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LEGISLATIVE ACTION

Senate

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House

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03/11/2016 05:09 PM

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Senator Lee moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. It is the intent of the Legislature that the
implementing and administering provisions of this act apply to
the General Appropriations Act for the 2016-2017 fiscal year.

Section 2. In order to implement Specific Appropriations 7,
8, 9, 94, and 95 of the 2016-2017 General Appropriations Act,
the calculations of the Florida Education Finance Program for
the 2016-2017 fiscal year in the document titled "Public School



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12 Funding: The Florida Education Finance Program," dated XX, 2016,
13 and filed with the Secretary of the Senate, are incorporated by
14 reference for the purpose of displaying the calculations used by
15 the Legislature, consistent with the requirements of state law,
16 in making appropriations for the Florida Education Finance
17 Program. This section expires July 1, 2017.

18 Section 3. In order to implement Specific Appropriations 7
19 and 94 of the 2016-2017 General Appropriations Act and
20 notwithstanding ss. 1002.20, 1003.02, 1006.28-1006.42,
21 1011.62(6)(b)5., and 1011.67, Florida Statutes, relating to the
22 expenditure of funds provided for instructional materials, for
23 the 2016-2017 fiscal year, funds provided for instructional
24 materials shall be released and expended as required in the
25 proviso language for Specific Appropriation 94 of the 2016-2017
26 General Appropriations Act. This section expires July 1, 2017.

27 Section 4. In order to implement Specific Appropriation 23
28 of the 2016-2017 General Appropriations Act and notwithstanding
29 s. 1013.64(2), Florida Statutes, any district school board that
30 generates less than \$2 million in revenue from a 1-mill levy of
31 ad valorem tax shall contribute 0.75 mill for the 2016-2017
32 fiscal year toward the cost of funded special facilities
33 construction projects. This section expires July 1, 2017.

34 Section 5. In order to implement Specific Appropriations 7
35 and 94 of the 2016-2017 General Appropriations Act, paragraphs
36 (e) and (f) of subsection (1), paragraph (a) of subsection (4),
37 paragraph (b) of subsection (7), paragraph (a) of subsection
38 (9), and present subsection (13) of section 1011.62, Florida
39 Statutes, are amended, present subsections (13), (14), and (15)
40 of that section are renumbered as subsections (14), (15), and



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41 (16), respectively, and a new subsection (13) is added to that
42 section, to read:

43 1011.62 Funds for operation of schools.—If the annual
44 allocation from the Florida Education Finance Program to each
45 district for operation of schools is not determined in the
46 annual appropriations act or the substantive bill implementing
47 the annual appropriations act, it shall be determined as
48 follows:

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

53 (e) *Funding model for exceptional student education*
54 *programs.*—

55 1.a. The funding model uses basic, at-risk, support levels
56 IV and V for exceptional students and career Florida Education
57 Finance Program cost factors, and a guaranteed allocation for
58 exceptional student education programs. Exceptional education
59 cost factors are determined by using a matrix of services to
60 document the services that each exceptional student will
61 receive. The nature and intensity of the services indicated on
62 the matrix shall be consistent with the services described in
63 each exceptional student's individual educational plan. The
64 Department of Education shall review and revise the descriptions
65 of the services and supports included in the matrix of services
66 for exceptional students and shall implement those revisions
67 before the beginning of the 2012-2013 school year.

68 b. In order to generate funds using one of the two weighted
69 cost factors, a matrix of services must be completed at the time



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70 of the student's initial placement into an exceptional student
71 education program and at least once every 3 years by personnel
72 who have received approved training. Nothing listed in the
73 matrix shall be construed as limiting the services a school
74 district must provide in order to ensure that exceptional
75 students are provided a free, appropriate public education.

76 c. Students identified as exceptional, in accordance with
77 chapter 6A-6, Florida Administrative Code, who do not have a
78 matrix of services as specified in sub-subparagraph b. shall
79 generate funds on the basis of full-time-equivalent student
80 membership in the Florida Education Finance Program at the same
81 funding level per student as provided for basic students.
82 Additional funds for these exceptional students will be provided
83 through the guaranteed allocation designated in subparagraph 2.

84 2. For students identified as exceptional who do not have a
85 matrix of services and students who are gifted in grades K
86 through 8, there is created a guaranteed allocation to provide
87 these students with a free appropriate public education, in
88 accordance with s. 1001.42(4)(1) and rules of the State Board of
89 Education, which shall be allocated initially ~~annually~~ to each
90 school district in the amount provided in the General
91 Appropriations Act. These funds shall be supplemental ~~in~~
92 ~~addition~~ to the funds appropriated for the basic funding level
93 ~~on the basis of FTE student membership in the Florida Education~~
94 ~~Finance Program~~, and the amount allocated for each school
95 district shall ~~not~~ be recalculated once during the year, based
96 on actual student membership from the October FTE survey. Upon
97 recalculation, if the generated allocation is greater than the
98 amount provided in the General Appropriations Act, the total



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99 shall be prorated to the level of the appropriation based on
100 each district's share of the total recalculated amount. These
101 funds shall be used to provide special education and related
102 services for exceptional students and students who are gifted in
103 grades K through 8. ~~Beginning with the 2007-2008 fiscal year, A~~
104 district's expenditure of funds from the guaranteed allocation
105 for students in grades 9 through 12 who are gifted may not be
106 greater than the amount expended during the 2006-2007 fiscal
107 year for gifted students in grades 9 through 12.

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

109 1. There is created a categorical fund to provide
110 supplemental academic instruction to students in kindergarten
111 through grade 12. This paragraph may be cited as the
112 "Supplemental Academic Instruction Categorical Fund."

113 2. The categorical fund ~~funds for supplemental academic~~
114 ~~instruction shall be allocated annually to each school district~~
115 ~~in the amount provided in the General Appropriations Act. These~~
116 ~~funds~~ shall be in addition to the funds appropriated on the
117 basis of FTE student membership in the Florida Education Finance
118 Program and shall be included in the total potential funds of
119 each district. These funds shall be used to provide supplemental
120 academic instruction to students enrolled in the K-12 program.
121 For the 2016-2017 ~~2014-2015~~ fiscal year, each school district
122 that has one or more of the 300 lowest-performing elementary
123 schools based on the state reading assessment shall use these
124 funds, together with the funds provided in the district's
125 research-based reading instruction allocation and other
126 available funds, to provide an additional hour of instruction
127 beyond the normal school day for each day of the entire school



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128 year for intensive reading instruction for the students in each
129 of these schools. This additional hour of instruction must be
130 provided by teachers or reading specialists who are effective in
131 teaching reading or by a K-5 mentoring reading program that is
132 supervised by a teacher who is effective in ~~at~~ teaching reading.
133 Students enrolled in these schools who have level 5 assessment
134 scores may participate in the additional hour of instruction on
135 an optional basis. Exceptional student education centers may
136 ~~shall~~ not be included in the 300 schools. For the 2016-2017
137 fiscal year, the 300 lowest-performing elementary schools shall
138 be based on the 2015-2016 state reading assessment. After this
139 requirement has been met, supplemental instruction strategies
140 may include, but are not limited to: use of a modified
141 curriculum, reading instruction, after-school instruction,
142 tutoring, mentoring, a reduction in class size ~~reduction~~, an
143 extended school year, intensive skills development in summer
144 school, and other methods of ~~for~~ improving student achievement.
145 Supplemental instruction may be provided to a student in any
146 manner and at any time during or beyond the regular 180-day term
147 identified by the school as being the most effective and
148 efficient way to best help that student progress from grade to
149 grade and to graduate.

150 3. Categorical funds for supplemental academic instruction
151 shall be provided annually in the Florida Education Finance
152 Program as specified in the General Appropriations Act. These
153 funds shall be provided as a supplement to the funds
154 appropriated for the basic funding level and shall be included
155 in the total funds of each district. The allocation shall
156 consist of a base amount that shall have a workload adjustment



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157 based on changes in unweighted FTE. In addition, districts that
158 have elementary schools included in the 300 lowest-performing
159 schools designation shall be allocated additional funds to
160 assist those districts in providing intensive reading
161 instruction to students in those schools. The amount provided
162 shall be based on each district's level of per-student funding
163 in the reading instruction allocation and the supplemental
164 academic instruction categorical fund and on the total FTE for
165 each of the schools. The categorical funding shall be
166 recalculated once during the fiscal year following an updated
167 designation of the 300 lowest-performing elementary schools and
168 shall be based on actual student membership from the October FTE
169 survey. Upon recalculation of funding for the supplemental
170 academic instruction categorical fund, if the total allocation
171 is greater than the amount provided in the General
172 Appropriations Act, the allocation shall be prorated to the
173 level provided to support the appropriation, based on each
174 district's share of the total.

175 4.3. Effective with the 1999-2000 fiscal year, funding on
176 the basis of FTE membership beyond the 180-day regular term
177 shall be provided in the FEFP only for students enrolled in
178 juvenile justice education programs or in education programs for
179 juveniles placed in secure facilities or programs under s.
180 985.19. Funding for instruction beyond the regular 180-day
181 school year for all other K-12 students shall be provided
182 through the supplemental academic instruction categorical fund
183 and other state, federal, and local fund sources with ample
184 flexibility for schools to provide supplemental instruction to
185 assist students in progressing from grade to grade and



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186 | graduating.

187 | ~~5.4.~~ The Florida State University School, as a lab school,
188 | is authorized to expend from its FEFP or Lottery Enhancement
189 | Trust Fund allocation the cost to the student of remediation in
190 | reading, writing, or mathematics for any graduate who requires
191 | remediation at a postsecondary educational institution.

192 | ~~6.5.~~ Beginning in the 1999-2000 school year, dropout
193 | prevention programs as defined in ss. 1003.52, 1003.53(1)(a),
194 | (b), and (c), and 1003.54 shall be included in group 1 programs
195 | under subparagraph (d)3.

196 | (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The
197 | Legislature shall prescribe the aggregate required local effort
198 | for all school districts collectively as an item in the General
199 | Appropriations Act for each fiscal year. The amount that each
200 | district shall provide annually toward the cost of the Florida
201 | Education Finance Program for kindergarten through grade 12
202 | programs shall be calculated as follows:

203 | (a) *Estimated taxable value calculations.*—

204 | 1.a. Not later than 2 working days prior to July 19, the
205 | Department of Revenue shall certify to the Commissioner of
206 | Education its most recent estimate of the taxable value for
207 | school purposes in each school district and the total for all
208 | school districts in the state for the current calendar year
209 | based on the latest available data obtained from the local
210 | property appraisers. The value certified shall be the taxable
211 | value for school purposes for that year, and no further
212 | adjustments shall be made, except those made pursuant to
213 | paragraphs (c) and (d), or an assessment roll change required by
214 | final judicial decisions as specified in paragraph (15)(b)



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215 ~~(14)(b)~~. Not later than July 19, the Commissioner of Education
216 shall compute a millage rate, rounded to the next highest one
217 one-thousandth of a mill, which, when applied to 96 percent of
218 the estimated state total taxable value for school purposes,
219 would generate the prescribed aggregate required local effort
220 for that year for all districts. The Commissioner of Education
221 shall certify to each district school board the millage rate,
222 computed as prescribed in this subparagraph, as the minimum
223 millage rate necessary to provide the district required local
224 effort for that year.

225 b. The General Appropriations Act shall direct the
226 computation of the statewide adjusted aggregate amount for
227 required local effort for all school districts collectively from
228 ad valorem taxes to ensure that no school district's revenue
229 from required local effort millage will produce more than 90
230 percent of the district's total Florida Education Finance
231 Program calculation as calculated and adopted by the
232 Legislature, and the adjustment of the required local effort
233 millage rate of each district that produces more than 90 percent
234 of its total Florida Education Finance Program entitlement to a
235 level that will produce only 90 percent of its total Florida
236 Education Finance Program entitlement in the July calculation.

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

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



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244 b. For each year identified in sub-subparagraph a., the
245 taxable value certified by the appraiser pursuant to s.
246 193.122(2) or (3), if applicable, since the prior certification
247 under sub-subparagraph 1.a. This is the certification that
248 reflects all final administrative actions of the value
249 adjustment board.

250 (7) DETERMINATION OF SPARSITY SUPPLEMENT.—

251 (b) The district sparsity index shall be computed by
252 dividing the total number of full-time equivalent students in
253 all programs in the district by the number of senior high school
254 centers in the district, not in excess of three, which centers
255 are approved as permanent centers by a survey made by the
256 Department of Education. For districts with a full-time
257 equivalent student membership of at least 20,000, but no more
258 than 24,000, the index shall be computed by dividing the total
259 number of full-time equivalent students in all programs by the
260 number of permanent senior high school centers in the district,
261 not in excess of four.

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

263 (a) The research-based reading instruction allocation is
264 created to provide comprehensive reading instruction to students
265 in kindergarten through grade 12. For the 2016-2017 ~~2014-2015~~
266 fiscal year, in each school district that has one or more of the
267 300 lowest-performing elementary schools based on the state
268 reading assessment, priority shall be given to providing an
269 additional hour per day of intensive reading instruction beyond
270 the normal school day for each day of the entire school year for
271 the students in each school. For the 2016-2017 fiscal year, the
272 300 lowest-performing elementary schools shall be based on the



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273 2015-2016 state reading assessment. Students enrolled in these
274 schools who have level 5 assessment scores may participate in
275 the additional hour of instruction on an optional basis.
276 Exceptional student education centers may ~~shall~~ not be included
277 in the 300 schools. The intensive reading instruction delivered
278 in this additional hour and for other students shall include:
279 research-based reading instruction that has been proven to
280 accelerate progress of students exhibiting a reading deficiency;
281 differentiated instruction based on student assessment data to
282 meet students' specific reading needs; explicit and systematic
283 reading development in phonemic awareness, phonics, fluency,
284 vocabulary, and comprehension, with more extensive opportunities
285 for guided practice, error correction, and feedback; and the
286 integration of social studies, science, and mathematics-text
287 reading, text discussion, and writing in response to reading.
288 ~~For the 2012-2013 and 2013-2014 fiscal years, a school district~~
289 ~~may not hire more reading coaches than were hired during the~~
290 ~~2011-2012 fiscal year unless all students in kindergarten~~
291 ~~through grade 5 who demonstrate a reading deficiency, as~~
292 ~~determined by district and state assessments, including students~~
293 ~~scoring Level 1 or Level 2 on the statewide, standardized~~
294 ~~reading assessment or, upon implementation, the English Language~~
295 ~~Arts assessment, are provided an additional hour per day of~~
296 ~~intensive reading instruction beyond the normal school day for~~
297 ~~each day of the entire school year.~~

298 (13) FEDERALLY CONNECTED STUDENT SUPPLEMENT.—The federally
299 connected student supplement is created to provide supplemental
300 funding for school districts to support the education of
301 students connected with federally owned military installations,



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302 National Aeronautics and Space Administration (NASA) real
303 property, and Indian lands. To be eligible for this supplement,
304 the district must be eligible for federal Impact Aid Program
305 funds under s. 8003 of Title VIII of the Elementary and
306 Secondary Education Act of 1965. The supplement shall be
307 allocated annually to each eligible school district in the
308 amount provided in the General Appropriations Act. The
309 supplement shall be the sum of the student allocation and an
310 exempt property allocation.

311 (a) The student allocation shall be calculated based on the
312 number of students reported for federal Impact Aid Program
313 funds, including students with disabilities, who meet one of the
314 following criteria:

315 1. The student has a parent who is on active duty in the
316 uniformed services or is an accredited foreign government
317 official and military officer. Students with disabilities shall
318 also be reported separately for this category.

319 2. The student resides on eligible federally owned Indian
320 lands. Students with disabilities shall also be reported
321 separately for this category.

322 3. The student resides with a civilian parent who lives or
323 works on eligible federal property connected with a military
324 installation or NASA. The number of these students shall be
325 multiplied by a factor of 0.5.

326 (b) The total number of federally connected students
327 calculated under paragraph (a) shall be multiplied by a
328 percentage of the base student allocation as provided in the
329 General Appropriations Act. The total of the number of students
330 with disabilities as reported separately under subparagraphs



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331 (a)1. and (a)2. shall be multiplied by an additional percentage
332 of the base student allocation as provided in the General
333 Appropriations Act. The base amount and the amount for students
334 with disabilities shall be summed to provide the student
335 allocation.

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

342 (14) ~~(13)~~ QUALITY ASSURANCE GUARANTEE.—The Legislature may
343 annually in the General Appropriations Act determine a
344 percentage increase in funds per K-12 unweighted FTE as a
345 minimum guarantee to each school district. The guarantee shall
346 be calculated from prior year base funding per unweighted FTE
347 student which shall include the adjusted FTE dollars as provided
348 in subsection (15) ~~(14)~~, quality guarantee funds, and actual
349 nonvoted discretionary local effort from taxes. From the base
350 funding per unweighted FTE, the increase shall be calculated for
351 the current year. The current year funds from which the
352 guarantee shall be determined shall include the adjusted FTE
353 dollars as provided in subsection (15) ~~(14)~~ and potential
354 nonvoted discretionary local effort from taxes. A comparison of
355 current year funds per unweighted FTE to prior year funds per
356 unweighted FTE shall be computed. For those school districts
357 which have less than the legislatively assigned percentage
358 increase, funds shall be provided to guarantee the assigned
359 percentage increase in funds per unweighted FTE student. Should



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360 appropriated funds be less than the sum of this calculated
361 amount for all districts, the commissioner shall prorate each
362 district's allocation. This provision shall be implemented to
363 the extent specifically funded.

364 Section 6. In order to implement Specific Appropriations 7
365 and 94 of the 2016-2017 General Appropriations Act, subsection
366 (1) of section 1011.71, Florida Statutes, is amended to read:

367 1011.71 District school tax.—

368 (1) If the district school tax is not provided in the
369 General Appropriations Act or the substantive bill implementing
370 the General Appropriations Act, each district school board
371 desiring to participate in the state allocation of funds for
372 current operation as prescribed by s. 1011.62(15) ~~s. 1011.62(14)~~
373 shall levy on the taxable value for school purposes of the
374 district, exclusive of millage voted under the provisions of s.
375 9(b) or s. 12, Art. VII of the State Constitution, a millage
376 rate not to exceed the amount certified by the commissioner as
377 the minimum millage rate necessary to provide the district
378 required local effort for the current year, pursuant to s.
379 1011.62(4)(a)1. In addition to the required local effort millage
380 levy, each district school board may levy a nonvoted current
381 operating discretionary millage. The Legislature shall prescribe
382 annually in the appropriations act the maximum amount of millage
383 a district may levy.

384 Section 7. The amendments made by this act to ss. 1011.62
385 and 1011.71, Florida Statutes, expire July 1, 2017, and the text
386 of those sections shall revert to that in existence on June 30,
387 2015, except that any amendments to such text enacted other than
388 by this act shall be preserved and continue to operate to the



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

391 Section 8. In order to implement Specific Appropriations 10
392 and 122 of the 2016-2017 General Appropriations Act, subsection
393 (1) of section 1004.935, Florida Statutes, is amended to read:

394 1004.935 Adults with Disabilities Workforce Education Pilot
395 Program.—

396 (1) The Adults with Disabilities Workforce Education Pilot
397 Program is established in the Department of Education through
398 June 30, 2017 ~~2016~~, in Hardee, DeSoto, Manatee, and Sarasota
399 Counties to provide the option of receiving a scholarship for
400 instruction at private schools for up to 30 students who:

401 (a) Have a disability;

402 (b) Are 22 years of age;

403 (c) Are receiving instruction from an instructor in a
404 private school to meet the high school graduation requirements
405 in s. 1002.3105(5) or s. 1003.4282;

406 (d) Do not have a standard high school diploma or a special
407 high school diploma; and

408 (e) Receive "supported employment services," which means
409 employment that is located or provided in an integrated work
410 setting with earnings paid on a commensurate wage basis and for
411 which continued support is needed for job maintenance.

412
413 As used in this section, the term "student with a disability"
414 includes a student who is documented as having an intellectual
415 disability; a speech impairment; a language impairment; a
416 hearing impairment, including deafness; a visual impairment,
417 including blindness; a dual sensory impairment; an orthopedic



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418 impairment; another health impairment; an emotional or
419 behavioral disability; a specific learning disability,
420 including, but not limited to, dyslexia, dyscalculia, or
421 developmental aphasia; a traumatic brain injury; a developmental
422 delay; or autism spectrum disorder.

423 Section 9. The amendment made by this act to s.
424 1004.935(1), Florida Statutes, expires July 1, 2017, and the
425 text of that subsection shall revert to that in existence on
426 June 30, 2016, except that any amendments to such text enacted
427 other than by this act shall be preserved and continue to
428 operate to the extent that such amendments are not dependent
429 upon the portions of text which expire pursuant to this section.

430 Section 10. In order to implement Specific Appropriations
431 13 and 142 through 150 of the 2016-2017 General Appropriations
432 Act, subsection (7) is added to section 1013.74, Florida
433 Statutes, to read:

434 1013.74 University authorization for fixed capital outlay
435 projects.—

436 (7) For the 2016-2017 fiscal year, a university board of
437 trustees may expend reserve or carry forward balances from prior
438 year operational and programmatic appropriations for fixed
439 capital outlay projects approved by the Board of Governors which
440 include significant academic instructional space or critical
441 deferred maintenance needs in this area. This subsection expires
442 July 1, 2017.

443 Section 11. In order to implement Specific Appropriation
444 142 of the 2016-2017 General Appropriations Act, section
445 1001.92, Florida Statutes, is amended to read:

446 1001.92 State University System Performance-Based



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447 Incentive.—

448 (1) A State University System Performance-Based Incentive
449 shall be awarded to state universities using performance-based
450 metrics adopted by the Board of Governors of the State
451 University System. The performance-based metrics must include
452 graduation rates; retention rates; postgraduation education
453 rates; degree production; affordability; postgraduation
454 employment and salaries, including wage thresholds that reflect
455 the added value of a baccalaureate degree; access; and other
456 metrics approved by the board in a formally noticed meeting. The
457 board shall adopt benchmarks to evaluate each state university's
458 performance on the metrics to measure the state university's
459 achievement of institutional excellence or need for improvement
460 and minimum requirements for eligibility to receive performance
461 funding.

462 (2) Each fiscal year, the amount of funds available for
463 allocation to the state universities based on the performance-
464 based funding model ~~metrics~~ shall consist of the state's
465 investment in appropriation for performance funding, ~~including~~
466 ~~increases in base funding~~ plus institutional investments
467 consisting of funds deducted from the base funding of each state
468 university in the State University System, in an amount provided
469 in the General Appropriations Act. The Board of Governors shall
470 establish minimum performance funding eligibility thresholds for
471 the state's investment and the institutional investments. A
472 state university that fails to meet the minimum state investment
473 performance funding eligibility threshold is ineligible for a
474 share of the state's investment in performance funding. The
475 institutional investment shall be restored for each institution



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476 eligible for the state's investment under the performance-based
477 funding model metrics.

478 (3) (a) A state university that fails to meet the Board of
479 Governors' minimum institutional investment performance funding
480 eligibility threshold shall have ~~a portion of~~ its institutional
481 investment withheld by the board and must submit an improvement
482 plan to the board which ~~that~~ specifies the activities and
483 strategies for improving the state university's performance. The
484 board must review and approve the improvement plan and, if the
485 plan is approved, must monitor the state university's progress
486 in implementing the activities and strategies specified in the
487 improvement plan. The state university shall submit monitoring
488 reports to the board by December 31 and May 31 of each year in
489 which an improvement plan is in place. The ability of a state
490 university to submit an improvement plan to the board is limited
491 to 1 fiscal year.

492 (b) The Chancellor of the State University System shall
493 withhold disbursement of the institutional investment until the
494 monitoring report is approved by the Board of Governors. A state
495 university ~~that is~~ determined by the board to be making
496 satisfactory progress on implementing the improvement plan may
497 not shall receive ~~no~~ more than one-half of the withheld
498 institutional investment in January and the balance of the
499 withheld institutional investment in June. A state university
500 that fails to make satisfactory progress may not have its full
501 institutional investment restored. Any institutional investment
502 funds that are not restored shall be redistributed in accordance
503 with the board's performance-based metrics.

504 (4) Distributions of performance funding, as provided in



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505 this section, shall be made to each of the state universities
506 listed in the Education and General Activities category in the
507 General Appropriations Act.

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

513 (6) This section expires July 1, 2017 ~~2016~~.

514 Section 12. In order to implement Specific Appropriation
515 126 of the 2016-2017 General Appropriations Act, section
516 1001.66, Florida Statutes, is created to read:

517 1001.66 Florida College System Performance-Based
518 Incentive.-

519 (1) A Florida College System Performance-Based Incentive
520 shall be awarded to Florida College System institutions using
521 performance-based metrics adopted by the State Board of
522 Education. The performance-based metrics must include retention
523 rates; program completion and graduation rates; postgraduation
524 employment, salaries, and continuing education for workforce
525 education and baccalaureate programs, with wage thresholds that
526 reflect the added value of the certificate or degree; and
527 outcome measures appropriate for associate of arts degree
528 recipients. The State Board of Education shall adopt benchmarks
529 to evaluate each institution's performance on the metrics to
530 measure the institution's achievement of institutional
531 excellence or need for improvement and minimum requirements for
532 eligibility to receive performance funding.

533 (2) Each fiscal year, the amount of funds available for



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534 allocation to the Florida College System institutions based on
535 the performance-based funding model shall consist of the state's
536 investment in performance funding plus institutional investments
537 consisting of funds to be redistributed from the base funding of
538 the Florida College System Program Fund as determined in the
539 General Appropriations Act. The State Board of Education shall
540 establish minimum performance funding eligibility thresholds for
541 the state's investment and the institutional investments. An
542 institution that fails to meet the minimum state investment
543 performance funding eligibility threshold is ineligible for a
544 share of the state's investment in performance funding. The
545 institutional investment shall be restored for all institutions
546 eligible for the state's investment under the performance-based
547 funding model.

548 (3) (a) Each Florida College System institution's share of
549 the performance funding shall be calculated based on its
550 relative performance on the established metrics in conjunction
551 with the institutional size and scope.

552 (b) A Florida College System institution that fails to meet
553 the State Board of Education's minimum institutional investment
554 performance funding eligibility threshold shall have its
555 institutional investment withheld by the state board and must
556 submit an improvement plan to the state board which specifies
557 the activities and strategies for improving the institution's
558 performance. The state board must review and approve the
559 improvement plan and, if the plan is approved, must monitor the
560 institution's progress in implementing the activities and
561 strategies specified in the improvement plan. The institution
562 shall submit monitoring reports to the state board by December



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563 31 and May 31 of each year in which an improvement plan is in
564 place. The ability of an institution to submit an improvement
565 plan to the state board is limited to 1 fiscal year.

566 (c) The Commissioner of Education shall withhold
567 disbursement of the institutional investment until the
568 monitoring report is approved by the State Board of Education. A
569 Florida College System institution determined by the state board
570 to be making satisfactory progress on implementing the
571 improvement plan may not receive more than one-half of the
572 withheld institutional investment in January and the balance of
573 the withheld institutional investment in June. An institution
574 that fails to make satisfactory progress may not have its full
575 institutional investment restored. Any institutional investment
576 funds that are not restored shall be redistributed in accordance
577 with the state board's performance-based metrics.

578 (4) Distributions of performance funding, as provided in
579 this section, shall be made to each of the Florida College
580 System institutions listed in the Florida Colleges category in
581 the General Appropriations Act.

582 (5) By October 1 of each year, the State Board of Education
583 shall submit to the Governor, the President of the Senate, and
584 the Speaker of the House of Representatives a report on the
585 previous fiscal year's performance funding allocation, which
586 must reflect the rankings and award distributions.

587 (6) This section expires July 1, 2017.

588 Section 13. In order to implement Specific Appropriation
589 104 of the 2016-2017 General Appropriations Act, subsection (3)
590 of section 1012.75, Florida Statutes, is amended to read:

591 1012.75 Liability of teacher or principal; excessive



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592 force.-

593 (3) The Department of Education shall administer an
594 educator liability insurance program, as provided in the General
595 Appropriations Act, to protect full-time instructional personnel
596 from liability for monetary damages and the costs of defending
597 actions resulting from claims made against the instructional
598 personnel arising out of occurrences in the course of activities
599 within the instructional personnel's professional capacity. For
600 purposes of this subsection, the terms "full-time," "part-time,"
601 and "administrative personnel" shall be defined by the
602 individual district school board. For purposes of this
603 subsection, the term "instructional personnel" has the same
604 meaning as provided in s. 1012.01(2).

605 (a) Liability coverage of at least \$2 million shall be
606 provided to all full-time instructional personnel. Liability
607 coverage may be provided to the following individuals who choose
608 to participate in the program, at cost: part-time instructional
609 personnel, administrative personnel, and students enrolled in a
610 state-approved teacher preparation program pursuant to s.
611 1012.39(3).

612 (b) By August 1, the department shall notify the personnel
613 specified in paragraph (a) of the pending procurement for
614 liability coverage. By September 1, each district school board
615 shall notify the personnel specified in paragraph (a) of the
616 liability coverage provided pursuant to this subsection. The
617 department shall develop the form of the notice which shall be
618 used by each district school board. The notice must be on an 8
619 1/2-inch by 5 1/2-inch postcard and include the amount of
620 coverage, a general description of the nature of the coverage,



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621 and the contact information for coverage and claims questions.
622 The notification shall be provided separately from any other
623 correspondence. Each district school board shall certify to the
624 department, by September 15, that the notification required by
625 this paragraph has been provided.

626 (c) The department shall consult with the Department of
627 Financial Services to select the most economically prudent and
628 cost-effective means of implementing the program through self-
629 insurance, a risk management program, or competitive
630 procurement.

631 (d) This subsection expires July 1, 2017 ~~2016~~.

632 Section 14. In order to implement Specific Appropriation
633 126 of the 2016-2017 General Appropriations Act, section
634 1001.67, Florida Statutes, is created to read:

635 1001.67 Distinguished Florida College System institution
636 program.—A collaborative partnership is established between the
637 State Board of Education and the Legislature to recognize the
638 excellence of Florida's highest-performing Florida College
639 System institutions.

640 (1) EXCELLENCE STANDARDS.—The following excellence
641 standards are established for the program:

642 (a) A 150 percent-of-normal-time completion rate of 50
643 percent or higher, as calculated by the Division of Florida
644 Colleges.

645 (b) A 150 percent-of-normal-time completion rate for Pell
646 Grant recipients of 40 percent or higher, as calculated by the
647 Division of Florida Colleges.

648 (c) A retention rate of 70 percent or higher, as calculated
649 by the Division of Florida Colleges.



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650 (d) A continuing education, or transfer, rate of 72 percent
651 or higher for students graduating with an associate of arts
652 degree, as reported by the Florida Education and Training
653 Placement Information Program (FETPIP).

654 (e) A licensure passage rate on the National Council
655 Licensure Examination for Registered Nurses (NCLEX-RN) of 90
656 percent or higher for first-time exam takers, as reported by the
657 Board of Nursing.

658 (f) A job placement or continuing education rate of 88
659 percent or higher for workforce programs, as reported by FETPIP.

660 (g) A time-to-degree for students graduating with an
661 associate of arts degree of 2.25 years or less for first-time-
662 in-college students with accelerated college credits, as
663 reported by the Southern Regional Education Board.

664 (2) DISTINGUISHED COLLEGE DESIGNATION.—The State Board of
665 Education shall designate each Florida College System
666 institution that meets five of the seven standards identified in
667 subsection (1) as a distinguished college.

668 (3) DISTINGUISHED COLLEGE SUPPORT.—A Florida College System
669 institution designated as a distinguished college by the State
670 Board of Education is eligible for funding as specified in the
671 General Appropriations Act.

672 (4) EXPIRATION.—This section expires July 1, 2017.

673 Section 15. In order to implement Specific Appropriation
674 142 of the 2016-2017 General Appropriations Act, subsection (1)
675 of section 1001.7065, Florida Statutes, is reenacted, and
676 subsections (2), (3), and (5) through (9) of that section are
677 amended, to read:

678 1001.7065 Preeminent state research universities program.—



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679 (1) STATE UNIVERSITY SYSTEM SHARED GOVERNANCE
680 COLLABORATION.—A collaborative partnership is established
681 between the Board of Governors and the Legislature to elevate
682 the academic and research preeminence of Florida’s highest-
683 performing state research universities in accordance with this
684 section. The partnership stems from the State University System
685 Governance Agreement executed on March 24, 2010, wherein the
686 Board of Governors and leaders of the Legislature agreed to a
687 framework for the collaborative exercise of their joint
688 authority and shared responsibility for the State University
689 System. The governance agreement confirmed the commitment of the
690 Board of Governors and the Legislature to continue collaboration
691 on accountability measures, the use of data, and recommendations
692 derived from such data.

693 (2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—~~Effective~~
694 ~~July 1, 2013,~~ The following academic and research excellence
695 standards are established for the preeminent state research
696 universities program:

697 (a) An average weighted grade point average of 4.0 or
698 higher on a 4.0 scale and an average SAT score of 1800 or higher
699 on a 2400-point scale or 1200 or higher on a 1600-point scale
700 for fall semester incoming freshmen, as reported annually.

701 (b) A top-50 ranking on at least two well-known and highly
702 respected national public university rankings, reflecting
703 national preeminence, which includes, but is not limited to, the
704 U.S. News and World Report rankings, using most recent rankings.

705 (c) A freshman retention rate of 90 percent or higher for
706 full-time, first-time-in-college students, as reported annually
707 to the Integrated Postsecondary Education Data System (IPEDS).



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708 (d) A 6-year graduation rate of 70 percent or higher for
709 full-time, first-time-in-college students, as reported annually
710 to the IPEDS.

711 (e) Six or more faculty members at the state university who
712 are members of a national academy, as reported by the Center for
713 Measuring University Performance in the Top American Research
714 Universities (TARU) annual report or the official membership
715 directories maintained by each national academy.

716 (f) Total annual research expenditures, including federal
717 research expenditures, of \$200 million or more, as reported
718 annually by the National Science Foundation (NSF).

719 (g) Total annual research expenditures in diversified
720 nonmedical sciences of \$150 million or more, based on data
721 reported annually by the NSF.

722 (h) A top-100 university national ranking for research
723 expenditures in five or more science, technology, engineering,
724 or mathematics fields of study, as reported annually by the NSF.

725 (i) One hundred or more total patents awarded by the United
726 States Patent and Trademark Office for the most recent 3-year
727 period.

728 (j) Four hundred or more doctoral degrees awarded annually,
729 including professional doctoral degrees awarded in medical and
730 health care disciplines, as reported in the Board of Governors
731 Annual Accountability Report.

732 (k) Two hundred or more postdoctoral appointees annually,
733 as reported in the TARU annual report.

734 (l) An endowment of \$500 million or more, as reported in
735 the Board of Governors Annual Accountability Report.

736 (3) ~~PREEMINENT STATE RESEARCH~~ UNIVERSITY DESIGNATION.— The



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737 Board of Governors shall designate each state ~~research~~
738 university that annually meets:

739 (a) At least 11 of the 12 academic and research excellence
740 standards identified in subsection (2) as a "preeminent state
741 research university."

742 (b) At least 6 of the 12 academic and research excellence
743 standards identified in subsection (2) as an "emerging
744 preeminent state research university."

745 (5) PROGRAM PREEMINENT STATE RESEARCH UNIVERSITY SUPPORT.—

746 (a) A state ~~research~~ university designated as a preeminent
747 state research university that, as of July 1, 2013, meets all 12
748 of the academic and research excellence standards identified in
749 subsection (2), as verified by the Board of Governors, shall
750 submit to the Board of Governors a 5-year benchmark plan with
751 target rankings on key performance metrics for national
752 excellence. Upon approval by the Board of Governors, and upon
753 the university's meeting the benchmark plan goals annually, the
754 Board of Governors shall award the university its proportionate
755 share of any funds provided annually to support the program
756 created under this section an amount specified in the General
757 Appropriations Act to be provided annually throughout the 5-year
758 period. Funding for this purpose is contingent upon specific
759 appropriation in the General Appropriations Act.

760 (b) A state university designated as an emerging preeminent
761 state research university shall submit to the Board of Governors
762 a 5-year benchmark plan with target rankings on key performance
763 metrics for national excellence. Upon approval by the Board of
764 Governors, and upon the university's meeting the benchmark plan
765 goals annually, the Board of Governors shall award the



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766 university its proportionate share of any funds provided
767 annually to support the program created under this section.

768 (c) The award of funds under this subsection is contingent
769 upon funding provided in the General Appropriations Act to
770 support the preeminent state research universities program
771 created under this section. Funding increases appropriated
772 beyond the amounts funded in the previous fiscal year shall be
773 distributed as follows:

774 1. Each designated preeminent state research university
775 that meets the criteria in paragraph (a) shall receive an equal
776 amount of funding.

777 2. Each designated emerging preeminent state research
778 university that meets the criteria in paragraph (b) shall
779 receive an amount of funding that is equal to one-half of the
780 total increased amount awarded to each designated preeminent
781 state research university.

782 ~~(6) PREEMINENT STATE RESEARCH UNIVERSITY ENHANCEMENT~~
783 ~~INITIATIVE. A state research university that, as of July 1,~~
784 ~~2013, meets 11 of the 12 academic and research excellence~~
785 ~~standards identified in subsection (2), as verified by the Board~~
786 ~~of Governors, shall submit to the Board of Governors a 5-year~~
787 ~~benchmark plan with target rankings on key performance metrics~~
788 ~~for national excellence. Upon the university's meeting the~~
789 ~~benchmark plan goals annually, the Board of Governors shall~~
790 ~~award the university an amount specified in the General~~
791 ~~Appropriations Act to be provided annually throughout the 5-year~~
792 ~~period for the purpose of recruiting National Academy Members,~~
793 ~~expediting the provision of a master's degree in cloud~~
794 ~~virtualization, and instituting an entrepreneurs-in-residence~~



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795 ~~program throughout its campus. Funding for this purpose is~~
796 ~~contingent upon specific appropriation in the General~~
797 ~~Appropriations Act.~~

798 ~~(7) PREEMINENT STATE RESEARCH UNIVERSITY SPECIAL COURSE~~
799 ~~REQUIREMENT AUTHORITY.—In order to provide a jointly shared~~
800 ~~educational experience, a university that is designated a~~
801 ~~preeminent state research university may require its incoming~~
802 ~~first-time-in-college students to take a 9-to-12-credit set of~~
803 ~~unique courses specifically determined by the university and~~
804 ~~published on the university's website. The university may~~
805 ~~stipulate that credit for such courses may not be earned through~~
806 ~~any acceleration mechanism pursuant to s. 1007.27 or s. 1007.271~~
807 ~~or any other transfer credit. All accelerated credits earned up~~
808 ~~to the limits specified in ss. 1007.27 and 1007.271 shall be~~
809 ~~applied toward graduation at the student's request.~~

810 ~~(6)(8) PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY~~
811 ~~AUTHORITY.—The Board of Governors is encouraged to identify and~~
812 ~~grant all reasonable, feasible authority and flexibility to~~
813 ~~ensure that a designated preeminent state research university is~~
814 ~~free from unnecessary restrictions.~~

815 ~~(7)(9) PROGRAMS OF EXCELLENCE THROUGHOUT THE STATE~~
816 ~~UNIVERSITY SYSTEM.—The Board of Governors is encouraged to~~
817 ~~establish standards and measures whereby individual programs in~~
818 ~~state universities that objectively reflect national excellence~~
819 ~~can be identified and make recommendations to the Legislature as~~
820 ~~to how any such programs could be enhanced and promoted.~~

821 Section 16. The amendment made by this act to s. 1001.7065,
822 Florida Statutes, expires July 1, 2017, and the text of that
823 section shall revert to that in existence on June 30, 2016,



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824 except that any amendments to such text enacted other than by
825 this act shall be preserved and continue to operate to the
826 extent that such amendments are not dependent upon the portions
827 of text which expire pursuant to this section.

828 Section 17. In order to implement Specific Appropriations
829 199, 206, 207, 208, 211, and 218 of the 2016-2017 General
830 Appropriations Act, the Agency for Health Care Administration is
831 authorized to submit a budget amendment pursuant to chapter 216,
832 Florida Statutes, to realign funding based on the model,
833 methodology, and framework in the "Medicaid Hospital Funding
834 Programs" document incorporated by reference in Senate Proposed
835 Bill 2502. Funding changes shall be consistent with the intent
836 of the model, methodology, and framework displayed,
837 demonstrated, and explained in the "Medicaid Hospital Funding
838 Programs" document, while allowing for the appropriate
839 realignment to appropriation categories related to Medicaid Low-
840 Income Pool, Disproportionate Share Hospital, Graduate Medical
841 Education, Inpatient Hospital and Outpatient Hospital programs,
842 Prepaid Health Plans, and the diagnosis related groups (DRG)
843 methodology for hospital reimbursement for the 2016-2017 fiscal
844 year, including requests for additional trust fund budget
845 authority. Notwithstanding s. 216.177, Florida Statutes, if the
846 chair or vice chair of the Legislative Budget Commission or the
847 President of the Senate or the Speaker of the House of
848 Representatives timely advises the Executive Office of the
849 Governor, in writing, that the budget amendment exceeds the
850 delegated authority of the Executive Office of the Governor or
851 is contrary to legislative policy or intent, the Executive
852 Office of the Governor shall void the action. This section



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853 expires July 1, 2017.

854 Section 18. (1) In order to implement Specific
855 Appropriation 259 of the 2016-2017 General Appropriations Act,
856 and notwithstanding s. 393.065(5), Florida Statutes, the Agency
857 for Persons with Disabilities shall offer enrollment in the
858 Medicaid home and community-based waiver program in the
859 following order of priority:

860 (a) Individuals in category 1, which includes clients
861 deemed to be in crisis as described in rule.

862 (b) Individuals in category 2, which includes:

863 1. Individuals on the wait list who are from the child
864 welfare system with an open case in the Department of Children
865 and Families' statewide automated child welfare information
866 system and who are:

867 a. Transitioning out of the child welfare system at the
868 finalization of an adoption, a reunification with family
869 members, a permanent placement with a relative, or a
870 guardianship with a nonrelative; or

871 b. At least 18 years old but not yet 22 years old and need
872 both waiver services and extended foster care services.

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

877
878 For individuals who are at least 18 years old but not yet 22
879 years old and who are eligible under sub-subparagraph 1.b., the
880 Agency for Persons with Disabilities shall provide waiver
881 services, including residential habilitation; and the community-



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882 based care lead agency shall fund room and board at the rate
883 established in s. 409.145(4), Florida Statutes, and provide case
884 management and related services as defined in s. 409.986(3)(e),
885 Florida Statutes. Individuals may receive both waiver services
886 and services under s. 39.6251, Florida Statutes. Services may
887 not duplicate services available through the Medicaid state
888 plan.

889 (c) Individuals in categories 3 and 4 in an order based on
890 the Agency for Persons with Disabilities Waitlist Prioritization
891 Tool, dated March 15, 2013. Using the tool, the agency shall
892 move those individuals whose needs score highest to the waiver
893 during the 2016-2017 fiscal year, to the extent funds are
894 available.

895 (d) Individuals in category 6 shall be moved to the waiver
896 during the 2016-2017 fiscal year, to the extent funds are
897 available, based on meeting the following criteria:

- 898 1. The individual is 30 years of age or older;
899 2. The individual resides in the family home;
900 3. The individual has been on the wait list for waiver
901 services for at least 10 continuous years; and
902 4. The individual is classified at a level of need equal to
903 Level 3, Level 4, or Level 5 based on the Questionnaire for
904 Situational Information.

905 (2) The agency shall allow an individual who meets the
906 eligibility requirements under s. 393.065(1), Florida Statutes,
907 to receive home and community-based services in this state if
908 the individual's parent or legal guardian is an active-duty
909 military servicemember and, at the time of the servicemember's
910 transfer to this state, the individual was receiving home and



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911 community-based services in another state.

912 (3) Upon the placement of individuals on the waiver
913 pursuant to subsection (1), individuals remaining on the wait
914 list are deemed not to have been substantially affected by
915 agency action and are, therefore, not entitled to a hearing
916 under s. 393.125, Florida Statutes, or an administrative
917 proceeding under chapter 120, Florida Statutes.

918 (4) This section expires July 1, 2017.

919 Section 19. In order to implement Specific Appropriation
920 259 of the 2016-2017 General Appropriations Act:

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

924 (a) Each client's iBudget in effect as of July 1, 2016,
925 shall remain at its July 1, 2016, funding level.

926 (b) The Agency for Persons with Disabilities shall
927 determine the iBudget for a client newly enrolled on the home
928 and community-based services waiver on or after July 1, 2016,
929 using the same allocation algorithm and methodology used for the
930 iBudgets in effect as of July 1, 2016.

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

935 (3) Funding allocated under subsections (1) and (2) may be
936 increased pursuant to s. 393.0662(1)(b), Florida Statutes. A
937 client's funding allocation may also be increased if the client
938 has a significant need for transportation services to a waiver-
939 funded adult day training program or to a waiver-funded



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940 supported employment where such need cannot be accommodated
941 within the funding authorized by the client's iBudget amount
942 without affecting the health and safety of the client, where
943 public transportation is not an option due to the unique needs
944 of the client, and where no other transportation resources are
945 reasonably available. However, such increases may not result in
946 the total of all clients' projected annual iBudget expenditures
947 exceeding the agency's appropriation for waiver services.

948 (4) This section expires July 1, 2017.

949 Section 20. In order to implement Specific Appropriations
950 569 through 578 of the 2016-2017 General Appropriations Act,
951 subsection (3) of section 296.37, Florida Statutes, is amended
952 to read:

953 296.37 Residents; contribution to support.—

954 (3) Notwithstanding subsection (1), each resident of the
955 home who receives a pension, compensation, or gratuity from the
956 United States Government, or income from any other source, of
957 more than \$105 per month shall contribute to his or her
958 maintenance and support while a resident of the home in
959 accordance with a payment schedule determined by the
960 administrator and approved by the director. The total amount of
961 such contributions shall be to the fullest extent possible, but,
962 in no case, shall exceed the actual cost of operating and
963 maintaining the home. This subsection expires July 1, 2017 ~~2016~~.

964 Section 21. In order to implement Specific Appropriation
965 231 of the 2016-2017 General Appropriations Act, the Agency for
966 Health Care Administration shall ensure that nursing facility
967 residents who are eligible for funds to transition to home and
968 community-based services waivers must first have resided in a



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969 skilled nursing facility for at least 60 consecutive days. This
970 section expires July 1, 2017.

971 Section 22. In order to implement Specific Appropriation
972 232 of the 2016-2017 General Appropriations Act, the Agency for
973 Health Care Administration and the Department of Elderly Affairs
974 shall prioritize individuals for enrollment in the Medicaid
975 Long-Term Care Waiver program using a frailty-based screening
976 that provides a priority score (the "scoring process") and shall
977 enroll individuals in the program according to the assigned
978 priority score as funds are available. The agency may adopt
979 rules, pursuant to s. 409.919, Florida Statutes, and enter into
980 interagency agreements necessary to administer s. 409.979(3),
981 Florida Statutes. Such rules or interagency agreements adopted
982 by the agency relating to the scoring process may delegate to
983 the Department of Elderly Affairs, pursuant to s. 409.978,
984 Florida Statutes, the responsibility for implementing and
985 administering the scoring process, providing notice of Medicaid
986 fair hearing rights, and the responsibility for defending, as
987 needed, the scores assigned to persons on the program wait list
988 in any resulting Medicaid fair hearings. The Department of
989 Elderly Affairs may delegate the provision of notice of Medicaid
990 fair hearing rights to its contractors. This section expires
991 July 1, 2017.

992 Section 23. In order to implement Specific Appropriations
993 192A through 226 and 541 of the 2016-2017 General Appropriations
994 Act and notwithstanding ss. 216.181 and 216.292, Florida
995 Statutes, the Agency for Health Care Administration, in
996 consultation with the Department of Health, may submit a budget
997 amendment, subject to the notice, review, and objection



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998 procedures of s. 216.177, Florida Statutes, to realign funding
999 within and between agencies based on implementation of the
1000 Managed Medical Assistance component of the Statewide Medicaid
1001 Managed Care program for the Children's Medical Services program
1002 of the Department of Health. The funding realignment shall
1003 reflect the actual enrollment changes due to the transfer of
1004 beneficiaries from fee-for-service to the capitated Children's
1005 Medical Services Network. The Agency for Health Care
1006 Administration may submit a request for nonoperating budget
1007 authority to transfer the federal funds to the Department of
1008 Health, pursuant to s. 216.181(12), Florida Statutes. This
1009 section expires July 1, 2017.

1010 Section 24. In order to implement Specific Appropriations
1011 199, 206, 207, 208, 211, and 218 of the 2016-2017 General
1012 Appropriations Act, the calculations of the Medicaid Low-Income
1013 Pool, Disproportionate Share Hospital, and hospital
1014 reimbursement programs for the 2016-2017 fiscal year contained
1015 in the document titled "Medicaid Hospital Funding Programs,"
1016 dated XX, 2016, and filed with the Secretary of the Senate, are
1017 incorporated by reference for the purpose of displaying the
1018 calculations used by the Legislature, consistent with the
1019 requirements of state law, in making appropriations for the
1020 Medicaid Low-Income Pool, Disproportionate Share Hospital, and
1021 hospital reimbursement programs. This section expires July 1,
1022 2017.

1023 Section 25. In order to implement Specific Appropriation
1024 524 of the 2016-2017 General Appropriations Act, subsection (17)
1025 of section 893.055, Florida Statutes, is amended to read:

1026 893.055 Prescription drug monitoring program.—



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1027 (17) Notwithstanding subsection (10), and for the 2016-2017
1028 ~~2015-2016~~ fiscal year only, the department may use state funds
1029 appropriated in the 2016-2017 ~~2015-2016~~ General Appropriations
1030 Act to administer the prescription drug monitoring program.
1031 Neither the Attorney General nor the department may use funds
1032 received as part of a settlement agreement to administer the
1033 prescription drug monitoring program. This subsection expires
1034 July 1, 2017 ~~2016~~.

1035 Section 26. In order to implement Specific Appropriations
1036 599 through 706 and 721 through 755 of the 2016-2017 General
1037 Appropriations Act, subsection (4) of section 216.262, Florida
1038 Statutes, is amended to read:

1039 216.262 Authorized positions.—

1040 (4) Notwithstanding the provisions of this chapter relating
1041 to increasing the number of authorized positions, and for the
1042 2016-2017 ~~2015-2016~~ fiscal year only, if the actual inmate
1043 population of the Department of Corrections exceeds the inmate
1044 population projections of the December 17, 2015 ~~February 27,~~
1045 ~~2015~~, Criminal Justice Estimating Conference by 1 percent for 2
1046 consecutive months or 2 percent for any month, the Executive
1047 Office of the Governor, with the approval of the Legislative
1048 Budget Commission, shall immediately notify the Criminal Justice
1049 Estimating Conference, which shall convene as soon as possible
1050 to revise the estimates. The Department of Corrections may then
1051 submit a budget amendment requesting the establishment of
1052 positions in excess of the number authorized by the Legislature
1053 and additional appropriations from unallocated general revenue
1054 sufficient to provide for essential staff, fixed capital
1055 improvements, and other resources to provide classification,



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1056 security, food services, health services, and other variable
1057 expenses within the institutions to accommodate the estimated
1058 increase in the inmate population. All actions taken pursuant to
1059 this subsection are subject to review and approval by the
1060 Legislative Budget Commission. This subsection expires July 1,
1061 2017 ~~2016~~.

1062 Section 27. In order to implement Specific Appropriations
1063 1283 and 1284 of the 2016-2017 General Appropriations Act, the
1064 Department of Legal Affairs may expend appropriated funds in
1065 those specific appropriations on the same programs that were
1066 funded by the department pursuant to specific appropriations
1067 made in general appropriations acts in previous years. This
1068 section expires July 1, 2017.

1069 Section 28. In order to implement Specific Appropriations
1070 1219 and 1224 of the 2016-2017 General Appropriations Act,
1071 paragraph (d) of subsection (4) of section 932.7055, Florida
1072 Statutes, is amended to read:

1073 932.7055 Disposition of liens and forfeited property.—

1074 (4) The proceeds from the sale of forfeited property shall
1075 be disbursed in the following priority:

1076 (d) Notwithstanding any other provision of this subsection,
1077 and for the 2016-2017 ~~2015-2016~~ fiscal year only, the funds in a
1078 special law enforcement trust fund established by the governing
1079 body of a municipality may be expended to reimburse the general
1080 fund of the municipality for moneys advanced from the general
1081 fund to the special law enforcement trust fund before October 1,
1082 2001. This paragraph expires July 1, 2017 ~~2016~~.

1083 Section 29. In order to implement section 7 of the 2016-
1084 2017 General Appropriations Act, subsection (2) of section



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1085 215.18, Florida Statutes, is amended to read:

1086 215.18 Transfers between funds; limitation.—

1087 (2) The Chief Justice of the Supreme Court may receive one
1088 or more trust fund loans to ensure that the state court system
1089 has funds sufficient to meet its appropriations in the 2016-2017
1090 ~~2015-2016~~ General Appropriations Act. If the Chief Justice
1091 accesses the loan, he or she must notify the Governor and the
1092 chairs of the legislative appropriations committees in writing.
1093 The loan must come from other funds in the State Treasury which
1094 are for the time being or otherwise in excess of the amounts
1095 necessary to meet the just requirements of such last-mentioned
1096 funds. The Governor shall order the transfer of funds within 5
1097 days after the written notification from the Chief Justice. If
1098 the Governor does not order the transfer, the Chief Financial
1099 Officer shall transfer the requested funds. The loan of funds
1100 from which any money is temporarily transferred must be repaid
1101 by the end of the 2016-2017 ~~2015-2016~~ fiscal year. This
1102 subsection expires July 1, 2017 ~~2016~~.

1103 Section 30. In order to implement appropriations for
1104 salaries and benefits in the 2016-2017 General Appropriations
1105 Act for the Department of Corrections and notwithstanding s.
1106 216.292, Florida Statutes, the Department of Corrections may not
1107 transfer funds from a salaries and benefits category to any
1108 other category within the department other than a salaries and
1109 benefits category without approval of the Legislative Budget
1110 Commission. This section expires July 1, 2017.

1111 Section 31. (1) In order to implement Specific
1112 Appropriations 1093 through 1105 of the 2016-2017 General
1113 Appropriations Act, the Department of Juvenile Justice shall



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1114 review county juvenile detention payments for the purpose of
1115 ensuring that counties fulfill their financial responsibilities
1116 required in s. 985.686, Florida Statutes. If the Department of
1117 Juvenile Justice determines that a county has not met its
1118 obligations, the department shall direct the Department of
1119 Revenue to deduct the amount owed to the Department of Juvenile
1120 Justice from the funds provided to the county under s. 218.23,
1121 Florida Statutes. The Department of Revenue shall transfer the
1122 funds withheld to the Shared County/State Juvenile Detention
1123 Trust Fund.

1124 (2) As an assurance to holders of bonds issued by counties
1125 before July 1, 2015, for which distributions made pursuant to s.
1126 218.23, Florida Statutes, are pledged, or bonds issued to refund
1127 such bonds which mature no later than the bonds they refunded
1128 and which result in a reduction of debt service payable in each
1129 fiscal year, the amount available for distribution to a county
1130 shall remain as provided by law and continue to be subject to
1131 any lien or claim on behalf of the bondholders. The Department
1132 of Revenue must ensure, based on information provided by an
1133 affected county, that any reduction in amounts distributed
1134 pursuant to subsection (1) does not reduce the amount of
1135 distribution to a county below the amount necessary for the
1136 timely payment of principal and interest when due on the bonds
1137 and the amount necessary to comply with any covenant under the
1138 bond resolution or other documents relating to the issuance of
1139 the bonds. If a reduction to a county's monthly distribution
1140 must be decreased in order to comply with this subsection, the
1141 Department of Revenue must notify the Department of Juvenile
1142 Justice of the amount of the decrease, and the Department of



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1143 Juvenile Justice must send a bill for payment of such amount to
1144 the affected county.

1145 (3) This section expires July 1, 2017.

1146 Section 32. In order to implement Specific Appropriation
1147 780 of the 2016-2017 General Appropriations Act, subsection (5)
1148 of section 27.5304, Florida Statutes, is amended to read:

1149 27.5304 Private court-appointed counsel; compensation;
1150 notice.—

1151 (5) The compensation for representation in a criminal
1152 proceeding may ~~shall~~ not exceed the following:

1153 (a) For misdemeanors and juveniles represented at the trial
1154 level: \$1,000.

1155 (b) For noncapital, nonlife felonies represented at the
1156 trial level: \$15,000 ~~\$6,000~~.

1157 (c) For life felonies represented at the trial level:
1158 \$15,000 ~~\$9,000~~.

1159 (d) For capital cases represented at the trial level:
1160 \$25,000. For purposes of this paragraph, a "capital case" is any
1161 offense for which the potential sentence is death and the state
1162 has not waived seeking the death penalty.

1163 (e) For representation on appeal: \$9,000.

1164 Section 33. The amendment made by this act to s.
1165 27.5304(5), Florida Statutes, expires July 1, 2017, and the text
1166 of that subsection shall revert to that in existence on June 30,
1167 2016, except that any amendments to such text enacted other than
1168 by this act shall be preserved and continue to operate to the
1169 extent that such amendments are not dependent upon the portions
1170 of text which expire pursuant to this section.

1171 Section 34. Effective upon becoming a law and in order to



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1172 implement Specific Appropriation 3023 and sections 35 and 36 of
1173 the 2016-2017 General Appropriations Act, subsections (5) and
1174 (6) are added to section 28.36, Florida Statutes, to read:

1175 28.36 Budget procedure.—There is established a budget
1176 procedure for the court-related functions of the clerks of the
1177 court.

1178 (5) Funds appropriated in the General Appropriations Act to
1179 augment the revenues received from fines, fees, service charges,
1180 and costs for court-related functions by the clerks of the court
1181 during the 2015-2016 county fiscal year shall be distributed by
1182 the Department of Revenue to clerks of the court in accordance
1183 with this subsection. The Florida Clerks of Court Operations
1184 Corporation shall certify to the Department of Revenue a
1185 proposed distribution of a portion of the appropriated funds for
1186 each clerk with a deficit after retaining all of the projected
1187 collections from the court-related fines, fees, service charges,
1188 and costs and for which a distribution under subsection (3) is
1189 not available to relieve that deficit; however, each clerk's
1190 expenditures may not exceed the amount approved for the 2015-
1191 2016 county fiscal year by the Legislative Budget Commission.
1192 The Department of Revenue shall certify the amount needed for
1193 each individual clerk to the Executive Office of the Governor
1194 and request release authority for such amounts from the Clerks
1195 of Court Trust Fund. Notwithstanding s. 216.192, the Executive
1196 Office of the Governor may approve the release of funds in
1197 accordance with the notice, review, and objection procedures set
1198 forth in s. 216.177 and provide notice to the Department of
1199 Revenue and the Chief Financial Officer. The Department of
1200 Revenue and the Chief Financial Officer shall release the funds



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1201 to each clerk in accordance with the release approved by the
1202 Governor. This subsection expires July 1, 2017.

1203 (6) Funds appropriated in the General Appropriations Act
1204 for the clerks of the court for the 2016-2017 county fiscal year
1205 shall augment the amount of revenues projected to be received
1206 from fines, fees, service charges, and costs for court-related
1207 functions by the clerks of the court when each clerk of the
1208 court prepares, summarizes, and submits their budget to the
1209 Florida Clerks of Court Operations Corporation pursuant to
1210 subsection (2). The Florida Clerks of Court Operations
1211 Corporation shall determine the portion of the appropriated
1212 funds which shall be included in each individual clerk's
1213 proposed budget submitted pursuant to subsection (2). The
1214 proposed budgets for each clerk of court submitted to the
1215 Legislative Budget Commission pursuant to s. 28.35(2)(h) shall
1216 separately identify the amount of the appropriated funds
1217 proposed to be distributed to each clerk of the court. During
1218 consideration of the clerks' of the court budget pursuant to s.
1219 28.35(2)(h), the Legislative Budget Commission shall consider
1220 the proposed distribution of the appropriated funds and shall
1221 approve, disapprove, or amend and approve the distribution of
1222 appropriated funds as a part of the clerks' combined budgets or
1223 any individual clerk's budget. If the Legislative Budget
1224 Commission fails to approve or amend and approve the clerks'
1225 combined budgets or amend and approve each individual clerk's
1226 budget, including the appropriated funds, before October 1,
1227 2016, the corporation shall certify to the Department of Revenue
1228 a proposed distribution of a portion of the appropriated funds
1229 for each clerk with a deficit after retaining all of the



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1230 projected collections from the court-related fines, fees,
1231 service charges, and costs and for which a distribution under
1232 subsection (3) is not available to relieve that deficit;
1233 however, each clerk's expenditures may not exceed the amount
1234 approved by the Legislative Budget Commission for the 2015-2016
1235 county fiscal year. The Department of Revenue shall certify the
1236 amount needed for each individual clerk to the Executive Office
1237 of the Governor and request release authority for such amounts
1238 from the Clerks of Court Trust Fund. Notwithstanding s. 216.192,
1239 the Executive Office of the Governor may approve the release of
1240 funds in accordance with the notice, review, and objection
1241 procedures set forth in s. 216.177 and provide notice to the
1242 Department of Revenue and the Chief Financial Officer. The
1243 Department of Revenue and the Chief Financial Officer shall
1244 release the funds to each clerk in accordance with the release
1245 approved by the Governor. This subsection expires July 1, 2017.

1246 Section 35. In order to implement appropriations used for
1247 the payments of existing lease contracts for private lease space
1248 in excess of 2,000 square feet in the 2016-2017 General
1249 Appropriations Act, the Department of Management Services, with
1250 the cooperation of the agencies having the existing lease
1251 contracts for office or storage space, shall use tenant broker
1252 services to renegotiate or reprocur all private lease
1253 agreements for office or storage space expiring between July 1,
1254 2017, and June 30, 2019, in order to reduce costs in future
1255 years. The department shall incorporate this initiative into its
1256 2016 master leasing report required under s. 255.249(7), Florida
1257 Statutes, and may use tenant broker services to explore the
1258 possibilities of collocating office or storage space, to review



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1259 the space needs of each agency, and to review the length and
1260 terms of potential renewals or renegotiations. The department
1261 shall provide a report to the Executive Office of the Governor,
1262 the President of the Senate, and the Speaker of the House of
1263 Representatives by November 1, 2016, which lists each lease
1264 contract for private office or storage space, the status of
1265 renegotiations, and the savings achieved. This section expires
1266 July 1, 2017.

1267 Section 36. In order to implement Specific Appropriations
1268 2257 through 2265 of the 2016-2017 General Appropriations Act,
1269 section 624.502, Florida Statutes, is reenacted to read:

1270 624.502 Service of process fee.—In all instances as
1271 provided in any section of the insurance code and s. 48.151(3)
1272 in which service of process is authorized to be made upon the
1273 Chief Financial Officer or the director of the office, the
1274 plaintiff shall pay to the department or office a fee of \$15 for
1275 such service of process, which fee shall be deposited into the
1276 Administrative Trust Fund.

1277 Section 37. The amendment to s. 624.502, Florida Statutes,
1278 as carried forward by this act from chapter 2013-41, Laws of
1279 Florida, expires July 1, 2017, and the text of that section
1280 shall revert to that in existence on June 30, 2013, except that
1281 any amendments to such text enacted other than by this act shall
1282 be preserved and continue to operate to the extent that such
1283 amendments are not dependent upon the portions of text which
1284 expire pursuant to this section.

1285 Section 38. In order to implement Specific Appropriations
1286 2834 through 2845 of the 2016-2017 General Appropriations Act,
1287 paragraph (a) of subsection (2) of section 282.709, Florida



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1288 Statutes, is reenacted to read:

1289 282.709 State agency law enforcement radio system and
1290 interoperability network.—

1291 (2) The Joint Task Force on State Agency Law Enforcement
1292 Communications is created adjunct to the department to advise
1293 the department of member-agency needs relating to the planning,
1294 designing, and establishment of the statewide communication
1295 system.

1296 (a) The Joint Task Force on State Agency Law Enforcement
1297 Communications shall consist of the following members:

1298 1. A representative of the Division of Alcoholic Beverages
1299 and Tobacco of the Department of Business and Professional
1300 Regulation who shall be appointed by the secretary of the
1301 department.

1302 2. A representative of the Division of Florida Highway
1303 Patrol of the Department of Highway Safety and Motor Vehicles
1304 who shall be appointed by the executive director of the
1305 department.

1306 3. A representative of the Department of Law Enforcement
1307 who shall be appointed by the executive director of the
1308 department.

1309 4. A representative of the Fish and Wildlife Conservation
1310 Commission who shall be appointed by the executive director of
1311 the commission.

1312 5. A representative of the Department of Corrections who
1313 shall be appointed by the secretary of the department.

1314 6. A representative of the Division of State Fire Marshal
1315 of the Department of Financial Services who shall be appointed
1316 by the State Fire Marshal.



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1317 7. A representative of the Department of Agriculture and
1318 Consumer Services who shall be appointed by the Commissioner of
1319 Agriculture.

1320 Section 39. The amendment to s. 282.709(2)(a), Florida
1321 Statutes, as carried forward by this act from chapter 2014-53,
1322 Laws of Florida, expires July 1, 2017, and the text of that
1323 paragraph shall revert to that in existence on June 30, 2014,
1324 except that any amendments to such text enacted other than by
1325 this act shall be preserved and continue to operate to the
1326 extent that such amendments are not dependent upon the portions
1327 of text which expire pursuant to this section.

1328 Section 40. In order to implement Specific Appropriations
1329 2740 through 2752 of the 2016-2017 General Appropriations Act,
1330 and notwithstanding rule 60A-1.031, Florida Administrative Code,
1331 the transaction fee collected for use of the online procurement
1332 system, authorized in ss. 287.042(1)(h)1. and 287.057(22)(c),
1333 Florida Statutes, shall be seven-tenths of 1 percent for the
1334 2016-2017 fiscal year only. This section expires July 1, 2017.

1335 Section 41. In order to implement Specific Appropriations
1336 1533 and 1534 of the 2016-2017 General Appropriations Act,
1337 paragraph (m) of subsection (3) of section 259.105, Florida
1338 Statutes, is amended, and paragraph (n) is added to that
1339 subsection, to read:

1340 259.105 The Florida Forever Act.—

1341 (3) Less the costs of issuing and the costs of funding
1342 reserve accounts and other costs associated with bonds, the
1343 proceeds of cash payments or bonds issued pursuant to this
1344 section shall be deposited into the Florida Forever Trust Fund
1345 created by s. 259.1051. The proceeds shall be distributed by the



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1346 Department of Environmental Protection in the following manner:
1347 (m) Notwithstanding paragraphs (a)-(j) and for the 2016-
1348 2017 ~~2015-2016~~ fiscal year only, \$22,256,206 ~~\$17.4 million~~ to
1349 only the Division of State Lands within the Department of
1350 Environmental Protection for the Board of Trustees Florida
1351 Forever Priority List land acquisition projects and \$30 million
1352 to the Florida Communities Trust. This paragraph expires July 1,
1353 2017 ~~2016~~.

1354 (n)1. For the 2016-2017 fiscal year:

1355 a. Notwithstanding any allocation required pursuant to
1356 paragraph (c), 66.67 percent of the funds available to the
1357 Florida Communities Trust shall be allocated for projects
1358 acquiring conservation or recreation lands to enhance
1359 recreational opportunities for individuals with unique
1360 abilities.

1361 b. The Department of Environmental Protection may waive the
1362 local government matching fund requirement in paragraph (c) for
1363 projects acquiring conservation or recreation lands to enhance
1364 recreational opportunities for individuals with unique
1365 abilities.

1366 c. Notwithstanding sub-subparagraphs a. and b., any funds
1367 required to be used to acquire conservation or recreation lands
1368 to enhance recreational opportunities for individuals with
1369 unique abilities which have not been awarded for those purposes
1370 by May 1, 2017, may be awarded to redevelop or renew outdoor
1371 recreational facilities on public lands, including recreational
1372 trails, parks, and urban open spaces, together with improvements
1373 required to enhance recreational enjoyment and public access to
1374 public lands, if such redevelopment and renewal is primarily



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1375 geared toward enhancing recreational opportunities for
1376 individuals with unique abilities. The department may waive the
1377 local matching requirement in paragraph (c) for such
1378 redevelopment and renewal projects.

1379 2. This paragraph expires July 1, 2017.

1380 Section 42. In order to implement Specific Appropriation
1381 1698A of the 2016-2017 General Appropriations Act, subsection
1382 (4) is added to section 375.075, Florida Statutes, to read:

1383 375.075 Outdoor recreation; financial assistance to local
1384 governments.-

1385 (4) (a) For the 2016-2017 fiscal year:

1386 1. Notwithstanding any other provision of this section, at
1387 least 30 percent of the program funds for projects must be used
1388 exclusively for projects that provide recreational enhancements
1389 and opportunities for individuals with unique abilities. The
1390 department shall conduct a separate grant application process
1391 exclusively for such projects. The department shall make the
1392 schedule for the grant application process for projects that
1393 provide recreational enhancements and opportunities for
1394 individuals with unique abilities publicly available and shall
1395 award the grants for such projects by December 31, 2016.

1396 2. Notwithstanding subsection (3), a local government may
1397 submit up to three grant applications for projects, if at least
1398 one of those projects provides recreational enhancements and
1399 opportunities for individuals with unique abilities. The maximum
1400 project grant for each project application that provides
1401 recreational enhancements and opportunities for individuals with
1402 unique abilities may not exceed \$500,000 in state funds.

1403 (b) The selection criteria used by the department for grant



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1404 applications submitted pursuant to this subsection shall
1405 prioritize projects that allocate the greatest share of state
1406 funds to provide recreational enhancements and opportunities for
1407 individuals with unique abilities.

1408 (c) This subsection expires July 1, 2017.

1409 Section 43. In order to implement Specific Appropriation
1410 1534 of the 2016-2017 General Appropriations Act, paragraph (h)
1411 is added to subsection (2) of section 380.507, Florida Statutes,
1412 to read:

1413 380.507 Powers of the trust.—The trust shall have all the
1414 powers necessary or convenient to carry out the purposes and
1415 provisions of this part, including:

1416 (2) To undertake, coordinate, or fund activities and
1417 projects which will help bring local comprehensive plans into
1418 compliance and help implement the goals, objectives, and
1419 policies of the conservation, recreation and open space, and
1420 coastal elements of local comprehensive plans, or which will
1421 otherwise serve to conserve natural resources and resolve land
1422 use conflicts, including, but not limited to:

1423 (h) Projects that provide accessibility, availability, or
1424 adaptability of conservation or recreation lands for individuals
1425 with unique abilities. This paragraph expires July 1, 2017.

1426 Section 44. In order to implement Specific Appropriations
1427 1599, 1599A, 1599B, and 1748 of the 2016-2017 General
1428 Appropriations Act, paragraph (d) of subsection (11) of section
1429 216.181, Florida Statutes, is amended to read:

1430 216.181 Approved budgets for operations and fixed capital
1431 outlay.—

1432 (11)



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1433 (d) Notwithstanding paragraph (b) and paragraph (2)(b), and
1434 for the 2016-2017 ~~2015-2016~~ fiscal year only, the Legislative
1435 Budget Commission may increase the amounts appropriated to the
1436 Fish and Wildlife Conservation Commission or the Department of
1437 Environmental Protection for fixed capital outlay projects,
1438 including additional fixed capital outlay projects, using funds
1439 provided to the state from the Gulf Environmental Benefit Fund
1440 administered by the National Fish and Wildlife Foundation; funds
1441 provided to the state from the Gulf Coast Restoration Trust Fund
1442 related to the Resources and Ecosystems Sustainability, Tourist
1443 Opportunities, and Revived Economies of the Gulf Coast Act of
1444 2012 (RESTORE Act); or funds provided by the British Petroleum
1445 Corporation (BP) for natural resource damage assessment early
1446 restoration projects. Concurrent with submission of an amendment
1447 to the Legislative Budget Commission pursuant to this paragraph,
1448 any project that carries a continuing commitment for future
1449 appropriations by the Legislature must be specifically
1450 identified, together with the projected amount of the future
1451 commitment associated with the project and the fiscal years in
1452 which the commitment is expected to commence. This paragraph
1453 expires July 1, 2017 ~~2016~~.

1454
1455 The provisions of this subsection are subject to the notice and
1456 objection procedures set forth in s. 216.177.

1457 Section 45. In order to implement specific appropriations
1458 from the Water Quality Assurance Trust Fund within the
1459 Department of Environmental Protection contained in the 2016-
1460 2017 General Appropriations Act, paragraph (b) of subsection (2)
1461 of section 206.9935, Florida Statutes, is amended to read:



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1462 206.9935 Taxes imposed.-
1463 (2) TAX FOR WATER QUALITY.-
1464 (b) The excise tax shall be the applicable rate as
1465 specified in subparagraph 1. per barrel or per unit of
1466 pollutant, or equivalent measure as established by the
1467 department, produced in or imported into the state. If the
1468 unobligated balance of the Water Quality Assurance Trust Fund is
1469 or falls below \$3 million, the tax shall be increased to the
1470 applicable rates specified in subparagraph 2. and shall remain
1471 at said rates until the unobligated balance in the fund exceeds
1472 \$5 million, at which time the tax shall be imposed at the rates
1473 specified in subparagraph 1. If the unobligated balance of the
1474 fund exceeds \$12 million, the levy of the tax shall be
1475 discontinued until the unobligated balance of the fund falls
1476 below \$5 million, at which time the tax shall be imposed at the
1477 rates specified in subparagraph 1. Changes in the tax rates
1478 pursuant to this paragraph shall take effect on the first day of
1479 the month after 30 days' notification to the Department of
1480 Revenue when the unobligated balance of the fund falls below or
1481 exceeds a limit set pursuant to this paragraph. The unobligated
1482 balance of the Water Quality Assurance Trust Fund as it relates
1483 to determination of the applicable excise tax rate shall exclude
1484 the unobligated balances of funds of the Dry Cleaning, Operator
1485 Certification, and nonagricultural nonpoint source programs, and
1486 other required reservations of fund balance. The unobligated
1487 balance in the Water Quality Assurance Trust Fund is based upon
1488 the current unreserved fund balance, projected revenues,
1489 authorized legislative appropriations, and funding for the
1490 department's base budget for the subsequent fiscal year.



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1491 Revenues for penalties collected pursuant to s. 403.121(11) and
1492 all moneys recovered under s. 373.430(7) are exempt from the
1493 calculation of the unobligated balance of the Water Quality
1494 Assurance Trust Fund. Determination of the unobligated balance
1495 of the Water Quality Assurance Trust Fund shall be performed
1496 annually subsequent to the annual legislative appropriations
1497 becoming law.

1498 1. As provided in this paragraph, the tax shall be 2.36
1499 cents per gallon of solvents, 1 cent per gallon of motor oil or
1500 other lubricants, and 2 cents per barrel of petroleum products,
1501 pesticides, ammonia, and chlorine.

1502 2. As provided in this paragraph, the tax shall be 5.9
1503 cents per gallon of solvents, 2.5 cents per gallon of motor oil
1504 or other lubricants, 2 cents per barrel of ammonia, and 5 cents
1505 per barrel of petroleum products, pesticides, and chlorine.

1506 Section 46. The amendment made by this act to s.
1507 206.9935(2)(b), Florida Statutes, expires July 1, 2017, and the
1508 text of that paragraph shall revert to that in existence on June
1509 30, 2016, except that any amendments to such text enacted other
1510 than by this act shall be preserved and continue to operate to
1511 the extent that such amendments are not dependent upon the
1512 portions of text which expire pursuant to this section.

1513 Section 47. In order to implement Specific Appropriation
1514 1670 of the 2016-2017 General Appropriations Act, subsection (5)
1515 of section 403.709, Florida Statutes, is amended to read:

1516 403.709 Solid Waste Management Trust Fund; use of waste
1517 tire fees.—There is created the Solid Waste Management Trust
1518 Fund, to be administered by the department.

1519 (5) (a) Notwithstanding subsection (1), a solid waste



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1520 landfill closure account is established within the Solid Waste
1521 Management Trust Fund to provide funding for the closing and
1522 long-term care of solid waste management facilities. The
1523 department may use funds from the account to contract with a
1524 third party for the closing and long-term care of a solid waste
1525 management facility if:

1526 1. The facility has or had a department permit to operate
1527 the facility;

1528 2. The permittee provided proof of financial assurance for
1529 closure in the form of an insurance certificate;

1530 3. The facility is deemed to be abandoned or was ordered to
1531 close by the department;

1532 4. Closure is accomplished in substantial accordance with a
1533 closure plan approved by the department; and

1534 5. The department has written documentation that the
1535 insurance company issuing the closure insurance policy will
1536 provide or reimburse the funds required to complete closing and
1537 long-term care of the facility.

1538 (b) The department shall deposit the funds received from
1539 the insurance company as reimbursement for the costs of closing
1540 or long-term care of the facility into the solid waste landfill
1541 closure account.

1542 (c) This subsection expires July 1, 2017 ~~2016~~.

1543 Section 48. Effective upon becoming a law and in order to
1544 implement Specific Appropriation 1674 and section 49 of the
1545 2016-2017 General Appropriations Act, and notwithstanding the
1546 expiration of subsection (5) of section 403.7095, Florida
1547 Statutes, which occurred on July 1, 2015, that subsection is
1548 revived, reenacted, and amended to read:



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1549 403.7095 Solid waste management grant program.-
1550 (5) Notwithstanding any other provision of this section,
1551 and for the 2015-2016 and 2016-2017 ~~2014-2015~~ fiscal years ~~year~~
1552 only, the Department of Environmental Protection shall award the
1553 sum of \$1,500,000 in grants in the 2015-2016 fiscal year and the
1554 sum of \$3,750,000 ~~\$3 million~~ in grants in the 2016-2017 fiscal
1555 year equally to counties having populations of fewer than
1556 100,000 for waste tire and litter prevention, recycling
1557 education, and general solid waste programs. This subsection
1558 expires July 1, 2017 ~~2015~~.

1559 Section 49. In order to implement specific appropriations
1560 from the land acquisition trust funds within the Department of
1561 Agriculture and Consumer Services, the Department of
1562 Environmental Protection, the Department of State, and the Fish
1563 and Wildlife Conservation Commission which are contained in the
1564 2016-2017 General Appropriations Act, subsection (3) of section
1565 215.18, Florida Statutes, is amended to read:

1566 215.18 Transfers between funds; limitation.-

1567 (3) Notwithstanding subsection (1) and only with respect to
1568 a land acquisition trust fund in the Department of Agriculture
1569 and Consumer Services, the Department of Environmental
1570 Protection, the Department of State, or the Fish and Wildlife
1571 Conservation Commission, whenever there is a deficiency in a
1572 land acquisition trust fund which would render that trust fund
1573 temporarily insufficient to meet its just requirements,
1574 including the timely payment of appropriations from that trust
1575 fund, and other trust funds in the State Treasury have moneys
1576 that are for the time being or otherwise in excess of the
1577 amounts necessary to meet the just requirements, including



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1578 appropriated obligations, of those other trust funds, the
1579 Governor may order a temporary transfer of moneys from one or
1580 more of the other trust funds to a land acquisition trust fund
1581 in the Department of Agriculture and Consumer Services, the
1582 Department of Environmental Protection, the Department of State,
1583 or the Fish and Wildlife Conservation Commission. Any action
1584 proposed pursuant to this subsection is subject to the notice,
1585 review, and objection procedures of s. 216.177, and the Governor
1586 shall provide notice of such action at least 7 days before the
1587 effective date of the transfer of trust funds, except that
1588 during July 2016 ~~2015~~, notice of such action shall be provided
1589 at least 3 days before the effective date of a transfer unless
1590 such 3-day notice is waived by the chair and vice-chair of the
1591 Legislative Budget Commission. Any transfer of trust funds to a
1592 land acquisition trust fund in the Department of Agriculture and
1593 Consumer Services, the Department of Environmental Protection,
1594 the Department of State, or the Fish and Wildlife Conservation
1595 Commission must be repaid to the trust funds from which the
1596 moneys were loaned by the end of the 2016-2017 ~~2015-2016~~ fiscal
1597 year. The Legislature has determined that the repayment of the
1598 other trust fund moneys temporarily loaned to a land acquisition
1599 trust fund in the Department of Agriculture and Consumer
1600 Services, the Department of Environmental Protection, the
1601 Department of State, or the Fish and Wildlife Conservation
1602 Commission pursuant to this subsection is an allowable use of
1603 the moneys in a land acquisition trust fund because the moneys
1604 from other trust funds temporarily loaned to a land acquisition
1605 trust fund shall be expended solely and exclusively in
1606 accordance with s. 28, Art. X of the State Constitution. This



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1607 subsection expires July 1, 2017 ~~2016~~.

1608 Section 50. (1) In order to implement specific
1609 appropriations from the land acquisition trust funds within the
1610 Department of Agriculture and Consumer Services, the Department
1611 of Environmental Protection, the Department of State, and the
1612 Fish and Wildlife Conservation Commission which are contained in
1613 the 2016-2017 General Appropriations Act, the Department of
1614 Environmental Protection shall transfer revenues in the Land
1615 Acquisition Trust Fund within the department to the land
1616 acquisition trust funds within the Department of Agriculture and
1617 Consumer Services, the Department of State, and the Fish and
1618 Wildlife Conservation Commission, as provided in this section.
1619 As used in this section, the term "department" means the
1620 Department of Environmental Protection.

1621 (2) After subtracting any required debt service payments,
1622 the proportionate share of revenues to be transferred to a land
1623 acquisition trust fund shall be calculated by dividing the
1624 appropriations from each of the land acquisition trust funds for
1625 the fiscal year by the total appropriations from the Land
1626 Acquisition Trust Fund within the department and the land
1627 acquisition trust funds within the Department of Agriculture and
1628 Consumer Services, the Department of State, and the Fish and
1629 Wildlife Conservation Commission for the fiscal year. The
1630 department shall transfer a proportionate share of the revenues
1631 deposited into the Land Acquisition Trust Fund within the
1632 department on a monthly basis to the land acquisition trust
1633 funds within the Department of Agriculture and Consumer
1634 Services, the Department of State, and the Fish and Wildlife
1635 Conservation Commission and shall retain a proportionate share



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1636 of the revenues in the Land Acquisition Trust Fund within the
1637 department. Total distributions to a land acquisition trust fund
1638 within the Department of Agriculture and Consumer Services, the
1639 Department of State, and the Fish and Wildlife Conservation
1640 Commission may not exceed the total appropriations from such
1641 trust fund for the fiscal year.

1642 (3) This section expires July 1, 2017.

1643 Section 51. In order to implement Specific Appropriation
1644 1623B of the 2016-2017 General Appropriations Act, subsection
1645 (9) of section 376.3071, Florida Statutes, is amended to read:

1646 376.3071 Inland Protection Trust Fund; creation; purposes;
1647 funding.—

1648 (9) INVESTMENTS; INTEREST.—Moneys in the fund which are not
1649 needed currently to meet the obligations of the department in
1650 the exercise of its responsibilities under this section and s.
1651 376.3073 shall be deposited with the Chief Financial Officer to
1652 the credit of the fund and may be invested in such manner as
1653 provided by law. The interest received on such investment shall
1654 be credited to the fund. Any provisions of law to the contrary
1655 notwithstanding, such interest may be freely transferred between
1656 the trust fund and the Water Quality Assurance Trust Fund in the
1657 discretion of the department or as authorized in the General
1658 Appropriations Act.

1659 Section 52. The amendment made by this act to s.
1660 376.3071(9), Florida Statutes, expires July 1, 2017, and the
1661 text of that subsection shall revert to that in existence on
1662 June 30, 2016, except that any amendments to such text enacted
1663 other than by this act shall be preserved and continue to
1664 operate to the extent that such amendments are not dependent



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1665 upon the portions of text which expire pursuant to this section.

1666 Section 53. In order to implement Specific Appropriation
1667 2198 of the 2016-2017 General Appropriations Act, subsections
1668 (4), (5), and (9) of section 288.047, Florida Statutes, are
1669 amended to read:

1670 288.047 Quick-response training for economic development.-

1671 (4) (a) 1. CareerSource Florida, Inc., may approve
1672 applications and execute agreements with terms not to exceed 24
1673 months under the Quick-Response Training Program as provided in
1674 this section. However, the total amount of contractual
1675 obligations at any given time may not exceed \$30 million.

1676 2. The total amount of reimbursements approved for payment
1677 by CareerSource Florida, Inc., based on actual performance under
1678 the grant agreement, may not exceed the amount appropriated to
1679 CareerSource Florida, Inc., for such purposes in fiscal year
1680 2016-2017. The department shall transfer funds to CareerSource
1681 Florida, Inc., as needed to make reimbursement payments.

1682 CareerSource Florida, Inc., may request an advance of the
1683 appropriation for the Quick-Response Training Program in an
1684 amount sufficient to reimburse estimated claims for the first
1685 quarter of fiscal year 2016-2017.

1686 (b) For the first 6 months of each fiscal year,
1687 CareerSource Florida, Inc., shall set aside 30 percent of the
1688 amount appropriated by the Legislature for the Quick-Response
1689 Training Program to fund instructional programs for businesses
1690 located in a rural area of opportunity ~~an enterprise zone~~ or
1691 brownfield area. Any unencumbered funds remaining ~~undisbursed~~
1692 from this set-aside at the end of the 6-month period may be used
1693 to provide funding for a program that qualifies for funding



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1694 pursuant to this section.

1695 (5) ~~Prior to the allocation of funds for a request made~~
1696 ~~pursuant to this section,~~ CareerSource Florida, Inc., shall
1697 prepare a grant agreement with ~~between~~ the business or industry
1698 requesting funds, ~~the educational institution receiving funding~~
1699 ~~through the program, and CareerSource Florida, Inc.~~ Such
1700 agreement may include an educational institution receiving
1701 funding through the program and must include, but is not limited
1702 to:

1703 (a) An identification of the personnel necessary to conduct
1704 the instructional program, the qualifications of such personnel,
1705 and the respective responsibilities of the parties for paying
1706 costs associated with the employment of such personnel.

1707 (b) An identification of the estimated length of the
1708 instructional program.

1709 (c) An identification of all direct, training-related
1710 costs, including tuition and fees, curriculum development, books
1711 and classroom materials, and overhead or indirect costs, not to
1712 exceed 5 percent of the grant amount.

1713 (d) An identification of special program requirements that
1714 are not addressed otherwise in the agreement.

1715 (e) Permission to access information specific to the wages
1716 and performance of participants upon the completion of
1717 instruction for evaluation purposes. Information which, if
1718 released, would disclose the identity of the person to whom the
1719 information pertains or disclose the identity of the person's
1720 employer is confidential and exempt from ~~the provisions of s.~~
1721 119.07(1). The agreement must specify that any evaluations
1722 published subsequent to the instruction may not identify the



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1723 employer or any individual participant.

1724 (9) Notwithstanding any other provision of law, ~~eligible~~
1725 matching contributions received during the fiscal year from a
1726 business or an industry participating in ~~under this section from~~
1727 the Quick-Response Training Program may be counted toward the
1728 private sector support of Enterprise Florida, Inc., under s.
1729 288.904.

1730 Section 54. The amendments made by this act to s.
1731 288.047(4), (5), and (9), Florida Statutes, expire July 1, 2017,
1732 and the text of those subsections shall revert to that in
1733 existence on June 30, 2016, except that any amendments to such
1734 text enacted other than by this act shall be preserved and
1735 continue to operate to the extent that such amendments are not
1736 dependent upon the portions of text which expire pursuant to
1737 this section.

1738 Section 55. In order to implement Specific Appropriation
1739 1895 of the 2016-2017 General Appropriations Act, paragraph (i)
1740 of subsection (4) and paragraph (b) of subsection (5) of section
1741 339.135, Florida Statutes, are amended, and notwithstanding the
1742 expiration of paragraph (j) of subsection (4) and paragraph (c)
1743 of subsection (5) of that section, which occurred on July 1,
1744 2015, those paragraphs are revived, reenacted, and amended, to
1745 read:

1746 339.135 Work program; legislative budget request;
1747 definitions; preparation, adoption, execution, and amendment.—

1748 (4) FUNDING AND DEVELOPING A TENTATIVE WORK PROGRAM.—

1749 (i) Notwithstanding paragraph (a), and for the 2016-2017
1750 ~~2015-2016~~ fiscal year only, the Department of Transportation
1751 shall use appropriated funds to support the establishment of a



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1752 statewide system of interconnected multiuse trails and to pay
1753 the costs of planning, land acquisition, design, and
1754 construction of such trails and related facilities. Funds
1755 specifically appropriated for this purpose may not reduce,
1756 delete, or defer any existing projects funded as of July 1, 2016
1757 ~~2015~~, in the department's 5-year work program. This paragraph
1758 expires July 1, 2017 ~~2016~~.

1759 (j) Notwithstanding paragraph (a) and for the 2016-2017
1760 ~~2014-2015~~ fiscal year only, the department may use up to \$15
1761 million of appropriated funds to pay the costs of strategic and
1762 regionally significant transportation projects. Funds may be
1763 used to provide up to 75 percent of project costs for
1764 production-ready eligible projects. Preference shall be given to
1765 projects that support the state's economic regions, or that have
1766 been identified as regionally significant in accordance with s.
1767 339.155(4)(c), (d), and (e), and that have an increased level of
1768 nonstate match. This paragraph expires July 1, 2017 ~~2015~~.

1769 (5) ADOPTION OF THE WORK PROGRAM.—

1770 (b) Notwithstanding paragraph (a), and for the 2016-2017
1771 ~~2015-2016~~ fiscal year only, the department shall use
1772 appropriated funds to support the establishment of a statewide
1773 system of interconnected multiuse trails and to pay the costs of
1774 planning, land acquisition, design, and construction of such
1775 trails and related facilities. Funds specifically appropriated
1776 for this purpose may not reduce, delete, or defer any existing
1777 projects funded as of July 1, 2016 ~~2015~~, in the department's 5-
1778 year work program. This paragraph expires July 1, 2017 ~~2016~~.

1779 (c) Notwithstanding paragraph (a), and for the 2016-2017
1780 ~~2014-2015~~ fiscal year only, the department may use appropriated



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1781 funds to pay the costs of strategic and regionally significant
1782 transportation projects as provided in paragraph (4)(j). Funds
1783 specifically appropriated for this purpose may not reduce,
1784 delete, or defer any existing projects funded as of July 1, 2016
1785 ~~2014~~, in the department's 5-year work program. This paragraph
1786 expires July 1, 2017 ~~2015~~.

1787 Section 56. In order to implement Specific Appropriation
1788 1890 of the 2016-2017 General Appropriations Act, subsection (2)
1789 of section 339.2818, Florida Statutes, is amended to read:

1790 339.2818 Small County Outreach Program.—

1791 (2)(a) For the purposes of this section, the term "small
1792 county" means any county that has a population of 150,000 or
1793 less as determined by the most recent official estimate pursuant
1794 to s. 186.901.

1795 (b) Notwithstanding paragraph (a), for the 2016-2017 ~~2015-~~
1796 ~~2016~~ fiscal year, for purposes of this section, the term "small
1797 county" means any county that has a population of 170,000
1798 ~~165,000~~ or less as determined by the most recent official
1799 estimate pursuant to s. 186.901. This paragraph expires July 1,
1800 2017 ~~2016~~.

1801 Section 57. In order to implement Specific Appropriation
1802 1874 of the 2016-2017 General Appropriations Act, subsection
1803 (10) of section 341.302, Florida Statutes, is reenacted to read:

1804 341.302 Rail program; duties and responsibilities of the
1805 department.—The department, in conjunction with other
1806 governmental entities, including the rail enterprise and the
1807 private sector, shall develop and implement a rail program of
1808 statewide application designed to ensure the proper maintenance,
1809 safety, revitalization, and expansion of the rail system to



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1810 assure its continued and increased availability to respond to
1811 statewide mobility needs. Within the resources provided pursuant
1812 to chapter 216, and as authorized under federal law, the
1813 department shall:

1814 (10) (a) Administer rail operating and construction
1815 programs, which programs shall include the regulation of maximum
1816 train operating speeds, the opening and closing of public grade
1817 crossings, the construction and rehabilitation of public grade
1818 crossings, the installation of traffic control devices at public
1819 grade crossings, the approval and implementation of quiet zones,
1820 and administration of the programs by the department, including
1821 participation in the cost of the programs.

1822 (b) Provide grant funding to assist with the implementation
1823 of quiet zones that have been approved by the department, which
1824 funding may not exceed 50 percent of the nonfederal and
1825 nonprivate share of the total costs of any quiet zone capital
1826 improvement project.

1827 (c) Coordinate and work closely with local, state, and
1828 federal agencies to provide technical support to local agencies
1829 for the development of quiet zone plans.

1830 (d) Monitor crossing incidents at approved quiet zone
1831 locations and suspend the operation of a quiet zone at any time
1832 the department determines that a significant deterioration in
1833 safety is resulting from quiet zone implementation.

1834 Section 58. The amendment to s. 341.302(10), Florida
1835 Statutes, as carried forward by this act from chapter 2014-53,
1836 Laws of Florida, expires July 1, 2017, and the text of that
1837 subsection shall revert to that in existence on June 30, 2014,
1838 except that any amendments to such text enacted other than by



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1839 this act shall be preserved and continue to operate to the
1840 extent that such amendments are not dependent upon the portions
1841 of text which expire pursuant to this section.

1842 Section 59. In order to implement Specific Appropriation
1843 1889 of the 2016-2017 General Appropriations Act, subsection (3)
1844 of section 339.2816, Florida Statutes, is amended to read:

1845 339.2816 Small County Road Assistance Program.—

1846 (3) In the 2016-2017 fiscal year ~~Beginning with fiscal year~~
1847 ~~1999-2000 until fiscal year 2009-2010, and beginning again with~~
1848 ~~fiscal year 2012-2013, up to \$50~~ \$25 million annually from the
1849 State Transportation Trust Fund may be used for the purposes of
1850 funding the Small County Road Assistance Program as described in
1851 this section.

1852 Section 60. The amendment made by this act to s.
1853 339.2816(3), Florida Statutes, expires July 1, 2017, and the
1854 text of that subsection shall revert to that in existence on
1855 June 30, 2015, except that any amendments to such text enacted
1856 other than by this act shall be preserved and continue to
1857 operate to the extent that such amendments are not dependent
1858 upon the portions of text which expire pursuant to this section.

1859 Section 61. In order to implement Specific Appropriation
1860 2224 of the 2016-2017 General Appropriations Act, subsection
1861 (10) of section 420.9072, Florida Statutes, is amended to read:

1862 420.9072 State Housing Initiatives Partnership Program.—The
1863 State Housing Initiatives Partnership Program is created for the
1864 purpose of providing funds to counties and eligible
1865 municipalities as an incentive for the creation of local housing
1866 partnerships, to expand production of and preserve affordable
1867 housing, to further the housing element of the local government



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1868 comprehensive plan specific to affordable housing, and to
1869 increase housing-related employment.

1870 (10) Notwithstanding ss. 420.9071(26) and 420.9075(5) and
1871 subsection (7), for the 2016-2017 ~~2015-2016~~ fiscal year:

1872 (a) The term "rent subsidies" means ongoing monthly rental
1873 assistance.

1874 (b) Up to 25 percent of the funds made available in each
1875 county and each eligible municipality from the local housing
1876 distribution may be used for rental assistance and rent
1877 subsidies as provided in paragraph (c).

1878 (c) A county or an eligible municipality may expend its
1879 portion of the local housing distribution to provide the
1880 following types of rental assistance and rent subsidies:

1881 1. Security and utility deposit assistance.

1882 2. Eviction prevention subsidies not to exceed 6 months'
1883 rent.

1884 3. Rent subsidies for very-low-income households with at
1885 least one adult who is a person with special needs as defined in
1886 s. 420.0004 or a person who is homeless as defined in s. 420.621
1887 when the person initially qualified for a rent subsidy. The
1888 period of rental subsidy may not exceed 12 months for any
1889 eligible household or person.

1890 (d) This subsection expires July 1, 2017 ~~2016~~.

1891 Section 62. In order to implement Specific Appropriation
1892 2223 of the 2016-2017 General Appropriations Act, subsection
1893 (10) of section 420.5087, Florida Statutes, is amended to read:

1894 420.5087 State Apartment Incentive Loan Program.—There is
1895 hereby created the State Apartment Incentive Loan Program for
1896 the purpose of providing first, second, or other subordinated



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1897 mortgage loans or loan guarantees to sponsors, including for-
1898 profit, nonprofit, and public entities, to provide housing
1899 affordable to very-low-income persons.

1900 (10) (a) Notwithstanding subsection (3), for the 2016-2017
1901 ~~2015-2016~~ fiscal year, the reservation of funds for the tenant
1902 groups within each notice of fund availability shall be:

1903 1. Not less than 10 percent of the funds available at that
1904 time for the following tenant groups:

- 1905 a. Families;
1906 b. Persons who are homeless;
1907 c. Persons with special needs; and
1908 d. Elderly persons.

1909 2. Not less than 5 percent of the funds available at that
1910 time for the commercial fishing workers and farmworkers tenant
1911 group.

1912 (b) Notwithstanding the provisions of this section which
1913 require program funds be used for housing for very-low-income
1914 persons and the provisions of subparagraph (6)(c)4. which
1915 require that specified percentages of the units in a project be
1916 reserved for persons or families of specified income levels, for
1917 the 2016-2017 fiscal year, the corporation shall issue a notice
1918 of fund availability for \$20 million for loans for the
1919 construction of workforce housing to serve primarily low-income
1920 persons, as defined in s. 420.0004.

1921 (c) This subsection expires July 1, 2017 ~~2016~~.

1922 Section 63. In order to implement Specific Appropriation
1923 1856 of the 2016-2017 General Appropriations Act, subsection
1924 (30) is added to section 427.013, Florida Statutes, to read:
1925 427.013 The Commission for the Transportation



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1926 Disadvantaged; purpose and responsibilities.—The purpose of the
1927 commission is to accomplish the coordination of transportation
1928 services provided to the transportation disadvantaged. The goal
1929 of this coordination is to assure the cost-effective provision
1930 of transportation by qualified community transportation
1931 coordinators or transportation operators for the transportation
1932 disadvantaged without any bias or presumption in favor of
1933 multioperator systems or not-for-profit transportation operators
1934 over single operator systems or for-profit transportation
1935 operators. In carrying out this purpose, the commission shall:

1936 (30) For the 2016-2017 fiscal year and notwithstanding any
1937 other provision of this section:

1938 (a) Allocate, from funds provided in the General
1939 Appropriations Act, to community transportation coordinators who
1940 do not receive Urbanized Area Formula funds pursuant to 49
1941 U.S.C. s. 5307 to provide transportation services for persons
1942 with disabilities, older adults, and low-income persons so they
1943 may access health care, employment, education, and other life-
1944 sustaining activities. Funds allocated for this purpose shall be
1945 distributed among community transportation coordinators based
1946 upon the Transportation Disadvantaged Trip and Equipment
1947 allocation methodology established by the commission.

1948 (b) Award, from funds provided in the General
1949 Appropriations Act, competitive grants to community
1950 transportation coordinators to address unique transportation
1951 challenges of persons with disabilities, older adults, and low-
1952 income persons seeking to obtain or maintain employment; to
1953 allow residents of inner-city, urban, or rural neighborhoods to
1954 access jobs; and to provide transportation services for persons



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1955 who work late at night or on weekends when conventional transit
1956 services are reduced or unavailable.

1957 (c) Award, from funds provided in the General
1958 Appropriations Act, competitive grants to community
1959 transportation coordinators to support transportation projects
1960 to:

1961 1. Enhance access to health care, shopping, education,
1962 employment, public services, and recreation;

1963 2. Assist in the development, improvement, and use of
1964 transportation systems in nonurbanized areas;

1965 3. Promote the efficient coordination of services;

1966 4. Support inner-city bus transportation; and

1967 5. Encourage private transportation providers to
1968 participate.

1969 (d) This subsection expires July 1, 2017.

1970 Section 64. In order to implement the salaries and
1971 benefits, expenses, other personal services, contracted
1972 services, special categories, and operating capital outlay
1973 categories of the 2016-2017 General Appropriations Act,
1974 paragraph (a) of subsection (2) of section 216.292, Florida
1975 Statutes, is reenacted to read:

1976 216.292 Appropriations nontransferable; exceptions.—

1977 (2) The following transfers are authorized to be made by
1978 the head of each department or the Chief Justice of the Supreme
1979 Court whenever it is deemed necessary by reason of changed
1980 conditions:

1981 (a) The transfer of appropriations funded from identical
1982 funding sources, except appropriations for fixed capital outlay,
1983 and the transfer of amounts included within the total original



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1984 approved budget and plans of releases of appropriations as
1985 furnished pursuant to ss. 216.181 and 216.192, as follows:

1986 1. Between categories of appropriations within a budget
1987 entity, if no category of appropriation is increased or
1988 decreased by more than 5 percent of the original approved budget
1989 or \$250,000, whichever is greater, by all action taken under
1990 this subsection.

1991 2. Between budget entities within identical categories of
1992 appropriations, if no category of appropriation is increased or
1993 decreased by more than 5 percent of the original approved budget
1994 or \$250,000, whichever is greater, by all action taken under
1995 this subsection.

1996 3. Any agency exceeding salary rate established pursuant to
1997 s. 216.181(8) on June 30th of any fiscal year shall not be
1998 authorized to make transfers pursuant to subparagraphs 1. and 2.
1999 in the subsequent fiscal year.

2000 4. Notice of proposed transfers under subparagraphs 1. and
2001 2. shall be provided to the Executive Office of the Governor and
2002 the chairs of the legislative appropriations committees at least
2003 3 days prior to agency implementation in order to provide an
2004 opportunity for review.

2005 Section 65. The amendment to s. 216.292(2)(a), Florida
2006 Statutes, as carried forward by this act from chapter 2014-53,
2007 Laws of Florida, expires July 1, 2017, and the text of that
2008 paragraph shall revert to that in existence on June 30, 2014,
2009 except that any amendments to such text enacted other than by
2010 this act shall be preserved and continue to operate to the
2011 extent that such amendments are not dependent upon the portions
2012 of text which expire pursuant to this section.



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2013 Section 66. In order to implement the appropriation of
2014 funds in the contracted services and expenses categories of the
2015 2016-2017 General Appropriations Act, a state agency may not
2016 initiate a competitive solicitation for a product or service if
2017 the completion of such competitive solicitation would:

2018 (1) Require a change in law; or

2019 (2) Require a change to the agency's budget other than a
2020 transfer authorized in s. 216.292(2) or (3), Florida Statutes,
2021 unless the initiation of such competitive solicitation is
2022 specifically authorized in law, in the General Appropriations
2023 Act, or by the Legislative Budget Commission.

2024
2025 This section does not apply to a competitive solicitation for
2026 which the agency head certifies that a valid emergency exists.
2027 This section expires July 1, 2017.

2028 Section 67. In order to implement the appropriation of
2029 funds in the appropriation category "Special Categories-Risk
2030 Management Insurance" in the 2016-2017 General Appropriations
2031 Act, and pursuant to the notice, review, and objection
2032 procedures of s. 216.177, Florida Statutes, the Executive Office
2033 of the Governor may transfer funds appropriated in that category
2034 between departments in order to align the budget authority
2035 granted with the premiums paid by each department for risk
2036 management insurance. This section expires July 1, 2017.

2037 Section 68. In order to implement the appropriation of
2038 funds in the appropriation category "Special Categories-Transfer
2039 to Department of Management Services-Human Resources Services
2040 Purchased per Statewide Contract" in the 2016-2017 General
2041 Appropriations Act, and pursuant to the notice, review, and



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2042 objection procedures of s. 216.177, Florida Statutes, the
2043 Executive Office of the Governor may transfer funds appropriated
2044 in that category between departments in order to align the
2045 budget authority granted with the assessments that must be paid
2046 by each agency to the Department of Management Services for
2047 human resource management services. This section expires July 1,
2048 2017.

2049 Section 69. In order to implement appropriations for
2050 salaries and benefits in the 2016-2017 General Appropriations
2051 Act, subsection (6) of section 112.24, Florida Statutes, is
2052 amended to read:

2053 112.24 Intergovernmental interchange of public employees.-
2054 To encourage economical and effective utilization of public
2055 employees in this state, the temporary assignment of employees
2056 among agencies of government, both state and local, and
2057 including school districts and public institutions of higher
2058 education is authorized under terms and conditions set forth in
2059 this section. State agencies, municipalities, and political
2060 subdivisions are authorized to enter into employee interchange
2061 agreements with other state agencies, the Federal Government,
2062 another state, a municipality, or a political subdivision
2063 including a school district, or with a public institution of
2064 higher education. State agencies are also authorized to enter
2065 into employee interchange agreements with private institutions
2066 of higher education and other nonprofit organizations under the
2067 terms and conditions provided in this section. In addition, the
2068 Governor or the Governor and Cabinet may enter into employee
2069 interchange agreements with a state agency, the Federal
2070 Government, another state, a municipality, or a political



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2071 subdivision including a school district, or with a public
2072 institution of higher learning to fill, subject to the
2073 requirements of chapter 20, appointive offices which are within
2074 the executive branch of government and which are filled by
2075 appointment by the Governor or the Governor and Cabinet. Under
2076 no circumstances shall employee interchange agreements be
2077 utilized for the purpose of assigning individuals to participate
2078 in political campaigns. Duties and responsibilities of
2079 interchange employees shall be limited to the mission and goals
2080 of the agencies of government.

2081 (6) For the 2016-2017 ~~2015-2016~~ fiscal year only, the
2082 assignment of an employee of a state agency as provided in this
2083 section may be made if recommended by the Governor or Chief
2084 Justice, as appropriate, and approved by the chairs of the
2085 legislative appropriations committees. Such actions shall be
2086 deemed approved if neither chair provides written notice of
2087 objection within 14 days after receiving notice of the action
2088 pursuant to s. 216.177. This subsection expires July 1, 2017
2089 ~~2016~~.

2090 Section 70. In order to implement Specific Appropriations
2091 2652 and 2653 of the 2016-2017 General Appropriations Act and
2092 notwithstanding s. 11.13(1), Florida Statutes, the authorized
2093 salaries for members of the Legislature for the 2016-2017 fiscal
2094 year shall be set at the same level in effect on July 1, 2010.
2095 This section expires July 1, 2017.

2096 Section 71. In order to implement the transfer of funds to
2097 the General Revenue Fund from trust funds in the 2016-2017
2098 General Appropriations Act, paragraph (b) of subsection (2) of
2099 section 215.32, Florida Statutes, is reenacted to read:



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2100 215.32 State funds; segregation.-

2101 (2) The source and use of each of these funds shall be as
2102 follows:

2103 (b)1. The trust funds shall consist of moneys received by
2104 the state which under law or under trust agreement are
2105 segregated for a purpose authorized by law. The state agency or
2106 branch of state government receiving or collecting such moneys
2107 is responsible for their proper expenditure as provided by law.
2108 Upon the request of the state agency or branch of state
2109 government responsible for the administration of the trust fund,
2110 the Chief Financial Officer may establish accounts within the
2111 trust fund at a level considered necessary for proper
2112 accountability. Once an account is established, the Chief
2113 Financial Officer may authorize payment from that account only
2114 upon determining that there is sufficient cash and releases at
2115 the level of the account.

2116 2. In addition to other trust funds created by law, to the
2117 extent possible, each agency shall use the following trust funds
2118 as described in this subparagraph for day-to-day operations:

2119 a. Operations or operating trust fund, for use as a
2120 depository for funds to be used for program operations funded by
2121 program revenues, with the exception of administrative
2122 activities when the operations or operating trust fund is a
2123 proprietary fund.

2124 b. Operations and maintenance trust fund, for use as a
2125 depository for client services funded by third-party payors.

2126 c. Administrative trust fund, for use as a depository for
2127 funds to be used for management activities that are departmental
2128 in nature and funded by indirect cost earnings and assessments



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2129 against trust funds. Proprietary funds are excluded from the
2130 requirement of using an administrative trust fund.

2131 d. Grants and donations trust fund, for use as a depository
2132 for funds to be used for allowable grant or donor agreement
2133 activities funded by restricted contractual revenue from private
2134 and public nonfederal sources.

2135 e. Agency working capital trust fund, for use as a
2136 depository for funds to be used pursuant to s. 216.272.

2137 f. Clearing funds trust fund, for use as a depository for
2138 funds to account for collections pending distribution to lawful
2139 recipients.

2140 g. Federal grant trust fund, for use as a depository for
2141 funds to be used for allowable grant activities funded by
2142 restricted program revenues from federal sources.

2143
2144 To the extent possible, each agency must adjust its internal
2145 accounting to use existing trust funds consistent with the
2146 requirements of this subparagraph. If an agency does not have
2147 trust funds listed in this subparagraph and cannot make such
2148 adjustment, the agency must recommend the creation of the
2149 necessary trust funds to the Legislature no later than the next
2150 scheduled review of the agency's trust funds pursuant to s.
2151 215.3206.

2152 3. All such moneys are hereby appropriated to be expended
2153 in accordance with the law or trust agreement under which they
2154 were received, subject always to the provisions of chapter 216
2155 relating to the appropriation of funds and to the applicable
2156 laws relating to the deposit or expenditure of moneys in the
2157 State Treasury.



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2158 4.a. Notwithstanding any provision of law restricting the
2159 use of trust funds to specific purposes, unappropriated cash
2160 balances from selected trust funds may be authorized by the
2161 Legislature for transfer to the Budget Stabilization Fund and
2162 General Revenue Fund in the General Appropriations Act.

2163 b. This subparagraph does not apply to trust funds required
2164 by federal programs or mandates; trust funds established for
2165 bond covenants, indentures, or resolutions whose revenues are
2166 legally pledged by the state or public body to meet debt service
2167 or other financial requirements of any debt obligations of the
2168 state or any public body; the Division of Licensing Trust Fund
2169 in the Department of Agriculture and Consumer Services; the
2170 State Transportation Trust Fund; the trust fund containing the
2171 net annual proceeds from the Florida Education Lotteries; the
2172 Florida Retirement System Trust Fund; trust funds under the
2173 management of the State Board of Education or the Board of
2174 Governors of the State University System, where such trust funds
2175 are for auxiliary enterprises, self-insurance, and contracts,
2176 grants, and donations, as those terms are defined by general
2177 law; trust funds that serve as clearing funds or accounts for
2178 the Chief Financial Officer or state agencies; trust funds that
2179 account for assets held by the state in a trustee capacity as an
2180 agent or fiduciary for individuals, private organizations, or
2181 other governmental units; and other trust funds authorized by
2182 the State Constitution.

2183 Section 72. The amendment to s. 215.32(2)(b), Florida
2184 Statutes, as carried forward by this act from chapter 2011-47,
2185 Laws of Florida, expires July 1, 2017, and the text of that
2186 paragraph shall revert to that in existence on June 30, 2011,



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2187 except that any amendments to such text enacted other than by
2188 this act shall be preserved and continue to operate to the
2189 extent that such amendments are not dependent upon the portions
2190 of text which expire pursuant to this section.

2191 Section 73. In order to implement the issuance of new debt
2192 authorized in the 2016-2017 General Appropriations Act, and
2193 pursuant to s. 215.98, Florida Statutes, the Legislature
2194 determines that the authorization and issuance of debt for the
2195 2016-2017 fiscal year should be implemented and is in the best
2196 interest of the state. This section expires July 1, 2017.

2197 Section 74. In order to implement appropriations in the
2198 2016-2017 General Appropriations Act for state employee travel,
2199 the funds appropriated to each state agency which may be used
2200 for travel by state employees shall be limited during the 2016-
2201 2017 fiscal year to travel for activities that are critical to
2202 each state agency's mission. Funds may not be used for travel by
2203 state employees to foreign countries, other states, conferences,
2204 staff training activities, or other administrative functions
2205 unless the agency head has approved, in writing, that such
2206 activities are critical to the agency's mission. The agency head
2207 shall consider using teleconferencing and other forms of
2208 electronic communication to meet the needs of the proposed
2209 activity before approving mission-critical travel. This section
2210 does not apply to travel for law enforcement purposes, military
2211 purposes, emergency management activities, or public health
2212 activities. This section expires July 1, 2017.

2213 Section 75. In order to implement Specific Appropriations
2214 2892 through 2913 of the 2016-2017 General Appropriations Act,
2215 funded from the data processing appropriation category for



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2216 computing services of user agencies, and pursuant to the notice,
2217 review, and objection procedures of s. 216.177, Florida
2218 Statutes, the Executive Office of the Governor may transfer
2219 funds appropriated for data processing in the 2016-2017 General
2220 Appropriations Act between agencies in order to align the budget
2221 authority granted with the utilization rate of each department.
2222 This section expires July 1, 2017.

2223 Section 76. In order to implement the appropriation of
2224 funds in the appropriation category "Data Processing Services-
2225 State Data Center-Agency for State Technology (AST)" in the
2226 2016-2017 General Appropriations Act, and pursuant to the
2227 notice, review, and objection procedures of s. 216.177, Florida
2228 Statutes, the Executive Office of the Governor may transfer
2229 funds appropriated in that category between departments in order
2230 to align the budget authority granted based on the estimated
2231 billing cycle and methodology used by the Agency for State
2232 Technology for data processing services provided by the State
2233 Data Center. This section expires July 1, 2017.

2234 Section 77. In order to implement appropriations authorized
2235 in the 2016-2017 General Appropriations Act for data center
2236 services, and notwithstanding s. 216.292(2)(a), Florida
2237 Statutes, except as authorized in sections 75 and 76 of this
2238 act, an agency may not transfer funds from a data processing
2239 category to a category other than another data processing
2240 category. This section expires July 1, 2017.

2241 Section 78. In order to implement Specific Appropriation
2242 2826 of the 2016-2017 General Appropriations Act, the Executive
2243 Office of the Governor may transfer funds appropriated in the
2244 appropriation category "Expenses" of the 2016-2017 General



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2245 Appropriations Act between agencies in order to allocate a
2246 reduction relating to SUNCOM Network services. This section
2247 expires July 1, 2017.

2248 Section 79. In order to implement section 8 of the 2016-
2249 2017 General Appropriations Act, section 110.12315, Florida
2250 Statutes, is reenacted to read:

2251 110.12315 Prescription drug program.—The state employees'
2252 prescription drug program is established. This program shall be
2253 administered by the Department of Management Services, according
2254 to the terms and conditions of the plan as established by the
2255 relevant provisions of the annual General Appropriations Act and
2256 implementing legislation, subject to the following conditions:

2257 (1) The department shall allow prescriptions written by
2258 health care providers under the plan to be filled by any
2259 licensed pharmacy pursuant to contractual claims-processing
2260 provisions. Nothing in this section may be construed as
2261 prohibiting a mail order prescription drug program distinct from
2262 the service provided by retail pharmacies.

2263 (2) In providing for reimbursement of pharmacies for
2264 prescription medicines dispensed to members of the state group
2265 health insurance plan and their dependents under the state
2266 employees' prescription drug program:

2267 (a) Retail pharmacies participating in the program must be
2268 reimbursed at a uniform rate and subject to uniform conditions,
2269 according to the terms and conditions of the plan.

2270 (b) There shall be a 30-day supply limit for prescription
2271 card purchases, a 90-day supply limit for maintenance
2272 prescription drug purchases, and a 90-day supply limit for mail
2273 order or mail order prescription drug purchases.



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2274 (c) The pharmacy dispensing fee shall be negotiated by the
2275 department.

2276 (3) Pharmacy reimbursement rates shall be as follows:

2277 (a) For mail order and specialty pharmacies contracting
2278 with the department, reimbursement rates shall be as established
2279 in the contract.

2280 (b) For retail pharmacies, the reimbursement rate shall be
2281 at the same rate as mail order pharmacies under contract with
2282 the department.

2283 (4) The department shall maintain the preferred brand name
2284 drug list to be used in the administration of the state
2285 employees' prescription drug program.

2286 (5) The department shall maintain a list of maintenance
2287 drugs.

2288 (a) Preferred provider organization health plan members may
2289 have prescriptions for maintenance drugs filled up to three
2290 times as a 30-day supply through a retail pharmacy; thereafter,
2291 prescriptions for the same maintenance drug must be filled as a
2292 90-day supply either through the department's contracted mail
2293 order pharmacy or through a retail pharmacy.

2294 (b) Health maintenance organization health plan members may
2295 have prescriptions for maintenance drugs filled as a 90-day
2296 supply either through a mail order pharmacy or through a retail
2297 pharmacy.

2298 (6) Copayments made by health plan members for a 90-day
2299 supply through a retail pharmacy shall be the same as copayments
2300 made for a 90-day supply through the department's contracted
2301 mail order pharmacy.

2302 (7) The department shall establish the reimbursement



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2303 schedule for prescription pharmaceuticals dispensed under the
2304 program. Reimbursement rates for a prescription pharmaceutical
2305 must be based on the cost of the generic equivalent drug if a
2306 generic equivalent exists, unless the physician prescribing the
2307 pharmaceutical clearly states on the prescription that the brand
2308 name drug is medically necessary or that the drug product is
2309 included on the formulary of drug products that may not be
2310 interchanged as provided in chapter 465, in which case
2311 reimbursement must be based on the cost of the brand name drug
2312 as specified in the reimbursement schedule adopted by the
2313 department.

2314 (8) The department shall conduct a prescription utilization
2315 review program. In order to participate in the state employees'
2316 prescription drug program, retail pharmacies dispensing
2317 prescription medicines to members of the state group health
2318 insurance plan or their covered dependents, or to subscribers or
2319 covered dependents of a health maintenance organization plan
2320 under the state group insurance program, shall make their
2321 records available for this review.

2322 (9) The department shall implement such additional cost-
2323 saving measures and adjustments as may be required to balance
2324 program funding within appropriations provided, including a
2325 trial or starter dose program and dispensing of long-term-
2326 maintenance medication in lieu of acute therapy medication.

2327 (10) Participating pharmacies must use a point-of-sale
2328 device or an online computer system to verify a participant's
2329 eligibility for coverage. The state is not liable for
2330 reimbursement of a participating pharmacy for dispensing
2331 prescription drugs to any person whose current eligibility for



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2332 coverage has not been verified by the state's contracted
2333 administrator or by the department.

2334 (11) Under the state employees' prescription drug program
2335 copayments must be made as follows:

2336 (a) Effective January 1, 2013, for the State Group Health
2337 Insurance Standard Plan:

- 2338 1. For generic drug with card.....\$7.
- 2339 2. For preferred brand name drug with card.....\$30.
- 2340 3. For nonpreferred brand name drug with card.....\$50.
- 2341 4. For generic mail order drug.....\$14.
- 2342 5. For preferred brand name mail order drug.....\$60.
- 2343 6. For nonpreferred brand name mail order drug.....\$100.

2344 (b) Effective January 1, 2006, for the State Group Health
2345 Insurance High Deductible Plan:

- 2346 1. Retail coinsurance for generic drug with card.....30%.
- 2347 2. Retail coinsurance for preferred brand name drug with
2348 card.....30%.
- 2349 3. Retail coinsurance for nonpreferred brand name drug with
2350 card.....50%.
- 2351 4. Mail order coinsurance for generic drug.....30%.
- 2352 5. Mail order coinsurance for preferred brand name drug.30%.
- 2353 6. Mail order coinsurance for nonpreferred brand name
2354 drug.....50%.

2355 (c) The department shall create a preferred brand name drug
2356 list to be used in the administration of the state employees'
2357 prescription drug program.

2358 Section 80. (1) The amendment to s. 110.12315(2)(b),
2359 Florida Statutes, as carried forward by this act from chapter
2360 2014-53, Laws of Florida, expires July 1, 2017, and the text of



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2361 that paragraph shall revert to that in existence on June 30,
2362 2012, except that any amendments to such text enacted other than
2363 by this act shall be preserved and continue to operate to the
2364 extent that such amendments are not dependent upon the portions
2365 of text which expire pursuant to this section.

2366 (2) The amendments to s. 110.12315(2)(c) and (3)-(6),
2367 Florida Statutes, as carried forward by this act from chapter
2368 2014-53, Laws of Florida, expire July 1, 2017, and the text of
2369 that paragraph and the text and numbering of those subsections
2370 shall revert to those in existence on June 30, 2014, except that
2371 any amendments to such text enacted other than by this act shall
2372 be preserved and continue to operate to the extent that such
2373 amendments are not dependent upon the portions of text which
2374 expire pursuant to this section.

2375 (3) The amendment to s. 110.12315(7), Florida Statutes, as
2376 carried forward by this act from chapter 2014-53, Laws of
2377 Florida, expires July 1, 2017, and the text of that subsection
2378 shall revert to that in existence on December 31, 2010, except
2379 that any amendments to such text enacted other than by this act
2380 shall be preserved and continue to operate to the extent that
2381 such amendments are not dependent upon the portions of text
2382 which expire pursuant to this section.

2383 Section 81. Any section of this act which implements a
2384 specific appropriation or specifically identified proviso
2385 language in the 2016-2017 General Appropriations Act is void if
2386 the specific appropriation or specifically identified proviso
2387 language is vetoed. Any section of this act which implements
2388 more than one specific appropriation or more than one portion of
2389 specifically identified proviso language in the 2016-2017



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2390 General Appropriations Act is void if all the specific
2391 appropriations or portions of specifically identified proviso
2392 language are vetoed.

2393 Section 82. If any other act passed during the 2016 Regular
2394 Session contains a provision that is substantively the same as a
2395 provision in this act, but that removes or is otherwise not
2396 subject to the future repeal applied to such provision by this
2397 act, the Legislature intends that the provision in the other act
2398 takes precedence and continues to operate, notwithstanding the
2399 future repeal provided by this act.

2400 Section 83. If any provision of this act or its application
2401 to any person or circumstance is held invalid, the invalidity
2402 does not affect other provisions or applications of the act
2403 which can be given effect without the invalid provision or
2404 application, and to this end the provisions of this act are
2405 severable.

2406 Section 84. Except as otherwise expressly provided in this
2407 act and except for this section, which shall take effect upon
2408 this act becoming a law, this act shall take effect July 1,
2409 2016.

2411 ===== T I T L E A M E N D M E N T =====

2412 And the title is amended as follows:

2413 Delete everything before the enacting clause
2414 and insert:

2415 A bill to be entitled
2416 An act implementing the 2016-2017 General
2417 Appropriations Act; providing legislative intent;
2418 incorporating by reference certain calculations of the



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2419 Florida Education Finance Program; providing that
2420 funds for instructional materials must be released and
2421 expended as required in specified proviso language;
2422 specifying the required ad valorem tax millage
2423 contribution by certain district school boards for
2424 certain funded construction projects; amending s.
2425 1011.62, F.S.; revising the method for allocating
2426 funds for exceptional student education programs;
2427 extending by 1 fiscal year the requirement that
2428 specified school districts use certain funds toward
2429 additional intensive reading instruction; specifying
2430 the method for determining the 300 lowest-performing
2431 elementary schools; requiring categorical funds for
2432 supplemental academic instruction to be provided for
2433 in the Florida Education Finance Program; specifying
2434 the method of determining the allocation of
2435 categorical funding; providing for the recalculation
2436 of categorical funding; requiring an allocation to be
2437 prorated if certain conditions exist; revising the
2438 computation of the district sparsity index for
2439 districts that meet certain criteria; deleting
2440 obsolete language; creating a federally connected
2441 student supplement for school districts; specifying
2442 eligibility requirements and calculations for
2443 allocations of the supplement; conforming cross-
2444 references; amending s. 1011.71, F.S.; conforming a
2445 cross-reference; providing for the future expiration
2446 and reversion of specified statutory text; amending s.
2447 1004.935, F.S.; extending the date by which the Adults



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2448 with Disabilities Workforce Education Pilot Program
2449 may operate; providing for the future expiration and
2450 reversion of specified statutory text; amending s.
2451 1013.74, F.S.; authorizing a university board of
2452 trustees to expend certain reserve or carry forward
2453 balances from a prior year for specified capital
2454 outlay projects if certain conditions are met;
2455 amending s. 1001.92, F.S.; revising requirements for
2456 the performance-based metrics adopted by the Board of
2457 Governors of the State University System for purposes
2458 of the State University System Performance-Based
2459 Incentive; requiring the Board of Governors to
2460 establish eligibility thresholds to determine a state
2461 university's eligibility to receive performance
2462 funding; creating s. 1001.66, F.S.; requiring a
2463 Florida College System Performance-Based Incentive to
2464 be awarded to Florida College System institutions
2465 using certain performance-based metrics and benchmarks
2466 adopted by the State Board of Education; specifying
2467 allocation of the funds; requiring the State Board of
2468 Education to establish eligibility thresholds to
2469 determine an institution's eligibility to receive
2470 performance funding; requiring certain funds to be
2471 withheld from, and certain improvement plans to be
2472 submitted to the State Board of Education by,
2473 institutions based on specified performance;
2474 specifying monitoring and reporting requirements for
2475 improvement plans; requiring the Commissioner of
2476 Education to withhold disbursement of specified funds



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2477 until certain conditions are met; specifying
2478 requirements regarding the distribution of funds;
2479 requiring the State Board of Education to report to
2480 the Governor and the Legislature regarding the
2481 performance funding allocation; amending s. 1012.75,
2482 F.S.; extending by 1 fiscal year provisions
2483 authorizing the Department of Education to administer
2484 an educator liability insurance program; creating s.
2485 1001.67, F.S.; establishing the Distinguished Florida
2486 College System institution program; specifying the
2487 excellence standards for purposes of the program;
2488 prescribing minimum criteria for an institution to
2489 receive a distinguished college designation;
2490 specifying that designated institutions are eligible
2491 for funding as provided in the General Appropriations
2492 Act; amending s. 1001.7065, F.S., and reenacting
2493 subsection (1), relating to the preeminent state
2494 research universities program; revising academic and
2495 research excellence standards for the preeminent state
2496 research universities program; requiring the Board of
2497 Governors to designate a state university that meets
2498 certain criteria as an "emerging preeminent state
2499 research university"; revising provisions governing
2500 the award of funds to a designated preeminent state
2501 research university; requiring an emerging preeminent
2502 state research university to submit a benchmark plan
2503 to the board; specifying the method of determining
2504 funding amounts; deleting a provision establishing the
2505 Preeminent State Research University Enhancement



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2506 Initiative; removing authority for a state research
2507 university to establish special course requirements;
2508 providing for the future expiration and reversion of
2509 specified statutory text; authorizing the Agency for
2510 Health Care Administration to submit a budget
2511 amendment to realign funding based upon a specified
2512 model, methodology, and framework; specifying
2513 requirements for such realignment; requiring the
2514 Agency for Persons with Disabilities to offer
2515 enrollment in the Medicaid home and community-based
2516 waiver to certain individuals; specifying criteria for
2517 enrollment prioritization; requiring an individual to
2518 be allowed to receive home and community-based
2519 services if his or her parent or legal guardian is an
2520 active-duty servicemember transferred to this state
2521 under certain circumstances; providing that
2522 individuals remaining on the wait list are not
2523 entitled to a hearing in accordance with federal law
2524 or an administrative proceeding under state law;
2525 specifying the requirements that apply to the iBudgets
2526 of clients on the home and community-based services
2527 waiver until the Agency for Persons with Disabilities
2528 adopts a new allocation algorithm and methodology by
2529 final rule; providing for application of the new
2530 allocation algorithm and methodology after adoption of
2531 the final rule; providing requirements for an increase
2532 in iBudget funding allocations; amending s. 296.37,
2533 F.S.; extending for 1 fiscal year the requirement that
2534 certain residents of a veterans' nursing home



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2535 contribute to their maintenance and support; requiring
2536 the Agency for Health Care Administration to ensure
2537 that nursing facility residents who are eligible for
2538 funds to transition to home and community-based
2539 services waivers have resided in a skilled nursing
2540 facility for a specified period; requiring the Agency
2541 for Health Care Administration and the Department of
2542 Elderly Affairs to prioritize individuals for
2543 enrollment in the Medicaid Long-Term Care Waiver
2544 program using a certain frailty-based screening;
2545 authorizing the Agency for Health Care Administration
2546 to adopt rules and enter into certain interagency
2547 agreements with respect to program enrollment;
2548 authorizing the delegation of certain responsibilities
2549 with respect to program enrollment; authorizing the
2550 Agency for Health Care Administration, in consultation
2551 with the Department of Health, to submit a budget
2552 amendment to reflect certain enrollment changes within
2553 the Children's Medical Services Network; authorizing
2554 the agency to submit a request for nonoperating budget
2555 authority to transfer federal funds to the Department
2556 of Health under certain circumstances; incorporating
2557 by reference certain calculations of the Medicaid Low-
2558 Income Pool, Disproportionate Share Hospital, and
2559 hospital reimbursement programs for the 2016-2017
2560 fiscal year; amending s. 893.055, F.S.; extending for
2561 1 fiscal year the authority of the Department of
2562 Health to use certain funds to administer the
2563 prescription drug monitoring program; prohibiting the



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2564 use of funds received from a settlement agreement to
2565 administer the program; amending s. 216.262, F.S. ;
2566 extending for 1 fiscal year the authority of the
2567 Department of Corrections to submit a budget amendment
2568 for additional positions and appropriations under
2569 certain circumstances; authorizing the Department of
2570 Legal Affairs to expend certain appropriated funds on
2571 programs that were funded by the department from
2572 specific appropriations in general appropriations acts
2573 in previous years; amending s. 932.7055, F.S. ;
2574 extending for 1 fiscal year the authority for a
2575 municipality to expend funds from its special law
2576 enforcement trust fund to reimburse its general fund
2577 for certain moneys; amending s. 215.18, F.S. ;
2578 extending for 1 fiscal year the authority and related
2579 repayment requirements for trust fund loans to the
2580 state court system which are sufficient to meet the
2581 system's appropriation; prohibiting the Department of
2582 Corrections from transferring funds from a salaries
2583 and benefits category to another category unless
2584 approved by the Legislative Budget Commission;
2585 requiring the Department of Juvenile Justice to review
2586 county juvenile detention payments to determine if the
2587 county has met specified financial responsibilities;
2588 requiring amounts owed by the county for such
2589 financial responsibilities to be deducted from certain
2590 county funds; requiring the Department of Revenue to
2591 ensure that such deductions do not reduce
2592 distributions below amounts necessary for certain



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2593 payments relating to bonds; requiring the Department
2594 of Revenue to notify the Department of Juvenile
2595 Justice if bond payment requirements require a
2596 reduction in deductions for amounts owed by a county;
2597 amending s. 27.5304, F.S.; revising certain
2598 limitations on compensation for private court-
2599 appointed counsel; providing for the future expiration
2600 and reversion of specified statutory text; amending s.
2601 28.36, F.S.; prescribing procedures regarding the
2602 distribution of funds appropriated in the General
2603 Appropriations Act for the clerks of the court for the
2604 2015-2016 and the 2016-2017 county fiscal years;
2605 specifying the manner in which funds must be released;
2606 requiring the Department of Management Services to use
2607 tenant broker services to renegotiate or repro cure
2608 private lease agreements for office or storage space;
2609 requiring the Department of Management Services to
2610 provide a report to the Governor and the Legislature
2611 by a specified date; reenacting s. 624.502, F.S.,
2612 relating to the deposit of fees for service of process
2613 made upon the Chief Financial Officer or the Director
2614 of the Office of Insurance Regulation into the
2615 Administrative Trust Fund; providing for the future
2616 expiration and reversion of specified statutory text;
2617 reenacting s. 282.709(2)(a), F.S., relating to the
2618 creation and membership of the Joint Task Force on
2619 State Agency Law Enforcement Communications; providing
2620 for the future expiration and reversion of specified
2621 statutory text; specifying the amount of the



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2622 transaction fee to be collected for use of the online
2623 procurement system; amending s. 259.105, F.S.;

2624 revising the distribution of certain proceeds from
2625 cash payments or bonds issued pursuant to the Florida
2626 Forever Act for the 2016-2017 fiscal year; requiring
2627 that a minimum allocation of funds for the Florida
2628 Communities Trust be applied toward projects acquiring
2629 conservation or recreation lands to enhance
2630 recreational opportunities for individuals with unique
2631 abilities; authorizing such funds to be used toward
2632 redevelopment and renewal projects if certain
2633 conditions are met; amending s. 375.075, F.S.;

2634 requiring that a minimum amount of funds for the
2635 Florida Recreation Development Assistance Program be
2636 used toward projects providing recreational
2637 enhancements and opportunities for individuals with
2638 unique abilities; requiring the Department of
2639 Environmental Protection to award grants by a
2640 specified date; revising the limitation on the number
2641 of grant applications a local government may submit;
2642 requiring the department to prioritize certain
2643 projects; amending s. 380.507, F.S.; revising the
2644 powers of the Florida Communities Trust to authorize
2645 the undertaking, coordination, and funding of projects
2646 that provide accessibility, availability, or
2647 adaptability of conservation or recreation lands for
2648 individuals with unique abilities; amending s.
2649 216.181, F.S.; extending by 1 fiscal year the
2650 authority for the Legislative Budget Commission to



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2651 increase amounts appropriated to the Fish and Wildlife
2652 Conservation Commission or the Department of
2653 Environmental Protection for certain fixed capital
2654 outlay projects; amending s. 206.9935, F.S.; exempting
2655 specified revenues from the calculation of the
2656 unobligated balance of the Water Quality Assurance
2657 Trust Fund; providing for the future expiration and
2658 reversion of specified statutory text; amending s.
2659 403.709, F.S.; extending by 1 fiscal year provisions
2660 governing the establishment of a solid waste landfill
2661 closure account within the Solid Waste Management
2662 Trust Fund; reviving, reenacting, and amending s.
2663 403.7095(5), F.S.; requiring the Department of
2664 Environmental Protection to award a certain sum of
2665 grant funds for specified solid waste management
2666 programs to counties that meet certain criteria;
2667 amending s. 215.18, F.S.; extending by 1 fiscal year
2668 the authority for the Governor to transfer funds from
2669 other trust funds in the State Treasury as a temporary
2670 loan to certain land acquisition trust funds with a
2671 deficit; requiring the Department of Environmental
2672 Protection to transfer revenues deposited in the Land
2673 Acquisition Trust Fund within the department to land
2674 acquisition trust funds in the Department of
2675 Agriculture and Consumer Services, the Department of
2676 State, and the Fish and Wildlife Conservation
2677 Commission according to specified parameters and
2678 calculations; defining the term "department";
2679 requiring the department to retain a proportionate



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2680 share of revenues; specifying a limit on
2681 distributions; amending s. 376.3071, F.S.; specifying
2682 that earned interest may be transferred between the
2683 Inland Protection Trust Fund and the Water Quality
2684 Assurance Trust Fund as authorized by the General
2685 Appropriations Act; providing for the future
2686 expiration and reversion of specified statutory text;
2687 amending s. 288.047, F.S.; specifying requirements and
2688 limitations with respect to the approval of
2689 applications, the execution of agreements, and
2690 reimbursement amounts under the Quick-Response
2691 Training Program; requiring the Department of Economic
2692 Opportunity to transfer funds to CareerSource Florida,
2693 Inc., if certain conditions exist; authorizing
2694 CareerSource Florida, Inc., to request an advance of
2695 the appropriation for the program; requiring
2696 CareerSource Florida, Inc., to set aside a specified
2697 percent of a certain appropriation to fund
2698 instructional programs for businesses located in a
2699 rural area of opportunity under certain circumstances;
2700 authorizing, rather than requiring, an educational
2701 institution receiving program funding to be included
2702 in the grant agreement prepared by CareerSource
2703 Florida, Inc.; authorizing certain matching
2704 contributions to be counted toward the private sector
2705 support of Enterprise Florida, Inc.; providing for the
2706 future expiration and reversion of specified statutory
2707 text; amending s. 339.135, F.S., and reviving,
2708 reenacting, and amending paragraphs (4)(j) and (5)(c);



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2709 extending by 1 fiscal year provisions requiring the
2710 Department of Transportation to use appropriated funds
2711 for purposes related to the establishment of a
2712 multiuse trail system; authorizing the department to
2713 use up to a certain amount of appropriated funds for
2714 strategic and regionally significant transportation
2715 projects; amending s. 339.2818, F.S.; redefining the
2716 term "small county" for purposes of the Small County
2717 Outreach Program; reenacting s. 341.302(10), F.S.,
2718 relating to the Department of Transportation's duties
2719 and responsibilities for the rail program; providing
2720 for the future expiration and reversion of specified
2721 statutory text; amending s. 339.2816, F.S.; specifying
2722 the amount of funding from the State Transportation
2723 Trust Fund that may be used for the Small County Road
2724 Assistance Program for the 2016-2017 fiscal year;
2725 providing for the future expiration and reversion of
2726 specified statutory text; amending s. 420.9072, F.S.;
2727 extending by 1 fiscal year provisions authorizing each
2728 county and eligible municipality to use its portion of
2729 the local housing distribution for certain purposes;
2730 amending s. 420.5087, F.S.; extending by 1 fiscal year
2731 provisions specifying the reservation of funds for the
2732 tenant groups within each notice of fund availability
2733 with respect to the State Apartment Incentive Loan
2734 Program; requiring the Florida Housing Finance
2735 Corporation to issue a notice of fund availability for
2736 loans to be used for certain purposes; amending s.
2737 427.013, F.S.; requiring the Commission for the



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2738 Transportation Disadvantaged to allocate and award
2739 appropriated funds for specified purposes; reenacting
2740 s. 216.292(2)(a), F.S., relating to exceptions for
2741 nontransferable appropriations; providing for the
2742 future expiration and reversion of specified statutory
2743 text; prohibiting a state agency from initiating a
2744 competitive solicitation for a product or service
2745 under certain circumstances; providing an exception;
2746 authorizing the Executive Office of the Governor to
2747 transfer funds between departments for purposes of
2748 aligning amounts paid for risk management premiums and
2749 for human resource management services; amending s.
2750 112.24, F.S.; extending by 1 fiscal year the
2751 authorization, subject to specified requirements, for
2752 the assignment of an employee of a state agency under
2753 an employee interchange agreement; providing that the
2754 annual salaries of the members of the Legislature
2755 shall be maintained at a specified level; reenacting
2756 s. 215.32(2)(b), F.S., relating to the source and use
2757 of certain trust funds; providing for the future
2758 expiration and reversion of specified statutory text;
2759 providing a legislative determination that the
2760 issuance of new debt is in the best interests of the
2761 state; limiting the use of travel funds to activities
2762 that are critical to an agency's mission; providing
2763 exceptions; authorizing the Executive Office of the
2764 Governor to transfer funds appropriated for data
2765 processing between agencies for a specified purpose;
2766 authorizing the Executive Office of the Governor to



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2767 transfer funds appropriated for certain data
2768 processing services between departments for a
2769 specified purpose; prohibiting an agency from
2770 transferring funds from a data processing category to
2771 another category that is not a data processing
2772 category; authorizing the Executive Office of the
2773 Governor to transfer certain funds between agencies in
2774 order to allocate a reduction relating to SUNCOM
2775 Network services; reenacting s. 110.12315, F.S.,
2776 relating to the state employees' prescription drug
2777 program; providing for the future expiration and
2778 reversion of specified statutory text; providing for
2779 the effect of a veto of one or more specific
2780 appropriations or proviso to which implementing
2781 language refers; providing for the continued operation
2782 of certain provisions notwithstanding a future repeal
2783 or expiration provided by the act; providing for
2784 severability; providing effective dates.