339 legislative approval.
 4340 (c) Within the 2 percent or 4 percent growth authorized
 4341 under paragraphs (a) or (b), for any planned and purposeful
 4342 expansion of existing baccalaureate degree programs or creation
 4343 of a new baccalaureate program, a community college must
 4344 demonstrate satisfactory performance in fulfilling its primary
 4345 mission pursuant to s. 1004.65, executing at least one "2+2"
 4346 targeted pathway articulation agreement pursuant to s. 1007.23,
 4347 and meeting or exceeding the performance standards related to
 4348 on-time graduation rates under s. 1001.66 for students earning
 4349 associate of arts or baccalaureate degrees. The State Board of
 4350 Community Colleges may not approve a new baccalaureate degree
 4351 program proposal for a community college that does not meet the
 4352 conditions specified in this subsection in addition to the other

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requirements for approval under this section. Each community college that offers a baccalaureate degree must annually review each baccalaureate degree program and annually report to the State Board of Community Colleges, in a format prescribed by the state board, current and projected student enrollment for such program, justification for continuation of each baccalaureate degree program, and a plan to comply with the upper-level enrollment provisions of this subsection. A Florida Community College System institution that does not comply with the requirements of this section is subject to s. 1001.602(9) and may not report for funding, the upper-level, undergraduate full-time equivalent enrollment that exceeds the upper-level enrollment percent provision of this subsection.

~~(7)(6)~~ The State Board of Community Colleges ~~Education~~ shall adopt rules to prescribe format and content requirements and submission procedures for notices of intent, proposals, ~~alternative proposals~~, and compliance reviews under subsection (5).

Section 65. Subsections (1), (3), (4), and (5) of section 1008.30, Florida Statutes, are amended to read:

1008.30 Common placement testing for public postsecondary education.—

(1) The State Board of Community Colleges ~~Education~~, in conjunction with the Board of Governors and the State Board of Education, shall develop and implement a common placement test for the purpose of assessing the basic computation and communication skills of students who intend to enter a degree program at any public postsecondary educational institution. Alternative assessments that may be accepted in lieu of the

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common placement test shall also be identified in rule. Public postsecondary educational institutions shall provide appropriate modifications of the test instruments or test procedures for students with disabilities.

(3) ~~By October 31, 2013,~~ The State Board of Community Colleges, in conjunction with the Board of Governors and the State Board of Education, ~~Education~~ shall establish by rule the test scores a student must achieve to demonstrate readiness to perform college-level work, and the rules must specify the following:

(a) A student who entered 9th grade in a Florida public school in the 2003-2004 school year, or any year thereafter, and earned a Florida standard high school diploma or a student who is serving as an active duty member of any branch of the United States Armed Services shall not be required to take the common placement test and shall not be required to enroll in developmental education instruction in a Florida Community College System institution. However, a student who is not required to take the common placement test and is not required to enroll in developmental education under this paragraph may opt to be assessed and to enroll in developmental education instruction, and the college shall provide such assessment and instruction upon the student's request.

(b) A student who takes the common placement test and whose score on the test indicates a need for developmental education must be advised of all the developmental education options offered at the institution and, after advisement, shall be allowed to enroll in the developmental education option of his or her choice.

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(c) A student who demonstrates readiness by achieving or exceeding the test scores established by the state board and enrolls in a Florida Community College System institution within 2 years after achieving such scores shall not be required to retest or complete developmental education when admitted to any Florida Community College System institution.

(4) ~~By December 31, 2013,~~ The State Board of Community Colleges Education, in consultation with the Board of Governors, shall approve a series of meta-majors and the academic pathways that identify the gateway courses associated with each meta-major. Florida Community College System institutions shall use placement test results to determine the extent to which each student demonstrates sufficient communication and computation skills to indicate readiness for his or her chosen meta-major. Florida Community College System institutions shall counsel students into college credit courses as quickly as possible, with developmental education limited to that content needed for success in the meta-major.

(5) (a) Each Florida Community College System institution board of trustees shall develop a plan to implement the developmental education strategies defined in s. 1008.02 and rules established by the State Board of Community Colleges Education. The plan must be submitted to the Chancellor of the Florida Community College System for approval no later than March 1, 2014, for implementation no later than the fall semester 2014. Each plan must include, at a minimum, local policies that outline:

1. Documented student achievements such as grade point averages, work history, military experience, participation in

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juried competitions, career interests, degree major declaration, or any combination of such achievements that the institution may consider, in addition to common placement test scores, for advising students regarding enrollment options.

2. Developmental education strategies available to students.

3. A description of student costs and financial aid opportunities associated with each option.

4. Provisions for the collection of student success data.

5. A comprehensive plan for advising students into appropriate developmental education strategies based on student success data.

(b) Beginning October 31, 2015, each Florida Community College System institution shall annually prepare an accountability report that includes student success data relating to each developmental education strategy implemented by the institution. The report shall be submitted to the State Board of Community Division of Florida Colleges by October 31 in a format determined by the Chancellor of the Florida Community College System. By December 31, the chancellor shall compile and submit the institutional reports to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the State Board of Community Colleges and the State Board of Education.

(c) A university board of trustees may contract with a Florida Community College System institution board of trustees for the Florida Community College System institution to provide developmental education on the state university campus. Any state university in which the percentage of incoming students

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requiring developmental education equals or exceeds the average percentage of such students for the Florida Community College System may offer developmental education without contracting with a Florida Community College System institution; however, any state university offering college-preparatory instruction as of January 1, 1996, may continue to provide such services.

Section 66. Paragraphs (d) and (e) of subsection (1) and paragraphs (a) and (c) of subsection (3) of section 1008.31, Florida Statutes, are amended to read:

1008.31 Florida's K-20 education performance accountability system; legislative intent; mission, goals, and systemwide measures; data quality improvements.-

(1) LEGISLATIVE INTENT.-It is the intent of the Legislature that:

(d) The State Board of Education, ~~and~~ the Board of Governors of the State University System, and the State Board of Community Colleges of the Florida Community College System recommend to the Legislature systemwide performance standards; the Legislature establish systemwide performance measures and standards; and the systemwide measures and standards provide Floridians with information on what the public is receiving in return for the funds it invests in education and how well the K-20 system educates its students.

(e)1. The State Board of Education establish performance measures and set performance standards for individual public schools ~~and Florida College System institutions~~, with measures and standards based primarily on student achievement.

2. The Board of Governors of the State University System establish performance measures and set performance standards for

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individual state universities, including actual completion rates.

3. The State Board of Community Colleges establish performance measures and set performance standards for individual Florida Community College System institutions.

(3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.-To provide data required to implement education performance accountability measures in state and federal law, the Commissioner of Education shall initiate and maintain strategies to improve data quality and timeliness. The Board of Governors shall make available to the department all data within the State University Database System to be integrated into the K-20 data warehouse. The commissioner shall have unlimited access to such data for the purposes of conducting studies, reporting annual and longitudinal student outcomes, and improving college readiness and articulation. All public educational institutions shall annually provide data from the prior year to the K-20 data warehouse in a format based on data elements identified by the commissioner.

(a) School districts and public postsecondary educational institutions shall maintain information systems that will provide the State Board of Education, the Board of Governors of the State University System, the State Board of Community Colleges of the Florida Community College System, and the Legislature with information and reports necessary to address the specifications of the accountability system. The level of comprehensiveness and quality must be no less than that which was available as of June 30, 2001.

(c) The Commissioner of Education shall determine the

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standards for the required data, monitor data quality, and measure improvements. The commissioner shall report annually to the State Board of Education, the Board of Governors of the State University System, the State Board of Community Colleges of the Florida Community College System, the President of the Senate, and the Speaker of the House of Representatives data quality indicators and ratings for all school districts and public postsecondary educational institutions.

Section 67. Section 1008.32, Florida Statutes, is amended to read:

1008.32 State Board of Education oversight enforcement authority.—The State Board of Education shall oversee the performance of district school boards ~~and Florida College System institution boards of trustees~~ in enforcement of all laws and rules. District school boards ~~and Florida College System institution boards of trustees~~ shall be primarily responsible for compliance with law and state board rule.

(1) In order to ensure compliance with law or state board rule, the State Board of Education shall have the authority to request and receive information, data, and reports from school districts ~~and Florida College System institutions~~. District school superintendents ~~and Florida College System institution presidents~~ are responsible for the accuracy of the information and data reported to the state board.

(2) The Commissioner of Education may investigate allegations of noncompliance with law or state board rule and determine probable cause. The commissioner shall report determinations of probable cause to the State Board of Education which shall require the district school board ~~or Florida College~~

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~~System institution board of trustees~~ to document compliance with law or state board rule.

(3) If the district school board ~~or Florida College System institution board of trustees~~ cannot satisfactorily document compliance, the State Board of Education may order compliance within a specified timeframe.

(4) If the State Board of Education determines that a district school board ~~or Florida College System institution board of trustees~~ is unwilling or unable to comply with law or state board rule within the specified time, the state board shall have the authority to initiate any of the following actions:

(a) Report to the Legislature that the school district ~~or Florida College System institution~~ is unwilling or unable to comply with law or state board rule and recommend action to be taken by the Legislature.

(b) Withhold the transfer of state funds, discretionary grant funds, discretionary lottery funds, or any other funds specified as eligible for this purpose by the Legislature until the school district ~~or Florida College System institution~~ complies with the law or state board rule.

(c) Declare the school district ~~or Florida College System institution~~ ineligible for competitive grants.

(d) Require monthly or periodic reporting on the situation related to noncompliance until it is remedied.

(5) Nothing in this section shall be construed to create a private cause of action or create any rights for individuals or entities in addition to those provided elsewhere in law or rule.

Section 68. Paragraphs (e) and (f) of subsection (7) of

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section 1008.345, Florida Statutes, are amended to read:

1008.345 Implementation of state system of school improvement and education accountability.—

(7) As a part of the system of educational accountability, the Department of Education shall:

(e) Maintain a listing of college-level communication and mathematics skills associated with successful student performance through the baccalaureate level and submit it to the State Board of Education, ~~and the Board of Governors, and the~~ State Board of Community Colleges for approval.

(f) Perform any other functions that may be involved in educational planning, research, and evaluation or that may be required by the commissioner, the State Board of Education, the State Board of Community Colleges, the Board of Governors, or law.

Section 69. Subsections (1) and (2) of section 1008.37, Florida Statutes, are amended to read:

1008.37 Postsecondary feedback of information to high schools.—

(1) The Commissioner of Education shall report to the State Board of Education, the Board of Governors, the State Board of Community Colleges, the Legislature, and the district school boards on the performance of each first-time-in-postsecondary education student from each public high school in this state who is enrolled in a public postsecondary institution or public career center. Such reports must be based on information databases maintained by the Department of Education. In addition, the public postsecondary educational institutions and career centers shall provide district school boards access to

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information on student performance in regular and preparatory courses and shall indicate students referred for remediation pursuant to s. 1004.91 or s. 1008.30.

(2) The Commissioner of Education shall report, by high school, to the State Board of Education, the Board of Governors, the State Board of Community Colleges, and the Legislature, no later than November 30 of each year, on the number of prior year Florida high school graduates who enrolled for the first time in public postsecondary education in this state during the previous summer, fall, or spring term, indicating the number of students whose scores on the common placement test indicated the need for developmental education under s. 1008.30 or for applied academics for adult education under s. 1004.91.

Section 70. Section 1008.38, Florida Statutes, is amended to read:

1008.38 Articulation accountability process.—The State Board of Education, in conjunction with the Board of Governors and the State Board of Community Colleges, shall develop articulation accountability measures which assess the status of systemwide articulation processes authorized under s. 1007.23 and establish an articulation accountability process which at a minimum shall address:

(1) The impact of articulation processes on ensuring educational continuity and the orderly and unobstructed transition of students between public secondary and postsecondary education systems and facilitating the transition of students between the public and private sectors.

(2) The adequacy of preparation of public secondary students to smoothly articulate to a public postsecondary

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institution.

(3) The effectiveness of articulated acceleration mechanisms available to secondary students.

(4) The smooth transfer of Florida Community College System associate degree graduates to a Florida Community College System institution or a state university.

(5) An examination of degree requirements that exceed the parameters of 60 credit hours for an associate degree and 120 hours for a baccalaureate degree in public postsecondary programs.

(6) The relationship between student attainment of college-level academic skills and articulation to the upper division in public postsecondary institutions.

Section 71. Section 1008.405, Florida Statutes, is amended to read:

1008.405 Adult student information.—Each school district and Florida Community College System institution shall maintain sufficient information for each student enrolled in workforce education to allow local and state administrators to locate such student upon the termination of instruction and to determine the appropriateness of student placement in specific instructional programs. The State Board of Education and the State Board of Community Colleges shall adopt, by rule, specific information that must be maintained and acceptable means of maintaining that information.

Section 72. Subsection (2) of section 1008.44, Florida Statutes, is amended to read:

1008.44 CAPE Industry Certification Funding List and CAPE Postsecondary Industry Certification Funding List.—

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(2) The State Board of Education, for school districts, and the State Board of Community Colleges, for Florida Community College System institutions, shall approve, at least annually, the CAPE Postsecondary Industry Certification Funding List pursuant to this section. The Commissioner of Education and the Chancellor of the Florida Community College System shall recommend, at least annually, the CAPE Postsecondary Industry Certification Funding List to the State Board of Education and the State Board of Community Colleges, respectively, and may at any time recommend adding certifications. The Chancellor of the State University System, the Chancellor of the Florida Community College System, and the Chancellor of Career and Adult Education shall work with local workforce boards, other postsecondary institutions, businesses, and industry to identify, create, and recommend to the Commissioner of Education industry certifications to be placed on the funding list. The list shall be used to determine annual performance funding distributions to school districts or Florida Community College System institutions as specified in ss. 1011.80 and 1011.81, respectively. The chancellors shall review results of the economic security report of employment and earning outcomes produced annually pursuant to s. 445.07 when determining recommended certifications for the list, as well as other reports and indicators available regarding certification needs.

Section 73. Section 1008.45, Florida Statutes, is amended to read:

1008.45 Florida Community College System institution accountability process.—

(1) It is the intent of the Legislature that a management

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and accountability process be implemented which provides for the systematic, ongoing improvement and assessment of the improvement of the quality and efficiency of the Florida Community College System institutions. Accordingly, the State Board of Community Colleges Education and the Florida Community College System institution boards of trustees shall develop and implement an accountability plan to improve and evaluate the instructional and administrative efficiency and effectiveness of the Florida Community College System. This plan shall be designed in consultation with staff of the Governor and the Legislature and must address the following issues:

(a) Graduation rates of A.A. and A.S. degree-seeking students compared to first-time-enrolled students seeking the associate degree.

(b) Minority student enrollment and retention rates.

(c) Student performance, including student performance in college-level academic skills, mean grade point averages for Florida Community College System institution A.A. transfer students, and Florida Community College System institution student performance on state licensure examinations.

(d) Job placement rates of Florida Community College System institution career students.

(e) Student progression by admission status and program.

(f) Career accountability standards identified in s. 1008.42.

(g) Institutional assessment efforts related to the requirements of s. III in the Criteria for Accreditation of the Commission on Colleges of the Southern Association of Colleges and Schools.

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(h) Other measures approved by the State Board of Community Colleges Education.

(2) The State Board of Community Colleges Education shall submit an annual report, to coincide with the submission of the ~~state board's agency~~ strategic plan required by law, providing the results of initiatives taken during the prior year and the initiatives and related objective performance measures proposed for the next year.

(3) The State Board of Community Colleges Education shall address within the annual evaluation of the performance of the chancellor ~~executive director~~, and the Florida Community College System institution boards of trustees shall address within the annual evaluation of the presidents, the achievement of the performance goals established by the accountability process.

Section 74. Section 1009.21, Florida Statutes, is amended to read:

1009.21 Determination of resident status for tuition purposes.—Students shall be classified as residents or nonresidents for the purpose of assessing tuition in postsecondary educational programs offered by charter technical career centers or career centers operated by school districts, in Florida Community College System institutions, and in state universities.

(1) As used in this section, the term:

(a) "Dependent child" means any person, whether or not living with his or her parent, who is eligible to be claimed by his or her parent as a dependent under the federal income tax code.

(b) "Initial enrollment" means the first day of class at an

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institution of higher education.

(c) "Institution of higher education" means any charter technical career center as defined in s. 1002.34, career center operated by a school district as defined in s. 1001.44, Florida Community College System institution as defined in s. 1000.21(3), or state university as defined in s. 1000.21(6).

(d) "Legal resident" or "resident" means a person who has maintained his or her residence in this state for the preceding year, has purchased a home which is occupied by him or her as his or her residence, or has established a domicile in this state pursuant to s. 222.17.

(e) "Nonresident for tuition purposes" means a person who does not qualify for the in-state tuition rate.

(f) "Parent" means either or both parents of a student, any guardian of a student, or any person in a parental relationship to a student.

(g) "Resident for tuition purposes" means a person who qualifies as provided in this section for the in-state tuition rate.

(2) (a) To qualify as a resident for tuition purposes:

1. A person or, if that person is a dependent child, his or her parent or parents must have established legal residence in this state and must have maintained legal residence in this state for at least 12 consecutive months immediately prior to his or her initial enrollment in an institution of higher education.

2. Every applicant for admission to an institution of higher education shall be required to make a statement as to his or her length of residence in the state and, further, shall

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establish that his or her presence or, if the applicant is a dependent child, the presence of his or her parent or parents in the state currently is, and during the requisite 12-month qualifying period was, for the purpose of maintaining a bona fide domicile, rather than for the purpose of maintaining a mere temporary residence or abode incident to enrollment in an institution of higher education.

(b) However, with respect to a dependent child living with an adult relative other than the child's parent, such child may qualify as a resident for tuition purposes if the adult relative is a legal resident who has maintained legal residence in this state for at least 12 consecutive months immediately before the child's initial enrollment in an institution of higher education, provided the child has resided continuously with such relative for the 3 years immediately before the child's initial enrollment in an institution of higher education, during which time the adult relative has exercised day-to-day care, supervision, and control of the child.

(c) The legal residence of a dependent child whose parents are divorced, separated, or otherwise living apart will be deemed to be this state if either parent is a legal resident of this state, regardless of which parent is entitled to claim, and does in fact claim, the minor as a dependent pursuant to federal individual income tax provisions.

(d) A dependent child who is a United States citizen may not be denied classification as a resident for tuition purposes based solely upon the immigration status of his or her parent.

(3) (a) An individual shall not be classified as a resident for tuition purposes and, thus, shall not be eligible to receive

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the in-state tuition rate until he or she has provided such evidence related to legal residence and its duration or, if that individual is a dependent child, evidence of his or her parent's legal residence and its duration, as may be required by law and by officials of the institution of higher education from which he or she seeks the in-state tuition rate.

(b) Except as otherwise provided in this section, evidence of legal residence and its duration shall include clear and convincing documentation that residency in this state was for a minimum of 12 consecutive months prior to a student's initial enrollment in an institution of higher education.

(c) Each institution of higher education shall affirmatively determine that an applicant who has been granted admission to that institution as a Florida resident meets the residency requirements of this section at the time of initial enrollment. The residency determination must be documented by the submission of written or electronic verification that includes two or more of the documents identified in this paragraph. No single piece of evidence shall be conclusive.

1. The documents must include at least one of the following:

- a. A Florida voter's registration card.
- b. A Florida driver license.
- c. A State of Florida identification card.
- d. A Florida vehicle registration.
- e. Proof of a permanent home in Florida which is occupied as a primary residence by the individual or by the individual's parent if the individual is a dependent child.
- f. Proof of a homestead exemption in Florida.

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g. Transcripts from a Florida high school for multiple years if the Florida high school diploma or high school equivalency diploma was earned within the last 12 months.

h. Proof of permanent full-time employment in Florida for at least 30 hours per week for a 12-month period.

2. The documents may include one or more of the following:

- a. A declaration of domicile in Florida.
- b. A Florida professional or occupational license.
- c. Florida incorporation.
- d. A document evidencing family ties in Florida.
- e. Proof of membership in a Florida-based charitable or professional organization.
- f. Any other documentation that supports the student's request for resident status, including, but not limited to, utility bills and proof of 12 consecutive months of payments; a lease agreement and proof of 12 consecutive months of payments; or an official state, federal, or court document evidencing legal ties to Florida.

(4) With respect to a dependent child, the legal residence of the dependent child's parent or parents is prima facie evidence of the dependent child's legal residence, which evidence may be reinforced or rebutted, relative to the age and general circumstances of the dependent child, by the other evidence of legal residence required of or presented by the dependent child. However, the legal residence of a dependent child's parent or parents who are domiciled outside this state is not prima facie evidence of the dependent child's legal residence if that dependent child has lived in this state for 5 consecutive years prior to enrolling or reregistering at the

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4875 institution of higher education at which resident status for
4876 tuition purposes is sought.

4877 (5) A person who physically resides in this state may be
4878 classified as a resident for tuition purposes if he or she
4879 marries a person who meets the 12-month residency requirement
4880 under subsection (2) and who is a legal resident of this state.

4881 (6) (a) Except as otherwise provided in this section, a
4882 person who is classified as a nonresident for tuition purposes
4883 may become eligible for reclassification as a resident for
4884 tuition purposes if that person or, if that person is a
4885 dependent child, his or her parent presents clear and convincing
4886 documentation that supports permanent legal residency in this
4887 state for at least 12 consecutive months rather than temporary
4888 residency for the purpose of pursuing an education, such as
4889 documentation of full-time permanent employment for the prior 12
4890 months or the purchase of a home in this state and residence
4891 therein for the prior 12 months while not enrolled in an
4892 institution of higher education.

4893 (b) If a person who is a dependent child and his or her
4894 parent move to this state while such child is a high school
4895 student and the child graduates from a high school in this
4896 state, the child may become eligible for reclassification as a
4897 resident for tuition purposes when the parent submits evidence
4898 that the parent qualifies for permanent residency.

4899 (c) If a person who is a dependent child and his or her
4900 parent move to this state after such child graduates from high
4901 school, the child may become eligible for reclassification as a
4902 resident for tuition purposes after the parent submits evidence
4903 that he or she has established legal residence in the state and

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4904 has maintained legal residence in the state for at least 12
4905 consecutive months.

4906 (d) A person who is classified as a nonresident for tuition
4907 purposes and who marries a legal resident of the state or
4908 marries a person who becomes a legal resident of the state may,
4909 upon becoming a legal resident of the state, become eligible for
4910 reclassification as a resident for tuition purposes upon
4911 submitting evidence of his or her own legal residency in the
4912 state, evidence of his or her marriage to a person who is a
4913 legal resident of the state, and evidence of the spouse's legal
4914 residence in the state for at least 12 consecutive months
4915 immediately preceding the application for reclassification.

4916 (7) A person shall not lose his or her resident status for
4917 tuition purposes solely by reason of serving, or, if such person
4918 is a dependent child, by reason of his or her parent's or
4919 parents' serving, in the Armed Forces outside this state.

4920 (8) A person who has been properly classified as a resident
4921 for tuition purposes but who, while enrolled in an institution
4922 of higher education in this state, loses his or her resident
4923 tuition status because the person or, if he or she is a
4924 dependent child, the person's parent or parents establish
4925 domicile or legal residence elsewhere shall continue to enjoy
4926 the in-state tuition rate for a statutory grace period, which
4927 period shall be measured from the date on which the
4928 circumstances arose that culminated in the loss of resident
4929 tuition status and shall continue for 12 months. However, if the
4930 12-month grace period ends during a semester or academic term
4931 for which such former resident is enrolled, such grace period
4932 shall be extended to the end of that semester or academic term.

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(9) Any person who ceases to be enrolled at or who graduates from an institution of higher education while classified as a resident for tuition purposes and who subsequently abandons his or her domicile in this state shall be permitted to reenroll at an institution of higher education in this state as a resident for tuition purposes without the necessity of meeting the 12-month durational requirement of this section if that person has reestablished his or her domicile in this state within 12 months of such abandonment and continuously maintains the reestablished domicile during the period of enrollment. The benefit of this subsection shall not be accorded more than once to any one person.

(10) The following persons shall be classified as residents for tuition purposes:

(a) Active duty members of the Armed Services of the United States residing or stationed in this state, their spouses, and dependent children, and active drilling members of the Florida National Guard.

(b) Active duty members of the Armed Services of the United States and their spouses and dependents attending a Florida Community College System institution or state university within 50 miles of the military establishment where they are stationed, if such military establishment is within a county contiguous to Florida.

(c) United States citizens living on the Isthmus of Panama, who have completed 12 consecutive months of college work at the Florida State University Panama Canal Branch, and their spouses and dependent children.

(d) Full-time instructional and administrative personnel

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employed by state public schools and institutions of higher education and their spouses and dependent children.

(e) Students from Latin America and the Caribbean who receive scholarships from the federal or state government. Any student classified pursuant to this paragraph shall attend, on a full-time basis, a Florida institution of higher education.

(f) Southern Regional Education Board's Academic Common Market graduate students attending Florida's state universities.

(g) Full-time employees of state agencies or political subdivisions of the state when the student fees are paid by the state agency or political subdivision for the purpose of job-related law enforcement or corrections training.

(h) McKnight Doctoral Fellows and Finalists who are United States citizens.

(i) United States citizens living outside the United States who are teaching at a Department of Defense Dependent School or in an American International School and who enroll in a graduate level education program which leads to a Florida teaching certificate.

(j) Active duty members of the Canadian military residing or stationed in this state under the North American Air Defense (NORAD) agreement, and their spouses and dependent children, attending a Florida Community College System institution or state university within 50 miles of the military establishment where they are stationed.

(k) Active duty members of a foreign nation's military who are serving as liaison officers and are residing or stationed in this state, and their spouses and dependent children, attending a Florida Community College System institution or state

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university within 50 miles of the military establishment where the foreign liaison officer is stationed.

(11) Once a student has been classified as a resident for tuition purposes, an institution of higher education to which the student transfers is not required to reevaluate the classification unless inconsistent information suggests that an erroneous classification was made or the student's situation has changed. However, the student must have attended the institution making the initial classification within the prior 12 months, and the residency classification must be noted on the student's transcript. The Higher Education Coordinating Council shall consider issues related to residency determinations and make recommendations relating to efficiency and effectiveness of current law.

(12) Each institution of higher education shall establish a residency appeal committee comprised of at least three members to consider student appeals of residency determinations, in accordance with the institution's official appeal process. The residency appeal committee must render to the student the final residency determination in writing. The institution must advise the student of the reasons for the determination.

(13) The State Board of Education, ~~and~~ the Board of Governors, and the State Board of Community Colleges shall adopt rules to implement this section.

Section 75. Paragraph (e) of subsection (3) of section 1009.22, Florida Statutes, is amended to read:

1009.22 Workforce education postsecondary student fees.—

(3)

(e) The State Board of Education and the State Board of

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Community Colleges may adopt, by rule, the definitions and procedures that district school boards and Florida Community College System institution boards of trustees shall use in the calculation of cost borne by students.

Section 76. Section 1009.23, Florida Statutes, is amended to read:

1009.23 Florida Community College System institution student fees.—

(1) Unless otherwise provided, this section applies only to fees charged for college credit instruction leading to an associate in arts degree, an associate in applied science degree, an associate in science degree, or a baccalaureate degree authorized pursuant to s. 1007.33, for noncollege credit developmental education defined in s. 1004.02, and for educator preparation institute programs defined in s. 1004.85.

(2) (a) All students shall be charged fees except students who are exempt from fees or students whose fees are waived.

(b) Tuition and out-of-state fees for upper-division courses must reflect the fact that the Florida Community College System institution has a less expensive cost structure than that of a state university. Therefore, the board of trustees shall establish tuition and out-of-state fees for upper-division courses in baccalaureate degree programs approved pursuant to s. 1007.33 consistent with law and proviso language in the General Appropriations Act. However, the board of trustees may vary tuition and out-of-state fees only as provided in subsection (6) and s. 1009.26(11).

(3) (a) Effective July 1, 2014, for advanced and professional, postsecondary vocational, developmental education,

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and educator preparation institute programs, the standard tuition shall be \$71.98 per credit hour for residents and nonresidents, and the out-of-state fee shall be \$215.94 per credit hour.

(b) Effective July 1, 2014, for baccalaureate degree programs, the following tuition and fee rates shall apply:

1. The tuition shall be \$91.79 per credit hour for students who are residents for tuition purposes.

2. The sum of the tuition and the out-of-state fee per credit hour for students who are nonresidents for tuition purposes shall be no more than 85 percent of the sum of the tuition and the out-of-state fee at the state university nearest the Florida Community College System institution.

(4) Each Florida Community College System institution board of trustees shall establish tuition and out-of-state fees, which may vary no more than 10 percent below and 15 percent above the combined total of the standard tuition and fees established in subsection (3).

(5) Except as otherwise provided in law, the sum of nonresident student tuition and out-of-state fees must be sufficient to defray the full cost of each program.

(6) (a) A Florida Community College System institution board of trustees that has a service area that borders another state may implement a plan for a differential out-of-state fee.

(b) A Florida Community College System institution board of trustees may establish a differential out-of-state fee for a student who has been determined to be a nonresident for tuition purposes pursuant to s. 1009.21 and is enrolled in a distance learning course offered by the institution. A differential out-

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of-state fee established pursuant to this paragraph shall be applicable only to distance learning courses and must be established such that the sum of tuition and the differential out-of-state fee is sufficient to defray the full cost of instruction.

(7) Each Florida Community College System institution board of trustees may establish a separate activity and service fee not to exceed 10 percent of the tuition fee, according to rules of the State Board of Community Colleges Education. The student activity and service fee shall be collected as a component part of the tuition and fees. The student activity and service fees shall be paid into a student activity and service fund at the Florida Community College System institution and shall be expended for lawful purposes to benefit the student body in general. These purposes include, but are not limited to, student publications and grants to duly recognized student organizations, the membership of which is open to all students at the Florida Community College System institution without regard to race, sex, or religion. No Florida Community College System institution shall be required to lower any activity and service fee approved by the board of trustees of the Florida Community College System institution and in effect prior to October 26, 2007, in order to comply with the provisions of this subsection.

(8) (a) Each Florida Community College System institution board of trustees is authorized to establish a separate fee for financial aid purposes in an additional amount up to, but not to exceed, 5 percent of the total student tuition or out-of-state fees collected. Each Florida Community College System

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institution board of trustees may collect up to an additional 2 percent if the amount generated by the total financial aid fee is less than \$500,000. If the amount generated is less than \$500,000, a Florida Community College System institution that charges tuition and out-of-state fees at least equal to the average fees established by rule may transfer from the general current fund to the scholarship fund an amount equal to the difference between \$500,000 and the amount generated by the total financial aid fee assessment. No other transfer from the general current fund to the loan, endowment, or scholarship fund, by whatever name known, is authorized.

(b) All funds collected under this program shall be placed in the loan and endowment fund or scholarship fund of the college, by whatever name known. Such funds shall be disbursed to students as quickly as possible. An amount not greater than 40 percent of the fees collected in a fiscal year may be carried forward unexpended to the following fiscal year. However, funds collected prior to July 1, 1989, and placed in an endowment fund may not be considered part of the balance of funds carried forward unexpended to the following fiscal year.

(c) Up to 25 percent or \$600,000, whichever is greater, of the financial aid fees collected may be used to assist students who demonstrate academic merit; who participate in athletics, public service, cultural arts, and other extracurricular programs as determined by the institution; or who are identified as members of a targeted gender or ethnic minority population. The financial aid fee revenues allocated for athletic scholarships and any fee exemptions provided to athletes pursuant to s. 1009.25(2) must be distributed equitably as

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required by s. 1000.05(3)(d). A minimum of 75 percent of the balance of these funds for new awards shall be used to provide financial aid based on absolute need, and the remainder of the funds shall be used for academic merit purposes and other purposes approved by the boards of trustees. Such other purposes shall include the payment of child care fees for students with financial need. The State Board of Education shall develop criteria for making financial aid awards. Each college shall report annually to the Department of Education on the revenue collected pursuant to this paragraph, the amount carried forward, the criteria used to make awards, the amount and number of awards for each criterion, and a delineation of the distribution of such awards. The report shall include an assessment by category of the financial need of every student who receives an award, regardless of the purpose for which the award is received. Awards that are based on financial need shall be distributed in accordance with a nationally recognized system of need analysis approved by the State Board of Education. An award for academic merit requires a minimum overall grade point average of 3.0 on a 4.0 scale or the equivalent for both initial receipt of the award and renewal of the award.

(d) These funds may not be used for direct or indirect administrative purposes or salaries.

(9) Any Florida Community College System institution that reports students who have not paid fees in an approved manner in calculations of full-time equivalent enrollments for state funding purposes shall be penalized at a rate equal to two times the value of such enrollments. Such penalty shall be charged against the following year's allocation from the Florida

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5165 Community College System Program Fund and shall revert to the
5166 General Revenue Fund.

5167 (10) Each Florida Community College System institution
5168 board of trustees is authorized to establish a separate fee for
5169 technology, which may not exceed 5 percent of tuition per credit
5170 hour or credit-hour equivalent for resident students and may not
5171 exceed 5 percent of tuition and the out-of-state fee per credit
5172 hour or credit-hour equivalent for nonresident students.
5173 Revenues generated from the technology fee shall be used to
5174 enhance instructional technology resources for students and
5175 faculty. The technology fee may apply to both college credit and
5176 developmental education and shall not be included in any award
5177 under the Florida Bright Futures Scholarship Program. Fifty
5178 percent of technology fee revenues may be pledged by a Florida
5179 Community College System institution board of trustees as a
5180 dedicated revenue source for the repayment of debt, including
5181 lease-purchase agreements, not to exceed the useful life of the
5182 asset being financed. Revenues generated from the technology fee
5183 may not be bonded.

5184 (11) (a) Each Florida Community College System institution
5185 board of trustees may establish a separate fee for capital
5186 improvements, technology enhancements, equipping student
5187 buildings, or the acquisition of improved real property which
5188 may not exceed 20 percent of tuition for resident students or 20
5189 percent of the sum of tuition and out-of-state fees for
5190 nonresident students. The fee for resident students shall be
5191 limited to an increase of \$2 per credit hour over the prior
5192 year. Funds collected by Florida Community College System
5193 institutions through the fee may be bonded only as provided in

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5194 this subsection for the purpose of financing or refinancing new
5195 construction and equipment, renovation, remodeling of
5196 educational facilities, or the acquisition and renovation or
5197 remodeling of improved real property for use as educational
5198 facilities. The fee shall be collected as a component part of
5199 the tuition and fees, paid into a separate account, and expended
5200 only to acquire improved real property or construct and equip,
5201 maintain, improve, or enhance the educational facilities of the
5202 Florida Community College System institution. Projects and
5203 acquisitions of improved real property funded through the use of
5204 the capital improvement fee shall meet the survey and
5205 construction requirements of chapter 1013. Pursuant to s.
5206 216.0158, each Florida Community College System institution
5207 shall identify each project, including maintenance projects,
5208 proposed to be funded in whole or in part by such fee.

5209 (b) Capital improvement fee revenues may be pledged by a
5210 board of trustees as a dedicated revenue source to the repayment
5211 of debt, including lease-purchase agreements, with an overall
5212 term of not more than 7 years, including renewals, extensions,
5213 and refundings, and revenue bonds with a term not exceeding 20
5214 annual maturities and not exceeding the useful life of the asset
5215 being financed, only for financing or refinancing of the new
5216 construction and equipment, renovation, or remodeling of
5217 educational facilities. Bonds authorized pursuant to this
5218 subsection shall be requested by the Florida Community College
5219 System institution board of trustees and shall be issued by the
5220 Division of Bond Finance in compliance with s. 11(d), Art. VII
5221 of the State Constitution and the State Bond Act. The Division
5222 of Bond Finance may pledge fees collected by one or more Florida

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5223 Community College System institutions to secure such bonds. Any
 5224 project included in the approved educational plant survey
 5225 pursuant to chapter 1013 is approved pursuant to s. 11(f), Art.
 5226 VII of the State Constitution.

5227 (c) Bonds issued pursuant to this subsection may be
 5228 validated in the manner provided by chapter 75. Only the initial
 5229 series of bonds is required to be validated. The complaint for
 5230 such validation shall be filed in the circuit court of the
 5231 county where the seat of state government is situated, the
 5232 notice required to be published by s. 75.06 shall be published
 5233 only in the county where the complaint is filed, and the
 5234 complaint and order of the circuit court shall be served only on
 5235 the state attorney of the circuit in which the action is
 5236 pending.

5237 (d) A maximum of 15 percent may be allocated from the
 5238 capital improvement fee for child care centers conducted by the
 5239 Florida Community College System institution. The use of capital
 5240 improvement fees for such purpose shall be subordinate to the
 5241 payment of any bonds secured by the fees.

5242 (e) The state does hereby covenant with the holders of the
 5243 bonds issued under this subsection that it will not take any
 5244 action that will materially and adversely affect the rights of
 5245 such holders so long as the bonds authorized by this subsection
 5246 are outstanding.

5247 (12)(a) In addition to tuition, out-of-state, financial
 5248 aid, capital improvement, student activity and service, and
 5249 technology fees authorized in this section, each Florida
 5250 Community College System institution board of trustees is
 5251 authorized to establish fee schedules for the following user

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5252 fees and fines: laboratory fees, which do not apply to a
 5253 distance learning course; parking fees and fines; library fees
 5254 and fines; fees and fines relating to facilities and equipment
 5255 use or damage; access or identification card fees; duplicating,
 5256 photocopying, binding, or microfilming fees; standardized
 5257 testing fees; diploma replacement fees; transcript fees;
 5258 application fees; graduation fees; and late fees related to
 5259 registration and payment. Such user fees and fines shall not
 5260 exceed the cost of the services provided and shall only be
 5261 charged to persons receiving the service. A Florida Community
 5262 College System institution may not charge any fee except as
 5263 authorized by law. Parking fee revenues may be pledged by a
 5264 Florida Community College System institution board of trustees
 5265 as a dedicated revenue source for the repayment of debt,
 5266 including lease-purchase agreements, with an overall term of not
 5267 more than 7 years, including renewals, extensions, and
 5268 refundings, and revenue bonds with a term not exceeding 20 years
 5269 and not exceeding the useful life of the asset being financed.
 5270 Florida Community College System institutions shall use the
 5271 services of the Division of Bond Finance of the State Board of
 5272 Administration to issue any revenue bonds authorized by this
 5273 subsection. Any such bonds issued by the Division of Bond
 5274 Finance shall be in compliance with the provisions of the State
 5275 Bond Act. Bonds issued pursuant to the State Bond Act may be
 5276 validated in the manner established in chapter 75. The complaint
 5277 for such validation shall be filed in the circuit court of the
 5278 county where the seat of state government is situated, the
 5279 notice required to be published by s. 75.06 shall be published
 5280 only in the county where the complaint is filed, and the

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complaint and order of the circuit court shall be served only on the state attorney of the circuit in which the action is pending.

(b) The State Board of Community Colleges Education may adopt rules pursuant to ss. 120.536(1) and 120.54 to administer this subsection.

(13) The State Board of Community Colleges Education shall specify, as necessary, by rule, approved methods of student fee payment. Such methods shall include, but not be limited to, student fee payment; payment through federal, state, or institutional financial aid; and employer fee payments.

(14) Each Florida Community College System institution board of trustees shall report only those students who have actually enrolled in instruction provided or supervised by instructional personnel under contract with the Florida Community College System institution in calculations of actual full-time equivalent enrollments for state funding purposes. No student who has been exempted from taking a course or who has been granted academic or career credit through means other than actual coursework completed at the granting institution shall be calculated for enrollment in the course from which he or she has been exempted or granted credit. Florida Community College System institutions that report enrollments in violation of this subsection shall be penalized at a rate equal to two times the value of such enrollments. Such penalty shall be charged against the following year's allocation from the Florida Community College System Program Fund and shall revert to the General Revenue Fund.

(15) Each Florida Community College System institution may

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assess a service charge for the payment of tuition and fees in installments and a convenience fee for the processing of automated or online credit card payments. However, the amount of the convenience fee may not exceed the total cost charged by the credit card company to the Florida Community College System institution. Such service charge or convenience fee must be approved by the Florida Community College System institution board of trustees.

(16) (a) Each Florida Community College System institution may assess a student who enrolls in a course listed in the distance learning catalog, established pursuant to s. 1006.735, a per-credit-hour distance learning course user fee. For purposes of assessing this fee, a distance learning course is a course in which at least 80 percent of the direct instruction of the course is delivered using some form of technology when the student and instructor are separated by time or space, or both.

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

(c) If an institution assesses the distance learning fee, the institution must provide a link to the catalog within the

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advising and distance learning sections of the institution's website, using a graphic and description provided by the Complete Florida Plus Program, to inform students of the catalog.

(17) Each Florida Community College System institution that accepts transient students, pursuant to s. 1006.735, may establish a transient student fee not to exceed \$5 per course for processing the transient student admissions application.

(18)(a) The Board of Trustees of Santa Fe College may establish a transportation access fee. Revenue from the fee may be used only to provide or improve access to transportation services for students enrolled at Santa Fe College. The fee may not exceed \$6 per credit hour. An increase in the transportation access fee may occur only once each fiscal year and must be implemented beginning with the fall term. A referendum must be held by the student government to approve the application of the fee.

(b) Notwithstanding ss. 1009.534, 1009.535, and 1009.536, the transportation access fee authorized under paragraph (a) may not be included in calculating the amount a student receives for a Florida Academic Scholars award, a Florida Medallion Scholars award, or a Florida Gold Seal Vocational Scholars award.

(19) The State Board of Community Colleges Education shall adopt a rule specifying the definitions and procedures to be used in the calculation of the percentage of cost paid by students. The rule must provide for the calculation of the full cost of educational programs based on the allocation of all funds provided through the general current fund to programs of instruction, and other activities as provided in the annual

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expenditure analysis. The rule shall be developed in consultation with the Legislature.

(20) Each Florida Community College System institution shall publicly notice and notify all enrolled students of any proposal to increase tuition or fees at least 28 days before its consideration at a board of trustees meeting. The notice must:

(a) Include the date and time of the meeting at which the proposal will be considered.

(b) Specifically outline the details of existing tuition and fees, the rationale for the proposed increase, and how the funds from the proposed increase will be used.

(c) Be posted on the institution's website and issued in a press release.

Section 77. Subsection (2) of section 1009.25, Florida Statutes, is amended to read:

1009.25 Fee exemptions.—

(2) Each Florida Community College System institution is authorized to grant student fee exemptions from all fees adopted by the State Board of Community Colleges Education and the Florida Community College System institution board of trustees for up to 54 full-time equivalent students or 1 percent of the institution's total full-time equivalent enrollment, whichever is greater, at each institution.

Section 78. Paragraph (b) of subsection (12), paragraphs (c) and (d) of subsection (13), and paragraph (d) of subsection (14) of section 1009.26, Florida Statutes, are amended, to read:

1009.26 Fee waivers.—

(12)

(b) Tuition and fees charged to a student who qualifies for

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the out-of-state fee waiver under this subsection may not exceed the tuition and fees charged to a resident student. The waiver is applicable for 110 percent of the required credit hours of the degree or certificate program for which the student is enrolled. Each state university, Florida Community College System institution, career center operated by a school district under s. 1001.44, and charter technical career center shall report to the Board of Governors, the State Board of Community Colleges, and the State Board of Education, respectively, the number and value of all fee waivers granted annually under this subsection. By October 1 of each year, the Board of Governors, for the state universities; ~~and~~ the State Board of Community Colleges, ~~Education~~ for Florida Community College System institutions; ~~7~~ career centers operated by a school district under s. 1001.44; ~~7~~ and charter technical career centers shall annually report for the previous academic year the percentage of resident and nonresident students enrolled systemwide.

(13)

(c) Each state university, Florida Community College System institution, career center operated by a school district under s. 1001.44, and charter technical career center shall report to the Board of Governors, the State Board of Community, and the State Board of Education, respectively, the number and value of all fee waivers granted annually under this subsection.

(d) The Board of Governors, the State Board of Community Colleges, and the State Board of Education shall respectively adopt regulations and rules to administer this subsection.

(14)

(d) The Board of Governors, the State Board of Community

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Colleges, and the State Board of Education shall respectively adopt regulations and rules to administer this subsection.

Section 79. Section 1009.28, Florida Statutes, is amended to read:

1009.28 Fees for repeated enrollment in developmental education classes.—A student enrolled in the same developmental education class more than twice shall pay 100 percent of the full cost of instruction to support continuous enrollment of that student in the same class, and the student shall not be included in calculations of full-time equivalent enrollments for state funding purposes; however, students who withdraw or fail a class due to extenuating circumstances may be granted an exception only once for each class, provided approval is granted according to policy established by the board of trustees. Each Florida Community College System institution may review and reduce fees paid by students due to continued enrollment in a developmental education class on an individual basis contingent upon the student's financial hardship, pursuant to definitions and fee levels established by the State Board of Community Colleges Education.

Section 80. Subsections (9) and (12) of section 1009.90, Florida Statutes, are amended to read:

1009.90 Duties of the Department of Education.—The duties of the department shall include:

(9) Development and submission of a report, annually, to the State Board of Education, the Board of Governors, the State Board of Community Colleges, the President of the Senate, and the Speaker of the House of Representatives, which shall include, but not be limited to, recommendations for the

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distribution of state financial aid funds.

(12) Calculation of the amount of need-based student financial aid required to offset fee increases recommended by the State Board of Education, ~~and the Board of Governors, and~~ the State Board of Community Colleges, and inclusion of such amount within the legislative budget request for student assistance grant programs.

Section 81. Subsection (4) of section 1009.91, Florida Statutes, is amended to read:

1009.91 Assistance programs and activities of the department.—

(4) The department shall maintain records on the student loan default rate of each Florida postsecondary institution and report that information annually to both the institution and the State Board of Education. Information relating to state universities shall also be reported annually to the Board of Governors. Information relating to Florida Community College System institutions shall be reported annually to the State Board of Community Colleges.

Section 82. Subsection (2) of section 1009.971, Florida Statutes, is amended to read:

1009.971 Florida Prepaid College Board.—

(2) FLORIDA PREPAID COLLEGE BOARD; MEMBERSHIP.—The board shall consist of seven members to be composed of the Attorney General, the Chief Financial Officer, the Chancellor of the State University System, the Chancellor of the Florida Community College System ~~Division of Florida Colleges~~, and three members appointed by the Governor and subject to confirmation by the Senate. Each member appointed by the Governor shall possess

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knowledge, skill, and experience in the areas of accounting, actuary, risk management, or investment management. Each member of the board not appointed by the Governor may name a designee to serve on the board on behalf of the member; however, any designee so named shall meet the qualifications required of gubernatorial appointees to the board. Members appointed by the Governor shall serve terms of 3 years. Any person appointed to fill a vacancy on the board shall be appointed in a like manner and shall serve for only the unexpired term. Any member shall be eligible for reappointment and shall serve until a successor qualifies. Members of the board shall serve without compensation but shall be reimbursed for per diem and travel in accordance with s. 112.061. Each member of the board shall file a full and public disclosure of his or her financial interests pursuant to s. 8, Art. II of the State Constitution and corresponding statute.

Section 83. Section 1010.01, Florida Statutes, is amended to read:

1010.01 Uniform records and accounts.—

(1) (a) The financial records and accounts of each school district, ~~Florida College System institution~~, and other institution or agency under the supervision of the State Board of Education shall be prepared and maintained as prescribed by law and rules of the State Board of Education.

(b) The financial records and accounts of each state university under the supervision of the Board of Governors shall be prepared and maintained as prescribed by law and rules of the Board of Governors.

(c) The financial records and accounts of each Florida

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5513 Community College System institution under the supervision of
 5514 the State Board of Community Colleges shall be prepared and
 5515 maintained as prescribed by law and rules of the State Board of
 5516 Community Colleges.

5517 (2) Rules of the State Board of Education, ~~and rules of the~~
 5518 ~~Board of Governors, and the State Board of Community Colleges~~
 5519 shall incorporate the requirements of law and accounting
 5520 principles generally accepted in the United States. Such rules
 5521 shall include a uniform classification of accounts.

5522 (3) Each state university shall annually file with the
 5523 Board of Governors financial statements prepared in conformity
 5524 with accounting principles generally accepted by the United
 5525 States and the uniform classification of accounts prescribed by
 5526 the Board of Governors. The Board of Governors' rules shall
 5527 prescribe the filing deadline for the financial statements.

5528 (4) Required financial accounts and reports shall include
 5529 provisions that are unique to each of the following: K-12 school
 5530 districts, Florida Community College System institutions, and
 5531 state universities, and shall provide for the data to be
 5532 reported to the National Center of Educational Statistics and
 5533 other governmental and professional educational data information
 5534 services as appropriate.

5535 (5) Each Florida Community College System institution shall
 5536 annually file with the State Board of Community Colleges
 5537 financial statements prepared in conformity with accounting
 5538 principles generally accepted by the United States and the
 5539 uniform classification of accounts prescribed by the State Board
 5540 of Community Colleges. The State Board of Community Colleges'
 5541 rules shall prescribe the filing deadline for the financial

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5542 statements.

5543 Section 84. Subsection (1) of section 1010.02, Florida
 5544 Statutes, is amended, and subsection (3) is added to that
 5545 section, to read:

5546 1010.02 Financial accounting and expenditures.—

5547 (1) All funds accruing to a school district ~~or a Florida~~
 5548 ~~College System institution~~ must be received, accounted for, and
 5549 expended in accordance with law and rules of the State Board of
 5550 Education.

5551 (3) All funds accruing to a Florida Community College
 5552 System institution must be received, accounted for, and expended
 5553 in accordance with law and rules of the State Board of Community
 5554 Colleges.

5555 Section 85. Section 1010.04, Florida Statutes, is amended
 5556 to read:

5557 1010.04 Purchasing.—

5558 (1) (a) Purchases and leases by school districts must ~~and~~
 5559 ~~Florida College System institutions shall~~ comply with the
 5560 requirements of law and rules of the State Board of Education.

5561 (b) Before purchasing nonacademic commodities and
 5562 contractual services, each district school board and Florida
 5563 Community College System institution board of trustees shall
 5564 review the purchasing agreements and state term contracts
 5565 available under s. 287.056 to determine whether it is in the
 5566 school board's or the board of trustees' economic advantage to
 5567 use the agreements and contracts. Each bid specification for
 5568 nonacademic commodities and contractual services must include a
 5569 statement indicating that the purchasing agreements and state
 5570 term contracts available under s. 287.056 have been reviewed.

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Each district school board may also use the cooperative state purchasing programs managed through the regional consortium service organizations pursuant to their authority under s. 1001.451(3). This paragraph does not apply to services that are eligible for reimbursement under the federal E-rate program administered by the Universal Service Administrative Company.

(c) Purchases and leases by state universities ~~must shall~~ comply with the requirements of law and regulations of the Board of Governors.

(d) Purchases and leases by Florida Community College System institutions must comply with the requirements of law and rules of the State Board of Community Colleges.

(2) Each district school board and Florida Community College System institution board of trustees shall adopt rules, and each university board of trustees shall adopt regulations, to be followed in making purchases. Purchases may be made through an online procurement system, an electronic auction service, or other efficient procurement tool.

(3) In districts in which the county purchasing agent is authorized by law to make purchases for the benefit of other governmental agencies within the county, the district school board and Florida Community College System institution board of trustees shall have the option to purchase from the current county contracts at the unit price stated therein if such purchase is to the economic advantage of the district school board or the Florida Community College System institution board of trustees; subject to confirmation of the items of purchase to the standards and specifications prescribed by the school district or Florida Community College System institution.

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(4) (a) The State Board of Education may, by rule, provide for alternative procedures for school districts ~~and Florida~~ ~~College System institutions~~ for bidding or purchasing in cases in which the character of the item requested renders competitive bidding impractical.

(b) The Board of Governors may, by regulation, provide for alternative procedures for state universities for bidding or purchasing in cases in which the character of the item requested renders competitive bidding impractical.

(c) The State Board of Community Colleges may, by rule, provide for alternative procedures for Florida Community College System institutions for bidding or purchasing in cases in which the character of the item requested renders competitive bidding impractical.

Section 86. Section 1010.07, Florida Statutes, is amended to read:

1010.07 Bonds or insurance required.—

(1) Each district school board, Florida Community College System institution board of trustees, and university board of trustees shall ensure that each official and employee responsible for handling, expending, or authorizing the expenditure of funds shall be appropriately bonded or insured to protect the board and the funds involved.

(2) (a) Contractors paid from school district ~~or Florida~~ ~~College System institution~~ funds shall give bond for the faithful performance of their contracts in such amount and for such purposes as prescribed by s. 255.05 or by rules of the State Board of Education relating to the type of contract involved. It shall be the duty of the district school board ~~or~~

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5629 ~~Florida College System institution board of trustees~~ to require
5630 from construction contractors a bond adequate to protect the
5631 board and the board's funds involved.

5632 (b) Contractors paid from university funds shall give bond
5633 for the faithful performance of their contracts in such amount
5634 and for such purposes as prescribed by s. 255.05 or by
5635 regulations of the Board of Governors relating to the type of
5636 contract involved. It shall be the duty of the university board
5637 of trustees to require from construction contractors a bond
5638 adequate to protect the board and the board's funds involved.

5639 (c) Contractors paid from Florida Community College System
5640 institution funds shall give bonds for the faithful performance
5641 of their contracts in such amount and for such purposes as
5642 prescribed by s. 255.05 or by rules of the State Board of
5643 Community Colleges relating to the type of contract involved. It
5644 is the duty of the Florida Community College System institution
5645 board of trustees to require construction contractors to provide
5646 a bond adequate to protect the board and the board's funds
5647 involved.

5648 Section 87. Section 1010.08, Florida Statutes, is amended
5649 to read:

5650 1010.08 Promotion and public relations; funding.—

5651 (1) Each district school board and Florida College System
5652 ~~institution board of trustees~~ may budget and use a portion of
5653 the funds accruing to it from auxiliary enterprises and
5654 undesignated gifts for promotion and public relations as
5655 prescribed by rules of the State Board of Education. Such funds
5656 may be used to provide hospitality to business guests in the
5657 district or elsewhere. However, such hospitality expenses may

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5658 not exceed the amount authorized for such contingency funds as
5659 prescribed by rules of the State Board of Education.

5660 (2) Each Florida Community College System institution board
5661 of trustees may budget and use a portion of the funds accruing
5662 to it from auxiliary enterprises and undesignated gifts for
5663 promotion and public relations as prescribed by rules of the
5664 State Board of Community Colleges. Such funds may be used to
5665 provide hospitality to business guests in the district or
5666 elsewhere. However, such hospitality expenses may not exceed the
5667 amount authorized for such contingency funds as prescribed by
5668 rules of the State Board of Community Colleges.

5669 Section 88. Subsection (1) of section 1010.09, Florida
5670 Statutes, is amended and subsection (3) is added to that
5671 section, to read:

5672 1010.09 Direct-support organizations.—

5673 (1) School district ~~and Florida College System institution~~
5674 direct-support organizations shall be organized and conducted
5675 under the provisions of ss. 1001.453 and 1004.70 and rules of
5676 the State Board of Education, as applicable.

5677 (3) Florida Community College System institution direct-
5678 support organizations shall be organized and conducted under the
5679 provisions of s. 1004.70 and rules of the State Board of
5680 Community Colleges.

5681 Section 89. Section 1010.22, Florida Statutes, is amended
5682 to read:

5683 1010.22 Cost accounting and reporting for workforce
5684 education.—

5685 (1) (a) Each school district and each Florida College System
5686 ~~institution~~ shall account for expenditures of all state, local,

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federal, and other funds in the manner prescribed by the State Board of Education.

(b) Each Florida Community College System institution shall account for expenditures of all state, local, federal, and other funds in the manner prescribed by the State Board of Community Colleges.

~~(2)(a) Each school district and each Florida College System institution~~ shall report expenditures for workforce education in accordance with requirements prescribed by the State Board of Education.

(b) Each Florida Community College System institution shall report expenditures for workforce education in accordance with requirements prescribed by the State Board of Community Colleges.

(3) The Department of Education, in cooperation with school districts and Florida Community College System institutions, shall develop and maintain a database of valid comparable information on workforce education which will meet both state and local needs.

Section 90. Subsection (1) of section 1010.30, Florida Statutes, is amended to read:

1010.30 Audits required.—

(1) School districts, ~~Florida College System institutions,~~ and other institutions and agencies under the supervision of the State Board of Education, Florida Community College System institutions under the supervision of the State Board of Community Colleges, and state universities under the supervision of the Board of Governors are subject to the audit provisions of ss. 11.45 and 218.39.

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Section 91. Section 1010.58, Florida Statutes, is amended to read:

1010.58 Procedure for determining number of instruction units for Florida Community College System institutions.—The number of instruction units for Florida Community College System institutions shall be determined from the full-time equivalent students in the Florida Community College System institution, provided that full-time equivalent students may not be counted more than once in determining instruction units. Instruction units for Florida Community College System institutions shall be computed as follows:

(1) One unit for each 12 full-time equivalent students at a Florida Community College System institution for the first 420 students and one unit for each 15 full-time equivalent students for all over 420 students, in other than career education programs as defined by rules of the State Board of Community Colleges Education, and one unit for each 10 full-time equivalent students in career education programs and compensatory education programs as defined by rules of the State Board of Community Colleges Education. Full-time equivalent students enrolled in a Florida Community College System institution shall be defined by rules of the State Board of Community Colleges Education.

(2) For each 8 instruction units in a Florida Community College System institution, 1 instruction unit or proportionate fraction of a unit shall be allowed for administrative and special instructional services, and for each 20 instruction units, 1 instruction unit or proportionate fraction of a unit shall be allowed for student personnel services.

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5745 Section 92. Section 1011.01, Florida Statutes, is amended
5746 to read:

5747 1011.01 Budget system established.—

5748 (1) The State Board of Education shall prepare and submit a
5749 coordinated K-20 education annual legislative budget request to
5750 the Governor and the Legislature on or before the date provided
5751 by the Governor and the Legislature. The board's legislative
5752 budget request must clearly define the needs of school
5753 districts, Florida Community College System institutions,
5754 universities, other institutions, organizations, programs, and
5755 activities under the supervision of the board and that are
5756 assigned by law or the General Appropriations Act to the
5757 Department of Education.

5758 (2) (a) There is ~~shall be~~ established in each school
5759 district ~~and Florida College System institution~~ a budget system
5760 as prescribed by law and rules of the State Board of Education.

5761 (b) There is ~~shall be~~ established in each state university
5762 a budget system as prescribed by law and rules of the Board of
5763 Governors.

5764 (c) There is established in each Florida Community College
5765 System institution a budget system as prescribed by law and
5766 rules of the State Board of Community Colleges.

5767 (3) (a) Each district school board ~~and each Florida College~~
5768 ~~System institution board of trustees~~ shall prepare, adopt, and
5769 submit to the Commissioner of Education an annual operating
5770 budget. Operating budgets must ~~shall~~ be prepared and submitted
5771 in accordance with the provisions of law, rules of the State
5772 Board of Education, the General Appropriations Act, and for
5773 district school boards in accordance with the provisions of ss.

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5774 200.065 and 1011.64.

5775 (b) Each state university board of trustees shall prepare,
5776 adopt, and submit to the Chancellor of the State University
5777 System for review an annual operating budget in accordance with
5778 provisions of law, rules of the Board of Governors, and the
5779 General Appropriations Act.

5780 (c) Each Florida Community College System institution board
5781 of trustees shall prepare, adopt, and submit to the State Board
5782 of Community Colleges an annual operating budget in accordance
5783 with provisions of law, rules of the State Board of Community
5784 Colleges, and the General Appropriations Act.

5785 (4) The State Board of Education shall coordinate with the
5786 Board of Governors and the State Board of Community Colleges to
5787 facilitate the budget system requirements of this section. The
5788 State Board of Community College exclusively retains the review
5789 and approval powers of this section for Florida Community
5790 College System institutions. The Board of Governors exclusively
5791 retains the review and approval powers of this section for state
5792 universities.

5793 Section 93. Section 1011.011, Florida Statutes, is amended
5794 to read:

5795 1011.011 Legislative capital outlay budget request.—The
5796 State Board of Education shall submit an integrated,
5797 comprehensive budget request for educational facilities
5798 construction and fixed capital outlay needs for school
5799 districts, and, in conjunction with the State Board of Community
5800 Colleges for Florida Community College System institutions, ~~and~~
5801 ~~in conjunction~~ with the Board of Governors for state,
5802 universities, pursuant to this section and s. 1013.46 and

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applicable provisions of chapter 216.

Section 94. Section 1011.30, Florida Statutes, is amended to read:

1011.30 Budgets for Florida Community College System institutions.—Each Florida Community College System institution president shall recommend to the Florida Community College System institution board of trustees a budget of income and expenditures at such time and in such form as the State Board of Community Colleges ~~Education~~ may prescribe. Upon approval of a budget by the Florida Community College System institution board of trustees, such budget ~~must~~ shall be transmitted to the State Board of Community Colleges ~~Department of Education~~ for review. Rules of the State Board of Community Colleges ~~must~~ Education ~~shall~~ prescribe procedures for effecting budget amendments subsequent to the final approval of a budget for a given year.

Section 95. Section 1011.32, Florida Statutes, is amended to read:

1011.32 Florida Community College System Institution Facility Enhancement Challenge Grant Program.—

(1) The Legislature recognizes that ~~the~~ Florida Community College System institutions do not have sufficient physical facilities to meet the current demands of their instructional and community programs. It further recognizes that, to strengthen and enhance Florida Community College System institutions, it is necessary to provide facilities in addition to those currently available from existing revenue sources. It further recognizes that there are sources of private support that, if matched with state support, can assist in constructing much needed facilities and strengthen the commitment of citizens

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and organizations in promoting excellence at each Florida Community College System institution. Therefore, it is the intent of the Legislature to establish a program to provide the opportunity for each Florida Community College System institution through its direct-support organization to receive and match challenge grants for instructional and community-related capital facilities within the Florida Community College System institution.

(2) There is established the Florida Community College System Institution Facility Enhancement Challenge Grant Program for the purpose of assisting the Florida Community College System institutions in building high priority instructional and community-related capital facilities consistent with s. 1004.65, including common areas connecting such facilities. The direct-support organizations that serve the Florida Community College System institutions shall solicit gifts from private sources to provide matching funds for capital facilities. For the purposes of this section, private sources of funds shall not include any federal or state government funds that a Florida Community College System institution may receive.

(3) The Florida Community College System Institution Capital Facilities Matching Program shall provide funds to match private contributions for the development of high priority instructional and community-related capital facilities, including common areas connecting such facilities, within the Florida Community College System institutions.

(4) Within the direct-support organization of each Florida Community College System institution there must be established a separate capital facilities matching account for the purpose of

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5861 providing matching funds from the direct-support organization's
 5862 unrestricted donations or other private contributions for the
 5863 development of high priority instructional and community-related
 5864 capital facilities, including common areas connecting such
 5865 facilities. The Legislature shall appropriate funds for
 5866 distribution to a Florida Community College System institution
 5867 after matching funds are certified by the direct-support
 5868 organization and Florida Community College System institution.
 5869 The Public Education Capital Outlay and Debt Service Trust Fund
 5870 shall not be used as the source of the state match for private
 5871 contributions.

5872 (5) A project may not be initiated unless all private funds
 5873 for planning, construction, and equipping the facility have been
 5874 received and deposited in the direct-support organization's
 5875 matching account for this purpose. However, this requirement
 5876 does not preclude the Florida Community College System
 5877 institution or direct-support organization from expending
 5878 available funds from private sources to develop a prospectus,
 5879 including preliminary architectural schematics or models, for
 5880 use in its efforts to raise private funds for a facility and for
 5881 site preparation, planning, and construction. The Legislature
 5882 may appropriate the state's matching funds in one or more fiscal
 5883 years for the planning, construction, and equipping of an
 5884 eligible facility. Each Florida Community College System
 5885 institution shall notify all donors of private funds of a
 5886 substantial delay in the availability of state matching funds
 5887 for this program.

5888 (6) To be eligible to participate in the Florida Community
 5889 College System Institution Facility Enhancement Challenge Grant

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5890 Program, a Florida Community College System institution, through
 5891 its direct-support organization, shall raise a contribution
 5892 equal to one-half of the total cost of a facilities construction
 5893 project from private sources which shall be matched by a state
 5894 appropriation equal to the amount raised for a facilities
 5895 construction project, subject to the General Appropriations Act.

5896 (7) If the state's share of the required match is
 5897 insufficient to meet the requirements of subsection (6), the
 5898 Florida Community College System institution shall renegotiate
 5899 the terms of the contribution with the donors. If the project is
 5900 terminated, each private donation, plus accrued interest,
 5901 reverts to the direct-support organization for remittance to the
 5902 donor.

5903 (8) By October 15 of each year, the State Board of
 5904 Community Colleges ~~Education~~ shall transmit to the Governor and
 5905 the Legislature a list of projects that meet all eligibility
 5906 requirements to participate in the Florida Community College
 5907 System Institution Facility Enhancement Challenge Grant Program
 5908 and a budget request that includes the recommended schedule
 5909 necessary to complete each project.

5910 (9) In order for a project to be eligible under this
 5911 program, it must be survey recommended under the provisions of
 5912 s. 1013.31 and included in the Florida Community College System
 5913 institution's 5-year capital improvement plan, and it must
 5914 receive approval from the State Board of Community Colleges
 5915 ~~Education~~ or the Legislature.

5916 (10) A Florida Community College System institution project
 5917 may not be removed from the approved 3-year PECO priority list
 5918 because of its successful participation in this program until

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approved by the Legislature and provided for in the General Appropriations Act. When such a project is completed and removed from the list, all other projects shall move up on the 3-year PECO priority list.

(11) Any private matching funds for a project which are unexpended after the project is completed shall revert to the Florida Community College System institution's direct-support organization capital facilities matching account. The balance of any unexpended state matching funds shall be returned to the fund from which those funds were appropriated.

(12) The surveys, architectural plans, facility, and equipment shall be the property of the participating Florida Community College System institution. A facility constructed under this section may be named in honor of a donor at the option of the Florida Community College System institution district board of trustees. A facility may not be named after a living person without prior approval by the State Board of Community Colleges ~~Education~~.

(13) Effective July 1, 2011, state matching funds are temporarily suspended for donations received for the program on or after June 30, 2011. Existing eligible donations remain eligible for future matching funds. The program may be restarted after \$200 million of the backlog for programs under this section and ss. 1011.85, 1011.94, and 1013.79 have been matched.

Section 96. Subsection (2), paragraph (b) of subsection (5), and subsections (8), (9), and (11) of section 1011.80, Florida Statutes, are amended to read:

1011.80 Funds for operation of workforce education programs.—

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(2) Any workforce education program may be conducted by a Florida Community College System institution or a school district, except that college credit in an associate in applied science or an associate in science degree may be awarded only by a Florida Community College System institution. However, if an associate in applied science or an associate in science degree program contains within it an occupational completion point that confers a certificate or an applied technology diploma, that portion of the program may be conducted by a school district career center. Any instruction designed to articulate to a degree program is subject to guidelines and standards adopted by the State Board of Community Colleges ~~Education~~ pursuant to s. 1007.25.

(5) State funding and student fees for workforce education instruction shall be established as follows:

(b) For all other workforce education programs, state funding shall equal 75 percent of the average cost of instruction with the remaining 25 percent made up from student fees. Fees for courses within a program shall not vary according to the cost of the individual program, but instead shall be based on a uniform fee calculated and set at the state level, as adopted by the State Board of Education, for school districts and the State Board of Community Colleges, for Florida Community College System institutions, unless otherwise specified in the General Appropriations Act.

(8) The State Board of Education, the State Board of Community Colleges, and CareerSource Florida, Inc., shall provide the Legislature with recommended formulas, criteria, timeframes, and mechanisms for distributing performance funds.

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5977 The commissioner shall consolidate the recommendations and
 5978 develop a consensus proposal for funding. The Legislature shall
 5979 adopt a formula and distribute the performance funds to the
 5980 State Board of Community Colleges Education for Florida
 5981 Community College System institutions and to the State Board of
 5982 Education for school districts through the General
 5983 Appropriations Act. These recommendations shall be based on
 5984 formulas that would discourage low-performing or low-demand
 5985 programs and encourage through performance-funding awards:

5986 (a) Programs that prepare people to enter high-wage
 5987 occupations identified by the Workforce Estimating Conference
 5988 created by s. 216.136 and other programs as approved by
 5989 CareerSource Florida, Inc. At a minimum, performance incentives
 5990 shall be calculated for adults who reach completion points or
 5991 complete programs that lead to specified high-wage employment
 5992 and to their placement in that employment.

5993 (b) Programs that successfully prepare adults who are
 5994 eligible for public assistance, economically disadvantaged,
 5995 disabled, not proficient in English, or dislocated workers for
 5996 high-wage occupations. At a minimum, performance incentives
 5997 shall be calculated at an enhanced value for the completion of
 5998 adults identified in this paragraph and job placement of such
 5999 adults upon completion. In addition, adjustments may be made in
 6000 payments for job placements for areas of high unemployment.

6001 (c) Programs that are specifically designed to be
 6002 consistent with the workforce needs of private enterprise and
 6003 regional economic development strategies, as defined in
 6004 guidelines set by CareerSource Florida, Inc. CareerSource
 6005 Florida, Inc., shall develop guidelines to identify such needs

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6006 and strategies based on localized research of private employers
 6007 and economic development practitioners.

6008 (d) Programs identified by CareerSource Florida, Inc., as
 6009 increasing the effectiveness and cost efficiency of education.

6010 (9) School districts shall report full-time equivalent
 6011 students by discipline category for the programs specified in
 6012 subsection (1). There shall be an annual cost analysis for the
 6013 school district workforce education programs that reports cost
 6014 by discipline category consistent with the reporting for full-
 6015 time equivalent students. The annual financial reports submitted
 6016 by the school districts must accurately report on the student
 6017 fee revenues by fee type according to the programs specified in
 6018 subsection (1). The Department of Education and the State Board
 6019 of Community Colleges shall develop a plan for comparable
 6020 reporting of program, student, facility, personnel, and
 6021 financial data between the Florida Community College System
 6022 institutions and the school district workforce education
 6023 programs.

6024 (11) The State Board of Education and the State Board of
 6025 Community Colleges may adopt rules to administer this section.

6026 Section 97. Section 1011.801, Florida Statutes, is amended
 6027 to read:

6028 1011.801 Workforce Development Capitalization Incentive
 6029 Grant Program.—The Legislature recognizes that the need for
 6030 school districts and Florida Community College System
 6031 institutions to be able to respond to emerging local or
 6032 statewide economic development needs is critical to the
 6033 workforce development system. The Workforce Development
 6034 Capitalization Incentive Grant Program is created to provide

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grants to school districts and Florida Community College System institutions on a competitive basis to fund some or all of the costs associated with the creation or expansion of workforce development programs that serve specific employment workforce needs.

(1) Funds awarded for a workforce development capitalization incentive grant may be used for instructional equipment, laboratory equipment, supplies, personnel, student services, or other expenses associated with the creation or expansion of a workforce development program. Expansion of a program may include either the expansion of enrollments in a program or expansion into new areas of specialization within a program. No grant funds may be used for recurring instructional costs or for institutions' indirect costs.

(2) The State Board of Education shall accept applications from school districts, and the State Board of Community Colleges shall accept applications from ~~or~~ Florida Community College System institutions, for workforce development capitalization incentive grants. Applications from school districts or Florida Community College System institutions must ~~shall~~ contain projected enrollments and projected costs for the new or expanded workforce development program. The State Board of Education or the State Board of Community Colleges, as appropriate, in consultation with CareerSource Florida, Inc., shall review and rank each application for a grant according to subsection (3) and shall submit to the Legislature a list in priority order of applications recommended for a grant award.

(3) The State Board of Education or the State Board of Community Colleges, as appropriate, shall give highest priority

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to programs that train people to enter high-skill, high-wage occupations identified by the Workforce Estimating Conference and other programs approved by CareerSource Florida, Inc.; programs that train people to enter occupations under the welfare transition program; or programs that train for the workforce adults who are eligible for public assistance, economically disadvantaged, disabled, not proficient in English, or dislocated workers. The State Board of Education or the State Board of Community Colleges, as appropriate, shall consider the statewide geographic dispersion of grant funds in ranking the applications and shall give priority to applications from education agencies that are making maximum use of their workforce development funding by offering high-performing, high-demand programs.

Section 98. Section 1011.81, Florida Statutes, is amended to read:

1011.81 Florida Community College System Program Fund.—

(1) There is established a Florida Community College System Program Fund. This fund shall comprise all appropriations made by the Legislature for the support of the current operating program and shall be apportioned and distributed to the Florida Community College System institution districts of the state on the basis of procedures established by law and rules of the State Board of Education. The annual apportionment for each Florida Community College System institution district shall be distributed monthly in payments as nearly equal as possible.

(2) Performance funding for industry certifications for Florida Community College System institutions is contingent upon specific appropriation in the General Appropriations Act and

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shall be determined as follows:

(a) Occupational areas for which industry certifications may be earned, as established in the General Appropriations Act, are eligible for performance funding. Priority shall be given to the occupational areas emphasized in state, national, or corporate grants provided to Florida educational institutions.

(b) The Chancellor of the Florida Community College System, for the Florida Community College System institutions, shall identify the industry certifications eligible for funding on the CAPE Postsecondary Industry Certification Funding List approved by the State Board of Community Colleges ~~Education~~ pursuant to s. 1008.44, based on the occupational areas specified in the General Appropriations Act.

(c) Each Florida Community College System institution shall be provided \$1,000 for each industry certification earned by a student. The maximum amount of funding appropriated for performance funding pursuant to this subsection shall be limited to \$15 million annually. If funds are insufficient to fully fund the calculated total award, such funds shall be prorated.

(3) None of the funds made available in the Florida Community College System Program Fund, or funds made available to Florida Community College System institutions outside the Florida Community College System Program Fund, may be used to implement, organize, direct, coordinate, or administer, or to support the implementation, organization, direction, coordination, or administration of, activities related to, or involving, travel to a terrorist state. For purposes of this section, "terrorist state" is defined as any state, country, or nation designated by the United States Department of State as a

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state sponsor of terrorism.

(4) State funds provided for the Florida Community College System Program Fund may not be expended for the education of state or federal inmates.

Section 99. Section 1011.82, Florida Statutes, is amended to read:

1011.82 Requirements for participation in Florida Community College System Program Fund.—Each Florida Community College System institution district which participates in the state appropriations for the Florida Community College System Program Fund shall provide evidence of its effort to maintain an adequate Florida Community College System institution program which shall:

(1) Meet the minimum standards prescribed by the State Board of Community Colleges ~~Education~~ in accordance with s. 1001.602(5) ~~s. 1001.02(6)~~.

(2) Effectively fulfill the mission of the Florida Community College System institutions in accordance with s. 1004.65.

Section 100. Section 1011.83, Florida Statutes, is amended to read:

1011.83 Financial support of Florida Community College System institutions.—

(1) Each Florida Community College System institution that ~~has been approved by the Department of Education and~~ meets the requirements of law and rules of the State Board of Community Colleges ~~Education~~ shall participate in the Florida Community College System Program Fund. However, funds to support workforce education programs conducted by Florida Community College System

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institutions shall be provided pursuant to s. 1011.80.

(2) A student in a baccalaureate degree program approved pursuant to s. 1007.33 who is not classified as a resident for tuition purposes pursuant to s. 1009.21 may not be included in calculations of full-time equivalent enrollments for state funding purposes.

Section 101. Section 1011.84, Florida Statutes, is amended to read:

1011.84 Procedure for determining state financial support and annual apportionment of state funds to each Florida Community College System institution district.—The procedure for determining state financial support and the annual apportionment to each Florida Community College System institution district authorized to operate a Florida Community College System institution under the provisions of s. 1001.61 shall be as follows:

(1) DETERMINING THE AMOUNT TO BE INCLUDED IN THE FLORIDA COMMUNITY COLLEGE SYSTEM PROGRAM FUND FOR THE CURRENT OPERATING PROGRAM.—

(a) The State Board of Community Colleges ~~Department of Education~~ shall determine annually, from an analysis of operating costs, ~~prepared in the manner prescribed by rules of the State Board of Education,~~ the costs per full-time equivalent student served in courses and fields of study offered in Florida Community College System institutions. This information and current college operating budgets shall be submitted to the Executive Office of the Governor with the legislative budget request prior to each regular session of the Legislature.

(b) The allocation of funds for Florida Community College

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System institutions ~~must~~ shall be based on advanced and professional disciplines, developmental education, and other programs for adults funded pursuant to s. 1011.80.

(c) The category of lifelong learning is for students enrolled pursuant to s. 1004.93. A student shall also be reported as a lifelong learning student for his or her enrollment in any course that he or she has previously taken, unless it is a credit course in which the student earned a grade of D or F.

(d) If an adult student has been determined to be a disabled student eligible for an approved educational program for disabled adults provided pursuant to s. 1004.93 and rules of the State Board of Community Colleges ~~Education~~ and is enrolled in a class with curriculum frameworks developed for the program, state funding for that student shall be provided at a level double that of a student enrolled in a special adult general education program provided by a Florida Community College System institution.

(e) All state inmate education provided by Florida Community College System institutions shall be reported by program, FTE expenditure, and revenue source. These enrollments, expenditures, and revenues shall be reported and projected separately. Instruction of state inmates ~~may~~ shall not be included in the full-time equivalent student enrollment for funding through the Florida Community College System Program Fund.

(f) When a public educational institution has been fully funded by an external agency for direct instructional costs of any course or program, the FTE generated ~~may~~ shall not be

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reported for state funding.

(g) The State Board of Education shall adopt rules to implement s. 9(d)(8)f., Art. XII of the State Constitution. These rules shall provide for the use of the funds available under s. 9(d)(8)f., Art. XII by an individual Florida Community College System institution for operating expense in any fiscal year during which the State Board of Education has determined that all major capital outlay needs have been met. Highest priority for the use of these funds for purposes other than financing approved capital outlay projects shall be for the proper maintenance and repair of existing facilities for projects approved by the State Board of Education. However, in any fiscal year in which funds from this source are authorized for operating expense other than approved maintenance and repair projects, the allocation of Florida Community College System institution program funds shall be reduced by an amount equal to the sum used for such operating expense for that Florida Community College System institution that year, and that amount shall not be released or allocated among the other Florida Community College System institutions that year.

(2) DETERMINING THE AMOUNT TO BE INCLUDED FOR CAPITAL OUTLAY AND DEBT SERVICE.—The amount included for capital outlay and debt service shall be as determined and provided in s. 18, Art. XII of the State Constitution of 1885, as adopted by s. 9(d), Art. XII of the 1968 revised State Constitution and State Board of Education rules.

(3) DETERMINING THE APPORTIONMENT FROM STATE FUNDS.—

(a) By December 15 of each year, the State Board of Community Colleges ~~Department of Education~~ shall estimate the

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annual enrollment of each Florida Community College System institution for the current fiscal year and for the 3 subsequent fiscal years. These estimates shall be based upon prior years' enrollments, upon the initial fall term enrollments for the current fiscal year for each college, and upon each college's estimated current enrollment and demographic changes in the respective Florida Community College System institution districts. Upper-division enrollment shall be estimated separately from lower-division enrollment.

(b) The apportionment to each Florida Community College System institution from the Florida Community College System Program Fund shall be determined annually in the General Appropriations Act. In determining each college's apportionment, the Legislature shall consider the following components:

1. Base budget, which includes the state appropriation to the Florida Community College System Program Fund in the current year plus the related student tuition and out-of-state fees assigned in the current General Appropriations Act.

2. The cost-to-continue allocation, which consists of incremental changes to the base budget, including salaries, price levels, and other related costs allocated through a funding model approved by the Legislature which may recognize differing economic factors arising from the individual educational approaches of the various Florida Community College System institutions, including, but not limited to:

a. Direct Instructional Funding, including class size, faculty productivity factors, average faculty salary, ratio of full-time to part-time faculty, costs of programs, and enrollment factors.

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6267 b. Academic Support, including small colleges factor,
 6268 multicampus factor, and enrollment factor.

6269 c. Student Services Support, including headcount of
 6270 students as well as FTE count and enrollment factors.

6271 d. Library Support, including volume and other
 6272 materials/audiovisual requirements.

6273 e. Special Projects.

6274 f. Operations and Maintenance of Plant, including square
 6275 footage and utilization factors.

6276 g. District Cost Differential.

6277 3. Students enrolled in a recreation and leisure program
 6278 and students enrolled in a lifelong learning program who may not
 6279 be counted as full-time equivalent enrollments for purposes of
 6280 enrollment workload adjustments.

6281 4. Operating costs of new facilities adjustments, which
 6282 shall be provided, from funds available, for each new facility
 6283 that is owned by the college and is recommended in accordance
 6284 with s. 1013.31.

6285 5. New and improved program enhancements, which shall be
 6286 determined by the Legislature.

6287

6288 Student fees in the base budget plus student fee revenues
 6289 generated by increases in fee rates shall be deducted from the
 6290 sum of the components determined in subparagraphs 1.-5. The
 6291 amount remaining shall be the net annual state apportionment to
 6292 each college.

6293 (c) ~~A No~~ Florida Community College System institution may
 6294 not shall commit funds for the employment of personnel or
 6295 resources in excess of those required to continue the same level

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6296 of support for either the previously approved enrollment or the
 6297 revised enrollment, whichever is lower.

6298 (d) The apportionment to each Florida Community College
 6299 System institution district for capital outlay and debt service
 6300 shall be the amount determined in accordance with subsection
 6301 (2). This amount, less any amount determined as necessary for
 6302 administrative expense by the State Board of Education and any
 6303 amount necessary for debt service on bonds issued by the State
 6304 Board of Education, shall be transmitted to the Florida
 6305 Community College System institution board of trustees to be
 6306 expended in a manner prescribed by rules of the State Board of
 6307 Education.

6308 (e) If at any time the unencumbered balance in the general
 6309 fund of the Florida Community College System institution board
 6310 of trustees approved operating budget goes below 5 percent, the
 6311 president shall provide written notification to the State Board
 6312 of Education.

6313 (f) Expenditures for apprenticeship programs must shall be
 6314 reported separately.

6315 (g) Expenditures for upper-division enrollment in a Florida
 6316 Community College System institution that grants baccalaureate
 6317 degrees must shall be reported separately from expenditures for
 6318 lower-division enrollment, in accordance with law and State
 6319 Board of Education rule.

6320 (4) EXPENDITURE OF ALLOCATED FUNDS.—Any funds allocated
 6321 herein to any Florida Community College System institution must
 6322 ~~shall~~ be expended only for the purpose of supporting that
 6323 Florida Community College System institution.

6324 (5) REPORT OF DEVELOPMENTAL EDUCATION.—Each Florida

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Community College System institution board of trustees shall report, as a separate item in its annual cost accounting system, the volume and cost of developmental education options provided to help students attain the communication and computation skills that are essential for college-level work pursuant to s. 1008.30.

Section 102. Section 1011.85, Florida Statutes, is amended to read:

1011.85 Dr. Philip Benjamin Matching Grant Program for Florida Community College System Institutions.-

(1) There is created the Dr. Philip Benjamin Matching Grant Program for Florida Community College System Institutions as a single matching gifts program that encompasses the goals originally set out in the Academic Improvement Program, the Scholarship Matching Program, and the Health Care Education Quality Enhancement Challenge Grant. The program shall be administered according to rules of the State Board of Community Colleges Education and used to encourage private support in enhancing Florida Community College System institutions by providing the Florida Community College System with the opportunity to receive and match challenge grants. Funds received prior to the effective date of this act for each of the three programs shall be retained in the separate account for which it was designated.

(2) Each Florida Community College System institution board of trustees receiving state appropriations under this program shall approve each gift to ensure alignment with the unique mission of the Florida Community College System institution. The board of trustees must link all requests for a state match to

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the goals and mission statement. The Florida Community College System Institution Foundation Board receiving state appropriations under this program shall approve each gift to ensure alignment with its goals and mission statement. Funds received from community events and festivals are not eligible for state matching funds under this program.

(3) Upon approval by the Florida Community College System institution board of trustees and the State Board of Community Colleges Education, the ordering of donations for priority listing of unmatched gifts should be determined by the submitting Florida Community College System institution.

(4) Each year, eligible contributions received by a Florida Community College System institution's foundation or the State Board of Community Colleges Education by February 1 shall be eligible for state matching funds.

(a) Each Florida Community College System institution board of trustees and, when applicable, the Florida Community College System Institution Foundation Board, receiving state appropriations under this program shall also certify in an annual report to the State Board of Community Colleges Education the receipt of eligible cash contributions that were previously unmatched by the state. The State Board of Education shall adopt rules providing all Florida Community College System institutions with an opportunity to apply for excess funds before the awarding of such funds.

(b) Florida Community College System institutions must submit to the State Board of Community Colleges Education an annual expenditure report tracking the use of all matching funds.

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6383 (c) The audit of each foundation receiving state funds from
 6384 this program must include a certification of accuracy in the
 6385 amount reported for matching funds.

6386 (5) The matching ratio for donations that are specifically
 6387 designated to support scholarships, including scholarships for
 6388 first-generation-in-college students, student loans, or need-
 6389 based grants shall be \$1 of state funds to \$1 of local private
 6390 funds.

6391 (6) Otherwise, funds must ~~shall~~ be proportionately
 6392 allocated to the Florida Community College System institutions
 6393 on the basis of matching each \$6 of local or private funds with
 6394 \$4 of state funds. To be eligible, a minimum of \$4,500 must be
 6395 raised from private sources.

6396 (7) The Florida Community College System institution board
 6397 of trustees, in conjunction with the donor, shall determine ~~make~~
 6398 ~~the determination of~~ whether scholarships established pursuant
 6399 to this program are endowed.

6400 (8) (a) Funds sufficient to provide the match shall be
 6401 transferred from the state appropriations to the local Florida
 6402 Community College System institution foundation or the statewide
 6403 Florida Community College System institution foundation upon
 6404 notification that a proportionate amount has been received and
 6405 deposited by a Florida Community College System institution in
 6406 its own trust fund.

6407 (b) If state funds appropriated for the program are
 6408 insufficient to match contributions, the amount allocated must
 6409 ~~shall~~ be reduced in proportion to its share of the total
 6410 eligible contributions. However, in making proportional
 6411 reductions, every Florida Community College System institution

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6412 shall receive a minimum of \$75,000 in state matching funds if
 6413 its eligible contributions would have generated an amount at
 6414 least equal to \$75,000. All unmet contributions must ~~shall~~ be
 6415 eligible for state matching funds in subsequent fiscal years.

6416 (9) Each Florida Community College System institution
 6417 entity shall establish its own matching grant program fund as a
 6418 depository for the private contributions and matching state
 6419 funds provided under this section. Florida Community College
 6420 System institution foundations are responsible for the
 6421 maintenance, investment, and administration of their matching
 6422 grant program funds.

6423 (10) The State Board of Community Colleges ~~Education~~ may
 6424 receive submissions of requests for matching funds and
 6425 documentation relating to those requests, may approve requests
 6426 for matching funds, and may allocate such funds to the Florida
 6427 Community College System institutions.

6428 (11) The board of trustees of the Florida Community College
 6429 System institution and the State Board of Community Colleges
 6430 ~~Education~~ are responsible for determining the uses for the
 6431 proceeds of their respective trust funds. Such use of the
 6432 proceeds shall include, but not be limited to, expenditure of
 6433 the funds for:

6434 (a) Scientific and technical equipment.

6435 (b) Scholarships, loans, or need-based grants.

6436 (c) Other activities that will benefit future students as
 6437 well as students currently enrolled at the Florida Community
 6438 College System institution, will improve the quality of
 6439 education at the Florida Community College System institution,
 6440 or will enhance economic development in the community.

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6441 (12) Each Florida Community College System institution
 6442 shall notify all donors of private funds of a substantial delay
 6443 in the availability of state matching funds for this program.

6444 (13) Effective July 1, 2011, state matching funds are
 6445 temporarily suspended for donations received for this program on
 6446 or after June 30, 2011. Existing eligible donations remain
 6447 eligible for future matching funds. The program may be restarted
 6448 after \$200 million of the backlog for programs under this
 6449 section and ss. 1011.32, 1011.94, and 1013.79 have been matched.

6450 Section 103. Subsection (1) of section 1012.01, Florida
 6451 Statutes, is amended to read:

6452 1012.01 Definitions.—As used in this chapter, the following
 6453 terms have the following meanings:

6454 (1) SCHOOL OFFICERS.—The officers of the state system of
 6455 public K-12 ~~and Florida College System institution~~ education
 6456 shall be the Commissioner of Education and the members of the
 6457 State Board of Education; for the Florida Community College
 6458 System, the officers shall be the Chancellor of the Florida
 6459 Community College System and the members of the State Board of
 6460 Community Colleges; for each district school system, the
 6461 officers shall be the district school superintendent and members
 6462 of the district school board; and for each Florida Community
 6463 College System institution, the officers shall be the Florida
 6464 Community College System institution president and members of
 6465 the Florida Community College System institution board of
 6466 trustees.

6467 Section 104. Paragraph (a) of subsection (1) of section
 6468 1012.80, Florida Statutes, is amended to read:

6469 1012.80 Participation by employees in disruptive activities

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6470 at public postsecondary educational institutions; penalties.—

6471 (1) (a) Any person who accepts the privilege extended by the
 6472 laws of this state of employment at any Florida Community
 6473 College System institution shall, by working at such
 6474 institution, be deemed to have given his or her consent to the
 6475 policies of that institution, the policies of the State Board of
 6476 Community Colleges Education, and the laws of this state. Such
 6477 policies shall include prohibition against disruptive activities
 6478 at Florida Community College System institutions.

6479 Section 105. Subsection (1) of section 1012.81, Florida
 6480 Statutes, is amended to read:

6481 1012.81 Personnel records.—

6482 (1) The State Board of Community Colleges Education shall
 6483 adopt rules prescribing the content and custody of limited-
 6484 access records that a Florida Community College System
 6485 institution may maintain on its employees. Limited-access
 6486 employee records are confidential and exempt from ~~the provisions~~
 6487 ~~of~~ s. 119.07(1). Limited-access records include only the
 6488 following:

6489 (a) Records containing information reflecting academic
 6490 evaluations of employee performance; however, the employee and
 6491 officials of the institution responsible for supervision of the
 6492 employee shall have access to such records.

6493 (b) Records maintained for the purposes of any
 6494 investigation of employee misconduct, including, but not limited
 6495 to, a complaint against an employee and all information obtained
 6496 pursuant to the investigation of such complaint; however, these
 6497 records become public after the investigation ceases to be
 6498 active or when the institution provides written notice to the

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6499 employee who is the subject of the complaint that the
6500 institution has either:

- 6501 1. Concluded the investigation with a finding not to
- 6502 proceed with disciplinary action;
- 6503 2. Concluded the investigation with a finding to proceed
- 6504 with disciplinary action; or
- 6505 3. Issued a letter of discipline.

6506

6507 For the purpose of this paragraph, an investigation shall be
6508 considered active as long as it is continuing with a reasonable,
6509 good faith anticipation that a finding will be made in the
6510 foreseeable future. An investigation shall be presumed to be
6511 inactive if no finding is made within 90 days after the
6512 complaint is filed.

6513 Section 106. Subsection (1) of section 1012.83, Florida
6514 Statutes, is amended to read:

6515 1012.83 Contracts with administrative and instructional
6516 staff.—

6517 (1) Each person employed in an administrative or
6518 instructional capacity in a Florida Community College System
6519 institution shall be entitled to a contract as provided by rules
6520 of the State Board of Community Colleges Education.

6521 Section 107. Section 1012.855, Florida Statutes, is amended
6522 to read:

6523 1012.855 Employment of Florida Community College System
6524 institution personnel; discrimination in granting salary
6525 prohibited.—

6526 (1) (a) Employment of all personnel in each Florida
6527 Community College System institution shall be upon

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6528 recommendation of the president, subject to rejection for cause
6529 by the Florida Community College System institution board of
6530 trustees; to the rules of the State Board of Community Colleges
6531 ~~Education~~ relative to certification, tenure, leaves of absence
6532 of all types, including sabbaticals, remuneration, and such
6533 other conditions of employment as the State Board of Community
6534 Colleges Education deems necessary and proper; and to policies
6535 of the Florida Community College System institution board of
6536 trustees not inconsistent with law.

6537 (b) Any internal auditor employed by a Florida Community
6538 College System institution shall be hired by the Florida
6539 Community College System institution board of trustees and shall
6540 report directly to the board.

6541 (2) Each Florida Community College System institution board
6542 of trustees shall undertake a program to eradicate any
6543 discrimination on the basis of gender, race, or physical
6544 handicap in the granting of salaries to employees.

6545 Section 108. Section 1012.86, Florida Statutes, is amended
6546 to read:

6547 1012.86 Florida Community College System institution
6548 employment equity accountability program.—

6549 (1) Each Florida Community College System institution shall
6550 include in its annual equity update a plan for increasing the
6551 representation of women and minorities in senior-level
6552 administrative positions and in full-time faculty positions, and
6553 for increasing the representation of women and minorities who
6554 have attained continuing-contract status. Positions shall be
6555 defined in the personnel data element directory of the
6556 Department of Education. The plan must include specific

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measurable goals and objectives, specific strategies and timelines for accomplishing these goals and objectives, and comparable national standards as provided by the Department of Education. The goals and objectives shall be based on meeting or exceeding comparable national standards and shall be reviewed and recommended by the State Board of Community Colleges ~~Education~~ as appropriate. Such plans shall be maintained until appropriate representation has been achieved and maintained for at least 3 consecutive reporting years.

(2)(a) On or before May 1 of each year, each Florida Community College System institution president shall submit an annual employment accountability plan to the Chancellor of the Florida Community College System and the State Board of Community Colleges ~~Commissioner of Education and the State Board of Education~~. The accountability plan must show faculty and administrator employment data according to requirements specified on the federal Equal Employment Opportunity (EEO-6) report.

(b) The plan must show the following information for those positions including, but not limited to:

1. Job classification title.
2. Gender.
3. Ethnicity.
4. Appointment status.

5. Salary information. At each Florida Community College System institution, salary information shall also include the salary ranges in which new hires were employed compared to the salary ranges for employees with comparable experience and qualifications.

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6. Other comparative information including, but not limited to, composite information regarding the total number of positions within the particular job title classification for the Florida Community College System institution by race, gender, and salary range compared to the number of new hires.

7. A statement certifying diversity and balance in the gender and ethnic composition of the selection committee for each vacancy, including a brief description of guidelines used for ensuring balanced and diverse membership on selection and review committees.

(c) The annual employment accountability plan shall also include an analysis and an assessment of the Florida Community College System institution's attainment of annual goals and of long-range goals for increasing the number of women and minorities in faculty and senior-level administrative positions, and a corrective action plan for addressing underrepresentation.

(d) Each Florida Community College System institution's employment accountability plan must also include:

1. The requirements for receiving a continuing contract.
2. A brief description of the process used to grant continuing-contract status.

3. A brief description of the process used to annually apprise each eligible faculty member of progress toward attainment of continuing-contract status.

(3) Florida Community College System institution presidents and the heads of each major administrative division shall be evaluated annually on the progress made toward meeting the goals and objectives of the Florida Community College System institution's employment accountability plan.

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(a) The Florida Community College System institution presidents, or the presidents' designees, shall annually evaluate each department chairperson, dean, provost, and vice president in achieving the annual and long-term goals and objectives. A summary of the results of such evaluations shall be reported annually by the Florida Community College System institution president to the Florida Community College System institution board of trustees. Annual budget allocations by the Florida Community College System institution board of trustees for positions and funding must take into consideration these evaluations.

(b) Florida Community College System institution boards of trustees shall annually evaluate the performance of the Florida Community College System institution presidents in achieving the annual and long-term goals and objectives. A summary of the results of such evaluations shall be reported to the State Board of Community Colleges ~~Commissioner of Education and the State Board of Education~~ as part of the Florida Community College System institution's annual employment accountability plan, and to the Legislature as part of the annual equity progress report submitted by the State Board of Community Colleges ~~Education~~.

(4) The State Board of Community Colleges ~~Education~~ shall submit an annual equity progress report to the President of the Senate and the Speaker of the House of Representatives on or before January 1 of each year.

(5) Each Florida Community College System institution shall develop a budgetary incentive plan to support and ensure attainment of the goals developed pursuant to this section. The plan shall specify, at a minimum, how resources shall be

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allocated to support the achievement of goals and the implementation of strategies in a timely manner. After prior review and approval by the Florida Community College System institution president and the Florida Community College System institution board of trustees, the plan shall be submitted as part of the annual employment accountability plan submitted by each Florida Community College System institution to the State Board of Community Colleges ~~Education~~.

(6) Subject to available funding, the Legislature shall provide an annual appropriation to the State Board of Community Colleges ~~Education~~ to be allocated to Florida Community College System institution presidents, faculty, and administrative personnel to further enhance equity initiatives and related priorities that support the mission of colleges and departments in recognition of the attainment of the equity goals and objectives.

Section 109. Subsection (3) of section 1013.01, Florida Statutes, is amended to read:

1013.01 Definitions.—The following terms shall be defined as follows for the purpose of this chapter:

(3) "Board," unless otherwise specified, means a district school board, a Florida Community College System institution board of trustees, a university board of trustees, and the Board of Trustees for the Florida School for the Deaf and the Blind. The term "board" does not include the State Board of Education, ~~or the Board of Governors,~~ or the State Board of Community Colleges.

Section 110. Subsection (2) of section 1013.02, Florida Statutes, is amended to read:

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6673 1013.02 Purpose; rules and regulations.—

6674 (2) (a) The State Board of Education shall adopt rules
 6675 pursuant to ss. 120.536(1) and 120.54 to implement ~~the~~
 6676 ~~provisions of this chapter for school districts and Florida~~
 6677 ~~College System institutions.~~

6678 (b) The Board of Governors shall adopt regulations pursuant
 6679 to its regulation development procedure to implement ~~the~~
 6680 ~~provisions of this chapter for state universities.~~

6681 (c) The State Board of Community Colleges shall adopt rules
 6682 pursuant to ss. 120.536(1) and 120.54 to implement this chapter
 6683 for Florida Community College System institutions.

6684 Section 111. Section 1013.03, Florida Statutes, is amended
 6685 to read:

6686 1013.03 Functions of the department, the State Board of
 6687 Community Colleges, and the Board of Governors.—The functions of
 6688 the Department of Education as it pertains to educational
 6689 facilities of school districts, of the State Board of Community
 6690 Colleges as it pertains to educational facilities of ~~and~~ Florida
 6691 Community College System institutions, and of the Board of
 6692 Governors as it pertains to educational facilities of state
 6693 universities shall include, but not be limited to, the
 6694 following:

6695 (1) Establish recommended minimum and maximum square
 6696 footage standards for different functions and areas and
 6697 procedures for determining the gross square footage for each
 6698 educational facility to be funded in whole or in part by the
 6699 state, including public broadcasting stations but excluding
 6700 postsecondary special purpose laboratory space. The gross square
 6701 footage determination standards may be exceeded when the core

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6702 facility space of an educational facility is constructed or
 6703 renovated to accommodate the future addition of classrooms to
 6704 meet projected increases in student enrollment. The department,
 6705 the State Board of Community Colleges, and the Board of
 6706 Governors shall encourage multiple use of facilities and spaces
 6707 in educational plants.

6708 (2) Establish, for the purpose of determining need,
 6709 equitably uniform utilization standards for all types of like
 6710 space, regardless of the level of education. These standards
 6711 shall also establish, for postsecondary education classrooms, a
 6712 minimum room utilization rate of 40 hours per week and a minimum
 6713 station utilization rate of 60 percent. These rates shall be
 6714 subject to increase based on national norms for utilization of
 6715 postsecondary education classrooms.

6716 (3) Require boards to submit other educational plant
 6717 inventories data and statistical data or information relevant to
 6718 construction, capital improvements, and related costs.

6719 (4) Require each board and other appropriate agencies to
 6720 submit complete and accurate financial data as to the amounts of
 6721 funds from all sources that are available and spent for
 6722 construction and capital improvements. The commissioner shall
 6723 prescribe the format and the date for the submission of this
 6724 data and any other educational facilities data. If any district
 6725 does not submit the required educational facilities fiscal data
 6726 by the prescribed date, the Commissioner of Education shall
 6727 notify the district school board of this fact and, if
 6728 appropriate action is not taken to immediately submit the
 6729 required report, the district school board shall be directed to
 6730 proceed pursuant to s. 1001.42(13)(b). If any Florida Community

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College System institution or university does not submit the required educational facilities fiscal data by the prescribed date, the same policy prescribed in this subsection for school districts shall be implemented.

(5) Administer, under the supervision of the Commissioner of Education, the Public Education Capital Outlay and Debt Service Trust Fund and the School District and Community College District Capital Outlay and Debt Service Trust Fund.

(6) Develop, review, update, revise, and recommend a mandatory portion of the Florida Building Code for educational facilities construction and capital improvement by Florida Community College System institution boards and district school boards.

(7) Provide training, technical assistance, and building code interpretation for requirements of the mandatory Florida Building Code for the educational facilities construction and capital improvement programs of ~~the Florida College System institution boards and~~ district school boards and, upon request, approve phase III construction documents for remodeling, renovation, or new construction of educational plants or ancillary facilities, except that Florida Community College System institutions and university boards of trustees shall approve specifications and construction documents for their respective institutions pursuant to guidelines of the Board of Governors or State Board of Community Colleges, as applicable. The Department of Management Services may, upon request, provide similar services for the Florida School for the Deaf and the Blind and shall use the Florida Building Code and the Florida Fire Prevention Code.

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(8) Provide minimum criteria, procedures, and training to boards to conduct educational plant surveys and document the determination of future needs.

(9) Make available to boards technical assistance, awareness training, and research and technical publications relating to lifesafety, casualty, sanitation, environmental, maintenance, and custodial issues; and, as needed, technical assistance for survey, planning, design, construction, operation, and evaluation of educational and ancillary facilities and plants, facilities administrative procedures review, and training for new administrators.

(10) (a) Review and validate surveys proposed or amended by the boards and recommend to the Commissioner of Education, the Chancellor of the Florida Community College System, or the Chancellor of the State University System, as appropriate, for approval, surveys that meet the requirements of this chapter.

1. The term "validate" as applied to surveys by school districts means to review inventory data as submitted to the department by district school boards; provide for review and inspection, where required, of student stations and aggregate square feet of inventory changed from satisfactory to unsatisfactory or changed from unsatisfactory to satisfactory; compare new school inventory to allocation limits provided by this chapter; review cost projections for conformity with cost limits set by s. 1013.64(6); compare total capital outlay full-time equivalent enrollment projections in the survey with the department's projections; review facilities lists to verify that student station and auxiliary facility space allocations do not exceed the limits provided by this chapter and related rules;

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6789 review and confirm the application of uniform facility
 6790 utilization factors, where provided by this chapter or related
 6791 rules; ~~use~~ utilize the documentation of programs offered per
 6792 site, as submitted by the board, to analyze facility needs;
 6793 confirm that need projections for career and adult educational
 6794 programs comply with needs documented by the Department of
 6795 Education; and confirm the assignment of full-time student
 6796 stations to all space except auxiliary facilities, which, for
 6797 purposes of exemption from student station assignment, include
 6798 the following:

- 6799 a. Cafeterias.
- 6800 b. Multipurpose dining areas.
- 6801 c. Media centers.
- 6802 d. Auditoriums.
- 6803 e. Administration.
- 6804 f. Elementary, middle, and high school resource rooms, up
 6805 to the number of such rooms recommended for the applicable
 6806 occupant and space design capacity of the educational plant in
 6807 the State Requirements for Educational Facilities, beyond which
 6808 student stations must be assigned.
- 6809 g. Elementary school skills labs, up to the number of such
 6810 rooms recommended for the applicable occupant and space design
 6811 capacity of the educational plant in the State Requirements for
 6812 Educational Facilities, beyond which student stations must be
 6813 assigned.
- 6814 h. Elementary school art and music rooms.

6815
 6816 The Commissioner of Education may grant a waiver from the
 6817 requirements of this subparagraph if a district school board

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6818 determines that such waiver will make possible a substantial
 6819 savings of funds or will be advantageous to the welfare of the
 6820 educational system. The district school board shall present a
 6821 full statement to the commissioner which sets forth the facts
 6822 that warrant the waiver. If the commissioner denies a request
 6823 for a waiver, the district school board may appeal such decision
 6824 to the State Board of Education.

6825 2. The term "validate" as applied to surveys by Florida
 6826 Community College System institutions and universities means to
 6827 review and document the approval of each new site and official
 6828 designation, where applicable; review the inventory database as
 6829 submitted by each board to the department, including noncareer,
 6830 and total capital outlay full-time equivalent enrollment
 6831 projections per site and per college; provide for the review and
 6832 inspection, where required, of student stations and aggregate
 6833 square feet of space changed from satisfactory to
 6834 unsatisfactory; ~~use~~ utilize and review the documentation of
 6835 programs offered per site submitted by the boards as accurate
 6836 for analysis of space requirements and needs; confirm that needs
 6837 projected for career and adult educational programs comply with
 6838 needs documented by the Department of Education; compare new
 6839 facility inventory to allocations limits as provided in this
 6840 chapter; review cost projections for conformity with state
 6841 averages or limits designated by this chapter; compare student
 6842 enrollment projections in the survey to the department's
 6843 projections; review facilities lists to verify that area
 6844 allocations and space factors for generating space needs do not
 6845 exceed the limits as provided by this chapter and related rules;
 6846 confirm the application of facility utilization factors as

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provided by this chapter and related rules; and review, as submitted, documentation of how survey recommendations will implement the detail of current campus master plans and integrate with local comprehensive plans and development regulations.

(b) Recommend priority of projects to be funded.

(11) Prepare the commissioner's comprehensive fixed capital outlay legislative budget request and provide annually an estimate of the funds available for developing required 3-year priority lists. This amount shall be based upon the average percentage for the 5 prior years of funds appropriated by the Legislature for fixed capital outlay to each level of public education: public schools, Florida Community College System institutions, and universities.

(12) Perform any other functions that may be involved in educational facilities construction and capital improvement which shall ensure that the intent of the Legislature is implemented.

Section 112. Section 1013.28, Florida Statutes, is amended to read:

1013.28 Disposal of property.—

(1) REAL PROPERTY.—

(a) Subject to rules of the State Board of Education, a district school board or, the Board of Trustees for the Florida School for the Deaf and the Blind, ~~or a Florida College System institution board of trustees~~ may dispose of any land or real property to which the board holds title which is, by resolution of the board, determined to be unnecessary for educational purposes as recommended in an educational plant survey. A

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district school board or, the Board of Trustees for the Florida School for the Deaf and the Blind, ~~or a Florida College System institution board of trustees~~ shall take diligent measures to dispose of educational property only in the best interests of the public. However, appraisals may be obtained by the district school board or, the Board of Trustees for the Florida School for the Deaf and the Blind ~~before, or the Florida College System institution board of trustees prior to~~ or simultaneously with the receipt of bids.

(b) Subject to regulations of the Board of Governors, a state university board of trustees may dispose of any land or real property to which it holds valid title which is, by resolution of the state university board of trustees, determined to be unnecessary for educational purposes as recommended in an educational plant survey. A state university board of trustees shall take diligent measures to dispose of educational property only in the best interests of the public. However, appraisals may be obtained by the state university board of trustees prior to or simultaneously with the receipt of bids.

(c) Subject to rules of the State Board of Community Colleges, a Florida Community College System institution board of trustees may dispose of any land or real property to which it holds valid title which is, by resolution of the Florida Community College System institution board of trustees, determined to be unnecessary for educational purposes as recommended in an educational plant survey. A Florida Community College System institution board of trustees shall take diligent measures to dispose of educational property only in the best interests of the public. However, appraisals may be obtained by

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6905 the Florida Community College System institution board of
 6906 trustees prior to or simultaneously with the receipt of bids.

6907 (2) TANGIBLE PERSONAL PROPERTY.—

6908 (a) Tangible personal property that has been properly
 6909 classified as surplus by a district school board ~~or Florida~~
 6910 ~~College System institution board of trustees~~ shall be disposed
 6911 of in accordance with the procedure established by chapter 274.
 6912 However, the provisions of chapter 274 shall not be applicable
 6913 to a motor vehicle used in driver education to which title is
 6914 obtained for a token amount from an automobile dealer or
 6915 manufacturer. In such cases, the disposal of the vehicle shall
 6916 be as prescribed in the contractual agreement between the
 6917 automotive agency or manufacturer and the board.

6918 (b) Tangible personal property that has been properly
 6919 classified as surplus by a state university board of trustees
 6920 shall be disposed of in accordance with the procedure
 6921 established by chapter 273.

6922 (c) Tangible personal property that has been properly
 6923 classified as surplus by a Florida Community College System
 6924 institution board of trustees shall be disposed of in accordance
 6925 with the procedure established by chapter 273.

6926 Section 113. Subsection (1) of section 1013.31, Florida
 6927 Statutes, is amended to read:

6928 1013.31 Educational plant survey; localized need
 6929 assessment; PECO project funding.—

6930 (1) At least every 5 years, each board shall arrange for an
 6931 educational plant survey, to aid in formulating plans for
 6932 housing the educational program and student population, faculty,
 6933 administrators, staff, and auxiliary and ancillary services of

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6934 the district or campus, including consideration of the local
 6935 comprehensive plan. The Department of Education, for school
 6936 districts, and the State Board of Community Colleges, for the
 6937 Florida Community College System, shall document the need for
 6938 additional career and adult education programs and the
 6939 continuation of existing programs before facility construction
 6940 or renovation related to career or adult education may be
 6941 included in the educational plant survey of a school district or
 6942 Florida Community College System institution that delivers
 6943 career or adult education programs. Information used by the
 6944 Department of Education or State Board of Community Colleges to
 6945 establish facility needs must include, but need not be limited
 6946 to, labor market data, needs analysis, and information submitted
 6947 by the school district or Florida Community College System
 6948 institution.

6949 (a) *Survey preparation and required data.*—Each survey shall
 6950 be conducted by the board or an agency employed by the board.
 6951 Surveys shall be reviewed and approved by the board, and a file
 6952 copy shall be submitted to the Department of Education, the
 6953 Chancellor of the Florida Community College System, or the
 6954 Chancellor of the State University System, as appropriate. The
 6955 survey report shall include at least an inventory of existing
 6956 educational and ancillary plants, including safe access
 6957 facilities; recommendations for existing educational and
 6958 ancillary plants; recommendations for new educational or
 6959 ancillary plants, including the general location of each in
 6960 coordination with the land use plan and safe access facilities;
 6961 campus master plan update and detail for Florida Community
 6962 College System institutions; the use ~~utilization~~ of school

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plants based on an extended school day or year-round operation; and such other information as may be required by the Department of Education. This report may be amended, if conditions warrant, at the request of the department or commissioner.

(b) *Required need assessment criteria for district, Florida Community College System institution, state university, and Florida School for the Deaf and the Blind plant surveys.*— Educational plant surveys must use uniform data sources and criteria specified in this paragraph. Each revised educational plant survey and each new educational plant survey supersedes previous surveys.

1. The school district's survey must be submitted as a part of the district educational facilities plan defined in s. 1013.35. To ensure that the data reported to the Department of Education as required by this section is correct, the department shall annually conduct an onsite review of 5 percent of the facilities reported for each school district completing a new survey that year. If the department's review finds the data reported by a district is less than 95 percent accurate, within 1 year from the time of notification by the department the district must submit revised reports correcting its data. If a district fails to correct its reports, the commissioner may direct that future fixed capital outlay funds be withheld until such time as the district has corrected its reports so that they are not less than 95 percent accurate.

2. Each survey of a special facility, joint-use facility, or cooperative career education facility must be based on capital outlay full-time equivalent student enrollment data prepared by the department for school districts and Florida

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Community College System institutions and by the Chancellor of the State University System for universities. A survey of space needs of a joint-use facility shall be based upon the respective space needs of the school districts, Florida Community College System institutions, and universities, as appropriate. Projections of a school district's facility space needs may not exceed the norm space and occupant design criteria established by the State Requirements for Educational Facilities.

3. Each Florida Community College System institution's survey must reflect the capacity of existing facilities as specified in the inventory maintained and validated by the Chancellor of the Florida Community College System ~~by the Department of Education~~. Projections of facility space needs must comply with standards for determining space needs as specified by rule of the State Board of Community Colleges Education. The 5-year projection of capital outlay student enrollment must be consistent with the annual report of capital outlay full-time student enrollment prepared by the Department of Education.

4. Each state university's survey must reflect the capacity of existing facilities as specified in the inventory maintained and validated by the Chancellor of the State University System. Projections of facility space needs must be consistent with standards for determining space needs as specified by regulation of the Board of Governors. The projected capital outlay full-time equivalent student enrollment must be consistent with the 5-year planned enrollment cycle for the State University System approved by the Board of Governors.

5. The district educational facilities plan of a school

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district and the educational plant survey of a Florida Community College System institution, state university, or the Florida School for the Deaf and the Blind may include space needs that deviate from approved standards for determining space needs if the deviation is justified by the district or institution and approved by the department, the State Board of Community Colleges, or the Board of Governors, as appropriate, as necessary for the delivery of an approved educational program.

(c) *Review and validation.*—The Department of Education shall review and validate the surveys of school districts, the Chancellor of the Florida Community College System shall review and validate the surveys of ~~and~~ Florida Community College System institutions, and the Chancellor of the State University System shall review and validate the surveys of universities, and any amendments thereto for compliance with the requirements of this chapter and shall recommend those in compliance for approval by the State Board of Education, the State Board of Community Colleges, or the Board of Governors, as appropriate. Annually, the department shall perform an in-depth analysis of a representative sample of each survey of recommended needs for five districts selected by the commissioner from among districts with the largest need-to-revenue ratio. For the purpose of this subsection, the need-to-revenue ratio is determined by dividing the total 5-year cost of projects listed on the district survey by the total 5-year fixed capital outlay revenue projections from state and local sources as determined by the department. The commissioner may direct fixed capital outlay funds to be withheld from districts until such time as the survey accurately projects facilities needs.

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(d) *Periodic update of Florida Inventory of School Houses.*— School districts shall periodically update their inventory of educational facilities as new capacity becomes available and as unsatisfactory space is eliminated. The State Board of Education shall adopt rules to determine the timeframe in which districts must provide a periodic update.

Section 114. Subsections (1) and (3) of section 1013.36, Florida Statutes, are amended to read:

1013.36 Site planning and selection.—

(1) Before acquiring property for sites, each district school board and Florida Community College System institution board of trustees shall determine the location of proposed educational centers or campuses. In making this determination, the board shall consider existing and anticipated site needs and the most economical and practicable locations of sites. The board shall coordinate with the long-range or comprehensive plans of local, regional, and state governmental agencies to assure the consistency of such plans. Boards are encouraged to locate district educational facilities proximate to urban residential areas to the extent possible, and shall seek to collocate district educational facilities with other public facilities, such as parks, libraries, and community centers, to the extent possible and to encourage using elementary schools as focal points for neighborhoods.

(3) Sites recommended for purchase or purchased must meet standards prescribed in law and such supplementary standards as the State Board of Education or State Board of Community Colleges, as appropriate, prescribes to promote the educational interests of the students. Each site must be well drained and

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suitable for outdoor educational purposes as appropriate for the educational program or collocated with facilities to serve this purpose. As provided in s. 333.03, the site must not be located within any path of flight approach of any airport. Insofar as is practicable, the site must not adjoin a right-of-way of any railroad or through highway and must not be adjacent to any factory or other property from which noise, odors, or other disturbances, or at which conditions, would be likely to interfere with the educational program. To the extent practicable, sites must be chosen which will provide safe access from neighborhoods to schools.

Section 115. Subsections (3) and (4) of section 1013.37, Florida Statutes, are amended to read:

1013.37 State uniform building code for public educational facilities construction.—

(3) REVIEW PROCEDURE.—The Commissioner of Education and the Chancellor of the Florida Community College System, as appropriate, shall cooperate with the Florida Building Commission in addressing all questions, disputes, or interpretations involving the provisions of the Florida Building Code which govern the construction of public educational and ancillary facilities, and any objections to decisions made by the inspectors or the department must be submitted in writing.

(4) BIENNIAL REVIEW AND UPDATE; DISSEMINATION.—The department, for school districts, and the State Board of Community Colleges, for Florida Community College System institutions, shall biennially review and recommend to the Florida Building Commission updates and revisions to the provisions of the Florida Building Code which govern the

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construction of public educational and ancillary facilities. The department, for school districts, and the State Board of Community Colleges, for Florida Community College System institutions, shall publish and make available to each board at no cost copies of the State Requirements for Educational Facilities and each amendment and revision thereto. The department and state board shall make additional copies available to all interested persons at a price sufficient to recover costs.

Section 116. Section 1013.40, Florida Statutes, is amended to read:

1013.40 Planning and construction of Florida Community College System institution facilities; property acquisition.—

(1) The need for Florida Community College System institution facilities shall be established by a survey conducted pursuant to this chapter. The facilities recommended by such survey must be approved by the State Board of Community Colleges Education, and the projects must be constructed according to the provisions of this chapter and State Board of Community Colleges Education rules.

(2) A ~~No~~ Florida Community College System institution may not expend public funds for the acquisition of additional property without the specific approval of the Legislature.

(3) A ~~No~~ facility may not be acquired or constructed by a Florida Community College System institution or its direct-support organization if such facility requires general revenue funds for operation or maintenance upon project completion or in subsequent years of operation, unless prior approval is received from the Legislature.

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7137 (4) The campus of a Florida Community College System
 7138 institution within a municipality designated as an area of
 7139 critical state concern, as defined in s. 380.05, and having a
 7140 comprehensive plan and land development regulations containing a
 7141 building permit allocation system that limits annual growth, may
 7142 construct dormitories for up to 300 beds for Florida Community
 7143 College System institution students. Such dormitories are exempt
 7144 from the building permit allocation system and may be
 7145 constructed up to 45 feet in height if the dormitories are
 7146 otherwise consistent with the comprehensive plan, the Florida
 7147 Community College System institution has a hurricane evacuation
 7148 plan that requires all dormitory occupants to be evacuated 48
 7149 hours in advance of tropical force winds, and transportation is
 7150 provided for dormitory occupants during an evacuation. State
 7151 funds and tuition and fee revenues may not be used for
 7152 construction, debt service payments, maintenance, or operation
 7153 of such dormitories. Additional dormitory beds constructed after
 7154 July 1, 2016, may not be financed through the issuance of a
 7155 bond.

7156 Section 117. Section 1013.47, Florida Statutes, is amended
 7157 to read:

7158 1013.47 Substance of contract; contractors to give bond;
 7159 penalties.—Each board shall develop contracts consistent with
 7160 this chapter and statutes governing public facilities. Such a
 7161 contract must contain the drawings and specifications of the
 7162 work to be done and the material to be furnished, the time limit
 7163 in which the construction is to be completed, the time and
 7164 method by which payments are to be made upon the contract, and
 7165 the penalty to be paid by the contractor for a failure to comply

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7166 with the terms of the contract. The board may require the
 7167 contractor to pay a penalty for any failure to comply with the
 7168 terms of the contract and may provide an incentive for early
 7169 completion. Upon accepting a satisfactory bid, the board shall
 7170 enter into a contract with the party or parties whose bid has
 7171 been accepted. The contractor shall furnish the board with a
 7172 performance and payment bond as set forth in s. 255.05. A board
 7173 or other public entity may not require a contractor to secure a
 7174 surety bond under s. 255.05 from a specific agent or bonding
 7175 company. A person, firm, or corporation that constructs any part
 7176 of any educational plant, or addition thereto, on the basis of
 7177 any unapproved plans or in violation of any plans approved in
 7178 accordance with the provisions of this chapter and rules of the
 7179 State Board of Education or State Board of Community Colleges or
 7180 regulations of the Board of Governors relating to building
 7181 standards or specifications is subject to forfeiture of the
 7182 surety bond and unpaid compensation in an amount sufficient to
 7183 reimburse the board for any costs that will need to be incurred
 7184 in making any changes necessary to assure that all requirements
 7185 are met and is also guilty of a misdemeanor of the second
 7186 degree, punishable as provided in s. 775.082 or s. 775.083, for
 7187 each separate violation.

7188 Section 118. Section 1013.52, Florida Statutes, is amended
 7189 to read:

7190 1013.52 Cooperative development and joint use of facilities
 7191 by two or more boards.—

7192 (1) Two or more boards, including district school boards,
 7193 Florida Community College System institution boards of trustees,
 7194 the Board of Trustees for the Florida School for the Deaf and

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the Blind, and university boards of trustees, desiring to cooperatively establish a common educational facility to accommodate students shall:

(a) Jointly request a formal assessment by the Commissioner of Education, ~~or~~ the Chancellor of the State University System, or the Chancellor of the State Board of Community Colleges, as appropriate, of the academic program need and the need to build new joint-use facilities to house approved programs. Completion of the assessment and approval of the project by the State Board of Education, the State Board of Community Colleges, the Chancellor of the Florida Community College System, the Board of Governors, the Chancellor of the State University System, or the Commissioner of Education, as appropriate, should be done prior to conducting an educational facilities survey.

(b) Demonstrate the need for construction of new joint-use facilities involving postsecondary institutions by those institutions presenting evidence of the presence of sufficient actual full-time equivalent enrollments in the locale in leased, rented, or borrowed spaces to justify the requested facility for the programs identified in the formal assessment rather than using projected or anticipated future full-time equivalent enrollments as justification. If the decision is made to construct new facilities to meet this demonstrated need, then building plans should consider full-time equivalent enrollment growth facilitated by this new construction and subsequent new program offerings made possible by the existence of the new facilities.

(c) Adopt and submit to the Commissioner of Education, the Chancellor of the Florida Community College System, or ~~and~~ the

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Chancellor of the State University System, as appropriate, if the joint request involves a state university, a joint resolution of the participating boards indicating their commitment to the utilization of the requested facility and designating the locale of the proposed facility. The joint resolution shall contain a statement of determination by the participating boards that alternate options, including the use of leased, rented, or borrowed space, were considered and found less appropriate than construction of the proposed facility. The joint resolution shall contain assurance that the development of the proposed facility has been examined in conjunction with the programs offered by neighboring public educational facilities offering instruction at the same level. The joint resolution also shall contain assurance that each participating board shall provide for continuity of educational progression. All joint resolutions shall be submitted by August 1 for consideration of funding by the subsequent Legislature.

(d) Submit requests for funding of joint-use facilities projects involving state universities and Florida Community College System institutions for approval by the Chancellor of the Florida Community College System ~~Commissioner of Education~~ and the Chancellor of the State University System. The Chancellor of the Florida Community College System ~~Commissioner of Education~~ and the Chancellor of the State University System shall jointly determine the priority for funding these projects in relation to the priority of all other capital outlay projects under their consideration. To be eligible for funding from the Public Education Capital Outlay and Debt Service Trust Fund under the provisions of this section, projects involving both

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state universities and Florida Community College System institutions shall appear on the 3-year capital outlay priority lists of Florida Community College System institutions and of universities required by s. 1013.64. Projects involving a state university, a Florida Community College System institution, and a public school, and in which the larger share of the proposed facility is for the use of the state university or the Florida Community College System institution, shall appear on the 3-year capital outlay priority lists of the Florida Community College System institutions or of the universities, as applicable.

(e) Include in their joint resolution for the joint-use facilities, comprehensive plans for the operation and management of the facility upon completion. Institutional responsibilities for specific functions shall be identified, including designation of one participating board as sole owner of the facility. Operational funding arrangements shall be clearly defined.

(2) An educational plant survey must be conducted within 90 days after submission of the joint resolution and substantiating data describing the benefits to be obtained, the programs to be offered, and the estimated cost of the proposed project. Upon completion of the educational plant survey, the participating boards may include the recommended projects in their plan as provided in s. 1013.31. Upon approval of the project by the commissioner, the Chancellor of the Florida Community College System, or the Chancellor of the State University System, as appropriate, 25 percent of the total cost of the project, or the pro rata share based on space utilization of 25 percent of the cost, must be included in the department's legislative capital

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outlay budget request as provided in s. 1013.60 for educational plants. The participating boards must include in their joint resolution a commitment to finance the remaining funds necessary to complete the planning, construction, and equipping of the facility. Funds from the Public Education Capital Outlay and Debt Service Trust Fund may not be expended on any project unless specifically authorized by the Legislature.

(3) Included in all proposals for joint-use facilities must be documentation that the proposed new campus or new joint-use facility has been reviewed by the State Board of Education, the State Board of Community Colleges, or the Board of Governors, as appropriate, and has been formally requested for authorization by the Legislature.

(4) A ~~No~~ district school board, Florida Community College System institution, or state university may not ~~shall~~ receive funding for more than one approved joint-use facility per campus in any 3-year period.

Section 119. Subsection (1) of section 1013.65, Florida Statutes, is amended to read:

1013.65 Educational and ancillary plant construction funds; Public Education Capital Outlay and Debt Service Trust Fund; allocation of funds.—

(1) The commissioner, through the department, shall administer the Public Education Capital Outlay and Debt Service Trust Fund. The commissioner shall allocate or reallocate funds as authorized by the Legislature. Copies of each allocation or reallocation shall be provided to members of the State Board of Education, the State Board of Community Colleges, and the Board of Governors and to the chairs of the House of Representatives

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7311 and Senate appropriations committees. The commissioner shall
 7312 provide for timely encumbrances of funds for duly authorized
 7313 projects. Encumbrances may include proceeds to be received under
 7314 a resolution approved by the State Board of Education
 7315 authorizing the issuance of public education capital outlay
 7316 bonds pursuant to s. 9(a)(2), Art. XII of the State
 7317 Constitution, s. 215.61, and other applicable law. The
 7318 commissioner shall provide for the timely disbursement of moneys
 7319 necessary to meet the encumbrance authorizations of the boards.
 7320 Records shall be maintained by the department to identify
 7321 legislative appropriations, allocations, encumbrance
 7322 authorizations, disbursements, transfers, investments, sinking
 7323 funds, and revenue receipts by source. The Department of
 7324 Education shall pay the administrative costs of the Public
 7325 Education Capital Outlay and Debt Service Trust Fund from the
 7326 funds which comprise the trust fund.

7327 Section 120. The State Board of Community Colleges, in
 7328 collaboration with the Board of Governors, shall evaluate and
 7329 report on the status of Florida's "2+2" system of articulation
 7330 using the accountability measures required pursuant to s.
 7331 1008.38, Florida Statutes, and any other applicable state law.
 7332 By December 31, 2017, the state board and the Board of Governors
 7333 shall submit their report to the Governor, the President of the
 7334 Senate, and the Speaker of the House of Representatives. The
 7335 report must include findings regarding the effectiveness of
 7336 Florida's "2+2" system of articulation and recommendations for
 7337 improvement.

7338 Section 121. The Division of Law Revision and Information
 7339 is directed to prepare a reviser's bill for the 2018 Regular

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7340 Session to substitute the term "Florida Community College
 7341 System" for "Florida College System" and the term "Florida
 7342 Community College System institution" for "Florida College
 7343 System institution" where those terms appear in the Florida
 7344 Statutes.

7345 Section 122. Except as otherwise expressly provided in this
 7346 act, this act shall take effect October 1, 2017.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

April 6

Meeting Date

SB 374

Bill Number (if applicable)

Topic Postsecondary Education

Amendment Barcode (if applicable)

Name Marshall Ogletree

Job Title Executive Director, United Faculty of Florida

Address 213 S. Adams St.

Phone 850-201-2800

Street

Tallahassee FL

City

State

Zip

Email

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☒ Against
(The Chair will read this information into the record.)

Representing United Faculty of Florida

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: CS/SB 392

INTRODUCER: Education Committee and Senator Hukill and others

SUBJECT: High School Graduation Requirements

DATE: April 4, 2017

REVISED: 4/6/17

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Androff	Graf	ED	Fav/CS
2. Sikes	Elwell	AED	Recommend: Favorable
3. Sikes	Hansen	AP	Favorable

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Technical Changes

I. Summary:

CS/SB 392 creates the “Personal Financial Literacy Education Act” to specify financial literacy standards and instruction for students entering grade 9 in the 2017-2018 school year.

Specifically, the bill revises:

- The Next Generation Sunshine State Standards to establish requirements for financial literacy distinct from the existing financial literacy requirements specified under the economics curricular content within the standards for social studies; and
- The requirements for a student to earn a standard high school diploma by:
 - Establishing a separate one-half credit requirement in personal financial literacy;
 - Deleting the requirement that the one-half credit in economics include financial literacy; and
 - Reducing the number of required elective credits from eight to seven and one-half.

The bill has no additional impact on state funds. School districts are provided funding for instructional materials through the instructional materials allocation within the Florida Education Finance Program (FEFP). SB 2500, the Senate General Appropriations Act for the 2017-2018 Fiscal Year, appropriates \$242,053,499 for instructional materials in the FEFP. According to the Department of Education, depending on the manner in which the financial literacy course is implemented, the projected cost to school districts in the 2017-2018 fiscal year would be between \$140,296 and \$9,440,776.

The bill takes effect July 1, 2017.

II. Present Situation:

Florida law requires the adoption of standards for core content of the curricular taught in public schools and specifies the requirements that students must meet to earn a standard high school diploma.¹

Next Generation Sunshine State Standards

Next Generation Sunshine State Standards (NGSSS) establish the core content of the curricula to be taught in Florida and specify the core content knowledge and skills that K-12 public school students are expected to acquire prior to graduation.² The standards must be rigorous and relevant to incrementally increase a student's core content knowledge and skills over time.³ The curricular content for each subject must integrate critical-thinking, problem-solving, and workforce literacy skills; communication, reading, and writing skills; mathematics skills; collaboration skills; contextual and applied-learning skills; technology-literacy skills; information and media-literacy skills; and civic-engagement skills.⁴ The standards applicable to high school students in grades 9 through 12 may be organized by grade clusters that include more than one grade level, except as otherwise provided for visual performing arts, physical education, health, and foreign language standards.⁵

The State Board of Education (SBE) is responsible for adopting the NGSSS and subsequent revisions to such standards in rule.⁶ The NGSSS must meet the following requirements:⁷

- English Language Arts must establish specific curricular content for, at a minimum, reading, writing, speaking and listening, and language.
- Science standards must establish specific curricular content for, at a minimum, the nature of science, earth and space science, physical science, and life science.
- Mathematics standards must establish curricular content for, at a minimum, algebra, geometry, statistics and probability, number and quantity, functions, and modeling.
- Social Studies standards must establish curricula content for, at a minimum, geography, U.S. and world history, government, civics, humanities, and economics, including financial literacy.
- Visual and performance arts, physical education, health and foreign language standards must establish specific curricular content and include distinct grade level expectations for the core content knowledge and skills that a student is expected to have acquire by each individual grade level from kindergarten through grade 5. The standards for grades 6 through 12 may be organized by grade clusters of more than one grade level.

¹ Sections 1003.41 and 1003.4282(3)(d), F.S.

² Section 1003.41(1), F.S.

³ Section 1003.41(1), F.S.

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

⁷ Section 1003.41(2), F.S.

Financial Literacy

Specifically, curricular content for financial literacy includes the knowledge, understanding, skills, behaviors, attitudes, and values to enable a student to make responsible and effective financial decisions on a daily basis.⁸ Financial literacy instruction should be an integral part of instruction throughout the entire economics course and include information regarding earning income; buying goods and services; saving and financial investing; taxes; the use of credit and credit cards; budgeting and debt management, including student loans and secured loans; banking and financial services; planning for one's financial future, including higher education and career planning; credit reports and scores; and fraud and identity theft prevention.⁹ Currently, the Course Code Directory (CCD)¹⁰ lists at least five one-half credit economics with personal financial literacy courses¹¹ and two separate one-half credit courses in personal financial literacy.¹²

Credits Required to Earn a Standard High School Diploma

To graduate from high school with a standard high school diploma, a student must successfully complete 24 credits, an International Baccalaureate curriculum, or an Advanced International Certificate of Education curriculum.¹³

A student must successfully complete 24 credits in the following subject areas:¹⁴

- Four credits in English Language Arts (ELA) I, II, III, and IV.
- Four credits in mathematics, including one each in Algebra I and Geometry. Industry certifications earned by students may substitute for up to two mathematics credits, except for Algebra I and Geometry.
- Three credits in science, including one credit in Biology I and two credits in equally rigorous courses.¹⁵ Industry certifications earned by students may substitute for one science credit except for Biology I.
- Three credits in social studies, including one credit each in U.S. history and world history; one-half in credit in economics, which must include financial literacy; and one-half credit in U.S. Government.
- One credit in fine or performing arts, speech and debate, or practical arts that incorporates artistic content and techniques of creativity, interpretation, and imagination.
- One credit in physical education that must include the integration of health.

⁸ Section 1003.41(2)(d), F.S.

⁹ Section 1003.41(2), F.S.

¹⁰ The Course Code Directory (CCD) lists all public preK-12 and postsecondary career and technical education courses that are available for use by school districts. Programs and courses that are funded through the Florida Education Finance Program and courses or programs for which students may earn credit toward high school graduation must be listed in the CCD. The CCD maintains course listings for administration and service assignments, K-12 education, exceptional student education, career and technical education, and adult education, with details regarding appropriate teacher certification levels. The CCD provides course information to schools, districts, and the state. Rule 6A-1.09441, F.A.C.

¹¹ Courses 2102335, 2102340, 2102345, 2102800, and 2102850. Florida Department of Education, *2016-2017 Course Directory Section 3 - Grades 9 to 12*, (2016), at 43-44.

¹² Courses 2102371 and 2102374. Florida Department of Education, *2016-2017 Course Directory Section 3 - Grades 9 to 12*, (2016), at 43-44.

¹³ Section 1003.4282(1)(a), F.S.

¹⁴ Section 1003.4282(3), F.S.

¹⁵ Two of the three science credits must have a laboratory component. Section 1003.4282(3)(c), F.S.

- Eight credits in electives. School districts are required to develop and offer coordinated electives to enable a student to develop knowledge and skills in his or her area of interest and these electives must include opportunities for students to earn college credit.

III. Effect of Proposed Changes:

This bill creates the “Personal Financial Literacy Education Act” to specify financial literacy standards and instruction for students entering grade 9 in the 2017-2018 school year and thereafter. Specifically, the bill revises:

- The Next Generation Sunshine State Standards to establish requirements for financial literacy distinct from the existing financial literacy requirements specified under the economics curricular content within the standards for social studies; and
- The requirements for a student to earn a standard high school diploma by:
 - Establishing a separate one-half credit requirement in personal financial literacy;
 - Deleting the requirement that the one-half credit in economics include financial literacy; and
 - Reducing the number of required elective credits from eight to seven and one-half.

Next Generation Sunshine State Standards (Section 1)

Section 1 of the bill clarifies that the current requirements for financial literacy, embedded within the social studies standards, do not apply to students entering grade 9 in the 2017-2018 school year and thereafter. Additionally, the bill revises the Next Generation Sunshine State Standards (NGSSS) to establish requirements for financial literacy distinct from the existing financial literacy requirements specified under the economics curricular content within the standards for social studies, beginning with students entering grade 9 in the 2017-2018 school year. The financial literacy standards must establish specific curricular content that must include, but is not limited to, personal financial literacy and money management. Accordingly, the NGSSS may need to be revised to include an understanding of how to balance a checkbook and the implications of receiving an inheritance.¹⁶ In addition, CPALMS may need to be updated to include the financial literacy standards that apply to students entering grade 9 in the 2017-2018 school year.¹⁷ The Course Code Directory may also need to be updated to include personal financial literacy courses.¹⁸

Credits Required to Earn a Standard High School Diploma (Section 2)

Section 2 of the bill requires that in order to receive a standard high school diploma, beginning with students entering grade 9 in the 2017-2018 school year, students must earn one-half credit in personal financial literacy in addition to the required three social studies credits. Currently, students are not required to complete a separate course in financial literacy to graduate from high school with a standard diploma.¹⁹

¹⁶ Florida Department of Education, *SB 392 Analysis* (2017), at 3.

¹⁷ CPALMS is the State of Florida’s official source for information on standards and course descriptions. CPALMS, *Homepage*, <http://www.cpalms.org/Public/> (last visited March 3, 2017).

¹⁸ Florida Department of Education, *SB 392 Analysis* (2017), at 7.

¹⁹ *Id.*, at 2.

This section requires financial literacy instruction to include:

- Types of bank accounts offered, opening and managing a bank account, and assessing the quality of a depository institution's services.
- Balancing a checkbook.
- Basic principles of money management, such as spending, credit, credit scores, and managing debt, including retail and credit card debt.
- Completing a loan application.
- Receiving an inheritance and related implications.
- Basic principles of personal insurance policies.
- Computing federal income taxes.
- Local tax assessments.
- Computing interest rates by various mechanisms.
- Simple contracts.
- Contesting an incorrect billing statement.
- Types of savings and investment.
- State and federal laws concerning finance.

Additionally, this section of the bill reduces the current elective credits required to earn a standard high school diploma from eight to seven and one-half. As such, the bill maintains the total number of credits (i.e., 24) that students must successfully complete to earn a standard high school diploma.

The bill may increase high school students' personal financial literacy, which may help high school students acquire the knowledge and skills to effectively manage personal finances and plan for pursuing higher education or entering the workforce.

This bill takes effect July 1, 2017.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

School districts are provided funding for instructional materials through the instructional materials allocation within the Florida Education Finance Program (FEFP). SB 2500, the Senate General Appropriations Act for the 2017-2018 Fiscal Year, appropriates \$242,053,499 for instructional materials in the FEFP.

According to the Florida Department of Education (DOE), the implementation of a new course in financial literacy may result in expenses associated with instructional materials and professional development for teachers.²⁰ The DOE projected four cost scenarios for implementing a required financial literacy course.

- Scenarios one and two assume that teachers who are currently employed by the district are trained to teach the financial literacy course.²¹
 - Scenario one assumes one set of textbooks per classroom, amounting to an estimated implementation cost of \$3,086,512 for the first year and a total cost of \$4,899,568 for the first five years.²²
 - Scenario two assumes an individual textbook used by each student in the course, amounting to an estimated implementation cost of \$9,440,776 for the first year and a total cost of \$15,021,064 for the first five years.
- Scenario three assumes that financial literacy instruction is taken electronically through an online course, amounting to an estimated implementation cost of \$160,792 for the first year with no additional cost after the first year for teacher training and travel.²³
- Scenario four assumes that financial literacy instruction is obtained through a free curriculum, amounting to an estimated first year implementation cost of \$140,296, with no additional costs after the first year.²⁴

VI. Technical Deficiencies:

Lines 91-92 of the bill provides that a student must “take” one-half credit in personal financial literacy. To clarify this requirement, the term “take” may need to be changed to “earn”.

VII. Related Issues:

None.

²⁰ Florida Department of Education, *SB 392 Analysis* (2017), at 4.

²¹ Florida Department of Education, *SB 392 Analysis* (2017), at 4.

²² *Id.*

²³ *Id.*, at 5.

²⁴ *Id.*

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1003.41 and 1003.4282.

IX. Additional Information:

- A. **Committee Substitute – Statement of Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Education on March 6, 2017:

The committee substitute clarifies that the current requirements for financial literacy, embedded within the standards for economics under social studies, do not apply to students entering grade 9 in the 2017-2018 school year and thereafter.

- B. **Amendments:**

None.



578700

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/05/2017	.	
	.	
	.	
	.	

The Committee on Appropriations (Hukill and Simpson) recommended the following:

Senate Amendment

Delete lines 70 - 91
and insert:

(d) *Three credits in social studies.*—A student must earn one credit in United States History; one credit in World History; one-half credit in economics, which must include financial literacy; and one-half credit in United States Government. The United States History EOC assessment constitutes 30 percent of the student's final course grade. However, for a



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11 student entering grade 9 in the 2017-2018 school year or
12 thereafter, financial literacy is not a required component of
13 the one-half credit in economics.

14 (g) ~~Eight~~ *Credits in Electives.*—School districts must
15 develop and offer coordinated electives so that a student may
16 develop knowledge and skills in his or her area of interest,
17 such as electives with a STEM or liberal arts focus. Such
18 electives must include opportunities for students to earn
19 college credit, including industry-certified career education
20 programs or series of career-themed courses that result in
21 industry certification or articulate into the award of college
22 credit, or career education courses for which there is a
23 statewide or local articulation agreement and which lead to
24 college credit. A student entering grade 9 before the 2017-2018
25 school year must earn eight credits in electives. A student
26 entering grade 9 in the 2017-2018 school year or thereafter must
27 earn seven and one-half credits in electives.

28 (h) *One-half credit in personal financial literacy.*—
29 Beginning with students entering grade 9 in the 2017-2018 school
30 year, each student shall earn one-half credit in personal

By the Committee on Education; and Senators Hukill, Garcia, and Simpson

581-02113-17

2017392c1

1 A bill to be entitled
 2 An act relating to high school graduation
 3 requirements; amending s. 1003.41, F.S.; revising the
 4 requirements for the Next Generation Sunshine State
 5 Standards to include financial literacy; amending s.
 6 1003.4282, F.S.; revising the required credits for a
 7 standard high school diploma to include one-half
 8 credit of instruction in personal financial literacy
 9 and money management and seven and one-half, rather
 10 than eight, credits in electives; providing an
 11 effective date.

12

13 WHEREAS, many young people in this state graduate from high
 14 school without having a basic knowledge of financial literacy
 15 and money management, and

16 WHEREAS, the Legislature finds that, in light of the recent
 17 economic challenges nationwide, sound financial management
 18 skills are vitally important to all Floridians, particularly
 19 high school students, and

20 WHEREAS, the Legislature also finds that requiring
 21 educational instruction in financial literacy and money
 22 management as a prerequisite to high school graduation will
 23 better prepare young people in this state for adulthood by
 24 providing them with the requisite knowledge to achieve financial
 25 stability and independence, and

26 WHEREAS, adoption of this act, which may be cited as the
 27 "Personal Financial Literacy Education Act," will make Florida
 28 the 18th state in the nation to require financial literacy
 29 instruction as a prerequisite for high school graduation and a

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

581-02113-17

2017392c1

30 standard high school diploma, NOW, THEREFORE,
 31
 32 Be It Enacted by the Legislature of the State of Florida:
 33

34 Section 1. Paragraph (d) of subsection (2) of section
 35 1003.41, Florida Statutes, is amended and paragraph (f) is added
 36 to that subsection, to read:
 37 1003.41 Next Generation Sunshine State Standards.—
 38 (2) Next Generation Sunshine State Standards must meet the
 39 following requirements:
 40 (d) Social Studies standards must establish specific
 41 curricular content for, at a minimum, geography, United States
 42 and world history, government, civics, humanities, and
 43 economics, including financial literacy. Financial literacy
 44 includes the knowledge, understanding, skills, behaviors,
 45 attitudes, and values that will enable a student to make
 46 responsible and effective financial decisions on a daily basis.
 47 Financial literacy instruction shall be an integral part of
 48 instruction throughout the entire economics course and include
 49 information regarding earning income; buying goods and services;
 50 saving and financial investing; taxes; the use of credit and
 51 credit cards; budgeting and debt management, including student
 52 loans and secured loans; banking and financial services;
 53 planning for one's financial future, including higher education
 54 and career planning; credit reports and scores; and fraud and
 55 identity theft prevention. The requirements for financial
 56 literacy specified under this paragraph do not apply to students
 57 entering grade 9 in the 2017-2018 school year and thereafter.
 58 (f) Effective for students entering grade 9 in the 2017-

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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2018 school year and thereafter, financial literacy standards must establish specific curricular content for, at a minimum, personal financial literacy and money management. Financial literacy includes instruction in the areas specified in s. 1003.4282(3)(h).

Section 2. Paragraphs (d) and (g) of subsection (3) of section 1003.4282, Florida Statutes, are amended, and paragraph (h) is added to that subsection, to read:

1003.4282 Requirements for a standard high school diploma.—

(3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT REQUIREMENTS.—

(d) *Three credits in social studies.*—Beginning with students entering grade 9 in the 2017-2018 school year, a student must earn one credit in United States History, ~~+~~ one-half credit in World History, ~~+~~ one-half credit in economics, ~~which must include financial literacy,~~ and one-half credit in United States Government. The United States History EOC assessment constitutes 30 percent of the student's final course grade.

(g) *Seven and one-half* ~~Eight~~ *credits in electives.*—Beginning with students entering grade 9 in the 2017-2018 school year, each school district shall ~~School districts must~~ develop and offer coordinated electives so that a student may develop knowledge and skills in his or her area of interest, such as electives with a STEM or liberal arts focus. Such electives must include opportunities for students to earn college credit, including industry-certified career education programs or series of career-themed courses that result in industry certification or articulate into the award of college credit, or career education courses for which there is a statewide or local

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articulation agreement and which lead to college credit.

(h) One-half credit in personal financial literacy.—

Beginning with students entering grade 9 in the 2017-2018 school year, each student shall take one-half credit in personal financial literacy and money management. This instruction must include discussion of or instruction in the following:

1. Types of bank accounts offered, opening and managing a bank account, and assessing the quality of a depository institution's services.

2. Balancing a checkbook.

3. Basic principles of money management, such as spending, credit, credit scores, and managing debt, including retail and credit card debt.

4. Completing a loan application.

5. Receiving an inheritance and related implications.

6. Basic principles of personal insurance policies.

7. Computing federal income taxes.

8. Local tax assessments.

9. Computing interest rates by various mechanisms.

10. Simple contracts.

11. Contesting an incorrect billing statement.

12. Types of savings and investments.

13. State and federal laws concerning finance.

Section 3. This act shall take effect July 1, 2017.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: CS/CS/SB 182

INTRODUCER: Health Policy Committee; Banking and Insurance Committee; and Senators Mayfield and others

SUBJECT: Consumer Protection from Nonmedical Changes to Prescription Drug Formularies

DATE: April 4, 2017

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Johnson	Knudson	BI	Fav/CS
2. Lloyd	Stovall	HP	Fav/CS
3. Davis/McVaney	Hansen	AP	Favorable
4. _____	_____	RC	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 182 amends the Insurance Code to provide additional consumer protections by prohibiting an individual or group insurance policy that is issued in this state and provides medical coverage or a health maintenance organization (HMO) from removing a covered prescription drug from its formulary except during coverage renewal with some limited exceptions. The bill also prohibits an insurer or HMO from reclassifying a drug to a more restrictive tier, increasing the out-of-pocket costs (e.g., copayment, coinsurance, or deductible) of an insured, or reclassifying a drug to higher-cost sharing tier during the policy year. Under current law, only HMOs offering group contracts are prohibited from increasing the copayment for any benefit or removing, amending or limiting any of the contract benefits except at renewal time with some exceptions.

Often, insureds with chronic, disabling conditions select a health insurance policy or contract based on the availability of certain drugs on the formulary at a preferred cost. Typically, health insurers and pharmacy benefit managers (PBMs) may change their prescription drug formularies during the year in response to the availability of new drugs or changes in prices by drug manufacturers. As a result, certain prescription drugs may become more costly or unavailable, thereby restricting the insureds access to these drugs during a plan year. The insured is unable to switch to a different health insurance plan until the next open enrollment.

The Division of State Group Insurance (DSGI) of the Department of Management Services indicates that the bill will have an indeterminate, negative fiscal impact. The DSGI's PBM estimates the annual loss of rebates from drug manufacturers to the state is \$1 million and the annual additional costs of drugs to the DSGI is \$50,000.

The bill has no fiscal impact on the Florida Medicaid program, as it does not amend ch. 409, F.S., which governs the Florida Medicaid program, nor does it require Medicaid to amend existing policies or procedures.

II. Present Situation:

Access to affordable health care can be a significant issue for anyone with an illness, but it is particularly critical for individuals who have conditions with the potential to cause death, disability, or serious discomfort unless treated with the most appropriate medical care. In recent years, many innovative treatments for diseases that affect large populations, such as cancer, hepatitis C, diabetes, and multiple sclerosis have been approved. Some of the benefits of these innovative drugs include fewer side effects, convenience (oral solids instead of injectables), and greater efficacy.¹ However, the financial burden from out-of-pocket drug costs can lead patients with chronic illnesses to forgo prescribed drugs, ultimately affecting their health.

Prescription Drug Cost Containment

In 2014, spending on retail prescription drugs in the U.S. was approximately \$298 billion.² In 2015, total retail prescription drug spending increased by nine percent, reaching \$325 billion. The significant growth in 2015 was attributed to certain cost drivers, such as, spending on new drugs, price growth for existing brand-name drugs, increased spending on generics, and a decrease in the number of expensive drugs whose patents have expired.³

Due to increasing health care expenditures, public and private employers and insurers continue to look for cost containment methods, including the reduction of prescription drug costs. Many employer-sponsored health plans and insurers contract with pharmacy benefit managers (PBMs). The PBMs negotiate drug prices with pharmacies and drug manufacturers on behalf of health plans and, in addition to other administrative, clinical, and cost containment services, process drug claims for the health plans. The PBM generally manages the list of preferred drug products (formulary) for each of its plan sponsors. Insurers and self-insured employers provide insureds with financial incentives, such as lower copayments, to use formulary drugs.

Non-medical switching or substitution of prescription drugs occurs when there may be multiple options available within a treatment class and a less expensive or patient-preferred medicine is substituted, often for cost containment reasons. Non-medical switching may be as simple as the substitution of a brand name drug for its generic equivalent. Generic drugs are copies of brand-name drugs and are the same in dosage form, safety, strength, route of administration,

¹ See HEALTH AFFAIRS 35, No. 9 (2016): 1595-1603.

² See HEALTH AFFAIRS 36, No. 1 (2017):166-176.

³ *Id.*

performance characteristics, and intended use.⁴ A generic drug must pass the same safety standards as a brand-name drug. The second method of switching or substitution involves dispensing drugs that are therapeutically equivalent to but chemically different from the originally prescribed drug.⁵

Research notes that the biologic therapy medications of some patients are being switched for nonclinical reasons, despite the lack of data to support this practice and an abundance of data demonstrating clinically meaningful differences among biologics.⁶ For example, one study reviewing the reason for adjusting anti-tumor necrosis (TNF) agents involving patients primarily with rheumatoid arthritis, psoriasis, psoriatic arthritis, ankylosing spondylitis, Crohn's disease, or ulcerative colitis found that non-medical switching of anti-TNF agents was associated with an increase in side effects and lack of efficacy that also led to an increase in health care utilization.⁷

Federal Patient Protection and Affordable Care Act

Health Insurance Reforms

The federal Patient Protection and Affordable Care Act (PPACA) was signed into law on March 23, 2010.⁸ The PPACA requires health insurers to make coverage available to all individuals and employers, without exclusions for preexisting conditions and without basing premiums on any health-related factors. The PPACA also mandates required essential health benefits,⁹ cost-sharing limits, rating and underwriting standards, and appeals of adverse benefit determinations.

The PPACA requires issuers (insurers and HMOs) of qualified health plans (QHPs) to provide 10 categories of essential health benefits (EHB), which includes prescription drugs.¹⁰ To be certified as a QHP, the insurer must also submit an application, follow established limits on cost sharing, and be certified by the federal Health Insurance Marketplace.¹¹ The federal deadline for

⁴ Federal Food and Drug Administration, *Understanding Generic Drugs* available at <http://www.fda.gov/drugs/resourcesforyou/consumers/buyingusingmedicinesafely/understandinggenericdrugs/default.htm> (last visited Feb. 13, 2017).

⁵ Rachel Chu, et al, *Patient Safety and Comfort - The Challenges of Switching Medicines* (2010) available at http://www.patients-rights.org/uploadimages/Patient_Safety_and_Comfort_The_Challenges_of_Switching.pdf (last viewed Feb. 13, 2017).

⁶ See Alan Reynolds, et al, *When is switching warranted among biologic therapies in rheumatoid arthritis?* Medscape.com, http://www.medscape.com/viewarticle/768031_5 (last viewed Feb. 13, 2017).

⁷ D.T. Rubin, et al, *Analysis of outcomes after non-medical switching of anti-tumor necrosis factor agents*, European Crohn's and Colitis Organisation (2015) available at https://www.ecco-ibd.eu/index.php/publications/congress-abstract-s/abstracts-2015/item/p354-analysis-of-outcomes-after-non-medical-switching-of-anti-tumor-necrosis-factor-agents.html?category_id=430 (last viewed Feb. 13, 2017).

⁸ The Patient Protection and Affordable Care Act (Pub. Law No. 111–148) was enacted on March 23, 2010. The Health Care and Education Reconciliation Act of 2010 (Pub. Law No. 111–152), which amended and revised several provisions of the Patient Protection and Affordable Care Act, was enacted on March 30, 2010.

⁹ 42 U.S.C. s.18022.

¹⁰ See Center for Consumer Information & Insurance Oversight, *Information on Essential Health Benefits (EHB) Benchmark Plans* <https://www.cms.gov/ccio/resources/data-resources/ehb.html> (last visited Feb. 13, 2017) for Florida's benchmark plan.

¹¹ Center for Consumer Information & Insurance Oversight, *Qualified Health Plans*, <https://www.cms.gov/CCIIO/Programs-and-Initiatives/Health-Insurance-Marketplaces/qhp.html> (last viewed Feb. 13, 2017).

insurers and HMOs to submit 2018 rates and forms to the Centers for Medicare and Medicaid and the Florida Office of Insurance Regulation is May 13, 2017.^{12,13}

Prescription Drug Coverage

For purposes of complying with PPACA's EHBs for prescription drugs, issuers must include in their formulary drug list the greater of one drug for each U.S. Pharmacopeia (USP) category and class; or the same number of drugs in each USP category and class as the state's EHB benchmark plan. Issuers must have a Pharmacy and Therapeutics Committee to design formularies using scientific evidence that will include consideration of safety and efficacy, cover a range of drugs in a broad distribution of therapeutic categories and classes, and provide access to drugs that are included in broadly accepted treatment guidelines. Plans providing EHBs must have procedures in place that allow an enrollee to request and gain access to clinically appropriate drugs not included on the plan's formulary drug list. Such procedures must include a process to request an expedited review.¹⁴

An issuer's plan does not meet the EHB benchmark if its benefit design discriminates based on an individual's age, expected length of life, present or predicted disability, degree of medical dependency, quality of life, or other health conditions.¹⁵ Issuers of QHPs may not employ marketing practices or benefit designs that will have the effect of discouraging the enrollment of individuals with significant health needs in QHPs.¹⁶

Changes in Medicare Part D Formularies

Medicare Part D¹⁷ plans may alter their formularies from year to year, and in limited circumstances, to make changes to their formularies within a plan year.¹⁸ Plans may not change therapeutic categories and classes of drugs within a plan year, except to account for new therapeutic uses or to add newly approved Part D drugs. If Part D plans remove drugs from their formularies during a plan year (or change cost-sharing or access requirements), they must provide timely notice to the Centers for Medicare and Medicaid Services (CMS), affected enrollees, physicians, pharmacies, and pharmacists.

¹² Center for Consumer Information and Insurance Oversight (CCIIO), Centers for Medicare & Medicaid Services (CMS), *2018 Letter to Issuers in the Federally-facilitated Marketplaces* (Dec. 16, 2016), p. 7, available at <https://www.cms.gov/CCIIO/Resources/Regulations-and-Guidance/Downloads/Final-2018-Letter-to-Issuers-in-the-Federally-facilitated-Marketplaces.pdf>, (last viewed Feb. 13, 2017).

¹³ President Trump, Executive Order 13765, *Minimizing the Economic Burden of the Patient Protection and Affordable Care Act Pending Repeal*, <https://www.whitehouse.gov/the-press-office/2017/01/2/executive-order-minimizing-economic-burden-patient-protection-and> (Jan. 20, 2017). President Trump issued an executive order indicating that it is the intent of his administration to seek the prompt repeal of PPACA. (last viewed: Feb. 13, 2017).

¹⁴ 45 C.F.R. s. 156.122.

¹⁵ 45 C.F.R. s. 156.125.

¹⁶ 45 C.F.R. s. 156.225.

¹⁷ The Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (MMA, P.L. 108-173) established a voluntary, outpatient prescription drug benefit under Medicare Part D, effective January 1, 2006. Medicare Part D provides coverage through private prescription drug plans (PDPs) that offer only drug coverage, or through Medicare Advantage (MA) prescription drug plans (MA-PDs) that offer coverage as part of broader, managed care plans.

¹⁸ Centers for Medicare and Medicaid, *Medicare Prescription Drug Benefit Manual*, Chapter 6, (Jan. 15, 2016) available at <https://www.cms.gov/Medicare/Prescription-Drug-Coverage/PrescriptionDrugCovContra/Downloads/Part-D-Benefits-Manual-Chapter-6.pdf>, (last viewed Feb. 13, 2017).

Formulary changes are allowed in limited circumstances. Plans may immediately remove drugs from their formularies that are deemed unsafe by the FDA or are pulled from the market by their manufacturers. Plans may make formulary maintenance changes after March 1, such as replacing a brand-name drug with a new generic drug or modifying formularies because of new information on safety or effectiveness. These changes require CMS approval and 60 days' notice to appropriate parties.

The CMS will generally give positive consideration to formulary maintenance changes such as expanding formularies by adding drugs, moving a drug to a lower tier (thereby reducing copayments or coinsurance), or eliminating utilization management requirements. Plans may only remove drugs from a formulary, move covered drugs to a less-preferred tier status, or add utilization management requirements in accordance with approved procedures and after 60 days' notice to appropriate parties. Plans may make such changes only if enrollees currently taking the affected drugs are exempt from the formulary change for the remainder of the plan year.

Regulation of Insurers and Health Maintenance Organizations in Florida

The Office of Insurance Regulation (OIR) licenses and regulates the activities of insurers, HMOs, and other risk-bearing entities.¹⁹ The Agency for Health Care Administration (AHCA) regulates the quality of care provided by HMOs under part III of ch. 641, F.S. Before receiving a certificate of authority from the OIR, an HMO must receive a Health Care Provider Certificate from the AHCA.²⁰

Currently, under the Insurance Code, an HMO may increase the copayment for any benefit, or delete, amend, or limit any of the benefits under a group contract only upon written notice to the contract holder at least 45 days in advance of the time of coverage renewal. The HMO may amend the contract with the contract holder, with such amendment to be effective immediately at the time of coverage renewal. The written notice to the contract holder must specifically identify any deletions, amendments, or limitations to any of the benefits provided in the group contract during the current contract period, which will be included in the group contract upon renewal. This provision does not apply to any increases in benefits. The notice requirements do not apply if benefits are amended, deleted, or limited, pursuant to a request of the contract holder.²¹

Florida's State Group Insurance Program

Under the authority of s. 110.123, F.S., the DMS, through the DGSI, administers the state group health insurance program under a cafeteria plan consistent with section 125, Internal Revenue Code. To administer the state group health insurance program, the DMS contracts with third party administrators for self-insured health plans, insured HMOs, and a pharmacy benefit manager (PBM) for the state employees' self-insured prescription drug program pursuant to s. 110.12315, F.S.

The state employees' self-insured prescription drug program has three cost-share categories for members: generic drugs, preferred brand name drugs (those brand name drugs on the preferred

¹⁹ Section 20.121(3), F.S.

²⁰ Section 641.21(1), F.S.

²¹ Section 641.31(36), F.S.

drug list), and non-preferred brand name drugs (those brand name drugs not on the preferred drug list). Contractually, the PBM for the state employees' self-insured prescription drug program updates the preferred drug list quarterly as brand drugs enter the market and as the PBM negotiates pricing, including rebates with manufacturers.

Generic drugs are the least expensive and have the lowest member cost share, preferred brand name drugs have the middle cost share, and non-preferred brand name drugs are the most expensive and have the highest member cost share. Generally, prescriptions written for a brand name drug, preferred or non-preferred, will be substituted with a generic drug when available. If the prescribing provider states on the prescription that the brand name drug is "medically necessary" over the generic equivalent, the member will pay only the brand name (preferred or non-preferred) cost share. If the member requests the brand name drug over the generic equivalent then the member will pay the brand name, (preferred or non-preferred) cost share plus the difference between the cost of the generic drug and the brand name drug.

The program covers all federal legend drugs (open formulary) for covered medical conditions, and employs very limited utilization review and clinical review for traditional or specialty prescription drugs. Specialty drugs are high-cost prescription medications used to treat complex, chronic conditions such as cancer, rheumatoid arthritis and multiple sclerosis. Specialty drugs often require special handling (e.g., refrigeration during shipping) and administration (such as injection or infusion).

The federal out-of-pocket limit applies to members of the state group self-insured health plans and insured HMOs, all of which include prescription drug coverage. Copayments (and coinsurance for high deductible plans) for each drug tier are the same for all members, as follows:

Drug Tier	Retail – Up to 30-Day Supply	Retail and Mail – Up to 90-Day Supply and Specialty Medications
Generic	\$7	\$14
Preferred Brand	\$30	\$60
Non-Preferred Brand	\$50	\$100

The program typically makes benefits changes on a plan year basis, which is January 1 through December 31.²²

Health Insurance Mandate Report

Section 624.215, F.S., requires that a report assessing the social and financial impact of any proposal for legislation that mandates health benefit coverage or mandates offering requirements must be submitted to AHCA and the legislative committee having jurisdictions.

²² Department of Management Services, *Senate Bill 182 Analysis* (Jan. 19, 2017) (on file with the Senate Committee on Banking and Insurance).

According to a report provided by advocates of the bill, the bill will not increase coverage of drug benefits or the total cost of health care.²³ The bill creates transparency for consumers to know that the coverage benefit they sign up for is the coverage benefit they will receive for the plan year. The bill addresses the practice of some insurers and HMOs marketing certain pharmacy benefits to consumers at open enrollment, only to change the benefits during the plan year when insureds are generally unable to change plans. According to the report, there is no indication that the bill will have an impact on the cost of coverage. Advocates cite studies that document that some nonclinical drug substitutions may increase overall health care costs and result in adverse outcomes.

Regulation of Prescription Drug Formularies Changes in Other States

Staff conducted a limited survey of some states that had enacted legislation addressing formulary benefit changes or cost-sharing limits. In Louisiana, the formulary change must occur at the time of coverage renewal and prior notice is required to each affected covered employer and enrollee, or individual.²⁴ California prohibits changes in cost sharing designs during the plan or policy year, except when such change is required by state or federal law.²⁵ Nevada generally prohibits a health insurer that offers individual coverage from removing prescription drugs from a formulary or moving a drug to a higher cost-sharing tier during the plan year with some exceptions.²⁶ New Mexico generally limits when health insurance policies may change prescription drug coverage, with exceptions, and requires prior notification of all affected enrollees.²⁷ Virginia requires insurers to establish a process for insureds to obtain continued access to drugs that they have been receiving for at least six months prior to a formulary change at a cost-sharing level that is no higher than the level imposed on formulary drugs.²⁸ Texas prohibits insurers and HMOs from making mid-year formulary benefit and cost-sharing changes.²⁹

III. Effect of Proposed Changes:

Section 1 creates s. 627.42393, F.S., and **Sections 2 and 3** amend s. 627.6699, F.S., and s. 641.31, F.S., respectively.

The bill amends the Insurance Code to provide additional consumer protections by prohibiting a health insurer or HMO from removing a covered drug from its formulary during the policy year except during coverage renewal with some limited exceptions. These provisions would apply to individual and group policies and contracts. An insurer or HMO may remove a prescription drug from its list of covered drugs during the policy year if:

- The U.S. Food and Drug Administration has issued a statement about the drug which calls into question the clinical safety of the drug; or

²³ *Non-Medical Switching, Health Insurance Mandate Report* (Jan. 2017) (on file with the Senate Committee on Banking and Insurance).

²⁴ La Admin. Code title 37, pt. XIII, ss. 14111, 14115, and 14117.

²⁵ CAL. INS. Code, §10199.449; Effective Jan. 1, 2017; Approved by the Governor August 25, 2016.

²⁶ Nevada Division of Insurance, *Adopted Regulation R074-14* (uncodified).

²⁷ N.M. Stat. ss. 59A-22-49.4, 59A-23-7.13, 59A-46-50.4, and 59A-47-45.4.

²⁸ See Va. Code Ann. s. 38.2-3407.9.01.

²⁹ Tex. Ins. Code ss. 1369.0541 and 1501.108.

- The manufacturer of the drug has notified the U.S. Food and Drug Administration of a manufacturing discontinuance or potential discontinuance of the drug as required by s. 506C of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. s. 356c.

The bill also prohibits an insurer or HMO from reclassifying a drug to a more restrictive drug tier; increasing the amount that an insured must pay out-of-pocket for a copayment, coinsurance, or deductible for prescription drugs, or reclassifying a drug to a higher cost-sharing tier during the policy year.

The bill also:

- Does not prohibit the addition of prescription drugs to the list of drugs covered under the policy during the policy year.
- Does not alter or amend s. 465.025, F.S., which provides conditions under which a pharmacist may substitute a generically equivalent drug product for a brand name drug product.
- Does not alter or amend s. 465.0252, F.S., which provides conditions under which a pharmacist may dispense a substitute biological product for the prescribed biological product.

The provisions of the bill do not apply to grandfathered health plans, as defined in s. 627.402, F.S., or to benefits set forth in s. 627.6513(1)-(14), F.S.

Section 4 provides that this act fulfills an important state interest.

Section 5 provides the bill is effective January 1, 2018.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The county/municipality mandates provision of Article VII, section 18 of the Florida Constitution may apply if the bill requires local governments to spend funds. If those provisions do apply, in order for the law to be binding upon the cities and counties, the Legislature must find that the law fulfills an important state interest, and one of the following relevant exceptions must apply:

- The expenditure is required to comply with a law that applies to all persons similarly situated; or
- The law must be approved by two-thirds of the membership of each house of the Legislature.

Since this bill requires all public sector health plans to limit drug changes in the formulary and insureds' cost sharing, it appears the bill applies to all persons similarly situated (state, counties, and municipalities).

The bill includes a finding that the act fulfills an important state interest.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

By limiting changes to the prescription drug formulary, CS/CS/SB 182 would allow insureds to receive their brand drugs at a preferred cost for the policy year. Currently, the Insurance Code only prohibits HMO group contracts from increasing a member's copayment for any benefit or reducing a benefit during a plan year with some exceptions.

The prohibition on mid-policy year changes to drug formularies may increase the claim costs for health insurers and HMOs providing prescription drug benefits. Any increased costs would likely be passed along to insureds. The provisions of the bill would not apply to ERISA (Employee Retirement Income Security Act of 1974)³⁰ self-insured plans, which represent approximately 50 percent of the insureds in Florida. ERISA preempts the regulation of such plans by state regulation.

C. Government Sector Impact:

Division of State Group Insurance

The bill provides limitations on changes in formularies by allowing insureds to continue to obtain specified brand drugs at a "preferred" cost share throughout a calendar year. As a result, the bill prohibits the State Employees' Prescription Drug Plan from obtaining lower costs, even when the PBM negotiates better pricing and rebates for equally clinically effective brand and generic drugs.

The PBM states for the three quarterly formulary updates in 2016, approximately 1,100 of 139,000 drug plan users were impacted.

The DSGI indicates that the bill will have an indeterminate and substantial negative fiscal impact.³¹ The severity of the impact would be contingent on the number of brand drugs that are required to remain on the preferred drug list when other, less expensive, interchangeable and clinically appropriate brand and generic drugs are available. The

³⁰ 29 U.S.C. 1001 et seq. (1974).

³¹ Department of Management Services, *Senate Bill 182 Analysis* (Jan. 19, 2017) (on file with the Senate Committee on Banking and Insurance).

DSGI notes, that not only would the cost of the medication be higher for the prescription drug program, but also the rebates from manufacturers to the program would be reduced significantly. The PBM provided the following estimates regarding the recurring impact on the DSGI:

- An additional cost of drugs to the State of Florida of \$50,000.
- Loss of manufacturers' rebates to the State of Florida of \$1 million.

Florida Medicaid Program

According to the Agency for Healthcare Administration, the bill has no fiscal impact on the Florida Medicaid program since it does not amend ch. 409, F.S., governing Florida Medicaid, nor does it require Medicaid to amend existing policies or procedures.³²

The Florida Healthy Kids Corporation also confirmed that the bill would have no fiscal impact on its contracts with managed care plans. The Florida Healthy Kids Corporation's benefits, policies, and procedures are separately prescribed in statute under ch. 409, F.S., as part of the Florida KidCare Program and under s. 624.91, F.S.³³

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 627.6699 and 641.31.

This bill creates section 627.42393 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS by Health Policy on February 21, 2017:

The CS/CS by Health Policy clarifies which policies are covered, modifies that changes may only be at the time of coverage renewal to be consistent with other state and federal provisions, and adds that the act fulfills an important state interest.

³² E-mail from Tony Guzzo, Agency for Healthcare Administration (Feb. 1, 2017) (on file with the Senate Committee on Banking and Insurance).

³³ E-mail from Steve Malono, Florida Healthy Kids Corporation (Feb. 13, 2017) (on file with the Senate Committee on Health Policy).

CS by Banking and Insurance on February 7, 2017:

The CS corrects a scrivener's error.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By the Committees on Health Policy; and Banking and Insurance;
and Senator Mayfield

588-01933-17

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A bill to be entitled

An act relating to consumer protection from nonmedical changes to prescription drug formularies; creating s. 627.42393, F.S.; limiting, under specified circumstances, changes to a health insurance policy prescription drug formulary during a policy year; providing construction and applicability; amending s. 627.6699, F.S.; requiring small employer carriers to limit changes to prescription drug formularies under certain circumstances; amending s. 641.31, F.S.; limiting, under specified circumstances, changes to a health maintenance contract prescription drug formulary during a contract year; providing construction and applicability; providing a declaration of important state interest; providing an effective date.

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

Section 1. Section 627.42393, Florida Statutes, is created to read:

627.42393 Insurance policies; limiting changes to prescription drug formularies.-

(1) Other than at the time of coverage renewal, an individual or group insurance policy that is delivered, issued for delivery, renewed, amended, or continued in this state and that provides medical, major medical, or similar comprehensive coverage may not:

(a) Remove a covered prescription drug from its list of

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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covered drugs during the policy year unless the United States Food and Drug Administration has issued a statement about the drug which calls into question the clinical safety of the drug, or the manufacturer of the drug has notified the United States Food and Drug Administration of a manufacturing discontinuance or potential discontinuance of the drug as required by s. 506C of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. s. 356c.

(b) Reclassify a drug to a more restrictive drug tier or increase the amount that an insured must pay for a copayment, coinsurance, or deductible for prescription drug benefits, or reclassify a drug to a higher cost-sharing tier during the policy year.

(2) This section does not prohibit the addition of prescription drugs to the list of drugs covered under the policy during the policy year.

(3) This section does not apply to a grandfathered health plan as defined in s. 627.402 or to benefits set forth in s. 627.6513(1)-(14).

(4) This section does not alter or amend s. 465.025, which provides conditions under which a pharmacist may substitute a generically equivalent drug product for a brand name drug product.

(5) This section does not alter or amend s. 465.0252, which provides conditions under which a pharmacist may dispense a substitute biological product for the prescribed biological product.

Section 2. Paragraph (e) of subsection (5) of section 627.6699, Florida Statutes, is amended to read:

627.6699 Employee Health Care Access Act.-

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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(5) AVAILABILITY OF COVERAGE.—

(e) All health benefit plans issued under this section must comply with the following conditions:

1. For employers who have fewer than two employees, a late enrollee may be excluded from coverage for no longer than 24 months if he or she was not covered by creditable coverage continually to a date not more than 63 days before the effective date of his or her new coverage.

2. Any requirement used by a small employer carrier in determining whether to provide coverage to a small employer group, including requirements for minimum participation of eligible employees and minimum employer contributions, must be applied uniformly among all small employer groups having the same number of eligible employees applying for coverage or receiving coverage from the small employer carrier, except that a small employer carrier that participates in, administers, or issues health benefits pursuant to s. 381.0406 which do not include a preexisting condition exclusion may require as a condition of offering such benefits that the employer has had no health insurance coverage for its employees for a period of at least 6 months. A small employer carrier may vary application of minimum participation requirements and minimum employer contribution requirements only by the size of the small employer group.

3. In applying minimum participation requirements with respect to a small employer, a small employer carrier shall not consider as an eligible employee employees or dependents who have qualifying existing coverage in an employer-based group insurance plan or an ERISA qualified self-insurance plan in

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determining whether the applicable percentage of participation is met. However, a small employer carrier may count eligible employees and dependents who have coverage under another health plan that is sponsored by that employer.

4. A small employer carrier shall not increase any requirement for minimum employee participation or any requirement for minimum employer contribution applicable to a small employer at any time after the small employer has been accepted for coverage, unless the employer size has changed, in which case the small employer carrier may apply the requirements that are applicable to the new group size.

5. If a small employer carrier offers coverage to a small employer, it must offer coverage to all the small employer's eligible employees and their dependents. A small employer carrier may not offer coverage limited to certain persons in a group or to part of a group, except with respect to late enrollees.

6. A small employer carrier may not modify any health benefit plan issued to a small employer with respect to a small employer or any eligible employee or dependent through riders, endorsements, or otherwise to restrict or exclude coverage for certain diseases or medical conditions otherwise covered by the health benefit plan.

7. An initial enrollment period of at least 30 days must be provided. An annual 30-day open enrollment period must be offered to each small employer's eligible employees and their dependents. A small employer carrier must provide special enrollment periods as required by s. 627.65615.

8. A small employer carrier must limit changes to

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prescription drug formularies as required by s. 627.42393.

Section 3. Subsection (36) of section 641.31, Florida Statutes, is amended to read:

641.31 Health maintenance contracts.—

(36) A health maintenance organization may increase the copayment for any benefit, or delete, amend, or limit any of the benefits to which a subscriber is entitled under the group contract only, upon written notice to the contract holder at least 45 days in advance of the time of coverage renewal. The health maintenance organization may amend the contract with the contract holder, with such amendment to be effective immediately at the time of coverage renewal. The written notice to the contract holder must ~~shall~~ specifically identify any deletions, amendments, or limitations to any of the benefits provided in the group contract during the current contract period which will be included in the group contract upon renewal. This subsection does not apply to any increases in benefits. The 45-day notice requirement does ~~shall~~ not apply if benefits are amended, deleted, or limited at the request of the contract holder.

(a) Other than at the time of coverage renewal, a health maintenance organization that provides medical, major medical, or similar comprehensive coverage may not:

1. Remove a covered prescription drug from its list of covered drugs during the contract year unless the United States Food and Drug Administration has issued a statement about the drug which calls into question the clinical safety of the drug, or the manufacturer of the drug has notified the United States Food and Drug Administration of a manufacturing discontinuance or potential discontinuance of the drug as required by s. 506C

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of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. s. 356c.

2. Reclassify a drug to a more restrictive drug tier or increase the amount that an insured must pay for a copayment, coinsurance, or deductible for prescription drug benefits, or reclassify a drug to a higher cost-sharing tier during the contract year.

(b) This subsection does not:

1. Prohibit the addition of prescription drugs to the list of drugs covered during the contract year.

2. Apply to a grandfathered health plan as defined in s. 627.402 or to benefits set forth in s. 627.6513(1)-(14).

3. Alter or amend s. 465.025, which provides conditions under which a pharmacist may substitute a generically equivalent drug product for a brand name drug product.

4. Alter or amend s. 465.0252, which provides conditions under which a pharmacist may dispense a substitute biological product for the prescribed biological product.

Section 4. The Legislature finds that this act fulfills an important state interest.

Section 5. This act shall take effect January 1, 2018.



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Education, *Vice Chair*
Appropriations Subcommittee on the Environment
and Natural Resources
Appropriations Subcommittee on General
Government
Banking and Insurance
Judiciary

JOINT COMMITTEE:

Joint Legislative Auditing Committee,
Alternating Chair

SENATOR DEBBIE MAYFIELD
17th District

February 21, 2017

Chairman Jack Latvala
412 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399-1100

Re: SB 182

Dear Chairman Latvala,

I am respectfully requesting Senate Bill 182, a bill relating to Consumer Protection from Nonmedical Changes to Prescription Drug Formularies, be placed on the agenda for your committee on Appropriations.

I appreciate your consideration of this bill and I look forward to working with you and the Appropriations committee. If there are any questions or concerns, please do not hesitate to call my office at 850-487-5017

Thank you,

A handwritten signature in cursive script, appearing to read "Debbie", is written over the printed name and district of Senator Debbie Mayfield.

Senator Debbie Mayfield
District 17

Cc: Mike Hansen, Tim Sadberry, John Shettle, Joe McVaney, Alicia Weiss, Carlecia Collins

REPLY TO:

- ☐ 900 E. Strawbridge Avenue, Melbourne, Florida 32901 (321) 408-2025
- ☐ 1801 27th Street, Vero Beach, Florida 32960 (772) 226-1970
- ☐ 324 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5017

Senate's Website: www.flsenate.gov

JOE NEGRON
President of the Senate

ANITERE FLORES
President Pro Tempore

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

April 6, 2017

Meeting Date

SB 182

Bill Number (if applicable)

Topic Consumer Protection from Non-Medical Changes to Prescription Drug Formularies

Amendment Barcode (if applicable)

Name Greg Black

Job Title Attorney

Address 119 South Monroe Street, Suite 200

Phone 850-205-9000

Street

Tallahassee

Florida

32301

City

State

Zip

Email greg.black@MHDfirm.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing The AIDS Institute

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

8:00 9:12k

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/6/17

Meeting Date

SB182

Bill Number (if applicable)

Topic Nonmedical Changes to Prescription

Amendment Barcode (if applicable)

Name Brewster Bevis

Job Title Senior Vice President

Address 516 N Adams St

Phone 224-7173

Street

Tallahassee

FL

32301

Email bbevis@aif.com

City

State

Zip

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Associated Industries of Florida

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

APPEARANCE RECORD

8^{am}
412 K

4/6/17

Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

182

Bill Number (if applicable)

Topic Consumer Protection from Nonmedical Changes to Rx
Name Stephen Winn Drugs

Amendment Barcode (if applicable)

Job Title Executive DirectorAddress 2544 Blairstone Pines Dr. Phone 878-7364

Street

Tallahassee

City

FL

State

32301

Zip

Email winnsr@earthlink.netSpeaking: ☐ For ☐ Against ☐ InformationWaive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)Representing Florida Osteopathic Medical AssociationAppearing at request of Chair: ☐ Yes ☒ NoLobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: PCS/CS/SB 336 (605084)

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on the Environment and Natural Resources); Regulated Industries Committee; and Senator Hutson and others

SUBJECT: Household Movers

DATE: April 4, 2017

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Oxamendi	McSwain	RI	Fav/CS
2. Blizzard	Betta	AEN	Recommend: Fav/CS
3. Blizzard	Hansen	AP	Pre-meeting

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/CS/SB 336 prohibits a mover or moving broker from knowingly refusing or failing to provide written notice to a customer before a household move that the mover or an employee or subcontractor of the mover or moving broker who has access to the customer's dwelling or property is a convicted sexual predator in Florida, or has been convicted of a similar offense of another jurisdiction, regardless of when the felony offense was committed.

The bill requires the Department of Agriculture and Consumer Services (DACS) to either impose an administrative fine or seek a civil penalty of \$10,000 or more for each violation of that requirement.

In addition, the bill requires the DACS to deny or refuse to renew the registration of a mover or moving broker or the mover's or moving broker's directors, officers, owners, or general partners, if the mover or moving broker has not satisfied a civil fine or penalty imposed for refusing or knowingly failing to provide the customer with the required written notice.

The bill does not have a fiscal impact on state funds.

The bill takes effect on October 1, 2017.

II. Present Situation:

Chapter 507, F.S., provides for the regulation by the DACS of movers and moving brokers engaged in the **intrastate** transportation or shipment of household goods originating in this state and terminating in this state.¹ Chapter 507, F.S., does not apply to shipments contracted by the United States, the state, or any local government or political subdivision of the state.²

A mover or moving broker who is engaged in **intrastate** moving is required to register with the DACS.³ Section 507.03(1), F.S., specifies the information that must be provided to the DACS, including the mover's or broker's legal business and trade name, mailing address, business locations, and the full names, addresses, and telephone numbers of owners or corporate officers, directors, and the Florida agent of the corporation.

The certificate of registration must be prominently displayed in the mover's or broker's primary place of business.⁴ The registration fee is \$300 per year,⁵ and the registration is renewed biennially.⁶

Movers and moving brokers engaged in the **interstate** transportation of household goods are regulated by the Federal Motor Carrier Safety Administration within the United States Department of Transportation.⁷

Definitions

Section 507.01(7), F.S., defines the terms "household goods" or "goods" to mean:

personal effects or other personal property commonly found in a home, personal residence, or other dwelling, including, but not limited to, household furniture. The term does not include freight or personal property moving to or from a factory, store, or other place of business.

Section 507.01(8), F.S., defines the terms "household move" or "move" to mean:

the loading of household goods into a vehicle, moving container, or other mode of transportation or shipment; the transportation or shipment of those household goods; and the unloading of those household goods, when the transportation or shipment originates and terminates at one of the following ultimate locations, regardless of whether the mover temporarily stores the goods while en route between the originating and terminating locations:

(a) From one dwelling to another dwelling;

¹ Section 507.02(2), F.S.

² *Id.*

³ Section 507.03 (1), F.S.

⁴ Section 507.03(2), F.S.

⁵ Section 507.03(3)(a), F.S.

⁶ Section 507.03(4), F.S.

⁷ See "Transportation of Household Goods in Interstate Commerce; Consumer Protection Regulations," 47 C.F.R part 375 (2003).

- (b) From a dwelling to a storehouse or warehouse that is owned or rented by the shipper or the shipper's agent; or
- (c) From a storehouse or warehouse that is owned or rented by the shipper or the shipper's agent to a dwelling.

Section 507.01(9), F.S., defines the term "mover" to mean:

a person who, for compensation, contracts for or engages in the loading, transportation or shipment, or unloading of household goods as part of a household move. The term does not include a postal, courier, envelope, or package service that does not advertise itself as a mover or moving service.

Section 507.01(10), F.S., defines the term "moving broker" or "broker" to mean:

a person who, for compensation, arranges for another person to load, transport or ship, or unload household goods as part of a household move or who, for compensation, refers a shipper to a mover by telephone, postal or electronic mail, Internet website, or other means.

Denial of Registration or Registration Renewal

Section 507.03(8), F.S., permits the DACS to deny, refuse to renew, or revoke the registration of any mover or moving broker when it determines that the mover or moving broker, or any of the mover's or moving broker's directors, officers, owners, or general partners has:

- Failed to meet the requirements for registration as provided in this chapter;
- Been convicted of a crime involving fraud, dishonest dealing, or any other act of moral turpitude;
- Not satisfied a civil fine or penalty arising out of any administrative or enforcement action brought by any governmental agency or private person based upon conduct involving fraud, dishonest dealing, or any violation of this chapter;
- Pending against him or her any criminal, administrative, or enforcement proceedings in any jurisdiction, based upon conduct involving fraud, dishonest dealing, or any other act of moral turpitude; or
- Had a judgment entered against him or her in any action brought by the department or the Department of Legal Affairs under this chapter or ss. 501.201-501.213, [F.S.,] the Florida Deceptive and Unfair Trade Practices Act.

Administrative Remedies

Section 507.09(1), F.S., authorizes the DACS to issue an order for one or more of the following administrative remedies if it finds that a mover or moving broker, or a person employed or contracted by a mover or broker, has violated or is operating in violation of ch. 507, F.S., or rules or orders issued pursuant to the chapter:

- Issuing a notice of noncompliance under s. 120.695, F.S.⁸
- Imposing an administrative fine in the Class II category pursuant to s. 570.971, F.S., for each act or omission.
- Directing that the person cease and desist specified activities.
- Refusing to register or revoking or suspending a registration.
- Placing the registrant on probation, subject to the conditions specified by the department.

Fines and Penalties

Section 570.971(1), F.S., authorizes the DACS to impose the following fines based on the class category assigned in the law violated:

- (a) Class I. - For each violation in the Class I category, a fine not to exceed \$1,000 may be imposed.
- (b) Class II. - For each violation in the Class II category, a fine not to exceed \$5,000 may be imposed.
- (c) Class III. - For each violation in the Class III category, a fine not to exceed \$10,000 may be imposed.
- (d) Class IV. - For each violation in the Class IV category, a fine of \$10,000 or more may be imposed.

A person who violates ch. 570, F.S., which relates to the functions and programs of the DACS, or any rule adopted by the DACS under ch. 570, F.S., may be subject to an administrative fine under the Class II category in addition to any penalty provided by law.⁹

The DACS may refuse to issue or renew any license, permit, authorization, certificate, or registration to a person who has not paid a penalty.¹⁰

Florida Administrative Code Rule 5J-15.002 provides the penalty guidelines for violations of ch. 507, F.S., or rules adopted by the DACS. The DACS may issue a Notice of Noncompliance for a first violation in which the DACS determines that the violator was unaware of the rule or unclear as to how to comply with the rule.¹¹ The DACS may impose fines for “minor violations” that range from \$1,000 to \$2,500.¹² At present, for a “major violation,” the DACS may impose an administrative fine that ranges from \$1,000 to \$5,000, suspend or revoke the license, or impose any of the penalties provided in s. 507.09(1)(b)-(e), F.S.¹³

⁸ Section 120.695(2)(a), F.S., provides that a “notice of noncompliance” is “a notification by the agency charged with enforcing the rule issued to the person or business subject to the rule. A notice of noncompliance may not be accompanied with a fine or other disciplinary penalty.”

⁹ Section 570.971(3), F.S.

¹⁰ Section 570.971(4), F.S.

¹¹ See Fla. Admin. Code R. 5J-15.002(8)(a) (2015).

¹² See Fla. Admin. Code R. 5J-15.002(8)(b) (2015). The DACS defines a “minor violation” as a violation of specified provisions and a violation that “does not result in economic or physical harm to a person or adversely affect the public health, safety, or welfare or create a significant threat of such harm.”

¹³ See Fla. Admin. Code R. 5J-15.002(8)(c) (2015). The DACS defines a “major violation” as a violation of specified provisions and a violation that “results in economic or physical harm to a person or adversely affects the public health, safety, or welfare, or creates a significant threat of such harm.”

Criminal Penalties

Section 507.11(1), F.S., provides that a mover or a mover's employee, agent, or contractor who refuses to comply with an order from a law enforcement officer to relinquish a shipper's household goods after the officer determines that the shipper has tendered payment of the amount of a written estimate or contract, or after the officer determines that the mover did not produce a signed estimate or contract supporting the demanded payment, commits a felony of the third degree, punishable as provided in s. 775.082, F.S., s. 775.083, F.S., or s. 775.084, F.S.¹⁴

A person or business who violates any other provision of ch. 507, F.S., commits a misdemeanor of the first degree, punishable as provided in s. 775.082, F.S., or s. 775.083, F.S.¹⁵

Sexual Predator Criteria

Florida law requires certain persons to register as a sexual predator or sexual offender. The distinction between a sexual predator and a sexual offender depends on the offense the person has been convicted of, whether the person has previously been convicted of a sexual offense, and the date the offense occurred.¹⁶ "Sex offender" is defined in s. 943.0435, F.S.; the term "sex offenders" when under the custody, control, or supervision of the Department of Corrections is defined in s. 944.607, F.S.; the term "sexual predator" is defined in s. 775.21, F.S.; and the term "sex offender" when a juvenile is adjudicated delinquent is defined in s. 943.0435(1)(h)1.d., F.S.

A sexual predator or sexual offender must comply with a number of registration requirements.¹⁷ Most of the requirements relate to the registration of particular identifying and residence information, but other information may also be required (e.g., vehicular information, attendance at an institution of higher education, and temporarily or permanently departing from or reentering Florida).

Section 775.21(4)(a)1., F.S., defines a sexual predator as a person who is convicted, on or after October 1, 1993, of the following offenses:¹⁸

¹⁴ Section 775.082, F.S., provides that a felony of the third degree is punishable by a term of imprisonment not to exceed five years. Section 775.083, F.S., provides that a felony of the third degree is punishable by a fine not to exceed \$5,000. Section 775.084, F.S., provides increased penalties for habitual offenders.

¹⁵ Section 775.082, F.S., provides that the penalty for a misdemeanor of the first degree is punishable by a term of imprisonment not to exceed one year. Section 775.083, F.S., provides that the penalty for a misdemeanor of the first degree is punishable by a fine not to exceed \$1,000.

¹⁶ See generally, ss. 775.21, 943.0435, 944.607, and 985.4815, F.S. "All sex offenders that are required to register have been convicted of certain qualifying felonies set forth in Florida statutes or have registration requirements in other states.... Some sex offenders are designated by the court as sexual predators because they are deemed to present an extreme threat to public safety as demonstrated through repeated sex offenses, the use of physical violence, or preying on child victims." *Sex Offender Registration and Monitoring: Statewide Requirements, Local Practices, and Monitoring Procedures*, Report No. 15-16, p. 2 (footnote omitted), Office of Program Policy Analysis & Government Accountability, The Florida Legislature. This report is available at <http://www.opaga.state.fl.us/MonitorDocs/Reports/pdf/1516rpt.pdf> (last visited February 1, 2017).

¹⁷ *Id.* Failure to comply with these requirements is generally a third degree felony. See ss. 775.21, 943.0435, and 985.4815, F.S.

¹⁸ These convictions may only be used as a qualifying offense for designation as a sexual predator if there is a finding that the conviction has a sexual component. The sexual predator designation may not be applied if it is clear that the qualifying crime is totally devoid of a sexual component. *Raines v. State*, 805 So. 2d 999, 1003 (Fla. 4th DCA 2001); see also *Robinson v. State*, 873 So. 2d 1205 (Fla. 2004), and *Munroe v. State*, 69 So.3d 1044 (Fla. 2nd DCA 2011).

- A capital, life, or first degree felony violation, or any attempt thereof, of any of the criminal offenses prescribed in the following statutes in this state or a similar offense in another jurisdiction:
 - Section 787.01, F.S., kidnapping, or s. 787.02, F.S., false imprisonment, where the victim is a minor;
 - Section 794.011, F.S., sexual battery;
 - Section 800.04, F.S., lewd or lascivious offenses committed upon or in the presence of persons less than 16 years of age;
 - Section 847.0145, F.S., selling or buying of minors;
 - A violation of a similar law in another jurisdiction; or
- Any felony violation, or attempt thereof, of the following offenses:
 - Section 393.135(2), F.S., sexual misconduct with an individual with a developmental disability;
 - Section 394.4593(2), F.S., sexual misconduct with a person in the custody of the Department of Children and Families or in treatment facility;
 - Section 787.01, F.S., kidnapping, or s. 787.02, F.S., false imprisonment, where the victim is a minor;
 - Section 787.025(2)(c), F.S., luring or enticing a child;
 - Section 787.06(3)(b),(d),(f),(g), or former (h), F.S., relating to human trafficking;
 - Section 794.011, F.S., sexual battery, excluding s. 794.011(10), F.S.;¹⁹
 - Section 794.05, F.S., unlawful activity with certain minors;
 - Former s. 796.03, F.S., procuring a person under the age of 18 for prostitution;
 - Former s. 796.035, F.S., selling or buying of minors into sex trafficking or prostitution;
 - Section 800.04, F.S., lewd or lascivious offenses committed upon or in the presence of persons less than 16 years of age;
 - Section 810.145(8)(b), F.S., relating to video voyeurism;
 - Section 825.1025, F.S., lewd or lascivious battery upon or in the presence of an elderly person or disabled person;
 - Section 827.071, F.S., sexual performance by a child;
 - Section 847.0135, F.S., excluding s. 847.0135(6), F.S., knowingly owning or operating an Internet service used for pornography;
 - Section 847.0145, F.S., selling or buying of minors;
 - Section 895.03, F.S., racketeering activity involving at least one of sexual offenses listed;
 - Section 916.1075(2), F.S., sexual misconduct with a forensic client;
 - Section 985.701(1), F.S., sexual misconduct with a juvenile offender; or
 - A violation of a similar law in another jurisdiction.

III. Effect of Proposed Changes:

The bill creates s. 507.03(9), F.S., to provide that the DACS must deny or refuse to renew the registration of a mover or moving broker, or the mover's or moving broker's directors, officers, owners, or general partners if the mover or moving broker has not satisfied a civil fine or administrative fine imposed for a violation of s. 507.07(9), F.S.

¹⁹ Section 794.011(10), F.S., relates to falsely accusing specified persons of sexual battery.

The bill creates s. 507.07(9), F.S., to prohibit a mover or moving broker from knowingly refusing or failing to disclose in writing to a customer before a household move that the mover or an employee or subcontractor of the mover or moving broker who has access to the dwelling or property of the customer has been convicted of a sexual predator felony offense listed in s. 775.21(4)(a)1., F.S., or convicted of a similar offense of another jurisdiction, regardless of when such felony offense was committed.

The bill amends s. 507.09(1)(b), F.S., to require the DACS to impose a Class IV category administrative fine for each violation of s. 507.07(9), F.S., if it does not seek a civil penalty for the same offense. A Class IV category fine is \$10,000 or more for each violation in the category.²⁰

The bill amends s. 507.10, F.S., relating to the civil penalties that the DACS may impose, to require the DACS to seek a civil penalty in the Class IV category for each violation of s. 507.07(9), F.S., if it does not impose an administrative fine for the same offense. A Class IV category penalty requires a fine of \$10,000 or more for each violation in the category.²¹

The bill takes effect on October 1, 2017.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Under PCS/CS/SB 336, movers and moving brokers may incur expenses related to providing customers with written notices that they or an employee or subcontractor who has access to the dwelling or property of the customer has been convicted of a sexual predator offense.

²⁰ See s. 570.971(1)(d), F.S.

²¹ *Id.*

C. Government Sector Impact:

The DACS indicates the provisions in the bill can be implemented within existing resources.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 507.03, 507.07, 507.09, and 507.10.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

Recommended CS/CS by Appropriations Subcommittee on the Environment and Natural Resources on March 21, 2017:

The committee substitute:

- Expands the moving industry participants included within the scope of the bill by adding moving brokers and moving broker directors, officers, owners, or general partners to the prohibition against failing to disclose to a customer in writing that an employee with access to the customer's dwelling is a convicted sexual predator and subjects those additional persons to the administrative fines and penalties provided in the bill; and
- Adds subcontractors of a mover or moving broker, as persons whose convictions must be disclosed if they have access to the customer's dwelling or property.

CS by Regulated Industries on February 8, 2017:

The committee substitute:

- Revises s. 507.03(9), F.S., to include a mover's failure to satisfy an administrative penalty imposed for a violation of s. 507.07(9), F.S., as a basis for the DACS to deny or refuse to renew the registration of a mover or the mover's directors, officers, owners, or general partners;
- Amends s. 507.09(1)(b), F.S., to require the DACS to impose a Class IV category administrative fine if it does not seek civil penalty for the same offense; and
- Revises s. 507.10, F.S., to require the DACS to seek a civil penalty in the Class IV category for each violation of s. 507.07(9), F.S., if it does not impose an administrative fine for the same offense.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/07/2017	.	
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The Committee on Appropriations (Hutson) recommended the following:

Senate Amendment

Delete line 37
and insert:
the customer, including access to give a quote for the move, has
been convicted of a felony listed in s.



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Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on the Environment and Natural
Resources)

A bill to be entitled

An act relating to household movers and moving
brokers; amending s. 507.03, F.S.; requiring the
Department of Agriculture and Consumer Services to
deny or refuse to renew the registration of a mover or
a moving broker under certain circumstances; amending
s. 507.07, F.S.; prohibiting a mover or moving broker
from knowingly refusing or failing to disclose in
writing specified criminal information under certain
circumstances; amending ss. 507.09 and 507.10, F.S.,
relating to administrative remedies and civil
penalties, respectively; requiring the department to
impose either a civil penalty or an administrative
fine for failure to disclose in writing specified
criminal information; providing an effective date.

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

Section 1. Present subsections (9) and (10) of section
507.03, Florida Statutes, are redesignated as subsections (10)
and (11), respectively, and a new subsection (9) is added to
that section, to read:

507.03 Registration.—

(9) The department shall deny or refuse to renew the
registration of a mover or a moving broker or deny a
registration or renewal request by any of the mover's or moving



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broker's directors, officers, owners, or general partners if the
mover or moving broker has not satisfied a civil penalty or
administrative fine for a violation of s. 507.07(9).

Section 2. Subsection (9) is added to section 507.07,
Florida Statutes, to read:

507.07 Violations.—It is a violation of this chapter:

(9) For a mover or a moving broker to knowingly refuse or
fail to disclose in writing to a customer before a household
move that the mover or an employee or subcontractor of the mover
or moving broker who has access to the dwelling or property of
the customer has been convicted of a felony listed in s.
775.21(4)(a)1. or convicted of a similar offense of another
jurisdiction, regardless of when such felony offense was
committed.

Section 3. Paragraph (b) of subsection (1) of section
507.09, Florida Statutes, is amended to read:

507.09 Administrative remedies; penalties.—

(1) The department may enter an order doing one or more of
the following if the department finds that a mover or moving
broker, or a person employed or contracted by a mover or broker,
has violated or is operating in violation of this chapter or the
rules or orders issued pursuant to this chapter:

(b) Imposing an administrative fine in the Class II
category pursuant to s. 570.971 for each act or omission.
However, the department must impose an administrative fine in
the Class IV category for each violation of s. 507.07(9) if the
department does not seek a civil penalty for the same offense.

Section 4. Subsection (2) of section 507.10, Florida
Statutes, is amended to read:



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56 507.10 Civil penalties; remedies.-

57 (2) The department may seek a civil penalty in the Class II
58 category pursuant to s. 570.971 for each violation of this
59 chapter. However, the department must seek a civil penalty in
60 the Class IV category for each violation of s. 507.07(9) if the
61 department does not impose an administrative fine for the same
62 offense.

63 Section 5. This act shall take effect October 1, 2017.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: CS/CS/SB 336

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on the Environment and Natural Resources); Regulated Industries Committee; and Senator Hutson and others

SUBJECT: Household Movers

DATE: April 10, 2017

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Oxamendi</u>	<u>McSwain</u>	<u>RI</u>	Fav/CS
2. <u>Blizzard</u>	<u>Betta</u>	<u>AEN</u>	Recommend: Fav/CS
3. <u>Blizzard</u>	<u>Hansen</u>	<u>AP</u>	Fav/CS

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 336 prohibits a mover or moving broker from knowingly refusing or failing to provide written notice to a customer before a household move that the mover or an employee or subcontractor of the mover or moving broker who has access to the customer's dwelling or property, including access to give a quote for the move, is a convicted sexual predator in Florida, or has been convicted of a similar offense of another jurisdiction, regardless of when the felony offense was committed.

The bill requires the Department of Agriculture and Consumer Services (DACS) to either impose an administrative fine or seek a civil penalty of \$10,000 or more for each violation of that requirement.

In addition, the bill requires the DACS to deny or refuse to renew the registration of a mover or moving broker or the mover's or moving broker's directors, officers, owners, or general partners, if the mover or moving broker has not satisfied a civil fine or penalty imposed for refusing or knowingly failing to provide the customer with the required written notice.

The bill does not have a fiscal impact on state funds.

The bill takes effect on October 1, 2017.

II. Present Situation:

Chapter 507, F.S., provides for the regulation by the DACS of movers and moving brokers engaged in the **intrastate** transportation or shipment of household goods originating in this state and terminating in this state.¹ Chapter 507, F.S., does not apply to shipments contracted by the United States, the state, or any local government or political subdivision of the state.²

A mover or moving broker who is engaged in **intrastate** moving is required to register with the DACS.³ Section 507.03(1), F.S., specifies the information that must be provided to the DACS, including the mover's or broker's legal business and trade name, mailing address, business locations, and the full names, addresses, and telephone numbers of owners or corporate officers, directors, and the Florida agent of the corporation.

The certificate of registration must be prominently displayed in the mover's or broker's primary place of business.⁴ The registration fee is \$300 per year,⁵ and the registration is renewed biennially.⁶

Movers and moving brokers engaged in the **interstate** transportation of household goods are regulated by the Federal Motor Carrier Safety Administration within the United States Department of Transportation.⁷

Definitions

Section 507.01(7), F.S., defines the terms "household goods" or "goods" to mean:

personal effects or other personal property commonly found in a home, personal residence, or other dwelling, including, but not limited to, household furniture. The term does not include freight or personal property moving to or from a factory, store, or other place of business.

Section 507.01(8), F.S., defines the terms "household move" or "move" to mean:

the loading of household goods into a vehicle, moving container, or other mode of transportation or shipment; the transportation or shipment of those household goods; and the unloading of those household goods, when the transportation or shipment originates and terminates at one of the following ultimate locations, regardless of whether the mover temporarily stores the goods while en route between the originating and terminating locations:

(a) From one dwelling to another dwelling;

¹ Section 507.02(2), F.S.

² *Id.*

³ Section 507.03 (1), F.S.

⁴ Section 507.03(2), F.S.

⁵ Section 507.03(3)(a), F.S.

⁶ Section 507.03(4), F.S.

⁷ See "Transportation of Household Goods in Interstate Commerce; Consumer Protection Regulations," 47 C.F.R part 375 (2003).

- (b) From a dwelling to a storehouse or warehouse that is owned or rented by the shipper or the shipper's agent; or
- (c) From a storehouse or warehouse that is owned or rented by the shipper or the shipper's agent to a dwelling.

Section 507.01(9), F.S., defines the term "mover" to mean:

a person who, for compensation, contracts for or engages in the loading, transportation or shipment, or unloading of household goods as part of a household move. The term does not include a postal, courier, envelope, or package service that does not advertise itself as a mover or moving service.

Section 507.01(10), F.S., defines the term "moving broker" or "broker" to mean:

a person who, for compensation, arranges for another person to load, transport or ship, or unload household goods as part of a household move or who, for compensation, refers a shipper to a mover by telephone, postal or electronic mail, Internet website, or other means.

Denial of Registration or Registration Renewal

Section 507.03(8), F.S., permits the DACS to deny, refuse to renew, or revoke the registration of any mover or moving broker when it determines that the mover or moving broker, or any of the mover's or moving broker's directors, officers, owners, or general partners has:

- Failed to meet the requirements for registration as provided in this chapter;
- Been convicted of a crime involving fraud, dishonest dealing, or any other act of moral turpitude;
- Not satisfied a civil fine or penalty arising out of any administrative or enforcement action brought by any governmental agency or private person based upon conduct involving fraud, dishonest dealing, or any violation of this chapter;
- Pending against him or her any criminal, administrative, or enforcement proceedings in any jurisdiction, based upon conduct involving fraud, dishonest dealing, or any other act of moral turpitude; or
- Had a judgment entered against him or her in any action brought by the department or the Department of Legal Affairs under this chapter or ss. 501.201-501.213, [F.S.,] the Florida Deceptive and Unfair Trade Practices Act.

Administrative Remedies

Section 507.09(1), F.S., authorizes the DACS to issue an order for one or more of the following administrative remedies if it finds that a mover or moving broker, or a person employed or contracted by a mover or broker, has violated or is operating in violation of ch. 507, F.S., or rules or orders issued pursuant to the chapter:

- Issuing a notice of noncompliance under s. 120.695, F.S.⁸
- Imposing an administrative fine in the Class II category pursuant to s. 570.971, F.S., for each act or omission.
- Directing that the person cease and desist specified activities.
- Refusing to register or revoking or suspending a registration.
- Placing the registrant on probation, subject to the conditions specified by the department.

Fines and Penalties

Section 570.971(1), F.S., authorizes the DACS to impose the following fines based on the class category assigned in the law violated:

- Class I - For each violation in the Class I category, a fine not to exceed \$1,000 may be imposed.
- Class II - For each violation in the Class II category, a fine not to exceed \$5,000 may be imposed.
- Class III - For each violation in the Class III category, a fine not to exceed \$10,000 may be imposed.
- Class IV - For each violation in the Class IV category, a fine of \$10,000 or more may be imposed.

A person who violates ch. 570, F.S., which relates to the functions and programs of the DACS, or any rule adopted by the DACS under ch. 570, F.S., may be subject to an administrative fine under the Class II category in addition to any penalty provided by law.⁹

The DACS may refuse to issue or renew any license, permit, authorization, certificate, or registration to a person who has not paid a penalty.¹⁰

Florida Administrative Code Rule 5J-15.002 provides the penalty guidelines for violations of ch. 507, F.S., or rules adopted by the DACS. The DACS may issue a Notice of Noncompliance for a first violation in which the DACS determines that the violator was unaware of the rule or unclear as to how to comply with the rule.¹¹ The DACS may impose fines for “minor violations” that range from \$1,000 to \$2,500.¹² At present, for a “major violation,” the DACS may impose an administrative fine that ranges from \$1,000 to \$5,000, suspend or revoke the license, or impose any of the penalties provided in s. 507.09(1)(b)-(e), F.S.¹³

⁸ Section 120.695(2)(a), F.S., provides that a “notice of noncompliance” is “a notification by the agency charged with enforcing the rule issued to the person or business subject to the rule. A notice of noncompliance may not be accompanied with a fine or other disciplinary penalty.”

⁹ Section 570.971(3), F.S.

¹⁰ Section 570.971(4), F.S.

¹¹ See Fla. Admin. Code R. 5J-15.002(8)(a) (2015).

¹² See Fla. Admin. Code R. 5J-15.002(8)(b) (2015). The DACS defines a “minor violation” as a violation of specified provisions and a violation that “does not result in economic or physical harm to a person or adversely affect the public health, safety, or welfare or create a significant threat of such harm.”

¹³ See Fla. Admin. Code R. 5J-15.002(8)(c) (2015). The DACS defines a “major violation” as a violation of specified provisions and a violation that “results in economic or physical harm to a person or adversely affects the public health, safety, or welfare, or creates a significant threat of such harm.”

Criminal Penalties

Section 507.11(1), F.S., provides that a mover or a mover's employee, agent, or contractor who refuses to comply with an order from a law enforcement officer to relinquish a shipper's household goods after the officer determines that the shipper has tendered payment of the amount of a written estimate or contract, or after the officer determines that the mover did not produce a signed estimate or contract supporting the demanded payment, commits a felony of the third degree, punishable as provided in s. 775.082, F.S., s. 775.083, F.S., or s. 775.084, F.S.¹⁴

A person or business who violates any other provision of ch. 507, F.S., commits a misdemeanor of the first degree, punishable as provided in s. 775.082, F.S., or s. 775.083, F.S.¹⁵

Sexual Predator Criteria

Florida law requires certain persons to register as a sexual predator or sexual offender. The distinction between a sexual predator and a sexual offender depends on the offense the person has been convicted of, whether the person has previously been convicted of a sexual offense, and the date the offense occurred.¹⁶ "Sex offender" is defined in s. 943.0435, F.S.; the term "sex offenders" when under the custody, control, or supervision of the Department of Corrections is defined in s. 944.607, F.S.; the term "sexual predator" is defined in s. 775.21, F.S.; and the term "sex offender" when a juvenile is adjudicated delinquent is defined in s. 943.0435(1)(h)1.d., F.S.

A sexual predator or sexual offender must comply with a number of registration requirements.¹⁷ Most of the requirements relate to the registration of particular identifying and residence information, but other information may also be required (e.g., vehicular information, attendance at an institution of higher education, and temporarily or permanently departing from or reentering Florida).

Section 775.21(4)(a)1., F.S., defines a sexual predator as a person who is convicted, on or after October 1, 1993, of the following offenses:¹⁸

¹⁴ Section 775.082, F.S., provides that a felony of the third degree is punishable by a term of imprisonment not to exceed five years. Section 775.083, F.S., provides that a felony of the third degree is punishable by a fine not to exceed \$5,000. Section 775.084, F.S., provides increased penalties for habitual offenders.

¹⁵ Section 775.082, F.S., provides that the penalty for a misdemeanor of the first degree is punishable by a term of imprisonment not to exceed one year. Section 775.083, F.S., provides that the penalty for a misdemeanor of the first degree is punishable by a fine not to exceed \$1,000.

¹⁶ See generally, ss. 775.21, 943.0435, 944.607, and 985.4815, F.S. "All sex offenders that are required to register have been convicted of certain qualifying felonies set forth in Florida statutes or have registration requirements in other states.... Some sex offenders are designated by the court as sexual predators because they are deemed to present an extreme threat to public safety as demonstrated through repeated sex offenses, the use of physical violence, or preying on child victims." *Sex Offender Registration and Monitoring: Statewide Requirements, Local Practices, and Monitoring Procedures*, Report No. 15-16, p. 2 (footnote omitted), Office of Program Policy Analysis & Government Accountability, The Florida Legislature. This report is available at <http://www.opaga.state.fl.us/MonitorDocs/Reports/pdf/1516rpt.pdf> (last visited February 1, 2017).

¹⁷ *Id.* Failure to comply with these requirements is generally a third degree felony. See ss. 775.21, 943.0435, and 985.4815, F.S.

¹⁸ These convictions may only be used as a qualifying offense for designation as a sexual predator if there is a finding that the conviction has a sexual component. The sexual predator designation may not be applied if it is clear that the qualifying crime is totally devoid of a sexual component. *Raines v. State*, 805 So. 2d 999, 1003 (Fla. 4th DCA 2001); see also *Robinson v. State*, 873 So. 2d 1205 (Fla. 2004), and *Munroe v. State*, 69 So.3d 1044 (Fla. 2nd DCA 2011).

- A capital, life, or first degree felony violation, or any attempt thereof, of any of the criminal offenses prescribed in the following statutes in this state or a similar offense in another jurisdiction:
 - Section 787.01, F.S., kidnapping, or s. 787.02, F.S., false imprisonment, where the victim is a minor;
 - Section 794.011, F.S., sexual battery;
 - Section 800.04, F.S., lewd or lascivious offenses committed upon or in the presence of persons less than 16 years of age;
 - Section 847.0145, F.S., selling or buying of minors;
 - A violation of a similar law in another jurisdiction; or
- Any felony violation, or attempt thereof, of the following offenses:
 - Section 393.135(2), F.S., sexual misconduct with an individual with a developmental disability;
 - Section 394.4593(2), F.S., sexual misconduct with a person in the custody of the Department of Children and Families or in treatment facility;
 - Section 787.01, F.S., kidnapping, or s. 787.02, F.S., false imprisonment, where the victim is a minor;
 - Section 787.025(2)(c), F.S., luring or enticing a child;
 - Section 787.06(3)(b),(d),(f),(g), or former (h), F.S., relating to human trafficking;
 - Section 794.011, F.S., sexual battery, excluding s. 794.011(10), F.S.;¹⁹
 - Section 794.05, F.S., unlawful activity with certain minors;
 - Former s. 796.03, F.S., procuring a person under the age of 18 for prostitution;
 - Former s. 796.035, F.S., selling or buying of minors into sex trafficking or prostitution;
 - Section 800.04, F.S., lewd or lascivious offenses committed upon or in the presence of persons less than 16 years of age;
 - Section 810.145(8)(b), F.S., relating to video voyeurism;
 - Section 825.1025, F.S., lewd or lascivious battery upon or in the presence of an elderly person or disabled person;
 - Section 827.071, F.S., sexual performance by a child;
 - Section 847.0135, F.S., excluding s. 847.0135(6), F.S., knowingly owning or operating an Internet service used for pornography;
 - Section 847.0145, F.S., selling or buying of minors;
 - Section 895.03, F.S., racketeering activity involving at least one of sexual offenses listed;
 - Section 916.1075(2), F.S., sexual misconduct with a forensic client;
 - Section 985.701(1), F.S., sexual misconduct with a juvenile offender; or
 - A violation of a similar law in another jurisdiction.

III. Effect of Proposed Changes:

The bill creates s. 507.03(9), F.S., to provide that the DACS must deny or refuse to renew the registration of a mover or moving broker, or the mover's or moving broker's directors, officers, owners, or general partners if the mover or moving broker has not satisfied a civil fine or administrative fine imposed for a violation of s. 507.07(9), F.S.

¹⁹ Section 794.011(10), F.S., relates to falsely accusing specified persons of sexual battery.

The bill creates s. 507.07(9), F.S., to prohibit a mover or moving broker from knowingly refusing or failing to disclose in writing to a customer before a household move that the mover or an employee or subcontractor of the mover or moving broker who has access to the dwelling or property of the customer, including access to give a quote for the move, has been convicted of a sexual predator felony offense listed in s. 775.21(4)(a)1., F.S., or convicted of a similar offense of another jurisdiction, regardless of when such felony offense was committed.

The bill amends s. 507.09(1)(b), F.S., to require the DACS to impose a Class IV category administrative fine for each violation of s. 507.07(9), F.S., if it does not seek a civil penalty for the same offense. A Class IV category fine is \$10,000 or more for each violation in the category.²⁰

The bill amends s. 507.10, F.S., relating to the civil penalties that the DACS may impose, to require the DACS to seek a civil penalty in the Class IV category for each violation of s. 507.07(9), F.S., if it does not impose an administrative fine for the same offense. A Class IV category penalty requires a fine of \$10,000 or more for each violation in the category.²¹

The bill takes effect on October 1, 2017.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Under CS/CS/SB 336, movers and moving brokers may incur expenses related to providing customers with written notices that they or an employee or subcontractor who has access to the dwelling or property of the customer has been convicted of a sexual predator offense.

²⁰ See s. 570.971(1)(d), F.S.

²¹ *Id.*

C. **Government Sector Impact:**

The DACS indicates the provisions in the bill can be implemented within existing resources.

VI. **Technical Deficiencies:**

None.

VII. **Related Issues:**

None.

VIII. **Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 507.03, 507.07, 507.09, and 507.10.

IX. **Additional Information:**

A. **Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS by Appropriations on April 6, 2017:

The committee substitute:

- Expands the moving industry participants included within the scope of the bill by adding moving brokers and moving broker directors, officers, owners, or general partners to the prohibition against failing to disclose to a customer in writing that an employee with access to the customer's dwelling, including access to give a quote for the move, is a convicted sexual predator and subjects those additional persons to the administrative fines and penalties provided in the bill; and
- Adds subcontractors of a mover or moving broker, as persons whose convictions must be disclosed if they have access to the customer's dwelling or property.

CS by Regulated Industries on February 8, 2017:

The committee substitute:

- Revises s. 507.03(9), F.S., to include a mover's failure to satisfy an administrative penalty imposed for a violation of s. 507.07(9), F.S., as a basis for the DACS to deny or refuse to renew the registration of a mover or the mover's directors, officers, owners, or general partners;
- Amends s. 507.09(1)(b), F.S., to require the DACS to impose a Class IV category administrative fine if it does not seek civil penalty for the same offense; and
- Revises s. 507.10, F.S., to require the DACS to seek a civil penalty in the Class IV category for each violation of s. 507.07(9), F.S., if it does not impose an administrative fine for the same offense.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By the Committee on Regulated Industries; and Senators Hutson
and Book

580-01750-17

2017336c1

A bill to be entitled

An act relating to household movers; amending s.
507.03, F.S.; requiring the Department of Agriculture
and Consumer Services to deny or refuse to renew the
registration of a mover under certain circumstances;
amending s. 507.07, F.S.; prohibiting a mover from
knowingly refusing or failing to disclose in writing
specified criminal information under certain
circumstances; amending ss. 507.09 and 507.10, F.S.,
relating to administrative remedies and civil
penalties, respectively; requiring the department to
impose either a civil penalty or an administrative
fine for failure to disclose in writing specified
criminal information; providing an effective date.

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

Section 1. Present subsections (9) and (10) of section
507.03, Florida Statutes, are redesignated as subsections (10)
and (11), respectively, and a new subsection (9) is added to
that section, to read:

507.03 Registration.—

(9) The department shall deny or refuse to renew the
registration of a mover or deny a registration or renewal
request by any of the mover's directors, officers, owners, or
general partners if the mover has not satisfied a civil penalty
or administrative fine for a violation of s. 507.07(9).

Section 2. Subsection (9) is added to section 507.07,
Florida Statutes, to read:

507.07 Violations.—It is a violation of this chapter:

(9) For a mover to knowingly refuse or fail to disclose in

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2017336c1

writing to a customer before a household move that the mover or
an employee of the mover who has access to the dwelling or
property of the customer has been convicted of a felony listed
in s. 775.21(4)(a)1. or convicted of a similar offense of
another jurisdiction, regardless of when such felony offense was
committed.

Section 3. Paragraph (b) of subsection (1) of section
507.09, Florida Statutes, is amended to read:

507.09 Administrative remedies; penalties.—

(1) The department may enter an order doing one or more of
the following if the department finds that a mover or moving
broker, or a person employed or contracted by a mover or broker,
has violated or is operating in violation of this chapter or the
rules or orders issued pursuant to this chapter:

(b) Imposing an administrative fine in the Class II
category pursuant to s. 570.971 for each act or omission.
However, the department must impose an administrative fine in
the Class IV category for each violation of s. 507.07(9) if the
department does not seek a civil penalty for the same offense.

Section 4. Subsection (2) of section 507.10, Florida
Statutes, is amended to read:

507.10 Civil penalties; remedies.—

(2) The department may seek a civil penalty in the Class II
category pursuant to s. 570.971 for each violation of this
chapter. However, the department must seek a civil penalty in
the Class IV category for each violation of s. 507.07(9) if the
department does not impose an administrative fine for the same
offense.

Section 5. This act shall take effect October 1, 2017.



The Florida Senate

Committee Agenda Request

To: Senator Jack Latvala, Chair
Committee on Appropriations

Subject: Committee Agenda Request

Date: March 29, 2017

I respectfully request that **Senate Bill #336**, relating to Household Movers, be placed on the:

- ☐ committee agenda at your earliest possible convenience.
- ☒ next committee agenda.

A handwritten signature in blue ink, reading "Travis Hutson".

Senator Travis Hutson
Florida Senate, District 7

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: CS/CS/SB 884

INTRODUCER: Appropriations Committee; Environmental Preservation and Conservation Committee;
and Senator Hutson

SUBJECT: Shark Fins

DATE: April 10, 2017

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Istler	Rogers	EP	Fav/CS
2. Reagan	Betta	AEN	Recommend: Favorable
3. Reagan	Hansen	AP	Fav/CS

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 884 codifies the prohibition against shark finning established by the Florida Fish and Wildlife Conservation Commission (FWC) by rule and provides enhanced penalties for violations.

The bill has no fiscal impact on state revenues except to the extent people violate the new law and the enhanced financial penalties are imposed for such violations.

II. Present Situation:

Pursuant to Article IV, s. 9 of the Florida Constitution, the Florida Fish and Wildlife Conservation Commission exercises the regulatory and executive powers with respect to marine life, including sharks.¹ Florida's shark population is diverse and includes species that range in size from only a few feet to more than 40 feet in total length.² Most species of sharks have slow rates of growth and late age-at-maturity, which limits their ability to withstand fishing pressure and have a longer recovery time in response to overfishing.³

¹ FLA. CONST. art. IV, s. 9.

² University of Florida's Institute of Food and Agricultural Sciences (IFAS), *Common Sharks in Florida*, SGEF-203 (Reviewed Nov. 2016), available at <http://edis.ifas.ufl.edu/pdf/SG/SG06200.pdf> (last visited Mar. 9, 2017).

³ United Nations Food and Agriculture Organization of the United Nations (FAO), *International Plan of Action for Conservation and Management of Sharks*, <http://www.fao.org/ipoa-sharks/background/sharks/en/> (last visited Mar. 9, 2017).

Global shark catches have tripled since 1950 and reached an all-time high of 888,000 tons in 2000.⁴ Because overfishing in some areas of the world's oceans has led to concerns for the populations of some shark species, adequate conservation and management of shark populations has become increasingly important on a global scale.⁵ In response to concerns about growing shark harvests internationally, many countries have banned shark fishing in their waters in favor of promoting tourism opportunities relating to sharks.⁶

Harvesting Sharks off Florida's Coast

Fishermen harvest sharks primarily for their meat, fins, skin, cartilage, and liver.⁷ Meat from some species of shark is an important dietary component in many developing countries, and shark fins, the most valuable of shark products, are used to make traditional shark fin soup, which is a delicacy in the Chinese culture.⁸ However, despite the high value of some shark products, sharks historically have been considered a low-value fish and mostly seen as a by-product of other more profitable fisheries, such as tuna.⁹

Within Florida's seaward boundary, the use of hook and line gear is the only lawful means to harvest sharks in or from the waters of the state.¹⁰ A person may not harvest in or from the waters of the state more than one shark per day.¹¹ The possession of more than two sharks harvested from the state waters aboard any vessel with two or more persons is prohibited.¹² While certain species of shark, including any part of these species, are prohibited under state law from being harvested, possessed, landed, purchased, sold, or exchanged in the state, the prohibition does not apply to sharks harvested lawfully in federal waters when the shark is transported directly through state waters.¹³

Due to Florida's strict regulations, the state's commercial shark fishery occurs mainly in federal waters off Florida's coast.¹⁴ The National Oceanic and Atmospheric Administration National Marine Fisheries Service (NOAA Fisheries) manages commercial shark fishing with a series of quotas that apply throughout the Atlantic Ocean and Gulf of Mexico waters. Florida's

⁴ *Id.*

⁵ *Id.*; see Boris Worm, Brendal Davis, Lisa Kettmer, Christine A. Ward-Paige, Demian Chapman, Michael R. Heithaus, Steven Kessel, and Samuel H. Gruber, *Global catches, exploitation rates, and rebuilding options for sharks*, Marine Policy 40 (2013) 194-204, available at <http://www.sciencedirect.com/science/article/pii/S0308597X13000055> (last visited Mar. 9, 2017).

⁶ U.S. Department of Commerce National Oceanic and Atmospheric Administration (NOAA), *Shark Finning Report to Congress Pursuant to the Shark Finning Prohibition Act*, 2 (2015) available at http://www.nmfs.noaa.gov/sfa/laws_policies/sca/documents/shark-finning-report-2015.pdf (last visited Mar. 10, 2017).

⁷ *Id.*

⁸ *Id.*

⁹ Frans Teutscher, FAO, *Sharks (Chondrichthyes)*, <http://www.fao.org/docrep/006/Y5261E/y5261e08.htm> (last visited Mar. 9, 2017).

¹⁰ Fla. Admin. Code R. 68B-44.003; Florida's seaward boundary extends 9 nautical miles in the Gulf of Mexico and 3 nautical miles in the Atlantic.

¹¹ *Id.*

¹² *Id.*

¹³ Fla. Admin. Code R. 68B-44.008.

¹⁴ See Florida Fish and Wildlife Conservation Commission (FWC), *Sharks and Shark Fins* (Oct. 10, 2016) (on file with the Senate Environmental Preservation and Conservation Committee).

commercial fishermen are subject to these quotas. Shark quotas are assigned by species groups and some quotas are linked to other groups. For example, if a quota for one species group is reached, all the species groups linked to that one will also close. Quotas are also adjusted from year to year to account for any quotas that were exceeded in the previous year. There are separate quotas for sharks harvested in the Atlantic Ocean and Gulf of Mexico waters.¹⁵

To commercially harvest sharks, an individual must possess a federal annual vessel permit.¹⁶ The commercial harvest season technically spans the entire year, but, as quotas are met, the Marine Fisheries Commission closes waters to harvesting.¹⁷ A commercial harvester may only sell sharks, or any parts thereof, to a holder of a valid federal Atlantic shark dealer permit.¹⁸ Commercial harvesting permits are not “open access,” meaning the permit must be transferred from someone who currently holds a permit and chooses to sell that permit and leave the fishery. No new permits are being issued.¹⁹ As of 2014, there were a total of 219 permits issued for the Atlantic Ocean and Gulf of Mexico fisheries, and Florida residents held 129 of them. New Jersey and North Carolina residents held the next highest number with 22 and 18 permits, respectively.²⁰

Shark Finning

Shark finning is the practice of removing and retaining shark fins at sea while discarding the remainder of the shark’s body, often while the shark is still alive, into the waters. In Florida, the practice of shark finning was prohibited in 1992 by requiring sharks harvested to be landed in a whole condition.²¹ Violations of shark finning rules are Level Two offenses, which are second degree misdemeanors, punishable by up to 60 days in jail and up to a \$500 fine.²²

In the United States, shark finning was prohibited in 2000.²³ In 2010, the Shark Conservation Act strengthened the prohibition by improving the ability to enforce the shark finning prohibition by making it unlawful to:

- Remove any of the fins of a shark, including the tail, at sea;
- Have custody, control, or possession of any such fin aboard a fishing vessel unless it is naturally attached to the corresponding carcass;
- Transfer any such fin from one vessel to another vessel at sea; or
- Land any such fin that is not naturally attached to the corresponding carcass or land any shark carcass without such fins naturally attached.²⁴

¹⁵ See NOAA Fisheries, *Shark Landings Updates*, <http://www.nmfs.noaa.gov/sfa/hms/species/sharks/Landings/index.html>, for a current list of quotas. NOAA Fisheries publishes reported shark landings on a monthly basis. The landings reports list updated total landings for the year and yearly quotas for various shark species in Atlantic and Gulf waters.

¹⁶ Fla. Admin. Code R. 68B-44.005.

¹⁷ Fla. Admin. Code R. 68B-44.006.

¹⁸ Fla. Admin. Code R. 68B-44.005.

¹⁹ 50 C.F.R. s. 635.4 (2013).

²⁰ FWC, *Senate Bill 540 Agency Analysis* (Feb. 2014) (on file with the Senate Committee on Environmental Preservation and Conservation).

²¹ Fla. Admin. Code R. 68B-44.004.

²² See ss. 379.401(2)5., 775.082, and 775.083, F.S.; note that there are enhanced penalties for subsequent violations.

²³ 16 U.S.C. s. 1857 (2000).

²⁴ 16 U.S.C. s. 1826 (2010).

A person who violates these federal laws may be subject to a civil penalty of up to \$100,000 for each violation, as determined by the U.S. Secretary of Commerce.²⁵

While the practice of shark finning is prohibited in the United States, the trade in shark fins is legal. In 2011, the last year for which full global data is available, the total declared value of world exports was \$438.6 million for 17,154 tons imported.²⁶ The United States is both an importer and exporter of shark fins.²⁷ In 2011, the U.S. exported 38 tons of shark fins and imported 58 tons.²⁸ A number of the countries that the U.S. imports shark fins from do not have a ban in place, such as China, Indonesia, and Japan. In response, some U.S. states have passed laws to ban the trade of shark fins, such states include Hawaii, California, Oregon, Washington, Illinois, Maryland, Delaware, New York, Massachusetts, and Texas.²⁹

California's ban on trade in shark fins was challenged in federal court. On appeal, the plaintiffs alleged that the ban violated the Supremacy Clause under Art. VI of the U.S. Constitution and the Commerce Clause under Art. I, s. 8 of the U.S. Constitution.³⁰ The United States District Court held that states are authorized to regulate "on-land activities," as the Magnuson-Stevens Fishery Conservation and Management Act was enacted as a federal-state partnership and expressly preserved the jurisdiction of the states over fishery management within their boundaries.³¹ Additionally, the court held that the ban did not violate the Commerce Clause as it does not "interfere with activity that is inherently national or that requires a uniform system of regulation," and its purpose is to "conserve state resources, prevent animal cruelty, and protect wildlife and public health," purposes which are matters of local concern.³²

III. Effect of Proposed Changes:

This bill defines the term:

- "Land" to mean "the physical act of bringing a harvested shark organism, or any part thereof, ashore;"
- "Shark" to mean "any of the species from the orders *Carcharhiniformes*, *Lamniformes*, *Hexanchiformes*, *Orectolobiformes*, *Pristiophoriformes*, *Squaliformes*, *Squatinaformes*, or any part thereof."
- "Shark fin" to mean "the detached fin of a shark, including the caudal or tail fin, or any portion thereof."

The bill codifies the prohibition against shark finning established by the Florida Fish and Wildlife Conservation Commission (FWC) by rule.³³ The bill prohibits the possession of a shark

²⁵ 16 U.S.C. s. 1858 (2014).

²⁶ FAO, *State of the global market for shark products*, 1 (2015), available at <http://www.fao.org/3/a-i4795e.pdf> (last visited Mar. 10, 2017).

²⁷ *Id.* at 85.

²⁸ *Id.* at 19, 21.

²⁹ See HAW. REV. STAT. § 188-40.7; CAL. FISH & GAME § 2021; OR. REV. STAT. § 509.160; WASH. REV. CODE § 77.15.770; 515 ILL. COMP. STAT. 5/5-30; MD CODE ANN., NAT. RES. § 4-747; DEL. CODE TIT. 7, § 928A; N.Y. ENVTL. CONSERV. LAW § 13-0338; MASS. GEN. LAWS ch. 130, § 106; and TEX. PARKS & WILD. CODE § 66.2161.

³⁰ *Chinatown Neighborhood Ass'n. vs. Harris*, 794 F.3d 1136 (9th Cir. 2015), *cert. denied*, 136 S.Ct. 2448 (2016).

³¹ *Id.*

³² *Id.*

³³ See Fla. Admin. Code R. 68B-44.004.

fin in or on the waters of this state that has been separated from a shark or the landing of a separated shark fin in this state, unless:

- Authorized by commission rule; or
- Such fin has been lawfully obtained on land, prepared by taxidermy, and is possessed for the purposes of display.

The bill provides that anyone who violates these provisions is subject to the following penalties:

For a first violation, a misdemeanor of the second degree, punishable by up to 60 days in jail and a \$4,500 fine. In addition, all of the person's saltwater license privileges provided for in chapter 379, Florida Statutes, are suspended for 180 days.

For a second violation, a misdemeanor of the second degree, punishable by up to 60 days in jail and a \$9,500 fine. In addition, all of the person's saltwater license privileges provided for in chapter 379, Florida Statutes, are suspended for 365 days.

For a third and any subsequent violation, a misdemeanor of the first degree, punishable by up to 60 days in jail and a \$9,500 fine. In addition, all of the person's saltwater license privileges provided for in chapter 379, Florida Statutes, are suspended permanently.

The bill clarifies that while a person's license privileges are suspended or revoked due to a violation of these provisions, the person may not participate in the taking or harvesting, or attempt the taking or harvesting, of saltwater products from any vessel within the waters of Florida; be aboard any vessel on which a commercial quantity of saltwater products is possessed; or engage in any activity requiring a license, permit, or certificate issued pursuant to chapter 379, Florida Statutes.

The bill takes effect October 1, 2017.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

CS/CS/SB 884 has no fiscal impact on state revenues except to the extent people violate new law and the enhanced penalties are imposed for such violations.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 379.2426 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS by Appropriations on April 6, 2017:

The committee substitute clarifies the definition of “Shark” for purposes of this section and clarifies the penalties for violations of this section.

CS by Environmental Preservation and Conservation on March 14, 2016:

The CS removes the provisions of the bill relating to the prohibition on possession or trade in shark fins and, instead, codifies the current prohibition on shark finning and provides enhanced penalties relating thereto.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/07/2017	.	
	.	
	.	
	.	

The Committee on Appropriations (Hutson) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 379.2426, Florida Statutes, is created
to read:

379.2426 Possession of separated shark fins on the water
prohibited; penalties.—

(1)°As used in this section, the term:

(a) "Land" means the physical act of bringing a harvested



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11 organism, or any part thereof, ashore.

12 (b) "Shark" means any species of the orders
13 Carcharhiniformes, Lamniformes, Hexanchiformes,
14 Orectolobiformes, Pristiophoriformes, Squaliformes,
15 Squatiniiformes, or any part thereof.

16 (c) "Shark fin" means the detached fin of a shark,
17 including the caudal or tail fin, or any portion thereof.

18 (d) "Separated," with respect to a shark fin, means not
19 naturally attached to the corresponding shark body through some
20 portion of uncut skin.

21 (2) A person may not possess in or on the waters of this
22 state a shark fin that has been separated from a shark or land a
23 separated shark fin in this state, unless:

24 (a) Such possession is authorized by commission rule; or

25 (b) Such fin has been lawfully obtained on land, prepared
26 by taxidermy, and is possessed for the purposes of display.

27 (3) A person who violates this section is subject to the
28 following penalties:

29 (a) For a first violation, a misdemeanor of the second
30 degree, punishable as provided in s. 775.082 or s. 775.083. In
31 addition, the commission shall assess an administrative fine of
32 \$4,500 and suspend all of the person's license privileges under
33 this chapter for 180 days.

34 (b) For a second violation, a misdemeanor of the second
35 degree, punishable as provided in s. 775.082 or s. 775.083. In
36 addition, the commission shall assess an administrative fine of
37 \$9,500 and suspend all of the person's license privileges under
38 this chapter for 365 days.

39 (c) For a third and any subsequent violation, a misdemeanor



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of the first degree, punishable as provided in s. 775.082 or s. 775.083. In addition, the commission shall assess an administrative fine of \$9,500 and permanently revoke all of the person's license privileges under this chapter.

While his or her license privileges are under suspension or revocation pursuant to this subsection, a person may not participate in the taking or harvesting, or attempt the taking or harvesting, of saltwater products from any vessel within the waters of the state; be aboard any vessel on which a commercial quantity of saltwater products is possessed through an activity requiring a license pursuant to this chapter; or engage in any other activity requiring a license, permit, or certificate issued pursuant to this chapter.

Section 2. This act shall take effect October 1, 2017.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled

An act relating to shark fins; creating s. 379.2426, F.S.; defining terms; prohibiting persons from possessing separated shark fins except under certain conditions; providing penalties; prohibiting persons with suspended or revoked license privileges from engaging in certain activities; providing an effective date.

By the Committee on Environmental Preservation and Conservation;
and Senator Hutson

592-02438-17

2017884c1

A bill to be entitled

An act relating to shark fins; creating s. 379.2426,
F.S.; defining terms; prohibiting persons from
possessing separated shark fins except under certain
conditions; providing penalties; prohibiting persons
with suspended or revoked saltwater license privileges
from engaging in certain activities; providing an
effective date.

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

Section 1. Section 379.2426, Florida Statutes, is created
to read:

379.2426 Possession of separated shark fins on the water
prohibited; penalties.—

(1) "As used in this section, the term:

(a) "Land" means the physical act of bringing a harvested
organism, or any part thereof, ashore.

(b) "Shark" means any of the species from the superorder
Selachimorpha.

(c) "Shark fin" means the detached fin of a shark,
including the caudal or tail fin, or any portion thereof.

(2) A person may not possess in or on the waters of this
state a shark fin that has been separated from a shark or land a
separated shark fin in this state, unless:

(a) Such possession is authorized by commission rule; or

(b) Such fin has been lawfully obtained on land, prepared
by taxidermy, and is possessed for the purposes of display.

(3) A commercial harvester who commits a violation of this

592-02438-17

2017884c1

section is subject to the following penalties:

(a) For a first violation, a misdemeanor of the second
degree, punishable as provided in s. 775.082 or s. 775.083. In
addition, the commission shall assess an administrative fine of
\$5,000 and suspend all of the harvester's saltwater license
privileges under this chapter for 180 days.

(b) For a second violation, a misdemeanor of the second
degree, punishable as provided in s. 775.082 or s. 775.083. In
addition, the commission shall assess an administrative fine of
\$10,000 and suspend all of the harvester's saltwater license
privileges under this chapter for 180 days.

(c) For a third and any subsequent violations, a
misdemeanor of the first degree, punishable as provided in s.
775.082 or s. 775.083. In addition, the commission shall assess
an administrative fine of \$10,000 and permanently revoke all of
the harvester's saltwater license privileges under this chapter.

While his or her saltwater license privileges are under
suspension or revocation pursuant to this subsection, a person
may not participate in the taking or harvesting, or attempt the
taking or harvesting, of saltwater products from any vessel
within the waters of the state; be aboard any vessel on which a
commercial quantity of saltwater products is possessed through
an activity requiring a license pursuant to this chapter; or
engage in any other activity requiring a license, permit, or
certificate issued pursuant to this chapter.

(4) A person in violation of this section who is not a
commercial harvester is subject to the following penalties:

(a) For a first violation, a misdemeanor of the second

592-02438-17

2017884c1

59 degree, punishable as provided in s. 775.082 or s. 775.083. In
60 addition, the commission shall assess an administrative fine of
61 up \$5,000.

62 (b) For a second violation, a misdemeanor of the first
63 degree, punishable as provided in s. 775.082 or s. 775.083. In
64 addition, the commission shall assess an administrative fine of
65 up to \$10,000.

66 (c) For a third and any subsequent violations, a
67 misdemeanor of the first degree, punishable as provided in s.
68 775.082 or s. 775.083. In addition, the commission shall assess
69 an administrative fine of no less than \$5,000, but not more than
70 \$10,000.

71 Section 2. This act shall take effect October 1, 2017.
72

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/6/17

Meeting Date

884

Bill Number (if applicable)

Topic SB 884 Shark Fins

Amendment Barcode (if applicable)

Name ~~Carrie Graham~~ Carrie Graham

Job Title Legislative Assistant for Bob Harris

Address 2618 Centennial Pl

Phone 222 7202

Street

Tall

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FL

State

32308

Zip

Email Cgraham@fla.senate.gov

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing The Diving Equipment & Marketing Association (DEMA)

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No
Bob Harris

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/6/17

Meeting Date

884

Bill Number (if applicable)

Topic SHACKS

Amendment Barcode (if applicable)

Name GENE MC GEE

Job Title

Address 215 S. MONROE ST.

Street

Phone (352) 222-0500

TLH

City

FL

State

32301

Zip

Email GEEF@GMAIL.COM

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing SEAWORLD PARKS & ENTERTAINMENT

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/5/17

Meeting Date

884

Bill Number (if applicable)

Topic

Sharks

Amendment Barcode (if applicable)

Name

Kate MacFall

Job Title

Stats director

Address

1624 Metropolitan Circle

Phone

850 508-1001

Street

Tallahassee

State

FL

Zip

Email

Speaking:

☐

For

☐

Against

☐

Information

Waive Speaking:

☒

In Support

☐

Against

(The Chair will read this information into the record.)

Representing

Humane Society of the United States

Appearing at request of Chair:

☐

Yes

☒

No

Lobbyist registered with Legislature:

☒

Yes

☐

No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date _____

884
Bill Number (if applicable)

Topic SHARKS

Amendment Barcode (if applicable)

Name JERRY SANSON

Job Title _____

Address PO Box 700

Phone 321-273-0212

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Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing ORGANIZED FISHERMEN of FL

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: SB 376

INTRODUCER: Senator Simmons

SUBJECT: Charter School Funding

DATE: April 4, 2017

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Hand</u>	<u>Graf</u>	<u>ED</u>	Favorable
2. <u>Sikes</u>	<u>Elwell</u>	<u>AED</u>	Recommend: Favorable
3. <u>Sikes</u>	<u>Hansen</u>	<u>AP</u>	Favorable

I. Summary:

SB 376 substantively restructures public school capital outlay funding by requiring each school district to share its discretionary millage revenue with eligible charter schools. Additionally, the bill:

- Requires school districts to distribute shared local capital outlay funds on a monthly basis, and if the local capital outlay funds are not available, the school district must provide the funds from another funding source.
- Prohibits charter schools from receiving capital outlay funds unless the charter school can demonstrate that the funds will not be used for personal financial enrichment.
- Clarifies the criteria by which charter schools can demonstrate that seventy-five percent of their student population is eligible for free or reduced-price school lunch.
- Limits the ability of a charter school governing board to only use charter school capital outlay funds at the charter school that generated the funding.

The bill has no impact on state funds. According to the Department of Education, school districts will be required to share approximately \$150.7 million in discretionary millage revenue with eligible charter schools.

The bill takes effect July 1, 2017.

II. Present Situation:

Charter School Capital Outlay

State funds are the primary source of funding for charter school capital outlay.¹ Eligibility, allocation methodology and allowable uses are defined by state law.²

Eligibility

To be eligible for charter school capital outlay funding, a charter school must:³

- Have been in operation for 2 or more years,⁴ be governed by a governing board established in the state for 3 or more years which operates both charter schools and conversion charter schools within the state, be an expanded feeder chain⁵ of a charter school within the same school district that is currently receiving charter school capital outlay funds, have been accredited by the Commission on Schools of the Southern Association of Colleges and Schools, or serve students in facilities that are provided by a business partner for a charter school-in-the-workplace.
- Have an annual audit that does not reveal any of the financial emergency conditions provided in s. 218.503(1), F.S., for the most recent fiscal year for which such audits are available.
- Have satisfactory student achievement⁶ based on state accountability standards applicable to the charter school.
- Have received final approval from its sponsor for operation during that fiscal year.
- Serve students in facilities that are not provided by the charter school's sponsor.

A charter school is not eligible for a funding allocation if it was created by the conversion of a public school and operates in facilities provided by the charter school's sponsor for a nominal fee, or at no charge, or if it is directly or indirectly operated by the school district.⁷

Allocation

Prior to July 1, 2016, the allocation methodology required the use of a priority-based funding system comprised of the following:⁸

- First priority was given to those charter schools that received capital outlay funding in the 2005-2006 fiscal year. These schools received the same per-student amount received in the 2005-2006 fiscal year for the lesser number of students enrolled in the current year or the number of students enrolled in the 2005-2006 school year.

¹ Section 1013.62, F.S.

² *Id.*

³ Section 1013.62(1)(a), F.S.

⁴ Chapter 2016-237, L.O.F., effective July 1, 2016, reduced the eligibility period from 3 years to 2 years.

⁵ Rule 6A-2.0020, F.A.C., provides that a charter school may be considered part of an expanded feeder chain if it either sends or receives a majority of its students directly to or from a charter school that is currently receiving capital outlay funding.

⁶ Rule 6A-2.0020, F.A.C., provides that the eligibility requirement for student achievement must be determined in accordance with the language in the charter contract and the charter school's current school improvement plan if the school has a current school improvement plan. A charter school receiving an "F" grade designation through the state accountability system, as defined in s. 1008.34, F.S., must not be eligible for capital outlay funding for the school year immediately following the designation. *Id.*

⁷ Section 1013.62(1)(b), F.S.

⁸ Section 1013.62(1)(b), F.S. (2015)

- Second, after calculating first priority funding, remaining funds were allocated with the same per-student amount to those schools not included in the first priority allocation and to those schools in the first priority allocation with growth in excess of 2005-2006 fiscal year student enrollments.
- Third, any excess funds remaining after the first and second priority calculations were allocated among all eligible charter schools.
- Each charter school's capital outlay allocation could not exceed 1/15th of the statutory cost per student station specified in s. 1013.64(6)(b), F.S.⁹

Beginning July 1, 2016, the allocation methodology was changed to eliminate the prioritization system weighted toward older schools and create a new method in which charter school capital outlay funds are allocated by using a weighted funding approach to provide additional funds to charter schools that serve high proportions of students eligible for free and reduced price lunch or students with disabilities, or both. More specifically:¹⁰

- All eligible charter schools must receive a standard base amount of funds per FTE derived from the gross capital outlay funding appropriated for charter schools.
- Charter schools must receive an additional 25 percent of the standard base amount if the school has either of the following criteria:
 - A 75 percent or greater free or reduced-price lunch eligible enrollment;¹¹ or
 - A 25 percent or greater population of students with a disability as defined in State Board of Education rule and consistent with the requirements of the Individuals with Disabilities Education Act.
- Charter schools that meet both criteria must receive an additional 50 percent of the standard base amount.
- The statutory requirement that each charter school's capital outlay allocation must not exceed 1/15th of the statutory cost per student station was repealed.

For the 2016-2017 school year, of the 535 charter schools that received capital outlay funding:¹²

- 353 (66 percent) did not meet either criteria.¹³
- 136 (25 percent) met the 75 percent or more free and reduced lunch enrollment criteria.
- 31 (6 percent) met the 25 percent or more students with disabilities enrollment criteria.
- 15 (3 percent) met both criteria.¹⁴

⁹ Section 1013.62(1)(c), F.S. (2015)

¹⁰ Section 14, ch. 2016-237, L.O.F.

¹¹ On December 7, 2016, the Department of Education filed a Notice of Development of Rulemaking for Rule 6A-6.0020, F.A.C., which contained draft language identifying an additional method to determine the funding allocation for eligibility charter schools by adding an equivalent percentage of schools that are eligible under the Community Eligibility Provision of the Healthy, Hunger-Free Kids Act of 2010. Florida Department of State, Florida Administrative Code & Florida Administrative Register, Notice 18347761, https://www.flrules.org/Gateway/View_notice.asp?id=18347761 (last visited Feb. 16, 2017).

¹² Department of Education, *Charter School Fixed Capital Outlay, Senate Appropriations Subcommittee on Pre K-12 Education, February 8, 2017*, available at http://www.flsenate.gov/PublishedContent/Committees/2016-2018/AED/MeetingRecords/MeetingPacket_3613.pdf, at 16. For 2016-2017, 535 of 654 (82%) charter schools received capital outlay funds. *Id.* at 15.

¹³ The criteria are a school with a 75 percent or greater free and reduced lunch enrollment, or a 25 percent or greater student enrollment with disabilities as defined in State Board of Education rule and consistent with the requirements of the Individuals with Disabilities Education Act. Section 1013.62(1)(c)1., F.S.

¹⁴ *Id.*

The Department of Education (DOE) must distribute capital outlay funds monthly, beginning in the first quarter of the fiscal year, based on 1/12th of the amount DOE reasonably expects the charter school to receive during that fiscal year.¹⁵ The Commissioner of Education (Commissioner) must adjust subsequent distributions as necessary to reflect each charter school's recalculated allocation.¹⁶

Authorized Uses of Funds

Capital outlay funds may be used by a charter school's governing board for the following purposes:¹⁷

- Purchase of real property.
- Construction of school facilities.
- Purchase, lease-purchase, or lease of permanent or relocatable school facilities.
- Purchase of vehicles to transport students to and from the charter school.
- Renovation, repair, and maintenance of school facilities that the charter school owns or is purchasing through a lease-purchase or long-term lease of 5 years or longer.
- Purchase, lease-purchase, or lease of new and replacement equipment, and enterprise resource software applications that are classified as capital assets in accordance with definitions of the Governmental Accounting Standards Board, have a useful life of at least 5 years, and are used to support schoolwide administration or state-mandated reporting requirements.
- Payment of the cost of premiums for property and casualty insurance necessary to insure the school facilities.
- Purchase, lease-purchase, or lease of driver's education vehicles; motor vehicles used for the maintenance or operation of plants and equipment; security vehicles; or vehicles used in storing or distributing materials and equipment.

For the 2016-2017 school year, the charter schools that received capital outlay funding identified planned expenditures as follows:¹⁸

- 92 percent - Purchase, lease-purchase, or lease of permanent or relocatable school facilities.
- 88 percent - Purchase, lease-purchase, or lease of driver's education vehicles; motor vehicles used for the maintenance or operation of plants and equipment; security vehicles; or vehicles used in storing or distributing materials and equipment.
- 65 percent - Payment of the cost of premiums for property and casualty insurance necessary to insure the school facilities.
- 65 percent - Renovation, repair, and maintenance of school facilities that the charter school owns or is purchasing through a lease-purchase or long-term lease of 5 years or longer.
- 53 percent - Purchase, lease-purchase, or lease of new and replacement equipment, and enterprise resource software applications.
- 27 percent - Construction of school facilities.

¹⁵ Section 1013.62(2)(b), F.S.

¹⁶ *Id.*

¹⁷ Section 1013.62(3), F.S.

¹⁸ Department of Education, *Charter School Fixed Capital Outlay*, Senate Appropriations Subcommittee on Pre K-12 Education, February 8, 2017, available at http://www.flsenate.gov/PublishedContent/Committees/2016-2018/AED/MeetingRecords/MeetingPacket_3613.pdf, at 17.

- 22 percent - Purchase of real property.
 - 18 percent - Purchase of vehicles to transport students to and from the charter school.
- Additionally, conversion charter schools may use capital outlay funds received through the reduction in the administrative fee provided in s. 1002.33(20), F.S., for the renovation, repair, and maintenance of school facilities that are owned by the sponsor.¹⁹

District School Taxes

In addition to the maximum millage levy specified in s. 1011.71(1), F.S., each school board may levy not more than 1.5 mills against the taxable value for school purposes for district schools, including charter schools at the discretion of the school board, to fund:²⁰

- New construction and remodeling projects, as set forth in ss. 1013.64(3)(b) and (6)(b), F.S., and included in the district's educational plant survey pursuant to s. 1013.31, F.S., without regard to prioritization, sites and site improvement or expansion to new sites, existing sites, auxiliary facilities, athletic facilities, or ancillary facilities.
- Maintenance, renovation, and repair of existing school plants or of leased facilities to correct deficiencies pursuant to s. 1013.15(2), F.S.
- The purchase, lease-purchase, or lease of school buses.
- The purchase lease-purchase, or lease of new and replacement computer equipment; computer hardware, including electronic hardware and other hardware devices necessary for gaining access to or enhancing the use of electronic content and resources or to facilitate the access to and the use of a school district's digital classrooms plan pursuant to s. 1011.62, F.S., excluding software other than the operating system necessary to operate the hardware or device; and enterprise resource software applications that are classified as capital assets in accordance with definitions of the Governmental Accounting Standards Board, have a useful life of at least 5 years, and are used to support districtwide administration or state-mandated reporting requirements.
- Payments for educational facilities and sites due under a lease-purchase agreement entered into by a district school board pursuant to s. 1003.02(1)(f), F.S., or s. 1013.15(2), F.S., not exceeding, in the aggregate, an amount equal to three-fourths of the proceeds from the millage levied by a district school board pursuant to this subsection. The three-fourths limit is waived for lease-purchase agreements entered into before June 30, 2009, by a district school board pursuant to this provision.
- Payment of loans approved pursuant to ss. 1011.14, F.S., and 1011.15, F.S.
- Payment of costs directly related to complying with state and federal environmental statutes, rules, and regulations governing school facilities.
- Payment of costs of leasing relocatable educational facilities, of renting or leasing educational facilities and sites pursuant to s. 1013.15(2), F.S., or of renting or leasing buildings or space within existing buildings pursuant to s. 1013.15(4), F.S.
- Payment of the cost of school buses when a school district contracts with a private entity to provide student transportation services if the district meets the requirement of this provision:
 - The district's contract must require that the private entity purchase, lease-purchase, or lease, and operate and maintain, one or more school buses of a specific type and size that meet requirements of s. 1006.25, F.S.

¹⁹ Section 1013.62(3), F.S.

²⁰ Section 1011.71(2), F.S.

- Each school bus must be used for the daily transportation of public school students in the manner required by the school district.
- Annual payment for each such school bus may not exceed 10 percent of the purchase price of the state pool bid.
- The proposed expenditure of the funds for this purpose must have been included in the district school board's notice of proposed tax for school capital outlay as provided in s. 200.065(10), F.S.

District school boards have been authorized to share local discretionary millage with charter schools since 2006.²¹ For 2015-2016, school districts collected approximately \$2.34 billion in local discretionary millage.²² At least three school districts have chosen to share such funding with charter schools;²³ although, it is unknown to what extent districts have chosen to share such funding with charter schools.²⁴

III. Effect of Proposed Changes:

This bill substantively restructures public school capital outlay funding by requiring each school district to share its discretionary millage revenue with eligible charter schools. Additionally, the bill:

- Requires school districts to distribute shared local capital outlay funds on a monthly basis, and if the local capital outlay funds are not available, the school district must provide the funds from another funding source.
- Prohibits charter schools from receiving capital outlay funds unless the charter school can demonstrate that the funds will not be used for personal financial enrichment.
- Clarifies the criteria by which charter schools can demonstrate that seventy-five percent of their student population is eligible for free or reduced-price school lunch.
- Limits the ability of a charter school governing board to only use charter school capital outlay funds at the charter school that generated the funding.

Charter School Capital Outlay (Sections 1 and 2)

Section 1 of the bill restructures charter school capital outlay to dedicate a source of funding consisting of shared local capital outlay funding derived from the discretionary millage revenue authorized under s. 1011.71(2), F.S. The bill allows the legislature the discretion to determine whether to provide additional charter school capital outlay funds in the General Appropriations Act (GAA).

Section 2 of the bill amends eligibility requirements and the funding allocation methodology for charter school capital outlay funding.

²¹ Section 9, ch. 2006-190, L.O.F.

²² Department of Education, *School District Capital Outlay*, Senate Appropriations Subcommittee on Pre K-12 Education, February 8, 2017, available at http://www.flsenate.gov/PublishedContent/Committees/2016-2018/AED/MeetingRecords/MeetingPacket_3613.pdf, at 6.

²³ *Id.*

²⁴ E-Mail, Department of Education (Feb. 17, 2017). Based on information from 2012, the DOE is aware of Sarasota, Sumter, and Franklin school districts sharing local discretionary millage with charter schools. *Id.*

²⁵ E-Mail, Department of Education (Feb. 13, 2017). The DOE does not collect information pertaining to school districts sharing the local discretionary millage with charter schools. *Id.*

Eligibility (Section 2)

Section 2 of the bill provides that the eligibility criteria for shared local capital outlay allocation is the same as that in existing law for state funds provided in the GAA. However, the bill adds a new eligibility requirement (for both shared local capital outlay and for state funds provided in the GAA) consisting of a prohibition on personal financial enrichment.

The bill provides that it is the intent of the Legislature that the public interest be protected by prohibiting personal financial enrichment by owners, operators, managers, and other affiliated parties of charter schools. Additionally, the bill emphasizes that a charter school is not eligible for a funding allocation unless the chair of the governing board and chief administrative officer of the charter school annually certify under oath that the funds will be used solely and exclusively for constructing, renovating, or improving charter school facilities that are:

- Owned by a school district, political subdivision of the state, municipality, Florida College System institution, or state university;
- Owned by an organization, qualified as an exempt organization under s. 501(c)(3) of the Internal Revenue Code, whose articles of incorporation specify that upon the organization's dissolution, the subject property will be transferred to a school district, political subdivision of the state, municipality, Florida College System institution, or state university; or
- Owned by and leased, at a fair market value in the school district in which the charter school is located, from a person or entity that is not an affiliated party of the charter school.

The bill defines "affiliated party of the charter school" to mean:

- The applicant for the charter school pursuant to s. 1002.33, F.S.;
- The governing board of the charter school or a member of the governing board;
- The charter school owner;
- The charter school principal;
- An employee of the charter school;
- An independent contractor of a charter school or charter school governing board;
- A subsidiary corporation, a service corporation, and affiliated corporation, a parent corporation, a limited liability company, a limited partnership, a trust, a partnership, or a related party that, individually or through one or more entities:
 - Shares common ownership or control; and
 - Directly or indirectly manages, administers, controls, or oversees the operation of the charter school; or
- Any person or entity, individually or through one or more entities that share common ownership, which directly or indirectly manages, administers, controls, or oversees the operation of any of the foregoing.

The bill also clarifies that virtual charter schools are not eligible for charter school capital outlay funding.

Funding Allocation (Section 2)

Section 2 of the bill provides that the eligibility criteria for shared local capital outlay allocation is identical to that in existing law for state funds provided in the GAA. The bill also codifies existing DOE implementation for determining a charter school's eligible population for free or

reduced-price lunch by adding an equivalent percentage of students that are eligible under the Community Eligibility Provision of the Healthy, Hunger-Free Kids Act of 2010.²⁵

The bill provides that the allocation formula for the shared local capital outlay allocation utilize a weighted funding approach to provide additional funds to charter schools who serve high proportions of students eligible for free and reduced price lunch or students with disabilities, or both. More specifically:

- An eligible charter school will receive a base allocation of 50 percent of the maximum calculated capital outlay allocation.
- Charter schools will receive an additional 25 percent of the maximum allocation if the school has either of the following criteria:
 - A 75 percent or more free or reduced-price lunch eligible enrollment or an equivalent percentage who are eligible under the Community Eligibility Provision of the Healthy, Hunger-Free Kids Act of 2010 when the multiplier authorized under the National School Lunch Act, 42 U.S.C. s. 1759(a)(1)(F)(vii), is applied to the number of students reported for direct certification; or
 - A 25 percent or greater population of students with a disability.
- Charter schools that meet both criteria would receive an additional 50 percent of the maximum allocation (e.g., the maximum calculated capital outlay allocation).

The bill requires each school district to distribute 1/12th of the calculated shared local capital outlay funds to eligible charter schools on a monthly basis, beginning in the first quarter of the fiscal year. If local funds are not available, the school district must provide an equivalent amount from another funding source. If the school district is unable to provide the calculated local funds from its millage authorized pursuant to s. 1011.71(2), F.S., the school district must provide an equivalent amount to the eligible charter schools from another school district funding source. Each district must adjust payments to charter schools to reflect updated calculations of the shared local charter school allocations, as determined by the Department of Education (DOE).

The bill provides that the DOE must calculate the shared local capital outlay allocation by dividing the revenue generated from the local discretionary millage authorized under s. 1011.72(2), F.S., and levied by the school board by the sum of the district fixed capital outlay FTE and the FTE for eligible charter schools. This calculated capital outlay allocation per FTE must then be multiplied by the eligible charter school's FTE to provide a maximum calculated capital outlay allocation.

Authorized Use of Funds (Section 2)

The bill limits the ability of a charter school governing board to only use charter school capital outlay funds at the charter school that generated the funding.

The bill takes effect July 1, 2017.

²⁵ On December 7, 2016, the Department of Education filed a Notice of Development of Rulemaking for Rule 6A-6.0020, F.A.C., which contained draft language identifying an additional method to determine the funding allocation for eligibility charter schools by adding an equivalent percentage of schools that are eligible under the Community Eligibility Provision of the Healthy, Hunger-Free Kids Act of 2010. Florida Department of State, Florida Administrative Code & Florida Administrative Register, Notice 18347761, https://www.flrules.org/Gateway/View_notice.asp?id=18347761 (last visited Feb. 16, 2017).

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

Under SB 376, school districts, for the first time, will be required to share their local discretionary millage authorized under s. 1011.71(2), F.S., with eligible charter schools. According to the Department of Education (DOE), if all charter schools that are eligible for fixed capital outlay funds in the current year remain eligible based on the revised criteria in this bill, the aggregate amount of local funds that may be required to be made available for charter school capital outlay, based on the 2017-18 projected tax roll, will be \$150.7 million, or roughly twice the \$75 million of state funds appropriated for Fiscal Year 2016-17 for this purpose. This sharing of local revenue would take place in 46 of the 67 school districts. The capital outlay funds per full-time equivalent student (FTE) range from \$197.11 per FTE in Dixie County to \$1,663.53 per FTE in Walton County. The table below shows the potential impact per district:

District	Potential Shared Capital Outlay (CO) Revenue	Estimated Eligible Charter School FTE	Potential Shared CO Revenue per FTE
Alachua	\$759,635	1,671.01	\$454.60
Bay	\$1,458,186	3,970.95	\$367.21
Brevard	\$2,257,571	4,803.28	\$470.01
Broward	\$24,273,569	42,431.24	\$572.07
Charlotte	\$258,163	335.82	\$768.76

District	Potential Shared Capital Outlay (CO) Revenue	Estimated Eligible Charter School FTE	Potential Shared CO Revenue per FTE
Citrus	\$35,579	77.77	\$457.50
Clay	\$134,955	596.63	\$226.20
Collier	\$2,905,723	1,953.31	\$1,487.59
Columbia	\$85,441	419.66	\$203.60
Dade	\$44,772,639	60,235.33	\$743.30
Dixie	\$14,707	74.61	\$197.11
Duval	\$5,226,542	12,088.13	\$432.37
Escambia	\$304,282	767.15	\$396.64
Flagler	\$450,849	863.43	\$522.16
Franklin	\$392,041	344.56	\$1,137.80
Gadsden	\$140,336	453.03	\$309.77
Glades	\$115,151	285.72	\$403.02
Hernando	\$107,119	357.47	\$299.66
Hillsborough	\$5,875,890	17,320.61	\$339.24
Indian River	\$1,685,203	2,286.21	\$737.12
Lake	\$568,482	1,580.50	\$359.69
Lee	\$8,226,639	12,049.89	\$682.71
Leon	\$611,301	1,657.07	\$368.91
Levy	\$72,344	161.49	\$447.98
Madison	\$38,297	184.24	\$207.87
Manatee	\$3,323,782	5,374.13	\$618.48
Marion	\$247,266	575.01	\$430.02
Martin	\$256,029	273.41	\$936.43
Monroe	\$711,068	847.33	\$839.19
Okaloosa	\$662,439	1,389.90	\$476.61
Orange	\$6,301,204	11,730.07	\$537.18
Osceola	\$3,880,555	10,336.63	\$375.42
Palm Beach	\$14,734,815	18,111.37	\$813.57
Pasco	\$1,126,592	3,750.75	\$300.36
Pinellas	\$3,275,983	5,491.21	\$596.59
Polk	\$1,428,787	5,202.28	\$274.65
Putnam	\$162,740	434.12	\$374.87
St. Johns	\$84,338	146.28	\$576.55
St. Lucie	\$1,275,947	3,206.22	\$397.96
Santa Rosa	\$72,535	180.97	\$400.81
Sarasota	\$6,557,169	6,220.34	\$1,054.15
Seminole	\$669,509	1,803.55	\$371.22
Sumter	\$3,305,706	3,121.58	\$1,058.99
Volusia	\$966,980	2,104.76	\$459.38

District	Potential Shared Capital Outlay (CO) Revenue	Estimated Eligible Charter School FTE	Potential Shared CO Revenue per FTE
Wakulla	\$35,945	130.42	\$275.61
Walton	\$832,398	500.38	\$1,663.53
Total	\$150,682,431	247,899.82	\$552.71

This bill does not require an appropriation of state funds.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1011.71 and 1013.62.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.



196896

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/07/2017	.	
	.	
	.	
	.	

The Committee on Appropriations (Braynon) recommended the following:

Senate Amendment

Delete lines 138 - 179
and insert:
enrichment by owners, operators, real estate developers,
managers, and other affiliated parties of charter schools.
Therefore, a charter school is not eligible for a funding
allocation unless the chair of the governing board and the chief
administrative officer of the charter school annually certify
under oath that the funds will be used solely and exclusively



196896

11 for constructing, renovating, or improving charter school
12 facilities that are:

13 1. Owned by a school district, political subdivision of the
14 state, municipality, Florida College System institution, or
15 state university; or

16 2. Owned by an organization, qualified as an exempt
17 organization under s. 501(c)(3) of the Internal Revenue Code,
18 whose articles of incorporation specify that upon the
19 organization's dissolution, the subject property will be
20 transferred to a school district, political subdivision of the
21 state, municipality, Florida College System institution, or
22 state university.



376012

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/07/2017	.	
	.	
	.	
	.	

The Committee on Appropriations (Simmons) recommended the following:

Senate Amendment (with title amendment)

Delete line 139
and insert:
parties of charter schools. Therefore, with the exception of a
charter school-in-the-workplace established under s.
1002.33(15) (b) which will use the funds for a purpose identified
in subsection (3), a charter school is not

===== T I T L E A M E N D M E N T =====



376012

11 And the title is amended as follows:
12 Delete line 12
13 and insert:
14 under certain circumstances; providing an exception;
15 defining the term



770816

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/07/2017	.	
	.	
	.	
	.	

The Committee on Appropriations (Braynon) recommended the following:

Senate Amendment (with title amendment)

Delete lines 249 - 261.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 18 - 20

and insert:

make the calculations; specifying where capital



948372

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/07/2017	.	
	.	
	.	
	.	

The Committee on Appropriations (Simmons) recommended the following:

Senate Amendment (with title amendment)

Delete lines 249 - 258

and insert:

(c) Each school district shall distribute the calculated shared local capital outlay funds to eligible charter schools by February 1 each year. Each school district shall

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:



948372

11 Delete line 20
12 and insert:
13 by a specified date; specifying where capital

By Senator Simmons

9-00139-17

2017376__

A bill to be entitled

An act relating to charter school funding; amending s. 1011.71, F.S.; authorizing school boards to levy specified amounts for charter schools; amending s. 1013.62, F.S.; providing that charter school capital outlay funding consists of shared local capital outlay and state funding as provided in the General Appropriations Act; providing that a virtual charter school is not eligible for a funding allocation; providing legislative intent; prohibiting a charter school from being eligible for a funding allocation under certain circumstances; defining the term "affiliated party of the charter school"; specifying the grouping of eligible charter schools for funding allocations; providing the shared local capital outlay allocation calculation and the state allocation calculation; requiring the Department of Education to make the calculations; requiring each school district to distribute the shared local capital outlay funds within a specified timeframe; specifying where capital outlay funds may be used; providing an effective date.

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

Section 1. Subsection (2) of section 1011.71, Florida Statutes, is amended to read:

1011.71 District school tax.—

(2) In addition to the maximum millage levy as provided in subsection (1), each school board may levy not more than 1.5 mills against the taxable value for school purposes for district schools, as specified in this section, and including charter schools, as specified in s. 1013.62 at the discretion of the

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~~school board~~, to fund:

(a) New construction and remodeling projects, as set forth in s. 1013.64(3)(b) and (6)(b) and included in the district's educational plant survey pursuant to s. 1013.31, without regard to prioritization, sites and site improvement or expansion to new sites, existing sites, auxiliary facilities, athletic facilities, or ancillary facilities.

(b) Maintenance, renovation, and repair of existing school plants or of leased facilities to correct deficiencies pursuant to s. 1013.15(2).

(c) The purchase, lease-purchase, or lease of school buses.

(d) The purchase, lease-purchase, or lease of new and replacement equipment; computer hardware, including electronic hardware and other hardware devices necessary for gaining access to or enhancing the use of electronic content and resources or to facilitate the access to and the use of a school district's digital classrooms plan pursuant to s. 1011.62, excluding software other than the operating system necessary to operate the hardware or device; and enterprise resource software applications that are classified as capital assets in accordance with definitions of the Governmental Accounting Standards Board, have a useful life of at least 5 years, and are used to support districtwide administration or state-mandated reporting requirements.

(e) Payments for educational facilities and sites due under a lease-purchase agreement entered into by a district school board pursuant to s. 1003.02(1)(f) or s. 1013.15(2), not exceeding, in the aggregate, an amount equal to three-fourths of the proceeds from the millage levied by a district school board

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62 pursuant to this subsection. The three-fourths limit is waived
 63 for lease-purchase agreements entered into before June 30, 2009,
 64 by a district school board pursuant to this paragraph.

65 (f) Payment of loans approved pursuant to ss. 1011.14 and
 66 1011.15.

67 (g) Payment of costs directly related to complying with
 68 state and federal environmental statutes, rules, and regulations
 69 governing school facilities.

70 (h) Payment of costs of leasing relocatable educational
 71 facilities, of renting or leasing educational facilities and
 72 sites pursuant to s. 1013.15(2), or of renting or leasing
 73 buildings or space within existing buildings pursuant to s.
 74 1013.15(4).

75 (i) Payment of the cost of school buses when a school
 76 district contracts with a private entity to provide student
 77 transportation services if the district meets the requirements
 78 of this paragraph.

79 1. The district's contract must require that the private
 80 entity purchase, lease-purchase, or lease, and operate and
 81 maintain, one or more school buses of a specific type and size
 82 that meet the requirements of s. 1006.25.

83 2. Each such school bus must be used for the daily
 84 transportation of public school students in the manner required
 85 by the school district.

86 3. Annual payment for each such school bus may not exceed
 87 10 percent of the purchase price of the state pool bid.

88 4. The proposed expenditure of the funds for this purpose
 89 must have been included in the district school board's notice of
 90 proposed tax for school capital outlay as provided in s.

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91 200.065(10).

92 (j) Payment of the cost of the opening day collection for
 93 the library media center of a new school.

94 Section 2. Subsections (1), (2), and (3) of section
 95 1013.62, Florida Statutes, are amended to read:

96 1013.62 Charter schools capital outlay funding.—

97 (1) Charter school capital outlay funding shall consist of
 98 shared local capital outlay funding derived from the
 99 discretionary millage revenue authorized under s. 1011.71(2) and
 100 may also consist of state funds provided in the General
 101 Appropriations Act. In each year in which funds are appropriated
 102 for charter school capital outlay purposes, The Commissioner of
 103 Education shall allocate these ~~the~~ funds among eligible charter
 104 schools as specified in this section.

105 (a) To be eligible for shared local capital outlay
 106 allocation as specified in paragraph (e) or state a funding
 107 allocation, a charter school must:

108 1.a. Have been in operation for 2 or more years;

109 b. Be governed by a governing board established in the
 110 state for 3 or more years which operates both charter schools
 111 and conversion charter schools within the state;

112 c. Be an expanded feeder chain of a charter school within
 113 the same school district that is currently receiving charter
 114 school capital outlay funds;

115 d. Have been accredited by the Commission on Schools of the
 116 Southern Association of Colleges and Schools; or

117 e. Serve students in facilities that are provided by a
 118 business partner for a charter school-in-the-workplace pursuant
 119 to s. 1002.33(15)(b).

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2. Have an annual audit that does not reveal any of the financial emergency conditions provided in s. 218.503(1) for the most recent fiscal year for which such audit results are available.

3. Have satisfactory student achievement based on state accountability standards applicable to the charter school.

4. Have received final approval from its sponsor pursuant to s. 1002.33 for operation during that fiscal year.

5. Serve students in facilities that are not provided by the charter school's sponsor.

(b) A charter school is not eligible for a funding allocation if it was created by the conversion of a public school and operates in facilities provided by the charter school's sponsor for a nominal fee, or at no charge; ~~or~~ if it is directly or indirectly operated by the school district; or if it is a virtual charter school.

(c) It is the intent of the Legislature that the public interest be protected by prohibiting personal financial enrichment by owners, operators, managers, and other affiliated parties of charter schools. Therefore, a charter school is not eligible for a funding allocation unless the chair of the governing board and the chief administrative officer of the charter school annually certify under oath that the funds will be used solely and exclusively for constructing, renovating, or improving charter school facilities that are:

1. Owned by a school district, political subdivision of the state, municipality, Florida College System institution, or state university;

2. Owned by an organization, qualified as an exempt

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organization under s. 501(c)(3) of the Internal Revenue Code, whose articles of incorporation specify that upon the organization's dissolution, the subject property will be transferred to a school district, political subdivision of the state, municipality, Florida College System institution, or state university; or

3. Owned by and leased, at a fair market value in the school district in which the charter school is located, from a person or entity that is not an affiliated party of the charter school. For the purposes of this subparagraph, the term "affiliated party of the charter school" means the applicant for the charter school pursuant to s. 1002.33; the governing board of the charter school or a member of the governing board; the charter school owner; the charter school principal; an employee of the charter school; an independent contractor of the charter school or the governing board of the charter school; a relative, as defined in s. 1002.33(24)(a)2., of a charter school governing board member, a charter school owner, a charter school principal, a charter school employee, or an independent contractor of a charter school or charter school governing board; a subsidiary corporation, a service corporation, an affiliated corporation, a parent corporation, a limited liability company, a limited partnership, a trust, a partnership, or a related party that, individually or through one or more entities, shares common ownership or control and directly or indirectly manages, administers, controls, or oversees the operation of the charter school; or any person or entity, individually or through one or more entities that share common ownership, which directly or indirectly manages,

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178 administers, controls, or oversees the operation of any of the
179 foregoing.

180 ~~(d)(e)~~ In determining the funding allocation for eligible
181 charter schools, the department shall group them into one of the
182 following be calculated as follows.

183 ~~1. Eligible charter schools shall be grouped into~~
184 ~~categories based on their student populations according to the~~
185 ~~following criteria:~~

186 ~~1.a.~~ Seventy-five percent or greater who are eligible for
187 free or reduced-price school lunch or an equivalent percentage
188 who are eligible under the Community Eligibility Provision of
189 the Healthy, Hunger-Free Kids Act of 2010 when the multiplier
190 authorized under the National School Lunch Act, 42 U.S.C. s.
191 1759a(a) (1) (F) (vii), is applied to the number of students
192 reported for direct certification.

193 ~~2.b.~~ Twenty-five percent or greater with disabilities as
194 defined in state board rule and consistent with the requirements
195 of the Individuals with Disabilities Education Act.

196 (e) The department shall calculate the shared local capital
197 outlay allocation by dividing the revenue generated from the
198 local discretionary millage authorized under s. 1011.71(2) and
199 levied by the school board by the sum of the district fixed
200 capital outlay FTE and the FTE for eligible charter schools.
201 This calculated capital outlay allocation per FTE must then be
202 multiplied by the eligible charter school's FTE to provide a
203 maximum calculated capital outlay allocation.

204 ~~1.2.~~ If an eligible charter school does not meet the
205 criteria for either category specified in paragraph (d) under
206 subparagraph 1., the school shall receive a base allocation of

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207 50 percent of the maximum calculated capital outlay allocation.

208 2. An eligible charter school that meets one of the
209 criteria specified in paragraph (d) shall be provided 75 percent
210 of the maximum calculated capital outlay allocation. An eligible
211 charter school that meets the criteria under both of the
212 criteria specified in paragraph (d) shall be provided the
213 maximum calculated capital outlay allocation.

214 (f) If an appropriation is provided by the Legislature, the
215 department shall calculate the state allocation as follows:

216 1. If an eligible charter school does not meet either of
217 the criteria under paragraph (d), the charter school's ~~its~~ FTE
218 shall be ~~provided as~~ the base funding amount ~~of funding~~ and
219 shall be assigned a weight of 1.0. An eligible charter school
220 that meets either of the criteria under paragraph (d) ~~sub-~~
221 ~~subparagraph 1.a. or sub-subparagraph 1.b.~~ shall be provided an
222 additional 25 percent above the base funding amount, and the
223 total FTE shall be multiplied by a weight of 1.25. An eligible
224 charter school that meets both of the criteria under paragraph
225 (d) ~~both sub-subparagraphs 1.a. and b.~~ shall be provided an
226 additional 50 percent above the base funding amount, and the FTE
227 for that school shall be multiplied by a weight of 1.5.

228 ~~2.3.~~ The state appropriation for charter school capital
229 outlay shall be divided by the total weighted FTE for all
230 eligible charter schools to determine the base charter school
231 per weighted FTE allocation amount. The per weighted FTE
232 allocation amount shall be multiplied by the weighted FTE to
233 determine each charter school's capital outlay allocation.

234 (2) (a) The department shall calculate the eligible charter
235 school funding allocations. Funds shall be allocated using full-

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time equivalent membership from the second and third enrollment surveys, ~~and~~ free and reduced-price school lunch data, ~~ad~~ valorem revenue, and the state appropriation. The department shall recalculate the allocations periodically based on the receipt of revised information, on a schedule established by the Commissioner of Education.

(b) The department shall distribute appropriated capital outlay funds monthly, beginning in the first quarter of the fiscal year, based on one-twelfth of the amount the department reasonably expects the charter school to receive during that fiscal year. The commissioner shall adjust subsequent distributions as necessary to reflect each charter school's recalculated allocation.

(c) Each school district shall distribute one-twelfth of the calculated shared local capital outlay funds to eligible charter schools on a monthly basis, beginning in the first quarter of the fiscal year. If local funds are not yet available, the school district must provide an equivalent amount from another funding source. If the school district is unable to provide the calculated local funds from its millage authorized pursuant to s. 1011.71(2), the school district must provide an equivalent amount to the eligible charter schools from another school district funding source. Each school district shall adjust payments to charter schools to reflect updated calculations of the shared local charter school allocations, as determined by the department.

(3) A charter school's governing body may only use charter school capital outlay funds at the charter school that generated the capital outlay funding for the following purposes:

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(a) Purchase of real property.

(b) Construction of school facilities.

(c) Purchase, lease-purchase, or lease of permanent or relocatable school facilities.

(d) Purchase of vehicles to transport students to and from the charter school.

(e) Renovation, repair, and maintenance of school facilities that the charter school owns or is purchasing through a lease-purchase or long-term lease of 5 years or longer.

(f) Effective July 1, 2008, purchase, lease-purchase, or lease of new and replacement equipment, and enterprise resource software applications that are classified as capital assets in accordance with definitions of the Governmental Accounting Standards Board, have a useful life of at least 5 years, and are used to support schoolwide administration or state-mandated reporting requirements.

(g) Payment of the cost of premiums for property and casualty insurance necessary to insure the school facilities.

(h) Purchase, lease-purchase, or lease of driver's education vehicles; motor vehicles used for the maintenance or operation of plants and equipment; security vehicles; or vehicles used in storing or distributing materials and equipment.

Conversion charter schools may use capital outlay funds received through the reduction in the administrative fee provided in s. 1002.33(20) for renovation, repair, and maintenance of school facilities that are owned by the sponsor.

Section 3. This act shall take effect July 1, 2017.

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The Florida Senate

Committee Agenda Request

To: Senator Jack Latvala, Chair
Committee on Appropriations

Subject: Committee Agenda Request

Date: March 9, 2017

I respectfully request that **Senate Bill 376**, relating to Charter School Funding, be placed on the:

- ☐ committee agenda at your earliest possible convenience.
- ☒ next committee agenda.

A handwritten signature in black ink, appearing to read "David Simmons", with a stylized flourish at the end.

Senator David Simmons
Florida Senate, District 9

THE FLORIDA SENATE
APPEARANCE RECORD

April 6, 2017

Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

376

Bill Number (if applicable)

376012

*Amendment Barcode (if applicable)*Topic Charter Schools Capital OutlayName Rheb ("Reeb") HarbisonJob Title Senior Director Government AffairsAddress 301 South Bronough Street, Suite 600*Street*Tallahassee*City*FL*State*32301*Zip*Phone 850-577-9090Email rheb.harbison@gray-robinson.comSpeaking: ☐ For ☐ Against ☐ InformationWaive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)Representing The Villages Charter SchoolsAppearing at request of Chair: ☐ Yes ☒ NoLobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/6/17

Meeting Date

SB 376

Bill Number (if applicable)

Topic Charter School Funding

Amendment Barcode (if applicable)

Name Lawrence Clermont

Job Title _____

Address 2841 Englewood Drive

Street

Phone 727 386 9558

Largo FL 33771

City

State

Zip

Email LCLERMONT@gmail.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☒ Against
(The Chair will read this information into the record.)

Representing Florida PTA

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4.6.17

Meeting Date

SB 376

Bill Number (if applicable)

Topic

Capital outlay funding & FRL

Amendment Barcode (if applicable)

Name

Chris Moya

Job Title

Lobbyist Charter Schools USA

Address

Street

Phone

850.321.6092

City

State

Zip

Email

cmoya@jmeswalker.com

Speaking:



For



Against



Information

Waive Speaking:



In Support



Against

(The Chair will read this information into the record.)

Representing

Charter Schools USA

Appearing at request of Chair:



Yes



No

Lobbyist registered with Legislature:



Yes



No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

04/06/17

Meeting Date

SB 374

Bill Number (if applicable)

Topic Support Bill - SB 374

Amendment Barcode (if applicable)

Name Bridget Ziegler

Job Title VP-FCSBM + Vice Chair Sarasota Co-SB

Address 113 S. Monroe St. 1st Fl

Phone 850-391-0421

Street

Tallahassee FL 32301

City

State

Zip

Email Bridget.Ziegler@
sarasotacounty.schools.net

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida Coalition of School Board Members

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/6/17

Meeting Date

376

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Spencer Pylant

Job Title Communications & Government Relations Liaison

Address 7227 Land O'Lakes Blvd.

Street

Phone 813-794-2259

Land O'Lakes

FL

34638

City

State

Zip

Email spylant@pasco.k12.fl.us

Speaking: ☐ For ☐ Against ☒ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Pasco County Schools

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: CS/SB 532

INTRODUCER: Environmental Preservation and Conservation Committee and Senator Galvano and others

SUBJECT: Public Notification of Pollution

DATE: April 4, 2017

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Mitchell</u>	<u>Rogers</u>	<u>EP</u>	<u>Fav/CS</u>
2.	<u>Reagan</u>	<u>Betta</u>	<u>AEN</u>	<u>Recommend: Favorable</u>
3.	<u>Reagan</u>	<u>Hansen</u>	<u>AP</u>	<u>Favorable</u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 532 creates the Public Notice of Pollution Act. The bill defines a reportable pollution release as a release to the air, land, or water that is discovered by the owner or operator of an installation, is not authorized by law, and is:

- Reportable to the State Watch Office;
- Reportable to the Department of Environmental Protection (DEP) or a contracted county pursuant to rules governing storage tank systems;
- Reportable to the DEP pursuant to rules governing underground injection control systems;
- A hazardous substance; or
- An extremely hazardous substance.

The owner or operator of any installation where a reportable pollution release occurs must provide a notice of the release to the DEP. The notice must be submitted to the DEP within 24 hours after discovery of the reportable pollution release and must contain detailed information described in the bill about the installation, the substance, and the circumstances surrounding the release. The bill also requires additional notice to the DEP if a release migrates outside the property boundaries of the installation.

The bill requires the DEP to publish each notice to the Internet within 24 hours after the DEP receives it. The DEP must also create a system for electronic mailing that allows interested parties to subscribe to and receive direct announcements of notices received by the DEP. The

DEP must establish an email address and an online form so that installation owners and operators are able to submit a notice of a reportable pollution release electronically. The bill provides that submitting a notice of a reportable pollution release does not constitute an admission of liability or harm. Finally, the bill provides for \$10,000 per day in civil penalties for violations of these notice requirements and authorizes the DEP to adopt rules to administer these provisions.

The fiscal impact is indeterminate. The DEP will incur minimal costs as a result of the newly established reporting requirements and initiation of the rule making process.

II. Present Situation:

Public Notice

Many commercial, industrial, agricultural, and utility operations and entities are required to report various releases, discharges, or emissions as a condition of permitted operations or pursuant to law or rule. Under state law, to the extent notification is required, it typically must be made to the Department of Environmental Protection.¹ In some cases, notice to the DEP is provided to the State Watch Office, an emergency communications center in the Division of Emergency Management. The State Watch Office, also known as the State Warning Point, serves as Florida's primary point of contact for a wide variety of both natural and man-made emergencies. It serves as the contact point in Florida for communications between local governments and emergency agencies of both the state and federal governments and also provides emergency information to newspapers and radio and television stations.² Examples of notification to the State Watch Office include DEP rule requirements for notification of petroleum discharges,³ wastewater discharges,⁴ and releases of hazardous substances,⁵ and a DEP statutory and rule requirement for notification of a discharge of drycleaning solvents.⁶ Requirements to notify the State Watch Office may also appear in DEP orders, permits, or variances, if required or authorized.

Notifications directly to the DEP or a county under contract with the DEP to perform compliance verification activities are required for certain releases or discharges of pollutants, including petroleum products, pesticides, ammonia, chlorine, hazardous substances, and specified mineral acids from underground or aboveground storage tanks.⁷ Notification is also required to be made to the DEP of any noncompliance with an underground injection control permit that may endanger health or the environment.⁸ Requirements for notifications of the release of hazardous substances in DEP rule define "hazardous substance" and "extremely hazardous substance" by referencing definitions in federal regulations.⁹ Those federal regulations contain extensive lists of

¹ See, e.g., ss. 377.371(2), 376.30702, 403.862(1)(b), and 403.93345(5), F.S.; Fla. Admin. Code R. 62S-6.022.

² Division of Emergency Management, *Florida State Watch Office*, <http://www.floridadisaster.org/Response/Operations/swp.htm> (last visited February 28, 2017); see, e.g., Fla. Admin. Code R. 27P-14.011.

³ Fla. Admin. Code R. 62-780.210(1) and Fla. Admin. Code R. 62S-6.022.

⁴ Fla. Admin. Code R. 62-620.610 and Fla. Admin. Code R. 62-604.550

⁵ Fla. Admin. Code R. 62-150.300.

⁶ Section 376.3078(9)(c) and Fla Admin. Code R. 62-780.210(2).

⁷ Sections 376.303 and 376.322, F.S., Fla. Admin. Code R. 62-761.440, Fla. Admin. Code R. 62-762.441.

⁸ Fla. Admin. Code R. 62-528.307(1)(x).

⁹ Fla. Admin. Code R. 62-150.200 and Fla. Admin. Code R. 62-150.300.

substances defined as hazardous substances and extremely hazardous substances.¹⁰ In certain circumstances, statutes and rules require the owner or operator of an installation to directly notify a local government or the public of actions taken or conditions or occurrences at installations.¹¹

At present, there is no comprehensive notice requirement that all releases of substances be reported under state law. There is also no requirement in current law that all such reporting be accessible to the public.

Public Notice Rule

In response to recent pollution incidents, the DEP initiated rulemaking in 2016 to establish a requirement for notification of releases of pollution from installations throughout the state. On September 27, 2016, the DEP published an emergency rule. The following day, the DEP published a notice of proposed rule with the same language. The emergency rule was in effect during the development of the proposed rule. The proposed rule would have:

- Required owners and operators of installations¹² to provide a notification of pollution within 24 hours of the incident resulting in the pollution or the discovery of the pollution to:
 - The DEP;
 - Local government officials; and
 - The general public.¹³ Notification to the general public under the proposed rule would have required an owner or operator to provide notice of the pollution to local broadcast television affiliates and a newspaper of general circulation in the area of the contamination.
- Required further notifications by owners and operators of installations on the status of the pollution.
- Provided that failure to give a notification of pollution subjected an owner or operator to statutory penalties of up to \$10,000 per day.¹⁴

Following publication of the proposed rule, the DEP received three written proposals for a lower cost regulatory alternative (LCRA) to the rule. The DEP prepared a statement of estimated regulatory costs (SERC) for the rule in response to the proposed LCRAs, as required by s. 120.541(1), F.S.¹⁵ In the SERC, the DEP estimated regulatory costs of \$182,000 per year, a calculation based on the number of notifications made under the newly-minted emergency rule. The LCRAs proposed that the rule be altered to require the DEP to provide notification to local government officials and the general public and that notification requirements under the rule be loosened. The DEP rejected the proposals because it determined that installations in compliance

¹⁰ 40 C.F.R. s. 302.4 and 40 C.F.R. part 355, Appendices A and B.

¹¹ See, e.g., s. 376.707(11), F.S., Fla. Admin. Code R. 62-550.828, Fla. Admin. Code R. 62-560.410(1)(a), Fla. Admin. Code R. 62-761.405(3) and (4), Fla. Admin. Code R. 62-761.430, Fla. Admin. Code R. 62-761.440, Fla. Admin. Code R. 62-762.411, Fla. Admin. Code R. 62-762.431, Fla. Admin. Code R. 62-762.441, Fla. Admin. Code R. 62-560.400, Fla. Admin. Code R. 62-560.410, Fla. Admin. Code R. 62-560.430.

¹² An installation is defined in s. 403.031(4), F.S., as “any structure, equipment, or facility, or appurtenances thereto, or operation which may emit air or water contaminants in quantities prohibited by rules of the department.”

¹³ Proposed Rule 62-4.161, Florida Administrative Register Vol. 42/No. 189.

¹⁴ *Id.*

¹⁵ Statement of Estimated Regulatory Costs, Proposed Rule 62-4.161, *available at* <http://dep.state.fl.us/pollutionnotice/SERC%20for%20Rule%2062-4.161%20w%20attachments.pdf>.

with law would have no costs under the rule and other proposals were inconsistent with the intent of the rule.¹⁶

A notice of change for the proposed rule was published on November 15, 2016. In the change notice, the DEP altered the proposed rule by expanding and clarifying the operation of the notice requirement. The DEP added the following:

- An intent section.
- A reportable release as the trigger for the requirement to provide notice; reportable release defined in the rule as a release of a substance not authorized by law which is discovered by an owner or operator after the effective date of the rule and which is:
 - Reportable to the State Watch Office or to the DEP or a county administering a DEP program under certain rules; or
 - A hazardous or extremely hazardous substance at or above quantities established in certain federal regulations.
- Specific information that must be contained in the notice and the manner the notice must be submitted to various parties.
- Language providing that as long as one party provides notice in compliance with the rule, then other parties are not required to provide notice for the same reportable release.¹⁷

Rule Challenge

On November 18, 2016, several commercial associations filed an administrative challenge to the proposed rule in *Associated Industries of Florida, Inc. et al. v. Department of Environmental Protection*.¹⁸ The petitioners argued that the rule violated statutory requirements and was invalid on four grounds:

- The DEP materially failed to follow the applicable rulemaking procedures and requirements;
- The DEP exceeded its grant of rulemaking authority;
- The proposed rule enlarges, modifies, or contravenes the specific provisions of law implemented; and
- The proposed rule imposes regulatory costs on the regulated person, county, or city which could be reduced by the adoption of less costly alternatives that substantially accomplish the statutory objectives.¹⁹

On December 30, 2016, the administrative law judge (ALJ) entered a final order, holding that the DEP lacked the rulemaking authority for the proposed rule. The final order concluded that the authorities cited by the DEP as providing it with the statutory authority to adopt the rule are general grants of authority and not specific enough to authorize the DEP to require that owners and operators of installations provide notices to local governments, the general public, and broadcast media.²⁰ The ALJ also found that the proposed rule enlarges the provisions of law implemented because the statutory provisions cited by the DEP did not contain specific language regarding reporting requirements for the release of contaminants. The ALJ concluded that the

¹⁶ *Id.*

¹⁷ Notice of Change for Proposed Rule 62-4.161, Florida Administrative Register Vol. 42/No. 222.

¹⁸ Case No. 16-6889RP (Fla. DOAH 2016).

¹⁹ Section 120.52(8), F.S.

²⁰ Final Order, *Associated Industries of Florida, Inc. et al. v. Department of Environmental Protection*, Case No. 16-6889RP (Fla. DOAH 2016), 13, 16, available at <https://www.doah.state.fl.us/ROS/2016/16006889.pdf>.

proposed rule was an invalid exercise of delegated legislative authority, affirming the petitioners' grounds for challenging the rule.²¹ The ALJ did not evaluate the issue of whether the LCRAAs were properly rejected by the DEP because he deemed the rule invalid on other grounds.²²

The DEP has not appealed the final order. The rule, therefore, is invalid because there is insufficient statutory authority for the DEP to adopt this notice of pollution requirement by rule. Immediately following the invalidation of the DEP's proposed rule, the department began providing links on its website regarding notices of releases it receives from permitted and non-permitted facilities throughout the state.²³ The DEP continues to maintain an email list for those who want to subscribe to notices of pollution releases.²⁴ Upon its receipt of a notice of pollution from an installation, the DEP sends it to email list subscribers, local governments, and media outlets,²⁵ fulfilling the function the proposed rule had required of owners and operators of installations for the subset of all releases that are required to be reported to the DEP under current law.

III. Effect of Proposed Changes:

This bill creates the Public Notice of Pollution Act.

The bill sets forth goals and findings related to notifying the public about reportable releases. It defines a reportable pollution release as a release to the air, land, or water that is discovered by the owner or operator of an installation, is not authorized by law, and is:

- Reportable to the State Watch Office pursuant to DEP rule, permit, order, or variance;
- Reportable to the DEP or a contracted county pursuant to rules governing storage tank systems;
- Reportable to the DEP pursuant to rules requiring notice for noncompliance from underground injection control systems where such noncompliance:
 - May endanger public health or the environment; and
 - Has the potential to contaminate potable water wells outside the property boundaries of the installation;
- A hazardous substance as defined in statute at or above quantities established in federal regulations; or
- An extremely hazardous substance as defined in federal regulations.

The bill requires the owner or operator of an installation at which a reportable pollution release occurs to provide a notice to the DEP within 24 hours after discovery of a reportable pollution release. The notice must include:

- The name and address of the installation where the reportable pollution release occurred.
- The name and title of the reporting person and the nature of his or her relationship to the installation.

²¹ *Id.* at 16.

²² *Id.* at 18.

²³ DEP, *Notice of an Incident or Discovery of Pollution*, <http://dep.state.fl.us/pollutionnotice/> (last visited March 5, 2017).

²⁴ DEP, *Notice of an Incident or Discovery of Pollution*, <http://lists.dep.state.fl.us/mailman/listinfo/pollution.notice> (last visited March 5, 2017).

²⁵ DEP, *Notice of an Incident or Discovery of Pollution*, <http://lists.dep.state.fl.us/pipermail/pollution.notice/> (last visited March 5, 2017).

- The identification number for any active DEP permits, variances, registrations, or orders that are relevant to the reportable pollution release.
- The name and telephone number of a contact person for further information.
- The substance released.
- The estimated quantity of the substance released and, if applicable, the estimated quantity that has since been recovered.
- The cause of the release.
- The source of the release.
- The location of the release.
- The date, time, and duration of the release.
- The medium into which the substance was released, such as, but not limited to, the outdoor air, land, groundwater, aquifer, or specified waters or wetlands.
- Whether the released substance has migrated to land or waters of the state outside the property boundaries of the installation and the location of such migration.
- To the extent available, toxicological information associated with the substance released as specified on a safety data sheet or comparable source published by the Occupational Safety and Health Administration or the Centers for Disease Control and Prevention, or their successor agencies.
- Other information to assist in the protection of the public health, safety, and welfare, at the discretion of the owner or operator.

The bill also requires that an additional notice be provided to the DEP if, after submitting the initial notice, the owner or operator determines that a release has migrated outside the property boundaries of the installation. Such additional notice must be given within 24 hours of discovery of the migration and must provide all of the information required in an initial notice and specify the extent of the migration.

A notification of a reportable pollution release made by a party in accordance with statutory requirements constitutes compliance on behalf of all parties subject to the notice requirement for that reportable pollution release. However, if the notification is not made in accordance with statutory requirements, the DEP may pursue enforcement against all parties subject to the notice requirement. After providing a notice of a reportable pollution release, an installation owner or operator may submit a letter to the DEP documenting additional information if an amendment to the notice is warranted or the owner or operator has determined that a reportable pollution release did not, in fact, occur.

The DEP must publish, on a website accessible to the public, all notices submitted by an owner or operator within 24 hours of receipt by the department. The DEP must also create an electronic mailing list for notices and allow the public, including local governments, health departments, news media, and other interested persons, to subscribe to and receive periodic direct announcements of any reportable pollution release notices submitted. The DEP must establish regional electronic mailing lists, such as by county or district boundaries, to allow subscribers to determine the notices they wish to receive by geographic area. The DEP must also establish an e-mail address and an online form as options for owners and operators to provide notices of reportable pollution release.

The bill provides that a reportable pollution release notice provided by an owner or operator to the DEP does not constitute an admission of liability or harm. It also provides that the owner or operator of an installation is subject to civil penalties of up to \$10,000 per day for each day the owner or operator is in violation of the requirement to provide notification of a reportable pollution release. The bill authorizes the DEP to adopt rules to administer these provisions.

The bill takes effect July 1, 2017.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Article VII, s. 18(a) of the Florida Constitution provides in pertinent part that “no county or municipality shall be bound by any general law requiring such county or municipality to spend funds . . . unless the Legislature has determined that such law fulfills an important state interest and unless:

- The law requiring such expenditure is approved by two-thirds of the membership in each house of the legislature; or
- The expenditure is required to comply with a law that applies to all persons similarly situated.”

Although the bill does not contain an express finding that the law fulfills an important state interest, the bill does appear to apply to all persons similarly situated (those owners or operators of an installation at which a reportable pollution release has occurred), including state agencies, school boards, community colleges, counties, municipalities, special districts, and private entities. If this exception (similarly situated) does not apply, the bill must be approved by two-thirds vote of each chamber to be binding upon the counties and municipalities.

An exemption to the constitutional mandates provision may apply if the law has an insignificant fiscal impact on the counties and municipalities. Costs to local governments for gathering and reporting information regarding reportable pollution releases within 24 hours of discovery may have an insignificant fiscal impact. Since the costs associated with this law is expected to be less than \$2 million, it appears the law is exempt from the requirements of Article VII, section 18(a) of the Florida Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Under CS/SB 532, owners and operators of installations which use, produce, or contain substances listed by the DEP will likely incur some costs for gathering and reporting information regarding reportable pollution releases within 24 hours of discovery when such an event occurs.

C. Government Sector Impact:

Installations owned or operated by governmental entities, including local governments, will likely incur some costs for gathering and reporting information regarding reportable pollution releases within 24 hours of discovery when such an event occurs.

The DEP also will likely incur some costs in promulgating rules to administer the provisions of the bill and in developing the website and electronic mailing lists required by the bill. The DEP currently has notifications and electronic mailing for other programs within the department and should have the ability to absorb the costs within existing resources.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill amends section 403.121 of the Florida Statutes.

This bill creates the following sections of the Florida Statutes: 403.076, 403.077, and 403.078.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)**CS by Environmental Preservation and Conservation on March 7, 2017:**

- Makes a technical change to add land to components of nature of which DEP has the authority and duty to control and prohibit pollution.
- Changes the definition of releases that must be reported by eliminating the requirement that DEP determine the releases by establishing and publishing a list of

substances that present an immediate and substantial risk to the public health, safety, or welfare at or above specified quantities determined by DEP. Instead, the CS provides that a reportable pollution release is a release to the air, land, or water that is discovered by the owner or operator of an installation, is not authorized by law, and is:

- Reportable to the State Watch Office;
- Reportable to DEP or a contracted county pursuant to rules governing storage tank systems;
- Reportable to DEP pursuant to rules governing underground injection control systems;
- A hazardous substance as defined in statute at or above quantities established in Federal Regulations; or
- An extremely hazardous substance as defined in Federal Regulations.
- Requires additional notice to DEP if, after providing the initial notice, the owner or operator determines that a release has migrated outside the property boundaries of the installation. Such additional notice must be given within 24 hours of discovery of the migration and must provide all of the information required in an initial notice and specify the extent of the migration.

B. Amendments:

None.

By the Committee on Environmental Preservation and Conservation;
and Senators Galvano, Stewart, Benacquisto, Rouson, Book, and
Young

592-02187-17

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1 A bill to be entitled
2 An act relating to public notification of pollution;
3 creating s. 403.076, F.S.; providing a short title;
4 creating s. 403.077, F.S.; providing goals and
5 legislative findings; specifying authority of the
6 Department of Environmental Protection; specifying
7 that the act does not alter or affect the emergency
8 management responsibilities of certain other
9 governmental entities; creating s. 403.078, F.S.;
10 defining the term "reportable pollution release";
11 requiring an owner or operator of an installation at
12 which a reportable pollution release occurred to
13 provide certain information to the department within
14 24 hours after the discovery of a reportable pollution
15 release; authorizing the owner or operator to amend
16 such notice; specifying compliance and enforcement
17 requirements; requiring owners or operators to provide
18 notice when a reportable pollution release migrates
19 outside the property boundaries of the installation;
20 requiring the department to publish such information
21 in a specified manner; requiring the department to
22 establish an electronic mailing list; requiring the
23 department to provide a reporting form and e-mail
24 address for such notice; specifying that providing a
25 notice does not constitute an admission of liability
26 or harm; specifying penalties for violations;
27 requiring the department to adopt rules; amending s.
28 403.121, F.S.; specifying penalties for failure to
29 provide required notice; providing an effective date.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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30 Be It Enacted by the Legislature of the State of Florida:
31
32
33 Section 1. Section 403.076, Florida Statutes, is created to
34 read:
35 403.076 Short title.—Sections 403.076-403.078 may be cited
36 as the "Public Notice of Pollution Act."
37 Section 2. Section 403.077, Florida Statutes, is created to
38 read:
39 403.077 Public notice of pollution; goals and findings.—
40 (1) It is a goal of the state that the public be timely
41 notified of a discovered, reportable pollution release that may
42 pose an immediate danger to the public health, safety, or
43 welfare.
44 (2) The department has the authority and the duty to
45 control and prohibit pollution of the air, land, and water of
46 this state and has the primary responsibility to ensure that the
47 public is aware of reportable pollution releases. Alerting the
48 department about reportable pollution releases, within the
49 timeframes and in the manner provided by this act, will better
50 inform the department and the public regarding such releases and
51 the need, if any, to take action to protect the public health,
52 safety, and welfare.
53 (3) This act does not alter or affect the emergency
54 management responsibilities of the Governor, the Division of
55 Emergency Management, or the governing body of any political
56 subdivision of the state pursuant to chapter 252.
57 Section 3. Section 403.078, Florida Statutes, is created to
58 read:

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403.078 Public notification of pollution.-

(1) DEFINITION.-As used in this section, the term "reportable pollution release" means the release or discharge of a substance from an installation to the air, land, or waters of the state which is discovered by the owner or operator of the installation, which is not authorized by law, and which is:

(a) Reportable to the State Watch Office within the Division of Emergency Management pursuant to department rules, permit, order, or variance;

(b) Reportable to the department or a contracted county pursuant to department rules governing storage tank systems under ss. 376.303, 376.321, and 376.322;

(c) Reportable to the department pursuant to department rules requiring notice for noncompliance from underground injection control systems where such noncompliance may endanger public health or the environment and has the potential to contaminate potable water wells outside the property boundaries of the installation;

(d) A hazardous substance at or above the quantity established in Table 302.4 of 40 C.F.R. s. 302.4, revised as of July 1, 2016, for such substance, for which notification is required by 40 C.F.R. s. 302.6; or

(e) An extremely hazardous substance pursuant to 40 C.F.R. s. 355.61, at or above the quantity established in Appendices A and B of 40 C.F.R. part 355, revised as of July 1, 2016, for such substance, for which notice is required by 40 C.F.R. s. 355.33.

(2) OWNER AND OPERATOR RESPONSIBILITIES.-

(a) In the event of a reportable pollution release, any

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person who is an owner or operator of the installation at which the reportable pollution release occurred must provide a notice containing the following information, to the extent known at the time of such notice, to the department within 24 hours after its discovery:

1. The name and address of the installation where the reportable pollution release occurred.

2. The name and title of the reporting person and the nature of his or her relationship to the installation.

3. The identification numbers for any active department permits, variances, registrations, or orders that are relevant to the reportable pollution release.

4. The name and telephone number of a contact person for further information.

5. The substance released.

6. The estimated quantity of the substance released and, if applicable, the estimated quantity that has since been recovered.

7. The cause of the release.

8. The source of the release.

9. The location of the release.

10. The date, time, and duration of the release.

11. The medium into which the substance was released, including, but not limited to, the outdoor air, land, groundwater, aquifer, or specified waters or wetlands.

12. Whether the released substance has migrated to land or waters of the state outside the property boundaries of the installation and the location of such migration.

13. To the extent available, toxicological information

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associated with the substance released as specified on a safety data sheet or comparable source published by the Occupational Safety and Health Administration or the Centers for Disease Control and Prevention, or their successor agencies.

The owner or operator may also include in the notice any other information he or she wishes in order to assist in the protection of the public health, safety, and welfare.

(b) If multiple parties are subject to the notification requirements based on a single reportable pollution release, a single notification made by one party in accordance with this section constitutes compliance on behalf of all parties subject to the requirement. However, if the notification is not made in accordance with this section, the department may pursue enforcement against all parties subject to the requirement.

(c) If, after providing notice pursuant to paragraph (a), the installation owner or operator determines that a reportable pollution release did not occur or that an amendment to the notice is warranted, the installation owner or operator may submit a letter to the department documenting such determination.

(d) If, after providing notice under paragraph (a), the installation owner or operator determines that a release subject to the noticing requirements of this act has migrated outside the property boundaries of the installation, the owner or operator, within 24 hours after such discovery, must provide an additional notice to the department. Such notice must comply with the requirements of paragraph (a) and specify the extent of the migration outside the property boundaries.

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(3) DEPARTMENTAL RESPONSIBILITIES.—

(a) The department shall publish on a website accessible to the public all notices submitted by an owner or operator pursuant to subsection (2) within 24 hours of receipt.

(b) The department shall create an electronic mailing list for such notices and allow the public, including local governments, health departments, news media, and other interested persons, to subscribe to and receive periodic direct announcement of any notices submitted pursuant to subsection (2). The department shall establish regional electronic mailing lists, such as by county or district boundaries, to allow subscribers to determine the notices they wish to receive by geographic area.

(c) The department shall establish an e-mail address and an online form as options for owners and operators to provide the notice specified in paragraphs (2)(a) and (b).

(4) ADMISSION OF LIABILITY OR HARM.—Providing notice under subsection (2) does not constitute an admission of liability or harm.

(5) VIOLATIONS.—For failure to provide the notification required by paragraphs (2)(a) or (2)(d), the owner or operator shall be subject to the civil penalties specified in s. 403.121.

(6) ADOPTION OF RULES.—The department shall adopt rules necessary to administer the provisions of this section.

Section 4. Present paragraph (f) of subsection (4) of section 403.121, Florida Statutes, is redesignated as paragraph (g), and a new paragraph (f) is added to that subsection, to read:

403.121 Enforcement; procedure; remedies.—The department

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shall have the following judicial and administrative remedies available to it for violations of this chapter, as specified in s. 403.161(1).

(4) In an administrative proceeding, in addition to the penalties that may be assessed under subsection (3), the department shall assess administrative penalties according to the following schedule:

(f) For failure to provide required notice pursuant to s. 403.078, up to \$10,000 per day for each day an installation owner or operator is in violation of the section.

Section 5. This act shall take effect July 1, 2017.



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Appropriations Subcommittee on Higher
Education, *Chair*
Appropriations
Education
Governmental Oversight and Accountability
Rules

JOINT COMMITTEE:

Joint Legislative Budget Commission

SENATOR BILL GALVANO

21st District

March 22, 2017

Senator Jack Latvala
Committee on Appropriations
201 The Capitol
404 S. Monroe Street
Tallahassee, FL 32399

Dear Chairman Latvala:

I respectfully request that CS/SB 532 Public Notification of Pollution, be scheduled for a hearing in the Committee on Appropriations, at your earliest convenience.

If I can provide additional documentation to you on this, please do not hesitate to contact me.
Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bill", is written over a horizontal line.

Bill Galvano

cc: Mike Hansen
Alicia Weiss

REPLY TO:

- ☐ 1023 Manatee Avenue West, Suite 201, Bradenton, Florida 34205 (941) 741-3401
- ☐ 420 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5021

Senate's Website: www.flsenate.gov

JOE NEGRON
President of the Senate

ANITERE FLORES
President Pro Tempore

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/6/17

Meeting Date

532

Bill Number (if applicable)

Topic Pollution Notification

Amendment Barcode (if applicable)

Name Jim Spratt

Job Title

Address Po Box 10011

Street

Phone 228-1296

TLH

City

FL

State

32302

Zip

Email Jim@magnoliastrategiesllc.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Associated Industries of Florida

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: CS/CS/SB 582

INTRODUCER: Judiciary Committee; Regulated Industries Committee; and Senator Latvala

SUBJECT: Regulatory Boards

DATE: April 4, 2017

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Kraemer</u>	<u>McSwain</u>	<u>RI</u>	Fav/CS
2.	<u>Brown</u>	<u>Cibula</u>	<u>JU</u>	Fav/CS
3.	<u>Davis/Sanders</u>	<u>Hansen</u>	<u>AP</u>	Favorable

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 582 requires the Department of Business and Professional Regulation (DBPR), the Department of Health (DOH), and the Department of Financial Services (DFS) (as to the Board of Funeral, Cemetery, and Consumer Services) (departments) to review final decisions of all regulatory boards under their jurisdiction. Each department must determine if final regulatory board decisions constitute anticompetitive conduct that does not:

- Promote state policy;
- Comport with the standards established by the Legislature; or
- Comport with the authority delegated to a board by the Legislature.

The bill requires department officials who are not active market participants to review final disciplinary actions, rules, declaratory statements, actions concerning unlicensed activity, and licensure application denials. Each department must approve, modify, or void final board decisions and issue an order that will constitute state action. The review of a final board decision is a limited legal review and is not subject to a legal challenge.

Legal defense costs of a board or board members for antitrust actions must be paid from the:

- Professional Regulation Trust Fund, for boards within the DPBR;
- Regulatory Trust Fund, for the Board of Funeral, Cemetery, and Consumer Services within the DFS; and
- Medical Quality Assurance Trust Fund, for boards within the DOH.

In 2015, the United States Supreme Court held that a state board on which a “controlling number” of decision makers (i.e. regulatory board members) are “active market participants” (i.e., members of the profession or occupation being regulated) must be “actively supervised” in order to seek immunity from federal antitrust laws. The requirement for active supervision is intended to avoid a divergence from a valid state policy caused by implementation of the policy by a board in an anticompetitive manner.¹ The case did not address the liability of regulatory board members for money damages. However, the Court noted that the states “may provide for the defense and indemnification of [board] members in the event of litigation.”²

The fiscal impact of the bill is indeterminate.

II. Present Situation:

Background

In 2015, the United States Supreme Court (Supreme Court) considered actions taken by the North Carolina State Board of Dental Examiners (*NC State Bd.*).³ The Supreme Court said:

In the 1990’s, dentists in North Carolina started whitening teeth. Many of those who did so, including 8 of the Board’s 10 members during the period at issue in this case, earned substantial fees for that service. By 2003, nondentists arrived on the scene. They charged lower prices for their services than the dentists did. Dentists soon began to complain to the Board about their new competitors. Few complaints warned of possible harm to consumers. Most expressed a principal concern with the low prices charged by nondentists.

Responding to these filings, the Board opened an investigation into nondentist teeth whitening. A dentist member was placed in charge of the inquiry. Neither the Board’s hygienist member nor its consumer member participated in this undertaking. The Board’s chief operations officer remarked that the Board was ‘going forth to do battle’ with nondentists. [Citation omitted]. The Board’s concern did not result in a formal rule or regulation reviewable by the independent [North Carolina] Rules Review Commission, even though the [North Carolina law] does not, by its terms, specify that teeth whitening is “the practice of dentistry.”

Starting in 2006, the Board issued at least 47 cease-and-desist letters on its official letterhead to nondentist teeth whitening service providers and product manufacturers. Many of those letters directed the recipient to cease ‘all activity constituting the practice of dentistry’; warned that the unlicensed practice of dentistry is a crime; and strongly implied (or

¹ See *North Carolina State Bd. of Dental Exam’rs v. Fed. Trade Comm’n* (*NC State Bd.*), 135 S. Ct. 1101, 1117, (2015). See also E. Dylan Rivers, *Regulating Regulators: Active Supervision of State Regulatory Boards in the Wake of North Carolina State Board of Dental Examiners v. FTC*, *Florida Bar Journal*, Vol. 90, No. 10, at pp. 43-47 (Dec. 2016).

² *Id.* at page 1115.

³ *NC State Bd.*, 135 S. Ct. at 1117.

expressly stated) that teeth whitening constitutes ‘the practice of dentistry.’ [Citation omitted.] In early 2007, the Board persuaded the North Carolina Board of Cosmetic Art Examiners to warn cosmetologists against providing teeth whitening services. Later that year, the Board sent letters to mall operators, stating that kiosk teeth whiteners were violating the Dental Practice Act and advising that the malls consider expelling violators from their premises.

These actions had the intended result. Nondentists ceased offering teeth whitening services in North Carolina.⁴

Federal Antitrust Laws

In *NC State Bd.*, the Supreme Court noted that the federal antitrust laws, including the Sherman Act,⁵ which safeguard the nation’s free market structures, were interpreted in a 1943 case styled *Parker v. Brown*,⁶ to confer immunity on anticompetitive conduct by the states when acting in their sovereign capacity (i.e. *Parker* state-action immunity). As stated by the Supreme Court, the federal antitrust laws “declare a considered and decisive prohibition by the Federal Government of cartels, price fixing, and other combinations or practices that undermine the free market.”⁷

The Sherman Act imposes severe penalties for violations⁸ and promotes robust competition to empower states and provide citizens with opportunities to pursue their own and the public’s welfare.⁹ The Supreme Court, noting that the states “need not adhere in all contexts to a model of unfettered competition,” acknowledged that states may impose restrictions on occupations, confer exclusive or shared rights to dominate a market, or otherwise limit competition to achieve public objectives.¹⁰ The Supreme Court explained that:

If every duly enacted state law or policy were required to conform to the mandates of the Sherman Act, thus promoting competition at the expense of other values a State may deem fundamental, federal antitrust law would impose an impermissible burden on the States’ power to regulate.

The Supreme Court then addressed the requirements for a person to invoke *Parker* state-action immunity. The anticompetitive conduct of those authorized by a state to regulate their own

⁴ *Id.* at 1108.

⁵ 15 U.S.C. §1 *et seq.*

⁶ *See Parker v. Brown*, 317 U. S. 341 (1943).

⁷ *See NC State Bd.*, 135 S. Ct. at 1109.

⁸ According to the Federal Trade Commission (FTC), the penalties for violating the Sherman Act can be severe. The FTC states that: (1) although most enforcement actions are civil, the Sherman Act is also a criminal law, and individuals and businesses that violate it may be prosecuted by the Department of Justice; (2) criminal prosecutions are typically limited to intentional and clear violations such as when competitors fix prices or rig bids; (3) the Sherman Act imposes criminal penalties of up to \$100 million for a corporation and \$1 million for an individual, along with up to 10 years in prison; and (4) under federal law, the maximum fine may be increased to twice the amount the conspirators gained from the illegal acts or twice the money lost by the victims of the crime, if either of those amounts is over \$100 million. *See* <https://www.ftc.gov/tips-advice/competition-guidance/guide-antitrust-laws/antitrust-laws> (last visited Mar. 25, 2017).

⁹ *See NC State Bd.*, 135 S. Ct. at 1109.

¹⁰ *Id.*

profession must result from a procedure that causes the conduct to be deemed state conduct shielded from the federal antitrust laws.¹¹

To determine whether the anticompetitive conduct is state conduct, the Supreme Court applied the two-part test set forth in *California Retail Liquor Dealers Ass’n v. Midcal Aluminum, Inc.*, (*Midcal*), a 1980 case arising from the delegation of price-fixing authority by the State of California to wine merchants.¹² Under *Midcal*, antitrust immunity cannot be invoked unless the state (1) articulates a clear policy to allow the anticompetitive conduct and (2) provides active supervision of anticompetitive conduct.¹³

Midcal’s clear articulation requirement is satisfied, stated the Supreme Court, “where the displacement of competition [is] the inherent, logical, or ordinary result of the exercise of authority delegated by the state legislature. In that scenario, the State must have foreseen and implicitly endorsed the anticompetitive effects as consistent with its policy goals.”¹⁴

Further, the Court noted the active supervision requirement demands “that state officials have and exercise power to review particular anticompetitive acts of private parties and disapprove those that fail to accord with state policy,”¹⁵ and that the rule “stems from the recognition that ‘[w]here a private party is engaging in anticompetitive activity, there is a real danger that he is acting to further his own interests, rather than the governmental interests of the State.’”¹⁶

Midcal’s supervision mandate, stated the Supreme Court, demands “realistic assurance that a private party’s anticompetitive conduct promotes state policy, rather than merely the party’s individual interests.”¹⁷

In October 2015, the Federal Trade Commission issued a document titled “FTC Staff Guidance on Active Supervision of State Regulatory Boards Controlled by Market Participants,” which sets out the views of the Staff of the Bureau of Competition on the active supervision requirement addressed in *NC State Bd.*¹⁸ The staff guidance indicates that even when the state Attorney General provides advice to the regulatory board on an ongoing basis (as occurs for various boards in Florida), that does not constitute active supervision of a state regulatory board that is controlled by active market participants.¹⁹

¹¹ See *NC State Bd.*, 135 S. Ct. at 1110.

¹² See *California Retail Liquor Dealers Ass’n v. Midcal Aluminum, Inc.*, 445 U.S. 97, 105 (1980).

¹³ See *NC State Bd.*, 135 S. Ct. at 1112 (citing *FTC. Ticor Title Ins. Co.*, 504 U.S. 621, 631 (1992) (citing *Cal. Retail Liquor Dealers Ass’n v. Midcal Aluminum*, 445 U.S. 97, 105 (1980))).

¹⁴ See *NC State Bd.*, 135 S. Ct. at 1112, (citing *FTC. V. Phoebe Putney Health Sys.*, 133 S. Ct. 1003, 1006 (2016)).

¹⁵ *Id.* at 1112 (citing *Patrick v. Burget*, 486 U.S. 94, 101 (1988)).

¹⁶ *Patrick*, 486 U.S. at 100 (citation omitted).

¹⁷ *Id.* at 101.

¹⁸ The document includes a statement that the Federal Trade Commission is not bound by the Staff guidance and reserves the right to rescind it at a later date. In addition, staff of the Federal Trade Commission reserves the right to reconsider the views expressed therein, and to modify, rescind, or revoke the document if such action would be in the public interest. See https://www.ftc.gov/system/files/attachments/competition-policy-guidance/active_supervision_of_state_boards.pdf (last visited Mar. 25, 2017).

¹⁹ *Id.* at page 13.

Delegation of Powers and Duties to Regulatory Agencies

The separation-of-powers doctrine prevents the Legislature from delegating its constitutional duties.²⁰ An invalid delegation of authority violates the principle of separation of powers mandated in the Florida Constitution.²¹ When delegating a regulatory responsibility, the Legislature must provide the agency with adequate standards and guidelines.²² The executive branch “must be limited and guided by an appropriately detailed legislative statement of the standards and policies to be followed.”²³

In *Askew v. Cross Key Waterways*,²⁴ the Florida Supreme Court acknowledged that “[w]here the Legislature makes the fundamental policy decision and delegates to some other body the task of implementing that policy under adequate safeguards, there is no violation of the [separation of powers] doctrine”²⁵ If legislation lacks guidelines, and “neither the agency nor the courts can determine whether the agency is carrying out the intent of the legislature in its conduct, then, in fact, the agency becomes the lawgiver rather than the administrator of the law.”²⁶

Agency Rulemaking

Florida’s Administrative Procedure Act, ch. 120, F.S., (FAPA) provides that rulemaking by agencies is limited in nature and is not a matter of agency discretion. Each agency statement defined as a rule²⁷ must be adopted by rulemaking as soon as feasible and practicable.

Rulemaking is presumed feasible, unless the agency proves that:

- The agency has not had sufficient time to acquire the knowledge and experience reasonably necessary to address a statement by rulemaking; or
- Related matters are not sufficiently resolved to enable the agency to address a statement by rulemaking.²⁸

²⁰ See *Board of Architecture v. Wasserman*, 377 So. 2d 653 (Fla. 1979).

²¹ See FLA. CONST. art. II, s. 3, and *Gallagher v. Motors Insurance Corp.*, 605 So. 2d 62 (Fla. 1992).

²² *Askew v. Cross Key Waterways*, 372 So. 2d 913 (Fla. 1978); *Florida East Coast Industries, Inc. v. Dept. of Community Affairs*, 677 So. 2d 357 (Fla. 1st DCA 1996), review denied, 689 So. 2d 1069 (Fla. 1997).

²³ *Florida Home Builders Association v. Division of Labor*, 367 So. 219 (Fla. 1979).

²⁴ *Askew v. Cross Key Waterways*, 372 So. 2d 913 (Fla. 1978).

²⁵ *Id.* at 921 (quoting *CEEED v. California Coastal Zone Conservation Comm’n*, 43 Cal. App. 3d 306, 325 (Cal. App. 3 Dist. 1974)).

²⁶ *Id.* at 918-919. See generally James P. Rhea and Patrick L. “Booter” Imhof, *An Overview of the 1996 Administrative Procedure Act*, 48 U. Fla. L. Rev. 1 (1996); Dan R. Stengle and James P. Rhea, *Putting the Genie Back in the Bottle: The Legislature Struggles to Control Rulemaking by Executive Agencies*, 21 Fla. St. U. L. Rev. 415 (1993); Stephen T. Maher, *We’re No Angels: Rulemaking and Judicial Review in Florida*, 18 Fla. St. U. L. Rev. 767 (1991).

²⁷ Under s. 120.52(16), F.S., the term “rule” means each agency statement of general applicability that implements, interprets, or prescribes law or policy or describes an agency’s procedure or practice requirements. Also included is any form that imposes any requirement or solicits any information not specifically required by statute or by an existing rule, and the amendment or repeal of a rule. The term does not include: (a) internal management memoranda of an agency that do not affect either the private interests of any person or any plan or procedure important to the public, and that no application outside the agency; (b) legal memoranda or opinions to an agency by the Attorney General, or agency legal opinions prior to their use in connection with an agency action; or (c) the preparation or modification of: agency budgets, memoranda or instructions issued by the Chief Financial Officer or Comptroller about agencies’ submission of payment claims, collective bargaining contractual provisions, or memoranda issued by the Executive Office of the Governor relating to information resources management.

²⁸ See s. 120.54(1)(a)1., F.S.

Rulemaking is presumed practicable to the extent necessary to provide fair notice to affected persons of agency procedures and principles, criteria, or standards for agency decisions, unless the agency proves that:

- Detail or precision in the establishment of principles, criteria, or standards for agency decisions is not reasonable under the circumstances; or
- The particular questions addressed are of such a narrow scope that more specific resolution of the matter is impractical outside of an adjudication to determine the substantial interests of a party based on individual circumstances.²⁹

An agency action that goes beyond the powers, functions, and duties delegated by the Legislature is an “invalid exercise of delegated legislative authority” under the FAPA,³⁰ including a proposed or existing rule, if:

- The agency has materially failed to follow the applicable rulemaking procedures or requirements in ch. 120, F.S.;
- The agency has exceeded its grant of rulemaking authority, which must be cited as required by s. 120.54(3)(a)1., F.S.;
- The rule enlarges, modifies, or contravenes the specific provisions of law implemented, which must be cited as required by s. 120.54(3)(a)1., F.S.;
- The rule is vague, fails to establish adequate standards for agency decisions, or vests unbridled discretion in the agency;
- The rule is arbitrary, if it is not supported by logic or the necessary facts; or capricious, if it is adopted without thought or reason or is irrational; or
- The rule imposes regulatory costs on the regulated person, county, or city, which could be reduced by the adoption of less costly alternatives that substantially accomplish the statutory objectives.

In addition to a grant of rulemaking authority from the legislature, for an agency to adopt a rule, there must be a specific law to be implemented. As such, an agency may adopt only rules that implement or interpret the specific powers and duties granted by statute.³¹

Agencies are not authorized to adopt a rule solely on the basis that the rule is reasonably related to the purpose of the enabling legislation and is not arbitrary and capricious or is within the agency’s class of powers and duties.³² Further, agencies are not authorized to implement statutory provisions setting forth general legislative intent or policy.³³ Statutory language granting rulemaking authority or generally describing an agency’s powers and functions must “be construed to extend no further than implementing or interpreting the specific powers and duties conferred by the enabling statute.”³⁴

Rulemaking is a legislative function within the exclusive authority of the legislature, and it is not sufficient that the rule is “within the agency’s class of powers and duties;” there must be a

²⁹ See s. 120.54(1)(a)2., F.S.

³⁰ See s. 120.52(8), F.S.

³¹ *Id.*

³² *Id.*

³³ *Id.*

³⁴ *Id.*

specific grant of rulemaking authority.³⁵ The requirements for agency rulemaking in s. 120.52(8), F.S., are intended to restrict and narrow the scope of agency rulemaking.³⁶ As stated by the First District Court of Appeal in *Board of Trustees of the Internal Improvement Trust Fund v. Day Cruise Ass'n, Inc.*:

It is now clear, agencies have rulemaking authority only where the Legislature has enacted a specific statute, and authorized the agency to implement, and then only if the (proposed) rule implements or interprets specific powers or duties, as opposed to improvising in an area that can be said to fall only generally within some class or powers or duties the Legislature has conferred on the agency.³⁷

Furthermore, in *Southwest Florida Water Management District*, the First District Court of Appeal concluded that “[i]t follows that the authority for an administrative rule is not a matter of degree. The question is whether the statute contains a specific grant of legislative authority for the rule, not whether the grant of authority is specific enough.”³⁸

Regulatory Boards within the Department of Business and Professional Regulation

Section 20.165(4)(a), F.S., establishes the following boards and programs within the Division of Professions, Department of Business and Professional Regulation (DBPR), which are noted along with the applicable implementing statute:

- Board of Architecture and Interior Design, part I of ch. 481, F.S.;
- Florida Board of Auctioneers, part VI of ch. 468, F.S.;
- Barbers’ Board, ch. 476, F.S.;
- Florida Building Code Administrators and Inspectors Board, part XII of ch. 468, F.S.;
- Construction Industry Licensing Board, part I of ch. 489, F.S.;
- Board of Cosmetology, ch. 477, F.S.;
- Electrical Contractors’ Licensing Board, part II of ch. 489, F.S.;
- Board of Employee Leasing Companies, part XI of ch. 46,8 F.S.;
- Board of Landscape Architecture, part II of ch. 481, F.S.;
- Board of Pilot Commissioners, ch. 310, F.S.;
- Board of Professional Engineers, ch. 471, F.S.;
- Board of Professional Geologists, ch. 492, F.S.;
- Board of Veterinary Medicine, ch. 474, F.S.;
- Home Inspection Services Licensing Program, part XV of ch. 468, F.S.; and
- Mold-related Services Licensing Program, part XVI of ch. 468, F.S.

Section 20.165(4)(b), F.S., establishes the following boards and commissions within the Division of Real Estate, DBPR, which are noted along with the applicable implementing statute:

³⁵ See *S.W. Fla. Water Mgmt. Dist. v. Save the Manatee Club, Inc.*, (Southwest Florida Water Management District), 773 So. 2d 594, 598-599 (Fla. 1st DCA 2000).

³⁶ See *Southwest Florida Water Management District*, 773 So. 2d at 597-600, and *Board of Trustees of the Internal Improvement Trust Fund v. Day Cruise Association, Inc.*, (Day Cruise) 794 So. 2d 696, 704 (Fla. 1st DCA 2001).

³⁷ See *Day Cruise*, 794 So. 2d at 700.

³⁸ See *Southwest Florida Water Management District*, 773 So. 2d at 599.

- Florida Real Estate Appraisal Board, created under part II ch. 475, F.S.; and
- Florida Real Estate Commission, created under part I ch. 475, F.S.

In addition, s. 20.165(c), F.S., establishes the Board of Accountancy, created in ch. 473, F.S., within the Division of Certified Public Accounting of the DBPR.

Current law requires that for the boards under its jurisdiction, the DBPR must:³⁹

- Adopt rules for biennial license renewal and may issue to selected licensees up to a four-year license;
- Appoint an executive director of each board, subject to the board's approval;
- Submit an annual budget to the legislature;
- Develop a training program for newly appointed members of a board relating to substantive and procedural laws and rules and fiscal information relating to the profession regulated by the board and the structure of the DBPR;
- Adopt rules to implement ch. 455, F.S., on Regulation of Professions and Occupations;
- Establish the procedures to be used by the DBPR for the use of a board's expert or technical advice for the purposes of investigation, inspection, evaluation of applications, other duties of the DBPR, or any other areas deemed appropriate by the DBPR;
- Require electronic recording of all board proceedings (or of any panel thereof) and all formal or informal proceedings conducted by the DBPR, an administrative law judge, or a hearing officer on licensing or discipline, in order to assure the accurate transcription of all recorded matters;
- Select only investigators, including consultants who undertake investigations, who meet criteria established with the advice of each of the boards; and
- Work cooperatively with the Department of Revenue to implement an automated method for disclosing DBPR licensee information to the Department of Revenue, for use in child support enforcement actions, including the denial, suspension, issuance, or reinstatement of a license after formal direction by a court or the Department of Revenue.

The DBPR also has authority to approve applications for professional licenses that meet statutory and rule requirements and to close and terminate deficient license application files.⁴⁰

Regulatory Boards within the Department of Health

Pursuant to s. 456.001, F.S., the term “board” includes any board or commission, or other statutorily created entity, to the extent the entity is authorized to exercise regulatory or rulemaking functions, within the Department of Health (DOH). In other contexts,⁴¹ the term includes a board, or other statutorily created entity, to the extent, such entity is authorized to exercise regulatory or rulemaking functions within the Division of Medical Quality Assurance (DOH boards).

The 22 boards within the DOH are the:

³⁹ See s. 455.203, F.S.

⁴⁰ See s. 455.203(10), F.S.

⁴¹ For ss. 456.003-456.018, 456.022, 456.023, 456.025-456.033, and 456.039-456.082, F.S., the term includes only those entities exercising regulatory or rulemaking functions that are within the Division of Medical Quality Assurance.

- Board of Acupuncture;
- Board of Athletic Trainers
- Board of Chiropractic Physicians;
- Board of Clinical Laboratory Personnel;
- Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling
- Board of Dentistry;
- Board of Hearing Aid Specialists;
- Board of Massage Therapy;
- Board of Medicine;
- Board of Nursing;
- Board of Nursing Home Administrators;
- Board of Occupational Therapy;
- Board of Opticianry;
- Board of Optometry;
- Board of Orthotists and Prosthetists;
- Board of Osteopathic Physicians;
- Board of Pharmacy;
- Board of Physical Therapy;
- Board of Podiatric Medicine;
- Board of Psychology;
- Board of Respiratory Care; and
- Board of Speech-Pathology and Audiology.⁴²

Regulatory boards under the jurisdiction of the DOH must:

- Adopt rules for biennial license renewal and may issue to selected licensees up to a four-year license;
- Appoint an executive director of each board, subject to the board's approval;
- Submit an annual budget to the Legislature;
- Develop a training program for newly appointed members of a board relating to substantive and procedural laws and rules and fiscal information relating to the profession regulated by the board and the structure of the DOH;
- Adopt rules to implement ch. 456, F.S., on Regulation of Professions and Occupations;
- Establish the procedures to be used by the DOH for the use of a board's expert or technical advice for the purposes of investigation, inspection, evaluation of applications, other duties of the DBPR, or any other areas deemed appropriate by the DOH;
- Require electronic recording of all board proceedings (or of any panel thereof) and all formal or informal proceedings conducted by the DOH, an administrative law judge, or a hearing officer on licensing or discipline, in order to assure the accurate transcription of all recorded matters;
- Select only those investigators, or consultants who undertake investigations, who meet criteria established with the advice of each of the boards;

⁴² Email from Tom Adams, Policy Chief, General Gov't Unit, Executive Office of the Governor, Office of Policy and Budget, to staff of the Senate Committee on Regulated Industries (Mar. 16, 2017) (on file with the Senate Committee on Regulated Industries and the Senate Committee on Judiciary); *see also* Florida Dep't of Health, *Division of Medical Quality Assurance Annual Report and Long-Range Plan for Fiscal Year 2015-2016*, http://www.floridahealth.gov/licensing-and-regulation/reports-and-publications/_documents/annual-report-1516.pdf (last visited Mar. 26, 2107).

- Work cooperatively with the Department of Revenue to implement an automated method for disclosing DOH licensee information to the Department of Revenue, for use in child support enforcement actions, including the denial, suspension, issuance, or reinstatement of a license after formal direction by a court or the Department of Revenue;
- Set an examination fee that includes all costs to develop, purchase, validate, administer, and defend the examination, and that is certain to cover all administrative costs in addition to the actual per-applicant examination cost;
- Work cooperatively with the Agency for Health Care Administration and the judicial system to recover Medicaid overpayments by the Medicaid program; and
- Investigate and prosecute health care practitioners who have not remitted amounts owed to the state for an overpayment from the Medicaid program pursuant to a final order, judgment, stipulation, or settlement.⁴³

The Board of Funeral, Cemetery, and Consumer Services within the Department of Financial Services

The Board of Funeral, Cemetery, and Consumer Services (BFCCS) is housed within the Department of Financial Services.⁴⁴ Pursuant to s. 497.103, F.S., all authority expressly provided is vested solely in the BFCCS and all authority not expressly vested in the BFCCS is vested in the DFS,⁴⁵ such that:

- The DFS and the BFCCS each has standing to institute judicial or other proceedings against the other for the enforcement of s. 497.103, F.S.;
- The BFCCS has standing as a party litigant to challenge any rule proposed or adopted by the DFS under authority of ch. 497, F.S., upon any grounds enumerated in s. 120.52(8), F.S., concerning the invalid exercise of delegated legislative authority;
- The BFCCS must be represented by the Department of Legal Affairs in any such litigation by the BFCCS against the DFS, and the DFS must provide reasonable funds for the conduct of such litigation by the BFCCS; and
- No applicant, licensee, or person other than the BFCCS has standing in any proceeding under ch. 120, F.S., the Administrative Procedure Act, to assert that any rule adopted by the DFS under asserted authority of ch. 497, F.S., is invalid because it relates to a matter under the authority of the BFCCS.⁴⁶

Letter from Attorney General to President of the Senate and Speaker of the House of Representatives

In a letter dated December 9, 2015 to the President of the Senate and the Speaker of the House of Representatives,⁴⁷ the Attorney General addressed the United States Supreme Court's decision in *NC State Bd.* The Attorney General concluded that if the actions of regulatory boards in Florida are not subject to active state supervision, "they now face potential antitrust liability for any

⁴³ See s. 456.004, F.S.

⁴⁴ See s. 497.101, F.S.

⁴⁵ See s. 497.103(2), F.S.

⁴⁶ See s. 497.103(7), F.S.

⁴⁷ Letter to Andy Gardiner, President of the Senate, and Steven Crisafulli, Speaker of the House of Representatives from Attorney General Pam Bondi (Dec. 9, 2015) (on file with the Senate Committee on Regulated Industries and the Senate Committee on Judiciary).

actions they take that may unreasonably burden competition as a result of the [United States] Supreme Court decision.⁴⁸

Florida Antitrust Laws

Chapter 542, F.S., the “Florida Antitrust Act of 1980,” deals with combinations restricting trade or commerce. Such combinations and monopolizations of any trade or commerce are unlawful, unless the activity or conduct is exempt under Florida statutory or common law, or exempt under federal antitrust laws.⁴⁹ Penalties for violations include a civil penalty for natural persons of not more than \$100,000, and for corporate or other entities, a civil penalty of not more than \$1 million.⁵⁰ A person who “knowingly violates” the law by engaging in the unlawful conduct, or who “knowingly aids in or advises such violation,” may be found guilty of a felony punishable by a fine not exceeding \$100,000 (or a fine of \$1 million if a corporation), or imprisonment not exceeding 3 years, or both.⁵¹

III. Effect of Proposed Changes:

This bill provides a framework for active supervision of certain final decisions by all regulatory boards under the jurisdiction of the Department of Business and Professional Regulation (DBPR) and the Department of Health, (DOH), and the Department of Financial Services (DFS) as to the Board of Funeral, Cemetery, and Consumer Services (BFCCS).⁵²

The bill requires the DBPR, the DOH, and the DFS (as to the BFCCS) to review final decisions of regulatory boards under their jurisdiction and requires each department to determine if final regulatory board decisions constitute anticompetitive conduct that does not:

- Promote state policy;
- Comport with the standards established by the Legislature; or
- Comport with the authority delegated to a board by the Legislature.

Each department, by way of departmental officials who are not active market participants, must approve, modify, or void final board decisions and issue an order that constitutes state action. The final board decisions that require review include final disciplinary actions, rules, declaratory statements, actions concerning unlicensed activity, and licensure application denials. The review of a final board decision is a limited legal review and is not subject to legal challenge.

The bill requires that any legal defense costs of a board or board members for antitrust actions be paid from the:

- Professional Regulation Trust Fund, for boards within the DPBR;
- Regulatory Trust Fund, for the BFCCSA within the DFS; and

⁴⁸ *Id.* at page 2.

⁴⁹ See ss. 542.18, 542.19, and 542.20, F.S.

⁵⁰ See s. 542.21(1), F.S.

⁵¹ See s. 542.21(1), F.S.

⁵² *NC State Bd.* conditions state immunity from antitrust actions, in part, upon, active supervision by state agency officials (i.e., “that state officials have and exercise power to review particular anticompetitive acts of private parties and disapprove those that fail to accord with state policy”). See *NC State Bd. v. FTC*, 135 S. Ct. 1101, 1112 (2015) (citing *Patrick v. Burget*, 486 U.S. 94, 101 (1988)).

- Medical Quality Assurance Trust Fund, for boards within the DOH.

The bill takes effect upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The fiscal impact of CS/CS/SB 582 is indeterminate.

The bill requires legal defense costs of a board or board members for antitrust actions to be paid from the Professional Regulation Trust Fund for boards within the DBPR, from the Regulatory Trust Fund for boards within the DOH, and from the Medical Quality Assistance Trust Fund for the BFCCSA within the DFS.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 455.203, 456.004, and 497.103.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS by Judiciary on March 28, 2017:

The CS:

- Requires that reviews of final board decisions for anticompetitive conduct be made by departmental officials who are not active market participants;
- Provides that the review of a final board decision constitutes state action;
- Provides that an order issued pursuant to the review may approve, modify, or void a final board decision (rather than disapprove);
- Provides that the review by the Department of a final board decision is not subject to legal challenge;
- Revises the term “licensure application decisions” to “licensure application denials,” thereby removing a requirement that a department review licensure application approvals; and
- Deletes the requirement that financial damages be paid from the State Risk Management Trust Fund by the Division of Risk Management in the Department of Financial Services.

CS by Regulated Industries on March 21, 2017:

The committee substitute:

- Removes the requirement that Department of Business and Professional Regulation (DBPR) indemnify,⁵³ defend, and hold harmless⁵⁴ current and former members (and their associated businesses) of the numerous regulatory boards under its jurisdiction, in certain circumstances; such indemnification was required from all claims, investigations, lawsuits, damages, and liability incurred by a regulatory board member related to any action or inaction taken in the course of providing service to a regulatory board, but only if the action was taken in good faith and upon a reasonable belief that it complied with state and federal law.
- Expands the state agencies affected by the bill to include the Department of Health (DOH) and the Department of Financial Services (DFS).
- Requires the DBPR, the DOH, and the DFS (as to the Board of Funeral, Cemetery, and Consumer Services) to review final decisions of all regulatory boards under their jurisdiction.
- Requires each department to determine if final regulatory board decisions constitute anticompetitive conduct that does not:
 - Promote state policy;
 - Comport with the standards established by the Legislature; or
 - Comport with the authority delegated to a board by the Legislature.

⁵³ The term “indemnify” means to compensate for loss or damage suffered by a person. See <https://www.merriam-webster.com/dictionary/indemnify> (last visited Mar. 26, 2017).

⁵⁴ The term “hold harmless” relates to an agreement between parties in which one party assumes the potential liability for injury that may arise from a situation and relieves the other party of that potential liability. See <https://www.merriam-webster.com/legal/hold%20harmless> (last visited Mar. 26, 2017).

- Requires each department, based on its findings, to approve, modify, or disapprove final board decisions.
- Provides that final board decisions requiring review include final disciplinary actions, rules, declaratory statements, actions concerning unlicensed activity, and licensure application decisions.
- Provides that the review of a final board decision is a limited legal review, and is subject to legal challenges only through state or federal antitrust legal actions.
- Requires any legal defense costs of a board or board members for antitrust actions be paid from the:
 - Professional Regulation Trust Fund, for boards within the DPBR;
 - Regulatory Trust Fund, for the Board of Funeral, Cemetery, and Consumer Services within the DFS; and
 - Medical Quality Assurance Trust Fund, for boards within the DOH.
- Requires financial damages resulting from antitrust litigation against a regulatory board or board member to be paid from the State Risk Management Trust Fund by the Division of Risk Management in the DFS.

B. Amendments:

None.

By the Committees on Judiciary; and Regulated Industries; and
Senator Latvala

590-02995-17

2017582c2

A bill to be entitled

An act relating to regulatory boards; amending ss. 455.203, 456.004, and 497.103, F.S.; requiring the Department of Business and Professional Regulation, the Department of Health, and the Department of Financial Services, respectively, to determine whether final board decisions constitute certain anticompetitive conduct; requiring the departments to review final board decisions for anticompetitive conduct and issue orders approving, modifying, or voiding each decision; specifying that the departments' anticompetitive review constitutes a limited legal review and its resulting determination is not subject to legal challenge; specifying actions that are considered final board decisions; requiring that legal costs for defense of antitrust actions and financial damages be paid from specified accounts; providing an effective date.

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

Section 1. Subsection (11) is added to section 455.203, Florida Statutes, to read:

455.203 Department; powers and duties.—The department, for the boards under its jurisdiction, shall:

(11) (a) Determine whether final board decisions constitute anticompetitive conduct that does not promote state policy, does not comport with the standards established by the Legislature, or does not comport with the authority delegated to a board by

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the Legislature. The department, by way of departmental officials who are not active market participants, shall review each final board decision for anticompetitive conduct and, based on its findings, shall issue an order constituting state action approving, modifying, or voiding the decision. The department's anticompetitive review constitutes a limited legal review and its resulting determination is not subject to legal challenge. For purposes of this paragraph, the term "final board decisions" includes final orders for disciplinary actions, declaratory statements, actions concerning unlicensed activity, licensure application denials, and rulemaking.

(b) Legal costs for defense of antitrust actions brought against boards or board members shall be paid out of the Professional Regulation Trust Fund.

Section 2. Subsection (12) is added to section 456.004, Florida Statutes, to read:

456.004 Department; powers and duties.—The department, for the professions under its jurisdiction, shall:

(12) (a) Determine whether final board decisions constitute anticompetitive conduct that does not promote state policy, does not comport with the standards established by the Legislature, or does not comport with the authority delegated to a board by the Legislature. The department, by way of departmental officials who are not active market participants, shall review each final board decision for anticompetitive conduct and, based on its findings, shall issue an order constituting state action approving, modifying, or voiding the decision. The department's anticompetitive review constitutes a limited legal review and its resulting determination is not subject to legal challenge.

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For purposes of this paragraph, the term "final board decisions" includes final orders for disciplinary actions, declaratory statements, actions concerning unlicensed activity, licensure application denials, and rulemaking.

(b) Legal costs for defense of antitrust actions brought against boards or board members shall be paid out of the Medical Quality Assurance Trust Fund.

Section 3. Paragraph (e) is added to subsection (7) of section 497.103, Florida Statutes, to read:

497.103 Authority of board and department; Chief Financial Officer recommendations.—

(7) ACTIONS BY BOARD AND DEPARTMENT.—

(e)1. The department shall determine whether final board decisions constitute anticompetitive conduct that does not promote state policy, does not comport with the standards established by the Legislature, or does not comport with the authority delegated to a board by the Legislature. The department, by way of departmental officials who are not active market participants, shall review each final board decision for anticompetitive conduct and, based on its findings, shall issue an order constituting state action approving, modifying, or voiding the decision. The department's anticompetitive review constitutes a limited legal review and its resulting determination is not subject to legal challenge. For purposes of this paragraph, the term "final board decisions" includes final orders for disciplinary actions, declaratory statements, actions concerning unlicensed activity, licensure application denials, and rulemaking.

2. Legal costs for defense of antitrust actions brought

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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against boards or board members shall be paid out of the Regulatory Trust Fund.

Section 4. This act shall take effect upon becoming a law.

Page 4 of 4

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/6/17

Meeting Date

582

Bill Number (if applicable)

Topic Regulatory Boards

Amendment Barcode (if applicable)

Name Stephen Winn

Job Title Executive Director

Address 2544 Blairstone Pines Dr.

Phone 878-7364

Street

Tallahassee

FL

State

32301

Zip

Email winnsr@earthlink.net

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida Osteopathic Medical Association

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/16

Meeting Date

582

Bill Number (if applicable)

Topic Regulatory Boards

Amendment Barcode (if applicable)

Name Chris Hansen

Job Title FPMA

Address _____

Phone 251-2672

Street

Tallahassee FL 32312

City

State

Zip

Email Chansen@bakerdf.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida Podiatric Medical Assoc.

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/6/17
Meeting Date

SB 582
Bill Number (if applicable)

Topic Regulatory Boards

Amendment Barcode (if applicable)

Name Casey Stoutamire

Job Title Director of Third Party Payer & Professional Affairs

Address 118 E. Jefferson St.
Street
Tallahassee FL 32301
City State Zip

Phone 850-224-1089

Email cstoutamire@floridadental.org

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida Dental Association

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: CS/SB 718

INTRODUCER: Transportation Committee and Senator Powell

SUBJECT: Vessel Registrations

DATE: April 4, 2017

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Jones	Miller	TR	Fav/CS
2.	Gross	Diez-Arguelles	AFT	Recommend: Favorable
3.	Gross	Hansen	AP	Favorable

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 718 reduces state vessel registration fees for recreational vessels equipped with a qualifying emergency position-indicating radio beacon or whose owner owns a qualifying personal locator beacon. The beacon must be registered with the National Oceanic and Atmospheric Administration (NOAA) to receive the reduced vessel registration fee.

The bill also removes the July 1, 2017 expiration date of the reduced vessel registration fees. These changes make the registration fee reductions permanent for qualifying vessel owners.

The Revenue Estimating Conference estimates this bill will have an insignificant fiscal impact to the General Revenue Fund in Fiscal Year 2017-2018 and thereafter.

The bill takes effect July 1, 2017.

II. Present Situation:

Vessel Registration

The term “vessel” is defined to be synonymous with boat and includes every description of watercraft, barge, or airboat, other than a seaplane on the water, used or capable of being used as a means of transportation on water.¹ Vessels operated, used, or stored on the waters of this state

¹ Section 327.02(43), F.S.

must be registered with the Department of Highway Safety and Motor Vehicles (DHSMV) as a commercial or recreational² vessel, unless:

- The vessel is operated, used, and stored exclusively on private lakes and ponds;
- The vessel is owned by the U.S. Government;
- The vessel is used exclusively as a ship's lifeboat; or
- The vessel is non-motor-powered and less than 16 feet in length or a non-motor-powered canoe, kayak, racing shell, or rowing scull, regardless of length.³

Section 328.72(12), F.S., provides that vessel registration periods are for 12 or 24 months. An individual who owns a vessel may register the vessel for a 12 or 24-month period that begins the first day of the birth month of the owner and ends the last day of the month preceding the owner's birth month. The registration period for vessels owned by companies, corporations, governmental entities, and registrations issued to dealers and manufacturers is July 1 to June 30.⁴

The base registration fee for vessels is determined by the length of the vessel. The vessel registration fee for a 12-month period, by an owner who does not own and has not registered with NOAA a personal locator beacon or emergency position indicating radio beacon, is as follows:⁵

- *Class A-1*: Less than 12 feet in length and all canoes to which propulsion motors have been attached, regardless of length: \$5.50;
- *Class A-2*: 12 feet or more and less than 16 feet in length: \$16.25;
- *Class 1*: 16 feet or more and less than 26 feet in length: \$28.75;
- *Class 2*: 26 feet or more and less than 40 feet in length: \$78.25;
- *Class 3*: 40 feet or more and less than 65 feet in length: \$127.75;
- *Class 4*: 65 feet or more and less than 110 feet in length: \$152.75;
- *Class 5*: 110 feet or more in length: \$189.75; and
- *Dealer Registration Certificate*: \$25.50.

A portion of the fees from each class of vessel except Class A-1 and Dealer Registration Certificates are distributed to the counties.⁶

Additionally, any county may impose an annual registration fee on vessels registered, operated, used, or stored on waters within its jurisdiction. This fee is 50 percent of the applicable state registration fee, and the first \$1.00 of every registration must be remitted to the state for deposit into the Save the Manatee Trust Fund.⁷ The optional county annual registration fee is retained by the county where the vessel is registered and is to be used for patrol, regulation, and maintenance of the lakes, rivers, and waters and for other boating-related activities within the county.⁸

According to the DHSMV, the counties of Broward, Charlotte, Collier, Dade, Hillsborough, Lee,

² Section 327.02(37), F.S. defines a "recreational vessel" as a vessel manufactured and used primarily for noncommercial purposes, or a vessel leased, rented, or chartered to a person for his or her noncommercial use.

³ Section 328.48(2), F.S.

⁴ Section 328.72(12)(c)2., F.S.

⁵ Section 328.72(1), F.S.

⁶ *Id.*

⁷ Section 328.66, F.S.

⁸ *Id.*

Manatee, Monroe, Palm Beach, Pinellas, Polk, Sarasota, and Volusia charge the Optional County Fee.⁹

Reduced Vessel Registration Fees

In 2016, the Florida Legislature reduced state vessel registration fees for recreational vessels equipped with an emergency position-indicating radio beacon¹⁰ and for a recreational vessel owner who owns a personal locator beacon.¹¹ The reduction applies to vessels registered between July 1, 2016, and June 30, 2017.¹² This provision expires July 1, 2017.

A person who qualifies for the reduced vessel registration must provide sufficient proof to the Department of Highway Safety and Motor Vehicles (DHSMV) to receive such discounted registration. Sufficient proof must contain:

- The name of the beacon owner;
- The expiration date of the beacon's registration;
- The unique identification number of the beacon; and
- For vessels equipped with an emergency position-indicating radio beacon, identification of the vessel equipped with the beacon.

The reduced registration fees for a 12- month period are as follows:

- *Class A-1*: Less than 12 feet in length and all canoes to which propulsion motors have been attached, regardless of length: \$4.24;
- *Class A-2*: 12 feet or more and less than 16 feet in length: \$13.77;
- *Class 1*: 16 feet or more and less than 26 feet in length: \$24.83;
- *Class 2*: 26 feet or more and less than 40 feet in length: \$68.56;
- *Class 3*: 40 feet or more and less than 65 feet in length: \$112.31;
- *Class 4*: 65 feet or more and less than 110 feet in length: \$134.41; and
- *Class 5*: 110 feet or more in length: \$141.15.

Section 328.72(18)(e), F.S., provides that for each reduced vessel registration fee, an amount equal to the difference between the discounted amount paid and the full registration fee is transferred from the General Revenue Fund to the DHSMV, and is distributed in the same manner as vessel registration fees.¹³

⁹ See Department of Highway Safety and Motor Vehicles, *Vessel Registration Chart* (June 2016), available at <http://www3.flhsmv.gov/dmv/proc/fees/fees-04.pdf> (last visited Mar. 15, 2017).

¹⁰ Section 328.72(18)(a) defines “emergency position-indicating radio beacon” as a device installed on the vessel being registered that transmits distress signals at a frequency between 406.0 and 406.1 MHz, is manufactured by a company approved to manufacture beacons by the International Cospas-Sarsat Programme, and is registered with the NOAA.

¹¹ Section 328.72(18)(a) defines “personal locator beacon” as a device designed to be carried by an individual that transmits distress signals at a frequency between 406.0 and 406.1 MHz, is manufactured by a company approved to manufacture beacons by the International Cospas-Sarsat Programme, and is registered with the NOAA.

¹² Chapter 2016-126, Laws of Fla.; s. 328.72(18)(c), F.S., provides that a person who owns a personal locator beacon and more than one recreational vessel qualifies for the reduced vessel registration fee for only one such vessel.

¹³ See s. 328.76, F.S.

For the time period July 2016 through January 2017, 407 vessels were registered at the reduced vessel registration rate.¹⁴ As of January 9, 2017, there were 833,561 vessels registered with the DHSMV.¹⁵

NOAA Search and Rescue Satellite Aided Tracking

The National Oceanic and Atmospheric Administration (NOAA) operates the nation's Search and Rescue Satellite Aided Tracking (SARSAT) system to detect mariners, aviators, and others all over the globe by using satellites in low-earth and geostationary orbits to detect and locate beacon-users in distress.¹⁶

The United States and the governments of Canada, France, and Russia have an agreement to provide for long-term operation of the COSPAS-SARSAT¹⁷ Program, which also provides space-based relay of distress signals or alerts from emergency beacons. The program provides alerts to search and rescue authorities internationally.

Ground stations are called Local User Terminals (LUTs), which are satellite-receiving units. LUTs are fully automated and unmanned. When an LUT receives a distress signal detected by satellite, it is transmitted to the mission control center (MCC) that operates that particular LUT. The MCC collects, stores, and sorts alerts from LUTs and other MCCs and distributes the alerts to search and rescue authorities and other MCCs.¹⁸

Locator Beacons

The emergency beacons used to detect those in distress operate only in the 406.0 to 406.1 megahertz (MHz) frequency band to transmit digital messages to satellites for transmission to the appropriate LUT. The frequency is restricted to low power satellite emergency position-indicating beacons in the mobile satellite service. According to NOAA, two types of 406 MHz emergency beacons are:

- *Emergency Position-Indicating Radio Beacons*, or EPIRBs:
 - An EPIRB is an emergency position-indicating radio beacon used in maritime watercraft that can be automatically or manually activated to transmit a distress signal to a satellite. EPIRBs that activate automatically typically have a hydrostatic release mechanism that, when immersed, allows the beacon to release from its bracket, float to the surface and start transmitting. The beacon, along with the bracket, has to sink to approximately three meters before it will activate automatically; and
- *Personal Locator Beacons*, or PLBs:
 - A PLB is a personal locator beacon designed to be carried by an individual that can only be activated manually. PLBs can be used by people operating in remote areas.¹⁹

¹⁴ Revenue Estimating Conference, *Analysis of HB 711/SB 718 – Vessel Registrations* (Feb. 24, 2017), available at <http://edr.state.fl.us/Content/conferences/revenueimpact/archives/2017/pdf/page177-178.pdf> (last visited Mar. 15, 2017).

¹⁵ DHSMV website, *Current Vehicles Registered* (Jan. 9, 2017), available at http://www.flhsmv.gov/pdf/vehicle-vesselreports/cvr_01_2017.pdf (last visited Mar. 15, 2017).

¹⁶ See the NOAA SARSAT website, available at <http://www.sarsat.noaa.gov/index.html> (last visited Mar. 15, 2017).

¹⁷ COSPAS is a Russian acronym for “Space System for Search of Vessels in Distress.” See the SARSAT FAQ website, available at <http://www.sarsat.noaa.gov/faq%202.html> (last visited Mar. 15, 2017).

¹⁸ *Id.*

¹⁹ *Id.*

According to NOAA, the average cost of a global positioning system (GPS)-equipped EPIRB is \$800; the average cost of a PLB is \$300.²⁰

Registration of Beacons with NOAA

Registration of a 406 MHz emergency beacon, and subsequent updating of the information, is free and required by Title 47 of the Code of Federal Regulations, part 80 for EPIRBs and part 95 for PLBs. Information provided in a registration is used by search and rescue authorities, along with the distress signal from the beacon, solely to help locate and rescue those in distress. NOAA provides an online system for initial and updated beacon registrations, and registrations must be renewed every two years.²¹

III. Effect of Proposed Changes:

The bill permanently reduces state vessel registration fees for recreational vessels equipped with a qualifying EPIRB or whose owner owns a qualifying PLB. The beacon must be registered with NOAA to receive the reduced vessel registration fee.

The bill also removes the July 1, 2017 expiration date of the reduced vessel registration fees. These changes make the registration fee reductions permanent for qualifying vessel owners.

The following table displays, by vessel class, the current base fees, the current reduced base fees, and this bill's proposed reduced base fees:

<i>Class of Vessel</i>	Recreational Vessel Registration Fees for Each 12-Month Period		
	<i>Current Base Fee</i>	<i>Current Reduced Base Fee</i>	<i>Reduced Base Fee</i>
Class A-1	\$5.50	\$4.24	\$2.95
Class A-2	\$16.25	\$13.77	\$11.00
Class 1	\$28.75	\$24.83	\$20.40
Class 2	\$78.25	\$68.56	\$57.50
Class 3	\$127.75	\$112.31	\$94.95
Class 4	\$152.75	\$134.41	\$113.40
Class 5	\$189.75	\$167.11	\$141.15

The bill takes effect July 1, 2017.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

²⁰ NOAA website, *What's New at Sarsat*, available at <http://www.sarsat.noaa.gov/new.html> (last visited Mar. 7, 2017).

²¹ See *supra* note 15; NOAA prefers owners register beacons, available at www.beaconregistration.noaa.gov, however individuals may also mail or fax signed registration forms.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

The Revenue Estimating Conference estimates this bill will have an insignificant fiscal impact to the General Revenue Fund in Fiscal Year 2017-2018 and thereafter.²²

B. Private Sector Impact:

Individuals who have certain locator beacons registered with NOAA will receive a discount in recreational vessel registration fees.

C. Government Sector Impact:

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 328.72 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Transportation on March 14, 2017:

The CS removes from the bill a recurring appropriation of \$500,000 from the General Revenue Fund to the Fish and Wildlife Conservation Commission for deposit in the Marine Resources Conservation Trust Fund.

B. Amendments:

None.

²² Revenue Estimating Conference, *Analysis of HB 711/SB 718 – Vessel Registrations* (Feb. 24, 2017), available at http://edr.state.fl.us/Content/conferences/revenueimpact/archives/2017/_pdf/page177-178.pdf (last visited Mar. 7, 2017).

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By the Committee on Transportation; and Senator Powell

596-02449-17

2017718c1

A bill to be entitled

An act relating to vessel registrations; amending s. 328.72, F.S.; revising a reduction of vessel registration fees for recreational vessels equipped with certain position indicating and locating beacons; deleting a registration date limitation; deleting an expiration date; providing an effective date.

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

Section 1. Subsection (18) of section 328.72, Florida Statutes, is amended to read:

328.72 Classification; registration; fees and charges; surcharge; disposition of fees; fines; marine turtle stickers.—

(18) REDUCED VESSEL REGISTRATION FEE.—

(a) As used in this subsection, the term:

1. "Emergency position-indicating radio beacon" means a device installed on the vessel being registered that:

a. Transmits distress signals at a frequency between 406.0 and 406.1 MHz;

b. Is manufactured by a company approved to manufacture beacons by the International Cospas-Sarsat Programme; and

c. Is registered with the United States National Oceanic and Atmospheric Administration.

2. "Full registration fee amount" means the registration fee as provided in subsection (1) and not the reduced vessel registration fee specified in this subsection.

3. "Personal locator beacon" means a device designed to be carried by an individual that:

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a. Transmits distress signals at a frequency between 406.0 and 406.1 MHz;

b. Is manufactured by a company approved to manufacture beacons by the International Cospas-Sarsat Programme; and

c. Is registered with the United States National Oceanic and Atmospheric Administration.

(b) The registration certificate fee imposed under subsection (1) for a recreational vessel equipped with an emergency position-indicating radio beacon, or for a recreational vessel the owner of which owns a personal locator beacon, shall be reduced to the following amounts for each 12-month period registered:

1. Class A-1—\$2.95 ~~\$4.24~~.

2. Class A-2—\$11.00 ~~\$13.77~~.

3. Class 1—\$20.40 ~~\$24.83~~.

4. Class 2—\$57.50 ~~\$68.56~~.

5. Class 3—\$94.95 ~~\$112.31~~.

6. Class 4—\$113.40 ~~\$134.41~~.

7. Class 5—\$141.15 ~~\$167.11~~.

(c) A person who owns a personal locator beacon and who owns more than one recreational vessel qualifies to pay the reduced fee under paragraph (b) for only one such vessel.

(d) In order to qualify for reduced registration fees under this subsection, a vessel owner must, at the time of registration, demonstrate that the vessel is equipped with an emergency position-indicating radio beacon or that the vessel owner owns a personal locator beacon. The Department of Highway Safety and Motor Vehicles may adopt rules specifying what constitutes sufficient proof to qualify for reduced registration

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fees under this subsection, but such proof must contain, at a minimum, the following:

1. The name of the beacon owner.
2. The expiration date of the beacon's registration.
3. The unique identification number of the beacon.
4. For vessels equipped with an emergency position-indicating radio beacon, identification of the vessel equipped with the beacon.

(e) For each vessel registration qualifying for reduced registration fees under this subsection, an amount equal to the difference between the full registration fee amount and the actual amount of registration fee paid for such vessel registration shall be transferred from the General Revenue Fund to the Department of Highway Safety and Motor Vehicles and shall be distributed pursuant to s. 328.76.

~~(f) The reduced registration certificate fee amounts provided in this subsection apply only to applicable vessels registered during the period beginning July 1, 2016, and ending June 30, 2017.~~

~~(g) This subsection expires July 1, 2017.~~

Section 2. This act shall take effect July 1, 2017.



The Florida Senate
Committee Agenda Request

To: Senator Jack Latvala, Chair
Committee on Appropriations

Subject: Committee Agenda Request

Date: March 23, 2017

I respectfully request that **Senate Bill #718**, relating to Vessel Registration, be placed on the:

- ☐ committee agenda at your earliest possible convenience.
- ☒ next committee agenda.

A handwritten signature in black ink, appearing to read "Bobby Powell", is written over a horizontal line.

Senator Bobby Powell
Florida Senate, District 30

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: CS/CS/SB 852

INTRODUCER: Appropriations Committee; Criminal Justice Committee; and Senator Garcia and others

SUBJECT: Human Trafficking

DATE: April 7, 2017

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Jones	Hrdlicka	CJ	Fav/CS
2. Davis	Cibula	JU	Favorable
3. Sneed	Hansen	AP	Fav/CS

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 852 amends multiple statutes to include the term “commercial sexual exploitation.” The term emphasizes the fact that sex is exchanged for money, goods, or services and better defines the victims served by the Department of Children and Families (DCF), sheriff’s offices conducting child abuse investigations, and community-based care agencies.

The bill:

- Defines the term “commercial sexual exploitation” to mean the use of any person under the age of 18 for sexual purposes in exchange for, or the promise of, money, goods, or services;
- Changes the date of the annual report by the DCF on commercial sex trafficking of minors from December 1st to October 1st;
- Requires the DCF to maintain data specifying certain services available for verified victims of commercial sexual exploitation;
- Adds the crime of “human trafficking involving commercial sexual activity” to the list of crimes where the defendant’s confession is admissible during specified situations in trial;
- Amends various sections of statute to remove references to the outdated definition of “sexually exploited child” and replace it with references to “commercial sexual exploitation;”
- Clarifies procedures for conducting a multidisciplinary staffing for alleged or verified victims of commercial sexual exploitation who are not eligible for relief or benefits under the federal Trafficking Victims Protection Act;

- Requires that the multidisciplinary staffing develop a service plan for any child victims suspected or verified as victims of commercial sexual exploitation and that the plan identify the victim's needs and local services;
- Specifies that services provided in the service plan be in the least restrictive environment and identifies types of services that may be included in the service plan; Requires the DCF or the sheriff's office to follow up with the verified victims of commercial sexual exploitation within six months; and
- Requires a person licensed or certified under part I of ch. 464, F.S., relating to nursing, to complete a two-hour course on human trafficking as part of the continuing education currently required.

The bill will likely have a fiscal impact on the DCF and the six sheriff's offices that conduct child protective services through a contract with the DCF; however, the impact is not expected to be significant. The bill will also likely have a fiscal impact on the Department of Health and the Board of Nursing. See Section V. Fiscal Impact Statement.

The bill provides an effective date of October 1, 2017.

II. Present Situation:

Human trafficking is a form of modern-day slavery. Victims of human trafficking are young children, men, and women, who are often subjected to force, fraud, or coercion for the purpose of sexual exploitation or forced labor. Approximately 20.9 million adults and children are estimated to be in some sort of forced labor or sexual exploitation. Of that number, an estimated 26 percent are children, and in 2010, it was estimated that as many as 300,000 children in the United States are at risk for exploitation each year.¹

Section 787.06, F.S., is Florida's human trafficking statute. It defines "human trafficking" as the "transporting, soliciting, recruiting, harboring, providing, enticing, maintaining, or obtaining of another person for the purpose of exploitation of that person." The statute contains a variety of provisions prohibiting persons from knowingly engaging in human trafficking by using labor or services or through commercial sexual activity.² Similarly, sex trafficking is defined as a commercial sex act induced by force, fraud, or coercion in which the person induced to perform the act is under 18.³

Children can be victims of human trafficking in two forms: commercial sexual exploitation and labor exploitation. In Florida, human trafficking is reported to the Child Abuse Hotline. Toll free national numbers to report human trafficking of children in Florida are relayed to the abuse hotline.

¹ U.S. Department of Justice, Office of Justice Programs, *OJP Fact Sheet, Fast Facts*, (December 2011) available at http://ojp.gov/newsroom/factsheets/ojpfs_humantrafficking.html (last visited March 19, 2017). Polaris, *Human Trafficking: The Facts*, 2016, available at <https://polarisproject.org/facts> (last visited March 19, 2017).

² See ss. 787.06(3) and (4), F.S.

³ Department of Children and Families, *What is Human Trafficking*, available at <http://www.myflfamilies.com/service-programs/human-trafficking/what-is-human-trafficking> (last visited March 19, 2017). 22 U.S.C. s. 7102(9)(A).

Commercial sex acts include, but are not limited to, prostitution and/or pornography as a means for the perpetrator to make money.⁴ Calls to the abuse hotline are investigated by the DCF or, in certain counties, by the sheriff's office.⁵

Once a call is made to the hotline, an investigation is opened by the DCF or certain sheriff's office in counties where the sheriff conducts child abuse investigations. If commercial sexual trafficking is suspected or verified, the DCF, community-based care agencies, or sheriff's office, conducts a multidisciplinary staffing on each case.⁶ The staffing includes local experts in child protection, child welfare, medical professionals, and law enforcement officers who assess the needs of the child and determine if the victim needs placement in a residential home, or "safe house" pursuant to s. 39.524, F.S. Multidisciplinary staffing teams are also charged with assessing the local services available to victims of commercial sexual exploitation.⁷

Section 409.16791, F.S., requires the Legislature's Office of Program Policy Analysis and Government Accountability (OPPAGA) to conduct an annual study on commercial sexual exploitation of children. The most recent report found that in 2015, there were 1,279 reports of human trafficking to the Child Abuse Hotline in Florida. Of those, 264 were verified. Of the verified cases, 123 were dependent children in foster care while 141 were not dependent. The OPPAGA report noted that there is no data on the status or outcomes for the 141 victims not in foster care.⁸

III. Effect of Proposed Changes:

Section 1 amends s. 39.524, F.S., relating to safe-harbor placement, to update terminology. Current law uses the term "sexual exploitation" defined in s. 39.01(70)(g), F.S., relating to sexual abuse. The term "commercial sexual exploitation" is more appropriate because it emphasizes the fact that sex is exchanged for money, goods, or services.

Annual Report -The bill changes the due date of the DCF's annual report to the Legislature on commercial sex trafficking of minors from December 1st to October 1st. Most of the state's child welfare reports are due October 1st of each year to allow the Legislature time to consider the reports before the legislative session. The required reporting categories are expanded. The bill requires the DCF, with information from sheriff's offices that conduct child abuse investigations and community-based care agencies, to report on the prevalence of exploitation in Florida,

⁴ The federal Trafficking Victims Protection Act defines "commercial sex act" as any sex act on account of which anything of value is given to or received by *any person*. 22 USC s. 7102 (4).

⁵ Section 39.3065, F.S., and specific appropriation 331 of the 2016-2017 General Appropriations Act (Ch. 2016-66, s. 331, L.O.F.) assign state responsibility for conducting child abuse investigations to the sheriff's offices in Broward, Hillsborough, Manatee, Pasco, Pinellas, and Seminole counties.

⁶ Section 409.1754(2), F.S.

⁷ *Id.*

⁸ Office of Program Policy Analysis and Government Accountability, *Placement Challenges Persist for Child Victims of Commercial Sexual Exploitation; Questions Regarding Effective Interventions and Outcomes Remain*, Report No. 16-04, available at <http://www.oppaga.state.fl.us/Summary.aspx?reportNum=16-04> (last visited March 19, 2017). Ch. 2014-161, L.O.F.

specialized services, local services, and the DCF's response to the recommendations from the annual report by OPPAGA on commercial sexual exploitation of children.⁹

The DCF is required to maintain data specifying the number of children who were:

- Verified victims of commercial sexual exploitation.
- Referred to nonresidential services in the community.
- Placed in a safe house or safe foster home.
- Referred to a safe house or safe foster home for whom placement was unavailable.

The DCF must also identify which counties did not have the available placement in a safe house or safe foster home.

Section 2 amends s. 92.565, F.S., relating to the admissibility of a confession in sexual abuse cases, to add the crime of “human trafficking involving commercial sexual activity,” s. 787.06(3), F.S., to the list of crimes where the defendant's confession is admissible during specified situations in trial, without the state proving the corpus delicti¹⁰ of the crime. This may strengthen the prosecution of persons committing commercial sexual exploitation of children.

Section 3 adds the term “commercial sexual exploitation” to the definition section of chapter 409, F.S., dealing with social and economic assistance. Commercial sexual exploitation means “the use of any person under the age of 18 for sexual purposes in exchange for, or promise of money, goods, or services.” This definition is added to chapter 409, F.S., because the state's program to serve child victims of commercial sexual exploitation is not limited to dependent children under chapter 39, F.S. This new term better defines the victims served by the DCF, sheriff's offices conducting child abuse investigations, and community-based care agencies.¹¹ The bill clarifies that a sheriff's office that provides child protection services must assess children for services and safe-harbor placement.¹²

Section 4 amends s. 409.1678, F.S., to remove the outdated definition of “sexually exploited child” and replace it with “commercial sexual exploitation.” Section 409.1678, F.S., addresses the specialized residential options for children who are victims of commercial sexual exploitation. These homes specialize in the care of victims of commercial sexual exploitation. There are currently four safe houses licensed by the DCF statewide. These four homes have a total capacity of 24 beds.¹³ The bill allows the DCF to serve those victims not eligible for relief and benefits under the federal Trafficking Victims Protection Act.¹⁴

⁹ The report by the Office of Program Policy Analysis and Government Accountability is required each year pursuant to s. 409.16791, F.S.

¹⁰ In Latin, “corpus delicti” literally means the body of the crime. In legal terms it means the fact of a crime having been actually committed. BLACK'S LAW DICTIONARY, 346 (7th ed. 1999).

¹¹ See Department of Children and Families Operating Procedure No. 170-14, *Response to the Human Trafficking of Children*, July 1, 2016, available at http://centerforchildwelfare.fmhi.usf.edu/kb/DCF_Pol/CFOP_170/CFOP170-14.pdf (last visited on March 20, 2017).

¹² See *supra* note 5.

¹³ See *supra* note 8.

¹⁴ Federal Trafficking Victims Protection Act, 22 U.S.C. ss. 7101 et seq.

Section 5 amends s. 409.1754, F.S., to clarify procedures for conducting a multidisciplinary staffing for alleged or verified victims of commercial sexual exploitation, who are not eligible for relief or benefits under the federal Trafficking Victims Protection Act, 22 U.S.C. ss. 7101 et seq. The bill requires that the multidisciplinary staffing develop a service plan for any child victims suspected or verified as a victim of commercial sexual exploitation. This service plan identifies the victim's needs and local services. The bill directs the DCF to update the case plan required under chapter 39, F.S., for dependent children who are alleged or verified victims of commercial sexual exploitation.

The bill clarifies that in those counties where the sheriff's office conducts child abuse investigations that the sheriff's office must provide the service plan. The service plan is voluntary and is provided to the victim's family or legal guardian.

The bill specifies that services provided in the service plan be in the least restrictive environment and identifies types of services that may be included in the service plan. These services include:

- Emergency shelter and runaway center services;
- Outpatient individual or group counseling for the victim and the victim's family or legal guardian;
- Substance use disorder treatment services;
- Drop-in centers or mentoring programs;
- Commercial sexual exploitation treatment programs;
- Child advocacy center services pursuant to s. 39.3035, F.S.;
- Prevention services such as those provided by the Florida Network of Youth and Family Services and the PACE Center for Girls;
- Family foster care;
- Therapeutic foster care;
- Safe houses or safe foster homes;
- Residential treatment programs; and
- Employment or workforce training.

The DCF or the sheriff's office must follow up with all verified victims of commercial sexual exploitation, not just victims who are dependent (foster care), within six months to determine if: the child received services; these services assisted the child and his or her family; and the child has been victimized again.

Section 6 amends s. 464.013, F.S., to require a person licensed or certified under part I of ch. 464, F.S., (Nurse Practice Act) to complete a 2-hour course on human trafficking as part of the continuing education currently required. Currently s. 464.013, F.S., specifies that the Board of Nursing must prescribe up to 30 hours of continuing education biennially as a condition for renewal of a nursing license or certificate. The bill requires licensees to complete the 2-hour continuing education course by May 2, 2019, and every biennial period thereafter. The 2-hour continuing education course consists of:

- Data and information on the types and extent of labor and sex trafficking;
- Factors that place a person at greater risk of being a victim of human trafficking;
- Public and private social services available for rescue, food, clothing, and shelter referrals;

- Hotlines for reporting human trafficking maintained by the National Human Trafficking Resource Center and the U.S. Department of Homeland Security;
- Validated assessment tools for the identification of human trafficking victims;
- General indicators that a person may be a victim of human trafficking;
- Procedures for sharing information related to human trafficking with a patient; and
- Referral options for legal and social services.

Section 7 amends s. 907.041, F.S., relating to pretrial detention and release, to add “human trafficking” to the list of crimes considered dangerous and for which the court may not grant nonmonetary pretrial release at first appearance.

Section 8 reenacts s. 790.065, F.S., relating to the sale and delivery of firearms, in order to incorporate the amendments made to s. 907.041, F.S.

Section 9 provides the bill is effective October 1, 2017.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Article VII, s. 18(a) of the State Constitution provides that: “No county or municipality shall be bound by any general law requiring such county or municipality to spend funds...unless the legislature has determined that such law fulfills an important state interest and unless: ...the expenditure is required to comply with a law that applies to all persons similarly situated . . .”

The bill requires the six sheriff’s offices that have the responsibility for conducting child abuse investigations in their respective counties to provide a service plan and follow up with all verified victims. This requirement may cause the six sheriff’s offices to incur additional costs. This bill does not include any legislative findings that the bill fulfills important state interests. However, the bill applies to all persons similarly situated (all entities involved with victims of commercial sexual exploitation).

An exemption applies if these costs are insignificant (less than \$2.0 million). In this case, the costs associated with the bill are indeterminate but are not expected to be above the \$2 million threshold. Thus, this bill most likely is exempt from the mandates provision of the Florida Constitution due to its insignificant fiscal impact.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Under CS/CS/SB 852, the additional requirement of developing a service plan for each child who is not dependent would fall to the community-based care lead agencies. Based upon current trends, the DCF estimates that 405 children will have a verified report of commercial child sexual exploitation in FY 2016-2017. The community-based care lead agencies currently provide a case manager and develop a case plan for community children who are placed in residential placements based on their commercial sexual exploitation victimization, and this has been minimal throughout the regions. The DCF believes that the workload increase will be minimal and can be absorbed within existing resources.¹⁵

The bill requires current nursing licensees to take the new human trafficking course by May 1, 2019. Nursing licensees are currently required to complete continuing education biennially. Thus, most licensees will not incur additional costs to complete the 2-hour course on human trafficking.

C. Government Sector Impact:

Currently, regional DCF staff and community-based care agency staff conduct multidisciplinary staffings for alleged and confirmed victims of commercial sex trafficking. The bill requires the staff to develop a service plan at the multidisciplinary staffings for verified victims of commercial sex trafficking. Identifying local services available to victims is currently a duty of the multidisciplinary staffings.¹⁶ The bill requires the staffings to document the local services that would be needed by each victim based on the information the staffing is required by law to collect and maintain. This is a new requirement and can be absorbed within existing resources.¹⁷

The bill requires the DCF to follow up with victims of commercial sex trafficking within six months of a confirmed case. The DCF's Florida Safe Families Network currently holds information on the care and status of victims who are dependent. Information on victims who are not dependent will have to be collected. The bill authorizes the DCF to collect basic status information from the victim, family, or legal guardian. This is a new requirement and can be absorbed within existing resources.

Sheriff's offices in six counties conduct child protective services by law and through a contract with the DCF.¹⁸ These sheriff's offices are currently required to conduct

¹⁵ Department of Children and Families, *Senate Bill 852 Legislative Analysis* (Feb. 15, 2017) (on file with the Senate Committee on Judiciary).

¹⁶ Section 409.1754 (2), F.S.

¹⁷ See *supra* note 16.

¹⁸ Section 39.3065, F.S.

multidisciplinary staffings along with the local community-based care agency. Sheriff's offices could see an increase in costs to prepare a service plan for victims and for following up with victims who are not dependent. The cost is not expected to be significant.¹⁹

The bill requires a person licensed or certified under ch. 464, F.S., relating to nursing, to complete a 2-hour course on human trafficking as part of the continuing education currently required. This requirement will have a negative indeterminate fiscal impact on the Department of Health and the Board of Nursing.

VI. Technical Deficiencies:

None.

VII. Related Issues:

The bill requires nursing licensees to take the new human trafficking course by May 1, 2019. However, it would seem more appropriate to revise the date to October 1, 2019 to allow all licensees an opportunity to take the course as part of their biennial continuing education, and not have to take an additional course.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 39.524, 92.565, 409.016, 409.1678, 409.1754, 464.013, and 907.041.

This bill reenacts section 790.065 of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS by Appropriations Committee on April 6, 2017:

The committee substitute:

- Requires a person licensed or certified under part I of ch. 464, F.S., to complete a 2-hour course on human trafficking as part of the continuing education currently;
- Specifies what the continuing education course on human trafficking must consist of; and
- Requires all licensees complete the course by May 1, 2019, and every biennial period thereafter.

CS by Criminal Justice on March 13, 2017:

The committee substitute made a technical change to update a reference to chapter law to the enacted statute, s. 409.16791, F.S.

¹⁹ See *supra* note 16.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



681222

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/07/2017	.	
	.	
	.	
	.	

The Committee on Appropriations (Latvala) recommended the following:

Senate Amendment (with title amendment)

Between lines 519 and 520
insert:

Section 6. Paragraph (c) is added to subsection (3) of
section 464.013, Florida Statutes, to read:

464.013 Renewal of license or certificate.—

(3) The board shall by rule prescribe up to 30 hours of
continuing education biennially as a condition for renewal of a
license or certificate.



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(c) Notwithstanding the exemption in paragraph (a), as part of the maximum biennial continuing education hours required under this subsection, the board shall require each person licensed or certified under this chapter to complete a 2-hour continuing education course on human trafficking, as defined in s. 787.06(2). The continuing education course must consist of data and information on the types of human trafficking, such as labor and sex, and the extent of human trafficking; factors that place a person at greater risk of being a victim of human trafficking; public and private social services available for rescue, food, clothing, and shelter referrals; hotlines for reporting human trafficking which are maintained by the National Human Trafficking Resource Center and the United States Department of Homeland Security; validated assessment tools for identifying a human trafficking victim and general indicators that a person may be a victim of human trafficking; procedures for sharing information related to human trafficking with a patient; and referral options for legal and social services. All licensees must complete this course no later than May 1, 2019, and every biennial period thereafter.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

 Delete line 30

and insert:

 a specified timeframe; amending s. 464.013, F.S.;
 revising the continuing medical education course
 requirements for certain relicensures or
 recertifications to include a course in human



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40 trafficking; providing requirements and procedures for
41 the course; amending s. 907.041, F.S.;

By the Committee on Criminal Justice; and Senators Garcia,
Benacquisto, Flores, and Campbell

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1 A bill to be entitled
2 An act relating to human trafficking; amending s.
3 39.524, F.S.; requiring the Department of Children and
4 Families or a sheriff's office to conduct a
5 multidisciplinary staffing on child victims of
6 commercial sexual exploitation to determine the
7 child's service and placement needs; revising the date
8 by which the department or sheriff's office must
9 submit a report to the Legislature on child commercial
10 sexual exploitation and safe-harbor placements;
11 revising the contents of the report, including
12 recommendations by the Office of Program Policy
13 Analysis and Government Accountability study on
14 commercial sexual exploitation of children; requiring
15 the department to maintain certain data on the child
16 victims; amending s. 92.565, F.S.; adding commercial
17 sexual activity as a crime in which the defendant's
18 admission is admissible during trial; amending s.
19 409.016, F.S.; defining the term "commercial sexual
20 exploitation"; amending s. 409.1678, F.S.; deleting
21 the term "sexually exploited child"; removing an
22 obsolete date; conforming provisions to changes made
23 by the act; amending s. 409.1754, F.S.; requiring the
24 department or sheriff's office to conduct
25 multidisciplinary staffings for child victims;
26 requiring a service plan for all victims of child
27 commercial sexual exploitation; requiring the
28 department or sheriff's office to follow up on all
29 victims of child commercial sexual exploitation within

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30 a specified timeframe; amending s. 907.041, F.S.;
31 adding human trafficking to the list of crimes
32 requiring pretrial detention of the defendant;
33 reenacting s. 790.065(2)(c), F.S., relating to the
34 sale and delivery of firearms to incorporate the
35 amendment made to s. 907.041, F.S., in a reference
36 thereto; providing an effective date.
37

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

39
40 Section 1. Section 39.524, Florida Statutes, is amended to
41 read:

42 39.524 Safe-harbor placement.—

43 (1) Except as provided in s. 39.407 or s. 985.801, a
44 dependent child 6 years of age or older who is suspected of
45 being or has been found to be a victim of commercial sexual
46 exploitation as defined in s. 409.016 ~~s. 39.01(70)(g)~~ must be
47 assessed, and the department or a sheriff's office acting under
48 s. 39.3065 must conduct a multidisciplinary staffing pursuant to
49 s. 409.1754(2), to determine the child's need for services and
50 his or her need for placement in a safe house or safe foster
51 home as provided in s. 409.1678 using the initial screening and
52 assessment instruments provided in s. 409.1754(1). If such
53 placement is determined to be appropriate for the child as a
54 result of this assessment, the child may be placed in a safe
55 house or safe foster home, if one is available. However, the
56 child may be placed in another setting, if the other setting is
57 more appropriate to the child's needs or if a safe house or safe
58 foster home is unavailable, as long as the child's behaviors are

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managed so as not to endanger other children served in that setting.

(2) The results of the assessment described in s. 409.1754(1), the multidisciplinary staffing described in s. 409.1754(2), and the actions taken as a result of the assessment must be included in the disposition hearing or next judicial review of the child. At each subsequent judicial review, the court must be advised in writing of the status of the child's placement, with special reference regarding the stability of the placement, any specialized services, and the permanency planning for the child.

(3) (a) By October ~~December~~ 1 of each year, the department, with information from community-based care agencies and certain sheriff's offices acting under s. 39.3065, shall report to the Legislature on the prevalence of child commercial sexual exploitation; the specialized services provided and placement of such children; the local service capacity assessed pursuant to s. 409.1754; the placement of children in safe houses and safe foster homes during the year, including the criteria used to determine the placement of children; the number of children who were evaluated for placement; the number of children who were placed based upon the evaluation; and the number of children who were not placed; and the department's response to the findings and recommendations made by the Office of Program Policy Analysis and Government Accountability in its annual study on commercial sexual exploitation of children, as required by s. 409.16791.

(b) The department shall maintain data specifying the number of children who were verified as victims of commercial

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sexual exploitation, who were referred to nonresidential services in the community, who were placed in a safe house or safe foster home, and who were referred to a safe house or safe foster home for whom placement was unavailable, and shall identify the counties in which such placement was unavailable. The department shall include this data in its report under this subsection so that the Legislature may consider this information in developing the General Appropriations Act.

Section 2. Subsection (2) of section 92.565, Florida Statutes, is amended to read:

92.565 Admissibility of confession in sexual abuse cases.—

(2) In any criminal action in which the defendant is charged with a crime against a victim under s. 787.06(3), involving commercial sexual activity; s. 794.011; s. 794.05; s. 800.04; s. 826.04; s. 827.03, involving sexual abuse; s. 827.04, involving sexual abuse; s. 827.071; or s. 847.0135(5), or any other crime involving sexual abuse of another, or with any attempt, solicitation, or conspiracy to commit any of these crimes, the defendant's memorialized confession or admission is admissible during trial without the state having to prove a corpus delicti of the crime if the court finds in a hearing conducted outside the presence of the jury that the state is unable to show the existence of each element of the crime, and having so found, further finds that the defendant's confession or admission is trustworthy. Factors which may be relevant in determining whether the state is unable to show the existence of each element of the crime include, but are not limited to, the fact that, at the time the crime was committed, the victim was:

(a) Physically helpless, mentally incapacitated, or

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mentally defective, as those terms are defined in s. 794.011;

(b) Physically incapacitated due to age, infirmity, or any other cause; or

(c) Less than 12 years of age.

Section 3. Present subsections (1), (2), and (3) of section 409.016, Florida Statutes, are redesignated as subsections (2), (3), and (4), respectively, and a new subsection (1) is added to that section, to read:

409.016 Definitions.—As used in this chapter:

(1) "Commercial sexual exploitation" means the use of any person under the age of 18 years for sexual purposes in exchange for money, goods, or services or the promise of money, goods, or services.

Section 4. Section 409.1678, Florida Statutes, is amended to read:

409.1678 Specialized residential options for children who are victims of commercial sexual exploitation.—

(1) DEFINITIONS.—As used in this section, the term:

(a) "Safe foster home" means a foster home certified by the department under this section to care for sexually exploited children.

(b) "Safe house" means a group residential placement certified by the department under this section to care for sexually exploited children.

~~(c) "Sexually exploited child" means a child who has suffered sexual exploitation as defined in s. 39.01(70)(g) and is ineligible for relief and benefits under the federal Trafficking Victims Protection Act, 22 U.S.C. ss. 7101 et seq.~~

(2) CERTIFICATION OF SAFE HOUSES AND SAFE FOSTER HOMES.—

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(a) A safe house and a safe foster home shall provide a safe, separate, and therapeutic environment tailored to the needs of commercially sexually exploited children who have endured significant trauma ~~and are not eligible for relief and benefits under the federal Trafficking Victims Protection Act, 22 U.S.C. ss. 7101 et seq.~~ Safe houses and safe foster homes shall use a model of treatment that includes strength-based and trauma-informed approaches.

(b) A safe house or a safe foster home must be certified by the department. A residential facility accepting state funds appropriated to provide services to ~~sexually exploited children~~ ~~or child victims of commercial sexual exploitation~~ ~~sex trafficking~~ must be certified by the department as a safe house or a safe foster home. An entity may not use the designation "safe house" or "safe foster home" and hold itself out as serving child victims of commercial sexual exploitation ~~sexually exploited children~~ unless the entity is certified under this section.

(c) To be certified, a safe house must hold a license as a residential child-caring agency, as defined in s. 409.175, and a safe foster home must hold a license as a family foster home, as defined in s. 409.175. A safe house or safe foster home must also:

1. Use strength-based and trauma-informed approaches to care, to the extent possible and appropriate.

2. Serve exclusively one sex.

3. Group child victims of commercial sexual exploitation ~~sexually exploited children~~ by age or maturity level.

4. Care for child victims of commercial sexual exploitation

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175 ~~sexually exploited children~~ in a manner that separates those
 176 children from children with other needs. Safe houses and safe
 177 foster homes may care for other populations if the children who
 178 have not experienced commercial sexual exploitation do not
 179 interact with children who have experienced commercial sexual
 180 exploitation.

181 5. Have awake staff members on duty 24 hours a day, if a
 182 safe house.

183 6. Provide appropriate security through facility design,
 184 hardware, technology, staffing, and siting, including, but not
 185 limited to, external video monitoring or door exit alarms, a
 186 high staff-to-client ratio, or being situated in a remote
 187 location that is isolated from major transportation centers and
 188 common trafficking areas.

189 7. Meet other criteria established by department rule,
 190 which may include, but are not limited to, personnel
 191 qualifications, staffing ratios, and types of services offered.

192 (d) Safe houses and safe foster homes shall provide
 193 services tailored to the needs of child victims of commercial
 194 sexual exploitation ~~sexually exploited children~~ and shall
 195 conduct a comprehensive assessment of the service needs of each
 196 resident. In addition to the services required to be provided by
 197 residential child caring agencies and family foster homes, safe
 198 houses and safe foster homes must provide, arrange for, or
 199 coordinate, at a minimum, the following services:

- 200 1. Victim-witness counseling.
- 201 2. Family counseling.
- 202 3. Behavioral health care.
- 203 4. Treatment and intervention for sexual assault.

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204 5. Education tailored to the child's individual needs,
 205 including remedial education if necessary.

206 6. Life skills and workforce training.

207 7. Mentoring by a survivor of commercial sexual
 208 exploitation, if available and appropriate for the child.

209 8. Substance abuse screening and, when necessary, access to
 210 treatment.

211 9. Planning services for the successful transition of each
 212 child back to the community.

213 10. Activities structured in a manner that provides child
 214 victims of commercial sexual exploitation ~~sexually exploited~~
 215 ~~children~~ with a full schedule.

216 (e) The community-based care lead agencies shall ensure
 217 that foster parents of safe foster homes and staff of safe
 218 houses complete intensive training regarding, at a minimum, the
 219 needs of child victims of commercial sexual exploitation
 220 ~~sexually exploited children~~, the effects of trauma and sexual
 221 exploitation, and how to address those needs using strength-
 222 based and trauma-informed approaches. The department shall
 223 specify the contents of this training by rule and may develop or
 224 contract for a standard curriculum. The department may establish
 225 by rule additional criteria for the certification of safe houses
 226 and safe foster homes that shall address the security,
 227 therapeutic, social, health, and educational needs of child
 228 victims of commercial sexual exploitation ~~sexually exploited~~
 229 ~~children~~.

230 (f) The department shall inspect safe houses and safe
 231 foster homes before certification and annually thereafter to
 232 ensure compliance with the requirements of this section. The

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department may place a moratorium on referrals and may revoke the certification of a safe house or safe foster home that fails at any time to meet the requirements of, or rules adopted under, this section.

(g) The certification period for safe houses and safe foster homes shall run concurrently with the terms of their licenses.

(3) SERVICES WITHIN A RESIDENTIAL TREATMENT CENTER OR HOSPITAL. ~~No later than July 1, 2015,~~ Residential treatment centers licensed under s. 394.875, and hospitals licensed under chapter 395 that provide residential mental health treatment, shall provide specialized treatment for commercially sexually exploited children in the custody of the department who are placed in these facilities pursuant to s. 39.407(6), s. 394.4625, or s. 394.467. The specialized treatment must meet the requirements of subparagraphs (2)(c)1. and 3.-7., paragraph (2)(d), and the department's treatment standards adopted pursuant to this section. The facilities shall ensure that children are served in single-sex groups and that staff working with such children are adequately trained in the effects of trauma and sexual exploitation, the needs of child victims of commercial sexual exploitation ~~sexually exploited children~~, and how to address those needs using strength-based and trauma-informed approaches.

(4) FUNDING FOR SERVICES; CASE MANAGEMENT.—

(a) This section does not prohibit any provider of services for child victims of commercial sexual exploitation ~~sexually exploited children~~ from appropriately billing Medicaid for services rendered, from contracting with a local school district

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for educational services, or from obtaining federal or local funding for services provided, as long as two or more funding sources do not pay for the same specific service that has been provided to a child.

(b) The community-based care lead agency shall ensure that all child victims of commercial sexual exploitation ~~sexually exploited children~~ residing in safe houses or safe foster homes or served in residential treatment centers or hospitals pursuant to subsection (3) have a case manager and a case plan, whether or not the child is a dependent child.

(5) SCOPE OF AVAILABILITY OF SERVICES.—To the extent possible provided by law and with authorized funding, the services specified in this section may be available to all child victims of commercial sexual exploitation who are not eligible for relief and benefits under the federal Trafficking Victims Protection Act, 22 U.S.C. ss. 7101 et seq., ~~sexually exploited children~~ whether such services are accessed voluntarily, as a condition of probation, through a diversion program, through a proceeding under chapter 39, or through a referral from a local community-based care or social service agency.

(6) LOCATION INFORMATION.—

(a) Information about the location of a safe house, safe foster home, or other residential facility serving child victims of commercial sexual exploitation ~~victims of sexual exploitation~~, as defined in s. 409.016 ~~s. 39.01(70)(g)~~, which is held by an agency, as defined in s. 119.011, is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This exemption applies to such confidential and exempt information held by an agency before, on, or after the

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effective date of the exemption.

(b) Information about the location of a safe house, safe foster home, or other residential facility serving child victims of commercial sexual exploitation ~~victims of sexual exploitation~~, as defined in s. 409.016 ~~s. 39.01(70)(g)~~, may be provided to an agency, as defined in s. 119.011, as necessary to maintain health and safety standards and to address emergency situations in the safe house, safe foster home, or other residential facility.

(c) The exemptions from s. 119.07(1) and s. 24(a), Art. I of the State Constitution provided in this subsection do not apply to facilities licensed by the Agency for Health Care Administration.

(d) This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2020, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 5. Section 409.1754, Florida Statutes, is amended to read:

409.1754 Commercial sexual exploitation of children ~~Sexually exploited children~~; screening and assessment; training; multidisciplinary staffings; service plans ~~case management; task forces~~.

(1) SCREENING AND ASSESSMENT.—

(a) The department shall develop or adopt one or more initial screening and assessment instruments to identify, determine the needs of, plan services for, and determine the appropriate placement for child victims of commercial sexual exploitation who are not eligible for relief and benefits under

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~~the federal Trafficking Victims Protection Act, 22 U.S.C. ss. 7101 et seq~~ ~~sexually exploited children~~. The department shall consult state and local agencies, organizations, and individuals involved in the identification and care of such sexually exploited children when developing or adopting initial screening and assessment instruments. Initial screening and assessment instruments shall assess the appropriate placement of child victims of commercial sexual exploitation ~~a sexually exploited child~~, including whether placement in a safe house or safe foster home as provided in s. 409.1678 is appropriate, and shall consider, at a minimum, the following factors:

1. Risk of the child running away.
2. Risk of the child recruiting other children into the commercial sex trade.
3. Level of the child's attachment to his or her exploiter.
4. Level and type of trauma that the child has endured.
5. Nature of the child's interactions with law enforcement.
6. Length of time that the child was a victim of commercial sexual exploitation ~~sexually exploited~~.
7. Extent of any substance abuse by the child.

(b) The initial screening and assessment instruments shall be validated, if possible, and must be used by the department, juvenile assessment centers as provided in s. 985.135, and community-based care lead agencies.

(c) The department shall adopt rules that specify the initial screening and assessment instruments to be used and provide requirements for their use and for the reporting of data collected through their use.

(d) The department, or a sheriff's office acting under s.

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39.3065, the Department of Juvenile Justice, and community-based care lead agencies may use additional assessment instruments in the course of serving sexually exploited children.

(2) MULTIDISCIPLINARY STAFFINGS AND SERVICE PLANS.—

(a) The department, or a sheriff's office acting under s. 39.3065, shall conduct a multidisciplinary staffing for each child that is a suspected or verified victim of commercial sexual exploitation. The department or sheriff's office shall coordinate the staffing and invite individuals involved in the child's care, including, but not limited to, the child, if appropriate; the child's family or legal guardian; the child's guardian ad litem; Department of Juvenile Justice staff; school district staff; local health and human services providers; victim advocates; and any other persons who may be able to assist the child.

(b) The staffing must use the assessment, local services, and local protocols required by this section to develop a service plan. The service plan must identify the needs of the child and his or her family, the local services available to meet those needs, and whether placement in a safe house or safe foster home is needed. If the child is dependent, the case plan required by s. 39.6011 may meet the requirement for a service plan, but must be amended to incorporate the results of the multidisciplinary staffing. If the child is not dependent, the service plan is voluntary and the department or sheriff's office shall provide the plan to the victim and his or her family or legal guardian and offer to make any needed referrals to local service providers.

(c) The services identified in the service plan should be

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provided in the least restrictive environment and may include, but need not be limited to, the following:

1. Emergency shelter and runaway center services;
2. Outpatient individual or group counseling for the victim and the victim's family or legal guardian;
3. Substance use disorder treatment services;
4. Drop-in centers or mentoring programs;
5. Commercial sexual exploitation treatment programs;
6. Child advocacy center services pursuant to s. 39.3035;
7. Prevention services such as those provided by the Florida Network of Youth and Family Services and the PACE Center for Girls;
8. Family foster care;
9. Therapeutic foster care;
10. Safe houses or safe foster homes;
11. Residential treatment programs; and
12. Employment or workforce training.

(d) The department, or a sheriff's office acting under s. 39.3065, shall follow up with all verified victims of commercial sexual exploitation who are dependent within 6 months of the completion of the child abuse investigation, and such information must be included in the report required under s. 39.524. The followup must determine the following:

1. Whether a referral was made for the services recommended in the service plan;
2. Whether the services were received and, if not, the reasons why;
3. Whether the services or treatments were completed and, if not, the reasons why;

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4. Whether the victim has experienced commercial sexual exploitation since the verified report;

5. Whether the victim has run away since the verified report;

6. The type and number of placements, if applicable;

7. The educational status of the child;

8. The employment status of the child; and

9. Whether the child has been involved in the juvenile or criminal justice system.

(e) The department, or a sheriff's office acting under s. 39.3065, shall follow up with all verified victims of commercial sexual exploitation who are not dependent within 6 months after the child abuse investigation is completed and the information must be used in the report required under s. 39.524. The followup for nondependent victims and their families is voluntary, and the victim, family, or legal guardian is not required to respond. The followup must attempt to determine the following:

1. Whether a referral was made for the services recommended in the service plan;

2. Whether the services were received and, if not, the reasons why;

3. Whether the services or treatments were completed and, if not, the reasons why;

4. Whether the victim has experienced commercial sexual exploitation since the verified report;

5. Whether the victim has run away since the verified report;

6. The educational status of the child;

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7. The employment status of the child; and

8. Whether the child has been involved in the juvenile or criminal justice system.

~~(3)(2) TRAINING; LOCAL PROTOCOLS CASE MANAGEMENT; TASK FORCES.-~~

(a) ~~1-~~ The department, or a sheriff's office acting under s. 39.3065, and community-based care lead agencies shall ensure that cases in which a child is alleged, suspected, or known to be a victim of commercial sexual exploitation have been sexually exploited are assigned to child protective investigators and case managers who have specialized intensive training in handling cases involving a sexually exploited child. The department, sheriff's office, and lead agencies shall ensure that child protective investigators and case managers receive this training before accepting a case involving a commercially sexually exploited child.

(b) ~~2-~~ The Department of Juvenile Justice shall ensure that juvenile probation staff or contractors administering the detention risk assessment instrument pursuant to s. 985.14 receive specialized intensive training in identifying and serving commercially sexually exploited children.

~~(b) The department and community-based care lead agencies shall conduct regular multidisciplinary staffings relating to services provided for sexually exploited children to ensure that all parties possess relevant information and services are coordinated across systems. The department or community-based care lead agency, as appropriate, shall coordinate these staffings and invite individuals involved in the child's care, including, but not limited to, the child's guardian ad litem,~~

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465 ~~juvenile justice system staff, school district staff, service~~
 466 ~~providers, and victim advocates.~~

467 (c) ~~1-~~ Each region of the department and each community-
 468 based care lead agency shall jointly assess local service
 469 capacity to meet the specialized service needs of commercially
 470 sexually exploited children and establish a plan to develop the
 471 necessary capacity. Each plan shall be developed in consultation
 472 with community-based care lead agencies, local law enforcement
 473 officials, local school officials, runaway and homeless youth
 474 program providers, local probation departments, children's
 475 advocacy centers, guardians ad litem, public defenders, state
 476 attorneys' offices, safe houses, and child advocates and service
 477 providers who work directly with commercially sexually exploited
 478 children.

479 (d) ~~2-~~ Each region of the department and each community-
 480 based care lead agency shall establish local protocols and
 481 procedures for working with commercially sexually exploited
 482 children which are responsive to the individual circumstances of
 483 each child. The protocols and procedures shall take into account
 484 the varying types and levels of trauma endured; whether the
 485 commercial sexual exploitation is actively occurring, occurred
 486 in the past, or is inactive but likely to recur; and the
 487 differing community resources and degrees of familial support
 488 that are available. Child protective investigators and case
 489 managers must use these protocols and procedures when working
 490 with a victim of commercial sexual exploitation ~~sexually~~
 491 ~~exploited child.~~

492 (4) ~~(3)~~ LOCAL RESPONSE TO HUMAN TRAFFICKING; TRAINING; TASK
 493 FORCE.—

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494 (a) To the extent that funds are available, the local
 495 regional director may provide training to local law enforcement
 496 officials who are likely to encounter child victims of
 497 commercial sexual exploitation ~~sexually exploited children~~ in
 498 the course of their law enforcement duties. Training ~~must~~ shall
 499 address ~~the provisions of~~ this section and how to identify and
 500 obtain appropriate services for such ~~sexually exploited~~
 501 children. The local circuit administrator may contract with a
 502 not-for-profit agency with experience working with commercially
 503 sexually exploited children to provide the training. Circuits
 504 may work cooperatively to provide training, which may be
 505 provided on a regional basis. The department shall assist
 506 circuits to obtain available funds for the purpose of conducting
 507 law enforcement training from the Office of Juvenile Justice and
 508 Delinquency Prevention of the United States Department of
 509 Justice.

510 (b) Circuit administrators or their designees, chief
 511 probation officers of the Department of Juvenile Justice or
 512 their designees, and the chief operating officers of community-
 513 based care lead agencies or their designees shall participate in
 514 any task force, committee, council, advisory group, coalition,
 515 or other entity in their service area that is involved in
 516 coordinating responses to address human trafficking or
 517 commercial sexual exploitation of children. If such entity does
 518 not exist, the circuit administrator for the department shall
 519 initiate one.

520 Section 6. Subsection (4) of section 907.041, Florida
 521 Statutes, is amended to read:

522 907.041 Pretrial detention and release.—

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523 (4) PRETRIAL DETENTION.—
 524 (a) As used in this subsection, "dangerous crime" means any
 525 of the following:
 526 1. Arson;
 527 2. Aggravated assault;
 528 3. Aggravated battery;
 529 4. Illegal use of explosives;
 530 5. Child abuse or aggravated child abuse;
 531 6. Abuse of an elderly person or disabled adult, or
 532 aggravated abuse of an elderly person or disabled adult;
 533 7. Aircraft piracy;
 534 8. Kidnapping;
 535 9. Homicide;
 536 10. Manslaughter;
 537 11. Sexual battery;
 538 12. Robbery;
 539 13. Carjacking;
 540 14. Lewd, lascivious, or indecent assault or act upon or in
 541 presence of a child under the age of 16 years;
 542 15. Sexual activity with a child, who is 12 years of age or
 543 older but less than 18 years of age, by or at solicitation of
 544 person in familial or custodial authority;
 545 16. Burglary of a dwelling;
 546 17. Stalking and aggravated stalking;
 547 18. Act of domestic violence as defined in s. 741.28;
 548 19. Home invasion robbery;
 549 20. Act of terrorism as defined in s. 775.30;
 550 21. Manufacturing any substances in violation of chapter
 551 893; ~~and~~

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552 22. Attempting or conspiring to commit any such crime; and
 553 23. Human trafficking.
 554 (b) No person charged with a dangerous crime shall be
 555 granted nonmonetary pretrial release at a first appearance
 556 hearing; however, the court shall retain the discretion to
 557 release an accused on electronic monitoring or on recognizance
 558 bond if the findings on the record of facts and circumstances
 559 warrant such a release.
 560 (c) The court may order pretrial detention if it finds a
 561 substantial probability, based on a defendant's past and present
 562 patterns of behavior, the criteria in s. 903.046, and any other
 563 relevant facts, that any of the following circumstances exist:
 564 1. The defendant has previously violated conditions of
 565 release and that no further conditions of release are reasonably
 566 likely to assure the defendant's appearance at subsequent
 567 proceedings;
 568 2. The defendant, with the intent to obstruct the judicial
 569 process, has threatened, intimidated, or injured any victim,
 570 potential witness, juror, or judicial officer, or has attempted
 571 or conspired to do so, and that no condition of release will
 572 reasonably prevent the obstruction of the judicial process;
 573 3. The defendant is charged with trafficking in controlled
 574 substances as defined by s. 893.135, that there is a substantial
 575 probability that the defendant has committed the offense, and
 576 that no conditions of release will reasonably assure the
 577 defendant's appearance at subsequent criminal proceedings;
 578 4. The defendant is charged with DUI manslaughter, as
 579 defined by s. 316.193, and that there is a substantial
 580 probability that the defendant committed the crime and that the

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defendant poses a threat of harm to the community; conditions that would support a finding by the court pursuant to this subparagraph that the defendant poses a threat of harm to the community include, but are not limited to, any of the following:

a. The defendant has previously been convicted of any crime under s. 316.193, or of any crime in any other state or territory of the United States that is substantially similar to any crime under s. 316.193;

b. The defendant was driving with a suspended driver license when the charged crime was committed; or

c. The defendant has previously been found guilty of, or has had adjudication of guilt withheld for, driving while the defendant's driver license was suspended or revoked in violation of s. 322.34;

5. The defendant poses the threat of harm to the community. The court may so conclude, if it finds that the defendant is presently charged with a dangerous crime, that there is a substantial probability that the defendant committed such crime, that the factual circumstances of the crime indicate a disregard for the safety of the community, and that there are no conditions of release reasonably sufficient to protect the community from the risk of physical harm to persons;

6. The defendant was on probation, parole, or other release pending completion of sentence or on pretrial release for a dangerous crime at the time the current offense was committed;

7. The defendant has violated one or more conditions of pretrial release or bond for the offense currently before the court and the violation, in the discretion of the court, supports a finding that no conditions of release can reasonably

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protect the community from risk of physical harm to persons or assure the presence of the accused at trial; or

8.a. The defendant has ever been sentenced pursuant to s. 775.082(9) or s. 775.084 as a prison releasee reoffender, habitual violent felony offender, three-time violent felony offender, or violent career criminal, or the state attorney files a notice seeking that the defendant be sentenced pursuant to s. 775.082(9) or s. 775.084, as a prison releasee reoffender, habitual violent felony offender, three-time violent felony offender, or violent career criminal;

b. There is a substantial probability that the defendant committed the offense; and

c. There are no conditions of release that can reasonably protect the community from risk of physical harm or ensure the presence of the accused at trial.

(d) When a person charged with a crime for which pretrial detention could be ordered is arrested, the arresting agency shall promptly notify the state attorney of the arrest and shall provide the state attorney with such information as the arresting agency has obtained relative to:

1. The nature and circumstances of the offense charged;
2. The nature of any physical evidence seized and the contents of any statements obtained from the defendant or any witness;

3. The defendant's family ties, residence, employment, financial condition, and mental condition; and

4. The defendant's past conduct and present conduct, including any record of convictions, previous flight to avoid prosecution, or failure to appear at court proceedings.

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(e) When a person charged with a crime for which pretrial detention could be ordered is arrested, the arresting agency may detain such defendant, prior to the filing by the state attorney of a motion seeking pretrial detention, for a period not to exceed 24 hours.

(f) The pretrial detention hearing shall be held within 5 days of the filing by the state attorney of a complaint to seek pretrial detention. The defendant may request a continuance. No continuance shall be for longer than 5 days unless there are extenuating circumstances. The defendant may be detained pending the hearing. The state attorney shall be entitled to one continuance for good cause.

(g) The state attorney has the burden of showing the need for pretrial detention.

(h) The defendant is entitled to be represented by counsel, to present witnesses and evidence, and to cross-examine witnesses. The court may admit relevant evidence without complying with the rules of evidence, but evidence secured in violation of the United States Constitution or the Constitution of the State of Florida shall not be admissible. No testimony by the defendant shall be admissible to prove guilt at any other judicial proceeding, but such testimony may be admitted in an action for perjury, based upon the defendant's statements made at the pretrial detention hearing, or for impeachment.

(i) The pretrial detention order of the court shall be based solely upon evidence produced at the hearing and shall contain findings of fact and conclusions of law to support it. The order shall be made either in writing or orally on the record. The court shall render its findings within 24 hours of

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the pretrial detention hearing.

(j) A defendant convicted at trial following the issuance of a pretrial detention order shall have credited to his or her sentence, if imprisonment is imposed, the time the defendant was held under the order, pursuant to s. 921.161.

(k) The defendant shall be entitled to dissolution of the pretrial detention order whenever the court finds that a subsequent event has eliminated the basis for detention.

(l) The Legislature finds that a person who manufactures any substances in violation of chapter 893 poses a threat of harm to the community and that the factual circumstances of such a crime indicate a disregard for the safety of the community. The court shall order pretrial detention if the court finds that there is a substantial probability that a defendant charged with manufacturing any substances in violation of chapter 893 committed such a crime and if the court finds that there are no conditions of release reasonably sufficient to protect the community from the risk of physical harm to persons.

Section 7. For the purpose of incorporating the amendment made by this act to section 907.041(4)(a), Florida Statutes, in a reference thereto, paragraph (c) of subsection (2) of section 790.065, Florida Statutes, is reenacted to read:

790.065 Sale and delivery of firearms.—

(2) Upon receipt of a request for a criminal history record check, the Department of Law Enforcement shall, during the licensee's call or by return call, forthwith:

(c)1. Review any records available to it to determine whether the potential buyer or transferee has been indicted or has had an information filed against her or him for an offense

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that is a felony under either state or federal law, or, as mandated by federal law, has had an injunction for protection against domestic violence entered against the potential buyer or transferee under s. 741.30, has had an injunction for protection against repeat violence entered against the potential buyer or transferee under s. 784.046, or has been arrested for a dangerous crime as specified in s. 907.041(4)(a) or for any of the following enumerated offenses:

- a. Criminal anarchy under ss. 876.01 and 876.02.
- b. Extortion under s. 836.05.
- c. Explosives violations under s. 552.22(1) and (2).
- d. Controlled substances violations under chapter 893.
- e. Resisting an officer with violence under s. 843.01.
- f. Weapons and firearms violations under this chapter.
- g. Treason under s. 876.32.
- h. Assisting self-murder under s. 782.08.
- i. Sabotage under s. 876.38.
- j. Stalking or aggravated stalking under s. 784.048.

If the review indicates any such indictment, information, or arrest, the department shall provide to the licensee a conditional nonapproval number.

2. Within 24 working hours, the department shall determine the disposition of the indictment, information, or arrest and inform the licensee as to whether the potential buyer is prohibited from receiving or possessing a firearm. For purposes of this paragraph, "working hours" means the hours from 8 a.m. to 5 p.m. Monday through Friday, excluding legal holidays.

3. The office of the clerk of court, at no charge to the

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department, shall respond to any department request for data on the disposition of the indictment, information, or arrest as soon as possible, but in no event later than 8 working hours.

4. The department shall determine as quickly as possible within the allotted time period whether the potential buyer is prohibited from receiving or possessing a firearm.

5. If the potential buyer is not so prohibited, or if the department cannot determine the disposition information within the allotted time period, the department shall provide the licensee with a conditional approval number.

6. If the buyer is so prohibited, the conditional nonapproval number shall become a nonapproval number.

7. The department shall continue its attempts to obtain the disposition information and may retain a record of all approval numbers granted without sufficient disposition information. If the department later obtains disposition information which indicates:

a. That the potential buyer is not prohibited from owning a firearm, it shall treat the record of the transaction in accordance with this section; or

b. That the potential buyer is prohibited from owning a firearm, it shall immediately revoke the conditional approval number and notify local law enforcement.

8. During the time that disposition of the indictment, information, or arrest is pending and until the department is notified by the potential buyer that there has been a final disposition of the indictment, information, or arrest, the conditional nonapproval number shall remain in effect.

Section 8. This act shall take effect October 1, 2017.

The Florida Senate
State Senator René García
36th District

Please reply to:

☐ **District Office:**

1490 West 68 Street
Suite # 201
Hialeah, FL. 33014
Phone# (305) 364-3100

March 23rd, 2017

The Honorable Jack Latvala
Chairman, Committee on Appropriations
201 The Capitol
404 S. Monroe Street
Tallahassee, FL 32399-1100

Dear Senator Latvala,

Please have this letter serve as my formal request to have **SB 852: Human Trafficking** be heard during the next scheduled Appropriations Committee Meeting. Should you have any questions or concerns, please do not hesitate to contact my office.

Sincerely,



State Senator René García
District 36

CC: Mike Hansen
Alicia Weiss

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: PCS/SJR 76 (959354)

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on Finance and Tax);and Senator Lee and others

SUBJECT: Limitations on Property Tax Assessments

DATE: April 4, 2017

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Babin	Diez-Arguelles	AFT	Recommend: Fav/CS
2.	Babin	Hansen	AP	Pre-meeting
3.			RC	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/SJR 76 proposes an amendment to the Florida Constitution to remove the scheduled January 1, 2019, repeal of the 10-percent assessment limitation on non-homestead property. If approved by at least 60 percent of the electors, the 10-percent assessment limitation will continue.

The Revenue Estimating Conference (REC) has determined that the joint resolution has an indeterminate fiscal impact because it must be approved by the electors before it takes effect. If approved, the REC estimates that the joint resolution will reduce property taxes, other than property taxes for schools, by \$688.1 million, beginning in Fiscal Year 2019-2020.¹ The Department of State expects to incur costs of \$38,916 to advertise the constitutional amendment.

II. Present Situation:

General Overview of Property Taxation

The ad valorem tax (property tax) is levied annually by counties, cities, school districts, and some special districts. Taxing jurisdictions impose their tax on the taxable value of property as of

¹ See infra, Section V, Fiscal Impact Statement.

January 1 of each year.² The property appraiser annually determines the “just value”³ of property and then applies relevant exclusions, assessment limitations, and exemptions to determine the property’s “taxable value.”⁴ Tax collectors mail tax bills in November of each year based on the previous January 1 valuation. Payment is due before April 1.⁵ The Florida Constitution prohibits the state from levying ad valorem taxes⁶ and requires property valuations to be at just value, unless a lesser valuation is expressly authorized.⁷

The Save Our Homes Assessment Limitation for Homestead Property

Property assessment limitations limit the annual increase in a property’s value for tax purposes, regardless of the property’s increase in fair market value. For example, even though a property’s market value may increase by 15 percent in a given year, an assessment limitation will limit the increase in assessed value to a lesser amount for tax purposes.

Voters approved Florida’s first property assessment limitation, known as Save Our Homes (SOH) in 1992, and it became effective for homestead assessments as of January 1, 1995.⁸ The SOH limitation limits the annual increase in the assessed value of homesteads to the lesser of three percent or the percentage change in the consumer price index (CPI).⁹ The CPI often limits the increase to below three percent. For example, the change in CPI resulted in a SOH limitation of 0.7 percent¹⁰ in 2016 and 2.1 percent¹¹ in 2017.

The 10-Percent Assessment Limitation for Non-homestead Property

In 2007, the Legislature passed a joint resolution,¹² which, among other things, proposed a 10-percent assessment limitation for non-homestead property. The limitation does not apply to property taxes levied by school districts.¹³ The voters approved the constitutional amendment in the primary election held on January 29, 2008. It first applied to assessments as of January 1, 2009.

² Both real property and tangible personal property can be subject to the tax. Section 192.001(12), F.S., defines “real property” as land, buildings, fixtures, and all other improvements to land. Section 192.001(11)(d), F.S., defines “tangible personal property” as all goods, chattels, and other articles of value capable of manual possession and whose chief value is intrinsic to the article itself.

³ Property must be valued at “just value” for purposes of property taxation unless the Florida Constitution provides otherwise. FLA. CONST. art. VII, s. 4. Just value has been interpreted by the courts to mean the fair market value that a willing buyer would pay a willing seller for the property in an arm’s-length transaction. *See Walter v. Shuler*, 176 So. 2d 81 (Fla. 1965); *Deltona Corp. v. Bailey*, 336 So. 2d 1163 (Fla. 1976); *Southern Bell Tel. & Tel. Co. v. Dade County*, 275 So. 2d 4 (Fla. 1973).

⁴ *See* s. 192.001(2) and (16), F.S.

⁵ Section 197.333, F.S.

⁶ FLA. CONST. art. VII, s. 1(a)

⁷ *See* FLA. CONST. art. VII, s. 4

⁸ *See* FLA. CONST. art. VII, s. (4)(d); s. 193.155, F.S.

⁹ Section 193.155(1), F.S.

¹⁰ Department of Revenue, Property Tax Valuation and Income Limitation Rates, *available at* www.floridarevenue.com/dor/property/resources/limitations.html (last visited Feb. 13, 2017).

¹¹ *Id.*

¹² SJR 2-D (2007, Special Session D)

¹³ *See* FLA. CONST. art. VII, s. 4(g) & (h); ss. 193.1554 and 193.1555, F.S.

Recapture

An administrative rule requires the property appraiser to increase the assessed value of a homestead property that is benefitting from the SOH limitation even though the just (or fair market) value of the property has remained the same, decreased, or increased less than the applicable SOH limit.¹⁴ Pursuant to SOH, the increase is limited to the lesser of 3 percent or the percentage change in the CPI, but the assessed value can never exceed the just value.

For an example of the rule's operation, assume that in year 1 a homestead property has a just value of \$250,000 and an assessed value of \$200,000. The assessed value is lower than the just value because the property has received the benefit of the SOH limitation for a few years. In year 2, assume that the applicable SOH percentage is 3 percent, but that the real estate market is flat and the property's just value remains at \$250,000. In this situation, the property appraiser must increase the assessed value to \$206,000. This treatment is also required for the 10-percent limitation for non-homestead property.

Repeal of the 10-Percent Assessment Limitation

The 2008 constitutional amendment included a repeal of the 10-percent assessment limitation, effective January 1, 2019. However, it also provided that the "[L]egislature shall by joint resolution propose an amendment abrogating the repeal..., which shall be submitted to the electors of the state for approval or rejection at the general election of 2018...."¹⁵

III. Effect of Proposed Changes:

The bill amends the State Constitution to remove the repeal of the 10-percent assessment limitation for non-homestead property scheduled for January 1, 2019. If approved by at least 60 percent of the electors, the 10-percent assessment limitation will continue.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The mandate provisions in Art. VII, s. 18 of the State Constitution do not apply to joint resolutions.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

¹⁴ Rule 12D-8.0062(5), F.A.C.

¹⁵ FLA. CONST. art. XII, s. 27

D. Other Constitutional Issues:

A joint resolution must be passed by three-fifths of the membership of each house of the Legislature. It must be submitted to the electors at the next general election held more than 90 days after the joint resolution proposing it is filed with the custodian of state records, unless, pursuant to law enacted by the affirmative vote of three-fourths of the membership of each house of the Legislature and limited to a single amendment or revision, it is submitted at an earlier special election held more than 90 days after such filing.¹⁶ To pass, a proposed constitutional amendment must be approved by at least 60 percent of the electors voting on the measure, and if passed, it becomes effective as an amendment on the first Tuesday after the first Monday in January following the election, or on such other date as may be specified in the amendment or revision.¹⁷

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

The Revenue Estimating Conference (REC) has determined that the joint resolution has an indeterminate fiscal impact because it must be approved by the electors before it takes effect. If approved, the joint resolution will reduce the non-school property tax base beginning in Fiscal Year 2019-2020, but the tax impact will depend upon the Fiscal Year 2019-2020 millage rates. Applying current statewide average millage rates, the REC estimates that the joint resolution will reduce non-school property taxes by \$688.1, beginning in Fiscal Year 2019-2020.

B. Private Sector Impact:

If the voters approve the amendment in the 2018 general election, some owners of non-homestead property will pay less property tax.

C. Government Sector Impact:

The Division of Elections is required to advertise the full text of proposed constitutional amendments in English and Spanish twice in a newspaper of general circulation in each county before the election in which the amendment is submitted to the electors.¹⁸ The Division is also required to provide each Supervisor of Elections with either booklets or posters displaying the full text of proposed amendments. The cost to advertise constitutional amendments for the 2016 general election was \$117.56 per word. Using 2016 rates, the Division estimates that the cost to advertise this amendment for the 2018 general election will be at least \$38,916.

VI. Technical Deficiencies:

None.

¹⁶ FLA. CONST. art. XI, s. 5(a).

¹⁷ FLA. CONST. art. XI, s. 5(e).

¹⁸ FLA. CONST. art. XI, s. 5(d).

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends Article XII, section 27 of the State Constitution.

IX. Additional Information:

- A. Committee Substitute – Statement of Substantial Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

Recommend CS by Appropriations Subcommittee on Finance and Tax on February 22, 2017:

The committee substitute clarifies that, if approved by the voters, the constitutional amendment becomes effective on January 1, 2019.

- B. Amendments:

None.



959354

576-01962-17

Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on Finance and Tax)

Senate Joint Resolution

A joint resolution proposing an amendment to Section
27 of Article XII of the State Constitution to remove
a future repeal of provisions in Section 4 of Article
VII that limit the amount of annual increases in
assessments, except for school district levies, of
specified nonhomestead real property.

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

That the following amendment to Section 27 of Article XII
of the State Constitution is agreed to and shall be submitted to
the electors of this state for approval or rejection at the next
general election:

ARTICLE XII

SCHEDULE

SECTION 27. Property tax exemptions and limitations on
property tax assessments.—

(a) The amendments to Sections 3, 4, and 6 of Article VII,
providing a \$25,000 exemption for tangible personal property,
providing an additional \$25,000 homestead exemption, authorizing
transfer of the accrued benefit from the limitations on the
assessment of homestead property, and this section, if submitted
to the electors of this state for approval or rejection at a
special election authorized by law to be held on January 29,
2008, shall take effect upon approval by the electors and shall
operate retroactively to January 1, 2008, or, if submitted to



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the electors of this state for approval or rejection at the next
general election, shall take effect January 1 of the year
following such general election. The amendments to Section 4 of
Article VII creating subsections (g) ~~(f)~~ and (h) ~~(g)~~ of that
section, creating a limitation on annual assessment increases
for specified real property, shall take effect upon approval of
the electors and shall first limit assessments beginning January
1, 2009, if approved at a special election held on January 29,
2008, or shall first limit assessments beginning January 1,
2010, if approved at the general election held in November of
2008. ~~Subsections (f) and (g) of Section 4 of Article VII are
repealed effective January 1, 2019; however, the legislature
shall by joint resolution propose an amendment abrogating the
repeal of subsections (f) and (g), which shall be submitted to
the electors of this state for approval or rejection at the
general election of 2018 and, if approved, shall take effect
January 1, 2019.~~

(b) The amendment to subsection (a) abrogating the
scheduled repeal of subsections (g) and (h) of Section 4 of
Article VII of the State Constitution as it existed in 2017,
shall take effect January 1, 2019.

BE IT FURTHER RESOLVED that the following statement be
placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE XII, SECTION 27

LIMITATIONS ON PROPERTY TAX ASSESSMENTS.—Proposing an
amendment to the State Constitution to retain provisions adopted
in 2008 that limit increases in assessments, except for school
district levies, of specified nonhomestead real property, to 10



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57 percent each year. If approved, the amendment removes the
58 scheduled repeal of such provisions in 2019 and shall take
59 effect January 1, 2019.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: CS/SJR 76

INTRODUCER: Senator Lee and others

SUBJECT: Limitations on Property Tax Assessments

DATE: April 4, 2017

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Babin	Diez-Arguelles	AFT	Recommend: Fav/CS
2.	Babin	Hansen	AP	Pre-meeting
3.			RC	

I. Summary:

CS/SJR 76 proposes an amendment to the Florida Constitution to remove the scheduled January 1, 2019, repeal of the 10-percent assessment limitation on non-homestead property. If approved by at least 60 percent of the electors, the 10-percent assessment limitation will continue.

The Revenue Estimating Conference (REC) has determined that the joint resolution has an indeterminate fiscal impact because it must be approved by the electors before it takes effect. If approved, the REC estimates that the bill will reduce property taxes, other than property taxes for schools, by \$688.1 million, beginning in Fiscal Year 2019-2020.¹ The Department of State expects to incur costs of \$38,916 to advertise the constitutional amendment.

II. Present Situation:

General Overview of Property Taxation

The ad valorem tax (property tax) is levied annually by counties, cities, school districts, and some special districts. Taxing jurisdictions impose their tax on the taxable value of property as of January 1 of each year.² The property appraiser annually determines the “just value”³ of property and then applies relevant exclusions, assessment limitations, and exemptions to determine the

¹ See *infra*, Section V, Fiscal Impact Statement.

² Both real property and tangible personal property can be subject to the tax. Section 192.001(12), F.S., defines “real property” as land, buildings, fixtures, and all other improvements to land. Section 192.001(11)(d), F.S., defines “tangible personal property” as all goods, chattels, and other articles of value capable of manual possession and whose chief value is intrinsic to the article itself.

³ Property must be valued at “just value” for purposes of property taxation unless the Florida Constitution provides otherwise. FLA. CONST. art VII, s. 4. Just value has been interpreted by the courts to mean the fair market value that a willing buyer would pay a willing seller for the property in an arm’s-length transaction. See *Walter v. Shuler*, 176 So. 2d 81 (Fla. 1965); *Deltona Corp. v. Bailey*, 336 So. 2d 1163 (Fla. 1976); *Southern Bell Tel. & Tel. Co. v. Dade County*, 275 So. 2d 4 (Fla. 1973).

property's "taxable value."⁴ Tax collectors mail tax bills in November of each year based on the previous January 1 valuation. Payment is due before April 1.⁵ The Florida Constitution prohibits the state from levying ad valorem taxes⁶ and requires property valuations to be at just value, unless a lesser valuation is expressly authorized.⁷

The Save Our Homes Assessment Limitation for Homestead Property

Property assessment limitations limit the annual increase in a property's value for tax purposes, regardless of the property's increase in fair market value. For example, even though a property's market value may increase by 15 percent in a given year, an assessment limitation will limit the increase in assessed value to a lesser amount for tax purposes.

Voters approved Florida's first property assessment limitation, known as Save Our Homes (SOH) in 1992, and it became effective for homestead assessments as of January 1, 1995.⁸ The SOH limitation limits the annual increase in the assessed value of homesteads to the lesser of three percent or the percentage change in the consumer price index (CPI).⁹ The CPI often limits the increase to below three percent. For example, the change in CPI resulted in a SOH limitation of 0.7 percent¹⁰ in 2016 and 2.1 percent¹¹ in 2017.

The 10-Percent Assessment Limitation for Non-homestead Property

In 2007, the Legislature passed a joint resolution,¹² which, among other things, proposed a 10-percent assessment limitation for non-homestead property. The limitation does not apply to property taxes levied by school districts.¹³ The voters approved the constitutional amendment in the primary election held on January 29, 2008. It first applied to assessments as of January 1, 2009.

Recapture

An administrative rule requires the property appraiser to increase the assessed value of a homestead property that is benefitting from the SOH limitation even though the just (or fair market) value of the property has remained the same, decreased, or increased less than the applicable SOH limit.¹⁴ Pursuant to SOH, the increase is limited to the lesser of 3 percent or the percentage change in the CPI, but the assessed value can never exceed the just value.

For an example of the rule's operation, assume that in year 1 a homestead property has a just value of \$250,000 and an assessed value of \$200,000. The assessed value is lower than the just

⁴ See s. 192.001(2) and (16), F.S.

⁵ Section 197.333, F.S.

⁶ FLA. CONST. art. VII, s. 1(a)

⁷ See FLA. CONST. art. VII, s. 4

⁸ See FLA. CONST. art. VII, s. (4)(d); s. 193.155, F.S.

⁹ Section 193.155(1), F.S.

¹⁰ Department of Revenue, Property Tax Valuation and Income Limitation Rates, *available at* www.floridarevenue.com/dor/property/resources/limitations.html (last visited Feb. 13, 2017).

¹¹ *Id.*

¹² SJR 2-D (2007, Special Session D)

¹³ See FLA. CONST. art. VII, s. 4(g) & (h); ss. 193.1554 and 193.1555, F.S.

¹⁴ Rule 12D-8.0062(5), F.A.C.

value because the property has received the benefit of the SOH limitation for a few years. In year 2, assume that the applicable SOH percentage is 3 percent, but that the real estate market is flat and the property's just value remains at \$250,000. In this situation, the property appraiser must increase the assessed value to \$206,000. This treatment is also required for the 10-percent limitation for non-homestead property.

Repeal of the 10-Percent Assessment Limitation

The 2008 constitutional amendment included a repeal of the 10-percent assessment limitation, effective January 1, 2019. However, it also provided that the “[L]egislature shall by joint resolution propose an amendment abrogating the repeal..., which shall be submitted to the electors of the state for approval or rejection at the general election of 2018...”¹⁵

III. Effect of Proposed Changes:

The bill amends the State Constitution to remove the repeal of the 10-percent assessment limitation for non-homestead property scheduled for January 1, 2019. If approved by at least 60 percent of the electors, the 10-percent assessment limitation will continue.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The mandate provisions in Art. VII, s. 18 of the State Constitution do not apply to joint resolutions.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. Other Constitutional Issues:

A joint resolution must be passed by three-fifths of the membership of each house of the Legislature. It must be submitted to the electors at the next general election held more than 90 days after the joint resolution proposing it is filed with the custodian of state records, unless, pursuant to law enacted by the affirmative vote of three-fourths of the membership of each house of the Legislature and limited to a single amendment or revision, it is submitted at an earlier special election held more than 90 days after such filing.¹⁶ To pass, a proposed constitutional amendment must be approved by at least 60 percent of the electors voting on the measure, and if passed, it becomes effective as an

¹⁵ FLA. CONST. art. XII, s. 27

¹⁶ FLA. CONST. art. XI, s. 5(a).

amendment on the first Tuesday after the first Monday in January following the election, or on such other date as may be specified in the amendment or revision.¹⁷

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

The Revenue Estimating Conference (REC) has determined that the joint resolution has an indeterminate fiscal impact because it must be approved by the electors before it takes effect. If approved, the joint resolution will reduce the non-school property tax base beginning in Fiscal Year 2019-2020, but the tax impact will depend upon the Fiscal Year 2019-2020 millage rates. Applying current statewide average millage rates, the REC estimates that the joint resolution will reduce non-school property taxes by \$688.1 million, beginning in Fiscal Year 2019-2020.

B. Private Sector Impact:

If the voters approve the amendment in the 2018 general election, some owners of non-homestead property will pay less property tax.

C. Government Sector Impact:

The Division of Elections is required to advertise the full text of proposed constitutional amendments in English and Spanish twice in a newspaper of general circulation in each county before the election in which the amendment is submitted to the electors.¹⁸ The Division is also required to provide each Supervisor of Elections with either booklets or posters displaying the full text of proposed amendments. The cost to advertise constitutional amendments for the 2016 general election was \$117.56 per word. Using 2016 rates, the Division estimates that the cost to advertise this amendment for the 2018 general election will be at least \$38,916.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends Article XII, section 27 of the State Constitution.

¹⁷ FLA. CONST. art. XI, s. 5(e).

¹⁸ FLA. CONST. art. XI, s. 5(d).

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Lee

20-00160-17

201776__

Senate Joint Resolution

A joint resolution proposing an amendment to Section 27 of Article XII of the State Constitution to remove a future repeal of provisions in Section 4 of Article VII which limit annual assessment increases for specified nonhomestead real property.

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

That the following amendment to Section 27 of Article XII of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE XII

SCHEDULE

SECTION 27. Property tax exemptions and limitations on property tax assessments.—

The amendments to Sections 3, 4, and 6 of Article VII, providing a \$25,000 exemption for tangible personal property, providing an additional \$25,000 homestead exemption, authorizing transfer of the accrued benefit from the limitations on the assessment of homestead property, and this section, if submitted to the electors of this state for approval or rejection at a special election authorized by law to be held on January 29, 2008, shall take effect upon approval by the electors and shall operate retroactively to January 1, 2008, or, if submitted to the electors of this state for approval or rejection at the next general election, shall take effect January 1 of the year following such general election. The amendments to Section 4 of Article VII creating subsections (g) ~~(f)~~ and (h) ~~(g)~~ of that section, creating a limitation on annual assessment increases

Page 1 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

20-00160-17

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for specified real property, shall take effect upon approval of the electors and shall first limit assessments beginning January 1, 2009, if approved at a special election held on January 29, 2008, or shall first limit assessments beginning January 1, 2010, if approved at the general election held in November of 2008. ~~Subsections (f) and (g) of Section 4 of Article VII are repealed effective January 1, 2019; however, the legislature shall by joint resolution propose an amendment abrogating the repeal of subsections (f) and (g), which shall be submitted to the electors of this state for approval or rejection at the general election of 2018 and, if approved, shall take effect January 1, 2019.~~

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE XII, SECTION 27

LIMITATIONS ON PROPERTY TAX ASSESSMENTS.—Proposing an amendment to the State Constitution to retain provisions adopted in 2008 that limit assessment increases for specified nonhomestead real property, except for school district taxes, to 10 percent each year. If approved, the amendment removes the scheduled repeal in 2019 of the provisions.

Page 2 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.



The Florida Senate

Committee Agenda Request

To: Senator Jack Latvala, Chair
Appropriations Committee

Subject: Committee Agenda Request

Date: February 22nd, 2017

I respectfully request that **Senate Bill #76**, relating to Limitations on Property Tax Assessments, be placed on the:

- ☐ committee agenda at your earliest possible convenience.
- ☒ next committee agenda.

A handwritten signature in blue ink that reads "Tom Lee".

Senator Tom Lee
Florida Senate, District 20

81.00 4126

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/6/17

Meeting Date

SB 76

Bill Number (if applicable)

Topic Limitations on Property Tax Assessments

Amendment Barcode (if applicable)

Name Brewster Bevis

Job Title Senior Vice President

Address 516 N Adams St

Phone 224-7173

Street

Tallahassee

FL

32301

Email bbevis@aif.com

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Associated Industries of Florida

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/16/17

Meeting Date

76

Bill Number (if applicable)

Topic Non-homestead Property Tax

Amendment Barcode (if applicable)

Name Carolyn Johnson

Job Title Policy Director

Address 130 S Brorugh St

Phone 521-1200

Street

Tallahassee

FL

Email cjohnson@flchamber.com

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing FL Chamber of Commerce

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/6/17

Meeting Date

SJR 76

Bill Number (if applicable)

Topic

Constitutional Amendment

Amendment Barcode (if applicable)

Name

Nancy Stewart

Job Title

Legislative Counsel

Address

1535 Kelleys Ctr Blvd

Phone

850-385-7005

Street

Tallahassee

FL

32309

City

State

Zip

Email

Speaking:



For



Against



Information

Waive Speaking:



In Support



Against

(The Chair will read this information into the record.)

Representing

Federation of Manufactured Home Owners of FL

Appearing at request of Chair:



Yes



No

Lobbyist registered with Legislature:



Yes



No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/6/2017

Meeting Date

76

Bill Number (if applicable)

Topic Limitations on Property Tax Assessments

Amendment Barcode (if applicable)

Name Danielle Scoggins

Job Title Sr. Public Policy Representative

Address 200 South Monroe Street

Phone 8502241400

Street

Tallahassee

Florida

32301

Email danielles@floridarealtors.org

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida Realtors

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

CourtSmart Tag Report

Room: KN 412

Caption: Senate Appropriations Committee

Case No.:

Judge:

Type:

Started: 4/6/2017 8:01:44 AM

Ends: 4/6/2017 9:48:32 AM **Length:** 01:46:49

8:01:42 AM	Sen. Latvala (Chair)
8:02:35 AM	S 1170
8:02:54 AM	S 182
8:03:05 AM	Sen. Mayfield
8:04:40 AM	Sen. Latvala
8:05:00 AM	Brewster Bevis, Senior Vice President, Associated Industries of Florida
8:06:03 AM	Sen. Latvala
8:06:22 AM	B. Bevis
8:06:30 AM	Sen. Latvala
8:06:37 AM	Sen. Benacquisto
8:07:26 AM	B. Bevis
8:07:47 AM	Sen. Benacquisto
8:08:23 AM	B. Bevis
8:08:46 AM	Sen. Latvala
8:08:56 AM	Stephen Winn, Executive Director, Florida Osteopathic Medical Association (waives in support)
8:09:01 AM	Greg Black, Attorney, The AIDS Institute (waives in support)
8:09:13 AM	Sen. Mayfield
8:10:20 AM	Sen. Latvala
8:11:12 AM	Am. 605084
8:11:24 AM	S 336
8:11:27 AM	Sen. Hutson
8:12:22 AM	Sen. Latvala
8:12:26 AM	Am. 200828
8:12:31 AM	Sen. Hutson
8:12:39 AM	Sen. Latvala
8:12:50 AM	S 336 (cont.)
8:12:58 AM	Sen. Book
8:13:13 AM	Sen. Latvala
8:14:24 AM	S 884
8:14:32 AM	Sen. Hutson
8:14:55 AM	Sen. Latvala
8:15:29 AM	Am. 453552
8:15:35 AM	Sen. Hutson
8:15:38 AM	Sen. Latvala
8:15:59 AM	S 884 (cont.)
8:16:07 AM	Carrie Graham, Legislative Assistant for Bob Harris, The Diving Equipment and Marketing Association (waives in support)
8:16:19 AM	Gene McGee, SeaWorld Parks and Entertainment (waives in support)
8:16:30 AM	Sen. Bradley
8:16:48 AM	Sen. Latvala
8:16:52 AM	Sen. Hutson
8:17:14 AM	Sen. Latvala
8:17:35 AM	Kate MacFall, State Director, Humane Society of the United States (waives in support)
8:17:46 AM	Jerry Sansom, Organized Fisherman of Florida (waives in support)
8:19:12 AM	S 374
8:19:18 AM	Sen. Galvano
8:22:05 AM	Sen. Latvala
8:22:11 AM	Sen. Powell
8:22:29 AM	Sen. Galvano
8:22:40 AM	Sen. Powell
8:22:58 AM	Sen. Galvano
8:23:40 AM	Sen. Gibson

8:24:30 AM	Sen. Galvano
8:25:02 AM	Sen. Latvala
8:25:06 AM	Sen. Stargel
8:25:14 AM	Sen. Galvano
8:25:28 AM	Sen. Powell
8:26:40 AM	Sen. Galvano
8:27:52 AM	Sen. Bradley
8:28:47 AM	Sen. Galvano
8:29:25 AM	Sen. Latvala
8:29:35 AM	Sen. Montford
8:29:52 AM	Sen. Galvano
8:30:36 AM	Sen. Montford
8:30:46 AM	Sen. Galvano
8:31:02 AM	Sen. Latvala
8:31:11 AM	Am. 724756
8:31:26 AM	Am. 151586
8:31:31 AM	Sen. Brandes
8:31:48 AM	Sen. Latvala
8:31:59 AM	Sen. Brandes
8:32:34 AM	Sen. Latvala
8:32:43 AM	Sen. Brandes
8:32:58 AM	Sen. Latvala
8:33:03 AM	Sen. Brandes
8:33:08 AM	Sen. Montford
8:33:30 AM	Sen. Brandes
8:33:42 AM	Sen. Montford
8:33:48 AM	Sen. Brandes
8:34:53 AM	Sen. Montford
8:35:01 AM	Sen. Brandes
8:35:36 AM	Sen. Montford
8:35:51 AM	Sen. Brandes
8:36:14 AM	Sen. Flores (Chair)
8:36:19 AM	Sen. Stargel
8:36:52 AM	Sen. Brandes
8:37:03 AM	Sen. Gibson
8:37:26 AM	Sen. Brandes
8:37:58 AM	Sen. Gibson
8:38:18 AM	Sen. Brandes
8:38:34 AM	Sen. Gibson
8:39:33 AM	Sen. Brandes
8:39:46 AM	Sen. Flores
8:39:49 AM	Sen. Montford
8:40:37 AM	Sen. Flores
8:40:40 AM	Sen. Latvala
8:40:54 AM	Sen. Brandes
8:40:56 AM	Sen. Latvala
8:41:02 AM	Sen. Brandes
8:41:04 AM	Sen. Latvala
8:41:42 AM	Sen. Brandes
8:41:46 AM	Sen. Latvala
8:42:02 AM	Sen. Brandes
8:42:05 AM	Sen. Latvala
8:42:17 AM	Sen. Flores
8:42:20 AM	Sen. Galvano
8:42:26 AM	Sen. Latvala
8:42:34 AM	Sen. Galvano
8:42:45 AM	Sen. Latvala
8:42:57 AM	Sen. Flores
8:43:17 AM	S 376
8:43:21 AM	Sen. Simmons
8:44:19 AM	Sen. Flores
8:44:28 AM	Sen. Powell

8:44:43 AM	Sen. Simmons
8:45:59 AM	Sen. Powell
8:46:25 AM	Sen. Simmons
8:47:03 AM	Sen. Flores
8:47:11 AM	Sen. Gibson
8:48:18 AM	Sen. Simmons
8:48:43 AM	Sen. Gibson
8:48:48 AM	Sen. Simmons
8:49:43 AM	Sen. Gibson
8:49:55 AM	Sen. Simmons
8:50:33 AM	Sen. Gibson
8:50:45 AM	Sen. Simmons
8:50:48 AM	Sen. Gibson
8:51:13 AM	Sen. Simmons
8:51:32 AM	Sen. Gibson
8:52:02 AM	Sen. Simmons
8:54:10 AM	Sen. Flores
8:54:16 AM	Sen. Montford
8:54:31 AM	Sen. Simmons
8:55:23 AM	Sen. Montford
8:56:09 AM	Sen. Simmons
8:56:30 AM	Sen. Montford
8:57:03 AM	Sen. Simmons
8:57:23 AM	Sen. Flores
8:57:25 AM	Am. 196896
8:57:32 AM	Sen. Braynon
8:58:48 AM	Sen. Flores
8:58:53 AM	Am. 376012
8:58:54 AM	Sen. Simmons
8:58:58 AM	Sen. Flores
8:59:01 AM	Am. 770816
8:59:04 AM	Sen. Braynon
9:00:07 AM	Sen. Flores
9:00:10 AM	Am. 948372
9:00:13 AM	Sen. Simmons
9:00:18 AM	Sen. Flores
9:00:24 AM	Rheb Harbison, Senior Director Government Affairs, The Villages Charter School (waives in support)
9:00:28 AM	Lawrence Clermont, Florida Parent-Teacher Association (waives in opposition)
9:00:35 AM	Chris Moya, Lobbyist, Charter Schools USA
9:04:43 AM	Sen. Powell
9:04:51 AM	C. Moya
9:05:07 AM	Sen. Powell
9:06:33 AM	C. Moya
9:07:22 AM	Sen. Powell
9:07:56 AM	C. Moya
9:08:24 AM	Sen. Flores
9:08:27 AM	Sen. Montford
9:10:08 AM	Sen. Flores
9:10:24 AM	Bridget Zegler, Vice President, Florida Coalition of School Board Members, Inc.; Vice Chair, Sarasota Company
9:11:19 AM	Sen. Flores
9:11:27 AM	Sen. Latvala
9:11:32 AM	B. Zegler
9:11:36 AM	Sen. Latvala
9:11:39 AM	B. Zegler
9:11:51 AM	Sen. Latvala
9:12:03 AM	B. Zegler
9:12:16 AM	Sen. Latvala
9:12:20 AM	B. Zegler
9:12:44 AM	Sen. Flores
9:12:54 AM	R. Harbison
9:13:33 AM	Sen. Flores

9:13:41 AM	S 376 (cont.)
9:13:47 AM	Sen. Montford
9:18:15 AM	Sen. Flores
9:18:18 AM	Sen. Braynon
9:19:29 AM	Sen. Flores
9:19:34 AM	Sen. Gibson
9:22:03 AM	Sen. Flores
9:22:23 AM	Spencer Pylant, Communications and Government Relations Liaison, Pasco County Schools
9:23:13 AM	Sen. Flores
9:23:22 AM	Sen. Simmons
9:28:41 AM	Sen. Flores
9:29:30 AM	S 374 (cont.)
9:29:38 AM	Am. 151586 (cont.)
9:29:58 AM	Sen. Brandes
9:30:27 AM	Sen. Flores
9:30:45 AM	Sen. Montford
9:31:02 AM	Sen. Brandes
9:31:08 AM	Sen. Flores
9:31:11 AM	Sen. Montford
9:31:23 AM	Sen. Brandes
9:31:36 AM	Sen. Montford
9:31:40 AM	Sen. Brandes
9:32:04 AM	Sen. Flores
9:32:21 AM	Sen. Montford
9:33:25 AM	Sen. Flores
9:33:30 AM	Sen. Brandes
9:34:00 AM	Sen. Flores
9:34:12 AM	S 374 (cont.)
9:34:22 AM	Marshall Ogletree, Executive Director, United Faculty of Florida (waives in opposition)
9:34:43 AM	Sen. Galvano
9:34:49 AM	Sen. Flores
9:35:24 AM	S 532
9:35:32 AM	Sen. Galvano
9:35:56 AM	Sen. Flores
9:36:11 AM	Jim Spratt, Associated Industries of Florida (waives in support)
9:36:58 AM	S 852
9:37:03 AM	Sen. Garcia
9:38:12 AM	Sen. Flores
9:38:16 AM	Am. 681222
9:38:21 AM	Sen. Latvala
9:38:56 AM	Sen. Flores
9:39:05 AM	Sen. Garcia
9:39:18 AM	Sen. Flores
9:39:20 AM	S 852 (cont.)
9:40:15 AM	S 76
9:40:25 AM	Am. 959354
9:40:32 AM	Sen. Lee
9:41:54 AM	Sen. Flores
9:42:02 AM	Sen. Powell
9:42:12 AM	Sen. Lee
9:42:26 AM	Sen. Flores
9:42:35 AM	Brewster Bevis, Senior Vice President, Associated Industries of Florida (waives in support)
9:42:40 AM	Carolyn Johnson, Policy Director, Florida Chamber of Commerce (waives in support)
9:42:44 AM	Nancy Stewart, Legislative Counsel, Federation of Manufactured Home Owners of Florida (waives in support)
9:42:48 AM	Danielle Scoggins, Sr. Public Policy Representative, Florida Realtors (waives in support)
9:43:04 AM	S 76 (cont.)
9:43:39 AM	S 582
9:43:44 AM	Sen. Latvala
9:45:36 AM	Sen. Flores
9:45:44 AM	Stephen Winn, Executive Director, Florida Osteopathic Medical Association (waives in support)
9:45:48 AM	Chris Hansen, Florida Pediatric Medical Association (waives in support)

9:45:56 AM Casey Stoutamine, Director of Third Party Payer and Professional Affairs, Florida Dental Association
(waives in support)
9:46:48 AM S 718
9:46:50 AM Sen. Powell
9:47:26 AM Sen. Flores