

20152502Aer

1
2 An act 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 must be released and
7 expended as required in specified proviso language;
8 specifying the required ad valorem tax millage
9 contribution by certain district school boards for
10 certain funded construction projects; amending s.
11 1002.385, F.S.; revising the definition of the term
12 "disability" for purposes of the Florida Personal
13 Learning Scholarship Accounts Program; revising
14 program eligibility criteria and program prohibitions
15 for such accounts; requiring that authorized program
16 funds be used to support the student's educational
17 needs; authorizing program funds to be spent for
18 tuition and fees for certain part-time tutoring
19 services; revising the obligations of the Department
20 of Education with respect to the program; revising the
21 authority of the Commissioner of Education to deny,
22 suspend, or revoke certain program participation and
23 use of program funds; specifying maximum periods for
24 certain suspensions and revocations; authorizing the
25 commissioner to recover program funds through certain
26 means; specifying priority for participation in the
27 program; revising information that must be provided
28 for the program by scholarship-funding organizations
29 and parents of applicants; specifying priority for

20152502Aer

30 timely filed applications for wait-list purposes;
31 requiring verification of expenditures based on
32 certain requirements; revising funding and payment
33 provisions for the program; amending s. 1002.395,
34 F.S.; revising the surety bond or letter of credit
35 requirements for nonprofit scholarship-funding
36 organizations submitting initial or renewal
37 scholarship program participation applications;
38 amending s. 1011.62, F.S.; extending by 1 fiscal year
39 the requirement that certain funds be used by school
40 districts that have at least one of certain lowest-
41 performing elementary schools to provide specified
42 additional intensive reading instruction; specifying
43 for purposes of the 2015-2016 fiscal year that certain
44 lowest-performing elementary schools shall be those
45 identified during the 2014-2015 fiscal year;
46 specifying requirements for the calculation of surplus
47 for the prior period funding adjustment millage;
48 revising the computation of the district sparsity
49 index for districts with a specified full-time
50 equivalent student membership; deleting obsolete
51 language; revising the dates by which district school
52 boards shall submit a digital classrooms plan;
53 requiring the Department of Education to confirm that
54 districts have completed certain requirements prior to
55 a specified distribution of Florida digital classrooms
56 allocation funds; requiring the department, in
57 consultation with the Agency for State Technology, to
58 contract with an independent third party entity to

20152502Aer

59 conduct an assessment of the digital readiness of each
60 school district and public school; specifying
61 requirements for the contracted entity; creating a
62 federally connected student supplement for school
63 districts; specifying eligibility requirements and
64 calculations for allocations of the supplement;
65 conforming cross-references; amending s. 1011.71,
66 F.S.; conforming a cross-reference; providing for the
67 future expiration and reversion of specified statutory
68 text; amending s. 1012.75, F.S.; requiring the
69 Department of Education to administer an educator
70 liability insurance program for certain full-time
71 instructional personnel; requiring district school
72 boards to define certain terms; defining the term
73 "instructional personnel"; requiring a minimum amount
74 of coverage for full-time instructional personnel;
75 authorizing liability coverage for other specified
76 personnel; providing notification requirements;
77 requiring the department to consult with the
78 Department of Financial Services to select specified
79 means for implementing the insurance program; revising
80 community service work requirements for the Florida
81 Bright Futures Scholarship Program; amending s.
82 1008.46, F.S.; revising the deadline for the annual
83 accountability report that must be submitted by the
84 Board of Governors of the State University System;
85 providing for the future expiration and reversion of
86 specified statutory text; creating s. 1001.92, F.S.;
87 requiring a State University System Performance-Based

20152502Aer

88 Incentive to be awarded to state universities using
89 certain performance-based metrics and benchmarks
90 adopted by the Board of Governors; specifying
91 allocation of the funds; requiring certain funds to be
92 withheld from, and certain improvement plans to be
93 submitted to the board by, state universities based on
94 specified performance; specifying monitoring and
95 reporting requirements for the improvement plans;
96 providing for the receipt of certain withheld funds by
97 state universities that make satisfactory progress on
98 implementing improvement plans; requiring certain
99 distribution of performance funding; requiring the
100 board to submit a certain report on the previous
101 year's performance funding allocation by a specified
102 date to the Governor and the Legislature; requiring
103 the State Board of Education to adopt certain
104 performance metrics and benchmarks for the Florida
105 College System Performance-Based Incentive; specifying
106 allocation of the funds; requiring certain funds to be
107 withheld from, and certain improvement plans to be
108 submitted to the board by, institutions based on
109 specified performance; specifying monitoring and
110 reporting requirements for the improvement plans;
111 requiring the withholding of certain funds until a
112 monitoring report is approved by the board;
113 authorizing the Office of Early Learning to allocate
114 or reallocate funds held by the Child Care Executive
115 Partnership Program for certain purposes related to
116 child care or school readiness; establishing

20152502Aer

117 requirements for the release and expenditure of such
118 funds; providing requirements governing the
119 continuation, management, and oversight of the
120 Department of Health's Florida Onsite Sewage Nitrogen
121 Reduction Strategies Study; authorizing the current
122 contract to be extended until the study is completed;
123 prohibiting a state agency from adopting or
124 implementing certain rules or policies before the
125 study is completed; authorizing the department to
126 allow installation of experimental sewage treatment
127 systems at home sites; amending s. 20.435, F.S.;
128 revising the authorized uses of funds in the Medical
129 Quality Assurance Trust Fund; authorizing the Agency
130 for Health Care Administration to submit a budget
131 amendment to realign funding based upon a specified
132 model, methodology, and framework; specifying
133 requirements for such realignment;
134 prioritizing which categories of individuals on the
135 wait list of the Agency for Persons with Disabilities
136 shall be offered slots in the Medicaid home and
137 community-based waiver programs; requiring that the
138 Agency for Persons with Disabilities provide waiver
139 services and that community-based care lead agencies
140 provide certain funding and services for specified
141 individuals who need waiver and extended foster care
142 services; requiring an individual to be allowed to
143 receive home and community-based services if his or
144 her parent or guardian is an active-duty servicemember
145 transferred to this state under certain circumstances;

20152502Aer

146 providing that individuals remaining on the wait list
147 are not entitled to a hearing in accordance with
148 federal law or administrative proceeding under state
149 law; specifying the requirements that apply to the
150 iBudgets of clients on the home and community-based
151 services waiver until the Agency for Persons with
152 Disabilities adopts a new allocation algorithm and
153 methodology by final rule; providing for application
154 of the new allocation algorithm and methodology after
155 adoption of the final rule; providing requirements for
156 an increase in iBudget funding allocations; amending
157 s. 296.37, F.S.; extending for 1 fiscal year the
158 requirement that certain residents of a veterans'
159 nursing home contribute to their maintenance and
160 support; amending s. 393.067, F.S.; deleting obsolete
161 provisions; specifying that the Agency for Persons
162 with Disabilities is not required to contract with
163 certain licensed facilities; providing for the future
164 expiration and reversion of specified statutory text;
165 amending s. 393.18, F.S.; revising residency
166 limitations for comprehensive transitional education
167 programs; providing applicability; deleting provisions
168 relating to licensure for such programs and certain
169 facilities providing residential services for children
170 who need behavioral services; providing for the future
171 expiration and reversion of specified statutory text;
172 requiring the Agency for Health Care Administration to
173 ensure that nursing facility residents who are
174 eligible for funds to transition to home and

20152502Aer

175 community-based services waivers have resided in a
176 skilled nursing facility residency for a specified
177 period; requiring the Agency for Health Care
178 Administration and the Department of Elderly Affairs
179 to prioritize individuals for enrollment in the
180 Medicaid Long-Term Care Waiver program using a certain
181 frailty-based screening; authorizing the Agency for
182 Health Care Administration to adopt rules and enter
183 into certain interagency agreements with respect to
184 program enrollment; authorizing the delegation of
185 certain responsibilities with respect to program
186 enrollment; authorizing the Agency for Health Care
187 Administration, in consultation with the Department of
188 Health, to submit a budget amendment to reflect
189 certain enrollment changes within the Children's
190 Medical Services Network; authorizing the agency to
191 submit a request for nonoperating budget authority to
192 transfer federal funds to the Department of Health
193 under certain circumstances; providing that certain
194 funds provided for training purposes shall be
195 allocated to community-based lead agencies based on a
196 training needs assessment conducted by the Department
197 of Children and Families; authorizing a Program of
198 All-Inclusive Care for the Elderly (PACE) organization
199 granted certain enrollee slots for frail elders
200 residing in Broward County to use the slots for
201 enrollees residing in Miami-Dade County under certain
202 circumstances; amending s. 893.055, F.S.; authorizing
203 the Department of Health to use certain funds to

20152502Aer

204 administer the prescription drug monitoring program;
205 prohibiting the use of funds received from a
206 settlement agreement to administer the program;
207 amending s. 216.262, F.S.; extending for 1 fiscal year
208 the authority of the Department of Corrections to
209 submit a budget amendment for additional positions and
210 appropriations under certain circumstances;
211 authorizing the Department of Legal Affairs to expend
212 certain appropriated funds on programs that were
213 funded by the department from specific appropriations
214 in general appropriations acts in previous years;
215 amending s. 932.7055, F.S.; extending for 1 fiscal
216 year the authority for a municipality to expend funds
217 from its special law enforcement trust fund to
218 reimburse its general fund for certain moneys;
219 amending s. 215.18, F.S.; extending for 1 fiscal year
220 the authority and related repayment requirements for
221 trust fund loans to the state court system which are
222 sufficient to meet the system's appropriation;
223 prohibiting the Department of Corrections from
224 transferring funds from a salaries and benefits
225 category to another category unless approved by the
226 Legislative Budget Commission; requiring the
227 Department of Juvenile Justice to review county
228 juvenile detention payments to determine if the county
229 has met specified financial responsibilities;
230 requiring amounts owed by the county for such
231 financial responsibilities to be deducted from certain
232 county funds; requiring the Department of Revenue to

20152502Aer

233 ensure that such deductions do not reduce
234 distributions below amounts necessary for certain
235 payments relating to bonds; requiring the Department
236 of Revenue to notify the Department of Juvenile
237 Justice if bond payment requirements require a
238 reduction in deductions for amounts owed by a county;
239 directing the Department of Management Services to use
240 tenant broker services to renegotiate or reprocure
241 private lease agreements for office or storage space;
242 requiring the Department of Management Services to
243 provide a report to the Governor and the Legislature
244 by a specified date; reenacting s. 624.502, F.S.,
245 relating to the deposit of fees for service of process
246 made upon the Chief Financial Officer or the Director
247 of the Office of Insurance Regulation into the
248 Administrative Trust Fund; providing for the future
249 expiration and reversion of specified statutory text;
250 reenacting s. 282.709(2)(a), F.S., relating to the
251 creation and membership of the Joint Task Force on
252 State Agency Law Enforcement Communications; providing
253 for the future expiration and reversion of specified
254 statutory text; specifying the amount of the
255 transaction fee to be collected for use of the online
256 procurement system; requiring the Department of
257 Management Services to determine a means of notifying
258 vendors of the fee change; amending s. 216.292, F.S.;
259 authorizing the Agency for State Technology under
260 specified circumstances to transfer certain funds for
261 purposes related to the migration of cloud-ready

20152502Aer

262 applications to a certain cloud solution; amending s.
263 161.143, F.S.; extending by 1 fiscal year the
264 directive that the amount allocated for inlet
265 management funding is provided in the General
266 Appropriations Act; amending s. 259.105, F.S.;
267 revising the distribution of certain proceeds from
268 cash payments or bonds issued pursuant to the Florida
269 Forever Act; authorizing certain funds to be
270 transferred to the Division of State Lands within the
271 Department of Environmental Protection for a specified
272 purpose; amending s. 216.181, F.S.; extending by 1
273 fiscal year the authority for the Legislative Budget
274 Commission to increase amounts appropriated to the
275 Fish and Wildlife Conservation Commission or the
276 Department of Environmental Protection for certain
277 fixed capital outlay projects; amending s. 376.3071,
278 F.S.; requiring the Department of Environmental
279 Protection under specified circumstances to obligate
280 moneys in the Inland Protection Trust Fund for certain
281 items that otherwise would be paid by another state
282 agency for state-funded petroleum contamination site
283 rehabilitation; amending s. 381.0065, F.S.; revising
284 the effective date for the future prohibition against
285 the land application of septage from onsite treatment
286 and disposal systems; providing for the future
287 expiration and reversion of specified statutory text;
288 amending s. 388.261, F.S.; increasing the percentage
289 of annual funds appropriated for arthropod control
290 which may be used for certain research and

20152502Aer

291 demonstration projects; amending s. 403.709, F.S.;

292 establishing a solid waste landfill closure account

293 within the Solid Waste Management Trust Fund;

294 specifying the account's purpose; authorizing the

295 Department of Environmental Protection to use account

296 funds to contract with a third party for the closing

297 and long-term care of a solid waste management

298 facility under specified circumstances; requiring the

299 deposit of certain funds received from the closure

300 insurance policy into the account; amending s. 215.18,

301 F.S.; authorizing the Governor, if there is a

302 specified deficiency in a land acquisition trust fund

303 in the Department of Agriculture and Consumer

304 Services, the Department of Environmental Protection,

305 the Department of State, or the Fish and Wildlife

306 Conservation Commission, to transfer funds from other

307 trust funds in the State Treasury as a temporary loan

308 to such trust fund; providing procedures for the

309 transfer and repayment of the loan; providing a

310 legislative determination that the repayment of the

311 temporary loan is a constitutionally allowable use of

312 such moneys; authorizing the Department of Agriculture

313 and Consumer Services, the Department of Environmental

314 Protection, the Department of State, and the Fish and

315 Wildlife Commission to submit a budget amendment to

316 realign funding, to increase certain budget authority

317 from trust funds, or to transfer trust funds in order

318 to implement specified law; requiring the Department

319 of Environmental Protection to transfer revenues

20152502Aer

320 deposited in the Land Acquisition Trust Fund within
321 the department to land acquisition trust funds in the
322 Department of Agriculture and Consumer Services, the
323 Department of State, and the Fish and Wildlife
324 Conservation Commission according to specified
325 parameters and calculations; defining the term
326 "department"; requiring the department to retain a
327 proportionate share of revenues; specifying a limit on
328 distributions; directing the Board of Trustees of the
329 Internal Improvement Trust Fund to sell specified land
330 in Osceola County and to deposit the net proceeds into
331 a specified trust fund; requiring the Board of
332 Trustees of the Internal Improvement Trust Fund to
333 provide the University of South Florida Sarasota-
334 Manatee with the proceeds from the sale of certain
335 parcel of state land; authorizing the Department of
336 Highway Safety and Motor Vehicles to extend its
337 existing contract for driver license equipment and
338 consumables under specified circumstances; requiring
339 the Department of Highway Safety and Motor Vehicles to
340 contract with a specified corporation to manufacture
341 license plates; specifying requirements to be met by
342 the corporation in manufacturing such license plates;
343 prohibiting the name of a county from appearing on
344 redesigned license plates; amending s. 339.135, F.S.;
345 requiring the Department of Transportation to use
346 appropriated funds to support the establishment of a
347 statewide system of interconnected multiuse trails and
348 related facilities; prohibiting such funds from

20152502Aer

349 reducing, deleting, or deferring other projects funded
350 as of a specified date; amending s. 339.2818, F.S.;
351 revising the definition of the term "small county" for
352 purposes of the Small County Outreach Program;
353 reenacting s. 341.302(10), F.S., relating to the
354 Department of Transportation's duties and
355 responsibilities for the rail program; providing for
356 the future expiration and reversion of specified
357 statutory text; amending s. 339.2816, F.S.; revising
358 the amount of funding from the State Transportation
359 Trust Fund that may be used for the Small County Road
360 Assistance Program; providing for the future
361 expiration and reversion of specified statutory text;
362 amending s. 420.9072, F.S.; defining the term "rent
363 subsidies"; authorizing a specified maximum percentage
364 of funding from the local housing distribution to be
365 used by counties and municipalities for certain rental
366 assistance and rent subsidies; amending s. 420.5087,
367 F.S.; specifying the reservation of funds for the
368 tenant groups within each notice of fund availability
369 with respect to the State Apartment Incentive Loan
370 Program; providing applicability for certain
371 provisions of the Florida Building Code; reenacting s.
372 216.292(2)(a), F.S., relating to exceptions for
373 nontransferable appropriations; providing for the
374 future expiration and reversion of specified statutory
375 text; prohibiting a state agency from initiating a
376 competitive solicitation for a product or service
377 under certain circumstances; providing an exception;

20152502Aer

378 authorizing the Executive Office of the Governor to
379 transfer funds between departments for purposes of
380 aligning amounts paid for risk management premiums and
381 for human resource management services; amending s.
382 112.24, F.S.; extending by 1 fiscal year the
383 authorization, subject to specified requirements, for
384 the assignment of an employee of a state agency under
385 an employee interchange agreement; providing that the
386 annual salaries of the members of the Legislature
387 shall be maintained at a specified level; reenacting
388 s. 215.32(2)(b), F.S., relating to the source and use
389 of certain trust funds; providing for the future
390 expiration and reversion of specified statutory text;
391 providing a legislative determination that the
392 issuance of new debt is in the best interests of the
393 state; limiting the use of travel funds to activities
394 that are critical to an agency's mission; providing
395 exceptions; authorizing the Executive Office of the
396 Governor to transfer funds appropriated for data
397 processing between agencies for a specified purpose;
398 authorizing the Executive Office of the Governor to
399 transfer funds appropriated for certain data
400 processing services between departments for a
401 specified purpose; prohibiting an agency from
402 transferring funds from a data processing category to
403 another category that is not a data processing
404 category; authorizing the Executive Office of the
405 Governor to transfer certain funds between agencies in
406 order to allocate a reduction relating to SUNCOM

20152502Aer

407 Network services; reenacting s. 110.12315, F.S.,
408 relating to the state employees' prescription drug
409 program; providing for the future expiration and
410 reversion of specified statutory text; providing for
411 the effect of a veto of one or more specific
412 appropriations or proviso to which implementing
413 language refers; providing for the continued operation
414 of certain provisions notwithstanding a future repeal
415 or expiration provided by the act; providing for
416 construction of the act in pari materia with laws
417 enacted during the 2015 Regular Session of the
418 Legislature; providing severability; providing for
419 contingent retroactive operation; providing effective
420 dates.

421
422 Be It Enacted by the Legislature of the State of Florida:

423
424 Section 1. It is the intent of the Legislature that the
425 implementing and administering provisions of this act apply to
426 the General Appropriations Act for the 2015-2016 fiscal year.

427 Section 2. In order to implement Specific Appropriations 7,
428 8, 9, 90, and 91 of the 2015-2016 General Appropriations Act,
429 the calculations of the Florida Education Finance Program for
430 the 2015-2016 fiscal year in the document titled "Public School
431 Funding: The Florida Education Finance Program," dated June 16,
432 2015, and filed with the Secretary of the Senate, are
433 incorporated by reference for the purpose of displaying the
434 calculations used by the Legislature, consistent with the
435 requirements of state law, in making appropriations for the

20152502Aer

436 Florida Education Finance Program. This section expires July 1,
437 2016.

438 Section 3. In order to implement Specific Appropriations 7
439 and 90 of the 2015-2016 General Appropriations Act and
440 notwithstanding ss. 1002.20, 1003.02, 1006.28-1006.42,
441 1011.62 (6) (b) 5., and 1011.67, Florida Statutes, relating to the
442 expenditure of funds provided for instructional materials, for
443 the 2015-2016 fiscal year, funds provided for instructional
444 materials shall be released and expended as required in the
445 proviso language for Specific Appropriation 90 of the 2015-2016
446 General Appropriations Act. This section expires July 1, 2016.

447 Section 4. In order to implement Specific Appropriation 22
448 of the 2015-2016 General Appropriations Act and notwithstanding
449 s. 1013.64(2), Florida Statutes, any district school board that
450 generates less than \$2 million in revenue from a 1-mill levy of
451 ad valorem tax shall contribute 0.75 mill for the 2015-2016
452 fiscal year toward the cost of funded special facilities
453 construction projects. This section expires July 1, 2016.

454 Section 5. In order to implement Specific Appropriation 105
455 of the 2015-2016 General Appropriations Act, paragraph (d) of
456 subsection (2), paragraph (a) of subsection (3), paragraph (a)
457 of subsection (4), subsection (5), paragraph (e) of subsection
458 (9), paragraph (a) of subsection (10), paragraphs (a), (d), and
459 (f) of subsection (12), and paragraphs (a), (b), (d), and (e) of
460 subsection (13) of section 1002.385, Florida Statutes, are
461 amended to read:

462 1002.385 Florida personal learning scholarship accounts.—

463 (2) DEFINITIONS.—As used in this section, the term:

464 (d) "Disability" means, for a 3- or 4-year-old child or for

20152502Aer

465 a student in kindergarten to grade 12, autism spectrum disorder,
466 as defined in the Diagnostic and Statistical Manual of Mental
467 Disorders, Fifth Edition, published by the American Psychiatric
468 Association ~~as defined in s. 393.063(3);~~ cerebral palsy, as
469 defined in s. 393.063(4); Down syndrome, as defined in s.
470 393.063(13); an intellectual disability, as defined in s.
471 393.063(21); Prader-Willi syndrome, as defined in s.
472 393.063(25); or spina bifida, as defined in s. 393.063(36); for
473 a student in kindergarten, being a high-risk child, as defined
474 in s. 393.063(20) (a); muscular dystrophy; and Williams syndrome.

475 (3) PROGRAM ELIGIBILITY.—A parent of a student with a
476 disability may request and receive from the state a Florida
477 personal learning scholarship account for the purposes specified
478 in subsection (5) if:

479 (a) The student:

480 1. Is a resident of this state;

481 2. Is or will be 3 or 4 years old on or before September 1
482 of the year in which the student applies for program
483 participation, or is eligible to enroll in kindergarten through
484 grade 12 in a public school in this state;

485 3. Has a disability as defined in paragraph (2) (d); and

486 4. Is the subject of an IEP written in accordance with
487 rules of the State Board of Education or has received a
488 diagnosis of a disability as defined in subsection (2) from a
489 physician who is licensed under chapter 458 or chapter 459 or a
490 psychologist who is licensed in this state.

491 (4) PROGRAM PROHIBITIONS.—

492 (a) A student is not eligible for the program while he or
493 she is:

20152502Aer

494 1. Enrolled in a public school, including, but not limited
495 to, the Florida School for the Deaf and the Blind; the Florida
496 Virtual School; the College-Preparatory Boarding Academy; a
497 developmental research school authorized under s. 1002.32; a
498 charter school authorized under s. 1002.33, s. 1002.331, or s.
499 1002.332; or a virtual education program authorized under s.
500 1002.45;

501 2. Enrolled in the Voluntary Prekindergarten Education
502 Program authorized under part V of this chapter;

503 ~~3.2.~~ Enrolled in a school operating for the purpose of
504 providing educational services to youth in the Department of
505 Juvenile Justice commitment programs;

506 ~~4.3.~~ Receiving a scholarship pursuant to the Florida Tax
507 Credit Scholarship Program under s. 1002.395 or the John M.
508 McKay Scholarships for Students with Disabilities Program under
509 s. 1002.39; or

510 ~~5.4.~~ Receiving any other educational scholarship pursuant
511 to this chapter.

512
513 For purposes of subparagraph 1., a 3- or 4-year-old child who
514 receives services that are funded through the Florida Education
515 Finance Program is considered to be a student enrolled in a
516 public school.

517 (5) AUTHORIZED USES OF PROGRAM FUNDS.—Program funds must be
518 used to meet the individual educational needs of an eligible
519 student and may be spent for the following purposes:

520 (a) Instructional materials, including digital devices,
521 digital periphery devices, and assistive technology devices that
522 allow a student to access instruction or instructional content.

20152502Aer

523 (b) Curriculum as defined in paragraph (2) (b).

524 (c) Specialized services by approved providers that are
525 selected by the parent. These specialized services may include,
526 but are not limited to:

527 1. Applied behavior analysis services as provided in ss.
528 627.6686 and 641.31098.

529 2. Services provided by speech-language pathologists as
530 defined in s. 468.1125.

531 3. Occupational therapy services as defined in s. 468.203.

532 4. Services provided by physical therapists as defined in
533 s. 486.021.

534 5. Services provided by listening and spoken language
535 specialists and an appropriate acoustical environment for a
536 child who is deaf or hard of hearing and who has received an
537 implant or assistive hearing device.

538 (d) Enrollment in, or tuition or fees associated with
539 enrollment in, an eligible private school, an eligible
540 postsecondary educational institution, a private tutoring
541 program authorized under s. 1002.43, a virtual program offered
542 by a department-approved private online provider that meets the
543 provider qualifications specified in s. 1002.45(2) (a), the
544 Florida Virtual School as a private paying student, or an
545 approved online course offered pursuant to s. 1003.499 or s.
546 1004.0961.

547 (e) Fees for nationally standardized, norm-referenced
548 achievement tests, Advanced Placement Examinations, industry
549 certification examinations, assessments related to postsecondary
550 education, or other assessments.

551 (f) Contributions to the Stanley G. Tate Florida Prepaid

20152502Aer

552 College Program pursuant to s. 1009.98, for the benefit of the
553 eligible student.

554 (g) Contracted services provided by a public school or
555 school district, including classes. A student who receives
556 services under a contract under this paragraph is not considered
557 enrolled in a public school for eligibility purposes as
558 specified in subsection (4).

559 (h) Tuition and fees for part-time tutoring services
560 provided by a person who holds a valid Florida educator's
561 certificate pursuant to s. 1012.56, a person who holds an
562 adjunct teaching certificate pursuant to s. 1012.57, or a person
563 who has demonstrated a mastery of subject area knowledge
564 pursuant to s. 1012.56(5). The term "part-time tutoring
565 services" as used in this paragraph does not meet the definition
566 of the term "regular school attendance" in s. 1003.01(13)(e).

567
568 A specialized service provider, eligible private school,
569 eligible postsecondary educational institution, private tutoring
570 program provider, online or virtual program provider, public
571 school, school district, or other entity receiving payments
572 pursuant to this subsection may not share, refund, or rebate any
573 moneys from the Florida Personal learning scholarship account
574 with the parent or participating student in any manner.

575 (9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The department
576 shall:

577 (e) Compare the list of students participating in the
578 program with the public school student enrollment lists and the
579 list of students participating in school choice scholarship
580 programs established pursuant to ss. 1002.38, 1002.39, and

20152502Aer

581 1002.395, throughout the school year, before each program
582 payment to avoid duplicate payments and confirm program
583 eligibility.

584 (10) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.—

585 (a) The Commissioner of Education:

586 1. Shall deny, suspend, or revoke a student's participation
587 in the program if the health, safety, or welfare of the student
588 is threatened or fraud is suspected.

589 2. Shall deny, suspend, or revoke an authorized use of
590 program funds if the health, safety, or welfare of the student
591 is threatened or fraud is suspected.

592 3. May deny, suspend, or revoke an authorized use of
593 program funds for material failure to comply with this section
594 and applicable department rules if the noncompliance is
595 correctable within a reasonable period of time. Otherwise, the
596 commissioner shall deny, suspend, or revoke an authorized use
597 for failure to materially comply with the law and rules adopted
598 under this section.

599 4. Shall require compliance by the appropriate party by a
600 date certain for all nonmaterial failures to comply with this
601 section and applicable department rules.

602 5. Notwithstanding other provisions of this section, the
603 commissioner may deny, suspend, or revoke program participation
604 or use of program funds by the student; or participation or
605 eligibility of an organization, eligible private school,
606 eligible postsecondary educational institution, approved
607 provider, or other appropriate party, for a violation of this
608 section. The commissioner may determine the length of, and
609 conditions for lifting, the suspension or revocation specified

20152502Aer

610 in this paragraph. The length of suspension or revocation may
611 not exceed 5 years, except for instances of fraud, in which case
612 the length of suspension or revocation may not exceed 10 years.
613 The commissioner may employ mechanisms allowed by law to recover
614 unexpended program funds or withhold payment of an equal amount
615 of program funds to recover program funds that were not
616 authorized for use under this section thereafter.

617 (12) ADMINISTRATION OF PERSONAL LEARNING SCHOLARSHIP
618 ACCOUNTS.—An eligible nonprofit scholarship-funding organization
619 participating in the Florida Tax Credit Scholarship Program
620 established under s. 1002.395 may establish personal learning
621 scholarship accounts for eligible students by:

622 (a) Receiving applications and determining student
623 eligibility in accordance with the requirements of this section.

624 1. First priority shall be provided to eligible student
625 renewals from the 2014-2015 school year. For initial program
626 participation, preference must first be provided to students
627 retained on a wait list created by the organization in the order
628 that completed applications are approved. The organization shall
629 notify the department of the applicants for the program by March
630 1 before the school year in which the student intends to
631 participate.

632 2. When an application is received, the scholarship-funding
633 ~~scholarship-funding~~ organization must provide the department
634 with information provided by the parent on the student to enable
635 the department to report the student for funding in accordance
636 with subsection (13). Such information must include, as a final
637 condition of eligibility, one of the following verifiable
638 documents:

20152502Aer

- 639 a. A filed public school withdrawal form;
640 b. A letter of admission or enrollment in an eligible
641 private school;
642 c. Documentation consisting of a notice to establish and
643 maintain a home education program or a copy of the student's
644 annual educational evaluation pursuant to s. 1002.41; or
645 d. A formal notification from a private school that has
646 withdrawn the student from a program identified in s. 1002.38,
647 s. 1002.39, or s. 1002.395.

648 (d) Establishing a date and process by which students on
649 the wait list or late-filing applicants may be allowed to
650 participate in the program during the school year, within the
651 amount of funds provided for this program in the General
652 Appropriations Act. The process must allow timely filed,
653 completed applications to take precedence before late-filed,
654 completed applications for purposes of creating a wait list for
655 participation in the program.

656 (f) Verifying qualifying expenditures pursuant to the
657 requirements of subsection (5) ~~paragraph (8)(b)~~.

658 (13) FUNDING AND PAYMENT.—

659 (a)1. The maximum funding amount granted for an eligible
660 student with a disability, pursuant to this section ~~subsection~~
661 ~~(3)~~, shall be equivalent to the base student allocation in the
662 Florida Education Finance Program multiplied by the appropriate
663 cost factor for the educational program which would have been
664 provided for the student in the district school to which he or
665 she would have been assigned, multiplied by the district cost
666 differential.

667 2. In addition, an amount equivalent to a share of the

20152502Aer

668 guaranteed allocation for exceptional students in the Florida
669 Education Finance Program shall be determined and added to the
670 amount in subparagraph 1. The calculation shall be based on the
671 methodology and the data used to calculate the guaranteed
672 allocation for exceptional students for each district in chapter
673 2000-166, Laws of Florida. Except as provided in subparagraph
674 3., the calculation shall be based on the student's grade, the
675 matrix level of services, and the difference between the 2000-
676 2001 basic program and the appropriate level of services cost
677 factor, multiplied by the 2000-2001 base student allocation and
678 the 2000-2001 district cost differential for the sending
679 district. The calculated amount must also include an amount
680 equivalent to the per-student share of supplemental academic
681 instruction funds, instructional materials funds, technology
682 funds, and other categorical funds as provided in the General
683 Appropriations Act.

684 3. Except as otherwise provided, the calculation for all
685 students participating in the program shall be based on the
686 matrix that assigns the student to support Level III of
687 services. If a parent chooses to request and receive a matrix of
688 services from the school district, when the school district
689 completes the matrix, the amount of the payment shall be
690 adjusted as needed.

691 (b) The amount of the awarded funds shall be 90 percent of
692 the calculated amount. One hundred percent of the funds
693 appropriated for the program shall be released to the department
694 at the beginning of the first quarter of each fiscal year.
695 Program funds include both the awarded funds and the accrued
696 interest. Once student eligibility has been confirmed by the

20152502Aer

697 scholarship funding organization and communicated to the
698 department, notwithstanding paragraph (9)(e), the department
699 shall make payment of the awarded funds in full to the
700 scholarship-funding organization for deposit into the student's
701 account.

702 (d) The eligible nonprofit scholarship-funding organization
703 shall develop a system for payment of benefits by ~~electronic~~
704 funds transfer, including, but not limited to, debit cards,
705 electronic payment cards, or any other means of ~~electronic~~
706 payment that the department deems to be commercially viable or
707 cost-effective. Commodities or services related to the
708 development of such a system shall be procured by competitive
709 solicitation unless they are purchased from a state term
710 contract pursuant to s. 287.056.

711 (e) Moneys received pursuant to this section do not
712 constitute taxable income to the student or parent of the
713 qualified student.

714 Section 6. In order to implement Specific Appropriation 105
715 of the 2015-2016 General Appropriations Act, paragraphs (a) and
716 (b) of subsection (16) of section 1002.395, Florida Statutes,
717 are amended to read:

718 1002.395 Florida Tax Credit Scholarship Program.—

719 (16) NONPROFIT SCHOLARSHIP-FUNDING ORGANIZATIONS;
720 APPLICATION.—In order to participate in the scholarship program
721 created under this section, a charitable organization that seeks
722 to be a nonprofit scholarship-funding organization must submit
723 an application for initial approval or renewal to the Office of
724 Independent Education and Parental Choice no later than
725 September 1 of each year before the school year for which the

20152502Aer

726 organization intends to offer scholarships.

727 (a) An application for initial approval must include:

728 1. A copy of the organization's incorporation documents and
729 registration with the Division of Corporations of the Department
730 of State.

731 2. A copy of the organization's Internal Revenue Service
732 determination letter as a s. 501(c)(3) not-for-profit
733 organization.

734 3. A description of the organization's financial plan that
735 demonstrates sufficient funds to operate throughout the school
736 year.

737 4. A description of the geographic region that the
738 organization intends to serve and an analysis of the demand and
739 unmet need for eligible students in that area.

740 5. The organization's organizational chart.

741 6. A description of the criteria and methodology that the
742 organization will use to evaluate scholarship eligibility.

743 7. A description of the application process, including
744 deadlines and any associated fees.

745 8. A description of the deadlines for attendance
746 verification and scholarship payments.

747 9. A copy of the organization's policies on conflict of
748 interest and whistleblowers.

749 10. A copy of a surety bond or letter of credit in an
750 amount equal to 25 percent of the scholarship funds anticipated
751 for each school year or \$100,000, whichever is greater,
752 specifying that any claim against the bond or letter of credit
753 may be made only by an eligible nonprofit scholarship-funding
754 organization to provide scholarships to and on behalf of

20152502Aer

755 students who would have had scholarships funded but for the
756 diversion of funds giving rise to the claim against the bond or
757 letter of credit.

758 (b) In addition to the information required by
759 subparagraphs (a)1.-9., an application for renewal must include:

760 1. A surety bond or letter of credit equal to the amount of
761 undisbursed donations held by the organization based on the
762 annual report submitted pursuant to paragraph (6) (m). The amount
763 of the surety bond or letter of credit must be at least
764 \$100,000, but not more than \$25 million, specifying that any
765 claim against the bond or letter of credit may be made only by
766 an eligible nonprofit scholarship-funding organization to
767 provide scholarships to and on behalf of students who would have
768 had scholarships funded but for the diversion of funds giving
769 rise to the claim against the bond or letter of credit.

770 2. The organization's completed Internal Revenue Service
771 Form 990 submitted no later than November 30 of the year before
772 the school year that the organization intends to offer the
773 scholarships, notwithstanding the September 1 application
774 deadline.

775 3. A copy of the statutorily required audit to the
776 Department of Education and Auditor General.

777 4. An annual report that includes:

778 a. The number of students who completed applications, by
779 county and by grade.

780 b. The number of students who were approved for
781 scholarships, by county and by grade.

782 c. The number of students who received funding for
783 scholarships within each funding category, by county and by

20152502Aer

784 grade.

785 d. The amount of funds received, the amount of funds
786 distributed in scholarships, and an accounting of remaining
787 funds and the obligation of those funds.

788 e. A detailed accounting of how the organization spent the
789 administrative funds allowable under paragraph (6)(j).

790 Section 7. In order to implement Specific Appropriations 7
791 and 90 of the 2015-2016 General Appropriations Act, paragraph
792 (f) of subsection (1), paragraphs (a) and (e) of subsection (4),
793 paragraph (b) of subsection (7), paragraph (a) of subsection
794 (9), paragraphs (b) and (c) of subsection (12), and present
795 subsection (13) of section 1011.62, Florida Statutes, are
796 amended, paragraph (g) is added to subsection (12) of that
797 section, present subsections (13), (14), and (15) of that
798 section are redesignated as subsections (14), (15), and (16),
799 respectively, and a new subsection (13) is added to that
800 section, to read:

801 1011.62 Funds for operation of schools.—If the annual
802 allocation from the Florida Education Finance Program to each
803 district for operation of schools is not determined in the
804 annual appropriations act or the substantive bill implementing
805 the annual appropriations act, it shall be determined as
806 follows:

807 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
808 OPERATION.—The following procedure shall be followed in
809 determining the annual allocation to each district for
810 operation:

811 (f) *Supplemental academic instruction; categorical fund.*—

812 1. There is created a categorical fund to provide

20152502Aer

813 supplemental academic instruction to students in kindergarten
814 through grade 12. This paragraph may be cited as the
815 "Supplemental Academic Instruction Categorical Fund."

816 2. Categorical funds for supplemental academic instruction
817 shall be allocated annually to each school district in the
818 amount provided in the General Appropriations Act. These funds
819 shall be in addition to the funds appropriated on the basis of
820 FTE student membership in the Florida Education Finance Program
821 and shall be included in the total potential funds of each
822 district. These funds shall be used to provide supplemental
823 academic instruction to students enrolled in the K-12 program.
824 For the 2015-2016 ~~2014-2015~~ fiscal year, each school district
825 that has one or more of the 300 lowest-performing elementary
826 schools based on the state reading assessment shall use these
827 funds, together with the funds provided in the district's
828 research-based reading instruction allocation and other
829 available funds, to provide an additional hour of instruction
830 beyond the normal school day for each day of the entire school
831 year for intensive reading instruction for the students in each
832 of these schools. This additional hour of instruction must be
833 provided by teachers or reading specialists who are effective in
834 teaching reading or by a K-5 mentoring reading program that is
835 supervised by a teacher who is effective at teaching reading.
836 Students enrolled in these schools who have Level 5 assessment
837 scores may participate in the additional hour of instruction on
838 an optional basis. Exceptional student education centers may
839 ~~shall~~ not be included in the 300 schools. For the 2015-2016
840 fiscal year, the 300 lowest-performing schools shall be the same
841 schools as identified for the 2014-2015 fiscal year. After this

20152502Aer

842 requirement has been met, supplemental instruction strategies
843 may include, but are not limited to: modified curriculum,
844 reading instruction, after-school instruction, tutoring,
845 mentoring, class size reduction, extended school year, intensive
846 skills development in summer school, and other methods for
847 improving student achievement. Supplemental instruction may be
848 provided to a student in any manner and at any time during or
849 beyond the regular 180-day term identified by the school as
850 being the most effective and efficient way to best help that
851 student progress from grade to grade and to graduate.

852 3. Effective with the 1999-2000 fiscal year, funding on the
853 basis of FTE membership beyond the 180-day regular term shall be
854 provided in the FEFP only for students enrolled in juvenile
855 justice education programs or in education programs for
856 juveniles placed in secure facilities or programs under s.
857 985.19. Funding for instruction beyond the regular 180-day
858 school year for all other K-12 students shall be provided
859 through the supplemental academic instruction categorical fund
860 and other state, federal, and local fund sources with ample
861 flexibility for schools to provide supplemental instruction to
862 assist students in progressing from grade to grade and
863 graduating.

864 4. The Florida State University School, as a lab school, is
865 authorized to expend from its FEFP or Lottery Enhancement Trust
866 Fund allocation the cost to the student of remediation in
867 reading, writing, or mathematics for any graduate who requires
868 remediation at a postsecondary educational institution.

869 5. Beginning in the 1999-2000 school year, dropout
870 prevention programs as defined in ss. 1003.52, 1003.53(1)(a),

20152502Aer

871 (b), and (c), and 1003.54 shall be included in group 1 programs
872 under subparagraph (d)3.

873 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The
874 Legislature shall prescribe the aggregate required local effort
875 for all school districts collectively as an item in the General
876 Appropriations Act for each fiscal year. The amount that each
877 district shall provide annually toward the cost of the Florida
878 Education Finance Program for kindergarten through grade 12
879 programs shall be calculated as follows:

880 (a) *Estimated taxable value calculations.*—

881 1.a. Not later than 2 working days prior to July 19, the
882 Department of Revenue shall certify to the Commissioner of
883 Education its most recent estimate of the taxable value for
884 school purposes in each school district and the total for all
885 school districts in the state for the current calendar year
886 based on the latest available data obtained from the local
887 property appraisers. The value certified shall be the taxable
888 value for school purposes for that year, and no further
889 adjustments shall be made, except those made pursuant to
890 paragraphs (c) and (d), or an assessment roll change required by
891 final judicial decisions as specified in paragraph (15) (b)
892 ~~(14) (b)~~. Not later than July 19, the Commissioner of Education
893 shall compute a millage rate, rounded to the next highest one
894 one-thousandth of a mill, which, when applied to 96 percent of
895 the estimated state total taxable value for school purposes,
896 would generate the prescribed aggregate required local effort
897 for that year for all districts. The Commissioner of Education
898 shall certify to each district school board the millage rate,
899 computed as prescribed in this subparagraph, as the minimum

20152502Aer

900 millage rate necessary to provide the district required local
901 effort for that year.

902 b. The General Appropriations Act shall direct the
903 computation of the statewide adjusted aggregate amount for
904 required local effort for all school districts collectively from
905 ad valorem taxes to ensure that no school district's revenue
906 from required local effort millage will produce more than 90
907 percent of the district's total Florida Education Finance
908 Program calculation as calculated and adopted by the
909 Legislature, and the adjustment of the required local effort
910 millage rate of each district that produces more than 90 percent
911 of its total Florida Education Finance Program entitlement to a
912 level that will produce only 90 percent of its total Florida
913 Education Finance Program entitlement in the July calculation.

914 2. On the same date as the certification in sub-
915 subparagraph 1.a., the Department of Revenue shall certify to
916 the Commissioner of Education for each district:

917 a. Each year for which the property appraiser has certified
918 the taxable value pursuant to s. 193.122(2) or (3), if
919 applicable, since the prior certification under sub-subparagraph
920 1.a.

921 b. For each year identified in sub-subparagraph a., the
922 taxable value certified by the appraiser pursuant to s.
923 193.122(2) or (3), if applicable, since the prior certification
924 under sub-subparagraph 1.a. This is the certification that
925 reflects all final administrative actions of the value
926 adjustment board.

927 (e) *Prior period funding adjustment millage.*—

928 1. There shall be an additional millage to be known as the

20152502Aer

929 Prior Period Funding Adjustment Millage levied by a school
930 district if the prior period unrealized required local effort
931 funds are greater than zero. The Commissioner of Education shall
932 calculate the amount of the prior period unrealized required
933 local effort funds as specified in subparagraph 2. and the
934 millage required to generate that amount as specified in this
935 subparagraph. The Prior Period Funding Adjustment Millage shall
936 be the quotient of the prior period unrealized required local
937 effort funds divided by the current year taxable value certified
938 to the Commissioner of Education pursuant to sub-subparagraph
939 (a)1.a. This levy shall be in addition to the required local
940 effort millage certified pursuant to this subsection. Such
941 millage shall not affect the calculation of the current year's
942 required local effort, and the funds generated by such levy
943 shall not be included in the district's Florida Education
944 Finance Program allocation for that fiscal year. For purposes of
945 the millage to be included on the Notice of Proposed Taxes, the
946 Commissioner of Education shall adjust the required local effort
947 millage computed pursuant to paragraph (a) as adjusted by
948 paragraph (b) for the current year for any district that levies
949 a Prior Period Funding Adjustment Millage to include all Prior
950 Period Funding Adjustment Millage. For the purpose of this
951 paragraph, there shall be a Prior Period Funding Adjustment
952 Millage levied for each year certified by the Department of
953 Revenue pursuant to sub-subparagraph (a)2.a. since the previous
954 year certification and for which the calculation in sub-
955 subparagraph 2.b. is greater than zero.

956 2.a. As used in this subparagraph, the term:

957 (I) "Prior year" means a year certified under sub-

20152502Aer

958 subparagraph (a)2.a.

959 (II) "Preliminary taxable value" means:

960 (A) If the prior year is the 2009-2010 fiscal year or
961 later, the taxable value certified to the Commissioner of
962 Education pursuant to sub-subparagraph (a)1.a.

963 (B) If the prior year is the 2008-2009 fiscal year or
964 earlier, the taxable value certified pursuant to the final
965 calculation as specified in former paragraph (b) as that
966 paragraph existed in the prior year.

967 (III) "Final taxable value" means the district's taxable
968 value as certified by the property appraiser pursuant to s.
969 193.122(2) or (3), if applicable. This is the certification that
970 reflects all final administrative actions of the value
971 adjustment board.

972 b. For purposes of this subsection and with respect to each
973 year certified pursuant to sub-subparagraph (a)2.a., if the
974 district's prior year preliminary taxable value is greater than
975 the district's prior year final taxable value, the prior period
976 unrealized required local effort funds are the difference
977 between the district's prior year preliminary taxable value and
978 the district's prior year final taxable value, multiplied by the
979 prior year district required local effort millage. If the
980 district's prior year preliminary taxable value is less than the
981 district's prior year final taxable value, the prior period
982 unrealized required local effort funds are zero.

983 c. For the 2015-2016 ~~2014-2015~~ fiscal year only, if a
984 district's prior period unrealized required local effort funds
985 and prior period district required local effort millage cannot
986 be determined because such district's final taxable value has

20152502Aer

987 not yet been certified pursuant to s. 193.122(2) or (3), for the
988 2015 ~~2014~~ tax levy, the Prior Period Funding Adjustment Millage
989 for such fiscal year shall be levied, if not previously levied,
990 in 2015 ~~2014~~ in an amount equal to 75 percent of such district's
991 most recent unrealized required local effort for which a Prior
992 Period Funding Adjustment Millage was determined as provided in
993 this section. Upon certification of the final taxable value for
994 the 2012, 2013, or 2014 tax rolls ~~roll~~ in accordance with s.
995 193.122(2) or (3), the Prior Period Funding Adjustment Millage
996 levied in 2015 and 2016 shall be adjusted to include any
997 shortfall or surplus in the prior period unrealized required
998 local effort funds that would have been levied in 2014 or 2015,
999 had the district's final taxable value been certified pursuant
1000 to s. 193.122(2) or (3) for the 2014 or 2015 tax levy. If this
1001 adjustment is made for a surplus, the reduction in prior period
1002 millage may not exceed the prior period funding adjustment
1003 millage calculated pursuant to subparagraph 1. and sub-
1004 subparagraphs a. and b. and any additional reduction shall be
1005 carried forward to the subsequent fiscal year ~~This provision~~
1006 ~~shall be implemented by a district only if the millage~~
1007 ~~calculated pursuant to this paragraph when added to the millage~~
1008 ~~levied by the district for all purposes for the 2014-2015 fiscal~~
1009 ~~year is less than or equal to the total millage levied for the~~
1010 ~~2013-2014 fiscal year. This sub-subparagraph expires July 1,~~
1011 ~~2015.~~

1012 (7) DETERMINATION OF SPARSITY SUPPLEMENT.—

1013 (b) The district sparsity index shall be computed by
1014 dividing the total number of full-time equivalent students in
1015 all programs in the district by the number of senior high school

20152502Aer

1016 centers in the district, not in excess of three, which centers
1017 are approved as permanent centers by a survey made by the
1018 Department of Education. For districts with a full-time
1019 equivalent student membership of at least 20,000, but no more
1020 than 24,000, the index shall be computed by dividing the total
1021 number of full-time equivalent students in all programs by the
1022 number of permanent senior high school centers in the district,
1023 not to exceed four.

1024 (9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

1025 (a) The research-based reading instruction allocation is
1026 created to provide comprehensive reading instruction to students
1027 in kindergarten through grade 12. For the 2015-2016 ~~2014-2015~~
1028 fiscal year, in each school district that has one or more of the
1029 300 lowest-performing elementary schools based on the state
1030 reading assessment, priority shall be given to providing an
1031 additional hour per day of intensive reading instruction beyond
1032 the normal school day for each day of the entire school year for
1033 the students in each school. For the 2015-2016 fiscal year, the
1034 300 lowest-performing schools shall be the same schools as
1035 identified for the 2014-2015 fiscal year. Students enrolled in
1036 these schools who have Level 5 assessment scores may participate
1037 in the additional hour of instruction on an optional basis.
1038 Exceptional student education centers may ~~shall~~ not be included
1039 in the 300 schools. The intensive reading instruction delivered
1040 in this additional hour and for other students shall include:
1041 research-based reading instruction that has been proven to
1042 accelerate progress of students exhibiting a reading deficiency;
1043 differentiated instruction based on student assessment data to
1044 meet students' specific reading needs; explicit and systematic

20152502Aer

1045 reading development in phonemic awareness, phonics, fluency,
1046 vocabulary, and comprehension, with more extensive opportunities
1047 for guided practice, error correction, and feedback; and the
1048 integration of social studies, science, and mathematics-text
1049 reading, text discussion, and writing in response to reading.
1050 ~~For the 2012-2013 and 2013-2014 fiscal years, a school district~~
1051 ~~may not hire more reading coaches than were hired during the~~
1052 ~~2011-2012 fiscal year unless all students in kindergarten~~
1053 ~~through grade 5 who demonstrate a reading deficiency, as~~
1054 ~~determined by district and state assessments, including students~~
1055 ~~scoring Level 1 or Level 2 on the statewide, standardized~~
1056 ~~reading assessment or, upon implementation, the English Language~~
1057 ~~Arts assessment, are provided an additional hour per day of~~
1058 ~~intensive reading instruction beyond the normal school day for~~
1059 ~~each day of the entire school year.~~

1060 (12) FLORIDA DIGITAL CLASSROOMS ALLOCATION.—

1061 (b) Each district school board shall adopt a district
1062 digital classrooms plan that meets the unique needs of students,
1063 schools, and personnel and submit the plan for approval to the
1064 Department of Education. In addition, each district school board
1065 must, at a minimum, seek input from the district's
1066 instructional, curriculum, and information technology staff to
1067 develop the district digital classrooms plan. The district's
1068 plan must be within the general parameters established in the
1069 Florida digital classrooms plan pursuant to s. 1001.20. In
1070 addition, if the district participates in federal technology
1071 initiatives and grant programs, the district digital classrooms
1072 plan must include a plan for meeting requirements of such
1073 initiatives and grant programs. Funds allocated under this

20152502Aer

1074 subsection must be used to support implementation of district
1075 digital classrooms plans. By October 1, 2015 ~~2014~~, for the 2015-
1076 2016 fiscal year, and by October ~~March~~ 1 of each year
1077 thereafter, on a date determined by the department, each
1078 district school board shall submit to the department, in a
1079 format prescribed by the department, a digital classrooms plan.
1080 At a minimum, such plan must include, and be annually updated to
1081 reflect, the following:

1082 1. Measurable student performance outcomes. Outcomes
1083 related to student performance, including outcomes for students
1084 with disabilities, must be tied to the efforts and strategies to
1085 improve outcomes related to student performance by integrating
1086 technology in classroom teaching and learning. Results of the
1087 outcomes shall be reported at least annually for the current
1088 school year and subsequent 3 years and be accompanied by an
1089 independent evaluation and validation of the reported results.

1090 2. Digital learning and technology infrastructure purchases
1091 and operational activities. Such purchases and activities must
1092 be tied to the measurable outcomes under subparagraph 1.,
1093 including, but not limited to, connectivity, broadband access,
1094 wireless capacity, Internet speed, and data security, all of
1095 which must meet or exceed minimum requirements and protocols
1096 established by the department. For each year that the district
1097 uses funds for infrastructure, a third-party, independent
1098 evaluation of the district's technology inventory and
1099 infrastructure needs must accompany the district's plan.

1100 3. Professional development purchases and operational
1101 activities. Such purchases and activities must be tied to the
1102 measurable outcomes under subparagraph 1., including, but not

20152502Aer

1103 limited to, using technology in the classroom and improving
1104 digital literacy and competency.

1105 4. Digital tool purchases and operational activities. Such
1106 purchases and activities must be tied to the measurable outcomes
1107 under subparagraph 1., including, but not limited to,
1108 competency-based credentials that measure and demonstrate
1109 digital competency and certifications; third-party assessments
1110 that demonstrate acquired knowledge and use of digital
1111 applications; and devices that meet or exceed minimum
1112 requirements and protocols established by the department.

1113 5. Online assessment-related purchases and operational
1114 activities. Such purchases and activities must be tied to the
1115 measurable outcomes under subparagraph 1., including, but not
1116 limited to, expanding the capacity to administer assessments and
1117 compatibility with minimum assessment protocols and requirements
1118 established by the department.

1119 (c) The Legislature shall annually provide in the General
1120 Appropriations Act the FEFP allocation for implementation of the
1121 Florida digital classrooms plan to be calculated in an amount up
1122 to 1 percent of the base student allocation multiplied by the
1123 total K-12 full-time equivalent student enrollment included in
1124 the FEFP calculations for the legislative appropriation or as
1125 provided in the General Appropriations Act. Each school district
1126 shall be provided a minimum of \$250,000, with the remaining
1127 balance of the allocation to be distributed based on each
1128 district's proportion of the total K-12 full-time equivalent
1129 student enrollment. Distribution of 2015-2016 funds for the
1130 Florida digital classrooms allocation shall begin following
1131 submittal of each district's digital classrooms plan, which must

20152502Aer

1132 include formal verification of the superintendent's receipt
1133 ~~approval~~ of the digital classrooms plan of each charter school
1134 in the district using a streamlined format prescribed by the
1135 department, and approval of the plan by the department. Prior to
1136 the distribution of the 2015-2016 Florida digital classrooms
1137 allocation funds, the department shall confirm that each
1138 district school superintendent has certified ~~shall certify~~ to
1139 the Commissioner of Education that the district school board has
1140 approved a comprehensive district digital classrooms plan that
1141 supports the fidelity of implementation of the Florida digital
1142 classrooms allocation; the district has participated in the
1143 digital readiness gap analysis assessment conducted pursuant to
1144 paragraph (g); and the district's digital classrooms plan
1145 reflects the district's commitment to prioritizing the use of
1146 2015-2016 funds to address gaps identified through the digital
1147 readiness gap analysis assessment. District allocations shall be
1148 recalculated during the fiscal year consistent with the periodic
1149 recalculation of the FEFP. School districts shall provide a
1150 proportionate share of the digital classrooms allocation to each
1151 charter school in the district, as required for categorical
1152 programs in s. 1002.33(17)(b). A school district may use a
1153 competitive process to distribute funds for the Florida digital
1154 classrooms allocation to the schools within the school district.

1155 (g) For the 2015-2016 fiscal year, notwithstanding
1156 paragraph (e), the department, in consultation with the Agency
1157 for State Technology, shall contract by September 1, 2015, with
1158 an independent third-party entity to conduct an assessment of
1159 the digital readiness of each school district and public school
1160 for the purpose of implementing the distribution of the 2015-

20152502Aer

1161 2016 Florida digital classrooms allocation funds. The contract
1162 must require the contracted entity to:

1163 1. Collaborate with the department and the Agency for State
1164 Technology to review and recommend improvements to the state's
1165 5-year digital classrooms strategic plan developed pursuant to
1166 s. 1001.20(4) and establish minimum information technology
1167 architecture standards upon which the digital readiness of
1168 school districts and public schools will be assessed as a basis
1169 to implement digital classrooms. The standards must include, but
1170 are not limited to requirements for devices, security, network
1171 and wireless connectivity, and browsers. The contracted entity
1172 must consider, at minimum, technology requirements associated
1173 with implementation of ss. 1006.29(4) and 1008.22(3).

1174 2. Conduct digital readiness gap analysis assessments that
1175 evaluate the current status of digital readiness, and identify
1176 gaps in the digital readiness, of school districts and schools
1177 in meeting the minimum information technology architecture
1178 standards established pursuant to subparagraph 1.

1179 3. Report to the Governor, the President of the Senate, and
1180 the Speaker of the House of Representatives on the status and
1181 results of digital readiness gap analysis assessments of school
1182 districts and schools conducted pursuant to subparagraph 2.
1183 following the timelines specified in this subparagraph. Each
1184 report must include, at a minimum, a summary of each district's
1185 and school's gaps and the status of compliance with current
1186 minimum standards and the minimum information technology
1187 architecture standards established pursuant to subparagraph 1.
1188 The contracted entity shall report:

1189 a. By December 1, 2015, on the status of a representative

20152502Aer

1190 sample of school districts and schools.

1191 b. By February 1, 2016, on the status of digital readiness
1192 assessment activities, including a report on districts and
1193 schools assessed by that date. The report must also include a
1194 summary of activities provided by the department to facilitate
1195 school district and school implementation of digital classrooms
1196 plans.

1197 c. By May 1, 2016, on the contracted entity's completed
1198 assessment of all school districts for the purposes of providing
1199 districts with the information necessary to receive digital
1200 classrooms allocation funds pursuant to paragraph (c). The
1201 report must, at a minimum, provide a statewide summary of
1202 findings; identify existing funding options to address gaps,
1203 including e-rate options; and provide recommendations for
1204 improving cost efficiencies.

1205 (13) FEDERALLY CONNECTED STUDENT SUPPLEMENT.—The federally
1206 connected student supplement is created to provide supplemental
1207 funding for school districts to support the education of
1208 students connected with federally owned military installations,
1209 National Aeronautics and Space Administration (NASA) property,
1210 and Indian lands. To be eligible for this supplement, the
1211 district must be eligible for federal Impact Aid Program funds
1212 under s. 8003 of Title VIII of the Elementary and Secondary
1213 Education Act of 1965. The supplement shall be allocated
1214 annually to each eligible school district in the amount provided
1215 in the General Appropriations Act. The supplement shall be the
1216 sum of the student allocation and an exempt property allocation.

1217 (a) The student allocation shall be calculated based on the
1218 number of students reported for federal Impact Aid Program

20152502Aer

1219 funds, including students with disabilities, who meet one of the
1220 following criteria:

1221 1. Resides with a parent who is on active duty in the
1222 uniformed services or is an accredited foreign government
1223 official and military officer. Students with disabilities shall
1224 also be reported separately for this condition.

1225 2. Resides on eligible federally owned Indian lands.
1226 Students with disabilities shall also be reported separately for
1227 this condition.

1228 3. Resides with a civilian parent who lives or works on
1229 eligible federal property connected with a military installation
1230 or NASA. The number of these students shall be multiplied by a
1231 factor of 0.5.

1232 (b) The total number of federally connected students
1233 calculated under paragraph (a) shall be multiplied by a
1234 percentage of the base student allocation as provided in the
1235 General Appropriations Act. The total of the number of students
1236 with disabilities as reported separately under subparagraphs
1237 (a)1. and (a)2. shall be multiplied by an additional percentage
1238 of the base student allocation as provided in the General
1239 Appropriations Act. The base amount and the amount for students
1240 with disabilities shall be summed to provide the student
1241 allocation.

1242 (c) The exempt property allocation shall be equal to the
1243 tax-exempt value of federal impact aid lands reserved as
1244 military installations, real property owned by NASA, or eligible
1245 federally owned Indian lands located in the district, as of
1246 January 1 of the previous year, multiplied by the millage
1247 authorized and levied under s. 1011.71(2).

20152502Aer

1248 (14)~~(13)~~ QUALITY ASSURANCE GUARANTEE.—The Legislature may
1249 annually in the General Appropriations Act determine a
1250 percentage increase in funds per K-12 unweighted FTE as a
1251 minimum guarantee to each school district. The guarantee shall
1252 be calculated from prior year base funding per unweighted FTE
1253 student which shall include the adjusted FTE dollars as provided
1254 in subsection (15) ~~(14)~~, quality guarantee funds, and actual
1255 nonvoted discretionary local effort from taxes. From the base
1256 funding per unweighted FTE, the increase shall be calculated for
1257 the current year. The current year funds from which the
1258 guarantee shall be determined shall include the adjusted FTE
1259 dollars as provided in subsection (15) ~~(14)~~ and potential
1260 nonvoted discretionary local effort from taxes. A comparison of
1261 current year funds per unweighted FTE to prior year funds per
1262 unweighted FTE shall be computed. For those school districts
1263 which have less than the legislatively assigned percentage
1264 increase, funds shall be provided to guarantee the assigned
1265 percentage increase in funds per unweighted FTE student. Should
1266 appropriated funds be less than the sum of this calculated
1267 amount for all districts, the commissioner shall prorate each
1268 district's allocation. This provision shall be implemented to
1269 the extent specifically funded.

1270 Section 8. In order to implement Specific Appropriations 7
1271 and 90 of the 2015-2016 General Appropriations Act, subsection
1272 (1) of section 1011.71, Florida Statutes, is amended to read:

1273 1011.71 District school tax.—

1274 (1) If the district school tax is not provided in the
1275 General Appropriations Act or the substantive bill implementing
1276 the General Appropriations Act, each district school board

20152502Aer

1277 desiring to participate in the state allocation of funds for
1278 current operation as prescribed by s. 1011.62(15) ~~s. 1011.62(14)~~
1279 shall levy on the taxable value for school purposes of the
1280 district, exclusive of millage voted under the provisions of s.
1281 9(b) or s. 12, Art. VII of the State Constitution, a millage
1282 rate not to exceed the amount certified by the commissioner as
1283 the minimum millage rate necessary to provide the district
1284 required local effort for the current year, pursuant to s.
1285 1011.62(4)(a)1. In addition to the required local effort millage
1286 levy, each district school board may levy a nonvoted current
1287 operating discretionary millage. The Legislature shall prescribe
1288 annually in the appropriations act the maximum amount of millage
1289 a district may levy.

1290 Section 9. The amendments made by this act to ss. 1002.385,
1291 1002.395, 1011.62, and 1011.71, Florida Statutes, expire July 1,
1292 2016, and the text of those sections shall revert to that in
1293 existence on June 30, 2015, except that any amendments to such
1294 text enacted other than by this act shall be preserved and
1295 continue to operate to the extent that such amendments are not
1296 dependent upon the portions of text which expire pursuant to
1297 this section.

1298 Section 10. In order to implement Specific Appropriation
1299 99B of the 2015-2016 General Appropriations Act, subsection (3)
1300 is added to section 1012.75, Florida Statutes, to read:

1301 1012.75 Liability of teacher or principal; excessive
1302 force.—

1303 (3) The Department of Education shall administer an
1304 educator liability insurance program, as provided in the General
1305 Appropriations Act, to protect full-time instructional personnel

20152502Aer

1306 from liability for monetary damages and the costs of defending
1307 actions resulting from claims made against the instructional
1308 personnel arising out of occurrences in the course of activities
1309 within the instructional personnel's professional capacity. For
1310 purposes of this subsection, the terms "full-time," "part-time,"
1311 and "administrative personnel" shall be defined by the
1312 individual district school board. For purposes of this
1313 subsection, the term "instructional personnel" has the same
1314 meaning as provided in s. 1012.01(2).

1315 (a) Liability coverage of at least \$2 million shall be
1316 provided to all full-time instructional personnel. Liability
1317 coverage may be provided to the following individuals who choose
1318 to participate in the program, at cost: part-time instructional
1319 personnel, administrative personnel, and students enrolled in a
1320 state-approved teacher preparation program pursuant to s.
1321 1012.39(3).

1322 (b) By August 1, the department shall notify the personnel
1323 specified in paragraph (a) of the pending procurement for
1324 liability coverage. By September 1, each district school board
1325 shall notify the personnel specified in paragraph (a) of the
1326 liability coverage provided pursuant to this subsection. The
1327 department shall develop the form of the notice which shall be
1328 used by each district school board. The notice must be on an 8
1329 1/2-inch by 5 1/2-inch postcard and include the amount of
1330 coverage, a general description of the nature of the coverage,
1331 and the contact information for coverage and claims questions.
1332 The notification shall be provided separately from any other
1333 correspondence. Each district school board shall certify to the
1334 department, by September 15th, that the notification required by

20152502Aer

1335 this paragraph has been provided.

1336 (c) The department shall consult with the Department of
1337 Financial Services to select the most economically prudent and
1338 cost-effective means of implementing the program through self-
1339 insurance, a risk management program, or competitive
1340 procurement.

1341 (d) This subsection expires July 1, 2016.

1342 Section 11. In order to implement Specific Appropriation 4
1343 of the 2015-2016 General Appropriations Act, and notwithstanding
1344 ss. 1009.534, 1009.535, and 1009.536, Florida Statutes, relating
1345 to community service work requirements for Florida Bright
1346 Futures Scholarship Program eligibility, for the 2015-2016
1347 fiscal year, a student shall be considered to have met the
1348 community service work requirement if the student completes a
1349 program of volunteer service work, as approved by the district
1350 school board, the administrators of a nonpublic school, or the
1351 Department of Education for home education program students. The
1352 student must identify a social or civic issue or a professional
1353 area that interests him or her, develop a plan for his or her
1354 personal involvement in addressing the issue or learning about
1355 the area, and, through papers or other presentations, evaluate
1356 and reflect upon his or her experience. Except for credit earned
1357 through service-learning courses adopted pursuant to s.
1358 1003.497, the student may not receive remuneration or academic
1359 credit for the volunteer service work performed. Such work may
1360 include, but is not limited to, a business or government
1361 internship, work for a nonprofit community service organization,
1362 or activity on behalf of a candidate for public office. The
1363 hours of volunteer service must be documented in writing, and

20152502Aer

1364 the document must be signed by the student, the student's parent
1365 or guardian, and a representative of the organization for which
1366 the student performed the volunteer service work. This section
1367 expires July 1, 2016.

1368 Section 12. In order to implement Specific Appropriation
1369 149 of the 2015-2016 General Appropriations Act, subsection (1)
1370 of section 1008.46, Florida Statutes, is amended to read:

1371 1008.46 State university accountability process.—It is the
1372 intent of the Legislature that an accountability process be
1373 implemented that provides for the systematic, ongoing evaluation
1374 of quality and effectiveness of state universities. It is
1375 further the intent of the Legislature that this accountability
1376 process monitor performance at the system level in each of the
1377 major areas of instruction, research, and public service, while
1378 recognizing the differing missions of each of the state
1379 universities. The accountability process shall provide for the
1380 adoption of systemwide performance standards and performance
1381 goals for each standard identified through a collaborative
1382 effort involving state universities, the Board of Governors, the
1383 Legislature, and the Governor's Office, consistent with
1384 requirements specified in s. 1001.706. These standards and goals
1385 shall be consistent with s. 216.011(1) to maintain congruity
1386 with the performance-based budgeting process. This process
1387 requires that university accountability reports reflect measures
1388 defined through performance-based budgeting. The performance-
1389 based budgeting measures must also reflect the elements of
1390 teaching, research, and service inherent in the missions of the
1391 state universities.

1392 (1) By March 15 ~~December 31~~ of each year, the Board of

20152502Aer

1393 Governors shall submit an annual accountability report providing
1394 information on the implementation of performance standards,
1395 actions taken to improve university achievement of performance
1396 goals, the achievement of performance goals during the prior
1397 year, and initiatives to be undertaken during the next year. The
1398 accountability reports shall be designed in consultation with
1399 the Governor's Office, the Office of Program Policy Analysis and
1400 Government Accountability, and the Legislature.

1401 Section 13. The amendment made by this act to s.
1402 1008.46(1), Florida Statutes, expires July 1, 2016, and the text
1403 of that subsection shall revert to that in existence on June 30,
1404 2015, except that any amendments to such text enacted other than
1405 by this act shall be preserved and continue to operate to the
1406 extent that such amendments are not dependent upon the portions
1407 of text which expire pursuant to this section.

1408 Section 14. In order to implement Specific Appropriation
1409 138 of the 2015-2016 General Appropriations Act, section
1410 1001.92, Florida Statutes, is created to read:

1411 1001.92 State University System Performance-Based
1412 Incentive.—

1413 (1) A State University System Performance-Based Incentive
1414 shall be awarded to state universities using performance-based
1415 metrics adopted by the Board of Governors of the State
1416 University System. The performance-based metrics must include
1417 graduation rates, retention rates, postgraduation education
1418 rates, degree production, affordability, postgraduation
1419 employment and salaries, access, and other metrics approved by
1420 the board in a formally noticed meeting. The board shall adopt
1421 benchmarks to evaluate each state university's performance on

20152502Aer

1422 the metrics to measure the state university's achievement of
1423 institutional excellence or need for improvement and minimum
1424 requirements for eligibility to receive performance funding.

1425 (2) Each fiscal year, the amount of funds available for
1426 allocation to the state universities based on the performance-
1427 based metrics shall consist of the state's appropriation for
1428 performance funding, including increases in base funding plus
1429 institutional investments consisting of funds deducted from the
1430 base funding of each state university in the State University
1431 System, in an amount provided in the General Appropriations Act.
1432 The institutional investment shall be restored for each
1433 institution eligible for the state's investment under the
1434 performance-based metrics.

1435 (3) (a) A state university that fails to meet the Board of
1436 Governors' minimum performance funding threshold shall have a
1437 portion of its institutional investment withheld by the board
1438 and must submit an improvement plan to the board that specifies
1439 the activities and strategies for improving the state
1440 university's performance. The board must review and approve the
1441 improvement plan and, if the plan is approved, must monitor the
1442 state university's progress in implementing the activities and
1443 strategies specified in the improvement plan. The state
1444 university shall submit monitoring reports to the board by
1445 December 31 and May 31 of each year in which an improvement plan
1446 is in place. The ability of a state university to submit an
1447 improvement plan to the board is limited to 1 fiscal year.

1448 (b) The Chancellor of the State University System shall
1449 withhold disbursement of the institutional investment until the
1450 monitoring report is approved by the Board of Governors. A state

20152502Aer

1451 university that is determined by the board to be making
1452 satisfactory progress on implementing the improvement plan shall
1453 receive no more than one-half of the withheld institutional
1454 investment in January and the balance of the withheld
1455 institutional investment in June. A state university that fails
1456 to make satisfactory progress may not have its full
1457 institutional investment restored. Any institutional investment
1458 funds that are not restored shall be redistributed in accordance
1459 with the board's performance-based metrics.

1460 (4) Distributions of performance funding, as provided in
1461 this section, shall be made to each of the state universities
1462 listed in the Education and General Activities category in the
1463 General Appropriations Act.

1464 (5) By October 1 of each year, the Board of Governors shall
1465 submit to the Governor, the President of the Senate, and the
1466 Speaker of the House of Representatives a report on the previous
1467 fiscal year's performance funding allocation which must reflect
1468 the rankings and award distributions.

1469 (6) This section expires July 1, 2016.

1470 Section 15. (1) In order to implement Specific
1471 Appropriation 122 of the 2015-2016 General Appropriations Act,
1472 the Florida College System Performance-Based Incentive must be
1473 based on indicators of institutional attainment of performance
1474 metrics adopted by the State Board of Education. The
1475 performance-based funding metrics must be limited to metrics
1476 that measure retention; program completion and graduation rates;
1477 job placement; and postgraduation employment, salaries, or
1478 further education.

1479 (2) The State Board of Education shall evaluate the

20152502Aer

1480 institutions' performance on the metrics based on benchmarks
1481 adopted by the board which measure the achievement of
1482 institutional excellence or improvement. The amount of funds
1483 available for allocation to the institutions each fiscal year
1484 based on the performance funding model shall be composed of the
1485 state's investment in performance funding, plus an institutional
1486 investment consisting of funds to be redistributed from the base
1487 funding of the Florida College System Program Fund, as
1488 determined in the General Appropriations Act. The board shall
1489 establish a minimum performance threshold that the institutions
1490 must meet in order to be eligible for the state's investment in
1491 performance funds. The institutional investment shall be
1492 restored for all institutions eligible for the state's
1493 investment under the performance funding model. An institution
1494 that fails to meet the board's minimum performance funding
1495 threshold is not eligible for the state's investment, shall have
1496 a portion of its institutional investment withheld, and shall
1497 submit an improvement plan to the board which specifies the
1498 activities and strategies for improving the institution's
1499 performance.

1500 (3) The State Board of Education must review the
1501 improvement plan and, if approved, must monitor the
1502 institution's progress on implementing the specified activities
1503 and strategies. The institutions shall submit monitoring reports
1504 to the board no later than December 31, 2015, and May 31, 2016.

1505 (4) The Commissioner of Education shall withhold
1506 disbursement of the institutional investment until such time as
1507 the monitoring report for the institution is approved by the
1508 State Board of Education. An institution that fails to make

20152502Aer

1509 satisfactory progress will not have its full institutional
1510 investment restored. If all institutional investment funds are
1511 not restored, any remaining funds shall be redistributed in
1512 accordance with the board's performance funding model.

1513 (5) This section expires July 1, 2016.

1514 Section 16. In order to implement Specific Appropriation 81
1515 and section 22 of the 2015-2016 General Appropriations Act and
1516 notwithstanding s. 1002.94, Florida Statutes, relating to the
1517 disbursement of funds provided for the Child Care Executive
1518 Partnership Program, for the 2015-2016 fiscal year, the Office
1519 of Early Learning may allocate or reallocate funds held by the
1520 Child Care Executive Partnership Program to prevent
1521 disenrollment of children from the school readiness program or
1522 child care funded through the Child Care Executive Partnership
1523 Program. The funds provided for the Child Care Executive
1524 Partnership Program shall be released and expended as required
1525 in the proviso language for Specific Appropriation 81 of the
1526 2015-2016 General Appropriations Act. This section expires July
1527 1, 2016.

1528 Section 17. (1) In order to implement Specific
1529 Appropriation 470 of the 2015-2016 General Appropriations Act,
1530 the following requirements govern the continuation of the
1531 Department of Health's Florida Onsite Sewage Nitrogen Reduction
1532 Strategies Study:

1533 (a) Funding for completion of the study is through the
1534 Department of Health. Notwithstanding s. 287.057, Florida
1535 Statutes, the current contract may be extended until the study
1536 is completed.

1537 (b) The Department of Health, the Research Review and

20152502Aer

1538 Advisory Committee of the Department of Health, and the
1539 Department of Environmental Protection shall work together to
1540 provide the necessary technical oversight to complete the study.

1541 (c) Management and oversight of the completion of the study
1542 must be consistent with the terms of the existing contract.
1543 However, the main focus and priority shall be developing,
1544 testing, and recommending cost-effective passive technology
1545 design criteria for nitrogen reduction. Notwithstanding any
1546 other provision of law, before the study is completed, a state
1547 agency may not adopt or implement a rule or policy that:

1548 1. Mandates, establishes, or implements more restrictive
1549 nitrogen reduction standards for existing or new onsite sewage
1550 treatment systems or modification of such systems; or

1551 2. Directly or indirectly, such as through an
1552 administrative order issued by the Department of Environmental
1553 Protection as part of a basin management action plan adopted
1554 pursuant to s. 403.067, Florida Statutes, requires the use of
1555 performance-based treatment systems or similar technologies.
1556 However, more restrictive nitrogen reduction standards for
1557 onsite systems may be required through a basin management action
1558 plan if such plan is phased in after the study is completed.

1559 (d) Any systems installed at home sites are experimental in
1560 nature and shall be installed with significant field testing and
1561 monitoring. The Department of Health is specifically authorized
1562 to allow installation of these experimental systems.

1563 (2) This section expires July 1, 2016.

1564 Section 18. In order to implement sections 49 and 52 of the
1565 2015-2016 General Appropriations Act, paragraph (a) of
1566 subsection (4) of section 20.435, Florida Statutes, is amended

20152502Aer

1567 to read:

1568 20.435 Department of Health; trust funds.—The following
1569 trust funds shall be administered by the Department of Health:

1570 (4) Medical Quality Assurance Trust Fund.

1571 (a)1. Funds to be credited to the trust fund shall consist
1572 of fees and fines related to the licensing of health care
1573 professionals. Funds shall be used for the purpose of providing
1574 administrative support for the regulation of health care
1575 professionals and for other such purposes as may be appropriate
1576 and shall be expended only pursuant to legislative appropriation
1577 or an approved amendment to the department's operating budget
1578 pursuant to the provisions of chapter 216.

1579 2. For the 2015-2016 fiscal year, the uses authorized under
1580 subparagraph 1. include the provision of health care services to
1581 department clients. This subparagraph expires July 1, 2016.

1582 Section 19. In order to implement Specific Appropriations
1583 194, 200, 201, 202, 203, 206, and 213 of the 2015-2016 General
1584 Appropriations Act, the Agency for Health Care Administration is
1585 authorized to submit a budget amendment pursuant to chapter 216,
1586 Florida Statutes, to realign funding based on the model,
1587 methodology, and framework in the "Medicaid Hospital Funding
1588 Programs" document incorporated by reference in Senate Bill
1589 2508-A. Funding changes shall be consistent with the intent of
1590 the model, methodology, and framework displayed, demonstrated,
1591 and explained in the "Medicaid Hospital Funding Programs"
1592 document, while allowing for the appropriate realignment to
1593 appropriation categories related to Medicaid Low-Income Pool,
1594 Disproportionate Share Hospital, Graduate Medical Education,
1595 Inpatient Hospital and Outpatient Hospital programs, Prepaid

20152502Aer

1596 Health Plans, and the diagnosis related groups (DRG) methodology
1597 for hospital reimbursement for the 2015-2016 fiscal year,
1598 including requests for additional trust fund budget authority.
1599 Notwithstanding s. 216.177, Florida Statutes, if the chair or
1600 vice chair of the Legislative Budget Commission or the President
1601 of the Senate or the Speaker of the House of Representatives
1602 timely advises the Executive Office of the Governor, in writing,
1603 that the budget amendment exceeds the delegated authority of the
1604 Executive Office of the Governor or is contrary to legislative
1605 policy or intent, the Executive Office of the Governor shall
1606 void the action. This section expires July 1, 2016.

1607 Section 20. (1) In order to implement Specific
1608 Appropriation 251 of the 2015-2016 General Appropriations Act,
1609 and notwithstanding s. 393.065(5), Florida Statutes, individuals
1610 on the Medicaid home and community-based waiver programs wait
1611 list shall be offered a slot in the waiver as follows:

1612 (a) Individuals in category 1, which includes clients
1613 deemed to be in crisis as described in rule, shall be given
1614 first priority in moving from the wait list to the waiver.

1615 (b) Category 2 shall include:

1616 1. Individuals on the wait list who are from the child
1617 welfare system with an open case in the Department of Children
1618 and Families' statewide automated child welfare information
1619 system who are:

1620 a. Individuals transitioning out of the child welfare
1621 system at the finalization of an adoption, a reunification with
1622 family members, a permanent placement with a relative, or a
1623 guardianship with a nonrelative; or

1624 b. Individuals who are at least 18 years old but not yet 22

20152502Aer

1625 years old and who need both waiver services and extended foster
1626 care services.

1627 2. Individuals on the wait list who are at least 18 years
1628 old but not yet 22 years old and who withdrew consent pursuant
1629 to s. 39.6251(5)(c), Florida Statutes, to remain in the extended
1630 foster care system.

1631
1632 For individuals who are at least 18 years old but not yet 22
1633 years old and who are eligible under sub-subparagraph 1.b., the
1634 Agency for Persons with Disabilities shall provide waiver
1635 services, including residential habilitation, and the community-
1636 based care lead agency shall fund room and board at the rate
1637 established in s. 409.145(4), Florida Statutes, and provide case
1638 management and related services as defined in s. 409.986(3)(e),
1639 Florida Statutes. Individuals may receive both waiver services
1640 and services under s. 39.6251, Florida Statutes. Services may
1641 not duplicate services available through the Medicaid state
1642 plan.

1643 (c) In selecting individuals in category 3, category 4, or
1644 category 5, the Agency for Persons with Disabilities shall use
1645 the Agency for Persons with Disabilities Waitlist Prioritization
1646 Tool, dated March 15, 2013. Those individuals whose needs score
1647 highest on the Waitlist Prioritization Tool shall be moved to
1648 the waiver during the 2015-2016 fiscal year, to the extent funds
1649 are available.

1650 (2) The agency shall allow an individual who meets the
1651 eligibility requirements under s. 393.065(1), Florida Statutes,
1652 to receive home and community-based services in this state if
1653 the individual's parent or legal guardian is an active-duty

20152502Aer

1654 military servicemember and, at the time of the servicemember's
1655 transfer to this state, the individual was receiving home and
1656 community-based services in another state.

1657 (3) Upon the placement of individuals on the waiver
1658 pursuant to subsection (1), individuals remaining on the wait
1659 list are deemed not to have been substantially affected by
1660 agency action and are, therefore, not entitled to a hearing
1661 under s. 393.125, Florida Statutes, or administrative proceeding
1662 under chapter 120, Florida Statutes. This section expires July
1663 1, 2016.

1664 Section 21. In order to implement Specific Appropriation
1665 251 of the 2015-2016 General Appropriations Act:

1666 (1) Until the Agency for Persons with Disabilities adopts a
1667 new allocation algorithm and methodology by final rule pursuant
1668 to s. 393.0662, Florida Statutes:

1669 (a) Each client's iBudget in effect as of July 1, 2015,
1670 shall remain at its July 1, 2015, funding level.

1671 (b) The Agency for Persons with Disabilities shall
1672 determine the iBudget for a client newly enrolled on the home
1673 and community-based services waiver on or after July 1, 2015,
1674 using the same allocation algorithm and methodology used for the
1675 iBudgets in effect as of July 1, 2015.

1676 (2) After a new algorithm and methodology is adopted by
1677 final rule, a client's new iBudget shall be determined based on
1678 the new allocation algorithm and methodology and shall take
1679 effect as of the client's next support plan update.

1680 (3) Funding allocated under subsections (1) and (2) may be
1681 increased pursuant to s. 393.0662(1)(b), Florida Statute. A
1682 client's funding allocation may also be increased if the client

20152502Aer

1683 has a significant need for transportation services to a waiver-
1684 funded adult day training program or to a waiver-funded
1685 supported employment where such need cannot be accommodated
1686 within the funding authorized by the client's iBudget amount
1687 without affecting the health and safety of the client, where
1688 public transportation is not an option due to the unique needs
1689 of the client, and where no other transportation resources are
1690 reasonably available. However, such increases may not result in
1691 the total of all clients' projected annual iBudget expenditures
1692 exceeding the agency's appropriation for waiver services.

1693 (4) This section expires July 1, 2016.

1694 Section 22. In order to implement Specific Appropriations
1695 554 through 563 of the 2015-2016 General Appropriations Act,
1696 subsection (3) of section 296.37, Florida Statutes, is amended
1697 to read:

1698 296.37 Residents; contribution to support.-

1699 (3) Notwithstanding subsection (1), each resident of the
1700 home who receives a pension, compensation, or gratuity from the
1701 United States Government, or income from any other source, of
1702 more than \$105 per month shall contribute to his or her
1703 maintenance and support while a resident of the home in
1704 accordance with a payment schedule determined by the
1705 administrator and approved by the director. The total amount of
1706 such contributions shall be to the fullest extent possible, but,
1707 in no case, shall exceed the actual cost of operating and
1708 maintaining the home. This subsection expires July 1, 2016 ~~2015~~.

1709 Section 23. In order to implement Specific Appropriation
1710 251 of the 2015-2016 General Appropriations Act, subsection (15)
1711 of section 393.067, Florida Statutes, is amended to read:

20152502Aer

1712 393.067 Facility licensure.—

1713 (15) The agency is not required to contract with ~~new~~
1714 facilities licensed ~~after October 1, 1989,~~ pursuant to this
1715 chapter. ~~Pursuant to chapter 287, the agency shall continue to~~
1716 ~~contract within available resources for residential services~~
1717 ~~with facilities licensed prior to October 1, 1989, if such~~
1718 ~~facilities comply with the provisions of this chapter and all~~
1719 ~~other applicable laws and regulations.~~

1720 Section 24. The amendment made by this act to s.
1721 393.067(15), Florida Statutes, expires July 1, 2016, and the
1722 text of that subsection shall revert to that in existence on
1723 June 30, 2015, except that any amendments to such text enacted
1724 other than by this act shall be preserved and continue to
1725 operate to the extent that such amendments are not dependent
1726 upon the portions of text which expire pursuant to this section.

1727 Section 25. In order to implement Specific Appropriation
1728 251 of the 2015-2016 General Appropriations Act, subsections
1729 (4), (5), and (6) of section 393.18, Florida Statutes, are
1730 amended to read:

1731 393.18 Comprehensive transitional education program.—A
1732 comprehensive transitional education program is a group of
1733 jointly operating centers or units, the collective purpose of
1734 which is to provide a sequential series of educational care,
1735 training, treatment, habilitation, and rehabilitation services
1736 to persons who have developmental disabilities and who have
1737 severe or moderate maladaptive behaviors. However, this section
1738 does not require such programs to provide services only to
1739 persons with developmental disabilities. All such services shall
1740 be temporary in nature and delivered in a structured residential

20152502Aer

1741 setting, having the primary goal of incorporating the principle
1742 of self-determination in establishing permanent residence for
1743 persons with maladaptive behaviors in facilities that are not
1744 associated with the comprehensive transitional education
1745 program. The staff shall include behavior analysts and teachers,
1746 as appropriate, who shall be available to provide services in
1747 each component center or unit of the program. A behavior analyst
1748 must be certified pursuant to s. 393.17.

1749 (4) For comprehensive transitional education programs, the
1750 total number of residents ~~persons with maladaptive behaviors~~ who
1751 are being provided with services ~~in a comprehensive transitional~~
1752 ~~education program~~ may not in any instance exceed the licensed
1753 capacity of 120 residents and each residential unit within the
1754 component centers of the program authorized under this section
1755 may not in any instance exceed 15 residents. However, a program
1756 that was authorized to operate residential units with more than
1757 15 residents before July 1, 2015, may continue to operate such
1758 units.

1759 ~~(5) Licensure is authorized for comprehensive transitional~~
1760 ~~education programs which by July 1, 1989:~~

1761 ~~(a) Were in actual operation; or~~

1762 ~~(b) Owned a fee simple interest in real property for which~~
1763 ~~a county or city government has approved zoning allowing for the~~
1764 ~~placement of the facilities described in this subsection, and~~
1765 ~~have registered an intent with the agency to operate a~~
1766 ~~comprehensive transitional education program. However, nothing~~
1767 ~~prohibits the assignment by such a registrant to another entity~~
1768 ~~at a different site within the state, if there is compliance~~
1769 ~~with the criteria of this program and local zoning requirements~~

20152502Aer

1770 ~~and each residential facility within the component centers or~~
1771 ~~units of the program authorized under this paragraph does not~~
1772 ~~exceed a capacity of 15 persons.~~

1773 ~~(6) Notwithstanding subsection (5), in order to maximize~~
1774 ~~federal revenues and provide for children needing special~~
1775 ~~behavioral services, the agency may authorize the licensure of a~~
1776 ~~facility that:~~

1777 ~~(a) Provides residential services for children who have~~
1778 ~~developmental disabilities along with intensive behavioral~~
1779 ~~problems as defined by the agency; and~~

1780 ~~(b) As of July 1, 2010, serve children who were served by~~
1781 ~~the child welfare system and who have an open case in the~~
1782 ~~automated child welfare system of the Department of Children and~~
1783 ~~Families.~~

1784
1785 ~~The facility must be in compliance with all program criteria and~~
1786 ~~local zoning requirements and may not exceed a capacity of 15~~
1787 ~~children.~~

1788 Section 26. The amendment made by this act to s. 393.18,
1789 Florida Statutes, expires July 1, 2016, and the text of that
1790 section shall revert to that in existence on June 30, 2015,
1791 except that any amendments to such text enacted other than by
1792 this act shall be preserved and continue to operate to the
1793 extent that such amendments are not dependent upon the portions
1794 of text which expire pursuant to this section.

1795 Section 27. In order to implement Specific Appropriation
1796 225 of the 2015-2016 General Appropriations Act, the Agency for
1797 Health Care Administration shall ensure that nursing facility
1798 residents who are eligible for funds to transition to home and

20152502Aer

1799 community-based services waivers must first have resided in a
1800 skilled nursing facility for at least 60 consecutive days. This
1801 section expires July 1, 2016.

1802 Section 28. In order to implement Specific Appropriation
1803 226 of the 2015-2016 General Appropriations Act, the Agency for
1804 Health Care Administration and the Department of Elderly Affairs
1805 shall prioritize individuals for enrollment in the Medicaid
1806 Long-Term Care Waiver program using a frailty-based screening
1807 that provides a priority score (the "scoring process") and shall
1808 enroll individuals in the program according to the assigned
1809 priority score as funds are available. The agency may adopt
1810 rules, pursuant to s. 409.919, Florida Statutes, and enter into
1811 interagency agreements necessary to administer s. 409.979(3),
1812 Florida Statutes. Such rules or interagency agreements adopted
1813 by the agency relating to the scoring process may delegate to
1814 the Department of Elderly Affairs, pursuant to s. 409.978,
1815 Florida Statutes, the responsibility for implementing and
1816 administering the scoring process, providing notice of Medicaid
1817 fair hearing rights, and the responsibility for defending, as
1818 needed, the scores assigned to persons on the program wait list
1819 in any resulting Medicaid fair hearings. The Department of
1820 Elderly Affairs may delegate the provision of notice of Medicaid
1821 fair hearing rights to its contractors. This section expires
1822 July 1, 2016.

1823 Section 29. In order to implement Specific Appropriations
1824 187A through 220A and 524 of the 2015-2016 General
1825 Appropriations Act and notwithstanding ss. 216.181 and 216.292,
1826 Florida Statutes, the Agency for Health Care Administration, in
1827 consultation with the Department of Health, may submit a budget

20152502Aer

1828 amendment, subject to the notice, review, and objection
1829 procedures of s. 216.177, Florida Statutes, to realign funding
1830 within and between agencies based on implementation of the
1831 Managed Medical Assistance component of the Statewide Medicaid
1832 Managed Care program for the Children's Medical Services program
1833 of the Department of Health. The funding realignment shall
1834 reflect the actual enrollment changes due to the transfer of
1835 beneficiaries from fee-for-service to the capitated Children's
1836 Medical Services Network. The Agency for Health Care
1837 Administration may submit a request for nonoperating budget
1838 authority to transfer the federal funds to the Department of
1839 Health, pursuant to s. 216.181(12), Florida Statutes. This
1840 section expires July 1, 2016.

1841 Section 30. In order to implement Specific Appropriation
1842 323 of the 2015-2016 General Appropriations Act, and
1843 notwithstanding s. 409.991, Florida Statutes, for the 2015-2016
1844 fiscal year, funds provided for training purposes shall be
1845 allocated to community-based care lead agencies based on a
1846 training needs assessment conducted by the Department of
1847 Children and Families. This section expires July 1, 2016.

1848 Section 31. In order to implement Specific Appropriation
1849 400 of the 2015-2016 General Appropriations Act, subject to
1850 federal approval, a current Program of All-Inclusive Care for
1851 the Elderly (PACE) organization that is authorized to provide
1852 PACE services in Southeast Florida and that is granted authority
1853 under section 18 of chapter 2012-33, Laws of Florida, for up to
1854 150 enrollee slots to serve frail elders residing in Broward
1855 County, may also use those PACE slots for enrollees residing in
1856 Miami-Dade County, subject to a contract amendment with the

20152502Aer

1857 Agency for Health Care Administration. This section expires July
1858 1, 2016.

1859 Section 32. In order to implement Specific Appropriation
1860 503 of the 2015-2016 General Appropriations Act, subsection (17)
1861 is added to section 893.055, Florida Statutes, to read:

1862 893.055 Prescription drug monitoring program.—

1863 (17) Notwithstanding subsection (10), and for the 2015-2016
1864 fiscal year only, the department may use state funds
1865 appropriated in the 2015-2016 General Appropriations Act to
1866 administer the prescription drug monitoring program. Neither the
1867 Attorney General nor the department may use funds received as
1868 part of a settlement agreement to administer the prescription
1869 drug monitoring program. This subsection expires July 1, 2016.

1870 Section 33. In order to implement Specific Appropriations
1871 583 through 720A and 733 through 771 of the 2015-2016 General
1872 Appropriations Act, subsection (4) of section 216.262, Florida
1873 Statutes, is amended to read:

1874 216.262 Authorized positions.—

1875 (4) Notwithstanding the provisions of this chapter relating
1876 to increasing the number of authorized positions, and for the
1877 2015-2016 ~~2014-2015~~ fiscal year only, if the actual inmate
1878 population of the Department of Corrections exceeds the inmate
1879 population projections of the February 27, 2015 ~~2014~~, Criminal
1880 Justice Estimating Conference by 1 percent for 2 consecutive
1881 months or 2 percent for any month, the Executive Office of the
1882 Governor, with the approval of the Legislative Budget
1883 Commission, shall immediately notify the Criminal Justice
1884 Estimating Conference, which shall convene as soon as possible
1885 to revise the estimates. The Department of Corrections may then

20152502Aer

1886 submit a budget amendment requesting the establishment of
1887 positions in excess of the number authorized by the Legislature
1888 and additional appropriations from unallocated general revenue
1889 sufficient to provide for essential staff, fixed capital
1890 improvements, and other resources to provide classification,
1891 security, food services, health services, and other variable
1892 expenses within the institutions to accommodate the estimated
1893 increase in the inmate population. All actions taken pursuant to
1894 this subsection are subject to review and approval by the
1895 Legislative Budget Commission. This subsection expires July 1,
1896 2016 ~~2015~~.

1897 Section 34. In order to implement Specific Appropriations
1898 1319 and 1320 of the 2015-2016 General Appropriations Act, the
1899 Department of Legal Affairs may expend appropriated funds in
1900 those specific appropriations on the same programs that were
1901 funded by the department pursuant to specific appropriations
1902 made in general appropriations acts in previous years. This
1903 section expires July 1, 2016.

1904 Section 35. In order to implement Specific Appropriations
1905 1254 and 1259 of the 2015-2016 General Appropriations Act,
1906 paragraph (d) of subsection (4) of section 932.7055, Florida
1907 Statutes, is amended to read:

1908 932.7055 Disposition of liens and forfeited property.—

1909 (4) The proceeds from the sale of forfeited property shall
1910 be disbursed in the following priority:

1911 (d) Notwithstanding any other provision of this subsection,
1912 and for the 2015-2016 ~~2014-2015~~ fiscal year only, the funds in a
1913 special law enforcement trust fund established by the governing
1914 body of a municipality may be expended to reimburse the general

20152502Aer

1915 fund of the municipality for moneys advanced from the general
1916 fund to the special law enforcement trust fund before October 1,
1917 2001. This paragraph expires July 1, 2016 ~~2015~~.

1918 Section 36. In order to implement section 7 of the 2015-
1919 2016 General Appropriations Act, subsection (2) of section
1920 215.18, Florida Statutes, is amended to read:

1921 215.18 Transfers between funds; limitation.—

1922 (2) The Chief Justice of the Supreme Court may receive one
1923 or more trust fund loans to ensure that the state court system
1924 has funds sufficient to meet its appropriations in the 2015-2016
1925 ~~2014-2015~~ General Appropriations Act. If the Chief Justice
1926 accesses the loan, he or she must notify the Governor and the
1927 chairs of the legislative appropriations committees in writing.
1928 The loan must come from other funds in the State Treasury which
1929 are for the time being or otherwise in excess of the amounts
1930 necessary to meet the just requirements of such last-mentioned
1931 funds. The Governor shall order the transfer of funds within 5
1932 days after the written notification from the Chief Justice. If
1933 the Governor does not order the transfer, the Chief Financial
1934 Officer shall transfer the requested funds. The loan of funds
1935 from which any money is temporarily transferred must be repaid
1936 by the end of the 2015-2016 ~~2014-2015~~ fiscal year. This
1937 subsection expires July 1, 2016 ~~2015~~.

1938 Section 37. In order to implement appropriations for
1939 salaries and benefits in the 2015-2016 General Appropriations
1940 Act for the Department of Corrections and notwithstanding s.
1941 216.292, Florida Statutes, the Department of Corrections may not
1942 transfer funds from a salaries and benefits category to any
1943 other category within the department other than a salaries and

20152502Aer

1944 benefits category without approval of the Legislative Budget
1945 Commission. This section expires July 1, 2016.

1946 Section 38. (1) In order to implement Specific
1947 Appropriations 1124 through 1136 of the 2015-2016 General
1948 Appropriations Act, the Department of Juvenile Justice is
1949 required to review county juvenile detention payments for the
1950 purpose of ensuring that counties fulfill their financial
1951 responsibilities required in s. 985.686, Florida Statutes. If
1952 the Department of Juvenile Justice determines that a county has
1953 not met its obligations, the department shall direct the
1954 Department of Revenue to deduct the amount owed to the
1955 Department of Juvenile Justice from the funds provided to the
1956 county under s. 218.23, Florida Statutes. The Department of
1957 Revenue shall transfer the funds withheld to the Shared
1958 County/State Juvenile Detention Trust Fund.

1959 (2) As an assurance to holders of bonds issued by counties
1960 before July 1, 2015, for which distributions made pursuant to s.
1961 218.23, Florida Statutes, are pledged, or bonds issued to refund
1962 such bonds which mature no later than the bonds they refunded
1963 and which result in a reduction of debt service payable in each
1964 fiscal year, the amount available for distribution to a county
1965 shall remain as provided by law and continue to be subject to
1966 any lien or claim on behalf of the bondholders. The Department
1967 of Revenue must ensure, based on information provided by an
1968 affected county, that any reduction in amounts distributed
1969 pursuant to subsection (1) does not reduce the amount of
1970 distribution to a county below the amount necessary for the
1971 timely payment of principal and interest when due on the bonds
1972 and the amount necessary to comply with any covenant under the

20152502Aer

1973 bond resolution or other documents relating to the issuance of
1974 the bonds. If a reduction to a county's monthly distribution
1975 must be decreased in order to comply with this subsection, the
1976 Department of Revenue must notify the Department of Juvenile
1977 Justice of the amount of the decrease, and the Department of
1978 Juvenile Justice must send a bill for payment of such amount to
1979 the affected county.

1980 (3) This section expires July 1, 2016.

1981 Section 39. In order to implement appropriations used for
1982 the payments of existing lease contracts for private lease space
1983 in excess of 2,000 square feet in the 2015-2016 General
1984 Appropriations Act, the Department of Management Services, with
1985 the cooperation of the agencies having the existing lease
1986 contracts for office or storage space, shall use tenant broker
1987 services to renegotiate or reprocure all private lease
1988 agreements for office or storage space expiring between July 1,
1989 2016, and June 30, 2018, in order to reduce costs in future
1990 years. The department shall incorporate this initiative into its
1991 2015 master leasing report required under s. 255.249(7), Florida
1992 Statutes, and may use tenant broker services to explore the
1993 possibilities of collocating office or storage space, to review
1994 the space needs of each agency, and to review the length and
1995 terms of potential renewals or renegotiations. The department
1996 shall provide a report to the Executive Office of the Governor,
1997 the President of the Senate, and the Speaker of the House of
1998 Representatives by November 1, 2015, which lists each lease
1999 contract for private office or storage space, the status of
2000 renegotiations, and the savings achieved. This section expires
2001 July 1, 2016.

20152502Aer

2002 Section 40. In order to implement Specific Appropriations
2003 2270 through 2278 of the 2015-2016 General Appropriations Act,
2004 section 624.502, Florida Statutes, is reenacted to read:

2005 624.502 Service of process fee.—In all instances as
2006 provided in any section of the insurance code and s. 48.151(3)
2007 in which service of process is authorized to be made upon the
2008 Chief Financial Officer or the director of the office, the
2009 plaintiff shall pay to the department or office a fee of \$15 for
2010 such service of process, which fee shall be deposited into the
2011 Administrative Trust Fund.

2012 Section 41. The amendment to s. 624.502, Florida Statutes,
2013 as carried forward by this act from chapter 2013-41, Laws of
2014 Florida, expires July 1, 2016, and the text of that section
2015 shall revert to that in existence on June 30, 2013, except that
2016 any amendments to such text enacted other than by this act shall
2017 be preserved and continue to operate to the extent that such
2018 amendments are not dependent upon the portions of text which
2019 expire pursuant to this section.

2020 Section 42. In order to implement Specific Appropriations
2021 2848 through 2859 of the 2015-2016 General Appropriations Act,
2022 paragraph (a) of subsection (2) of section 282.709, Florida
2023 Statutes, is reenacted to read:

2024 282.709 State agency law enforcement radio system and
2025 interoperability network.—

2026 (2) The Joint Task Force on State Agency Law Enforcement
2027 Communications is created adjunct to the department to advise
2028 the department of member-agency needs relating to the planning,
2029 designing, and establishment of the statewide communication
2030 system.

20152502Aer

2031 (a) The Joint Task Force on State Agency Law Enforcement
2032 Communications shall consist of the following members:

2033 1. A representative of the Division of Alcoholic Beverages
2034 and Tobacco of the Department of Business and Professional
2035 Regulation who shall be appointed by the secretary of the
2036 department.

2037 2. A representative of the Division of Florida Highway
2038 Patrol of the Department of Highway Safety and Motor Vehicles
2039 who shall be appointed by the executive director of the
2040 department.

2041 3. A representative of the Department of Law Enforcement
2042 who shall be appointed by the executive director of the
2043 department.

2044 4. A representative of the Fish and Wildlife Conservation
2045 Commission who shall be appointed by the executive director of
2046 the commission.

2047 5. A representative of the Department of Corrections who
2048 shall be appointed by the secretary of the department.

2049 6. A representative of the Division of State Fire Marshal
2050 of the Department of Financial Services who shall be appointed
2051 by the State Fire Marshal.

2052 7. A representative of the Department of Agriculture and
2053 Consumer Services who shall be appointed by the Commissioner of
2054 Agriculture.

2055 Section 43. The amendment to s. 282.709(2)(a), Florida
2056 Statutes, as carried forward by this act from chapter 2014-53,
2057 Laws of Florida, expires July 1, 2016, and the text of that
2058 paragraph shall revert to that in existence on June 30, 2014,
2059 except that any amendments to such text enacted other than by

20152502Aer

2060 this act shall be preserved and continue to operate to the
2061 extent that such amendments are not dependent upon the portions
2062 of text that expire pursuant to this section.

2063 Section 44. Effective November 1, 2015, in order to
2064 implement Specific Appropriations 2753 through 2765 of the 2015-
2065 2016 General Appropriations Act, and notwithstanding rule 60A-
2066 1.031, Florida Administrative Code, the transaction fee
2067 collected for use of the online procurement system, authorized
2068 in ss. 287.042(1)(h)1. and 287.057(22)(c), Florida Statutes,
2069 shall be seven-tenths of 1 percent for the 2015-2016 fiscal year
2070 only. The Department of Management Services shall determine an
2071 economical and effective means of notifying vendors of the fee
2072 change. This section expires July 1, 2016.

2073 Section 45. In order to implement Specific Appropriation
2074 2920A of the 2015-2016 General Appropriations Act, subsection
2075 (8) is added to section 216.292, Florida Statutes, to read:

2076 216.292 Appropriations nontransferable; exceptions.-

2077 (8) Notwithstanding subsections (2), (3), and (4), and for
2078 the 2015-2016 fiscal year only, the Agency for State Technology,
2079 with the approval of the Executive Office of the Governor, and
2080 after 14 days prior notice, may transfer up to \$2.5 million of
2081 recurring funds from the Working Capital Trust Fund within the
2082 Agency for State Technology between appropriations categories
2083 for operations, as needed, to realign funds, based upon the
2084 final report of the third-party assessment required by January
2085 15, 2016, to begin migration of cloud-ready applications at the
2086 State Data Center to a cloud solution that complies with all
2087 applicable federal and state security and privacy requirements,
2088 to the extent feasible within available resources, while

20152502Aer

2089 continuing to provide computing services for existing data
2090 center applications, until those applications can be cloud-
2091 ready. Such transfers are subject to the notice and objection
2092 provisions of s. 216.177. This subsection expires July 1, 2016.

2093 Section 46. In order to implement Specific Appropriation
2094 1647 of the 2015-2016 General Appropriations Act, paragraph (e)
2095 of subsection (5) of section 161.143, Florida Statutes, is
2096 amended to read:

2097 161.143 Inlet management; planning, prioritizing, funding,
2098 approving, and implementing projects.—

2099 (5) The department shall annually provide an inlet
2100 management project list, in priority order, to the Legislature
2101 as part of the department's budget request. The list must
2102 include studies, projects, or other activities that address the
2103 management of at least 10 separate inlets and that are ranked
2104 according to the criteria established under subsection (2).

2105 (e) Notwithstanding paragraphs (a) and (b), and for the
2106 2015-2016 ~~2014-2015~~ fiscal year only, the amount allocated for
2107 inlet management funding is provided in the 2015-2016 ~~2014-2015~~
2108 General Appropriations Act. This paragraph expires July 1, 2016
2109 ~~2015~~.

2110 Section 47. In order to implement Specific Appropriations
2111 1569A and 1570 of the 2015-2016 General Appropriations Act,
2112 paragraph (m) of subsection (3) of section 259.105, Florida
2113 Statutes, is amended to read:

2114 259.105 The Florida Forever Act.—

2115 (3) Less the costs of issuing and the costs of funding
2116 reserve accounts and other costs associated with bonds, the
2117 proceeds of cash payments or bonds issued pursuant to this

20152502Aer

2118 section shall be deposited into the Florida Forever Trust Fund
2119 created by s. 259.1051. The proceeds shall be distributed by the
2120 Department of Environmental Protection in the following manner:

2121 (m) Notwithstanding paragraphs (a)-(j) and for the 2015-
2122 2016 ~~2014-2015~~ fiscal year only, \$17.4 million to only the
2123 Division of State Lands within the Department of Environmental
2124 Protection for the Board of Trustees Florida Forever Priority
2125 List land acquisition projects. This paragraph expires July 1,
2126 2016÷

2127 ~~1. Five million dollars to the Department of Agriculture~~
2128 ~~and Consumer Services for the acquisition of agricultural lands~~
2129 ~~through perpetual conservation easements and other perpetual~~
2130 ~~less than fee techniques, which will achieve the objectives of~~
2131 ~~Florida Forever and s. 570.71.~~

2132 ~~2. The remaining moneys appropriated from the Florida~~
2133 ~~Forever Trust Fund shall be distributed only to the Division of~~
2134 ~~State Lands within the Department of Environmental Protection~~
2135 ~~for land acquisitions that are less than fee interest, for~~
2136 ~~partnerships in which the state's portion of the acquisition~~
2137 ~~cost is no more than 50 percent, or for conservation lands~~
2138 ~~needed for military buffering or springs or water resources~~
2139 ~~protection.~~

2140
2141 ~~This paragraph expires July 1, 2015.~~

2142 Section 48. In order to implement Specific Appropriations
2143 1707B, 1724A, 1724B, and 1817A of the 2015-2016 General
2144 Appropriations Act, paragraph (d) of subsection (11) of section
2145 216.181, Florida Statutes, is amended to read:

2146 216.181 Approved budgets for operations and fixed capital

20152502Aer

2147 outlay.—

2148 (11)

2149 (d) Notwithstanding paragraph (b) and paragraph (2)(b), and
2150 for the 2015-2016 ~~2014-2015~~ fiscal year only, the Legislative
2151 Budget Commission may increase the amounts appropriated to the
2152 Fish and Wildlife Conservation Commission or the Department of
2153 Environmental Protection for fixed capital outlay projects,
2154 including additional fixed capital outlay projects, using funds
2155 provided to the state from the Gulf Environmental Benefit Fund
2156 administered by the National Fish and Wildlife Foundation; funds
2157 provided to the state from the Gulf Coast Restoration Trust Fund
2158 related to the Resources and Ecosystems Sustainability, Tourist
2159 Opportunities, and Revived Economies of the Gulf Coast Act of
2160 2012 (RESTORE Act); or funds provided by the British Petroleum
2161 Corporation (BP) for natural resource damage assessment early
2162 restoration projects. Concurrent with submission of an amendment
2163 to the Legislative Budget Commission pursuant to this paragraph,
2164 any project that carries a continuing commitment for future
2165 appropriations by the Legislature must be specifically
2166 identified, together with the projected amount of the future
2167 commitment associated with the project and the fiscal years in
2168 which the commitment is expected to commence. This paragraph
2169 expires July 1, 2016 ~~2015~~.

2170
2171 The provisions of this subsection are subject to the notice and
2172 objection procedures set forth in s. 216.177.

2173 Section 49. In order to implement Specific Appropriation
2174 1690 of the 2015-2016 General Appropriations Act, paragraph (q)
2175 is added to subsection (4) of section 376.3071, Florida

20152502Aer

2176 Statutes, to read:

2177 376.3071 Inland Protection Trust Fund; creation; purposes;
2178 funding.—

2179 (4) USES.—Whenever, in its determination, incidents of
2180 inland contamination related to the storage of petroleum or
2181 petroleum products may pose a threat to the public health,
2182 safety, or welfare, water resources, or the environment, the
2183 department shall obligate moneys available in the fund to
2184 provide for:

2185 (q) Payments for program deductibles, copayments, and
2186 limited contamination assessment reports that otherwise would be
2187 paid by another state agency for state-funded petroleum
2188 contamination site rehabilitation. This paragraph expires July
2189 1, 2016.

2190
2191 The Inland Protection Trust Fund may only be used to fund the
2192 activities in ss. 376.30–376.317 except ss. 376.3078 and
2193 376.3079. Amounts on deposit in the fund in each fiscal year
2194 shall first be applied or allocated for the payment of amounts
2195 payable by the department pursuant to paragraph (n) under a
2196 service contract entered into by the department pursuant to s.
2197 376.3075 and appropriated in each year by the Legislature before
2198 making or providing for other disbursements from the fund. This
2199 subsection does not authorize the use of the fund for cleanup of
2200 contamination caused primarily by a discharge of solvents as
2201 defined in s. 206.9925(6), or polychlorinated biphenyls when
2202 their presence causes them to be hazardous wastes, except
2203 solvent contamination which is the result of chemical or
2204 physical breakdown of petroleum products and is otherwise

20152502Aer

2205 eligible. Facilities used primarily for the storage of motor or
2206 diesel fuels as defined in ss. 206.01 and 206.86 are not
2207 excluded from eligibility pursuant to this section.

2208 Section 50. In order to implement Specific Appropriation
2209 1633 of the 2015-2016 General Appropriations Act, subsection (6)
2210 of section 381.0065, Florida Statutes, is amended to read:

2211 381.0065 Onsite sewage treatment and disposal systems;
2212 regulation.—

2213 (6) LAND APPLICATION OF SEPTAGE PROHIBITED.—Effective June
2214 30 ~~January 1~~, 2016, the land application of septage from onsite
2215 sewage treatment and disposal systems is prohibited.

2216 Section 51. The amendment made by this act to s.
2217 381.0065(6), Florida Statutes, expires July 1, 2016, and the
2218 text of that subsection shall revert to that in existence on
2219 June 30, 2015, except that any amendments to such text enacted
2220 other than by this act shall be preserved and continue to
2221 operate to the extent that such amendments are not dependent
2222 upon the portions of text which expire pursuant to this section.

2223 Section 52. In order to implement Specific Appropriation
2224 1439 of the 2015-2016 General Appropriations Act, subsection (4)
2225 of section 388.261, Florida Statutes, is amended to read:

2226 388.261 State aid to counties and districts for arthropod
2227 control; distribution priorities and limitations.—

2228 (4) (a) Up to 20 percent of the annual funds appropriated to
2229 local governments for arthropod control may be used for
2230 arthropod control research or demonstration projects as approved
2231 by the department.

2232 (b) Notwithstanding paragraph (a), and for the 2015-2016
2233 fiscal year only, up to 40 percent of the annual funds

20152502Aer

2234 appropriated to local governments for arthropod control may be
2235 used for arthropod control research or demonstration projects as
2236 approved by the department. This paragraph expires July 1, 2016.

2237 Section 53. In order to implement Specific Appropriation
2238 1689A of the 2015-2016 General Appropriations Act, subsection
2239 (5) is added to section 403.709, Florida Statutes, to read:

2240 403.709 Solid Waste Management Trust Fund; use of waste
2241 tire fees.—There is created the Solid Waste Management Trust
2242 Fund, to be administered by the department.

2243 (5) (a) Notwithstanding subsection (1), a solid waste
2244 landfill closure account is established within the Solid Waste
2245 Management Trust Fund to provide funding for the closing and
2246 long-term care of solid waste management facilities. The
2247 department may use funds from the account to contract with a
2248 third party for the closing and long-term care of a solid waste
2249 management facility if:

2250 1. The facility has or had a department permit to operate
2251 the facility;

2252 2. The permittee provided proof of financial assurance for
2253 closure in the form of an insurance certificate;

2254 3. The facility is deemed to be abandoned or was ordered to
2255 close by the department;

2256 4. Closure is accomplished in substantial accordance with a
2257 closure plan approved by the department; and

2258 5. The department has written documentation that the
2259 insurance company issuing the closure insurance policy will
2260 provide or reimburse the funds required to complete closing and
2261 long-term care of the facility.

2262 (b) The department shall deposit the funds received from

20152502Aer

2263 the insurance company as reimbursement for the costs of closing
2264 or long-term care of the facility into the solid waste landfill
2265 closure account.

2266 (c) This subsection expires July 1, 2016.

2267 Section 54. Effective upon becoming a law, in order to
2268 implement specific appropriations from the land acquisition
2269 trust funds within the Department of Agriculture and Consumer
2270 Services, the Department of Environmental Protection, the
2271 Department of State, and the Fish and Wildlife Conservation
2272 Commission which are contained in the 2015-2016 General
2273 Appropriations Act, subsection (3) is added to section 215.18,
2274 Florida Statutes, to read:

2275 215.18 Transfers between funds; limitation.—

2276 (3) Notwithstanding subsection (1) and only with respect to
2277 a land acquisition trust fund in the Department of Agriculture
2278 and Consumer Services, the Department of Environmental
2279 Protection, the Department of State, or the Fish and Wildlife
2280 Conservation Commission, whenever there is a deficiency in a
2281 land acquisition trust fund which would render that trust fund
2282 temporarily insufficient to meet its just requirements,
2283 including the timely payment of appropriations from that trust
2284 fund, and other trust funds in the State Treasury have moneys
2285 that are for the time being or otherwise in excess of the
2286 amounts necessary to meet the just requirements, including
2287 appropriated obligations, of those other trust funds, the
2288 Governor may order a temporary transfer of moneys from one or
2289 more of the other trust funds to a land acquisition trust fund
2290 in the Department of Agriculture and Consumer Services, the
2291 Department of Environmental Protection, the Department of State,

20152502Aer

2292 or the Fish and Wildlife Conservation Commission. Any action
2293 proposed pursuant to this subsection is subject to the notice,
2294 review, and objection procedures of s. 216.177, and the Governor
2295 shall provide notice of such action at least 7 days before the
2296 effective date of the transfer of trust funds, except that
2297 during July 2015, notice of such action shall be provided at
2298 least 3 days before the effective date of a transfer unless such
2299 3-day notice is waived by the chair and vice-chair of the
2300 Legislative Budget Commission. Any transfer of trust funds to a
2301 land acquisition trust fund in the Department of Agriculture and
2302 Consumer Services, the Department of Environmental Protection,
2303 the Department of State, or the Fish and Wildlife Conservation
2304 Commission must be repaid to the trust funds from which the
2305 moneys were loaned by the end of the 2015-2016 fiscal year. The
2306 Legislature has determined that the repayment of the other trust
2307 fund moneys temporarily loaned to a land acquisition trust fund
2308 in the Department of Agriculture and Consumer Services, the
2309 Department of Environmental Protection, the Department of State,
2310 or the Fish and Wildlife Conservation Commission pursuant to
2311 this subsection is an allowable use of the moneys in a land
2312 acquisition trust fund because the moneys from other trust funds
2313 temporarily loaned to a land acquisition trust fund shall be
2314 expended solely and exclusively in accordance with s. 28, Art. X
2315 of the State Constitution. This subsection expires July 1, 2016.

2316 Section 55. In order to implement specific appropriations
2317 from trust funds within the Department of Agriculture and
2318 Consumer Services, the Department of Environmental Protection,
2319 the Department of State, and the Fish and Wildlife Conservation
2320 Commission which are contained in the 2015-2016 General

20152502Aer

2321 Appropriations Act and notwithstanding s. 216.292, Florida
2322 Statutes, the Department of Agriculture and Consumer Services,
2323 the Department of Environmental Protection, the Department of
2324 State, and the Fish and Wildlife Conservation Commission may
2325 submit one or more budget amendments, as necessary, to realign
2326 funding, to increase operating or nonoperating budget authority
2327 from trust funds, or to transfer trust funds, between agencies
2328 or budget entities, as needed to implement provisions of SB
2329 2516-A, 2520-A, or 2522-A or similar legislation enacted during
2330 the 2015 Regular Session of the Legislature or the 2015 Special
2331 Session A, including any extension thereof, to implement s. 28,
2332 Article X of the State Constitution. A budget amendment is
2333 subject to the notice, review, and objection procedures of s.
2334 216.177, Florida Statutes. This section expires July 1, 2016.

2335 Section 56. (1) In order to implement specific
2336 appropriations from the land acquisition trust funds within the
2337 Department of Agriculture and Consumer Services, the Department
2338 of Environmental Protection, the Department of State, and the
2339 Fish and Wildlife Conservation Commission which are contained in
2340 the 2015-2016 General Appropriations Act, the Department of
2341 Environmental Protection shall transfer revenues deposited into
2342 the Land Acquisition Trust Fund within the department to the
2343 land acquisition trust funds within the Department of
2344 Agriculture and Consumer Services, the Department of State, and
2345 the Fish and Wildlife Conservation Commission, as provided in
2346 this section. As used in this section, the term "department"
2347 means the Department of Environmental Protection.

2348 (2) After subtracting any required debt service payments,
2349 the proportionate share of revenues to be transferred to a land

20152502Aer

2350 acquisition trust fund shall be calculated by dividing the
2351 appropriations from each of the land acquisition trust funds for
2352 the fiscal year by the total appropriations from the Land
2353 Acquisition Trust Fund within the department and the land
2354 acquisition trust funds within the Department of Agriculture and
2355 Consumer Services, the Department of State, and the Fish and
2356 Wildlife Commission for the fiscal year. The department shall
2357 transfer a proportionate share of the revenues deposited into
2358 the Land Acquisition Trust Fund within the department on a
2359 monthly basis to the land acquisition trust funds within the
2360 Department of Agriculture and Consumer Services, the Department
2361 of State, and the Fish and Wildlife Commission and shall retain
2362 a proportionate share of the revenues in the Land Acquisition
2363 Trust Fund within the department. Total distributions to a land
2364 acquisition trust fund within the Department of Agriculture and
2365 Consumer Services, the Department of State, and the Fish and
2366 Wildlife Commission may not exceed the total appropriations from
2367 such trust fund for the fiscal year.

2368 (3) This section expires July 1, 2016.

2369 Section 57. In order to implement Specific Appropriation
2370 1489B of the 2015-2016 General Appropriations Act and
2371 notwithstanding chapter 253, Florida Statutes, and s. 270.22,
2372 Florida Statutes, the Board of Trustees of the Internal
2373 Improvement Trust Fund is directed to sell, through a
2374 competitive solicitation, a portion of the property described as
2375 the land lying south of Carroll Street in Osceola County
2376 described as the north half of the northeast quarter of the
2377 southwest quarter of section nine, township twenty-five south,
2378 range twenty-nine east for not less than the property's

20152502Aer

2379 appraised value. All net proceeds from the sale shall be
2380 deposited into the General Inspection Trust Fund within the
2381 Department of Agriculture and Consumer Services. This section
2382 expires July 1, 2016.

2383 Section 58. In order to implement Specific Appropriation
2384 1568A of the 2015-2016 General Appropriations Act and
2385 notwithstanding chapter 253 and s. 270.22, Florida Statutes, the
2386 Board of Trustees of the Internal Improvement Trust Fund shall
2387 provide the University of South Florida Sarasota-Manatee with
2388 the proceeds from the sale of a parcel of state land involving
2389 the University of South Florida Sarasota-Manatee's campus
2390 bookstore/Viking property to the Sarasota Manatee Airport
2391 Authority. This section expires July 1, 2016.

2392 Section 59. In order to implement Specific Appropriation
2393 2644 of the 2015-2016 General Appropriations Act and
2394 notwithstanding s. 287.057, Florida Statutes, the Department of
2395 Highway Safety and Motor Vehicles may extend its existing
2396 contract for driver license equipment and consumables through
2397 December 31, 2017, provided the price of each driver license and
2398 identification card as of March 1, 2015, does not increase. The
2399 contract extension must be executed on behalf of the department
2400 and the contractor no later than August 1, 2015. This section
2401 expires July 1, 2016.

2402 Section 60. In order to implement Specific Appropriation
2403 2645 of the 2015-2016 General Appropriations Act, the Department
2404 of Highway Safety and Motor Vehicles shall contract with the
2405 corporation organized pursuant to part II of chapter 946,
2406 Florida Statutes, to manufacture the current or newly redesigned
2407 license plates, such contract being in the same manner and for

20152502Aer

2408 the same price as that paid by the department during the 2013-
2409 2014 fiscal year. The corporation shall seek sealed bids for the
2410 reflectorized sheeting used in the manufacture of such license
2411 plates, and in the event the sealed bids result in any savings
2412 in the sheeting costs, the corporation shall credit to the
2413 department an amount equal to 70 percent of the savings. The
2414 name of the county may not appear on any redesigned license
2415 plate. This section expires July 1, 2016.

2416 Section 61. In order to implement Specific Appropriation
2417 1916 of the 2015-2016 General Appropriations Act, paragraph (i)
2418 of subsection (4) and paragraph (b) of subsection (5) of section
2419 339.135, Florida Statutes, are amended to read:

2420 339.135 Work program; legislative budget request;
2421 definitions; preparation, adoption, execution, and amendment.—

2422 (4) FUNDING AND DEVELOPING A TENTATIVE WORK PROGRAM.—

2423 (i) Notwithstanding paragraph (a), and for the 2015-2016
2424 ~~2014-2015~~ fiscal year only, the Department of Transportation
2425 shall may use appropriated funds to support the establishment of
2426 a statewide system of interconnected multiuse trails and to pay
2427 the costs of planning, land acquisition, design, and
2428 construction of such trails and related facilities. Funds
2429 specifically appropriated for this purpose may not reduce,
2430 delete, or defer any existing projects funded as of July 1, 2015
2431 ~~2014~~, in the department's 5-year work program. This paragraph
2432 expires July 1, 2016 ~~2015~~.

2433 (5) ADOPTION OF THE WORK PROGRAM.—

2434 (b) Notwithstanding paragraph (a), and for the 2015-2016
2435 ~~2014-2015~~ fiscal year only, the department shall may use
2436 appropriated funds to support the establishment of a statewide

20152502Aer

2437 system of interconnected multiuse trails and to pay the costs of
2438 planning, land acquisition, design, and construction of such
2439 trails and related facilities. Funds specifically appropriated
2440 for this purpose may not reduce, delete, or defer any existing
2441 projects funded as of July 1, 2015 ~~2014~~, in the department's 5-
2442 year work program. This paragraph expires July 1, 2016 ~~2015~~.

2443 Section 62. In order to implement Specific Appropriation
2444 1911 of the 2015-2016 General Appropriations Act, subsection (2)
2445 of section 339.2818, Florida Statutes, is amended to read:

2446 339.2818 Small County Outreach Program.—

2447 (2) (a) For the purposes of this section, the term "small
2448 county" means any county that has a population of 150,000 or
2449 less as determined by the most recent official estimate pursuant
2450 to s. 186.901.

2451 (b) Notwithstanding paragraph (a), for the 2015-2016 fiscal
2452 year, for purposes of this section, the term "small county"
2453 means any county that has a population of 165,000 or less as
2454 determined by the most recent official estimate pursuant to s.
2455 186.901. This paragraph expires July 1, 2016.

2456 Section 63. In order to implement Specific Appropriation
2457 1894 of the 2015-2016 General Appropriations Act, subsection
2458 (10) of section 341.302, Florida Statutes, is reenacted to read:

2459 341.302 Rail program; duties and responsibilities of the
2460 department.—The department, in conjunction with other
2461 governmental entities, including the rail enterprise and the
2462 private sector, shall develop and implement a rail program of
2463 statewide application designed to ensure the proper maintenance,
2464 safety, revitalization, and expansion of the rail system to
2465 assure its continued and increased availability to respond to

20152502Aer

2466 statewide mobility needs. Within the resources provided pursuant
2467 to chapter 216, and as authorized under federal law, the
2468 department shall:

2469 (10) (a) Administer rail operating and construction
2470 programs, which programs shall include the regulation of maximum
2471 train operating speeds, the opening and closing of public grade
2472 crossings, the construction and rehabilitation of public grade
2473 crossings, the installation of traffic control devices at public
2474 grade crossings, the approval and implementation of quiet zones,
2475 and administration of the programs by the department, including
2476 participation in the cost of the programs.

2477 (b) Provide grant funding to assist with the implementation
2478 of quiet zones that have been approved by the department, which
2479 funding may not exceed 50 percent of the nonfederal and
2480 nonprivate share of the total costs of any quiet zone capital
2481 improvement project.

2482 (c) Coordinate and work closely with local, state, and
2483 federal agencies to provide technical support to local agencies
2484 for the development of quiet zone plans.

2485 (d) Monitor crossing incidents at approved quiet zone
2486 locations and suspend the operation of a quiet zone at any time
2487 the department determines that a significant deterioration in
2488 safety is resulting from quiet zone implementation.

2489 Section 64. The amendment to s. 341.302(10), Florida
2490 Statutes, as carried forward by this act from chapter 2014-53,
2491 Laws of Florida, expires July 1, 2016, and the text of that
2492 subsection shall revert to that in existence on June 30, 2014,
2493 except that any amendments to such text enacted other than by
2494 this act shall be preserved and continue to operate to the

20152502Aer

2495 extent that such amendments are not dependent upon the portions
2496 of text which expire pursuant to this section.

2497 Section 65. In order to implement Specific Appropriation
2498 1910 of the 2015-2016 General Appropriations Act, subsection (3)
2499 of section 339.2816, Florida Statutes, is amended to read:

2500 339.2816 Small County Road Assistance Program.—

2501 (3) In the 2015-2016 fiscal year ~~Beginning with fiscal year~~
2502 ~~1999-2000 until fiscal year 2009-2010, and beginning again with~~
2503 ~~fiscal year 2012-2013, up to \$50~~ \$25 million annually from the
2504 State Transportation Trust Fund may be used for the purposes of
2505 funding the Small County Road Assistance Program as described in
2506 this section.

2507 Section 66. The amendment made by this act to s.
2508 339.2816(3), Florida Statutes, expires July 1, 2016, and the
2509 text of that subsection shall revert to that in existence on
2510 June 30, 2015, except that any amendments to such text enacted
2511 other than by this act shall be preserved and continue to
2512 operate to the extent that such amendments are not dependent
2513 upon the portions of text which expire pursuant to this section.

2514 Section 67. In order to implement Specific Appropriation
2515 2241 of the 2015-2016 General Appropriations Act, subsection
2516 (10) is added to section 420.9072, Florida Statutes, to read:

2517 420.9072 State Housing Initiatives Partnership Program.—The
2518 State Housing Initiatives Partnership Program is created for the
2519 purpose of providing funds to counties and eligible
2520 municipalities as an incentive for the creation of local housing
2521 partnerships, to expand production of and preserve affordable
2522 housing, to further the housing element of the local government
2523 comprehensive plan specific to affordable housing, and to

20152502Aer

2524 increase housing-related employment.

2525 (10) Notwithstanding ss. 420.9071(26) and 420.9075(5) and
2526 subsection (7), for the 2015-2016 fiscal year:

2527 (a) The term "rent subsidies" means ongoing monthly rental
2528 assistance.

2529 (b) Up to 25 percent of the funds made available in each
2530 county and each eligible municipality from the local housing
2531 distribution may be used for rental assistance and rent
2532 subsidies as provided in paragraph (c).

2533 (c) A county or an eligible municipality may expend its
2534 portion of the local housing distribution to provide the
2535 following types of rental assistance and rent subsidies:

2536 1. Security and utility deposit assistance.

2537 2. Eviction prevention subsidies not to exceed 6 months'
2538 rent.

2539 3. Rent subsidies for very-low-income households with at
2540 least one adult who is a person with special needs as defined in
2541 s. 420.0004 or a person who is homeless as defined in s. 420.621
2542 when the person initially qualified for a rent subsidy. The
2543 period of rental subsidy may not exceed 12 months for any
2544 eligible household or person.

2545 (d) This subsection expires July 1, 2016.

2546 Section 68. In order to implement Specific Appropriation
2547 2240 of the 2015-2016 General Appropriations Act, subsection
2548 (10) is added to section 420.5087, Florida Statutes, to read:

2549 420.5087 State Apartment Incentive Loan Program.—There is
2550 hereby created the State Apartment Incentive Loan Program for
2551 the purpose of providing first, second, or other subordinated
2552 mortgage loans or loan guarantees to sponsors, including for-

20152502Aer

2553 profit, nonprofit, and public entities, to provide housing
2554 affordable to very-low-income persons.

2555 (10) (a) Notwithstanding subsection (3), for the 2015-2016
2556 fiscal year, the reservation of funds for the tenant groups
2557 within each notice of fund availability shall be:

2558 1. Not less than 10 percent of the funds available at that
2559 time for the following tenant groups:

2560 a. Families;

2561 b. Persons who are homeless;

2562 c. Persons with special needs; and

2563 d. Elderly persons.

2564 2. Not less than 5 percent of the funds available at that
2565 time for the commercial fishing workers and farmworkers tenant
2566 group.

2567 (b) This subsection expires July 1, 2016.

2568 Section 69. (1) In order to implement Specific
2569 Appropriation 2250 of the 2015-2016 General Appropriations Act
2570 and notwithstanding any provision of the Florida Building Code
2571 or other provision of law, the following provisions shall not
2572 take effect until June 30, 2016:

2573 (a) Mandatory blower door testing for residential buildings
2574 or dwelling units as contained in Section R402.4.1.2 of the
2575 Florida Building Code, 5th Edition (2014) Energy Conservation
2576 Volume;

2577 (b) A second fire service access elevator as contained in
2578 Section 403.6.1 of the Florida Building Code, 5th Edition (2014)
2579 Building Volume; and

2580 (c) Mechanical ventilation for residential buildings or
2581 dwelling units as contained in Section R303.4 of the Florida

20152502Aer

2582 Building Code, 5th Edition (2014) Residential Volume.

2583 (2) This section shall expire July 1, 2016.

2584 Section 70. In order to implement the salaries and
2585 benefits, expenses, other personal services, contracted
2586 services, special categories, and operating capital outlay
2587 categories of the 2015-2016 General Appropriations Act,
2588 paragraph (a) of subsection (2) of section 216.292, Florida
2589 Statutes, is reenacted to read:

2590 216.292 Appropriations nontransferable; exceptions.—

2591 (2) The following transfers are authorized to be made by
2592 the head of each department or the Chief Justice of the Supreme
2593 Court whenever it is deemed necessary by reason of changed
2594 conditions:

2595 (a) The transfer of appropriations funded from identical
2596 funding sources, except appropriations for fixed capital outlay,
2597 and the transfer of amounts included within the total original
2598 approved budget and plans of releases of appropriations as
2599 furnished pursuant to ss. 216.181 and 216.192, as follows:

2600 1. Between categories of appropriations within a budget
2601 entity, if no category of appropriation is increased or
2602 decreased by more than 5 percent of the original approved budget
2603 or \$250,000, whichever is greater, by all action taken under
2604 this subsection.

2605 2. Between budget entities within identical categories of
2606 appropriations, if no category of appropriation is increased or
2607 decreased by more than 5 percent of the original approved budget
2608 or \$250,000, whichever is greater, by all action taken under
2609 this subsection.

2610 3. Any agency exceeding salary rate established pursuant to

20152502Aer

2611 s. 216.181(8) on June 30th of any fiscal year shall not be
2612 authorized to make transfers pursuant to subparagraphs 1. and 2.
2613 in the subsequent fiscal year.

2614 4. Notice of proposed transfers under subparagraphs 1. and
2615 2. shall be provided to the Executive Office of the Governor and
2616 the chairs of the legislative appropriations committees at least
2617 3 days prior to agency implementation in order to provide an
2618 opportunity for review.

2619 Section 71. The amendment to s. 216.292(2)(a), Florida
2620 Statutes, as carried forward by this act from chapter 2014-53,
2621 Laws of Florida, expires July 1, 2016, and the text of that
2622 paragraph shall revert to that in existence on June 30, 2014,
2623 except that any amendments to such text enacted other than by
2624 this act shall be preserved and continue to operate to the
2625 extent that such amendments are not dependent upon the portions
2626 of text which expire pursuant to this section.

2627 Section 72. In order to implement the appropriation of
2628 funds in the contracted services and expenses categories of the
2629 2015-2016 General Appropriations Act, a state agency may not
2630 initiate a competitive solicitation for a product or service if
2631 the completion of such competitive solicitation would:

2632 (1) Require a change in law; or

2633 (2) Require a change to the agency's budget other than a
2634 transfer authorized in s. 216.292(2) or (3), Florida Statutes,
2635 unless the initiation of such competitive solicitation is
2636 specifically authorized in law, in the General Appropriations
2637 Act, or by the Legislative Budget Commission.

2638
2639 This section does not apply to a competitive solicitation for

20152502Aer

2640 which the agency head certifies that a valid emergency exists.
2641 This section expires July 1, 2016.

2642 Section 73. In order to implement the appropriation of
2643 funds in the appropriation category "Special Categories-Risk
2644 Management Insurance" in the 2015-2016 General Appropriations
2645 Act, and pursuant to the notice, review, and objection
2646 procedures of s. 216.177, Florida Statutes, the Executive Office
2647 of the Governor may transfer funds appropriated in that category
2648 between departments in order to align the budget authority
2649 granted with the premiums paid by each department for risk
2650 management insurance. This section expires July 1, 2016.

2651 Section 74. In order to implement the appropriation of
2652 funds in the appropriation category "Special Categories-Transfer
2653 to Department of Management Services-Human Resources Services
2654 Purchased per Statewide Contract" in the 2015-2016 General
2655 Appropriations Act, and pursuant to the notice, review, and
2656 objection procedures of s. 216.177, Florida Statutes, the
2657 Executive Office of the Governor may transfer funds appropriated
2658 in that category between departments in order to align the
2659 budget authority granted with the assessments that must be paid
2660 by each agency to the Department of Management Services for
2661 human resource management services. This section expires July 1,
2662 2016.

2663 Section 75. In order to implement appropriations for
2664 salaries and benefits in the 2015-2016 General Appropriations
2665 Act, subsection (6) of section 112.24, Florida Statutes, is
2666 amended to read:

2667 112.24 Intergovernmental interchange of public employees.-
2668 To encourage economical and effective utilization of public

20152502Aer

2669 employees in this state, the temporary assignment of employees
2670 among agencies of government, both state and local, and
2671 including school districts and public institutions of higher
2672 education is authorized under terms and conditions set forth in
2673 this section. State agencies, municipalities, and political
2674 subdivisions are authorized to enter into employee interchange
2675 agreements with other state agencies, the Federal Government,
2676 another state, a municipality, or a political subdivision
2677 including a school district, or with a public institution of
2678 higher education. State agencies are also authorized to enter
2679 into employee interchange agreements with private institutions
2680 of higher education and other nonprofit organizations under the
2681 terms and conditions provided in this section. In addition, the
2682 Governor or the Governor and Cabinet may enter into employee
2683 interchange agreements with a state agency, the Federal
2684 Government, another state, a municipality, or a political
2685 subdivision including a school district, or with a public
2686 institution of higher learning to fill, subject to the
2687 requirements of chapter 20, appointive offices which are within
2688 the executive branch of government and which are filled by
2689 appointment by the Governor or the Governor and Cabinet. Under
2690 no circumstances shall employee interchange agreements be
2691 utilized for the purpose of assigning individuals to participate
2692 in political campaigns. Duties and responsibilities of
2693 interchange employees shall be limited to the mission and goals
2694 of the agencies of government.

2695 (6) For the 2015-2016 ~~2014-2015~~ fiscal year only, the
2696 assignment of an employee of a state agency as provided in this
2697 section may be made if recommended by the Governor or Chief

20152502Aer

2698 Justice, as appropriate, and approved by the chairs of the
2699 legislative appropriations committees. Such actions shall be
2700 deemed approved if neither chair provides written notice of
2701 objection within 14 days after receiving notice of the action
2702 pursuant to s. 216.177. This subsection expires July 1, 2016
2703 ~~2015~~.

2704 Section 76. In order to implement Specific Appropriations
2705 2665 and 2666 of the 2015-2016 General Appropriations Act and
2706 notwithstanding s. 11.13(1), Florida Statutes, the authorized
2707 salaries for members of the Legislature for the 2015-2016 fiscal
2708 year shall be set at the same level in effect on July 1, 2010.
2709 This section expires July 1, 2016.

2710 Section 77. In order to implement the transfer of funds to
2711 the General Revenue Fund from trust funds in the 2015-2016
2712 General Appropriations Act, paragraph (b) of subsection (2) of
2713 section 215.32, Florida Statutes, is reenacted to read:

2714 215.32 State funds; segregation.—

2715 (2) The source and use of each of these funds shall be as
2716 follows:

2717 (b)1. The trust funds shall consist of moneys received by
2718 the state which under law or under trust agreement are
2719 segregated for a purpose authorized by law. The state agency or
2720 branch of state government receiving or collecting such moneys
2721 is responsible for their proper expenditure as provided by law.
2722 Upon the request of the state agency or branch of state
2723 government responsible for the administration of the trust fund,
2724 the Chief Financial Officer may establish accounts within the
2725 trust fund at a level considered necessary for proper
2726 accountability. Once an account is established, the Chief

20152502Aer

2727 Financial Officer may authorize payment from that account only
2728 upon determining that there is sufficient cash and releases at
2729 the level of the account.

2730 2. In addition to other trust funds created by law, to the
2731 extent possible, each agency shall use the following trust funds
2732 as described in this subparagraph for day-to-day operations:

2733 a. Operations or operating trust fund, for use as a
2734 depository for funds to be used for program operations funded by
2735 program revenues, with the exception of administrative
2736 activities when the operations or operating trust fund is a
2737 proprietary fund.

2738 b. Operations and maintenance trust fund, for use as a
2739 depository for client services funded by third-party payors.

2740 c. Administrative trust fund, for use as a depository for
2741 funds to be used for management activities that are departmental
2742 in nature and funded by indirect cost earnings and assessments
2743 against trust funds. Proprietary funds are excluded from the
2744 requirement of using an administrative trust fund.

2745 d. Grants and donations trust fund, for use as a depository
2746 for funds to be used for allowable grant or donor agreement
2747 activities funded by restricted contractual revenue from private
2748 and public nonfederal sources.

2749 e. Agency working capital trust fund, for use as a
2750 depository for funds to be used pursuant to s. 216.272.

2751 f. Clearing funds trust fund, for use as a depository for
2752 funds to account for collections pending distribution to lawful
2753 recipients.

2754 g. Federal grant trust fund, for use as a depository for
2755 funds to be used for allowable grant activities funded by

20152502Aer

2756 restricted program revenues from federal sources.

2757

2758 To the extent possible, each agency must adjust its internal
2759 accounting to use existing trust funds consistent with the
2760 requirements of this subparagraph. If an agency does not have
2761 trust funds listed in this subparagraph and cannot make such
2762 adjustment, the agency must recommend the creation of the
2763 necessary trust funds to the Legislature no later than the next
2764 scheduled review of the agency's trust funds pursuant to s.
2765 215.3206.

2766 3. All such moneys are hereby appropriated to be expended
2767 in accordance with the law or trust agreement under which they
2768 were received, subject always to the provisions of chapter 216
2769 relating to the appropriation of funds and to the applicable
2770 laws relating to the deposit or expenditure of moneys in the
2771 State Treasury.

2772 4.a. Notwithstanding any provision of law restricting the
2773 use of trust funds to specific purposes, unappropriated cash
2774 balances from selected trust funds may be authorized by the
2775 Legislature for transfer to the Budget Stabilization Fund and
2776 General Revenue Fund in the General Appropriations Act.

2777 b. This subparagraph does not apply to trust funds required
2778 by federal programs or mandates; trust funds established for
2779 bond covenants, indentures, or resolutions whose revenues are
2780 legally pledged by the state or public body to meet debt service
2781 or other financial requirements of any debt obligations of the
2782 state or any public body; the Division of Licensing Trust Fund
2783 in the Department of Agriculture and Consumer Services; the
2784 State Transportation Trust Fund; the trust fund containing the

20152502Aer

2785 net annual proceeds from the Florida Education Lotteries; the
2786 Florida Retirement System Trust Fund; trust funds under the
2787 management of the State Board of Education or the Board of
2788 Governors of the State University System, where such trust funds
2789 are for auxiliary enterprises, self-insurance, and contracts,
2790 grants, and donations, as those terms are defined by general
2791 law; trust funds that serve as clearing funds or accounts for
2792 the Chief Financial Officer or state agencies; trust funds that
2793 account for assets held by the state in a trustee capacity as an
2794 agent or fiduciary for individuals, private organizations, or
2795 other governmental units; and other trust funds authorized by
2796 the State Constitution.

2797 Section 78. The amendment to s. 215.32(2)(b), Florida
2798 Statutes, as carried forward by this act from chapter 2011-47,
2799 Laws of Florida, expires July 1, 2016, and the text of that
2800 paragraph shall revert to that in existence on June 30, 2011,
2801 except that any amendments to such text enacted other than by
2802 this act shall be preserved and continue to operate to the
2803 extent that such amendments are not dependent upon the portions
2804 of text which expire pursuant to this section.

2805 Section 79. In order to implement the issuance of new debt
2806 authorized in the 2015-2016 General Appropriations Act, and
2807 pursuant to s. 215.98, Florida Statutes, the Legislature
2808 determines that the authorization and issuance of debt for the
2809 2015-2016 fiscal year should be implemented and is in the best
2810 interest of the state. This section expires July 1, 2016.

2811 Section 80. In order to implement appropriations in the
2812 2015-2016 General Appropriations Act for state employee travel,
2813 the funds appropriated to each state agency which may be used

20152502Aer

2814 for travel by state employees shall be limited during the 2015-
2815 2016 fiscal year to travel for activities that are critical to
2816 each state agency's mission. Funds may not be used for travel by
2817 state employees to foreign countries, other states, conferences,
2818 staff training activities, or other administrative functions
2819 unless the agency head has approved, in writing, that such
2820 activities are critical to the agency's mission. The agency head
2821 shall consider using teleconferencing and other forms of
2822 electronic communication to meet the needs of the proposed
2823 activity before approving mission-critical travel. This section
2824 does not apply to travel for law enforcement purposes, military
2825 purposes, emergency management activities, or public health
2826 activities. This section expires July 1, 2016.

2827 Section 81. In order to implement Specific Appropriations
2828 2906 through 2927 of the 2015-2016 General Appropriations Act,
2829 funded from the data processing appropriation category for
2830 computing services of user agencies, and pursuant to the notice,
2831 review, and objection procedures of s. 216.177, Florida
2832 Statutes, the Executive Office of the Governor may transfer
2833 funds appropriated for data processing in the 2015-2016 General
2834 Appropriations Act between agencies in order to align the budget
2835 authority granted with the utilization rate of each department.
2836 This section expires July 1, 2016.

2837 Section 82. In order to implement the appropriation of
2838 funds in the appropriation category "Data Processing Services-
2839 State Data Center-Agency for State Technology (AST)" in the
2840 2015-2016 General Appropriations Act, and pursuant to the
2841 notice, review, and objection procedures of s. 216.177, Florida
2842 Statutes, the Executive Office of the Governor may transfer

20152502Aer

2843 funds appropriated in that category between departments in order
2844 to align the budget authority granted based on the estimated
2845 billing cycle and methodology used by the Agency for State
2846 Technology for data processing services provided by the State
2847 Data Center. This section expires July 1, 2016.

2848 Section 83. In order to implement appropriations authorized
2849 in the 2015-2016 General Appropriations Act for data center
2850 services, and notwithstanding s. 216.292(2)(a), Florida
2851 Statutes, except as authorized in sections 81 and 82 of this
2852 act, an agency may not transfer funds from a data processing
2853 category to a category other than another data processing
2854 category. This section expires July 1, 2016.

2855 Section 84. In order to implement Specific Appropriation
2856 2840 of the 2015-2016 General Appropriations Act, the Executive
2857 Office of the Governor may transfer funds appropriated in the
2858 appropriation category "Expenses" of the 2015-2016 General
2859 Appropriations Act between agencies in order to allocate a
2860 reduction relating to SUNCOM Network services. This section
2861 expires July 1, 2016.

2862 Section 85. In order to implement section 8 of the 2015-
2863 2016 General Appropriations Act, section 110.12315, Florida
2864 Statutes, is reenacted to read:

2865 110.12315 Prescription drug program.—The state employees'
2866 prescription drug program is established. This program shall be
2867 administered by the Department of Management Services, according
2868 to the terms and conditions of the plan as established by the
2869 relevant provisions of the annual General Appropriations Act and
2870 implementing legislation, subject to the following conditions:

2871 (1) The department shall allow prescriptions written by

20152502Aer

2872 health care providers under the plan to be filled by any
2873 licensed pharmacy pursuant to contractual claims-processing
2874 provisions. Nothing in this section may be construed as
2875 prohibiting a mail order prescription drug program distinct from
2876 the service provided by retail pharmacies.

2877 (2) In providing for reimbursement of pharmacies for
2878 prescription medicines dispensed to members of the state group
2879 health insurance plan and their dependents under the state
2880 employees' prescription drug program:

2881 (a) Retail pharmacies participating in the program must be
2882 reimbursed at a uniform rate and subject to uniform conditions,
2883 according to the terms and conditions of the plan.

2884 (b) There shall be a 30-day supply limit for prescription
2885 card purchases, a 90-day supply limit for maintenance
2886 prescription drug purchases, and a 90-day supply limit for mail
2887 order or mail order prescription drug purchases.

2888 (c) The pharmacy dispensing fee shall be negotiated by the
2889 department.

2890 (3) Pharmacy reimbursement rates shall be as follows:

2891 (a) For mail order and specialty pharmacies contracting
2892 with the department, reimbursement rates shall be as established
2893 in the contract.

2894 (b) For retail pharmacies, the reimbursement rate shall be
2895 at the same rate as mail order pharmacies under contract with
2896 the department.

2897 (4) The department shall maintain the preferred brand name
2898 drug list to be used in the administration of the state
2899 employees' prescription drug program.

2900 (5) The department shall maintain a list of maintenance

20152502Aer

2901 drugs.

2902 (a) Preferred provider organization health plan members may
2903 have prescriptions for maintenance drugs filled up to three
2904 times as a 30-day supply through a retail pharmacy; thereafter,
2905 prescriptions for the same maintenance drug must be filled as a
2906 90-day supply either through the department's contracted mail
2907 order pharmacy or through a retail pharmacy.

2908 (b) Health maintenance organization health plan members may
2909 have prescriptions for maintenance drugs filled as a 90-day
2910 supply either through a mail order pharmacy or through a retail
2911 pharmacy.

2912 (6) Copayments made by health plan members for a 90-day
2913 supply through a retail pharmacy shall be the same as copayments
2914 made for a 90-day supply through the department's contracted
2915 mail order pharmacy.

2916 (7) The department shall establish the reimbursement
2917 schedule for prescription pharmaceuticals dispensed under the
2918 program. Reimbursement rates for a prescription pharmaceutical
2919 must be based on the cost of the generic equivalent drug if a
2920 generic equivalent exists, unless the physician prescribing the
2921 pharmaceutical clearly states on the prescription that the brand
2922 name drug is medically necessary or that the drug product is
2923 included on the formulary of drug products that may not be
2924 interchanged as provided in chapter 465, in which case
2925 reimbursement must be based on the cost of the brand name drug
2926 as specified in the reimbursement schedule adopted by the
2927 department.

2928 (8) The department shall conduct a prescription utilization
2929 review program. In order to participate in the state employees'

20152502Aer

2930 prescription drug program, retail pharmacies dispensing
2931 prescription medicines to members of the state group health
2932 insurance plan or their covered dependents, or to subscribers or
2933 covered dependents of a health maintenance organization plan
2934 under the state group insurance program, shall make their
2935 records available for this review.

2936 (9) The department shall implement such additional cost-
2937 saving measures and adjustments as may be required to balance
2938 program funding within appropriations provided, including a
2939 trial or starter dose program and dispensing of long-term-
2940 maintenance medication in lieu of acute therapy medication.

2941 (10) Participating pharmacies must use a point-of-sale
2942 device or an online computer system to verify a participant's
2943 eligibility for coverage. The state is not liable for
2944 reimbursement of a participating pharmacy for dispensing
2945 prescription drugs to any person whose current eligibility for
2946 coverage has not been verified by the state's contracted
2947 administrator or by the department.

2948 (11) Under the state employees' prescription drug program
2949 copayments must be made as follows:

2950 (a) Effective January 1, 2013, for the State Group Health
2951 Insurance Standard Plan:

- 2952 1. For generic drug with card.....\$7.
2953 2. For preferred brand name drug with card.....\$30.
2954 3. For nonpreferred brand name drug with card.....\$50.
2955 4. For generic mail order drug.....\$14.
2956 5. For preferred brand name mail order drug.....\$60.
2957 6. For nonpreferred brand name mail order drug.....\$100.

2958 (b) Effective January 1, 2006, for the State Group Health

20152502Aer

- 2959 Insurance High Deductible Plan:
- 2960 1. Retail coinsurance for generic drug with card.....30%.
- 2961 2. Retail coinsurance for preferred brand name drug with
- 2962 card.....30%.
- 2963 3. Retail coinsurance for nonpreferred brand name drug with
- 2964 card.....50%.
- 2965 4. Mail order coinsurance for generic drug.....30%.
- 2966 5. Mail order coinsurance for preferred brand name drug.30%.
- 2967 6. Mail order coinsurance for nonpreferred brand name
- 2968 drug.....50%.

2969 (c) The department shall create a preferred brand name drug

2970 list to be used in the administration of the state employees'

2971 prescription drug program.

2972 Section 86. (1) The amendment to s. 110.12315(2)(b),

2973 Florida Statutes, as carried forward by this act from chapter

2974 2014-53, Laws of Florida, expires July 1, 2016, and the text of

2975 that paragraph shall revert to that in existence on June 30,

2976 2012, except that any amendments to such text enacted other than

2977 by this act shall be preserved and continue to operate to the

2978 extent that such amendments are not dependent upon the portions

2979 of text which expire pursuant to this section.

2980 (2) The amendments to s. 110.12315(2)(c) and (3)-(6),

2981 Florida Statutes, as carried forward by this act from chapter

2982 2014-53, Laws of Florida, expire July 1, 2016, and the text of

2983 that paragraph and the text and numbering of those subsections

2984 shall revert to that in existence on June 30, 2014, except that

2985 any amendments to such text enacted other than by this act shall

2986 be preserved and continue to operate to the extent that such

2987 amendments are not dependent upon the portions of text that

20152502Aer

2988 expire pursuant to this section.

2989 (3) The amendment to s. 110.12315(7), Florida Statutes, as
2990 carried forward by this act from chapter 2014-53, Laws of
2991 Florida, expires July 1, 2016, and shall revert to the text of
2992 that subsection in existence on December 31, 2010, except that
2993 any amendments to such text enacted other than by this act shall
2994 be preserved and continue to operate to the extent that such
2995 amendments are not dependent upon the portions of text which
2996 expire pursuant to this section.

2997 Section 87. Any section of this act which implements a
2998 specific appropriation or specifically identified proviso
2999 language in the 2015-2016 General Appropriations Act is void if
3000 the specific appropriation or specifically identified proviso
3001 language is vetoed. Any section of this act which implements
3002 more than one specific appropriation or more than one portion of
3003 specifically identified proviso language in the 2015-2016
3004 General Appropriations Act is void if all the specific
3005 appropriations or portions of specifically identified proviso
3006 language are vetoed.

3007 Section 88. If any other act passed during the 2015 Special
3008 Session A of the Legislature contains a provision that is
3009 substantively the same as a provision in this act, but that
3010 removes or is otherwise not subject to the future repeal applied
3011 to such provision by this act, the Legislature intends that the
3012 provision in the other act takes precedence and continues to
3013 operate, notwithstanding the future repeal provided by this act.

3014 Section 89. If any law amended by this act was also amended
3015 by a law enacted during the 2015 Regular Session of the
3016 Legislature, such laws shall be construed as if enacted during

20152502Aer

3017 the same session of the Legislature, and full effect shall be
3018 given to each if possible.

3019 Section 90. If any provision of this act or its application
3020 to any person or circumstance is held invalid, the invalidity
3021 does not affect other provisions or applications of the act
3022 which can be given effect without the invalid provision or
3023 application, and to this end the provisions of this act are
3024 severable.

3025 Section 91. Except as otherwise expressly provided in this
3026 act and except for this section, which shall take effect upon
3027 this act becoming a law, this act shall take effect July 1,
3028 2015, or, if this act fails to become a law until after that
3029 date, it shall take effect upon becoming a law and operate
3030 retroactively to July 1, 2015.