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1 A bill to be entitled  
2 An act implementing the 2009-2010 General Appropriations  
3 Act; providing legislative intent; amending s. 394.908,  
4 F.S.; requiring that funds appropriated through the  
5 Community-Based Medicaid Administrative Claiming Program  
6 be allocated proportionately to contributed provider  
7 earnings; providing allocation requirements for specified  
8 funds appropriated for mental health services; requiring  
9 the Department of Children and Family Services to ensure  
10 information is entered into the Florida Safe Families  
11 Network; requiring coordination between the department and  
12 the Office of the State Courts Administrator to provide  
13 information relating to child welfare cases; requiring a  
14 report to the Governor and Legislature; amending s.  
15 287.057, F.S.; extending authorization of the Department  
16 of Health to enter into an agreement with a private  
17 contractor relating to a facility for the treatment of  
18 patients with tuberculosis; amending s. 400.23, F.S.;  
19 prohibiting sanctions against a nursing home relating to  
20 failure to meet certain staffing ratios; amending s.  
21 400.141, F.S.; prohibiting sanctions against a nursing  
22 home relating to failure to impose a moratorium on new  
23 admissions as long as the licensed nurse ratio is not  
24 below a specified level; authorizing the Department of  
25 Corrections and the Department of Juvenile Justice to make  
26 certain expenditures to defray costs incurred by a  
27 municipality or county as a result of opening or operating  
28 a facility under authority of the respective department;

29 | amending s. 216.262, F.S.; providing for additional  
30 | positions to operate additional prison bed capacity under  
31 | certain circumstances; authorizing the Department of Legal  
32 | Affairs to transfer certain funds to pay salaries and  
33 | benefits; amending s. 790.065, F.S.; extending date of  
34 | sunset of firearms purchase program; amending s. 112.24,  
35 | F.S.; providing conditions on the assignment of an  
36 | employee of a state agency without reimbursement from the  
37 | receiving agency; authorizing the Executive Office of the  
38 | Governor to transfer funds between departments for  
39 | purposes of aligning amounts paid for risk management  
40 | premiums and for purposes of aligning amounts paid for  
41 | human resource management services; amending s. 110.123,  
42 | F.S.; providing for the state's monthly contribution for  
43 | employees under the state group insurance program;  
44 | amending s. 11.13, F.S.; providing for reduction in  
45 | legislator salaries; amending s. 255.518, F.S.; revising  
46 | provisions relating to payment of obligations during the  
47 | construction of any facility financed by such obligations;  
48 | amending s. 570.20, F.S.; delaying the expiration of  
49 | provisions authorizing moneys in the General Inspection  
50 | Trust Fund to be appropriated for certain programs  
51 | operated by the Department of Agriculture and Consumer  
52 | Services; reenacting s. 215.32(2)(b), F.S., relating to  
53 | the source and use of certain trust funds in order to  
54 | implement the transfer of moneys in the General Revenue  
55 | Fund from trust funds in the 2009-2010 General  
56 | Appropriations Act; providing for future expiration of

57 various provisions; providing for reversion of statutory  
 58 text of certain provisions; providing for the effect of a  
 59 veto of one or more specific appropriations or proviso to  
 60 which implementing language refers; providing for the  
 61 continued operation of certain provisions notwithstanding  
 62 a future repeal or expiration provided by the act;  
 63 providing for severability; providing effective dates.  
 64

65 Be It Enacted by the Legislature of the State of Florida:  
 66

67 Section 1. It is the intent of the Legislature that the  
 68 implementing and administering provisions of this act apply to  
 69 the General Appropriations Act for the 2009-2010 fiscal year.

70 Section 2. In order to implement Specific Appropriations  
 71 316 through 347 of the 2009-2010 General Appropriations Act,  
 72 subsection (3) of section 394.908, Florida Statutes, is amended  
 73 to read:

74 394.908 Substance abuse and mental health funding equity;  
 75 distribution of appropriations.--In recognition of the  
 76 historical inequity in the funding of substance abuse and mental  
 77 health services for the department's districts and regions and  
 78 to rectify this inequity and provide for equitable funding in  
 79 the future throughout the state, the following funding process  
 80 shall be used:

81 (3) (a) Any additional funding beyond the 2005-2006 fiscal  
 82 year base appropriation for alcohol, drug abuse, and mental  
 83 health services shall be allocated to districts for substance  
 84 abuse and mental health services based on:

85 1. Epidemiological estimates of disabilities that apply to  
86 the respective target populations.

87 2. A pro rata share distribution that ensures districts  
88 below the statewide average funding level per person in each  
89 target population of "persons in need" receive funding necessary  
90 to achieve equity.

91 (b) Notwithstanding paragraph (a) and for the 2008-2009  
92 fiscal year only, funds appropriated for forensic mental health  
93 treatment services shall be allocated to the areas of the state  
94 having the greatest demand for services and treatment capacity.  
95 This paragraph expires July 1, 2009.

96 (c) Notwithstanding paragraph (a) and for the 2009-2010  
97 ~~2008-2009~~ fiscal year only, additional funds appropriated ~~for~~  
98 ~~mental health services~~ from funds available through the  
99 Community-Based Medicaid Administrative Claiming Program shall  
100 be allocated in proportion to contributed provider earnings  
101 after administrative costs incurred by the department are  
102 covered as provided in the 2008-2009 General Appropriations Act  
103 ~~and in proportion to contributed provider earnings~~. Where these  
104 mental health funds are used in lieu of funds from the General  
105 Revenue Fund, the allocation of funds shall be unchanged from  
106 the allocation for those funds for the 2007-2008 fiscal year.  
107 This paragraph expires July 1, 2010 ~~2009~~.

108 Section 3. In order to implement Specific Appropriations  
109 279 of the 2009-2010 General Appropriations Act, the Department  
110 of Children and Family Services shall ensure that all public and  
111 private agencies and institutions participating in child welfare  
112 cases enter information specified by rule of the department into

113 the Florida Safe Families Network in order to maintain the  
 114 accuracy and usefulness of the system. The department shall  
 115 coordinate with the Office of the State Courts Administrator for  
 116 the purpose of providing any judge or magistrate assigned to a  
 117 dependency court case with access to information in the Florida  
 118 Safe Families Network relating to a child welfare case which is  
 119 required to be filed with the court pursuant to chapter 39,  
 120 Florida Statutes. The department shall report to the Governor,  
 121 the President of the Senate, and the Speaker of the House of  
 122 Representatives by September 1, 2009, with respect to progress  
 123 on providing access to the Florida Safe Families Network as  
 124 provided in this section. This section expires July 1, 2010.

125 Section 4. In order to implement Specific Appropriations  
 126 448, 450, 456, 458, and 459 of the 2009-2010 General  
 127 Appropriations Act, paragraph (b) of subsection (14) of section  
 128 287.057, Florida Statutes, is amended to read:

129 287.057 Procurement of commodities or contractual  
 130 services.--

131 (14)

132 (b) The Department of Health shall enter into an  
 133 agreement, not to exceed 20 years, with a private contractor to  
 134 finance, design, and construct a hospital, of no more than 50  
 135 beds, for the treatment of patients with active tuberculosis and  
 136 to operate all aspects of daily operations within the facility.  
 137 The contractor may sponsor the issuance of tax-exempt  
 138 certificates of participation or other securities to finance the  
 139 project, and the state may enter into a lease-purchase agreement  
 140 for the facility. The department shall begin the implementation

141 of this initiative by July 1, 2008. This paragraph expires July  
 142 1, 2010 ~~2009~~.

143 Section 5. Paragraph (d) is added to subsection (3) of  
 144 section 400.23, Florida Statutes, to read:

145 400.23 Rules; evaluation and deficiencies; licensure  
 146 status.--

147 (3)

148 (d) Notwithstanding any other provision of this subsection  
 149 and for the 2009-2010 fiscal year only, the agency may not  
 150 impose sanctions against a nursing home for failure to meet the  
 151 staffing ratios in paragraph (a), as long as the certified  
 152 nursing assistant ratio is not below 2.6 hours per resident per  
 153 day and the licensed nurse ratio is not below 1 hour per  
 154 resident per day. This paragraph expires July 1, 2010.

155 Section 6. Paragraph (d) of subsection (15) of section  
 156 400.141, Florida Statutes, is amended to read:

157 400.141 Administration and management of nursing home  
 158 facilities.--Every licensed facility shall comply with all  
 159 applicable standards and rules of the agency and shall:

160 (15) Submit semiannually to the agency, or more frequently  
 161 if requested by the agency, information regarding facility  
 162 staff-to-resident ratios, staff turnover, and staff stability,  
 163 including information regarding certified nursing assistants,  
 164 licensed nurses, the director of nursing, and the facility  
 165 administrator. For purposes of this reporting:

166 (d)1. A nursing facility that has failed to comply with  
 167 state minimum-staffing requirements for 2 consecutive days is  
 168 prohibited from accepting new admissions until the facility has

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169 achieved the minimum-staffing requirements for a period of 6  
170 consecutive days. For the purposes of this paragraph, any person  
171 who was a resident of the facility and was absent from the  
172 facility for the purpose of receiving medical care at a separate  
173 location or was on a leave of absence is not considered a new  
174 admission. Failure to impose such an admissions moratorium  
175 constitutes a class II deficiency.

176 2. Notwithstanding the provisions of subparagraph 1. and  
177 for the 2009-2010 fiscal year only, the agency may not impose  
178 sanctions against a nursing home for failure to impose a  
179 moratorium on new admissions under subparagraph 1., as long as  
180 the licensed nurse ratio is not below 1 hour per resident per  
181 day and the certified nursing assistant ratio is not below 2.6  
182 hours per resident per day. This subparagraph expires July 1,  
183 2010.

184  
185 Nothing in this section shall limit the agency's ability to  
186 impose a deficiency or take other actions if a facility does not  
187 have enough staff to meet the residents' needs.

188  
189 Facilities that have been awarded a Gold Seal under the program  
190 established in s. 400.235 may develop a plan to provide  
191 certified nursing assistant training as prescribed by federal  
192 regulations and state rules and may apply to the agency for  
193 approval of their program.

194 Section 7. In order to fulfill legislative intent  
195 regarding the use of funds contained in Specific Appropriations  
196 617, 631, 644, and 1112 of the 2009-2010 General Appropriations

197 Act, the Department of Corrections and the Department of  
 198 Juvenile Justice may expend appropriated funds to assist in  
 199 defraying the costs of impacts that are incurred by a  
 200 municipality or county and associated with opening or operating  
 201 a facility under the authority of the respective department that  
 202 is located within that municipality or county. The amount that  
 203 is to be paid under this section for any facility may not exceed  
 204 1 percent of the facility construction cost, less building  
 205 impact fees imposed by the municipality or by the county if the  
 206 facility is located in the unincorporated portion of the county.  
 207 This section expires July 1, 2010.

208 Section 8. In order to implement Specific Appropriations  
 209 607 through 706 and 738 through 773 of the 2009-2010 General  
 210 Appropriations Act, subsection (4) of section 216.262, Florida  
 211 Statutes, is amended to read:

212 216.262 Authorized positions.--

213 (4) Notwithstanding the provisions of this chapter on  
 214 increasing the number of authorized positions, and for the 2009-  
 215 2010 ~~2008-2009~~ fiscal year only, if the actual inmate population  
 216 of the Department of Corrections exceeds the inmate population  
 217 projections of the February 16, 2009 ~~February 15, 2008~~, Criminal  
 218 Justice Estimating Conference by 1 percent for 2 consecutive  
 219 months or 2 percent for any month, the Executive Office of the  
 220 Governor, with the approval of the Legislative Budget  
 221 Commission, shall immediately notify the Criminal Justice  
 222 Estimating Conference, which shall convene as soon as possible  
 223 to revise the estimates. The Department of Corrections may then  
 224 submit a budget amendment requesting the establishment of



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225 | positions in excess of the number authorized by the Legislature  
 226 | and additional appropriations from unallocated general revenue  
 227 | sufficient to provide for essential staff, fixed capital  
 228 | improvements, and other resources to provide classification,  
 229 | security, food services, health services, and other variable  
 230 | expenses within the institutions to accommodate the estimated  
 231 | increase in the inmate population. All actions taken pursuant to  
 232 | the authority granted in this subsection shall be subject to  
 233 | review and approval by the Legislative Budget Commission. This  
 234 | subsection expires July 1, 2010 ~~2009~~.

235 |       Section 9. In order to implement Specific Appropriations  
 236 | 1231, 1251, 1272, and 1282 of the 2009-2010 General  
 237 | Appropriations Act, the Department of Legal Affairs is  
 238 | authorized to transfer cash remaining after required  
 239 | disbursements from Attorney General case number 16-2008-CA-01  
 240 | 3142CV-C from FLAIR account 41-74-2-601001-41100100-00-181076-00  
 241 | to the Operating Trust Fund within the Department of Legal  
 242 | Affairs to pay salaries and benefits. This section expires July  
 243 | 1, 2010.

244 |       Section 10. In order to implement Specific Appropriation  
 245 | 1205 of the 2009-2010 General Appropriations Act, subsection  
 246 | (14) of section 790.065, Florida Statutes, is amended to read:

247 |       790.065 Sale and delivery of firearms.--

248 |       (14) This section is repealed effective October 1, 2010  
 249 | ~~2009~~.

250 |       Section 11. In order to implement Specific Appropriations  
 251 | for salaries and benefits in the 2009-2010 General

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252 Appropriations Act, paragraph (b) of subsection (3) of section  
253 112.24, Florida Statutes, is amended to read:

254 112.24 Intergovernmental interchange of public  
255 employees.--To encourage economical and effective utilization of  
256 public employees in this state, the temporary assignment of  
257 employees among agencies of government, both state and local,  
258 and including school districts and public institutions of higher  
259 education is authorized under terms and conditions set forth in  
260 this section. State agencies, municipalities, and political  
261 subdivisions are authorized to enter into employee interchange  
262 agreements with other state agencies, the Federal Government,  
263 another state, a municipality, or a political subdivision  
264 including a school district, or with a public institution of  
265 higher education. State agencies are also authorized to enter  
266 into employee interchange agreements with private institutions  
267 of higher education and other nonprofit organizations under the  
268 terms and conditions provided in this section. In addition, the  
269 Governor or the Governor and Cabinet may enter into employee  
270 interchange agreements with a state agency, the Federal  
271 Government, another state, a municipality, or a political  
272 subdivision including a school district, or with a public  
273 institution of higher learning to fill, subject to the  
274 requirements of chapter 20, appointive offices which are within  
275 the executive branch of government and which are filled by  
276 appointment by the Governor or the Governor and Cabinet. Under  
277 no circumstances shall employee interchange agreements be  
278 utilized for the purpose of assigning individuals to participate  
279 in political campaigns. Duties and responsibilities of

280 interchange employees shall be limited to the mission and goals  
 281 of the agencies of government.

282 (3) Salary, leave, travel and transportation, and  
 283 reimbursements for an employee of a sending party that is  
 284 participating in an interchange program shall be handled as  
 285 follows:

286 (b)1. The assignment of an employee of a state agency  
 287 either on detail or on leave of absence may be made without  
 288 reimbursement by the receiving party for the travel and  
 289 transportation expenses to or from the place of the assignment  
 290 or for the pay and benefits, or a part thereof, of the employee  
 291 during the assignment.

292 2. For the 2009-2010 ~~2008-2009~~ fiscal year only, the  
 293 assignment of an employee of a state agency as provided in  
 294 subparagraph 1. may be made if recommended by the Governor or  
 295 Chief Justice, as appropriate, and approved by the chairs of the  
 296 Senate Policy and Steering Committee on Ways and Means and the  
 297 House Full Appropriations Council on General Government and  
 298 Health Care ~~Senate Fiscal Policy and Calendar Committee and the~~  
 299 ~~House Policy and Budget Council~~. Such actions shall be deemed  
 300 approved if neither chair provides written notice of objection  
 301 within 14 days after the chair's receiving notice of the action  
 302 pursuant to s. 216.177. This subparagraph expires July 1, 2010  
 303 ~~2009~~.

304 Section 12. In order to implement the appropriation of  
 305 funds in Special Categories-Risk Management Insurance of the  
 306 2009-2010 General Appropriations Act, and pursuant to the  
 307 notice, review, and objection procedures of s. 216.177, Florida

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308 Statutes, the Executive Office of the Governor is authorized to  
309 transfer funds appropriated in the appropriation category  
310 "Special Categories-Risk Management Insurance" of the 2009-2010  
311 General Appropriations Act between departments in order to align  
312 the budget authority granted with the premiums paid by each  
313 department for risk management insurance. This section expires  
314 July 1, 2010.

315 Section 13. In order to implement the appropriation of  
316 funds in Special Categories-Transfer to Department of Management  
317 Services-Human Resources Services Purchased Per Statewide  
318 Contract of the 2009-2010 General Appropriations Act, and  
319 pursuant to the notice, review, and objection procedures of s.  
320 216.177, Florida Statutes, the Executive Office of the Governor  
321 is authorized to transfer funds appropriated in the  
322 appropriation category "Special Categories-Transfer to  
323 Department of Management Services-Human Resources Services  
324 Purchased Per Statewide Contract" of the 2009-2010 General  
325 Appropriations Act between departments in order to align the  
326 budget authority granted with the assessments that must be paid  
327 by each agency to the Department of Management Services for  
328 human resource management services. This section expires July 1,  
329 2010.

330 Section 14. In order to implement specific appropriations  
331 for salaries and benefits in the 2009-2010 General  
332 Appropriations Act, paragraph (a) of subsection (12) of section  
333 110.123, Florida Statutes, is amended to read:

334 110.123 State group insurance program.--

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335 (12) HEALTH SAVINGS ACCOUNTS.--The department is  
336 authorized to establish health savings accounts for full-time  
337 and part-time state employees in association with a health  
338 insurance plan option authorized by the Legislature and  
339 conforming to the requirements and limitations of federal  
340 provisions relating to the Medicare Prescription Drug,  
341 Improvement, and Modernization Act of 2003.

342 (a)1. A member participating in this health insurance plan  
343 option shall be eligible to receive an employer contribution  
344 into the employee's health savings account from the State  
345 Employees Health Insurance Trust Fund in an amount to be  
346 determined by the Legislature. A member is not eligible for an  
347 employer contribution upon termination of employment. For the  
348 2009-2010 ~~2008-2009~~ fiscal year, the state's monthly  
349 contribution for employees having individual coverage shall be  
350 \$41.66 and the monthly contribution for employees having family  
351 coverage shall be \$83.33.

352 2. A member participating in this health insurance plan  
353 option shall be eligible to deposit the member's own funds into  
354 a health savings account.

355 Section 15. Effective June 30, 2009, in order to implement  
356 Specific Appropriations 2677 and 2678 of the 2009-2010 General  
357 Appropriations Act, paragraph (c) is added to subsection (1) of  
358 section 11.13, Florida Statutes, to read:

359 11.13 Compensation of members.--

360 (1)

361 (c) Notwithstanding the provisions of paragraph (b) and  
362 for the 2009-2010 fiscal year only, the authorized salaries of

363 members of the Legislature in effect on June 30, 2009, shall be  
 364 reduced by 5 percent. This paragraph expires July 1, 2010.

365 Section 16. In order to implement Specific Appropriation  
 366 2741 of the 2009-2010 General Appropriations Act, paragraph (b)  
 367 of subsection (1) of section 255.518, Florida Statutes, as  
 368 amended by section 27 of chapter 2008-153, Laws of Florida, is  
 369 amended to read:

370 255.518 Obligations; purpose, terms, approval,  
 371 limitations.--

372 (1)

373 (b) Payment of debt service charges ~~and any reserves~~ on  
 374 obligations during the construction of any facility financed by  
 375 such obligations shall be made from funds other than proceeds of  
 376 obligations.

377 Section 17. The amendment to s. 255.518(1)(b), Florida  
 378 Statutes, by this act shall expire July 1, 2010, and the text of  
 379 that paragraph shall revert to that in existence on June 30,  
 380 2009, except that any amendments to such text enacted other than  
 381 by this act shall be preserved and continue to operate to the  
 382 extent that such amendments are not dependent upon the portions  
 383 of such text which expire pursuant to this section.

384 Section 18. In order to implement Specific Appropriation  
 385 1294 through 1454 of the 2009-2010 General Appropriations Act,  
 386 section 570.20, Florida Statutes, is amended to read:

387 570.20 General Inspection Trust Fund.--

388 (1) All donations and all inspection fees and other funds  
 389 authorized and received from whatever source in the enforcement  
 390 of the inspection laws administered by the department shall be

391 | paid into the General Inspection Trust Fund of Florida, which is  
 392 | created in the office of the Chief Financial Officer. All  
 393 | expenses incurred in carrying out the provisions of the  
 394 | inspection laws shall be paid from this fund as other funds are  
 395 | paid from the State Treasury. A percentage of all revenue  
 396 | deposited in this fund, including transfers from any subsidiary  
 397 | accounts, shall be deposited in the General Revenue Fund  
 398 | pursuant to chapter 215, except that funds collected for  
 399 | marketing orders shall pay at the rate of 3 percent.

400 |         (2) For the 2009-2010 ~~2008-2009~~ fiscal year only and  
 401 | notwithstanding any other provision of law to the contrary, in  
 402 | addition to the spending authorized in subsection (1), moneys in  
 403 | the General Inspection Trust Fund may be appropriated for  
 404 | programs operated by the department which are related to the  
 405 | programs authorized by this chapter. This subsection expires  
 406 | July 1, 2010 ~~2009~~.

407 |         Section 19. In order to implement the transfer of moneys  
 408 | to the General Revenue Fund from trust funds in the 2009-2010  
 409 | General Appropriations Act, paragraph (b) of subsection (2) of  
 410 | section 215.32, Florida Statutes, is reenacted to read:

411 |             215.32 State funds; segregation.--

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

414 |             (b)1. The trust funds shall consist of moneys received by  
 415 | the state which under law or under trust agreement are  
 416 | segregated for a purpose authorized by law. The state agency or  
 417 | branch of state government receiving or collecting such moneys  
 418 | shall be responsible for their proper expenditure as provided by

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419 law. Upon the request of the state agency or branch of state  
420 government responsible for the administration of the trust fund,  
421 the Chief Financial Officer may establish accounts within the  
422 trust fund at a level considered necessary for proper  
423 accountability. Once an account is established within a trust  
424 fund, the Chief Financial Officer may authorize payment from  
425 that account only upon determining that there is sufficient cash  
426 and releases at the level of the account.

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

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

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

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

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



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

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

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

454  
 455 To the extent possible, each agency must adjust its internal  
 456 accounting to use existing trust funds consistent with the  
 457 requirements of this subparagraph. If an agency does not have  
 458 trust funds listed in this subparagraph and cannot make such  
 459 adjustment, the agency must recommend the creation of the  
 460 necessary trust funds to the Legislature no later than the next  
 461 scheduled review of the agency's trust funds pursuant to s.  
 462 215.3206.

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

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

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

493           Section 20. A section of this act that implements a  
494 specific appropriation or specifically identified proviso  
495 language in the 2009-2010 General Appropriations Act is void if  
496 the specific appropriation or specifically identified proviso  
497 language is vetoed. A section of this act that implements more  
498 than one specific appropriation or more than one portion of  
499 specifically identified proviso language in the 2009-2010  
500 General Appropriations Act is void if all the specific

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501 appropriations or portions of specifically identified proviso  
502 language are vetoed.

503 Section 21. If any other act passed in 2009 contains a  
504 provision that is substantively the same as a provision in this  
505 act, but that removes or is otherwise not subject to the future  
506 repeal applied to such provision by this act, the Legislature  
507 intends that the provision in the other act shall take  
508 precedence and shall continue to operate, notwithstanding the  
509 future repeal provided by this act.

510 Section 22. If any provision of this act or its  
511 application to any person or circumstance is held invalid, the  
512 invalidity does not affect other provisions or applications of  
513 the act which can be given effect without the invalid provision  
514 or application, and to this end the provisions of this act are  
515 severable.

516 Section 23. Except as otherwise expressly provided in this  
517 act and except for this section, which shall take effect upon  
518 this act becoming a law, this act shall take effect July 1,  
519 2009; or, if this act fails to become a law until after that  
520 date, it shall take effect upon becoming a law and shall operate  
521 retroactively to July 1, 2009.