

1 A bill to be entitled
2 An act relating to implementing the 2015-2016 General
3 Appropriations Act; providing legislative intent;
4 incorporating by reference certain calculations of the
5 Florida Education Finance Program; providing that
6 funds for instructional materials be released and
7 expended as required in specified proviso language;
8 amending s. 1011.62, F.S.; providing requirements for
9 school district digital classrooms allocation plans;
10 providing the required ad valorem tax millage
11 contribution by certain district school boards for
12 funded special facilities construction projects;
13 amending s. 1012.75, F.S.; requiring the Department of
14 Education to administer an educator liability
15 insurance program for certain full-time instructional
16 personnel; requiring a minimum amount of coverage for
17 such personnel; authorizing liability coverage for
18 other specified personnel; providing notification
19 requirements; authorizing the Office of Early Learning
20 to allocate or reallocate funds held by the Child Care
21 Executive Partnership Program for certain purposes
22 related to child care or school readiness;
23 establishing requirements for release of such funds;
24 incorporating by reference certain calculations of the
25 Disproportionate Share Hospital Program for the 2015-
26 2016 fiscal year; providing requirements governing the

27 continuation of the Department of Health's Florida
28 Onsite Sewage Nitrogen Reduction Strategies Study;
29 authorizing the current contract to be extended until
30 the study is completed; prohibiting an agency from
31 adopting or implementing a rule or policy before the
32 study is completed; authorizing the Department of
33 Health to allow installation of experimental systems
34 at home sites; identifying the prioritization of
35 categories of individuals on the Medicaid home and
36 community-based waiver programs wait list for
37 enrollment in the waiver; providing exceptions to the
38 prioritization categories; allowing an individual to
39 receive waiver services if his or her parent or
40 guardian is an active-duty servicemember transferred
41 to Florida and previously received these services in
42 another state; providing that individuals remaining on
43 the wait list are not entitled to an administrative
44 proceeding or hearing under federal law; amending s.
45 296.37, F.S.; revising temporarily the amount of money
46 that a resident of a veterans' nursing home must
47 receive from outside sources before being required to
48 contribute to his or her maintenance and support;
49 requiring the Agency for Health Care Administration to
50 ensure that nursing facility residents meet certain
51 criteria before being eligible for funds to transition
52 to home and community-based services waivers;

53 requiring the Agency for Health Care Administration
54 and the Department of Elderly Affairs to prioritize
55 and enroll individuals on the Medicaid Long-Term Care
56 Waiver program using a frailty-based screening as
57 funding is available; authorizing rulemaking and
58 interagency agreements; authorizing the Department of
59 Elderly Affairs to delegate notice of Medicaid fair
60 hearing rights to its contractors; authorizing the
61 Agency for Health Care Administration, with the
62 Department of Health, to submit a budget amendment to
63 reflect certain enrollment changes within the
64 Children's Medical Services Network; authorizing the
65 Agency for Health Care Administration to seek
66 nonoperating budget authority to transfer certain
67 federal funds; amending s. 893.055, F.S.; authorizing
68 the Department of Health to use certain state funds to
69 administer the prescription drug monitoring program;
70 prohibiting the department or the Attorney General
71 from using funds from a settlement agreement to
72 administer the program; amending s. 20.435, F.S.;
73 authorizing funds within the Medical Quality Assurance
74 Trust Fund to be used for providing health care
75 services to certain Department of Health clients;
76 amending s. 216.262, F.S.; authorizing the Department
77 of Corrections under certain circumstances to submit a
78 budget amendment for additional positions; authorizing

79 | the Department of Legal Affairs to expend certain
80 | appropriated funds on programs that were funded by the
81 | department from specific appropriations in general
82 | appropriations acts in previous years; amending s.
83 | 932.7055, F.S.; authorizing a municipality to expend
84 | funds from its special law enforcement trust fund to
85 | reimburse the municipality's general fund for moneys
86 | advanced from the general fund before a specified
87 | date; amending s. 215.18, F.S.; providing for trust
88 | fund loans to the state court system sufficient to
89 | meet its appropriation; providing procedures for
90 | accessing and repaying the loan; prohibiting the
91 | Department of Corrections from making certain
92 | transfers of funds regarding salaries and budgets
93 | without approval of the Legislative Budget Commission;
94 | directing the Department of Management Services to use
95 | a tenant broker to renegotiate or reprocure leases for
96 | office or storage space and provide a report to the
97 | Governor and Legislature; requiring the renegotiation
98 | and re-procurement initiative to be included in the
99 | 2015 Master Leasing Report; reenacting s. 624.502,
100 | F.S., relating to the deposit of fees for service of
101 | process made upon the Chief Financial Officer or
102 | Office of Insurance Regulation; providing for
103 | reversion of text to a previous year after a specified
104 | date; reenacting s. 282.709(2) (a), F.S., relating to

105 the membership of Joint Task Force on State Agency Law
106 Enforcement Communications; providing for reversion of
107 text to a previous year after a specified date;
108 establishing the amount for the transaction fee
109 collected for the use of the Department of Management
110 Service's online procurement system; establishing
111 maximum square foot construction cost limits for the
112 construction of certain new buildings; providing
113 limited exception on the construction caps for such
114 buildings; amending s. 161.143, F.S.; providing for an
115 allocation in the General Appropriations Act for inlet
116 management funding; amending s. 259.105, F.S.;;
117 revising the allocation of funds from the Florida
118 Forever Trust Fund to the Department of Agriculture
119 and Consumer Services for the acquisition of
120 agricultural lands for certain less-than-fee
121 acquisitions; authorizing certain funds in the Florida
122 Forever Trust Fund to be provided to the water
123 management districts for land acquisitions;
124 authorizing certain funds to be provided to the
125 Department of Environmental Protection from Florida
126 Forever funds for a variety of purposes; authorizing
127 certain funds to be provided to the South Florida
128 Water Management District for specific land
129 acquisitions from funds allocated to the Department of
130 Environmental Protection; providing for contingent

131 effect; amending s. 216.181, F.S.; authorizing the
132 Legislative Budget Commission to increase amounts
133 appropriated to the Fish and Wildlife Conservation
134 Commission or the Department of Environmental
135 Protection for fixed capital outlay projects;
136 providing direction to agencies for submitting budget
137 amendments; amending s. 376.3071, F.S., relating to
138 the Inland Protection Trust Fund; prohibiting the
139 Department of Environmental Protection from seeking
140 recovery or reimbursement of funds from another state
141 agency; amending s. 403.890, F.S.; providing for
142 distribution of funds from the Water Protection and
143 Sustainability Program Trust Fund for specified
144 purposes; amending s. 388.261, F.S.; authorizing
145 certain local government funds to be spent on
146 department-approved arthropod control research or
147 demonstration projects; requiring the Department of
148 Highway Safety and Motor Vehicles to contract with a
149 corporation regarding the manufacture of license
150 plates; providing requirements to be met by the
151 corporation in manufacturing such license plates;
152 prohibiting county names from appearing on revised
153 license plates; amending s. 339.135, F.S.; deleting a
154 provision authorizing the chair or vice chair of the
155 Legislative Budget Commission to approve certain work
156 program amendments from the Department of

157 Transportation; revising criteria regarding submission
158 and approval of work program amendments; providing for
159 reversion of text to a previous year after a specified
160 date; reenacting s. 216.292(2)(a), F.S., relating to
161 the type of transfers that department heads or the
162 Supreme Court may make under specific situations;
163 providing for reversion of text to a previous year
164 after a specified date; prohibiting a state agency
165 from initiating a competitive solicitation for a
166 product or service under certain circumstances;
167 authorizing the Executive Office of the Governor to
168 transfer funds between departments for purposes of
169 aligning amounts paid for risk management premiums and
170 aligning amounts paid for human resource management
171 services; amending s. 112.24, F.S.; providing
172 conditions on the assignment of an employee of a state
173 agency under an employee interchange agreement;
174 providing that the annual salary of the members of the
175 Legislature be maintained at a specified level;
176 reenacting s. 215.32(2)(b), F.S., relating to the
177 source and use of certain trust funds; authorizing the
178 transfer of unappropriated cash balances to the
179 general revenue or budget stabilization funds from
180 certain trust funds; providing for reversion of text
181 to a previous year after a specified date; providing a
182 legislative determination that the issuance of new

183 debt is in the best interests of the state; limiting
184 the use of travel funds to activities that are
185 critical to an agency's mission; providing exceptions;
186 limiting the amount of costs for lodging by state
187 employees associated with attending certain meetings,
188 conferences, or conventions; authorizing the Executive
189 Office of the Governor to transfer certain data
190 processing funds between agencies to align budget
191 authority; prohibiting an agency from transferring
192 funds from a data processing category to another
193 category that is not a data processing category;
194 authorizing the Executive Office of the Governor to
195 transfer funds between agencies in order to allocate a
196 reduction relating to SUNCOM; reenacting s. 110.12315,
197 F.S., relating to the state employee prescription drug
198 program; providing for reversion of text to previous
199 years after a specified date; providing for the effect
200 of a veto of one or more specific appropriations or
201 proviso to which implementing language refers;
202 providing for the continued operation of certain
203 provisions notwithstanding a future repeal or
204 expiration provided by this act; providing
205 severability; providing an effective date.

206

207 Be It Enacted by the Legislature of the State of Florida:

208

209 Section 1. It is the intent of the Legislature that the
 210 implementing and administering provisions of this act apply to
 211 the General Appropriations Act for the 2015-2016 fiscal year.

212 Section 2. In order to implement Specific Appropriations
 213 7, 8, 9, 90, and 91 of the 2015-2016 General Appropriations Act,
 214 the calculations of the Florida Education Finance Program for
 215 the 2015-2016 fiscal year in the document titled "Public School
 216 Funding-The Florida Education Finance Program," dated March 19,
 217 2015, and filed with the Clerk of the House of Representatives,
 218 are incorporated by reference for the purpose of displaying the
 219 calculations used by the Legislature, consistent with the
 220 requirements of state law, in making appropriations for the
 221 Florida Education Finance Program. For the purposes of s.
 222 24.121, part III of chapter 1002, s. 1003.03, s. 1003.52, s.
 223 1008.36, s. 1010.20, part II of chapter 1011, and s. 1012.71,
 224 Florida Statutes, the provisions of the document titled "Public
 225 School Funding-The Florida Education Finance Program," dated
 226 March 19, 2015, and filed with the Clerk of the House of
 227 Representatives, shall be considered part of the 2015-2016
 228 General Appropriations Act. This section expires July 1, 2016.

229 Section 3. In order to implement Specific Appropriations 7
 230 and 90 of the 2015-2016 General Appropriations Act and
 231 notwithstanding ss. 1006.28-1006.42, 1002.20, 1003.02,
 232 1011.62(6)(b)5., and 1011.67, Florida Statutes, relating to the
 233 expenditure of funds provided for instructional materials, for
 234 the 2015-2016 fiscal year, funds provided for instructional

235 materials shall be released and expended as required in the
236 document titled "Public School Funding-The Florida Education
237 Finance Program," dated March 19, 2015, and filed with the Clerk
238 of the House of Representatives. This section expires July 1,
239 2016.

240 Section 4. In order to implement Specific Appropriations 7
241 and 90 of the 2015-2016 General Appropriations Act, paragraph
242 (g) is added to subsection (12) of section 1011.62, Florida
243 Statutes, to read:

244 1011.62 Funds for operation of schools.—If the annual
245 allocation from the Florida Education Finance Program to each
246 district for operation of schools is not determined in the
247 annual appropriations act or the substantive bill implementing
248 the annual appropriations act, it shall be determined as
249 follows:

250 (12) FLORIDA DIGITAL CLASSROOMS ALLOCATION.—

251 (g) For the 2015-2016 fiscal year, each district's digital
252 classrooms allocation plan must give preference to funding
253 technology purchases that will support the district's compliance
254 with the technology requirements of s. 1001.20(4)(a)1.b. If an
255 allocation plan does not include purchases associated with the
256 technology requirements, the district must certify in the plan
257 that the district complies with all technology requirements.
258 This paragraph expires July 1, 2016.

259 Section 5. In order to implement Specific Appropriation 22
260 of the 2015-2016 General Appropriations Act and notwithstanding

261 s. 1013.64(2), Florida Statutes, any district school board that
262 generates less than \$1 million in revenue from a 1-mill levy of
263 ad valorem tax shall contribute 0.75 mills for fiscal year 2015-
264 2016 toward the cost of funded special facilities construction
265 projects. This section expires July 1, 2016.

266 Section 6. In order to implement Specific Appropriation
267 99B of the 2015-2016 General Appropriations Act, subsection (3)
268 is added to section 1012.75, Florida Statutes, to read:

269 1012.75 Liability of teacher or principal; excessive
270 force.-

271 (3) The Department of Education shall administer an
272 educator liability insurance program, as provided in the General
273 Appropriations Act, to protect full-time instructional personnel
274 from liability for monetary damages and the costs of defending
275 actions resulting from claims made against the instructional
276 personnel arising out of occurrences in the course of activities
277 within the instructional personnel's professional capacity. For
278 purposes of this subsection, the terms "full-time," "part-time,"
279 and "administrative personnel" shall be defined by the
280 individual district school board. For purposes of this
281 subsection, the term "instructional personnel" has the same
282 meaning as provided in s. 1012.01(2).

283 (a) Liability coverage of at least \$2 million shall be
284 provided to all full-time instructional personnel. Liability
285 coverage may be provided to the following individuals who choose
286 to participate in the program, at cost: part-time instructional

287 personnel, administrative personnel, and students enrolled in a
288 state-approved teacher preparation program pursuant to s.
289 1012.39(3).

290 (b) By August 1, each district school board shall notify
291 the personnel specified in paragraph (a) of the liability
292 coverage provided pursuant to this subsection. The department
293 shall develop the form of the notice which shall be used by each
294 district school board. The notice shall be on an 8 1/2-inch by 5
295 1/2-inch postcard and include the amount of coverage, a general
296 description of the nature of the coverage, and the contact
297 information for coverage and claims questions. The notification
298 shall be provided separately from any other correspondence. Each
299 district school board shall certify to the department, by August
300 5, that the notification required by this paragraph has been
301 provided.

302 (c) The department shall consult with the Department of
303 Financial Services to select the most economically prudent and
304 cost-effective means of implementing the program through self-
305 insurance, a risk management program, or competitive
306 procurement.

307 (d) This subsection expires July 1, 2016.

308 Section 7. In order to implement Specific Appropriation 81
309 and section 16 of the 2015-2016 General Appropriations Act and
310 notwithstanding s. 1002.94, Florida Statutes, relating to the
311 disbursement of funds provided for the Child Care Executive
312 Partnership Program, for the 2015-2016 fiscal year, the Office

313 of Early Learning may allocate or reallocate funds held by the
314 Child Care Executive Partnership Program to prevent
315 disenrollment of children from the school readiness program or
316 child care funded through the Child Care Executive Partnership
317 Program. The funds provided for the Child Care Executive
318 Partnership Program shall be released and expended as required
319 in the proviso language for Specific Appropriation 81 of the
320 2015-2016 General Appropriations Act. This section expires July
321 1, 2016.

322 Section 8. In order to implement Specific Appropriations
323 194 and 202 of the 2015-2016 General Appropriations Act, the
324 calculations for the Disproportionate Share Hospital Program for
325 the 2015-2016 fiscal year contained in the document titled
326 "Medicaid Supplemental Hospital Funding Programs," dated March
327 19, 2015, and filed with the Clerk of the House of
328 Representatives, are incorporated by reference for the purpose
329 of displaying the calculations used by the Legislature,
330 consistent with the requirements of state law, in making
331 appropriations for the Disproportionate Share Hospital Program.
332 This section expires July 1, 2016.

333 Section 9. (1) In order to implement Specific
334 Appropriation 470 of the 2015-2016 General Appropriations Act,
335 the following requirements govern the continuation of the
336 Department of Health's Florida Onsite Sewage Nitrogen Reduction
337 Strategies Study:

338 (a) Funding for completion of the study is through the

339 Department of Health. Notwithstanding s. 287.057, Florida
340 Statutes, the current contract may be extended until the study
341 is completed.

342 (b) The Department of Health, the Research Review and
343 Advisory Committee of the Department of Health, and the
344 Department of Environmental Protection shall work together to
345 provide the necessary technical oversight to complete the study.

346 (c) Management and oversight of the completion of the
347 study must be consistent with the terms of the existing
348 contract. However, the main focus and priority shall be
349 developing, testing, and recommending cost-effective passive
350 technology design criteria for nitrogen reduction.

351 Notwithstanding any other provision of law, before the study is
352 completed, a state agency may not adopt or implement a rule or
353 policy that:

354 1. Mandates, establishes, or implements more restrictive
355 nitrogen reduction standards to existing or new onsite sewage
356 treatment systems or modification of such systems; or

357 2. Directly or indirectly, such as through an
358 administrative order issued by the Department of Environmental
359 Protection as part of a basin management action plan adopted
360 pursuant to s. 403.067, Florida Statutes, requires the use of
361 performance-based treatment systems or similar technologies.
362 However, more restrictive nitrogen reduction standards for
363 onsite systems may be required through a basin management action
364 plan if such plan is phased in after the study is completed.

365 (d) Any systems installed at home sites are experimental
366 in nature and shall be installed with significant field testing
367 and monitoring. The Department of Health is specifically
368 authorized to allow installation of these experimental systems.

369 (2) This section expires July 1, 2016.

370 Section 10. (1) In order to implement Specific
371 Appropriation 251 of the 2015-2016 General Appropriations Act,
372 and notwithstanding s. 393.065(5), Florida Statutes, individuals
373 on the Medicaid home and community-based waiver programs wait
374 list shall be offered enrollment in the waiver in the following
375 order of priority:

376 (a) Category 1, which includes any client deemed to be in
377 crisis as described in rule.

378 (b) Category 2, which includes any child or young adult
379 who is part of the child welfare system with an open case in the
380 Department of Children and Families' statewide automated child
381 welfare information system and who is:

382 1. Transitioning out of the child welfare system due to
383 the finalization of the child's adoption, reunification with
384 family members, permanent placement with a relative, or
385 permanent guardianship with a nonrelative; or

386 2. Aged 18 years or older and receiving services under s.
387 39.6251, Florida Statutes.

388 (c) Category 3, which includes, but is not limited to, any
389 client:

390 1. For whom a caregiver is required and whose caregiver
391 has a documented condition that is expected to render the
392 caregiver unable to provide care within the next 12 months and
393 no alternate caregiver is available, and the client is at
394 substantial risk of incarceration or court commitment without
395 supports;

396 2. Whose documented behaviors or physical needs place the
397 client or his or her caregiver at risk of serious harm and other
398 supports are not currently available to alleviate the situation;
399 or

400 3. Who is identified as ready for discharge within the
401 next year from a state mental health hospital or skilled nursing
402 facility and who requires a caregiver but for whom no caregiver
403 is available.

404 (d) Category 4, which includes, but is not limited to, any
405 client for whom a caregiver is required but whose caregiver is
406 70 years of age or older and no alternate caregiver is
407 available.

408 (e) Category 5, which includes, but is not limited to, any
409 client who is expected to graduate within the next 12 months
410 from a secondary school and who needs support to obtain or
411 maintain competitive employment or to pursue an accredited
412 program of postsecondary education to which the client has been
413 accepted.

414 (f) Category 6, which includes any client aged 21 years or
415 older who does not meet the criteria for category 1, category 2,
416 category 3, category 4, or category 5.

417 (g) Category 7, which includes any client younger than 21
418 years of age who does not meet the criteria for category 1,
419 category 2, category 3, or category 4.

420 (2) The agency may not provide waiver services to
421 individuals in category 2 who remain in the child welfare system
422 and who receive the same services as provided through the child
423 welfare system under s. 409.986(3), Florida Statutes, except for
424 medically necessary residential habilitation services. In
425 selecting individuals in category 3 or category 4, the Agency
426 for Persons with Disabilities shall use the Agency for Persons
427 with Disabilities Wait List Prioritization Tool, dated March 15,
428 2013. Those individuals whose needs score highest on the Wait
429 List Prioritization Tool shall be moved to the waiver to the
430 extent funds are available. Within categories 5, 6, and 7, the
431 agency shall maintain a wait list of clients placed in the order
432 that the client is determined eligible for waiver services.

433 (3) The agency shall allow an individual who meets the
434 eligibility requirements of subsection (1) to receive home and
435 community-based services in this state if the individual's
436 parent or legal guardian is an active-duty military
437 servicemember and, at the time of the servicemember's transfer
438 to Florida, the individual was receiving home and community-
439 based services in another state.

440 (4) Upon the placement of individuals on the waiver
 441 pursuant to this section, individuals remaining on the wait list
 442 are deemed not to have been substantially affected by agency
 443 action and are, therefore, not entitled to a hearing under s.
 444 393.125, Florida Statutes, or administrative proceeding under
 445 chapter 120, Florida Statutes. This section expires July 1,
 446 2016.

447 Section 11. In order to implement Specific Appropriations
 448 554 through 563 of the 2015-2016 General Appropriations Act,
 449 subsection (3) of section 296.37, Florida Statutes, is amended
 450 to read:

451 296.37 Residents; contribution to support.—

452 (3) Notwithstanding subsection (1), each resident of the
 453 home who receives a pension, compensation, or gratuity from the
 454 United States Government, or income from any other source, of
 455 more than \$105 per month shall contribute to his or her
 456 maintenance and support while a resident of the home in
 457 accordance with a payment schedule determined by the
 458 administrator and approved by the director. The total amount of
 459 such contributions shall be to the fullest extent possible, but,
 460 in no case, shall exceed the actual cost of operating and
 461 maintaining the home. This subsection expires July 1, 2016 ~~2015~~.

462 Section 12. In order to implement Specific Appropriation
 463 225 of the 2015-2015 General Appropriations Act, the Agency for
 464 Health Care Administration shall ensure that nursing facility
 465 residents who are eligible for funds to transition to home and

466 community-based services waivers must first have resided in a
467 skilled nursing facility for at least 60 consecutive days. This
468 section expires July 1, 2016.

469 Section 13. In order to implement Specific Appropriation
470 226 of the 2015-2016 General Appropriations Act, the Agency for
471 Health Care Administration and the Department of Elderly Affairs
472 shall prioritize individuals for enrollment in the Medicaid
473 Long-Term Care Waiver program using a frailty-based screening
474 that provides a prioritization score (the "scoring process") and
475 shall enroll individuals in the program according to the
476 assigned priority score as funds are available. The agency may
477 adopt rules, pursuant to s. 409.919, Florida Statutes, and enter
478 into interagency agreements necessary to administer s.
479 409.979(3), Florida Statutes. Such rules or interagency
480 agreements adopted by the agency relating to the scoring process
481 may delegate to the Department of Elderly Affairs, pursuant to
482 s. 409.978, Florida Statutes, the responsibility for
483 implementing and administering the scoring process, providing
484 notice of Medicaid fair hearing rights, and the responsibility
485 for defending, as needed, the scores assigned to persons on the
486 program waitlist in any resulting Medicaid fair hearings. The
487 Department of Elderly Affairs may delegate the provision of
488 notice of Medicaid fair hearing rights to its contractors. This
489 section expires July 1, 2016.

490 Section 14. In order to implement Specific Appropriations
491 188 through 220A and 524 of the 2015-2016 General Appropriations

492 Act and notwithstanding ss. 216.181 and 216.292, Florida
493 Statutes, the Agency for Health Care Administration, in
494 consultation with the Department of Health, may submit a budget
495 amendment, subject to the notice and objection procedures set
496 forth in s. 216.177, Florida Statutes, to realign funding within
497 and between agencies based on implementation of the Statewide
498 Medicaid Managed Care Medical Assistance program for Children's
499 Medical Services program of the Department of Health. The
500 funding realignment shall reflect the actual enrollment changes
501 due to the transfer of beneficiaries from fee-for-service to the
502 capitated Children's Medical Services network. The Agency for
503 Health Care Administration may submit a request for nonoperating
504 budget authority to transfer the federal funds to the Department
505 of Health, pursuant to s. 216.181(12), Florida Statutes. This
506 section expires July 1, 2016.

507 Section 15. In order to implement Specific Appropriation
508 503 of the 2015-2016 General Appropriations Act, subsection (17)
509 is added to section 893.055, Florida Statutes, to read:

510 893.055 Prescription drug monitoring program.—

511 (17) Notwithstanding subsection (10), and for the 2015-
512 2016 fiscal year only, the department may use state funds
513 appropriated in the 2015-2016 General Appropriations Act to
514 administer the prescription drug monitoring program. The
515 Attorney General or the department may not use funds received as
516 part of a settlement agreement to administer the prescription
517 drug monitoring program. This subsection expires July 1, 2016.

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518 Section 16. In order to implement section 31 of the 2015-
519 2016 General Appropriations Act, paragraph (a) of subsection (4)
520 of section 20.435, Florida Statutes, is amended to read:

521 20.435 Department of Health; trust funds.—The following
522 trust funds shall be administered by the Department of Health:

523 (4) Medical Quality Assurance Trust Fund.

524 (a)1. Funds to be credited to the trust fund shall consist
525 of fees and fines related to the licensing of health care
526 professionals. Funds shall be used for the purpose of providing
527 administrative support for the regulation of health care
528 professionals and for other such purposes as may be appropriate
529 and shall be expended only pursuant to legislative appropriation
530 or an approved amendment to the department's operating budget
531 pursuant to the provisions of chapter 216.

532 2. For the 2015-2016 fiscal year, the uses authorized
533 under subparagraph 1. include the provision of health care
534 services to department clients. This subparagraph expires July
535 1, 2016.

536 Section 17. In order to implement Specific Appropriations
537 583 through 717 and 733 through 771 of the 2015-2016 General
538 Appropriations Act, subsection (4) of section 216.262, Florida
539 Statutes, is amended to read:

540 216.262 Authorized positions.—

541 (4) Notwithstanding the provisions of this chapter
542 relating to increasing the number of authorized positions, and
543 for the 2015-2016 ~~2014-2015~~ fiscal year only, if the actual

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544 inmate population of the Department of Corrections exceeds the
545 inmate population projections of the February 27, 2015 ~~2014~~,
546 Criminal Justice Estimating Conference by 1 percent for 2
547 consecutive months or 2 percent for any month, the Executive
548 Office of the Governor, with the approval of the Legislative
549 Budget Commission, shall immediately notify the Criminal Justice
550 Estimating Conference, which shall convene as soon as possible
551 to revise the estimates. The Department of Corrections may then
552 submit a budget amendment requesting the establishment of
553 positions in excess of the number authorized by the Legislature
554 and additional appropriations from unallocated general revenue
555 sufficient to provide for essential staff, fixed capital
556 improvements, and other resources to provide classification,
557 security, food services, health services, and other variable
558 expenses within the institutions to accommodate the estimated
559 increase in the inmate population. All actions taken pursuant to
560 this subsection are subject to review and approval by the
561 Legislative Budget Commission. This subsection expires July 1,
562 2016 ~~2015~~.

563 Section 18. In order to implement Specific Appropriations
564 1319 and 1320 of the 2015-2016 General Appropriations Act, the
565 Department of Legal Affairs may expend appropriated funds in
566 those specific appropriations on the same programs that were
567 funded by the department pursuant to specific appropriations
568 made in general appropriations acts in previous years. This
569 section expires July 1, 2016.

570 Section 19. In order to implement Specific Appropriations
 571 1254 and 1259 of the 2015-2016 General Appropriations Act,
 572 paragraph (d) of subsection (4) of section 932.7055, Florida
 573 Statutes, is amended to read:

574 932.7055 Disposition of liens and forfeited property.—

575 (4) The proceeds from the sale of forfeited property shall
 576 be disbursed in the following priority:

577 (d) Notwithstanding any other provision of this
 578 subsection, and for the 2015-2016 ~~2014-2015~~ fiscal year only,
 579 the funds in a special law enforcement trust fund established by
 580 the governing body of a municipality may be expended to
 581 reimburse the general fund of the municipality for moneys
 582 advanced from the general fund to the special law enforcement
 583 trust fund before October 1, 2001. This paragraph expires July
 584 1, 2016 ~~2015~~.

585 Section 20. In order to implement section 7 of the 2015-
 586 2016 General Appropriations Act, subsection (2) of section
 587 215.18, Florida Statutes, is amended to read:

588 215.18 Transfers between funds; limitation.—

589 (2) The Chief Justice of the Supreme Court may receive one
 590 or more trust fund loans to ensure that the state court system
 591 has funds sufficient to meet its appropriations in the 2015-2016
 592 ~~2014-2015~~ General Appropriations Act. If the Chief Justice
 593 accesses the loan, he or she must notify the Governor and the
 594 chairs of the legislative appropriations committees in writing.
 595 The loan must come from other funds in the State Treasury which

596 are for the time being or otherwise in excess of the amounts
597 necessary to meet the just requirements of such last-mentioned
598 funds. The Governor shall order the transfer of funds within 5
599 days after the written notification from the Chief Justice. If
600 the Governor does not order the transfer, the Chief Financial
601 Officer shall transfer the requested funds. The loan of funds
602 from which any money is temporarily transferred must be repaid
603 by the end of the 2015-2016 ~~2014-2015~~ fiscal year. This
604 subsection expires July 1, 2016 ~~2015~~.

605 Section 21. In order to implement appropriations for
606 salaries and benefits in the Department of Corrections and
607 notwithstanding s. 216.292, Florida Statutes, the Department of
608 Corrections may not transfer funds from a salaries and benefits
609 category to any other category within the department other than
610 a salaries and benefits category without approval of the
611 Legislative Budget Commission. This section expires July 1,
612 2016.

613 Section 22. In order to implement appropriations used for
614 the payments of existing lease contracts for private lease space
615 in excess of 2,000 square feet in the 2015-2016 General
616 Appropriations Act, the Department of Management Services, with
617 the cooperation of the agencies having the existing lease
618 contracts for office or storage space, shall use tenant broker
619 services to renegotiate or re-procure all private lease
620 agreements for office or storage space expiring between July 1,
621 2015, and June 30, 2017, in order to reduce costs in future

622 years. The department shall incorporate this initiative into its
623 2015 Master Leasing Report required under s. 255.249(7), Florida
624 Statutes, and may use tenant broker services to explore the
625 possibilities of collocating office or storage space, to review
626 the space needs of each agency, and to review the length and
627 terms of potential renewals or renegotiations. The department
628 shall provide a report to the Executive Office of the Governor,
629 the President of the Senate, and the Speaker of the House of
630 Representatives by November 1, 2015, which lists each lease
631 contract for private office or storage space, the status of
632 renegotiations, and the savings achieved. This section expires
633 July 1, 2016.

634 Section 23. In order to implement Specific Appropriations
635 2270 through 2278 of the 2015-2016 General Appropriations Act,
636 section 624.502, Florida Statutes, is reenacted to read:

637 624.502 Service of process fee.—In all instances as
638 provided in any section of the insurance code and s. 48.151(3)
639 in which service of process is authorized to be made upon the
640 Chief Financial Officer or the director of the office, the
641 plaintiff shall pay to the department or office a fee of \$15 for
642 such service of process, which fee shall be deposited into the
643 Administrative Trust Fund.

644 Section 24. The amendment to s. 624.502, Florida Statutes,
645 as carried forward by this act from chapter 2014-53, Laws of
646 Florida, expires July 1, 2016, and the text of that section
647 shall revert to that in existence on June 30, 2013, except that

648 any amendments to such text enacted other than by this act shall
 649 be preserved and continue to operate to the extent that such
 650 amendments are not dependent upon the portions of text that
 651 expire pursuant to this section.

652 Section 25. In order to implement Specific Appropriations
 653 2848 and 2859 of the 2015-2016 General Appropriations Act,
 654 paragraph (a) of subsection (2) of section 282.709, Florida
 655 Statutes, is reenacted to read:

656 282.709 State agency law enforcement radio system and
 657 interoperability network.—

658 (2) The Joint Task Force on State Agency Law Enforcement
 659 Communications is created adjunct to the department to advise
 660 the department of member-agency needs relating to the planning,
 661 designing, and establishment of the statewide communication
 662 system.

663 (a) The Joint Task Force on State Agency Law Enforcement
 664 Communications shall consist of the following members:

665 1. A representative of the Division of Alcoholic Beverages
 666 and Tobacco of the Department of Business and Professional
 667 Regulation who shall be appointed by the secretary of the
 668 department.

669 2. A representative of the Division of Florida Highway
 670 Patrol of the Department of Highway Safety and Motor Vehicles
 671 who shall be appointed by the executive director of the
 672 department.

673 3. A representative of the Department of Law Enforcement

674 who shall be appointed by the executive director of the
675 department.

676 4. A representative of the Fish and Wildlife Conservation
677 Commission who shall be appointed by the executive director of
678 the commission.

679 5. A representative of the Department of Corrections who
680 shall be appointed by the secretary of the department.

681 6. A representative of the Division of State Fire Marshal
682 of the Department of Financial Services who shall be appointed
683 by the State Fire Marshal.

684 7. A representative of the Department of Agriculture and
685 Consumer Services who shall be appointed by the Commissioner of
686 Agriculture.

687 Section 26. The amendment to s. 282.709(2)(a), Florida
688 Statutes, as carried forward by this act from chapter 2014-53,
689 Laws of Florida, expires July 1, 2016, and the text of that
690 section shall revert to that in existence on June 30, 2014,
691 except that any amendments to such text enacted other than by
692 this act shall be preserved and continue to operate to the
693 extent that such amendments are not dependent upon the portions
694 of text that expire pursuant to this section.

695 Section 27. Effective November 1, 2015, in order to
696 implement Specific Appropriations 2753 through 2765 of the 2015-
697 2016 General Appropriations Act, and notwithstanding rule 60A-
698 1.031, Florida Administrative Code, the transaction fee
699 collected for use of the online procurement system, authorized

700 in ss. 287.042(1)(h)1. and 287.057(22)(c), Florida Statutes,
701 shall be seven-tenths of 1 percent for the 2015-2016 fiscal year
702 only. The Department of Management Services shall determine an
703 economical and effective means of notifying vendors of the fee
704 change. This section expires on July 1, 2016.

705 Section 28. In order to implement appropriations of the
706 2015-2016 General Appropriations Act, a maximum square foot cost
707 shall be applied for new fixed capital outlay construction of
708 buildings constructed with state appropriations. The Department
709 of Management Services shall develop a maximum square foot cost
710 plan for new fixed capital outlay construction to include the
711 design, construction, permitting, furniture and fixtures, and
712 any appurtenances. The maximum square foot cost for new
713 construction does not apply to the construction of any new
714 buildings or facilities for nursing; medical care; laboratories;
715 science, technology, and research-related facilities; or
716 buildings for the incarceration of inmates. The Department of
717 Management Services shall submit the maximum square foot cost
718 plan to the President of the Senate, the Speaker of the House of
719 Representatives, and the Executive Office of the Governor no
720 later than July 15, 2015. Approval of the maximum square foot
721 cost plan is subject to the notice, review, and objection
722 requirements of s. 216.177, Florida Statutes.

723 Section 29. In order to implement Specific Appropriation
724 1647 of the 2015-2016 General Appropriations Act, paragraph (e)
725 of subsection (5) of section 161.143, Florida Statutes, is

726 amended to read:

727 161.143 Inlet management; planning, prioritizing, funding,
728 approving, and implementing projects.—

729 (5) The department shall annually provide an inlet
730 management project list, in priority order, to the Legislature
731 as part of the department's budget request. The list must
732 include studies, projects, or other activities that address the
733 management of at least 10 separate inlets and that are ranked
734 according to the criteria established under subsection (2).

735 (e) Notwithstanding paragraphs (a) and (b), and for the
736 2015-2016 ~~2014-2015~~ fiscal year only, the amount allocated for
737 inlet management funding is provided in the 2015-2016 ~~2014-2015~~
738 General Appropriations Act. This paragraph expires July 1, 2016
739 ~~2015~~.

740 Section 30. In order to implement Specific Appropriation
741 1570 of the 2015-2016 General Appropriations Act, paragraph (m)
742 of subsection (3) of section 259.105, Florida Statutes, is
743 amended to read:

744 259.105 The Florida Forever Act.—

745 (3) Less the costs of issuing and the costs of funding
746 reserve accounts and other costs associated with bonds, the
747 proceeds of cash payments or bonds issued pursuant to this
748 section shall be deposited into the Florida Forever Trust Fund
749 created by s. 259.1051. The proceeds shall be distributed by the
750 Department of Environmental Protection in the following manner:

751 (m) Notwithstanding paragraphs (a)-(j) and for the 2015-

752 2016 ~~2014-2015~~ fiscal year only:

753 1. Twenty-five ~~Five~~ million dollars to the Department of
754 Agriculture and Consumer Services for the acquisition of
755 agricultural lands through perpetual conservation easements and
756 other perpetual less-than-fee techniques, which will achieve the
757 objectives of Florida Forever and s. 570.71.

758 2. One hundred million dollars to the Department of
759 Environmental Protection to be distributed among the water
760 management districts as provided in subsection (12) to fund
761 water resource development projects intended to achieve the goal
762 of ensuring that sufficient quantities of water are available to
763 meet the current and future needs of natural systems and the
764 citizens of the state as specified in paragraph (5)(d).

765 3. Fifty million dollars to the Department of
766 Environmental Protection to fund:

767 a. Land acquisition, including less-than-fee interests,
768 and capital projects that contribute to the restoration of the
769 quality or quantity of water flowing from Priority Florida
770 Springs by supporting attainment of a total maximum daily load
771 or achievement of a minimum flow or level for a Priority Florida
772 Spring; or

773 b. Capital projects to implement s. 403.067(7)(a)8. which
774 support attainment of a total maximum daily load for a Priority
775 Florida Spring.

776
777 These funds shall be placed in reserve until the Department of

778 Environmental Protection submits to the Legislative Budget
779 Commission a plan that includes, but is not limited to, a
780 prioritization of land acquisitions and capital projects that
781 support attainment of a total maximum daily load or achievement
782 of a minimum flow or level in Priority Florida Springs. When
783 considering land acquisitions, the department shall give
784 priority to land acquisitions that are less-than-fee interests.
785 The department may request the release of the funds upon
786 submission of the project plan for approval by the Legislative
787 Budget Commission pursuant to the provisions of chapter 216,
788 Florida Statutes.

789 4. Twenty million dollars to the Department of
790 Environmental Protection to be distributed to the South Florida
791 Water Management District and used to acquire land necessary to
792 complete construction of the Kissimmee River Restoration
793 Project.

794 5.2. The remaining moneys appropriated from the Florida
795 Forever Trust Fund shall be distributed only to the Division of
796 State Lands within the Department of Environmental Protection
797 for land acquisitions that are less-than-fee interest, for
798 partnerships in which the state's portion of the acquisition
799 cost is no more than 50 percent, or for conservation lands
800 needed for military buffering ~~or springs or water resources~~
801 ~~protection.~~

802
803 This paragraph expires July 1, 2016 2015.

804 Section 31. Section 259.105(3)(m)3.b., Florida Statutes,
 805 as created by this act, shall take effect only if CS/HB 7003 or
 806 similar legislation creating s. 403.067(7)(a)8., Florida
 807 Statutes, is enacted in the same legislative session or an
 808 extension thereof and becomes law.

809 Section 32. In order to implement Specific Appropriations
 810 1724A, 1724B, and 1817A of the 2015-2016 General Appropriations
 811 Act, paragraph (d) of subsection (11) of section 216.181,
 812 Florida Statutes, is amended to read:

813 216.181 Approved budgets for operations and fixed capital
 814 outlay.—

815 (11)

816 (d) Notwithstanding paragraph (b) and paragraph (2)(b),
 817 and for the 2015-2016 ~~2014-2015~~ fiscal year only, the
 818 Legislative Budget Commission may increase the amounts
 819 appropriated to the Fish and Wildlife Conservation Commission or
 820 the Department of Environmental Protection for fixed capital
 821 outlay projects, including additional fixed capital outlay
 822 projects, using funds provided to the state from the Gulf
 823 Environmental Benefit Fund administered by the National Fish and
 824 Wildlife Foundation; funds provided to the state from the Gulf
 825 Coast Restoration Trust Fund related to the Resources and
 826 Ecosystems Sustainability, Tourist Opportunities, and Revived
 827 Economies of the Gulf Coast Act of 2012 (RESTORE Act); or funds
 828 provided by the British Petroleum Corporation (BP) for natural
 829 resource damage assessment early restoration projects.

HB 5003

2015

830 Concurrent with submission of an amendment to the Legislative
831 Budget Commission pursuant to this paragraph, any project that
832 carries a continuing commitment for future appropriations by the
833 Legislature must be specifically identified, together with the
834 projected amount of the future commitment associated with the
835 project and the fiscal years in which the commitment is expected
836 to commence. This paragraph expires July 1, 2016 ~~2015~~.

837
838 The provisions of this subsection are subject to the notice and
839 objection procedures set forth in s. 216.177.

840 Section 33. In order to implement Specific Appropriation
841 1690 of the 2015-2016 General Appropriations Act, paragraph (f)
842 is added to subsection (8) of section 376.3071, Florida
843 Statutes, to read:

844 376.3071 Inland Protection Trust Fund; creation; purposes;
845 funding.—

846 (8) DEPARTMENTAL DUTY TO SEEK RECOVERY AND REIMBURSEMENT.—

847 (f) The department may not seek recovery or reimbursement
848 of funds from another state agency. This paragraph expires July
849 1, 2016.

850 Section 34. In order to implement Specific Appropriation
851 1583A of the 2015-2016 General Appropriations Act, subsection
852 (5) is added to section 403.890, Florida Statutes, to read:

853 403.890 Water Protection and Sustainability Program.—
854 Revenues deposited into or appropriated to the Water Protection
855 and Sustainability Program Trust Fund shall be distributed by

856 the Department of Environmental Protection in the following
857 manner:

858 (5) Notwithstanding subsections (1)-(3), and for the 2015-
859 2016 fiscal year only, 100 percent of the funds deposited into
860 or appropriated to the Water Protection and Sustainability
861 Program Trust Fund shall be used for the development of
862 alternative water supplies as provided in s. 373.707. This
863 subsection expires July 1, 2016.

864 Section 35. In order to implement Specific Appropriation
865 1439 of the 2015-2016 General Appropriations Act, subsection (4)
866 of section 388.261, Florida Statutes, is amended to read:

867 388.261 State aid to counties and districts for arthropod
868 control; distribution priorities and limitations.—

869 (4) (a) Up to 20 percent of the annual funds appropriated
870 to local governments for arthropod control may be used for
871 arthropod control research or demonstration projects as approved
872 by the department.

873 (b) Notwithstanding paragraph (a), and for the 2015-2016
874 fiscal year only, up to 40 percent of the annual funds
875 appropriated to local governments for arthropod control may be
876 used for arthropod control research or demonstration projects as
877 approved by the department. This paragraph expires July 1, 2016.

878 Section 36. In order to implement Specific Appropriation
879 2645 of the 2015-2016 General Appropriations Act, the Department
880 of Highway Safety and Motor Vehicles shall contract with the
881 corporation organized pursuant to part II of chapter 946,

882 Florida Statutes, to manufacture the current or newly redesigned
 883 license plates, such contract being in the same manner and for
 884 the same price as that paid by the department during the 2013-
 885 2014 fiscal year. The corporation shall seek sealed bids for the
 886 reflectorized sheeting used in the manufacture of such license
 887 plates, and in the event the sealed bids result in any savings
 888 in the sheeting costs, the corporation shall credit to the
 889 department an amount equal to 70 percent of the savings. The
 890 name of the county shall not appear on any redesigned license
 891 plate. This section expires July 1, 2016.

892 Section 37. In order to implement Specific Appropriations
 893 1869 through 1884, 1890 through 1895, 1909 through 1917, 1920
 894 through 1929, and 1970 through 1981 of the 2015-2016 General
 895 Appropriations Act, paragraph (g) of subsection (7) of section
 896 339.135, Florida Statutes, is amended, and paragraph (h) is
 897 added to that subsection, to read:

898 339.135 Work program; legislative budget request;
 899 definitions; preparation, adoption, execution, and amendment.—

900 (7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

901 (g) Any work program amendment which also requires the
 902 transfer of fixed capital outlay appropriations between
 903 categories within the department or the increase of an
 904 appropriation category is subject to the approval of the
 905 Legislative Budget Commission. ~~If a meeting of the Legislative~~
 906 ~~Budget Commission cannot be held within 30 days of the~~
 907 ~~department submitting an amendment to the Legislative Budget~~

908 ~~Commission, then the chair and vice chair of the Legislative~~
909 ~~Budget Commission may authorize such amendment to be approved~~
910 ~~pursuant to the provisions of s. 216.177.~~

911 (h) Any work program amendment that also adds a new
912 project, or phase thereof, to the adopted work program in excess
913 of \$3 million is subject to approval by the Legislative Budget
914 Commission. Any work program amendment submitted under this
915 paragraph must include, as supplemental information, a list of
916 projects, or phases thereof, in the current 5-year adopted work
917 program that are eligible for the funds within the appropriation
918 category being used for the proposed amendment. The department
919 shall provide a narrative with the rationale for not advancing
920 an existing project, or phase thereof, in lieu of the proposed
921 amendment. This paragraph expires July 1, 2016.

922 Section 38. The amendment to s. 339.135(7)(g), Florida
923 Statutes, made by this act expires July 1, 2016, and the text of
924 that section shall revert to that in existence on June 30, 2015,
925 except that any amendments to such text enacted other than by
926 this act shall be preserved and continue to operate to the
927 extent that such amendments are not dependent upon the portions
928 of text that expire pursuant to this section.

929 Section 39. In order to implement the salaries and
930 benefits, expenses, other personal services, contracted
931 services, special categories, and operating capital outlay
932 categories of the 2015-2016 General Appropriations Act,
933 paragraph (a) of subsection (2) of section 216.292, Florida

934 Statutes, is reenacted to read:

935 216.292 Appropriations nontransferable; exceptions.—

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

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

945 1. Between categories of appropriations within a budget
946 entity, if no category of appropriation is increased or
947 decreased by more than 5 percent of the original approved budget
948 or \$250,000, whichever is greater, by all action taken under
949 this subsection.

950 2. Between budget entities within identical categories of
951 appropriations, if no category of appropriation is increased or
952 decreased by more than 5 percent of the original approved budget
953 or \$250,000, whichever is greater, by all action taken under
954 this subsection.

955 3. Any agency exceeding salary rate established pursuant
956 to s. 216.181(8) on June 30th of any fiscal year shall not be
957 authorized to make transfers pursuant to subparagraphs 1. and 2.
958 in the subsequent fiscal year.

959 4. Notice of proposed transfers under subparagraphs 1. and

960 2. shall be provided to the Executive Office of the Governor and
 961 the chairs of the legislative appropriations committees at least
 962 3 days prior to agency implementation in order to provide an
 963 opportunity for review.

964 Section 40. The amendment to s. 216.292(2)(a), Florida
 965 Statutes, as carried forward by this act from chapter 2014-53,
 966 Laws of Florida, expires July 1, 2016, and the text of that
 967 section shall revert to that in existence on June 30, 2014,
 968 except that any amendments to such text enacted other than by
 969 this act shall be preserved and continue to operate to the
 970 extent that such amendments are not dependent upon the portions
 971 of text that expire pursuant to this section.

972 Section 41. In order to implement the appropriation of
 973 funds in the contracted services and expenses categories of the
 974 2015-2016 General Appropriations Act, a state agency may not
 975 initiate a competitive solicitation for a product or service if
 976 the completion of such competitive solicitation would:

- 977 (1) Require a change in law; or
- 978 (2) Require a change to the agency's budget other than a
 979 transfer authorized in s. 216.292(2) or (3), Florida Statutes,
 980 unless the initiation of such competitive solicitation is
 981 specifically authorized in law, in the General Appropriations
 982 Act, or by the Legislative Budget Commission.

983

984 This section does not apply to a competitive solicitation for
 985 which the agency head certifies that a valid emergency exists.

986 This section expires July 1, 2016.

987 Section 42. In order to implement the appropriation of
988 funds in the appropriation category "Special Categories-Risk
989 Management Insurance" in the 2015-2016 General Appropriations
990 Act, and pursuant to the notice, review, and objection
991 procedures of s. 216.177, Florida Statutes, the Executive Office
992 of the Governor may transfer funds appropriated in that category
993 between departments in order to align the budget authority
994 granted with the premiums paid by each department for risk
995 management insurance. This section expires July 1, 2016.

996 Section 43. In order to implement the appropriation of
997 funds in the appropriation category "Special Categories-Transfer
998 to Department of Management Services-Human Resources Services
999 Purchased per Statewide Contract" in the 2015-2016 General
1000 Appropriations Act, and pursuant to the notice, review, and
1001 objection procedures of s. 216.177, Florida Statutes, the
1002 Executive Office of the Governor may transfer funds appropriated
1003 in that category between departments in order to align the
1004 budget authority granted with the assessments that must be paid
1005 by each agency to the Department of Management Services for
1006 human resource management services. This section expires July 1,
1007 2016.

1008 Section 44. In order to implement appropriations for
1009 salaries and benefits of the 2015-2016 General Appropriations
1010 Act, subsection (6) of section 112.24, Florida Statutes, is
1011 amended to read:

1012 112.24 Intergovernmental interchange of public employees.—
1013 To encourage economical and effective utilization of public
1014 employees in this state, the temporary assignment of employees
1015 among agencies of government, both state and local, and
1016 including school districts and public institutions of higher
1017 education is authorized under terms and conditions set forth in
1018 this section. State agencies, municipalities, and political
1019 subdivisions are authorized to enter into employee interchange
1020 agreements with other state agencies, the Federal Government,
1021 another state, a municipality, or a political subdivision
1022 including a school district, or with a public institution of
1023 higher education. State agencies are also authorized to enter
1024 into employee interchange agreements with private institutions
1025 of higher education and other nonprofit organizations under the
1026 terms and conditions provided in this section. In addition, the
1027 Governor or the Governor and Cabinet may enter into employee
1028 interchange agreements with a state agency, the Federal
1029 Government, another state, a municipality, or a political
1030 subdivision including a school district, or with a public
1031 institution of higher learning to fill, subject to the
1032 requirements of chapter 20, appointive offices which are within
1033 the executive branch of government and which are filled by
1034 appointment by the Governor or the Governor and Cabinet. Under
1035 no circumstances shall employee interchange agreements be
1036 utilized for the purpose of assigning individuals to participate
1037 in political campaigns. Duties and responsibilities of

1038 interchange employees shall be limited to the mission and goals
 1039 of the agencies of government.

1040 (6) For the 2015-2016 ~~2014-2015~~ fiscal year only, the
 1041 assignment of an employee of a state agency as provided in this
 1042 section may be made if recommended by the Governor or Chief
 1043 Justice, as appropriate, and approved by the chairs of the
 1044 legislative appropriations committees. Such actions shall be
 1045 deemed approved if neither chair provides written notice of
 1046 objection within 14 days after receiving notice of the action
 1047 pursuant to s. 216.177. This subsection expires July 1, 2016
 1048 ~~2015~~.

1049 Section 45. In order to implement Specific Appropriations
 1050 2665 and 2666 of the 2015-2016 General Appropriations Act and
 1051 notwithstanding s. 11.13(1), Florida Statutes, the authorized
 1052 salaries for members of the Legislature for the 2015-2016 fiscal
 1053 year shall be set at the same level in effect on July 1, 2010.
 1054 This section expires July 1, 2016.

1055 Section 46. In order to implement the transfer of funds to
 1056 the General Revenue Fund from trust funds in the 2015-2016
 1057 General Appropriations Act, paragraph (b) of subsection (2) of
 1058 section 215.32, Florida Statutes, is reenacted to read:

1059 215.32 State funds; segregation.—

1060 (2) The source and use of each of these funds shall be as
 1061 follows:

1062 (b)1. The trust funds shall consist of moneys received by
 1063 the state which under law or under trust agreement are

1064 segregated for a purpose authorized by law. The state agency or
1065 branch of state government receiving or collecting such moneys
1066 is responsible for their proper expenditure as provided by law.
1067 Upon the request of the state agency or branch of state
1068 government responsible for the administration of the trust fund,
1069 the Chief Financial Officer may establish accounts within the
1070 trust fund at a level considered necessary for proper
1071 accountability. Once an account is established, the Chief
1072 Financial Officer may authorize payment from that account only
1073 upon determining that there is sufficient cash and releases at
1074 the level of the account.

1075 2. In addition to other trust funds created by law, to the
1076 extent possible, each agency shall use the following trust funds
1077 as described in this subparagraph for day-to-day operations:

1078 a. Operations or operating trust fund, for use as a
1079 depository for funds to be used for program operations funded by
1080 program revenues, with the exception of administrative
1081 activities when the operations or operating trust fund is a
1082 proprietary fund.

1083 b. Operations and maintenance trust fund, for use as a
1084 depository for client services funded by third-party payors.

1085 c. Administrative trust fund, for use as a depository for
1086 funds to be used for management activities that are departmental
1087 in nature and funded by indirect cost earnings and assessments
1088 against trust funds. Proprietary funds are excluded from the
1089 requirement of using an administrative trust fund.

1090 d. Grants and donations trust fund, for use as a
 1091 depository for funds to be used for allowable grant or donor
 1092 agreement activities funded by restricted contractual revenue
 1093 from private and public nonfederal sources.

1094 e. Agency working capital trust fund, for use as a
 1095 depository for funds to be used pursuant to s. 216.272.

1096 f. Clearing funds trust fund, for use as a depository for
 1097 funds to account for collections pending distribution to lawful
 1098 recipients.

1099 g. Federal grant trust fund, for use as a depository for
 1100 funds to be used for allowable grant activities funded by
 1101 restricted program revenues from federal sources.

1102
 1103 To the extent possible, each agency must adjust its internal
 1104 accounting to use existing trust funds consistent with the
 1105 requirements of this subparagraph. If an agency does not have
 1106 trust funds listed in this subparagraph and cannot make such
 1107 adjustment, the agency must recommend the creation of the
 1108 necessary trust funds to the Legislature no later than the next
 1109 scheduled review of the agency's trust funds pursuant to s.
 1110 215.3206.

1111 3. All such moneys are hereby appropriated to be expended
 1112 in accordance with the law or trust agreement under which they
 1113 were received, subject always to the provisions of chapter 216
 1114 relating to the appropriation of funds and to the applicable
 1115 laws relating to the deposit or expenditure of moneys in the

1116 State Treasury.

1117 4.a. Notwithstanding any provision of law restricting the
1118 use of trust funds to specific purposes, unappropriated cash
1119 balances from selected trust funds may be authorized by the
1120 Legislature for transfer to the Budget Stabilization Fund and
1121 General Revenue Fund in the General Appropriations Act.

1122 b. This subparagraph does not apply to trust funds
1123 required by federal programs or mandates; trust funds
1124 established for bond covenants, indentures, or resolutions whose
1125 revenues are legally pledged by the state or public body to meet
1126 debt service or other financial requirements of any debt
1127 obligations of the state or any public body; the Division of
1128 Licensing Trust Fund in the Department of Agriculture and
1129 Consumer Services; the State Transportation Trust Fund; the
1130 trust fund containing the net annual proceeds from the Florida
1131 Education Lotteries; the Florida Retirement System Trust Fund;
1132 trust funds under the management of the State Board of Education
1133 or the Board of Governors of the State University System, where
1134 such trust funds are for auxiliary enterprises, self-insurance,
1135 and contracts, grants, and donations, as those terms are defined
1136 by general law; trust funds that serve as clearing funds or
1137 accounts for the Chief Financial Officer or state agencies;
1138 trust funds that account for assets held by the state in a
1139 trustee capacity as an agent or fiduciary for individuals,
1140 private organizations, or other governmental units; and other
1141 trust funds authorized by the State Constitution.

1142 Section 47. The amendment to s. 215.32(2)(b), Florida
1143 Statutes, as carried forward by this act from chapter 2011-47,
1144 Laws of Florida, expires July 1, 2016, and the text of that
1145 paragraph shall revert to that in existence on June 30, 2011,
1146 except that any amendments to such text enacted other than by
1147 this act shall be preserved and continue to operate to the
1148 extent that such amendments are not dependent upon the portions
1149 of text which expire pursuant to this section.

1150 Section 48. In order to implement the issuance of new debt
1151 authorized in the 2015-2016 General Appropriations Act, and
1152 pursuant to s. 215.98, Florida Statutes, the Legislature
1153 determines that the authorization and issuance of debt for the
1154 2015-2016 fiscal year should be implemented and is in the best
1155 interest of the state. This section expires July 1, 2016.

1156 Section 49. In order to implement appropriations in the
1157 2015-2016 General Appropriations Act for state employee travel,
1158 the funds appropriated to each state agency, which may be used
1159 for travel by state employees, shall be limited during the 2015-
1160 2016 fiscal year to travel for activities that are critical to
1161 each state agency's mission. Funds may not be used for travel by
1162 state employees to foreign countries, other states, conferences,
1163 staff-training activities, or other administrative functions
1164 unless the agency head has approved, in writing, that such
1165 activities are critical to the agency's mission. The agency head
1166 shall consider using teleconferencing and other forms of
1167 electronic communication to meet the needs of the proposed

1168 activity before approving mission-critical travel. This section
1169 does not apply to travel for law enforcement purposes, military
1170 purposes, emergency management activities, or public health
1171 activities. This section expires July 1, 2016.

1172 Section 50. In order to implement appropriations in the
1173 2015-2016 General Appropriations Act for state employee travel,
1174 and notwithstanding s. 112.061, Florida Statutes, costs for
1175 lodging associated with a meeting, conference, or convention
1176 organized or sponsored in whole or in part by a state agency or
1177 the judicial branch may not exceed \$150 per day. This section
1178 expires July 1, 2016.

1179 Section 51. In order to implement Specific Appropriations
1180 2906 through 2927 of the 2015-2016 General Appropriations Act,
1181 funded from the data processing appropriation category for
1182 computing services of user agencies, and pursuant to the notice,
1183 review, and objection procedures of s. 216.177, Florida
1184 Statutes, the Executive Office of the Governor may transfer
1185 funds appropriated for data processing in the 2015-2016 General
1186 Appropriations Act between agencies in order to align the budget
1187 authority granted with the utilization rate of each department.
1188 This section expires July 1, 2016.

1189 Section 52. In order to implement appropriations
1190 authorized in the 2015-2016 General Appropriations Act for data
1191 center services, and notwithstanding s. 216.292(2)(a), Florida
1192 Statutes, except as authorized in section 51 of this act, an
1193 agency may not transfer funds from a data processing category to

1194 a category other than another data processing category. This
 1195 section expires July 1, 2016.

1196 Section 53. In order to implement Specific Appropriation
 1197 2840 of the 2015-2016 General Appropriations Act, the Executive
 1198 Office of the Governor may transfer funds appropriated in the
 1199 appropriation category "Expenses" of the 2015-2016 General
 1200 Appropriations Act between agencies in order to allocate a
 1201 reduction relating to SUNCOM services. This section expires July
 1202 1, 2016.

1203 Section 54. In order to implement section 8 of the 2015-
 1204 2016 General Appropriations Act, section 110.12315, Florida
 1205 Statutes, is reenacted to read:

1206 110.12315 Prescription drug program.—The state employees'
 1207 prescription drug program is established. This program shall be
 1208 administered by the Department of Management Services, according
 1209 to the terms and conditions of the plan as established by the
 1210 relevant provisions of the annual General Appropriations Act and
 1211 implementing legislation, subject to the following conditions:

1212 (1) The department shall allow prescriptions written by
 1213 health care providers under the plan to be filled by any
 1214 licensed pharmacy pursuant to contractual claims-processing
 1215 provisions. Nothing in this section may be construed as
 1216 prohibiting a mail order prescription drug program distinct from
 1217 the service provided by retail pharmacies.

1218 (2) In providing for reimbursement of pharmacies for
 1219 prescription medicines dispensed to members of the state group

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1220 health insurance plan and their dependents under the state
1221 employees' prescription drug program:

1222 (a) Retail pharmacies participating in the program must be
1223 reimbursed at a uniform rate and subject to uniform conditions,
1224 according to the terms and conditions of the plan.

1225 (b) There shall be a 30-day supply limit for prescription
1226 card purchases, a 90-day supply limit for maintenance
1227 prescription drug purchases, and a 90-day supply limit for mail
1228 order or mail order prescription drug purchases.

1229 (c) The pharmacy dispensing fee shall be negotiated by the
1230 department.

1231 (3) Pharmacy reimbursement rates shall be as follows:

1232 (a) For mail order and specialty pharmacies contracting
1233 with the department, reimbursement rates shall be as established
1234 in the contract.

1235 (b) For retail pharmacies, the reimbursement rate shall be
1236 at the same rate as mail order pharmacies under contract with
1237 the department.

1238 (4) The department shall maintain the preferred brand name
1239 drug list to be used in the administration of the state
1240 employees' prescription drug program.

1241 (5) The department shall maintain a list of maintenance
1242 drugs.

1243 (a) Preferred provider organization health plan members
1244 may have prescriptions for maintenance drugs filled up to three
1245 times as a 30-day supply through a retail pharmacy; thereafter,

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1246 prescriptions for the same maintenance drug must be filled as a
1247 90-day supply either through the department's contracted mail
1248 order pharmacy or through a retail pharmacy.

1249 (b) Health maintenance organization health plan members
1250 may have prescriptions for maintenance drugs filled as a 90-day
1251 supply either through a mail order pharmacy or through a retail
1252 pharmacy.

1253 (6) Copayments made by health plan members for a 90-day
1254 supply through a retail pharmacy shall be the same as copayments
1255 made for a 90-day supply through the department's contracted
1256 mail order pharmacy.

1257 (7) The department shall establish the reimbursement
1258 schedule for prescription pharmaceuticals dispensed under the
1259 program. Reimbursement rates for a prescription pharmaceutical
1260 must be based on the cost of the generic equivalent drug if a
1261 generic equivalent exists, unless the physician prescribing the
1262 pharmaceutical clearly states on the prescription that the brand
1263 name drug is medically necessary or that the drug product is
1264 included on the formulary of drug products that may not be
1265 interchanged as provided in chapter 465, in which case
1266 reimbursement must be based on the cost of the brand name drug
1267 as specified in the reimbursement schedule adopted by the
1268 department.

1269 (8) The department shall conduct a prescription
1270 utilization review program. In order to participate in the state
1271 employees' prescription drug program, retail pharmacies

1272 dispensing prescription medicines to members of the state group
 1273 health insurance plan or their covered dependents, or to
 1274 subscribers or covered dependents of a health maintenance
 1275 organization plan under the state group insurance program, shall
 1276 make their records available for this review.

1277 (9) The department shall implement such additional cost-
 1278 saving measures and adjustments as may be required to balance
 1279 program funding within appropriations provided, including a
 1280 trial or starter dose program and dispensing of long-term-
 1281 maintenance medication in lieu of acute therapy medication.

1282 (10) Participating pharmacies must use a point-of-sale
 1283 device or an online computer system to verify a participant's
 1284 eligibility for coverage. The state is not liable for
 1285 reimbursement of a participating pharmacy for dispensing
 1286 prescription drugs to any person whose current eligibility for
 1287 coverage has not been verified by the state's contracted
 1288 administrator or by the department.

1289 (11) Under the state employees' prescription drug program
 1290 copayments must be made as follows:

1291 (a) Effective January 1, 2013, for the State Group Health
 1292 Insurance Standard Plan:

- 1293 1. For generic drug with card.....\$7.
- 1294 2. For preferred brand name drug with card.....\$30.
- 1295 3. For nonpreferred brand name drug with card.....\$50.
- 1296 4. For generic mail order drug.....\$14.
- 1297 5. For preferred brand name mail order drug.....\$60.

1298 6. For nonpreferred brand name mail order drug.....\$100.
 1299 (b) Effective January 1, 2006, for the State Group Health
 1300 Insurance High Deductible Plan:
 1301 1. Retail coinsurance for generic drug with card.....30%.
 1302 2. Retail coinsurance for preferred brand name drug with
 1303 card 30%.
 1304 3. Retail coinsurance for nonpreferred brand name drug
 1305 with card.....50%.
 1306 4. Mail order coinsurance for generic drug.....30%.
 1307 5. Mail order coinsurance for preferred brand name drug30%.
 1308 6. Mail order coinsurance for nonpreferred brand name drug50%.
 1309 (c) The department shall create a preferred brand name
 1310 drug list to be used in the administration of the state
 1311 employees' prescription drug program.
 1312 Section 55. (1) The amendment to s. 110.12315(2)(b),
 1313 Florida Statutes, as carried forward by this act from chapter
 1314 2014-53, Laws of Florida, expires July 1, 2016, and the text of
 1315 that paragraph shall revert to that in existence on June 30,
 1316 2012, except that any amendments to such text enacted other than
 1317 by this act shall be preserved and continue to operate to the
 1318 extent that such amendments are not dependent upon the portions
 1319 of text which expire pursuant to this section.
 1320 (2) The amendments to s. 110.12315(2)(c) and (3)-(6),
 1321 Florida Statutes, as carried forward by this act from chapter
 1322 2014-53, Laws of Florida, expire July 1, 2016, and the text of
 1323 that paragraph and the text and numbering of those subsections

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1324 shall revert to that in existence on June 30, 2014, except that
1325 any amendments to such text enacted other than by this act shall
1326 be preserved and continue to operate to the extent that such
1327 amendments are not dependent upon the portions of text that
1328 expire pursuant to this section.

1329 (3) The amendment to s. 110.12315(7)(a), Florida Statutes,
1330 as carried forward by this act from chapter 2014-53, Laws of
1331 Florida, expires July 1, 2016, and shall revert to the text of
1332 that paragraph in existence on December 31, 2010, except that
1333 any amendments to such text enacted other than by this act shall
1334 be preserved and continue to operate to the extent that such
1335 amendments are not dependent upon the portions of text which
1336 expire pursuant to this section.

1337 Section 56. Any section of this act which implements a
1338 specific appropriation or specifically identified proviso
1339 language in the 2015-2016 General Appropriations Act is void if
1340 the specific appropriation or specifically identified proviso
1341 language is vetoed. Any section of this act which implements
1342 more than one specific appropriation or more than one portion of
1343 specifically identified proviso language in the 2015-2016
1344 General Appropriations Act is void if all the specific
1345 appropriations or portions of specifically identified proviso
1346 language are vetoed.

1347 Section 57. If any other act passed during the 2015
1348 Regular Session contains a provision that is substantively the
1349 same as a provision in this act, but that removes or is

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1350 otherwise not subject to the future repeal applied to such
1351 provision by this act, the Legislature intends that the
1352 provision in the other act takes precedence and continues to
1353 operate, notwithstanding the future repeal provided by this act.

1354 Section 58. If any provision of this act or its
1355 application to any person or circumstance is held invalid, the
1356 invalidity does not affect other provisions or applications of
1357 the act which can be given effect without the invalid provision
1358 or application, and to this end the provisions of this act are
1359 severable.

1360 Section 59. This act shall take effect July 1, 2015.