

## Committee on Appropriations

### HB 5001 — General Appropriations Act

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

HB 5001, the General Appropriations Act for Fiscal Year 2020-2021, provides for a total budget of \$93.2 billion, including:

- \$35.2 billion from the General Revenue Fund (GR)
- \$2.2 billion from the Education Enhancement Trust Fund
- \$1.2 billion from the Public Education Capital Outlay Trust Fund (PECO TF)
- \$54.6 billion from other trust funds (TF)
- 113,413.51 full time equivalent positions (FTE)

### Reserves

Total: \$3.9 billion

- \$1.3 billion in the General Revenue Fund unallocated
- \$1.7 billion in the Budget Stabilization Fund
- \$858 million in the Lawton Chiles Endowment Fund

### Major Issues

#### *Education Capital Outlay*

Total: \$367.6 million [\$14 million GR; \$353.6 million PECO TF]

- Charter School Repairs and Maintenance - \$169.6 million
- Developmental Research School Repairs and Maintenance - \$7 million
- Public School Special Facilities - \$41.3 million
- Other Public School Projects - \$6 million
- Florida College System Projects - \$18.7 million
- State University System Projects - \$112.7 million
- School for the Deaf and Blind Repairs and Maintenance - \$5.3 million
- Public Broadcasting - Health and Safety Issues - \$4.9 million
- Technical School Projects - \$2 million
- Division of Blind Services Repairs and Maintenance - \$100,000

In addition: \$48 million in authorization for State University System (SUS) Capital Improvement Student Fee Projects.

#### *Compensation and Benefits*

Pay Issues - Total \$193.3 million [\$120.3 million GR; \$73 million TF]

- All State Employees - a 3 percent increase, effective October 1, 2020
- Corrections Officers, Correctional Probation Officers, and Institutional Security Specialists - increases effective October 1, 2020, in addition to the 3 percent pay increase, based on longevity, of:

- \$500, for employees with less than 2 years of service;
- \$1,500, for employees with 2 or more but less than 5 years of service; and
- \$2,500, for employees with 5 or more years of service.
- Department of Corrections Teachers - Pay increase of 15 percent, in addition to statewide 3 percent increase, effective October 1, 2020.
- Child Protective Investigators - Pay increase of 10 percent for investigators, 5 percent for supervisors, effective July 1 2020.

Regional Conflict Counsels and senior staff - FRS Senior Management Class benefits.

Guardian ad Litem Attorneys - Enhanced health insurance and annual leave benefits.

State Group Health Insurance - Total \$88.1 million [\$54.5 million GR; \$33.6 million TF]

- 6.5 percent increase to total premiums (State Employee portion unchanged).

Florida Retirement System (State Agencies) - Total \$53.3 million [\$17.4 million GR; \$35.9 million TF].

### **Education Appropriations**

Total Appropriations: \$23.5 billion [\$18 billion GR; \$5.5 billion TF, excludes tuition]

Total Funding - Including Local Revenues: \$35.9 billion [\$23.5 billion state funds; \$12.4 billion local funds]<sup>1</sup>

### **Major Issues**

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

Total: \$1.4 billion [\$569.1 million GR; \$802.6 million TF]

- Voluntary Prekindergarten Program - \$412.2 million GR; including \$1.75 million increase for 659 additional students and \$8.1 million to raise the Base Student Allocation
- School Readiness Program - \$895.8 million [\$144.5 million GR; \$751.3 million TF]

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

Total Funding: \$22.7 billion [\$13 billion state funds; \$9.7 billion local funds]

- FEFP Total Funds increase is \$776 million or 3.55 percent
- FEFP increase in Total Funds per Student is \$184, a 2.40 percent increase [from \$7,656 to \$7,840]
- Base Student Allocation (BSA) increase of \$40
- FEFP Base Funds (flexible \$) increase of \$340 million (2.53 percent)

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<sup>1</sup> Local revenues include required and discretionary local effort for the public schools and tuition and fees for workforce, colleges, and universities.

- Required Local Effort (RLE) increase of \$158.8 million for new construction only; RLE Millage reduced from 3.888 to 3.733 mills
- Teacher Salary Increase Allocation - \$500 million - additional funds that school districts must use to increase the minimum salaries of classroom teachers (\$400 million) to at least \$47,500, and to increase salaries for other instructional personnel (\$100 million)
- Sparsity Supplement - \$2.7 million increase to support small, rural districts
- Eliminates the Best and Brightest Teacher and Principal Allocation - (\$284.5 million)
- Safe Schools Allocation - \$180 million for School Safety Officers
- Mental Health Assistance Allocation - \$25 million increase for a total of \$100 million to help school districts and charter schools address youth mental health issues
- Turnaround School Supplemental Services Allocation - \$45.5 million -funds for services designed to improve the overall academic and community welfare of students and their families at designated lower performing schools
- Funding Compression and Hold Harmless Allocation - \$68 million - compression funds for districts with total funds per FTE that are less than the statewide average and hold harmless funds for districts that have a reduction in the District Cost Differential

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

- Community School Grant Program - \$7.2 million GR
- Mentoring Programs - \$17.8 million GR
- Gardiner Scholarships -\$42 million additional funds for a total of \$189.9 million GR
- Schools of Hope - (\$40 million) GR reduction
- School District Foundation Matching Grants - \$5 million GR
- School Hardening Grants program for capital purchases for school security - \$42 million GR
- School and Instructional Enhancement Grants - \$32.1 million GR
- Exceptional Education Grants - \$9.6 million [\$7.3 million GR; \$2.3 million TF]
- Florida School for the Deaf & Blind - \$54.5 million [\$49.8 million GR; \$4.7 million TF]
- Computer Science Certification Grants - \$10 million GR
- Reading Scholarships - \$7.6 million GR
- Capital Projects - \$9 million GR

### ***State Board of Education***

Total: \$273.6 million [\$121.3 million GR; \$152.3 million TF]

- Assessment and Evaluation - \$125.1 million [\$68.8 million GR; \$56.3 million TF]
- Safe and Secure Campus Initiatives (Senate Bill 70) - \$8 million GR
- Just Read! Florida - \$1 million GR

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

Total: \$555.3 million [\$301.4 million GR; \$209.2 million TF; \$44.7 million tuition/fees]

- Workforce Development for career and technical education and adult education - \$372.3 million [\$281.2 million GR; \$91.1 million TF]
- Perkins Career and Technical Education grants and Adult Education and Literacy funds - \$118.1 million TF
- CAPE Incentive Funds for students who earn Industry Certifications - \$6.5 million
- School and Instructional Enhancement Grants - \$2.2 million GR
- Pathways to Career Opportunities Grant Program for apprenticeships - \$10 million GR
- No tuition increase

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

Total: \$2.07 billion [\$1.12 billion GR; \$168.2 million TF; \$778.7 million tuition/fees]

- Increased Operating Funds - \$23 million New Tier-Based Funding Model
- CAPE Incentive Funds - \$14 million GR
- Student Success Incentive Funds - \$30 million
  - 2+2 Student Success Incentive Funds - \$20 million GR
  - Work Florida Incentive Funds - \$10 million GR
- No tuition increase

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

Total: \$5.2 billion [\$2.8 billion GR; \$435 million TF; \$2 billion tuition/fees]

- Performance Based Funding - \$560 million
  - \$265 million State Investment [GR]
  - \$295 million Institutional Investment
    - Reprioritized from the base of each institution
- National Ranking Enhancement - \$30 million GR increase
- Universities of Distinction - \$24 million GR
- General Operating Increases - \$50 million GR
- FSU - Florida Institute of Politics - \$1 million GR
- FSU - Florida Institute for Child Welfare - \$5 million GR
- FIU Institute of Economic Freedom - \$1 million
- IFAS Workload - \$3.8 million GR increase
- No tuition increase

### ***Private Colleges***

Total: \$171.9 million GR

- EASE and ABLE funded at \$2,841 per award
- Historically Black Colleges and Universities - \$20.6 million GR increase

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

Total: \$984.7 million [\$259.2 million GR; \$725.5 million TF]

- Bright Futures - \$651.8 million TF
- Benacquisto Scholarship Program - \$26.6 million GR
  - \$5.2 million workload increase
- Children/Spouses of Deceased or Disabled Veterans Workload Increase - \$8.4 million GR
  - \$757,042 workload increase

### **Health and Human Services Appropriations**

Total Budget: \$39.4 billion [\$10,644.3 million GR; \$28,719.1 million TF]; 30,869.76 positions

#### **Major Issues**

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

Total: \$30.78 billion [\$7.35 billion GR; \$23.43 billion TF]; 1,526.50 positions

- Medicaid Price Level and Workload - \$900.7 million [\$144.5 million GR; \$756.2 million TF]
- Medicaid Contingency Reserve - \$68.9 million [\$36.8 million GR; \$32.1 million TF]
- KidCare Workload - \$31.5 million [\$74.7 million GR; (\$43.2 million) TF]
- MediKids Combined Risk Pool Implementation - \$31.0 million [\$2.6 million GR; \$28.4 million TF]
- Canadian Prescription Drug Importation Program - \$10.3 million TF; 3 FTE
- New Reimbursement Rate Level for Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/IID) - \$38.3 million [\$14.6 million GR; \$23.7 million TF]
- Graduate Medical Education Program Increase - \$33.7 million [\$12.9 million IGTs, \$20.8 million TF]
- Medical School Faculty Physician Supplemental Payments - \$4.6 million [\$1.8 million IGTs, \$2.8 million TF]
- Neonatal Intensive Care Unit (NICU) Physician Rate Increase - \$2.6 million [\$1 million GR, \$1.6 million TF]
- Florida Cancer Hospital Restoration - \$141.5 million TF [\$54.0 million IGTs, \$87.5 million TF]
- Nursing Home Rate Enhancement - \$74.8 million [\$28.5 million GR; \$46.3 million TF]
- Nursing Home Quality Improvement - \$5.0 million TF
- Florida Medicaid Management Information System (FMMIS) - \$47.1 million TF
- Electronic Visit Verification for Behavior Analysis Services - \$3.15 million TF

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

Total: \$1.59 billion [\$647.2 million GR; \$938.1 million TF]; 2,700.5 positions

- Resources for Persons with Unique Abilities - \$67.1 million [\$25.6 million GR; \$41.5 million TF]

- Serve Additional Clients on the Home and Community Based Services Waitlist - \$30.2 million [\$11.5 million GR; \$18.7 million TF]
- Increase Adult Day Training Provider Rates - \$16.1 million [\$6.1 million GR; \$10.0 million TF]
- Increase Personal Supports Provider Rates - \$36.8 million [\$14.1 million GR; \$22.7 million TF]
- Increase Residential Habilitation Provider Rates - \$5.5 million [\$2.1 million GR; \$3.4 million TF]
- Increase Respite Provider Rates - \$1.8 million [\$0.7 million GR; \$1.1 million TF]
- Employment and Internship Supports - \$1.0 million GR
- iConnect System - \$1.5 million [\$0.3 million GR; \$1.2 million TF]
- Fixed Capital Outlay for Developmental Disability Facilities - \$3.3 million TF

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

Total: \$3.37 billion [\$1.91 billion GR; \$1.46 billion TF]; 12,052.75 positions

- Establish Quality Office for Enhanced Accountability - \$5.4 million GR
- Child Welfare Services:
  - Maintenance Adoption Subsidies - \$20.0 million [\$9.4 million GR; \$10.6 million TF]
  - Foster Parent Room & Board Rate Increase - \$0.8 million [\$0.5 million GR, \$0.3 million TF]
  - Transition Funding to Implement Family First Prevention Services Act- \$18.0 million TF
  - Community-Based Care (CBC) Lead Agency Core Services Funding Increase - \$11.9 million [\$7.4 million GR, \$4.5 million TF]
  - CBC Risk Pool - \$5.0 million TF
  - Child Welfare Performance Incentive Pilot Projects - \$8.2 million GR
  - Safety Management Services - \$8.1 million [\$5.2 million GR, \$2.9 million TF]
- State Opioid Response Grant - \$81.8 million TF
- Community Mental Health Services:
  - Increased School Access to Mental Health Services through Telehealth - \$4.0 million GR
  - Children's Community Action Teams (CATs) - \$2.3 million GR
  - Forensic Community Transitional Beds (24 beds) - \$2.1 million GR
  - Juvenile Incompetent to Proceed Program - \$1.5 million GR
  - Employment Assistance/Individuals with Mental Health Disorders - \$0.7 million GR
- State Mental Health Facilities:
  - Rate Adjustment and Civil Commitment Capacity Increase (9 beds) - \$5.0 million GR
  - Anti-Ligature Improvements - \$1.7 million GR
  - Fixed Capital Outlay Repairs and Maintenance - \$2.0 million GR

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

Total: \$371.6 million [\$184.2 million GR; \$187.4 million TF]; 404 positions

- Community Care for the Elderly (CCE) Program (500 slots) - \$4.2 million GR
- Aging Resource Centers - \$1.5 million [\$0.75 million GR; \$0.75 million TF]
- Alzheimer's Disease Initiative (257 slots) - \$2.8 million GR
- Specialized Alzheimer's Services Adult Day Care - \$0.75 million GR
- Home Care for the Elderly (HCE) Program (139 slots) - \$0.6 million GR
- Public Guardianship Program - \$8.7 million GR
- Client Information and Registration Tracking System (eCIRTS) Project Implementation - \$1.7 million [\$0.2 million GR; \$1.5 million TF]
- Program of All-Inclusive Care for the Elderly (PACE) - \$6.3 million [\$2.4 million GR; \$3.9m TF]
- Adult Care Food Program - \$1 million TF

### *Department of Health*

Total: \$3.11 billion [\$533.6 million GR; \$2.57 billion TF]; 12,706.51 positions

- Office of Medical Marijuana Use - \$8.1 million TF
- Emerging Disease Threat Response (Hepatitis A) - \$9.1 million [\$8.2 million GR; \$0.9 million TF]
- Transfer Correctional Medical Authority from EOG to DOH - \$0.7 million GR; 6 FTE
- Increased Correctional Medical Authority staff - \$0.7 million GR; 4 FTE
- Children Medical Services workforce reduction - (\$7.3 million) TF, (139 FTE) [\$3 million GR; \$4.3 million TF]
- Children's Medical Services Managed Care Plan Administrative Savings - (\$12.7 million) [\$10.3 million GR; \$2.4 million TF]
- Child Protection Teams - \$1.5 million GR
- Housing Opportunities for Persons with Aids (HOPWA) - \$9.1 million TF
- Early Steps Program - \$8.0 million GR
- Healthy Floridians Healthy Future Racial and Ethnic Disparities Closing the Gap - \$1.7 million GR
- Poison Information Control Network - \$0.7 million GR
- Expansion of Genetic Services - \$1.2 million TF
- Center for Disease Control Federal Opioid Grant - \$6.5 million TF
- Capital Improvement Projects for Public Health Laboratories and County Health Departments - \$10.4 million TF
- Coronavirus disease - \$25.2 million GR and \$27.3 million Federal Funds (for 2019-2020 Fiscal Year)

### *Department of Veterans Affairs*

Total: \$151.2 million [\$22.9 million GR; \$128.3 million TF]; 1,479.5 positions

- Initial Staffing and Start-up State Veterans' Nursing Home in St. Lucie County (Ardie Copas) - \$5.5 million TF; 39 positions

- Initial Staffing and Start-up of State Veterans' Nursing Home in Orange County (Lake Baldwin) - \$3.4 million TF; 29 positions
- Technology Upgrades - \$0.4 million TF
- Florida is For Veterans Training Grants - \$1.4 million GR
- Fixed Capital Outlay for State Veterans Nursing Homes - \$8.1 million TF

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

Total Budget: \$5.6 billion [\$4,730.6 million GR; \$838.4 million TF]; 46,886.25 positions

#### **Major Issues**

- Funds the Department of Corrections pilot program to convert work shifts from 12 to 8.5 hours for one fourth of the prison system \$17.3 million GR and 220 FTE
- Continued funding of contracted inmate health services - \$421 million
- Funds the Hepatitis C class action lawsuit in the Department of Corrections, contingent upon the court's final ruling on all appeals related to the treatment of inmates identified as testing positive for level F0-F1 Hepatitis C; or to respond to a pandemic - \$28 million GR
- Mental Health Facilities, including provision for the financing of a new mental health facility at Lake Correctional Institution - \$19.7 million GR
- Fixed Capital Outlay for DJJ's residential program facilities - \$3.4 million TF
- Funds workload issues for the Justice Administrative Commission (Public Defenders, State Attorney, Capital Collateral Regional Counsel and the Offices of Criminal Conflict and Civil Regional Counsel) - \$12.9 million [\$8.2 million GR, \$4.7 million TF]
- Funds Year 3 of the Department of Legal Affairs IT Modernization Initiative - \$6.6 million [\$5.6 million GR, \$1 million TF]
- Funds FDLE's trust fund deficits within the Operating and Criminal Justice Standards and Training Trust Fund - \$5.9 million GR
- Additional Judgeships - \$3.4 million GR and 21 FTE (includes the certification of 4 new circuit judges and 6 new county judges)
- Community coordinators and training staff for Early Childhood Courts (ECCs) - \$2.2 million GR and 21 FTE

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

Total: \$296.7 million [\$68.7 million GR; \$228.1 million TF]; 1,384.5 positions

- Agency-wide Information Technology Infrastructure Improvements - \$6.4 million [\$3.4 million GR, \$3 million TF]
- Consumer Protection - Cyber Fraud Initiative - \$1.1 million TF and 11 FTE
- Increase Human Resources Staff Based on Workload - \$249,963 GR and 3 FTE
- Crime Victims Compensation Payments - \$0.9 million GR
- Statewide Prosecution - \$0.4 million GR
- Increased Operating Costs - \$2.2 million [\$1.2 million GR; \$1 million TF]



***Department of Corrections***

Total: \$2.8 billion [\$2.73 billion GR; \$62 million TF]; 25,154 positions

- Conversion From 12 to 8.5 Hour Work Shifts - \$17.3 million GR and 220 FTE
- Private Leases - \$3.0 million GR
- Security Enhancement Equipment - \$3.0 million GR
- Replacement of Motor Vehicles - \$2.6 million GR
- Inspector General Inspectors - \$0.7 million GR and 10 FTE
- Electronic Health Records - \$2.0 million GR
- Security Threat Group - \$2.2 million GR and 34 FTE
- Wellness Specialists - \$1.9 million GR and 34 FTE
- Career and Technical Education Expansion - \$3.0 million GR
- Hepatitis C Direct Acting Antivirals or Pandemic Response - \$28 million GR
- Critical Facility Renovations, Repairs and Maintenance - \$6.0 million GR
- Mental Health Facilities - \$19.7 million GR

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

Total: \$288.9 million [\$137.6 million GR; \$151.3 million TF]; 1,949 positions

- Computerized Criminal History (CCH) Record System Maintenance - \$1.9 million GR
- Florida Incident Based Reporting System (FIBRS) - \$2.6 million GR
- Criminal Justice Data Transparency - \$3.6 million GR
- Criminal Justice Standards and Training Trust Fund Deficit - \$3.3 million GR
- Increase Federal Grants Trust Fund Authority for Project Safe Neighborhood Grants - \$1.5 million TF
- Genetic Genealogy Program - \$0.8 million GR; 6 FTE
- Statewide Behavioral Threat Assessment - \$2.4 million GR and 10 FTE
- Repair and Maintenance for the Tampa Bay Regional Operations Center - \$2.2 million GR

***Department of Juvenile Justice***

Total: \$587.1 million [\$442.9 million GR; \$144.2 million TF]; 3,285.5 positions

- Prevention and Early Intervention Programs and Services - \$2.6 million GR
- Critical Repairs and Maintenance to DJJ Facilities - \$3.4 million TF
- Enhanced Oversight of Medical Services in Residential Programs - \$0.6 million GR and 6 FTE
- Retention Bonus Plan for Contracted Direct-Care Staff - \$2 million GR
- Trust Fund Shortfalls - \$13.0 million GR

***State Court System***

Total: \$606 million [\$506.2 million GR; \$99.6 million TF]; 4,420.5 positions

- New 2<sup>nd</sup> District Court of Appeal Courthouse - \$21 million GR
- Additional Judgeships - \$3.4 million GR and 21 FTE (includes the certification of 4 new circuit judges and 6 new county judges)
- Timely Resolution of Cases - \$1.9 million [\$1.6 million GR, \$0.2 million TF] and 21 FTE
- Court Interpreting Resources - \$5.0 million [\$4.6 million GR, \$0.4 million TF] and 37.5 FTE
- Additional Staff for Early Childhood Courts (ECCs) - \$2.2 million GR and 21 FTE
- Problem Solving Courts - \$0.6 million, [\$0.4 million GR, \$0.2 million TF] and 4 FTE
- Family Court Operational Support - \$0.3 million [\$0.2 million, \$0.1 million TF] and 2 FTE
- Judicial Data Management System - \$0.4 million TF
- Appellate Judiciary Travel - \$125,000 TF
- Courthouse Furnishings - \$0.3 million TF
- Appellate Court Security - \$0.5 million TF

### ***Justice Administrative Commission (JAC)***

Total: \$982.2 million [\$830 million GR; \$152.2 million TF]; 10,560.75 positions

- State Attorney Trust Fund Needs (Various) - \$5.5 million TF; 3 FTE
- State Attorney Prosecution Unit for Construction Fraud (14th Circuit) - \$183,813 GR; 2 FTE
- Public Defender Various Mental Health, Substance Abuse Related Funding Issues - \$3 million GR; 36.5 FTE
- Capital Collateral Regional Counsels (Various Issues - IT, Rent, Workload) - \$1.2 million [\$709,272 GR; \$457,978 TF]
- Criminal Conflict & Civil Regional Counsel Workload, Rent, Forensic Social Workers, Dependency Representation - \$1.6 million GR; 31 FTE
- JAC HQ Staffing Needs - \$378,609 GR; 3 FTE
- JAC HQ Critical Information Technology (IT) Needs - \$317,000 GR
- Statewide Guardian ad Litem Program (GAL) OPS - \$355,834 GR

### ***Florida Commission on Offender Review***

Total: \$11.9 million [\$11.8 million GR; \$0.1 million TF]; 132 positions

- Replacement of Motor Vehicles - \$25,000 GR
- Miami Regional Office Rent Expenses - \$25,000 GR
- Information Technology (IT) Services Provided by Department of Corrections - \$376,000

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

Total Budget: \$13.7 billion [\$201.4 million GR; \$13.5 billion TF]; 13,044 positions

## Major Issues

- Transportation Work Program - \$9.3 billion TF
- Affordable Housing Programs - \$370 million TF
- Job Growth Grant Fund - \$20 million GR
- Library Grants and Initiatives - \$27.2 million GR
- Cultural, Museum, and Historic Preservation Grants and Initiatives - \$51.6 million GR and TF
- Motorist Modernization Project - \$9.2 million TF
- National Guard Tuition Assistance - \$4.2 million GR

### *Department of Economic Opportunity*

Total: \$1.22 billion [\$64.0 million GR; \$1.2 billion TF]; 1,469 positions

- Economic Development Toolkit Payments (existing contracts) - \$25.7 million GR and TF
- Florida Job Growth Grant Fund - \$20 million GR
- Revolving Loan Fund Program - \$40 million [\$8 million TF and \$32 million Federal TF] (for small businesses in the region impacted by Hurricane Michael)
- Space Florida - \$12.5 million TF; \$6 million GR
- Visit Florida - \$50 million recurring TF
- Enterprise Florida - \$16 million TF
- Affordable Housing Programs - \$370 million TF
  - State Housing Initiatives Partnership (SHIP) - \$225.0 million TF (allocated to local governments)
  - State Apartment Incentive Loan (SAIL) Programs - \$115 million TF
  - Hurricane Housing Recovery Program - \$30 million TF
- Rural Communities:
  - Rural Infrastructure Fund - \$8.6 million GR
  - Rural Community Development Revolving Loan Fund - \$6.2 million GR
- Economic Development Projects - \$10.0 million GR
- Housing and Community Development Projects - \$20.2 million GR
- Workforce Projects - \$7.3 million GR

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

Total: \$500.0 million TF; 4,339 positions

- Florida Highway Patrol Troopers - First Coast Expressway - \$1.3 million TF, 8 positions
- Motorist Modernization Project - Phase II - \$9.9 million TF
- Application Cloud Environment - \$2.5 million TF
- Renovations to the Neil Kirkman Building - \$1.1 million TF
- Florida Highway Patrol Troop D Headquarters, Orlando - \$5.9 million TF

***Department of Military Affairs***

Total: \$71.8 million [\$31.1 million GR; \$40.7 million TF]; 453 positions

- Tuition Assistance for Florida National Guard - \$4.2 million GR
- Facility Maintenance and Repair - \$3.4 million GR (matched by \$3.4 million federal funds)
- Panama City Readiness Center Replacement - \$6.3 million GR (matched by \$18.75 million federal funds)

***Department of State***

Total: \$132.0 million [\$95.3 million GR; \$36.7 million TF]; 414 positions

- Maintenance of Effort for Libraries - \$24.2 million GR
- Libraries Construction Grant Ranked List - \$1.0 million GR
- Grants to Library Cooperatives - \$2.0 million GR
- Cultural and Museum Program Support and Facilities Grants and Initiatives - \$26.5 million GR
  - Cultural & Museum Program Support Grants - \$20.3 million GR
    - Cultural and Museum Ranked List - \$13.6 million (funds distributed proportionally to all 489 projects)
    - Culture Builds Florida Ranked List - \$2.9 million (funds all 125 projects)
    - Cultural Facilities Ranked List - \$3.8 million (funds 17 of the 29 projects)
  - Cultural and Museum Projects - \$6.2 million GR
- Historical Resources Preservation - \$25.1 million GR and TF
  - Historic Preservation Grants - \$7.1 million [\$5.6 million GR; \$1.5 million TF]
    - Historic Preservation Small Matching Grants Ranked List - \$1.5 million TF (funds all 45 projects)
    - Historic Preservation Special Category Grants Ranked List - \$5.6 million GR (funds 15 of 38 projects)
  - Historic Preservation Projects - \$5.3 million GR
  - Artifact Curation Facility - \$2.5 million GR
  - Federal Hurricane Relief Funding for Historic Preservation - Hurricane Michael - \$10.2 million TF
- Cyber Security Bureau - \$1.3 million GR; 10 positions
- Elections - \$17.1 million GR
  - Recurring funding for the Division of Elections - \$1.8 million
  - Cyber Security and Election Activity Grants to Supervisors of Elections - \$1.0 million
  - Electronic Registration Information System Center (ERIC) - \$1.4 million
  - Reimbursements to Counties for Special Elections - \$1.5 million
  - Advertising Proposed Constitutional Amendments - \$1.3 million
  - Help America Vote Act 2020 Grant - \$10.1 million

***Department of Transportation***

Total: \$10.3 billion TF; 6,194 positions

- Transportation Work Program - \$9.3 billion TF
  - County Transportation Programs:
    - Small County Road Resurface Assistance Program (SCRAP) - \$47.6 million
    - Small County Outreach Program (SCOP) - \$96.0 million
    - Other County Transportation Programs - \$56.8 million
  - Local Transportation Initiatives (Road Fund) Projects - \$81.3 million
- Transportation Disadvantaged Program - \$70.4 million TF

***Division of Emergency Management***

Total: \$1.5 billion [\$11.0 million GR; \$1.5 billion TF]; 175 positions

- Federally Declared Disaster Funding - \$1.4 billion
  - Communities - \$1.27 billion TF
  - State Operations - \$115.7 million TF
- Statewide Regional Evacuation Study - \$1.2 million GR
- Statewide Comprehensive Flood Plain Model - \$2.0 million GR
- Community Flood Resiliency - \$491,576 GR
- State Emergency Operations Center Design - \$3.5 million GR
- Disaster Recovery and Preparedness Projects - \$5.3 million GR

**Agriculture, Environment, and General Government Appropriations**

Total Budget: \$6.6 billion [\$908 million GR; \$1,035.3 billion LATF; \$4.7 billion Other TF]; 20,076 positions

**Major Issues*****Department of Agriculture & Consumer Services***

Total: \$1.8 billion [\$138.8 million GR; \$114.8 million LATF; \$1.5 billion TF]; 3,740 positions

- Wildfire Suppression Equipment/Aircraft Acquisition - \$7.3 million TF [\$0.7million GR; \$3.3 million LATF; \$3.3 million TF]
- Florida Forest Service Road/Bridge and Facility Maintenance - \$8.7 million LATF
- Citrus Protection and Research - \$21.3 million [\$1.0 million GR; \$20.3 million TF]
- Water Supply Planning - \$1.5 million LATF
- Everglades Restoration / Lake Okeechobee Agriculture Projects - \$4 million GR
- Office of Water Policy - \$1.0 million LATF; 8 positions
- Rural and Family Lands Conservation Easements - \$8.7 million GR
- State Industrial Hemp Program - \$4.4 million [\$1.8 million GR; \$2.6 million TF]; 43 positions
- African Snail Eradication Program - \$1.3 million TF

- Office of Energy Grants - \$0.9 million TF
- USDA Hurricane Disaster Recovery - \$6.6 million TF
- Agriculture Education and Promotion Facilities - \$3.6 million GR

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

Total: \$160 million [\$1.4 million GR; \$158.5 million TF]; 1,659 positions

- Additional Resources Division of Hotels and Restaurants/Human Trafficking - \$0.3 million TF; 4 positions
- Staffing Necessary To Meet Statutorily-Required Food And Lodging Inspections - \$1.3 million TF; 21 positions

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

Total: \$26.4 million [\$5.7 million GR, \$20.7 million TF]; 27 positions

- Citrus Advertising/Promotion - \$4.1 million GR

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

Total: \$2.3 billion [\$366.8 million GR; \$817.5 million LATF; \$1.1 billion TF]; 2,917 positions

- DEP Everglades Restoration- \$318.6 million [\$1.7 million GR; \$314.6 million LATF; \$2.3 million TF]
- Water Quality Improvements - \$236.6 million [\$211.6 GR; \$25 million LATF]
  - Septic-to-Sewer/Wastewater Treatment - \$25 million GR
  - Total Maximum Daily Loads - \$25 million LATF
  - Water Quality Improvements Everglades - \$50 million GR
  - Indian River Lagoon Water Quality Improvements - \$25 million GR
  - St. Johns, Suwannee, Apalachicola Rivers Watersheds and Springs Coast Watershed Water Quality Improvements - \$25 million GR
  - Water Projects - \$76.6 million GR
  - Coral Reef Protection and Restoration - \$10.0 million GR
- Water Quality Improvements - Blue Green Algae Task Force - \$10.8 million GR
- Florida Resilient Coastline Initiative - \$10.0 million GR
- Innovative Technology Grants for Harmful Algal Blooms - \$10.0 million GR
- Springs Restoration - \$50 million LATF
- Alternative Water Supply - \$40 million [\$38.2 million GR; \$1.8 million TF]
- Florida Forever - \$100 million [\$15 million GR; \$79 million LATF; \$6 million TF]
  - Division of State Lands - \$67 million LATF
  - Florida Communities Trust - \$10.0 million LATF
  - Florida Recreational Development Assistance Grants - \$12.3 million [\$6.3 million GR; \$6.0 million TF]
  - Working Waterfronts - \$2.0 million LATF
  - DACS Rural and Family Lands - \$8.7 million GR
- Petroleum Tanks Cleanup Program - \$125 million TF

- Volkswagen Settlement - \$67.5 million TF
- Florida Keys Area of Critical State Concern - \$10 million [\$4 million GR; \$6 million LATF]
- Cleanup of State Owned Lands - \$10 million TF
- Hazardous Waste/Site Cleanup - \$6.5 million TF
- Beach Management Funding Assistance - \$50.0 million LATF
- Drinking Water Revolving Loan Program - \$130.7 million [\$10.3 million GR; \$120.4 million TF]
- Wastewater Revolving Loan Program - \$228.6 million [\$11.9 million GR; \$216.7 million TF]
- Additional Hurricane Recovery Related Drinking & Wastewater Revolving Loan Programs - \$177.8 million [\$25.4 million GR; \$152.4 million TF]
- Small County Solid Waste Management Grants - \$3 million TF
- Small County Wastewater Treatment Grants - \$13 million TF
- Local Parks - \$4.9 million GR
- State Parks Maintenance and Repairs - \$37.0 million TF [\$11.0 million LATF]

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

Total: \$411.9 million [\$29.1 million GR; \$382.7 million TF]; 2,570 positions

- Florida Planning, Accounting & Ledger Management (PALM) Project - \$26.9 million TF
- Transfer to DEP for Cleanup of State Fire College - \$5.5 million TF
- University of Miami - Sylvester Comprehensive Cancer Center - \$2.0 million TF
- Fire and Arson Equipment and Repairs and Maintenance - \$1.4 million TF
- Local Government Fire Services - \$20.4 million [\$5.4 million GR and \$15.0 million TF]
- Law Enforcement Training, Equipment, Upgrades and Vehicles - \$2.2 million TF
- Information Technology Upgrades to Software, Hardware, and Equipment - \$2.7 million TF

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

Total: \$418.5 million [\$52.5 million GR; \$103.1 million LATF; \$263.0 million TF]; 2,114 positions

- Marine Fisheries Infrastructure Recovery Grant Program - \$10.8 million TF
- Law Enforcement Vehicle Replacement - \$3.0 million TF
- Hurricane Irma Marine Fisheries Disaster Recovery - \$9.4 million TF
- Hurricane Michael Marine Fisheries Disaster Recovery - \$7.8 million TF
- Invasive Species Response - \$2.3 million GR
- Red Tide Research - \$2.8 million [\$2.2 million GR; \$0.6 million TF]
- Center for Red Tide Research - 2 FTE, \$2.0 million GR
- FWRI Building Repairs - \$1.8 million GR
- Boating Infrastructure and Improvement Program - \$5.9 million TF
- Derelict Vessel Removal - \$3.5 million TF

- State Reef Fish Survey - \$3.0 million GR

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

Total: \$187 million TF; 419 positions

- Information Technology Upgrades to Software, Hardware, and Equipment - \$0.6 million TF
- Operational Support - \$0.3 million TF
- Increase to Gaming System Contract - \$3.1 million TF

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

Total Budget: \$716 million [\$91.9 million GR; \$624.1 million TF]; 1,064 positions

- Florida Facilities Pool (FFP) Fixed Capital Outlay - \$72.8 million [\$53.5 million GR; \$19.3 million TF]
- FFP Service and Security Guard Contracts - \$0.4 million TF
- Private Prison Monitoring Facility Maintenance and Repairs (Gadsden and Lake City Correction Facilities) - \$3.4 million GR; \$1.5 million TF
- Florida Holocaust Memorial - \$0.4 million GR
- Florida Slavery Memorial - \$0.4 million GR
- Florida Interoperability Network and Mutual Aid - \$1.7 million GR
- Statewide Law Enforcement Radio System (SLERS) Contract, Staff Augmentation and Independent Verification and Validation Services - \$0.8 million TF
- Non-FRS Pension Benefits - \$0.1 million GR
- E911 Next Generation Grant - \$3.2 million TF
- Emergency 911 Call Routing System - \$6.0 million TF
- Florida Retirement Contact Center - \$1.0 million TF; 13 positions

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

Total Budget: \$27.2 million TF; 240 positions

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

Total: \$25.9 million TF; 271 positions

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

Total: \$602 million [\$221.9 million GR; \$380.2 million TF]; 5,055 positions

- Aerial Photography - \$0.2 million GR
- Fiscally Constrained Counties - \$31.1 million GR



If approved by the Governor, these provisions take effect July 1, 2020, except where otherwise expressly provided.

*Vote: Senate 32-0; House 104-0*

## Committee on Appropriations

### **HB 5003 — Implementing the 2020-2021 General Appropriations Act** by Appropriations Committee and Rep. Cummings (SB 2502 by Appropriations Committee)

HB 5003, relating to implementing the 2020-2021 General Appropriations Act, provides the following substantive modifications for the 2020-2021 fiscal year.

**Section 1** provides legislative intent that the implementing and administering provisions of this act apply to the General Appropriations Act (GAA) for Fiscal Year 2020-2021.

**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 GAA.

**Section 4** amends s. 1011.62, F.S., to suspend the Decline in Full-Time Equivalent Students allocation; and to reenact the Funding Compression allocation and add an additional eligibility criteria to include a school district with a decrease in its district cost differential compared to the prior year, and to change the name of the allocation to the Funding Compression and Hold Harmless allocation.

**Section 5** amends s. 1013.62, F.S., to provide that for the 2020-2021 fiscal year, charter school capital outlay funding shall consist of state funds appropriated in the General Appropriations Act and not revenue resulting from discretionary millage.

**Section 6** provides that the amendments to s. 1013.62(1), F.S., expire July 1, 2021, and the text of those sections reverts to that in existence on June 30, 2020.

**Section 7** amends s. 1001.26(1), F.S., to allow public colleges or universities that are part of the public broadcasting program system to qualify to receive state funds.

**Section 8** provides that the amendments to s. 1001.26(1), F.S., expire July 1, 2021, and the text of those sections reverts to that in existence on June 30, 2018.

**Section 9** creates s. 1004.6499, F.S., to establish the Florida Institute of Politics at the Florida State University to provide the southeastern region of the United States with a world class, bipartisan, nationally-renowned institute of politics.

**Section 10** provides that the calculations of the Medicaid Disproportionate Share Hospital and Hospital Reimbursement programs for the 2020-2021 fiscal year, which is contained in the document titled “Medicaid Hospital Funding Programs, Fiscal Year 2020-2021” dated March 15, 2020, and filed with the Clerk of the House of Representatives, are incorporated by reference for the purpose of displaying the calculations used by the Legislature.

**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 (DOH) for the Children's Medical Services (CMS) Network for the implementation of the Statewide Medicaid Managed Care program, to reflect actual enrollment changes due to the transition from fee-for-service into the capitated CMS Network.

**Section 12** reenacts s. 409.908(23), F.S., relating to Medicaid rate setting for specified provider types for Fiscal Year 2020-2021, to specify the prospective payment system reimbursement for nursing home services will be governed by s. 409.908(2), F.S., and the GAA. Language relating to county health department reimbursement is restructured but not changed substantively.

**Section 13** provides that the amendments to s. 409.908(23), F.S., expire July 1, 2021, and the text of that section reverts to that in existence on October 1, 2018.

**Section 14** reenacts s. 409.908(26), F.S., for Fiscal Year 2020-2021, to include Low Income Pool (LIP) payments and requires that Letters of Agreement for LIP be received by AHCA by October 1 and the funds outlined in the Letters of Agreement be received by October 31. Also includes eligibility requirements for essential providers to participate in LIP or other forms of supplemental payments funded by intergovernmental transfers.

**Section 15** provides that the amendments to s. 409.908(26), F.S., expire July 1, 2021, and the text of that section reverts to that in existence on June 30, 2019.

**Section 16** amends s. 409.904(12)(a) and (b), to eliminate the Medicaid retroactive eligibility period for nonpregnant adults in a manner that ensures that the modification provides eligibility will continue to begin the first day of the month in which a nonpregnant adult applies for Medicaid.

**Section 17** requires the Agency for Health Care Administration to submit the Medicaid Managed Care waiver independent evaluation to the Governor, the President of the Senate, and the Speaker of the House of Representatives regarding the impact of the waiver on Medicaid retroactive eligibility on beneficiaries and providers.

**Section 18** reenacts s. 624.91(5)(b), F.S., for Fiscal Year 2020-2021, to require the Florida Healthy Kids Corporation to validate and calculate a refund amount for Title XXI providers who achieve a Medical Loss Ratio below 85 percent. These refunds shall be deposited into the General Revenue Fund, unallocated.

**Section 19** provides that the amendments to s. 624.91(5)(b), F.S., expire July 1, 2021, and the text of that section reverts to that in existence on June 30, 2019.

**Section 20** amends s. 381.915(4), F.S., relating to the Florida Consortium of National Cancer Institute (NCI) Centers program to prevent a cancer center from participating as a Tier 3 center beyond July 1, 2021, and to authorize a cancer center that qualifies as a designated Tier 3 center

to pursue a NCI designation as a cancer center or a comprehensive cancer center until July 1, 2021.

**Section 21** provides that the amendments to s. 381.915(4), F.S., expire July 1, 2021, and the text of that section reverts to that in existence on June 30, 2020.

**Section 22** amends s. 893.055(17), F.S., relating to the prescription drug monitoring program to prohibit the use of any settlement agreement funds for the program for Fiscal Year 2020-2021.

**Section 23** amends s. 409.911, F.S., to provide that, for the 2020-2021 fiscal year, the AHCA must distribute moneys to hospitals providing a disproportionate share of Medicaid or charity care services as provided in the GAA for Fiscal Year 2020-2021.

**Section 24** amends s. 409.9113, F.S., to provide that, for the 2020-2021 fiscal year, the AHCA must make disproportionate share payments to teaching hospitals, as defined in s. 408.07, F.S., as provided in the GAA for Fiscal Year 2020-2021.

**Section 25** amends s. 409.9119, F.S., to provide that, for the 2020-2021 fiscal year, the AHCA must make disproportionate share payments to specialty hospitals for children as provided in the GAA for Fiscal Year 2020-2021.

**Section 26** authorizes the AHCA to submit a budget amendment to realign funding priorities within the Medicaid program appropriation categories to address any projected surpluses and deficits.

**Section 27** authorizes the AHCA to contract with an organization that receives federal approval to be a site for the Program of All-Inclusive Care for the Elderly (PACE). The contract must be with one private health care organization, the sole member of which is a private, not-for-profit corporation that owns and manages health care organizations that provide comprehensive long-term care services. This organization must provide these services to frail and elderly persons who reside in Escambia, Okaloosa, and Santa Rosa Counties. The organization is exempt from the requirements of chapter 641, Florida Statutes. The AHCA, in consultation with the Department of Elderly Affairs and subject to an appropriation, shall approve up to 200 initial enrollees in the PACE established by this organization to serve elderly persons who reside in Escambia, Okaloosa, and Santa Rosa Counties.

**Section 28** authorizes the AHCA to contract with an organization that receives federal approval 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 hospital located in Miami-Dade County to provide comprehensive services to frail and elderly persons residing in Northwest Miami-Dade County, as defined by the agency. 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 appropriation, shall approve up to 100 initial enrollees in the

Program of All-inclusive Care for the Elderly established by this organization to serve persons in Northwest Miami-Dade County.

**Section 29** authorizes the AHCA to contract with an organization that receives federal approval to be a provider of the Program of All-inclusive Care for the Elderly (PACE), the Agency for Health Care Administration shall contract with a private organization that has demonstrated the ability to operate PACE centers in more than one state and that serves more than 500 eligible PACE participants, to provide PACE services to frail elders who reside in Hillsborough, Hernando or Pasco 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 the appropriation of funds by the Legislature, shall approve up to 500 initial enrollees in the PACE program established by the organization to serve frail elders who reside in Hillsborough, Hernando or Pasco Counties.

**Section 30** authorizes the AHCA and the DOH to each submit a budget amendment to realign funding within the Florida KidCare program appropriation categories, or to increase budget authority in the Children's Medical Services Network category, to address projected surpluses and deficits within the program or to maximize the use of state trust funds. A single budget amendment must be submitted by each agency in the last quarter of the 2020-2021 fiscal year only.

**Sections 31 and 32** amend ss. 381.986 and 381.988, F.S., to provide that the DOH is not required to prepare a statement of estimated regulatory costs when promulgating rules relating to medical marijuana testing laboratories, and any such rules adopted prior to July 1, 2021, are exempt from the legislative ratification provision of s. 120.541(3), F.S. Medical marijuana treatment centers are authorized to use a laboratory that has not been certified by the department until rules relating to medical marijuana testing laboratories are adopted by the department, but no later than July 1, 2021.

**Section 33** amends s. 14(1) of Chapter 2017-232, L.O.F., to provide limited emergency rulemaking authority to the DOH and applicable boards to adopt emergency rules to implement the Medical Use of Marijuana Act (2017). The department and applicable boards are not required to prepare a statement of estimated regulatory costs when promulgating rules to replace emergency rules, and any such rules are exempt from the legislative ratification provision of s. 120.541(3), F.S., until July 1, 2021.

**Section 34** provides that the amendments to s. 14(1) of Chapter 2017-232, L.O.F., expire on July 1, 2021, and the text of that provision reverts back to that in existence on June 30, 2019.

**Section 35** authorizes the Department of Children and Families (DCF) to establish a formula to distribute funding for the Path Forward initiative due to the expiration of the federal Title IV-E Waiver.

**Section 36** allows the DCF to submit a budget amendment to realign funding within appropriations for the Guardianship Assistance Program.

**Section 37** amends s. 296.37, F.S., to increase the personal needs allowance from \$105 to \$130 for residents of Department of Veterans' Affairs nursing facilities.

**Section 38** authorizes the DOH to submit budget amendments to increase budget authority for the HIV/AIDS Prevention and Treatment Program if federal revenues become available.

**Section 39** authorizes the DCF to submit a budget amendment to increase budget authority for the Supplemental Nutrition Assistance Program if additional federal revenues become available in the 2020-2021 fiscal year.

**Section 40** authorizes the DCF to submit a budget amendment to realign funding within the Family Safety Program to maximize the use of Title IV-E and other federal funds.

**Section 41** amends s. 409.968, F.S., to require the AHCA to set aside a portion of the managed care rates from the rate cells for special needs and home health services in the managed medical assistance and managed long term care programs to implement a home health performance incentive program. The agency must direct Medicaid managed care plans to submit to the agency proposals to ensure all covered and authorized home health services are provided to recipients, methods for measuring provider compliance and mechanisms for documenting compliance to the agency. Plans must implement a method for families and caregivers to report provider failures to provide services in real time. The agency may disburse the withheld portion of rate in the last quarter of the fiscal year only upon a documented determination by the agency that the plans ensured all covered and authorized home health services were provided.

**Section 42** establishes provisions for the replacement of the current Florida Medicaid Management Information System (FMMIS) and fiscal agent operations by the Agency for Health Care Administration. This section also establishes an executive steering committee and members' responsibilities associated with the Florida Health Care Connection (FX) project.

**Section 43** provides the DCF with authority to submit budget amendments should Fiscal Year 2019-2020 appropriations for the domestic violence programs require realignment in light of the department no longer contracting with the Florida Coalition for Domestic Violence.

**Section 44** provides the DCF with authority to submit budget amendments should Fiscal Year 2020-2021 appropriations for the domestic violence programs require realignment in light of the department no longer contracting with the Florida Coalition for Domestic Violence.

**Section 45** amends s. 409.984(1), F.S., related to automatic enrollment process in the Long-Term Care Managed Care Plan for dually eligible recipients.

**Section 46** provides that the amendments to s. 409.984(1), F.S., expire July 1, 2021, and the text of that section reverts to that in existence on June 30, 2020.

**Section 47** amends s. 409.908 (2)(b), F.S., to provide a methodology to spread the nursing home rate increase across all providers, even if the provider is held to the September 2016 rate.

**Section 48** provides that the amendments to s. 409.908 (2)(b), F.S., expire July 1, 2021, and the text of that section reverts to that in existence on July 1, 2019.

**Section 49** authorizes the DOH to submit budget amendments to increase budget authority for the response to a public health emergency if additional federal revenues become available.

**Section 50** amends s. 400.179(2)(d), F.S., to reduce the Medicaid nursing home lease bond alternative collection threshold from \$25 million to \$10 million.

**Section 51** provides that the amendments to s. 400.179(2)(d), F.S., expire July 1, 2021, and the text of that section reverts to that in existence on June 30, 2019.

**Section 52** amends s. 216.262, F.S., to allow the Executive Office of the Governor to request additional positions and appropriations from unallocated general revenue funds during the 2020-2021 fiscal year for the Department of Corrections (DOC), if the actual inmate population of the DOC exceeds the Criminal Justice Estimating Conference forecasts of December 17, 2019. 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 53** amends s. 1011.80(8)(b), F.S., to permit the expenditure of appropriations for the education of state or federal inmates to the extent funds are specifically appropriated for this purpose.

**Section 54** provides that the amendments to s. 1011.80(8)(b), F.S., expire on July 1, 2021, and the text of that section reverts back to that in existence on June 30, 2019.

**Section 55** amends s. 215.18, F.S., to provide the Chief Justice of the Florida Supreme Court the authority to request a trust fund loan to ensure the state court system has sufficient funds to meet its appropriations contained in the GAA for Fiscal Year 2020-2021.

**Section 56** requires the Department of Juvenile Justice to ensure that counties are fulfilling their financial responsibilities required in s. 985.6865, F.S., 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., to be deposited into the Shared County/State Juvenile Detention Trust Fund in Department of Juvenile Justice. The section also includes procedures to provide assurance to holders of bonds for which shared revenue fund distributions are pledged.

**Section 57** reenacts s. 27.40, F.S., relating to criminal case conflicts to require written certification of conflict by a public defender. If the office of criminal conflict and civil regional counsel cannot accept a case from the public defender due to conflict, the office of civil regional counsel is required to specifically identify and describe the conflict of interest and certify the conflict to the court before a court-appointed counsel may be assigned. Each public defender and regional counsel must report, in the aggregate, the basis of all conflicts of interest certified to the court on a quarterly basis.

In addition, contracts with appointed counsel and forms used in billing by court-appointed counsel are required to be consistent with ss. 27.5304 and 216.311, F.S. A contract with court-appointed counsel must specify that payment is contingent upon an appropriation by the Legislature. The flat fee established in s. 27.5304, F.S., is required to be presumed to be sufficient compensation.

The Justice Administrative Commission (JAC) also is required to review appointed counsel billings, and objections by the JAC are required to be presumed correct unless a court determines, in writing, that competent and substantial evidence exists to justify overcoming the presumption. If an attorney does not permit the JAC or the Auditor General to review billing documentation, the attorney waives the claim for attorney fees. A finding by the JAC that the appointed counsel waived the right to seek compensation above the flat fee is required to be presumed correct, unless a court determines, in written findings, that competent and substantial evidence exists to overcome the presumption.

The Cross-Jurisdictional Death Penalty Pilot Program is established within the Office of Criminal Conflict and Civil Regional Counsel (CCCRC) of the Second Appellate District. If the public defender for the Fifth Judicial Circuit or the Ninth Judicial Circuit is unable to provide representation to an indigent defendant charged with a capital crime due to a conflict of interest and the CCCRC of the Fifth Appellate District, the entity having jurisdiction for these two circuits, is also unable to provide representation due to a conflict of interest, the CCCRC of the Second Appellate District, through this pilot program shall be appointed. This provides another layer of CCCRC conflict representation for capital cases before a case must be assigned to private counsel. The CCCRC of the Second Appellate District must provide a report on the implementation of the pilot project 30 days after the end of each calendar quarter.

**Section 58** amends s. 27.5304, F.S., to increase, for the 2020-2021 fiscal year, the statutory compensation limits for fees paid to court-appointed attorneys in noncapital, nonlife felony and life felony cases. The Legislature is authorized to establish the actual amounts paid to attorneys in these categories in the GAA for Fiscal Year 2020-2021.



In addition, court-appointed counsel may be compensated only in compliance with ss. 27.40(1), (2)(a), (7), F.S., 27.5304, F.S., and the GAA. The JAC is required to review all billings and must contemporaneously document its review before authorizing payment to an attorney. Objections by the JAC to billings by an attorney are required to be presumed correct by a court unless the court determines, in writing, that competent and substantial evidence supports overcoming the presumption. Motions to exceed the flat fee are required to be served on the JAC at least 20 business days before the hearing date, and the JAC may appear at the hearing in person or telephonically.

**Section 59** provides that the amendments to s. 27.40(1), (2)(a), (3)(a), (5), (6), and (7), F.S., and s. 27.5304(1), (3), (7), (11), and (12)(a) – (e) expire on July 1, 2021, and the text of those provisions reverts to that in existence on June 30, 2019.

**Section 60** requires clerks to pay costs of compensation to jurors, for meals or lodging provided to jurors, and for jury-related personnel costs that exceed funding in the GAA for these purposes.

**Section 61** reenacts s. 318.18(19), F.S., for Fiscal Year 2020-2021, to require the deposit of certain funds into the Indigent Criminal Defense Trust Fund instead of the Public Defenders Revenue Trust Fund.

**Section 62** reenacts s. 817.568(12)(b), F.S., to require the deposit of certain funds into the Indigent Criminal Defense Trust Fund instead of the Public Defenders Revenue Trust Fund.

**Section 63** provides that the amendments to ss. 318.18(19) and 817.568(12)(b), F.S., expire July 1, 2021, and the text of those provisions reverts to that in existence on June 30, 2018.

**Section 64** amends section 20.316 Florida Statutes, to establish a new program entitled “Accountability and Program Support” within the Department of Juvenile Justice (DJJ), and removes the phrase “and Victim Services” from the name of the “Prevention” program.

**Section 65** provides that the amendments to s. 20.316 (2) and (3), expire on July 1, 2021, and the text of those provisions reverts to that in existence on June 30, 2020.

**Section 66** 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, 2023.

**Section 67** continues the online procurement system transaction fee authorized in ss. 287.042(1)(h)1. and 287.057(22)(c), F.S., at 0.7 percent for the 2020-2021 fiscal year.

**Section 68** prohibits an agency from transferring funds from a data processing category to any category other than another data processing category.

**Section 69** authorizes the Executive Office of the Governor (EOG) to transfer funds in the specific appropriation category “Data Processing Assessment – Department of Management Service” between agencies, in order to align the budget authority granted with the assessments that must be paid by each agency to the DMS.

**Section 70** 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 71** authorizes the EOG to transfer funds in the appropriation category “Special Categories - Transfer to DMS - Human Resources Services Purchased per Statewide Contract” of the GAA for Fiscal Year 2020-2021 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 72** 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 membership and the procedures for executive steering committee meetings and decisions.

**Section 73** amends section 29 of Chapter 2019-118, Laws of Florida, relating to the Florida Cybersecurity Task Force to extend the expiration date of the task force from January 1, 2021, to May 1, 2021, and the due date of the final report from November 1, 2020, to February 1, 2021.

**Section 74** 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 Department of Environmental Protection (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 identified specifically.

**Section 75** 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 State Constitution. This transfer is a temporary loan, and the funds must be repaid to the trust funds from which the moneys are

loaned by the end of the 2020-2021 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 76** 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. The section further provides that DEP may advance funds from the beginning unobligated fund balance in the Land Acquisition Trust Fund to LATF within the Fish and Wildlife Conservation Commission for cash flow purposes.

**Section 77** amends s. 375.041, F.S., to provide that the distribution from the Land Acquisition Trust Fund for restoration of Lake Apopka for the 2020-2021 fiscal year not occur.

**Section 78** amends s. 570.441(4), F.S., to extend the sunset date from June 30, 2020, to July 1, 2021, to authorize the Department of Agriculture and Consumer Services to use money deposited in the Pest Control Trust Fund to carry out any of the powers of the Division of Agricultural Environmental Services.

**Section 79** reenacts the amendment to s. 570.93, F.S., for Fiscal Year 2020-2021, to revise the agricultural water conservation program to enable cost-share funds to continue to be used for irrigation system retrofits and mobile irrigation lab evaluations. The revision also permits the funds to be expended on additional water conservation activities pursuant to s. 403.067(7)(c), F.S.

**Section 80** provides that the amendment to s. 570.93(1)(a), F.S., expires July 1, 2021, and the text of that paragraph reverts to that in existence on June 30, 2019.

**Section 81** amends s. 527.07(1), F.S., to revise the requirement for labeling petroleum measuring devices that have been inspected by the Department of Agriculture and Consumer Services.

**Section 82** amends s. 259.105, F.S., to provide for distribution a specified amount from the Florida Forever Trust to the Florida Recreation Development Assistance Program within the DEP.

**Section 83** amends s. 376.3071, F.S., to revise the requirements for the usage of the Inland Protection Trust Fund for ethanol and biodiesel damage to petroleum tanks.

**Section 84** provides that the amendment to s. 376.3071, F.S., expires July 1, 2021, and the text of that paragraph reverts to that in existence on June 30, 2020.

**Section 85** clarifies that rulemaking regarding water quality monitoring for Everglades restoration purposes is limited to procedures to implement water quality monitoring required in lieu of implementation of best management practices or other measures. The Department of Environmental Protection is to replace existing rule 40E-61, Florida Administrative Code. This section is to expire July 1, 2021.

**Section 86** amends s. 321.04, F.S., to provide that for the 2020-2021 fiscal year, the Department of Highway Safety and Motor Vehicles may assign a patrol officer to a Cabinet member if the department deems such assignment appropriate or if requested by such Cabinet member in response to a threat. Additionally, the Governor may request the department to assign one or more highway patrol officers to the Lieutenant Governor for security services.

**Section 87** amends s. 420.9079, F.S., relating to the Local Government Housing Trust Fund, to allow funds to be used as provided in the GAA for Fiscal Year 2020-2021.

**Section 88** amends s. 420.0005, F.S., relating to the State Housing Trust Fund, to allow funds to be used as provided in the GAA for Fiscal Year 2020-2021.

**Section 89** amends s. 288.0655, F.S., relating to the Rural Infrastructure Fund, to provide that funds appropriated for the grant program for Florida Panhandle counties shall be distributed pursuant to and for the purposes described in the proviso language associated with Specific Appropriation 2280 of the GAA for Fiscal Year 2019-2020.

**Section 90** amends s. 338.2278(8)(g), F.S., to allow funds provided in that subsection to the Transportation Disadvantaged Trust Fund in Fiscal Year 2019-2020 to be used as provided in the GAA for Fiscal Year 2020-2021. The bill also extends the date by which each corridor task force must submit its final report from October 1 to November 15, 2020.

**Section 91** provides that these changes to s. 338.2278, F.S., expire on July 1, 2021.

**Section 92** amends s. 288.80125, F.S., relating to the Triumph Gulf Coast Trust Fund, to provide that funds shall be used for the Rebuild Florida Revolving Loan Fund Program to provide assistance to businesses impacted by Hurricane Michael as provided in the GAA.

**Section 93** amends s. 339.135(7)(g), F.S., to authorize the chair and vice chair of the Legislative Budget Commission to approve, pursuant to s. 216.177, F.S., the following work program amendments if a commission meeting cannot be held within 30 days of submittal of the amendment by the Department of Transportation:

- A work program amendment that transfers fixed capital outlay appropriations between categories or increases appropriation categories.

- A work program amendment that adds a new project, or a phase of a new project, in excess of \$3 million.

**Section 94** amends s. 339.63, F.S., to maintain certain projects in the Strategic Intermodal System prior to the designation change in May 2019 for which construction has commenced but is not completed.

**Section 95** amends s. 112.061, F.S., to authorize a lieutenant governor who permanently resides outside of Leon County to designate an official headquarters in his or her county as his or her official headquarters for purposes of s. 112.061, F.S. A lieutenant governor for whom an official headquarters in his or her county of residence is established may be paid travel and subsistence expenses when travelling between their official headquarters and the State Capitol to conduct state business.

**Section 96** amends s. 216.292(2)(a), F.S., to grant broader legislative review of any “five percent” budget transfers. For the 2020-2021 fiscal year, the review must ensure the proposed action maximizes the use of available and appropriate trust funds, does not exceed delegated authority and is not contrary to legislative policy and intent.

**Section 97** requires the DMS to maintain and offer during Fiscal Year 2020-2021 for the State Group Health Insurance Program the standard and high deductible PPO and HMO plans which are offered during Fiscal Year 2019-2020, notwithstanding s. 110.123(3)(f) and (j), F.S.

**Section 98** provides that no state agency may initiate a competitive solicitation for a product or service if the completion of such competitive solicitation would require a change in law or require a change to the agency's budget other than a transfer authorized in s. 216.292(2) or (3), F.S., unless the initiation of such competitive solicitation is specifically authorized in law or in the GAA or by the Legislative Budget Commission.

**Section 99** 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 of Representatives 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, 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 100** maintains legislative salaries at the July 1, 2010, level.

**Section 101** reenacts 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 2020-2021 GAA.

**Section 102** reverts the language of s. 215.32(2)(b), F.S., to the text in effect on June 30, 2011.

**Section 103** 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 104** 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 \$225 per day. An employee may expend his or her own funds for any lodging expenses in excess of \$225 per day. Exempts travel for conducting an audit, examination, inspection or investigation or travel activities relating to a litigation or emergency response.

**Section 105** 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 106** requires all new state contracts and amended contracts entered on or after July 1, 2020, to authorize public agencies to inspect: a) financial records and documents directly related to the performance of the contract or public expenditures; and b) programmatic records and documents of the contractor which the public agency determines are necessary to monitor performance of the contract or ensure the contract terms are being met. Contractors are required to provide the requested records and documents within 10 business days after the request by the public agency.

**Section 107** creates s. 14.25, F.S., to authorize the Governor to award the "Governor's Medal of Freedom" to any person who has made an especially meritorious contribution to the State of Florida or other significant public or private endeavors.

**Section 108** creates Local Government Efficiency Task Force within the Legislature to review the governance structure and function of local government and determine if changes are necessary to make such governments more efficient. Requires report to the Governor, President of the Senate and Speaker of the House of Representatives by June 1, 2021.

**Section 109** specifies that no section of the bill shall take effect if the appropriations and proviso to which it relates are vetoed.

**Section 110** 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 111** provides a severability clause.

**Section 112** provides effective dates.

If approved by the Governor, these provisions take effect July 1, 2020, except where otherwise expressly provided.

*Vote: Senate 32-0; House 104-0*

THE FLORIDA SENATE  
2020 SUMMARY OF LEGISLATION PASSED

## Committee on Appropriations

### **HB 5005 — Collective Bargaining**

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

HB 5005, relating to collective bargaining, resolves the collective bargaining issues at impasse between the State of Florida and the bargaining representatives for state employees for the 2020-2021 fiscal year that have not been resolved in the General Appropriations Act or other legislation.

The bill does not change substantive law.

If approved by the Governor, these provisions take effect July 1, 2020.

*Vote: Senate 32-0; House 104-0*



## Committee on Appropriations

### **CS/HB 7097 — Taxation**

by Appropriations Committee; Ways and Means Committee; and Rep Avila and others

The bill contains provisions for tax relief, changes to tax policy, and changes to tax administration.

#### *Sales Tax Holidays*

- The bill provides a 3-day “back-to-school” tax holiday from August 7, 2020, through August 9, 2020, for certain clothing, school supplies, and personal computers.
- The bill provides a 7-day “disaster preparedness” tax holiday from May 29, 2020, through June 04, 2020, for specified disaster preparedness items.

#### *Insurance Premium Tax*

- The bill reduces the tax rate applied to surplus lines policies from 5 percent to 4.94 percent and applies that rate to all policies, regardless of the location of the risk.

#### *Ad Valorem Tax*

- The bill limits a charitable hospital’s property tax exemption to the amount of community benefits provided by the hospital.
- The bill updates the qualifying operations for the deployed servicemember property tax exemption.
- The bill prohibits the use of a special magistrate’s appraisal as evidence at value adjustment board hearings in a year that the special magistrate serves the board.
- The bill restricts information that may be mailed with the annual Notice of Proposed Property Taxes.
- The bill includes as portions of exempt affordable housing property vacant units and units occupied by persons or families that met the qualifying income thresholds at the time they began their tenancy, but whose income grew through the income thresholds.
- The bill exempts from property tax an affordable housing project owned by a limited liability company, which is also owned by a limited liability company, if the owner of the second limited liability company is a qualifying 501(c)(3) entity.

***Sales Surtaxes***

- The bill limits future levies of the Charter County Transportation System Surtax to 30 years.
- The bill requires that School Capital Outlay sales surtaxes approved in the future be proportionately shared with charter schools.
- The bill includes contributions to scholarship funding organizations as tax liabilities for purposes of refunds of corporate income tax required by s. 220.1105, F.S.

***Local Impact Fees***

- The bill exempts new school construction projects funded solely through local impact fees from the total cost per student station limitation.

***Tourist Development Tax***

- The bill increases the population limit under which a county is authorized to use its tourist development tax revenues for zoological parks, fishing piers, and nature centers from 750,000 to 950,000.

***Section 179D, Internal Revenue Code***

- The bill prohibits an owner of a public building from soliciting any payment for providing the allocation letter needed to receive a federal income tax deduction for energy efficient construction.

***Tax Administration***

- The bill makes changes to property tax roll classifications and required statistical measurements; provides flexibility in property tax noticing requirements during declared states of emergency; extends the time to provide documentation relating to certain boat and aircraft sales; extends the time property owners affected by Hurricane Michael may begin rebuilding and retain their prior assessment limitation; increases bond limits for certain bonds required of motor fuel dealers; amends the penalty for mislabeling dyed diesel fuel; requires certain payment settlement entities to provide a federal tax form to the Department of Revenue; and provides procedures for local governments to update business addresses and provides procedures for correcting local government distributions.

If approved by the Governor, these provisions take effect July 1, 2020.

*Vote: Senate 36-2; House 104-8*