

1                                   A bill to be entitled  
2           An act implementing the 2016-2017 General  
3           Appropriations Act; providing legislative intent;  
4           incorporating by reference certain calculations of the  
5           Florida Education Finance Program; providing that  
6           funds for instructional materials must be released and  
7           expended as required in specified proviso language;  
8           specifying the required ad valorem tax millage  
9           contribution by certain district school boards for  
10          certain funded construction projects; amending s.  
11          11.45, F.S.; requiring the Auditor General to conduct  
12          audits of the Florida School for the Deaf and Blind;  
13          creating s. 1001.66, F.S.; creating a Florida College  
14          System Performance-Based Incentive for Florida College  
15          System institutions; requiring the State Board of  
16          Education to adopt certain metrics and benchmarks;  
17          providing for funding and allocation of the  
18          incentives; authorizing the state board to withhold an  
19          institution's incentive under certain circumstances;  
20          providing for reporting and rulemaking; amending s.  
21          1001.7065, F.S.; deleting obsolete provisions;  
22          revising the academic and research excellence  
23          standards for the preeminent state research  
24          universities program; creating the "emerging  
25          preeminent state research university" designation;  
26          requiring an emerging preeminent state research

27 university to submit a certain plan to the board and  
28 meet certain expectations to receive certain funds;  
29 providing for the distribution of certain funding  
30 increases; deleting the preeminent state research  
31 university enhancement initiative; authorizing a  
32 preeminent state research university to consider  
33 certain courses as a part of the general education  
34 requirements; providing that such courses are in  
35 addition to certain required courses; authorizing a  
36 preeminent state research university to require that  
37 such courses be earned at the university; authorizing  
38 the board to identify and grant certain authority and  
39 flexibility to emerging preeminent state research  
40 universities; amending s. 1001.92, F.S.; requiring  
41 performance-based metrics to include thresholds for  
42 added value of certain degrees; requiring the Board of  
43 Governors to develop an implementation plan for  
44 specified metrics relating to the employment of  
45 students with specified degrees by a specified fiscal  
46 year and provide the plan to the Governor and  
47 Legislature by a specified date; requiring the board  
48 to establish minimum performance funding eligibility  
49 thresholds; prohibiting a state university that fails  
50 to meet a certain threshold from eligibility for a  
51 share of the state's investment performance funding;  
52 requiring the board to adopt regulations; amending s.

53 1002.39, F.S.; providing that a John M. McKay  
54 Scholarship is not subject to the maximum value for  
55 funding a student under the Florida Education Finance  
56 Program; amending s. 1008.46, F.S.; revising the date  
57 by which the Board of Governors must submit a specific  
58 report; amending s. 1009.23, F.S.; revising provisions  
59 relating to the Florida College System institution  
60 distance learning course user fee; providing that the  
61 fee may not exceed a specified amount per credit hour;  
62 requiring that an increase in the current fee be  
63 approved by the State Board of Education; amending s.  
64 1009.24, F.S.; revising provisions relating to the  
65 state university distance learning course fee;  
66 providing that the fee may not exceed a specified  
67 amount per credit hour; requiring each state  
68 university board of trustees to report specified  
69 information relating to the fee to the Board of  
70 Governors by a specified date; amending s. 1009.40,  
71 F.S.; revising provisions relating to student  
72 eligibility for state financial aid awards and tuition  
73 assistance grants; providing that a student may only  
74 be granted one probationary funding award; revising  
75 requirements for the award of probationary funding to  
76 a student who fails to earn the minimum number of  
77 credits; amending ss. 1009.50, 1009.505, 1009.51, and  
78 1009.52, F.S., relating to the Florida Public Student

79 Assistance Grant Program, the Florida Public  
80 Postsecondary Career Education Student Assistance  
81 Grant Program, the Florida Private Student Assistance  
82 Grant Program, and the Florida Postsecondary Student  
83 Assistance Grant Program; requiring the expected  
84 family contribution and all other aid available to a  
85 student be accounted and considered when determining a  
86 student's unmet need; requiring participating  
87 institutions to conduct an assessment of the available  
88 financial resources for each student; requiring  
89 certain funding mechanisms to be included in the  
90 assessment; revising the priority in the distribution  
91 of grant moneys; revising reporting requirements for  
92 participating institutions; amending s. 1009.701,  
93 F.S.; including Florida College System institutions in  
94 the First Generation Matching Grant Program; revising  
95 the state fund matching ratio for the grant program;  
96 amending s. 1011.61, F.S.; providing that a John M.  
97 McKay Scholarship is not subject to the maximum value  
98 for funding a student under the Florida Education  
99 Finance Program; amending s. 1011.62, F.S.; providing  
100 for funding of the district digital classrooms  
101 allocation; abrogating the scheduled expiration and  
102 reversion of specified amendments to s. 1011.62(13),  
103 F.S., relating to the federally connected student  
104 supplement; providing for expiration; prohibiting an

105 | under allocation in a prior year caused by a school  
106 | district error from being the basis for certain  
107 | allocation adjustments; amending s. 1012.39, F.S.;  
108 | providing requirements regarding liability insurance  
109 | for students performing clinical field experience;  
110 | creating s. 1012.731, F.S.; providing legislative  
111 | intent; establishing the Florida Best and Brightest  
112 | Teacher Scholarship Program; providing eligibility  
113 | criteria; requiring a school district to annually  
114 | submit the number of eligible classroom teachers to  
115 | the Department of Education; providing for funding and  
116 | the disbursement of funds; defining the term "school  
117 | district"; amending s. 1012.75, F.S.; extending by 1  
118 | year the expiration date for the educator liability  
119 | insurance program; amending s. 1013.64, F.S.; revising  
120 | capital outlay full-time equivalent membership;  
121 | providing that certain prekindergarten exceptional  
122 | students are included in the membership; revising the  
123 | calculation of capital outlay membership; providing  
124 | for future expiration and reversion of specified  
125 | statutory text; incorporating by reference certain  
126 | calculations of the Medicaid Low-Income Pool,  
127 | Disproportionate Share Hospital, and Hospital  
128 | Reimbursement programs; amending s. 296.37, F.S.;  
129 | extending for 1 fiscal year the requirement that  
130 | certain residents of a veterans' nursing home

131 contribute to their maintenance and support;  
132 authorizing the Agency for Health Care Administration,  
133 in consultation with the Department of Health, to  
134 submit a budget amendment to realign funding based  
135 upon a specified model, methodology, and framework;  
136 specifying requirements for such realignment;  
137 authorizing the agency to request nonoperating budget  
138 authority for transferring certain federal funds to  
139 the Department of Health; providing that certain funds  
140 provided for training purposes shall be allocated to  
141 community-based lead agencies based on a training  
142 needs assessment conducted by the Department of  
143 Children and Families; amending s. 893.055, F.S.;  
144 authorizing the Department of Health to use certain  
145 funds to administer the prescription drug monitoring  
146 program; prohibiting the use of funds received from a  
147 settlement agreement to administer the program;  
148 amending s. 216.262, F.S.; extending for 1 fiscal year  
149 the authority of the Department of Corrections to  
150 submit a budget amendment for additional positions and  
151 appropriations under certain circumstances;  
152 authorizing the Department of Legal Affairs to expend  
153 certain appropriated funds on programs that were  
154 funded by the department from specific appropriations  
155 in general appropriations acts in previous years;  
156 amending s. 932.7055, F.S.; extending for 1 fiscal

157 | year the authority for a municipality to expend funds  
158 | from its special law enforcement trust fund to  
159 | reimburse its general fund for certain moneys advanced  
160 | from the general fund; amending s. 215.18, F.S.;  
161 | extending for 1 fiscal year the authority and related  
162 | repayment requirements for temporary trust fund loans  
163 | to the state court system which are sufficient to meet  
164 | the system's appropriation; prohibiting the Department  
165 | of Corrections from transferring funds from a salaries  
166 | and benefits category to another category, other than  
167 | a salaries and benefits category, unless approved by  
168 | the Legislative Budget Commission; requiring the  
169 | Department of Juvenile Justice to review county  
170 | juvenile detention payments to determine if the county  
171 | has met specified financial responsibilities;  
172 | requiring amounts owed by the county for such  
173 | financial responsibilities to be deducted from certain  
174 | county funds; requiring the Department of Revenue to  
175 | transfer funds withheld to specified trust funds;  
176 | requiring the Department of Revenue to ensure that  
177 | such reductions in amounts distributed do not reduce  
178 | distributions below amounts necessary for certain  
179 | payments due on bonds and comply with bond covenants;  
180 | requiring the Department of Revenue to notify the  
181 | Department of Juvenile Justice if bond payment  
182 | requirements require a reduction in deductions for

183 amounts owed by a county; directing the Department of  
184 Management Services to use tenant broker services to  
185 renegotiate or reprocure certain private lease  
186 agreements for office or storage space; requiring the  
187 Department of Management Services to provide a report  
188 to the Governor and Legislature by a specified date;  
189 reenacting s. 624.502, F.S., relating to the deposit  
190 of fees for service of process made upon the Chief  
191 Financial Officer or the Director of the Office of  
192 Insurance Regulation into the Administrative Trust  
193 Fund; providing for the future expiration and  
194 reversion of statutory text requiring the deposit of  
195 certain fees into the Administrative Trust Fund;  
196 specifying the amount of the transaction fee to be  
197 collected for use of the online procurement system;  
198 authorizing the Executive Office of the Governor to  
199 transfer funds appropriated for data processing  
200 between agencies for a specified purpose; authorizing  
201 the Executive Office of the Governor to transfer funds  
202 appropriated for certain data processing services  
203 between departments for a specified purpose;  
204 prohibiting an agency from transferring funds from a  
205 data processing category to another category that is  
206 not a data processing category; authorizing the  
207 Executive Office of the Governor to transfer certain  
208 funds between agencies in order to allocate a



209 reduction relating to SUNCOM Network services;  
 210 authorizing agencies to transfer certain data  
 211 processing funds to contract with a private sector  
 212 cloud service under certain circumstances; specifying  
 213 that such transfers are subject to certain notice,  
 214 review, and objection procedures; authorizing the  
 215 Executive Office of the Governor to transfer funds  
 216 between departments for purposes of aligning amounts  
 217 paid for risk management insurance and for human  
 218 resource management services; providing for  
 219 replacement of Florida Accounting Information Resource  
 220 Subsystem; providing for project governance structure;  
 221 amending s. 161.143, F.S.; extending by 1 fiscal year  
 222 the directive that the amount allocated for inlet  
 223 management funding is provided in the General  
 224 Appropriations Act; amending s. 259.105, F.S.;

225 revising the distribution of certain proceeds from  
 226 cash payments or bonds issued pursuant to the Florida  
 227 Forever Act; amending s. 216.181, F.S.; extending by 1  
 228 fiscal year the authority for the Legislative Budget  
 229 Commission to increase amounts appropriated to the  
 230 Fish and Wildlife Conservation Commission or the  
 231 Department of Environmental Protection for certain  
 232 fixed capital outlay projects from specified sources;  
 233 amending s. 403.709, F.S.; revising the conditions  
 234 under which the Department of Environmental Protection

235 | may use the solid waste landfill closure account  
236 | within the Solid Waste Management Trust Fund to  
237 | contract with a third party to close and provide long-  
238 | term care of certain solid waste management  
239 | facilities; authorizing the Department of  
240 | Environmental Protection to use the Solid Waste  
241 | Management Trust Fund under specified circumstances if  
242 | amounts paid under an insurance policy or alternative  
243 | financial assurance do not cover the cost of the  
244 | closing or providing long-term care of a facility;  
245 | amending s. 215.18, F.S.; authorizing the Governor, if  
246 | there is a specified deficiency in a land acquisition  
247 | trust fund in the Department of Agriculture and  
248 | Consumer Services, the Department of Environmental  
249 | Protection, the Department of State, or the Fish and  
250 | Wildlife Conservation Commission, to transfer funds  
251 | from other trust funds in the State Treasury as a  
252 | temporary loan to such trust fund; providing  
253 | procedures for the transfer and repayment of the loan;  
254 | providing a legislative determination that the  
255 | repayment of the temporary loan is a constitutionally  
256 | allowable use of such moneys; requiring the Department  
257 | of Environmental Protection to transfer designated  
258 | proportions of the revenues deposited in the Land  
259 | Acquisition Trust Fund within the department to land  
260 | acquisition trust funds in the Department of

261 Agriculture and Consumer Services, the Department of  
262 State, and the Fish and Wildlife Conservation  
263 Commission according to specified parameters and  
264 calculations; defining the term "department";  
265 requiring the department to retain a proportionate  
266 share of revenues; specifying a limit on  
267 distributions; amending s. 403.890, F.S.; providing  
268 for use of funds deposited into or appropriated to the  
269 Water Protection and Sustainability Trust Fund;  
270 requiring the Department of Highway Safety and Motor  
271 Vehicles to contract with a specified corporation to  
272 manufacture current or newly redesigned license  
273 plates; providing price specifications for such  
274 contract; specifying requirements to be met by the  
275 corporation in manufacturing such license plates;  
276 prohibiting the name of a county from appearing on  
277 redesigned license plates; amending s. 339.2818, F.S.;  
278 revising the definition of the term "small county" for  
279 purposes of the Small County Outreach Program;  
280 reenacting s. 216.292(2)(a), F.S., relating to  
281 exceptions for nontransferable appropriations;  
282 providing for the future expiration and reversion of  
283 statutory text related to nontransferable  
284 appropriations; prohibiting a state agency from  
285 initiating a competitive solicitation for a product or  
286 service under certain circumstances; providing an

287 | exception; amending s. 112.24, F.S.; extending by 1  
288 | fiscal year the authorization, subject to specified  
289 | requirements, for the assignment of an employee of a  
290 | state agency under an employee interchange agreement;  
291 | providing that the annual salaries of the members of  
292 | the Legislature shall be maintained at a specified  
293 | level; reenacting s. 215.32(2)(b), F.S., relating to  
294 | the source and use of certain trust funds; providing  
295 | for the future expiration and reversion of statutory  
296 | text related to the source and use of specified trust  
297 | funds; providing a legislative determination that the  
298 | issuance of new debt is in the best interests of the  
299 | state; limiting the use of travel funds to activities  
300 | that are critical to an agency's mission; providing  
301 | exceptions; reenacting s. 110.12315, F.S., relating to  
302 | the state employees' prescription drug program;  
303 | providing for the future expiration and reversion of  
304 | statutory text related to the state employees'  
305 | prescription drug program; prohibiting agencies from  
306 | entering into contracts containing certain  
307 | nondisclosure agreements; providing conditions under  
308 | which the veto of certain appropriations or proviso  
309 | language in the General Appropriations Act voids  
310 | language that implements such appropriation; providing  
311 | for the continued operation of certain provisions  
312 | notwithstanding a future repeal or expiration provided

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313 by the act; providing severability; providing an  
314 effective date.

315

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

317

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

321 Section 2. In order to implement Specific Appropriations  
322 7, 8, 9, 94, and 95 of the 2016-2017 General Appropriations Act,  
323 the calculations of the Florida Education Finance Program for  
324 the 2016-2017 fiscal year in the document titled "Public School  
325 Funding: The Florida Education Finance Program," dated January  
326 28, 2016, and filed with the Clerk of the House of  
327 Representatives, are incorporated by reference for the purpose  
328 of displaying the calculations used by the Legislature,  
329 consistent with the requirements of state law, in making  
330 appropriations for the Florida Education Finance Program. This  
331 section expires July 1, 2017.

332 Section 3. In order to implement Specific Appropriations 7  
333 and 94 of the 2016-2017 General Appropriations Act and  
334 notwithstanding ss. 1002.20, 1003.02, 1006.28-1006.42,  
335 1011.62(6)(b)5., and 1011.67, Florida Statutes, relating to the  
336 expenditure of funds provided for instructional materials, for  
337 the 2016-2017 fiscal year, funds provided for instructional  
338 materials shall be released and expended as required in the

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339 proviso language for Specific Appropriation 94 of the 2016-2017  
340 General Appropriations Act. This section expires July 1, 2017.

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

348 Section 5. In order to implement Specific Appropriation  
349 113 of the 2016-2017 General Appropriations Act, paragraph (d)  
350 of subsection (2) of section 11.45, Florida Statutes, is amended  
351 to read:

352 11.45 Definitions; duties; authorities; reports; rules.—

353 (2) DUTIES.—The Auditor General shall:

354 (d) Annually conduct financial audits of the accounts and  
355 records of all district school boards in counties with  
356 populations of fewer than 150,000, according to the most recent  
357 federal decennial statewide census, and the Florida School for  
358 the Deaf and Blind.

359  
360 The Auditor General shall perform his or her duties  
361 independently but under the general policies established by the  
362 Legislative Auditing Committee. This subsection does not limit  
363 the Auditor General's discretionary authority to conduct other  
364 audits or engagements of governmental entities as authorized in

365 subsection (3).

366 Section 6. In order to implement Specific Appropriations  
367 12 and 126 of the 2016-2017 General Appropriations Act, section  
368 1001.66, Florida Statutes, is created to read:

369 1001.66 Florida College System Performance-Based  
370 Incentive.—

371 (1) A Florida College System Performance-Based Incentive  
372 shall be awarded to Florida College System institutions using  
373 performance-based metrics adopted by the State Board of  
374 Education. The performance-based metrics must include retention  
375 rates; program completion and graduation rates; postgraduation  
376 employment, salaries, and continuing education for workforce  
377 education and baccalaureate programs, with wage thresholds that  
378 reflect the added value of the certificate or degree; and  
379 outcome measures appropriate for associate of arts degree  
380 recipients. The state board shall adopt benchmarks to evaluate  
381 each institution's performance on the metrics to measure the  
382 institution's achievement of institutional excellence or need  
383 for improvement and the minimum requirements for eligibility to  
384 receive performance funding.

385 (2) Each fiscal year, the amount of funds available for  
386 allocation to Florida College System institutions based on the  
387 performance-based funding model shall consist of the state's  
388 investment in performance funding plus institutional investments  
389 consisting of funds to be redistributed from the base funding of  
390 the Florida College System Program Fund as determined in the

391 General Appropriations Act. The State Board of Education shall  
392 establish minimum performance funding eligibility thresholds for  
393 the state's investment and the institutional investments. An  
394 institution that meets the minimum institutional investment  
395 eligibility threshold, but fails to meet the minimum state  
396 investment eligibility threshold, shall have its institutional  
397 investment restored but is ineligible for a share of the state's  
398 investment in performance funding. The institutional investment  
399 shall be restored for all institutions eligible for the state's  
400 investment under the performance-based funding model.

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

405 (b) A Florida College System institution that fails to  
406 meet the State Board of Education's minimum institutional  
407 investment performance funding eligibility threshold shall have  
408 a portion of its institutional investment withheld by the state  
409 board and must submit an improvement plan to the state board  
410 that specifies the activities and strategies for improving the  
411 institution's performance. The state board must review and  
412 approve the improvement plan and, if the plan is approved, must  
413 monitor the institution's progress in implementing the  
414 activities and strategies specified in the improvement plan. The  
415 institution shall submit monitoring reports to the state board  
416 by December 31 and May 31 of each year in which an improvement



417 plan is in place.

418 (c) The Commissioner of Education shall withhold  
419 disbursement of the institutional investment until the  
420 monitoring report is approved by the State Board of Education. A  
421 Florida College System institution determined by the state board  
422 to be making satisfactory progress on implementing the  
423 improvement plan shall receive no more than one-half of the  
424 withheld institutional investment in January and the balance of  
425 the withheld institutional investment in June. An institution  
426 that fails to make satisfactory progress may not have its full  
427 institutional investment restored. Any institutional investment  
428 funds that are not restored shall be redistributed in accordance  
429 with the state board's performance-based metrics.

430 (4) Distributions of performance funding, as provided in  
431 this section, shall be made to each of the Florida College  
432 System institutions listed in the Florida Colleges category in  
433 the General Appropriations Act.

434 (5) By October 1 of each year, the State Board of  
435 Education shall submit to the Governor, the President of the  
436 Senate, and the Speaker of the House of Representatives a report  
437 on the prior fiscal year's performance funding allocation, which  
438 must reflect the rankings and award distributions.

439 (6) The State Board of Education shall adopt rules to  
440 administer this section.

441 (7) This section expires July 1, 2017.

442 Section 7. In order to implement Specific Appropriation

443 142 of the 2016-2017 General Appropriations Act, subsection (1)  
 444 of 1001.7065, Florida Statutes, is reenacted, and subsections  
 445 (2), (3), and (5) through (8) of that section are amended, to  
 446 read:

447 1001.7065 Preeminent state research universities program.—

448 (1) STATE UNIVERSITY SYSTEM SHARED GOVERNANCE  
 449 COLLABORATION.—A collaborative partnership is established  
 450 between the Board of Governors and the Legislature to elevate  
 451 the academic and research preeminence of Florida's highest-  
 452 performing state ~~research~~ universities in accordance with this  
 453 section. The partnership stems from the State University System  
 454 Governance Agreement executed on March 24, 2010, wherein the  
 455 Board of Governors and leaders of the Legislature agreed to a  
 456 framework for the collaborative exercise of their joint  
 457 authority and shared responsibility for the State University  
 458 System. The governance agreement confirmed the commitment of the  
 459 Board of Governors and the Legislature to continue collaboration  
 460 on accountability measures, the use of data, and recommendations  
 461 derived from such data.

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

466 (a) An average weighted grade point average of 4.0 or  
 467 higher on a 4.0 scale and an average SAT score of 1800 or higher  
 468 on a 2400-point scale or 1200 or higher on a 1600-point scale

469 for fall semester incoming freshmen, as reported annually.

470 (b) A top-50 ranking on at least two well-known and highly  
471 respected national public university rankings, including, but  
472 not limited to, the U.S. News and World Report rankings,  
473 reflecting national preeminence, using most recent rankings.

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

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

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

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

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

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

494 (i) One hundred or more total patents awarded by the

495 United States Patent and Trademark Office for the most recent 3-  
496 year period.

497 (j) Four hundred or more doctoral degrees awarded  
498 annually, including professional doctoral degrees awarded in  
499 medical and health care disciplines, as reported in the Board of  
500 Governors Annual Accountability Report.

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

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

505 (3) PREEMINENT STATE RESEARCH UNIVERSITY DESIGNATION.—

506 (a) The Board of Governors shall designate each state  
507 ~~research~~ university that annually meets at least 11 of the 12  
508 academic and research excellence standards identified in  
509 subsection (2) as a preeminent state research university.

510 (b) The Board of Governors shall designate each state  
511 university that annually meets at least six of the 12 academic  
512 and research excellence standards identified in subsection (2)  
513 as an emerging preeminent state research university.

514 (5) PREEMINENT STATE RESEARCH UNIVERSITIES PROGRAM  
515 UNIVERSITY SUPPORT.—

516 (a) A state ~~research~~ university that is designated as a  
517 preeminent state research university, ~~as of July 1, 2013, meets~~  
518 ~~all 12 of the academic and research excellence standards~~  
519 ~~identified in subsection (2), as verified by the Board of~~  
520 ~~Governors~~, shall submit to the Board of Governors a 5-year

521 benchmark plan with target rankings on key performance metrics  
522 for national excellence. Upon approval by the Board of  
523 Governors, and upon the university's meeting the benchmark plan  
524 goals annually, the Board of Governors shall award the  
525 university its proportionate share of any funds provided  
526 annually to support the program created under this section ~~an~~  
527 ~~amount specified in the General Appropriations Act to be~~  
528 ~~provided annually throughout the 5-year period. Funding for this~~  
529 ~~purpose is contingent upon specific appropriation in the General~~  
530 ~~Appropriations Act.~~

531 (b) A state university designated as an emerging  
532 preeminent state research university shall submit to the Board  
533 of Governors a 5-year benchmark plan with target rankings on key  
534 performance metrics for national excellence. Upon approval by  
535 the Board of Governors, and upon the university's meeting the  
536 benchmark plan goals annually, the Board of Governors shall  
537 award the university its proportionate share of any funds  
538 provided annually to support the program created under this  
539 section.

540 (c) The award of funds under this subsection is contingent  
541 upon funding provided in the General Appropriations Act to  
542 support the preeminent state research universities program  
543 created under this section. Funding increases appropriated  
544 beyond the amounts funded in the prior fiscal year shall be  
545 distributed as follows:

546 1. Each designated preeminent state research university

547 that meets the criteria in paragraph (a) shall receive an equal  
548 amount of funding.

549 2. Each designated emerging preeminent state research  
550 university that meets the criteria in paragraph (b) shall  
551 receive an amount of funding that is equal to one-half of the  
552 total increased amount awarded to each designated preeminent  
553 state research university.

554 ~~(6) PREEMINENT STATE RESEARCH UNIVERSITY ENHANCEMENT~~  
555 ~~INITIATIVE.—A state research university that, as of July 1,~~  
556 ~~2013, meets 11 of the 12 academic and research excellence~~  
557 ~~standards identified in subsection (2), as verified by the Board~~  
558 ~~of Governors, shall submit to the Board of Governors a 5-year~~  
559 ~~benchmark plan with target rankings on key performance metrics~~  
560 ~~for national excellence. Upon the university's meeting the~~  
561 ~~benchmark plan goals annually, the Board of Governors shall~~  
562 ~~award the university an amount specified in the General~~  
563 ~~Appropriations Act to be provided annually throughout the 5-year~~  
564 ~~period for the purpose of recruiting National Academy Members,~~  
565 ~~expediting the provision of a master's degree in cloud~~  
566 ~~virtualization, and instituting an entrepreneurs-in-residence~~  
567 ~~program throughout its campus. Funding for this purpose is~~  
568 ~~contingent upon specific appropriation in the General~~  
569 ~~Appropriations Act.~~

570 (6)(7) PREEMINENT STATE RESEARCH UNIVERSITY SPECIAL COURSE  
571 REQUIREMENT AUTHORITY.—In order to provide a jointly shared  
572 educational experience, a university that is designated a

573 preeminent state research university may require its incoming  
574 first-time-in-college students to take a 9-to-12-credit set of  
575 unique courses specifically determined by the university and  
576 published on the university's website. The university may  
577 stipulate that credit for such courses may not be earned through  
578 any acceleration mechanism pursuant to s. 1007.27 or s. 1007.271  
579 or any other transfer credit. All accelerated credits earned up  
580 to the limits specified in ss. 1007.27 and 1007.271 shall be  
581 applied toward graduation at the student's request.

582 ~~(7)-(8)~~ PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY  
583 AUTHORITY.—The Board of Governors is encouraged to identify and  
584 grant all reasonable, feasible authority and flexibility to  
585 ensure that each a designated preeminent state research  
586 university and each designated emerging preeminent state  
587 research university is free from unnecessary restrictions.

588 Section 8. In order to implement Specific Appropriation  
589 142 of the 2016-2017 General Appropriations Act, subsections  
590 (1), (2), (3) and subsection (6) of section 1001.92, Florida  
591 Statutes, are amended to read:

592 1001.92 State University System Performance-Based  
593 Incentive.—

594 (1) A State University System Performance-Based Incentive  
595 shall be awarded to state universities using performance-based  
596 metrics adopted by the Board of Governors of the State  
597 University System.

598 (a) The performance-based metrics must include graduation

599 rates;~~;~~ retention rates;~~;~~ postgraduation education rates;~~;~~  
600 degree production;~~;~~ affordability;~~;~~ postgraduation employment  
601 and salaries, including wage thresholds that reflect the added  
602 value of a baccalaureate degree; access;~~;~~ and other metrics  
603 approved by the board in a formally noticed meeting.

604 (b) The board shall adopt benchmarks to evaluate each  
605 state university's performance on the metrics to measure the  
606 state university's achievement of institutional excellence or  
607 need for improvement and minimum requirements for eligibility to  
608 receive performance funding.

609 (c) The board shall develop an implementation plan for  
610 including a metric that addresses the full-time employment rate  
611 of 90 percent of graduates for each state university's top two,  
612 six-digit Classification of Instructional Program baccalaureate  
613 degrees to be incorporated into the performance funding formula  
614 beginning in the 2017-2018 fiscal year. The Board of Governors  
615 shall submit its implementation plan to the Governor, the  
616 President of the Senate, and the Speaker of the House of  
617 Representatives by December 31, 2016.

618 (2) Each fiscal year, the amount of funds available for  
619 allocation to the state universities based on the performance-  
620 based funding model ~~metrics~~ shall consist of the state's  
621 investment in appropriation for performance funding, ~~including~~  
622 ~~increases in base funding~~ plus institutional investments  
623 consisting of funds deducted from the base funding of each state  
624 university in the State University System, ~~in an amount provided~~



625 in the General Appropriations Act. The Board of Governors shall  
626 establish minimum performance funding eligibility thresholds for  
627 the state's investment and the institutional investments. A  
628 state university that meets the minimum institutional investment  
629 eligibility threshold, but fails to meet the minimum state  
630 investment eligibility threshold, shall have its institutional  
631 investment restored but is ineligible for a share of the state's  
632 investment in performance funding. The institutional investment  
633 shall be restored for each institution eligible for the state's  
634 investment under the performance-based funding model ~~metrics~~.

635 (3) (a) A state university that fails to meet the Board of  
636 Governors' minimum institutional investment performance funding  
637 eligibility threshold shall have ~~a portion of~~ its institutional  
638 investment withheld by the board and must submit an improvement  
639 plan to the board that specifies the activities and strategies  
640 for improving the state university's performance. The board must  
641 review and approve the improvement plan and, if the plan is  
642 approved, must monitor the state university's progress in  
643 implementing the activities and strategies specified in the  
644 improvement plan. The state university shall submit monitoring  
645 reports to the board by December 31 and May 31 of each year in  
646 which an improvement plan is in place. The ability of a state  
647 university to submit an improvement plan to the board is limited  
648 to 1 fiscal year.

649 (b) The Chancellor of the State University System shall  
650 withhold disbursement of the institutional investment until the

651 monitoring report is approved by the Board of Governors. A state  
652 university ~~that is~~ determined by the board to be making  
653 satisfactory progress on implementing the improvement plan shall  
654 receive no more than one-half of the withheld institutional  
655 investment in January and the balance of the withheld  
656 institutional investment in June. A state university that fails  
657 to make satisfactory progress may not have its full  
658 institutional investment restored. Any institutional investment  
659 funds that are not restored shall be redistributed in accordance  
660 with the board's performance-based metrics.

661 (6) The Board of Governors shall adopt regulations to  
662 administer this section.

663 (7)~~(6)~~ This section expires July 1, 2017 ~~2016~~.

664 Section 9. In order to implement Specific Appropriations  
665 7, 8, 9, 94 and 95 of the 2016-2017 General Appropriations Act,  
666 paragraph (a) of subsection (10) of section 1002.39, Florida  
667 Statutes, is amended to read:

668 1002.39 The John M. McKay Scholarships for Students with  
669 Disabilities Program.—There is established a program that is  
670 separate and distinct from the Opportunity Scholarship Program  
671 and is named the John M. McKay Scholarships for Students with  
672 Disabilities Program.

673 (10) JOHN M. MCKAY SCHOLARSHIP FUNDING AND PAYMENT.—

674 (a)1. The maximum scholarship granted for an eligible  
675 student with disabilities shall be equivalent to the base  
676 student allocation in the Florida Education Finance Program

677 multiplied by the appropriate cost factor for the educational  
678 program that would have been provided for the student in the  
679 district school to which he or she was assigned, multiplied by  
680 the district cost differential.

681 2. In addition, a share of the guaranteed allocation for  
682 exceptional students shall be determined and added to the amount  
683 in subparagraph 1. The calculation shall be based on the  
684 methodology and the data used to calculate the guaranteed  
685 allocation for exceptional students for each district in chapter  
686 2000-166, Laws of Florida. Except as provided in subparagraphs  
687 3. and 4., the calculation shall be based on the student's  
688 grade, matrix level of services, and the difference between the  
689 2000-2001 basic program and the appropriate level of services  
690 cost factor, multiplied by the 2000-2001 base student allocation  
691 and the 2000-2001 district cost differential for the sending  
692 district. The calculated amount shall include the per-student  
693 share of supplemental academic instruction funds, instructional  
694 materials funds, technology funds, and other categorical funds  
695 as provided in the General Appropriations Act.

696 3. The scholarship amount for a student who is eligible  
697 under sub-subparagraph (2)(a)2.b. shall be calculated as  
698 provided in subparagraphs 1. and 2. However, the calculation  
699 shall be based on the school district in which the parent  
700 resides at the time of the scholarship request.

701 4. Until the school district completes the matrix required  
702 by paragraph (5)(b), the calculation shall be based on the

703 matrix that assigns the student to support Level I of service as  
704 it existed prior to the 2000-2001 school year. When the school  
705 district completes the matrix, the amount of the payment shall  
706 be adjusted as needed.

707 5. The scholarship amount for a student eligible under s.  
708 504 of the Rehabilitation Act of 1973 shall be based on the  
709 program cost factor the student currently generates through the  
710 Florida Education Finance Program.

711 6. A student's scholarship amount is not subject to the  
712 maximum value for funding a student as provided in s.  
713 1011.61(4).

714 Section 10. In order to implement Specific Appropriation  
715 154 of the 2016-2017 General Appropriations Act, subsection (1)  
716 of section 1008.46, Florida Statutes, is amended to read:

717 1008.46 State university accountability process.—It is the  
718 intent of the Legislature that an accountability process be  
719 implemented that provides for the systematic, ongoing evaluation  
720 of quality and effectiveness of state universities. It is  
721 further the intent of the Legislature that this accountability  
722 process monitor performance at the system level in each of the  
723 major areas of instruction, research, and public service, while  
724 recognizing the differing missions of each of the state  
725 universities. The accountability process shall provide for the  
726 adoption of systemwide performance standards and performance  
727 goals for each standard identified through a collaborative  
728 effort involving state universities, the Board of Governors, the

729 Legislature, and the Governor's Office, consistent with  
 730 requirements specified in s. 1001.706. These standards and goals  
 731 shall be consistent with s. 216.011(1) to maintain congruity  
 732 with the performance-based budgeting process. This process  
 733 requires that university accountability reports reflect measures  
 734 defined through performance-based budgeting. The performance-  
 735 based budgeting measures must also reflect the elements of  
 736 teaching, research, and service inherent in the missions of the  
 737 state universities.

738 (1) By February ~~March~~ 15 of each year, the Board of  
 739 Governors shall submit an annual accountability report providing  
 740 information on the implementation of performance standards,  
 741 actions taken to improve university achievement of performance  
 742 goals, the achievement of performance goals during the prior  
 743 year, and initiatives to be undertaken during the next year. The  
 744 accountability reports shall be designed in consultation with  
 745 the Governor's Office, the Office of Program Policy Analysis and  
 746 Government Accountability, and the Legislature.

747 Section 11. In order to implement Specific Appropriations  
 748 6 and 11 of the 2016-2017 General Appropriations Act, paragraphs  
 749 (a) and (b) of subsection (16) of section 1009.23, Florida  
 750 Statutes, are amended to read:

751 1009.23 Florida College System institution student fees.—

752 (16) (a) Effective July 1, 2016, each Florida College  
 753 System institution may assess a student who enrolls in a course  
 754 listed in the distance learning catalog, established pursuant to

755 s. 1006.735, a ~~per-credit-hour~~ distance learning course user fee  
756 not to exceed \$15 per credit hour. An increase in an  
757 institution's current distance learning fee must be approved by  
758 the State Board of Education. For purposes of assessing this  
759 fee, a distance learning course is a course in which at least 80  
760 percent of the direct instruction of the course is delivered  
761 using some form of technology when the student and instructor  
762 are separated by time or space, or both.

763 (b) ~~The amount of the distance learning course user fee~~  
764 ~~may not exceed the additional costs of the services provided~~  
765 ~~which are attributable to the development and delivery of the~~  
766 ~~distance learning course. If a Florida College System~~  
767 ~~institution assesses the distance learning course user fee, the~~  
768 ~~institution may not assess any other fees to cover the~~  
769 ~~additional costs.~~ By September 1 of each year, each board of  
770 trustees shall report to the Division of Florida Colleges the  
771 total amount of revenue generated by the distance learning  
772 course user fee for the prior fiscal year and how the revenue  
773 was expended.

774 Section 12. In order to implement Specific Appropriation  
775 142 of the 2016-2017 General Appropriations Act, paragraphs (a)  
776 and (b) of subsection (17) of section 1009.24, Florida Statutes,  
777 are amended to read:

778 1009.24 State university student fees.—

779 (17) (a) A state university may assess a student who  
780 enrolls in a course listed in the distance learning catalog,

781 established pursuant to s. 1006.735, a ~~per-credit-hour~~ distance  
782 learning course fee not to exceed \$15 per credit hour. For  
783 purposes of assessing this fee, a distance learning course is a  
784 course in which at least 80 percent of the direct instruction of  
785 the course is delivered using some form of technology when the  
786 student and instructor are separated by time or space, or both.

787 (b) By September 1 of each year, each board of trustees  
788 shall report to the Board of Governors the total amount of  
789 revenue generated by the distance learning course user fee for  
790 the prior fiscal year and how the revenue was expended ~~The~~  
791 ~~amount of the distance learning course fee may not exceed the~~  
792 ~~additional costs of the services provided which are attributable~~  
793 ~~to the development and delivery of the distance learning course.~~  
794 ~~If the distance learning course fee is assessed by a state~~  
795 ~~university, the institution may not assess duplicative fees to~~  
796 ~~cover the additional costs.~~

797 Section 13. In order to implement Specific Appropriations  
798 6 and 76 of the 2016-2017 General Appropriations Act, paragraph  
799 (b) of subsection (1) of section 1009.40, Florida Statutes, is  
800 amended to read:

801 1009.40 General requirements for student eligibility for  
802 state financial aid awards and tuition assistance grants.-

803 (1)

804 (b)1. Eligibility for the renewal of undergraduate or  
805 career certificate financial aid awards shall be evaluated at  
806 the end of the second semester or third quarter of each academic

807 year. As a condition for renewal, a student shall:

808 a. Have earned a minimum cumulative grade point average of  
809 2.0 on a 4.0 scale; and

810 b. Have earned, for undergraduate full-time study, 12  
811 credits per term or the equivalent for the number of terms for  
812 which aid was received or have earned, for career certificate  
813 study, at least the equivalent in clock hours of 6 semester  
814 credit hours per term or the equivalent for the number of terms  
815 for which aid was received.

816 2. A student who earns the minimum number of credits  
817 required for renewal, but who fails to meet the minimum 2.0  
818 cumulative grade point average, may be granted a probationary  
819 award for up to the equivalent of 1 academic year and shall be  
820 required to earn a cumulative grade point average of 2.0 on a  
821 4.0 scale by the end of the probationary period to be eligible  
822 for subsequent renewal. A student who receives a probationary  
823 award and ~~who~~ fails to meet the conditions for renewal by the  
824 end of his or her probationary period shall be ineligible to  
825 receive additional awards for the equivalent of 1 academic year  
826 following his or her probationary period. Each such student may,  
827 however, reapply for assistance during a subsequent application  
828 period and may be eligible for an award if he or she has earned  
829 a cumulative grade point average of 2.0 on a 4.0 scale. A  
830 student may not be granted more than one probationary award.

831 3. A student who meets the minimum 2.0 cumulative grade  
832 point average, but who fails to earn the minimum number of



833 credits required for renewal, may be granted a probationary  
834 award for up to the equivalent of 1 academic year and shall be  
835 required to earn the minimum number of credits during the  
836 probationary period and maintain at least a 2.0 cumulative grade  
837 point average on a 4.0 scale to be eligible for subsequent  
838 renewal. A student who receives a probationary award and fails  
839 to meet the conditions for renewal by the end of his or her  
840 probationary period is ineligible to receive additional awards  
841 for the equivalent of 1 academic year following his or her  
842 probationary period ~~shall lose his or her eligibility for~~  
843 ~~renewal for a period equivalent to 1 academic year.~~ However, the  
844 student may reapply during a subsequent application period and  
845 may be eligible for an award if he or she has earned a minimum  
846 cumulative grade point average of 2.0 on a 4.0 scale. A student  
847 may not be granted more than one probationary award.

848 4. Students who receive state student aid and subsequently  
849 fail to meet state academic progress requirements due to  
850 verifiable illness or other emergencies may be granted an  
851 exception from the academic requirements. Such students shall  
852 make a written appeal to the institution. The appeal shall  
853 include a description and verification of the circumstances.  
854 Verification of illness or other emergencies may include but not  
855 be limited to a physician's statement or written statement of a  
856 parent or college official. The institution shall recommend  
857 exceptions with necessary documentation to the department. The  
858 department may accept or deny such recommendations for exception

859 from the institution.

860 Section 14. In order to implement Specific Appropriations  
861 6 and 76 of the 2016-2017 General Appropriations Act, subsection  
862 (2) of section 1009.50, Florida Statutes, is amended to read:

863 1009.50 Florida Public Student Assistance Grant Program;  
864 eligibility for grants.—

865 (2) (a) State student assistance grants through the program  
866 may be made only to degree-seeking students who enroll in at  
867 least 6 semester hours, or the equivalent per term, and who meet  
868 the general requirements for student eligibility as provided in  
869 s. 1009.40, except as otherwise provided in this section. The  
870 grants shall be awarded annually for the amount of demonstrated  
871 unmet need for the cost of education, after the expected family  
872 contribution and all other aid available to the student is  
873 accounted for, but ~~and~~ may not exceed an amount equal to the  
874 average prior academic year cost of tuition fees and other  
875 registration fees for 30 credit hours ~~at state universities~~ or  
876 such other amount as specified in the General Appropriations  
877 Act, to any recipient. A demonstrated unmet need of less than  
878 \$200, ~~after the expected family contribution and all other aid~~  
879 available to the student is accounted for, shall render the  
880 applicant ineligible for a state student assistance grant.  
881 Recipients of the grants must have been accepted at a state  
882 university or Florida College System institution authorized by  
883 Florida law. A student is eligible for the award for 110 percent  
884 of the number of credit hours required to complete the program

885 in which enrolled, except as otherwise provided in s.  
886 1009.40(3).

887 (b) A student applying for a Florida public student  
888 assistance grant shall be required to apply for the Pell Grant.  
889 ~~The Pell Grant entitlement shall be considered when conducting~~  
890 ~~an assessment of the financial resources available to each~~  
891 ~~student.~~

892 (c) Institutions awarding grant moneys must conduct an  
893 assessment of all of the financial resources available to each  
894 student, including, but not limited to:

- 895 1. Pell Grants and other federal aid.
- 896 2. State grants and scholarships, including merit awards.
- 897 3. Institutional awards for merit or need.
- 898 4. Prepaid tuition contracts.
- 899 5. Private awards for merit or need.
- 900 6. Any other grant or scholarship available to the student  
901 for use toward the cost of education.

902  
903 Institutions that provide preliminary award packages before  
904 receiving from the department the final student eligibility  
905 determinations for state grants and scholarships, including  
906 merit awards, shall reassess each student's award package after  
907 the allocation of funds and the final student eligibility  
908 determinations are received from the department.

909 (d) Priority in the distribution of grant moneys shall be  
910 given to students with the highest unmet need after the

911 assessment of available financial resources is conducted  
912 pursuant to paragraph (c) lowest total family resources, in  
913 accordance with a nationally recognized system of need analysis.  
914 Using the system of need analysis, the department shall  
915 establish a maximum expected family contribution. An institution  
916 may not make a grant from this program to a student whose  
917 expected family contribution exceeds the level established by  
918 the department. An institution may not impose additional  
919 criteria to determine a student's eligibility to receive a grant  
920 award.

921 (e) ~~(d)~~ Each participating institution shall report, to the  
922 department by the established date, the ~~eligible~~ students  
923 eligible for the program for to whom grant moneys are disbursed  
924 each academic term. Each institution shall also report in a  
925 manner and by a date prescribed by to the department necessary  
926 demographic and eligibility data for such students, as well as  
927 the expected family contributions; other grant, scholarship, and  
928 aid awards; prepaid contracts; and student loans received by the  
929 students.

930 Section 15. In order to implement Specific Appropriations  
931 6 and 76 of the 2016-2017 General Appropriations Act, subsection  
932 (3) and paragraph (a) of subsection (4) of section 1009.505,  
933 Florida Statutes, are amended to read:

934 1009.505 Florida Public Postsecondary Career Education  
935 Student Assistance Grant Program.—

936 (3) (a) Student assistance grants through the program may

937 be made only to certificate-seeking students enrolled at least  
938 half-time in a public postsecondary career certificate program  
939 who meet the general requirements for student eligibility as  
940 provided in s. 1009.40, except as otherwise provided in this  
941 section. The grants shall be awarded annually to any recipient  
942 for the amount of demonstrated unmet need for the cost of  
943 education, after the expected family contribution and all other  
944 aid available to the student is accounted for, but ~~and~~ may not  
945 exceed the average annual cost of tuition and registration fees  
946 or such other amount as specified in the General Appropriations  
947 Act. A demonstrated unmet need of less than \$200, after the  
948 expected family contribution and all other aid available to the  
949 student is accounted for, shall render the applicant ineligible  
950 for a grant under this section. Recipients of the grants must  
951 have been accepted at a Florida College System institution  
952 authorized by Florida law or a career center operated by a  
953 district school board under s. 1001.44. A student is eligible  
954 for the award for 110 percent of the number of clock hours  
955 required to complete the program in which enrolled.

956 (b) A student applying for a Florida public postsecondary  
957 career education student assistance grant shall be required to  
958 apply for the Pell Grant. ~~A Pell Grant entitlement shall be~~  
959 ~~considered when conducting an assessment of the financial~~  
960 ~~resources available to each student; however, a Pell Grant~~  
961 ~~entitlement shall not be required as a condition of receiving a~~  
962 ~~grant under this section.~~

963           (c) Institutions awarding grant moneys must conduct an  
964 assessment of all of the financial resources available to each  
965 student, including, but not limited to:

966           1. Pell Grants and other federal aid.

967           2. State grants and scholarships, including merit awards.

968           3. Institutional awards for merit or need.

969           4. Prepaid tuition contracts.

970           5. Private awards for merit or need.

971           6. Any other grant or scholarship available to the student  
972 for use toward the cost of education.

973  
974 Institutions that provide preliminary award packages before  
975 receiving from the department the final student eligibility  
976 determinations for state grants and scholarships, including  
977 merit awards, shall reassess each student's award package after  
978 the allocation of funds and the final student eligibility  
979 determinations are received from the department.

980           (d) Priority in the distribution of grant moneys shall be  
981 given to students with the highest unmet need after the  
982 assessment of available financial resources is conducted  
983 pursuant to paragraph (c) in accordance with a nationally  
984 recognized system of need analysis. Using the system of need  
985 analysis, the department shall establish a maximum expected  
986 family contribution. An institution may not make a grant from  
987 this program to a student whose expected family contribution  
988 exceeds the level established by the department. An institution

989 may not impose additional criteria to determine a student's  
 990 eligibility to receive a grant award.

991 (e) Each participating institution shall report, to the  
 992 department by the established date, the eligible students  
 993 eligible for the program for to whom grant moneys are disbursed  
 994 each academic term. Each institution shall also report in a  
 995 manner and by a date prescribed by to the department necessary  
 996 demographic and eligibility data for such students, as well as  
 997 the expected family contributions; other grant, scholarship, and  
 998 aid awards; prepaid contracts; and student loans received by the  
 999 students.

1000 (4) (a) The funds appropriated for the Florida Public  
 1001 Postsecondary Career Education Student Assistance Grant Program  
 1002 shall be distributed to eligible Florida College System  
 1003 institutions and district school boards in accordance with a  
 1004 formula approved by the department under s. 1009.50(3).

1005 Section 16. In order to implement Specific Appropriations  
 1006 6 and 76 of the 2016-2017 General Appropriations Act, subsection  
 1007 (2) of section 1009.51, Florida Statutes, is amended to read:

1008 1009.51 Florida Private Student Assistance Grant Program;  
 1009 eligibility for grants.—

1010 (2) (a) Florida private student assistance grants from the  
 1011 State Student Financial Assistance Trust Fund may be made only  
 1012 to full-time degree-seeking students who meet the general  
 1013 requirements for student eligibility as provided in s. 1009.40,  
 1014 except as otherwise provided in this section. Such grants shall

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1015 be awarded for the amount of demonstrated unmet need for tuition  
1016 and fees, after the expected family contribution and all other  
1017 aid available to the student is accounted for, but ~~and~~ may not  
1018 exceed an amount equal to the average tuition and other  
1019 registration fees for 30 credit hours at state universities plus  
1020 \$1,000 per academic year, or as specified in the General  
1021 Appropriations Act, to any applicant. A demonstrated unmet need  
1022 of less than \$200, after the expected family contribution and  
1023 all other aid available to the student is accounted for, shall  
1024 render the applicant ineligible for a Florida private student  
1025 assistance grant. Recipients of such grants must have been  
1026 accepted at a baccalaureate-degree-granting independent  
1027 nonprofit college or university, which is accredited by the  
1028 Commission on Colleges of the Southern Association of Colleges  
1029 and Schools and which is located in and chartered as a domestic  
1030 corporation by the state. No student may receive an award for  
1031 more than the equivalent of 9 semesters or 14 quarters of full-  
1032 time enrollment, except as otherwise provided in s. 1009.40(3).

1033 (b) A student applying for a Florida private student  
1034 assistance grant shall be required to apply for the Pell Grant.  
1035 ~~The Pell Grant entitlement shall be considered when conducting~~  
1036 ~~an assessment of the financial resources available to each~~  
1037 ~~student.~~

1038 (c) Institutions awarding grant moneys must conduct an  
1039 assessment of all of the financial resources available to each  
1040 student, including, but not limited to:



- 1041        1. Pell Grants and other federal aid.
- 1042        2. State grants and scholarships, including merit awards.
- 1043        3. Institutional awards for merit or need.
- 1044        4. Prepaid tuition contracts.
- 1045        5. Private awards for merit or need.
- 1046        6. Any other grant or scholarship available to the student  
 1047 for use toward the cost of education.

1048

1049 Institutions that provide preliminary award packages before  
 1050 receiving from the department the final student eligibility  
 1051 determinations for state grants and scholarships, including  
 1052 merit awards, shall reassess each student's award package after  
 1053 the allocation of funds and the final student eligibility  
 1054 determinations are received from the department.

1055        (d) Priority in the distribution of grant moneys shall be  
 1056 given to students with the highest unmet need after the  
 1057 assessment of available financial resources is conducted  
 1058 pursuant to paragraph (c) ~~lowest total family resources,~~ in  
 1059 accordance with a nationally recognized system of need analysis.  
 1060 Using the system of need analysis, the department shall  
 1061 establish a maximum expected family contribution. An institution  
 1062 may not make a grant from this program to a student whose  
 1063 expected family contribution exceeds the level established by  
 1064 the department. An institution may not impose additional  
 1065 criteria to determine a student's eligibility to receive a grant  
 1066 award.

1067        (e)~~(d)~~ Each participating institution shall report, to the  
 1068 department by the established date, the ~~eligible~~ students  
 1069 eligible for the program for to whom grant moneys are disbursed  
 1070 each academic term. Each institution shall also report in a  
 1071 manner and by a date prescribed by ~~to~~ the department necessary  
 1072 demographic and eligibility data for such students, as well as  
 1073 the expected family contributions; other grant, scholarship, and  
 1074 aid awards; prepaid contracts; and student loans received by the  
 1075 students.

1076            Section 17. In order to implement Specific Appropriations  
 1077 6 and 76 of the 2016-2017 General Appropriations Act, subsection  
 1078 (2) of section 1009.52, Florida Statutes, is amended to read:

1079            1009.52 Florida Postsecondary Student Assistance Grant  
 1080 Program; eligibility for grants.—

1081            (2) (a) Florida postsecondary student assistance grants  
 1082 through the State Student Financial Assistance Trust Fund may be  
 1083 made only to full-time degree-seeking students who meet the  
 1084 general requirements for student eligibility as provided in s.  
 1085 1009.40, except as otherwise provided in this section. Such  
 1086 grants shall be awarded for the amount of demonstrated unmet  
 1087 need for tuition and fees, after the expected family  
 1088 contribution and all other aid available to the student is  
 1089 accounted for, but ~~and~~ may not exceed an amount equal to the  
 1090 average prior academic year cost of tuition and other  
 1091 registration fees for 30 credit hours ~~at state universities~~ plus  
 1092 \$1,000 per academic year, or as specified in the General

1093 Appropriations Act, to any applicant. A demonstrated unmet need  
 1094 of less than \$200, after the expected family contribution and  
 1095 all other aid available to the student is accounted for, shall  
 1096 render the applicant ineligible for a Florida postsecondary  
 1097 student assistance grant. Recipients of such grants must have  
 1098 been accepted at a postsecondary institution that is located in  
 1099 the state and that is:

- 1100 1. A private nursing diploma school approved by the
- 1101 Florida Board of Nursing; or
- 1102 2. A college or university licensed by the Commission for
- 1103 Independent Education, excluding those institutions the students
- 1104 of which are eligible to receive a Florida private student
- 1105 assistance grant pursuant to s. 1009.51.

1106  
 1107 No student may receive an award for more than the equivalent of  
 1108 9 semesters or 14 quarters of full-time enrollment, except as  
 1109 otherwise provided in s. 1009.40(3).

1110 (b) A student applying for a Florida postsecondary student  
 1111 assistance grant shall be required to apply for the Pell Grant.  
 1112 ~~The Pell Grant entitlement shall be considered when conducting~~  
 1113 ~~an assessment of the financial resources available to each~~  
 1114 ~~student.~~

1115 (c) Institutions awarding grant moneys must conduct an  
 1116 assessment of all of the financial resources available to each  
 1117 student, including, but not limited to:

- 1118 1. Pell Grants and other federal aid.

- 1119 |       2. State grants and scholarships, including merit awards.
- 1120 |       3. Institutional awards for merit or need.
- 1121 |       4. Prepaid tuition contracts.
- 1122 |       5. Private awards for merit or need.
- 1123 |       6. Any other grant or scholarship available to the student
- 1124 | for use toward the cost of education.

1125 |

1126 | Institutions that provide preliminary award packages before

1127 | receiving from the department the final student eligibility

1128 | determinations for state grants and scholarships, including

1129 | merit awards, shall reassess each student's award package after

1130 | the allocation of funds and the final student eligibility

1131 | determinations are received from the department.

1132 |       (d) Priority in the distribution of grant moneys shall be

1133 | given to students with the highest unmet need after the

1134 | assessment of available financial resources is conducted

1135 | pursuant to paragraph (c) ~~lowest total family resources,~~ in

1136 | accordance with a nationally recognized system of need analysis.

1137 | Using the system of need analysis, the department shall

1138 | establish a maximum expected family contribution. An institution

1139 | may not make a grant from this program to a student whose

1140 | expected family contribution exceeds the level established by

1141 | the department. An institution may not impose additional

1142 | criteria to determine a student's eligibility to receive a grant

1143 | award.

1144 |       (e)~~(d)~~ Each participating institution shall report, to the

1145 department by the established date, the ~~eligible~~ students  
1146 eligible for the program for ~~to whom grant moneys are disbursed~~  
1147 each academic term. Each institution shall also report in a  
1148 manner and by a date prescribed by ~~to~~ the department necessary  
1149 demographic and eligibility data for such students, as well as  
1150 the expected family contributions; other grant, scholarship, and  
1151 aid awards; prepaid contracts; and student loans received by the  
1152 students.

1153 Section 18. In order to implement Specific Appropriation  
1154 18 of the 2016-2017 General Appropriations Act, subsections (1),  
1155 (2), and (4) and paragraph (c) of subsection (5) of section  
1156 1009.701, Florida Statutes, are amended to read:

1157 1009.701 First Generation Matching Grant Program.—

1158 (1) The First Generation Matching Grant Program is created  
1159 to enable each state university and Florida College System  
1160 institution to provide donors with a matching grant incentive  
1161 for contributions that will create grant-based student financial  
1162 aid for undergraduate students who demonstrate financial need  
1163 and whose parents, as defined in s. 1009.21(1), have not earned  
1164 a baccalaureate degree. In the case of any individual who  
1165 regularly resided with and received support from only one  
1166 parent, an individual whose only such parent did not complete a  
1167 baccalaureate degree would also be eligible.

1168 (2) Funds appropriated by the Legislature for the program  
1169 shall be allocated by the Office of Student Financial Assistance  
1170 to match private contributions on a ~~dollar-for-dollar~~ basis of

1171 \$2 for each \$1 contributed. Contributions made to a state  
1172 university or Florida College System Institution and pledged for  
1173 the purposes of this section are eligible for state matching  
1174 funds appropriated for this program and are not eligible for any  
1175 other state matching grant program. Pledged contributions are  
1176 not eligible for matching prior to the actual collection of the  
1177 total funds. The Office of Student Financial Assistance shall  
1178 reserve a proportionate allocation of the total appropriated  
1179 funds for each state university on the basis of full-time  
1180 equivalent enrollment. Funds that remain unmatched as of  
1181 December 1 shall be reallocated to state universities and  
1182 Florida College System institutions that have remaining  
1183 unmatched private contributions for the program on the basis of  
1184 full-time equivalent enrollment.

1185 (4) Each participating state university and Florida  
1186 College System institution shall establish an application  
1187 process, determine student eligibility for initial and renewal  
1188 awards in conformance with subsection (5), identify the amount  
1189 awarded to each recipient, and notify recipients of the amount  
1190 of their awards.

1191 (5) In order to be eligible to receive a grant pursuant to  
1192 this section, an applicant must:

1193 (c) Be accepted at a state university or Florida College  
1194 System institution.

1195 Section 19. In order to implement Specific Appropriations  
1196 7, 8, 9, 94 and 95 of the 2016-2017 General Appropriations Act,

1197 subsection (4) of section 1011.61, Florida Statutes, is amended  
 1198 to read:

1199 1011.61 Definitions.—Notwithstanding the provisions of s.  
 1200 1000.21, the following terms are defined as follows for the  
 1201 purposes of the Florida Education Finance Program:

1202 (4) The maximum value for funding a student in  
 1203 kindergarten through grade 12 or in a prekindergarten program  
 1204 for exceptional children as provided in s. 1003.21(1)(e) shall  
 1205 be the sum of the calculations in paragraphs (a), (b), and (c)  
 1206 as calculated by the department.

1207 (a) The sum of the student's full-time equivalent student  
 1208 membership value for the school year or the equivalent derived  
 1209 from paragraphs (1)(a) and (b), subparagraph (1)(c)1., sub-  
 1210 subparagraphs (1)(c)2.b. and c., subparagraph (1)(c)3., and  
 1211 subsection (2). If the sum is greater than 1.0, the full-time  
 1212 equivalent student membership value for each program or course  
 1213 shall be reduced by an equal proportion so that the student's  
 1214 total full-time equivalent student membership value is equal to  
 1215 1.0.

1216 (b) If the result in paragraph (a) is less than 1.0 full-  
 1217 time equivalent student and the student has full-time equivalent  
 1218 student enrollment pursuant to sub-sub-subparagraph  
 1219 (1)(c)1.b.(VIII), calculate an amount that is the lesser of the  
 1220 value in sub-sub-subparagraph (1)(c)1.b.(VIII) or the value of  
 1221 1.0 less the value in paragraph (a).

1222 (c) The full-time equivalent student enrollment value in

1223 sub-subparagraph (1)(c)2.a.

1224

1225 A scholarship provided to a student enrolled in the John M.  
 1226 McKay Scholarships for Students with Disabilities Program  
 1227 pursuant to s. 1002.39 is not subject to the maximum value for  
 1228 funding a student as provided in this subsection.

1229 Section 20. In order to implement Specific Appropriations  
 1230 7, 8, 9, 94 and 95 of the 2016-2017 General Appropriations Act,  
 1231 paragraph (g) is added to subsection (12) of section 1011.62,  
 1232 Florida Statutes, to read:

1233 1011.62 Funds for operation of schools.—If the annual  
 1234 allocation from the Florida Education Finance Program to each  
 1235 district for operation of schools is not determined in the  
 1236 annual appropriations act or the substantive bill implementing  
 1237 the annual appropriations act, it shall be determined as  
 1238 follows:

1239 (12) FLORIDA DIGITAL CLASSROOMS ALLOCATION.—

1240 (g) For the 2016-2017 fiscal year, each district's digital  
 1241 classrooms allocation plan must give preference to funding the  
 1242 number of devices that comply with the requirements of s.  
 1243 1001.20(4)(a)1.b. and that are needed to allow each school to  
 1244 administer the Florida Standards Assessments to an entire grade  
 1245 at the same time. If the district's digital classrooms  
 1246 allocation plan does not include the purchase of devices, the  
 1247 district must certify in the plan that the district currently  
 1248 has sufficient devices to allow each school to administer the



1249 Florida Standards Assessments in the manner described in this  
1250 paragraph. This paragraph expires July 1, 2017.

1251 Section 21. In order to implement Specific Appropriations  
1252 7, 8, 9, 94 and 95 of the 2016-2017 General Appropriations Act,  
1253 and notwithstanding the expiration date in section 9 of chapter  
1254 2015-222, Laws of Florida, subsection (13) of section 1011.62,  
1255 Florida Statutes, is reenacted and amended to read:

1256 1011.62 Funds for operation of schools.—If the annual  
1257 allocation from the Florida Education Finance Program to each  
1258 district for operation of schools is not determined in the  
1259 annual appropriations act or the substantive bill implementing  
1260 the annual appropriations act, it shall be determined as  
1261 follows:

1262 (13) FEDERALLY CONNECTED STUDENT SUPPLEMENT.—The federally  
1263 connected student supplement is created to provide supplemental  
1264 funding for school districts to support the education of  
1265 students connected with federally owned military installations,  
1266 National Aeronautics and Space Administration (NASA) property,  
1267 and Indian lands. To be eligible for this supplement, the  
1268 district must be eligible for federal Impact Aid Program funds  
1269 under s. 8003 of Title VIII of the Elementary and Secondary  
1270 Education Act of 1965. The supplement shall be allocated  
1271 annually to each eligible school district in the amount provided  
1272 in the General Appropriations Act. The supplement shall be the  
1273 sum of the student allocation and an exempt property allocation.

1274 (a) The student allocation shall be calculated based on

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1275 the number of students reported for federal Impact Aid Program  
1276 funds, including students with disabilities, who meet one of the  
1277 following criteria:

1278 1. Resides with a parent who is on active duty in the  
1279 uniformed services or is an accredited foreign government  
1280 official and military officer. Students with disabilities shall  
1281 also be reported separately for this condition.

1282 2. Resides on eligible federally owned Indian lands.  
1283 Students with disabilities shall also be reported separately for  
1284 this condition.

1285 3. Resides with a civilian parent who lives or works on  
1286 eligible federal property connected with a military installation  
1287 or NASA. The number of these students shall be multiplied by a  
1288 factor of 0.5.

1289 (b) The total number of federally connected students  
1290 calculated under paragraph (a) shall be multiplied by a  
1291 percentage of the base student allocation as provided in the  
1292 General Appropriations Act. The total of the number of students  
1293 with disabilities as reported separately under subparagraphs  
1294 (a)1. and (a)2. shall be multiplied by an additional percentage  
1295 of the base student allocation as provided in the General  
1296 Appropriations Act. The base amount and the amount for students  
1297 with disabilities shall be summed to provide the student  
1298 allocation.

1299 (c) The exempt property allocation shall be equal to the  
1300 tax-exempt value of federal impact aid lands reserved as

1301 military installations, real property owned by NASA, or eligible  
 1302 federally owned Indian lands located in the district, as of  
 1303 January 1 of the previous year, multiplied by the millage  
 1304 authorized and levied under s. 1011.71(2).

1305 (d) This subsection expires July 1, 2017.

1306 Section 22. In order to implement Specific Appropriations  
 1307 7, 8, 9, 94 and 95 of the 2016-2017 General Appropriations Act,  
 1308 paragraph (b) of subsection (15) of section 1011.62, Florida  
 1309 Statutes, is amended to read:

1310 1011.62 Funds for operation of schools.—If the annual  
 1311 allocation from the Florida Education Finance Program to each  
 1312 district for operation of schools is not determined in the  
 1313 annual appropriations act or the substantive bill implementing  
 1314 the annual appropriations act, it shall be determined as  
 1315 follows:

1316 (15) TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT FOR  
 1317 CURRENT OPERATION.—The total annual state allocation to each  
 1318 district for current operation for the FEFP shall be distributed  
 1319 periodically in the manner prescribed in the General  
 1320 Appropriations Act.

1321 (b) The amount thus obtained shall be the net annual  
 1322 allocation to each school district. However, if it is determined  
 1323 that any school district received an under allocation or over  
 1324 allocation ~~underallocation or overallocation~~ for any prior year  
 1325 because of an arithmetical error, assessment roll change  
 1326 required by final judicial decision, full-time equivalent

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1327 student membership error, or any allocation error revealed in an  
1328 audit report, the allocation to that district shall be  
1329 appropriately adjusted. An under allocation in a prior year  
1330 caused by a school district's error may not be the basis for a  
1331 positive allocation adjustment for the current year. Beginning  
1332 with the 2011-2012 fiscal year, if a special program cost factor  
1333 is less than the basic program cost factor, an audit adjustment  
1334 may not result in the reclassification of the special program  
1335 FTE to the basic program FTE. If the Department of Education  
1336 audit adjustment recommendation is based upon controverted  
1337 findings of fact, the Commissioner of Education is authorized to  
1338 establish the amount of the adjustment based on the best  
1339 interests of the state.

1340 Section 23. In order to implement Specific Appropriation  
1341 104 of the 2016-2017 General Appropriations Act, subsection (3)  
1342 of section 1012.39, Florida Statutes, is amended to read:

1343 1012.39 Employment of substitute teachers, teachers of  
1344 adult education, nondegreed teachers of career education, and  
1345 career specialists; students performing clinical field  
1346 experience.—

1347 (3) A student who is enrolled in a state-approved teacher  
1348 preparation program in a postsecondary educational institution  
1349 that is approved by rules of the State Board of Education and  
1350 who is jointly assigned by the postsecondary educational  
1351 institution and a district school board to perform a clinical  
1352 field experience under the direction of a regularly employed and

1353 certified educator shall, while serving such supervised clinical  
1354 field experience, be accorded the same protection of law as that  
1355 accorded to the certified educator except for the right to  
1356 bargain collectively as an employee of the district school  
1357 board. The district school board providing the clinical field  
1358 experience shall notify the student electronically or in writing  
1359 of the availability of educator liability insurance under s.  
1360 1012.75. A postsecondary educational institution or district  
1361 school board may not require a student enrolled in a state-  
1362 approved teacher preparation program to purchase liability  
1363 insurance as a condition of participation in any clinical field  
1364 experience or related activity on the premises of an elementary  
1365 or secondary school.

1366 Section 24. In order to implement Specific Appropriation  
1367 103 of the 2016-2017 General Appropriations Act, section  
1368 1012.731, Florida Statutes, is created to read:

1369 1012.731 The Florida Best and Brightest Teacher  
1370 Scholarship Program.-

1371 (1) The Legislature recognizes that, second only to  
1372 parents, teachers play the most critical role within schools in  
1373 preparing students to achieve a high level of academic  
1374 performance. The Legislature further recognizes that research  
1375 has linked student outcomes to a teacher's own academic  
1376 achievement. Therefore, it is the intent of the Legislature to  
1377 designate teachers who have achieved high academic standards  
1378 during their own education as Florida's best and brightest

1379 teacher scholars.

1380 (2) There is created the Florida Best and Brightest  
1381 Teacher Scholarship Program to be administered by the Department  
1382 of Education. The scholarship program shall provide categorical  
1383 funding for scholarships to be awarded to classroom teachers, as  
1384 defined in s. 1012.01(2)(a), who have demonstrated a high level  
1385 of academic achievement.

1386 (3)(a) To be eligible for a scholarship, a classroom  
1387 teacher must have achieved a composite score at or above the  
1388 80th percentile on either the SAT or the ACT based on the  
1389 National Percentile Ranks in effect when the classroom teacher  
1390 took the assessment and have been evaluated as highly effective  
1391 pursuant to s. 1012.34 in the school year immediately preceding  
1392 the year in which the scholarship will be awarded, unless the  
1393 classroom teacher is newly hired by the district school board  
1394 and has not been evaluated pursuant to s. 1012.34.

1395 (b) In order to demonstrate eligibility for an award, an  
1396 eligible classroom teacher must submit to the school district,  
1397 no later than November 1, an official record of his or her SAT  
1398 or ACT score demonstrating that the classroom teacher scored at  
1399 or above the 80th percentile based on the National Percentile  
1400 Ranks in effect when the teacher took the assessment. Once a  
1401 classroom teacher is deemed eligible by the school district,  
1402 including teachers deemed eligible in the 2015-2016 fiscal year,  
1403 the teacher shall remain eligible as long as he or she remains  
1404 employed by the school district as a classroom teacher at the

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1405 time of the award and receives an annual performance evaluation  
1406 rating of highly effective pursuant to s. 1012.34.

1407 (4) Annually, by December 1, each school district shall  
1408 submit to the department the number of eligible classroom  
1409 teachers who qualify for the scholarship.

1410 (5) Annually, by February 1, the department shall disburse  
1411 scholarship funds to each school district for each eligible  
1412 classroom teacher to receive a scholarship as provided in the  
1413 General Appropriations Act. The amount disbursed shall include a  
1414 scholarship award of \$1,000, from the total amount of funds  
1415 appropriated, for each eligible classroom teacher in a Title I  
1416 eligible school. Of the remaining funds, a scholarship in the  
1417 amount provided in the General Appropriations Act shall be  
1418 awarded to every eligible classroom teacher, including those in  
1419 Title I eligible schools. If the number of eligible classroom  
1420 teachers exceeds the total appropriation authorized in the  
1421 General Appropriations Act, the department shall prorate the  
1422 per-teacher scholarship amount.

1423 (6) Annually, by April 1, each school district shall award  
1424 the scholarship to each eligible classroom teacher.

1425 (7) For purposes of this section, the term "school  
1426 district" includes the Florida School for the Deaf and the Blind  
1427 and charter school governing boards.

1428 (8) This section expires July 1, 2017.

1429 Section 25. In order to implement Specific Appropriation  
1430 104 of the 2016-2017 General Appropriations Act, paragraph (d)

1431 of subsection (3) of section 1012.75, Florida Statutes, is  
 1432 amended to read:

1433 1012.75 Liability of teacher or principal; excessive  
 1434 force.—

1435 (3) The Department of Education shall administer an  
 1436 educator liability insurance program, as provided in the General  
 1437 Appropriations Act, to protect full-time instructional personnel  
 1438 from liability for monetary damages and the costs of defending  
 1439 actions resulting from claims made against the instructional  
 1440 personnel arising out of occurrences in the course of activities  
 1441 within the instructional personnel's professional capacity. For  
 1442 purposes of this subsection, the terms "full-time," "part-time,"  
 1443 and "administrative personnel" shall be defined by the  
 1444 individual district school board. For purposes of this  
 1445 subsection, the term "instructional personnel" has the same  
 1446 meaning as provided in s. 1012.01(2).

1447 (d) This subsection expires July 1, 2017 ~~2016~~.

1448 Section 26. In order to implement Specific Appropriation  
 1449 19 of the 2016-2017 General Appropriations Act, subsection (3)  
 1450 of section 1013.64, Florida Statutes, is amended to read:

1451 1013.64 Funds for comprehensive educational plant needs;  
 1452 construction cost maximums for school district capital  
 1453 projects.—Allocations from the Public Education Capital Outlay  
 1454 and Debt Service Trust Fund to the various boards for capital  
 1455 outlay projects shall be determined as follows:

1456 (3) (a) Each district school board shall receive an amount



1457 from the Public Education Capital Outlay and Debt Service Trust  
1458 Fund to be calculated by computing the capital outlay ~~full-time~~  
1459 ~~equivalent~~ membership as determined by the department. Such  
1460 membership must include, but is not limited to:

1461 1. K-12 students and prekindergarten exceptional students  
1462 for whom the school district provides the educational facility,  
1463 except hospital- and homebound part-time students; and

1464 2. Students who are career education students, and adult  
1465 disabled students and who are enrolled in school district career  
1466 centers.

1467 (b) The capital outlay ~~full-time equivalent~~ membership  
1468 shall be determined for prekindergarten exceptional education  
1469 students, kindergarten through the 12th grade, and for career  
1470 centers by counting the ~~averaging the unweighted full-time~~  
1471 ~~equivalent~~ student membership for the second and third surveys  
1472 and comparing the results on a school-by-school basis with the  
1473 Florida Inventory of ~~for~~ School Houses. If the prior academic  
1474 year's third survey count is higher than the current year's  
1475 second survey count when comparing the results on a school-by-  
1476 school basis with the Florida Inventory of School Houses, the  
1477 prior year's third survey count shall be used on a school-by-  
1478 school basis for determining the current capital outlay  
1479 membership. The Florida Inventory of School Houses shall be  
1480 updated with the current capital outlay membership count as soon  
1481 as practicable after verification of the capital outlay  
1482 membership.

1483        (c) The capital outlay ~~full-time equivalent~~ membership by  
 1484 grade level organization shall be used in making ~~the following~~  
 1485 calculations. ÷ The capital outlay ~~full-time equivalent~~  
 1486 membership by grade level organization for the 4th prior year  
 1487 must be used to compute the base-year allocation. The capital  
 1488 outlay ~~full-time equivalent~~ membership by grade-level  
 1489 organization for the prior year must be used to compute the  
 1490 growth over the highest of the 3 years preceding the prior year.  
 1491 From the total amount appropriated by the Legislature pursuant  
 1492 to this subsection, 40 percent shall be allocated among the base  
 1493 capital outlay ~~full-time equivalent~~ membership and 60 percent  
 1494 among the growth capital outlay ~~full-time equivalent~~ membership.  
 1495 The allocation within each of these groups shall be prorated to  
 1496 the districts based upon each district's percentage of base and  
 1497 growth capital outlay full-time membership. The most recent 4-  
 1498 year capital outlay ~~full-time equivalent~~ membership data shall  
 1499 be used in each subsequent year's calculation for the allocation  
 1500 of funds pursuant to this subsection. If a change, correction,  
 1501 or recomputation of data during any year results in a reduction  
 1502 or increase of the calculated amount previously allocated to a  
 1503 district, the allocation to that district shall be adjusted  
 1504 accordingly ~~correspondingly~~. If such recomputation results in an  
 1505 increase or decrease of the calculated amount, such additional  
 1506 or reduced amounts shall be added to or reduced from the  
 1507 district's future appropriations. However, no change,  
 1508 correction, or recomputation of data shall be made subsequent to

1509 2 years following the initial annual allocation.

1510 (d)~~(b)~~ Funds accruing to a district school board from the  
 1511 provisions of this section shall be expended on needed projects  
 1512 as shown by survey or surveys under the rules of the State Board  
 1513 of Education.

1514 (e)~~(e)~~ A district school board may lease relocatable  
 1515 educational facilities for up to 3 years using nonbonded PECO  
 1516 funds and for any time period using local capital outlay  
 1517 millage.

1518 (f)~~(d)~~ Funds distributed to the district school boards  
 1519 shall be allocated solely based on the provisions of paragraphs  
 1520 (1) (a) and (2) (a) and paragraphs (a)-(c) ~~paragraph (a)~~ of this  
 1521 subsection. No individual school district projects shall be  
 1522 funded off the top of funds allocated to district school boards.

1523 Section 27. The amendments made by this act to ss. 11.45,  
 1524 1001.7065, 1002.39, 1008.46, 1009.23, 1009.24, 1009.40, 1009.50,  
 1525 1009.505, 1009.51, 1009.52, 1009.701, 1011.61, 1011.62(15) (b),  
 1526 1012.39, and 1013.64, Florida Statutes, expire July 1, 2017, and  
 1527 the text of those sections shall revert to that in existence on  
 1528 June 30, 2106, except that any amendments to such text enacted  
 1529 other than by this act shall be preserved and continue to  
 1530 operate to the extent that such amendments are not dependent  
 1531 upon the portions of text which expire pursuant to this section.

1532 Section 28. In order to implement Specific Appropriations  
 1533 199, 206 through 208, and 211 of the 2016-2017 General  
 1534 Appropriations Act, the calculations for the Medicaid Low-Income

1535 Pool, Disproportionate Share Hospital, and Hospital  
 1536 Reimbursement programs, for the 2016-2017 fiscal year contained  
 1537 in the document titled "Medicaid Hospital Supplemental Funding  
 1538 Programs," dated January 28, 2016, and filed with the Clerk of  
 1539 the House of Representatives, are incorporated by reference for  
 1540 the purpose of displaying the calculations used by the  
 1541 Legislature, consistent with the requirements of state law, in  
 1542 making appropriations for the Medicaid Low-Income Pool,  
 1543 Disproportionate Share Hospital, and Hospital Reimbursement  
 1544 programs. This section expires July 1, 2017.

1545 Section 29. In order to implement Specific Appropriations  
 1546 569 through 580 of the 2016-2017 General Appropriations Act,  
 1547 subsection (3) of section 296.37, Florida Statutes, is amended  
 1548 to read:

1549 296.37 Residents; contribution to support.—

1550 (3) Notwithstanding subsection (1), each resident of the  
 1551 home who receives a pension, compensation, or gratuity from the  
 1552 United States Government, or income from any other source, of  
 1553 more than \$105 per month shall contribute to his or her  
 1554 maintenance and support while a resident of the home in  
 1555 accordance with a payment schedule determined by the  
 1556 administrator and approved by the director. The total amount of  
 1557 such contributions shall be to the fullest extent possible, but,  
 1558 in no case, shall exceed the actual cost of operating and  
 1559 maintaining the home. This subsection expires July 1, 2017 ~~2016~~.

1560 Section 30. In order to implement Specific Appropriations

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1561 193 through 226 and 541 of the 2016-2017 General Appropriations  
1562 Act and notwithstanding ss. 216.181 and 216.292, Florida  
1563 Statutes, the Agency for Health Care Administration, in  
1564 consultation with the Department of Health, may submit a budget  
1565 amendment, subject to the notice, review, and objection  
1566 procedures of s. 216.177, Florida Statutes, to realign funding  
1567 within and between agencies based on implementation of the  
1568 Managed Medical Assistance component of the Statewide Medicaid  
1569 Managed Care program for the Children's Medical Services program  
1570 of the Department of Health. The funding realignment shall  
1571 reflect the actual enrollment changes due to the transfer of  
1572 beneficiaries from fee-for-service to the capitated Children's  
1573 Medical Services Network. The Agency for Health Care  
1574 Administration may submit a request for nonoperating budget  
1575 authority to transfer the federal funds to the Department of  
1576 Health pursuant to s. 216.181(12), Florida Statutes. This  
1577 section expires July 1, 2017.

1578       Section 31. In order to implement Specific Appropriation  
1579 342 of the 2016-2017 General Appropriations Act, and  
1580 notwithstanding s. 409.991, Florida Statutes, for the 2016-2017  
1581 fiscal year, funds provided for training purposes shall be  
1582 allocated to community-based care lead agencies based on a  
1583 training needs assessment conducted by the Department of  
1584 Children and Families. This section expires July 1, 2017.

1585       Section 32. In order to implement Specific Appropriations  
1586 515 through 536 of the 2016-2017 General Appropriations Act,

1587 subsection (17) of section 893.055, Florida Statutes, is amended  
 1588 to read:

1589 893.055 Prescription drug monitoring program.—

1590 (17) Notwithstanding subsection (10), and for the 2016-  
 1591 2017 ~~2015-2016~~ fiscal year only, the department may use state  
 1592 funds appropriated in the 2016-2017 ~~2015-2016~~ General  
 1593 Appropriations Act to administer the prescription drug  
 1594 monitoring program. Neither the Attorney General nor the  
 1595 department may use funds received as part of a settlement  
 1596 agreement to administer the prescription drug monitoring  
 1597 program. This subsection expires July 1, 2017 ~~2016~~.

1598 Section 33. In order to implement Specific Appropriations  
 1599 598A through 701 and 721 through 755 of the 2016-2017 General  
 1600 Appropriations Act, subsection (4) of section 216.262, Florida  
 1601 Statutes, is amended to read:

1602 216.262 Authorized positions.—

1603 (4) Notwithstanding the provisions of this chapter  
 1604 relating to increasing the number of authorized positions, and  
 1605 for the 2016-2017 ~~2015-2016~~ fiscal year only, if the actual  
 1606 inmate population of the Department of Corrections exceeds the  
 1607 inmate population projections of the December 17 ~~February 27,~~  
 1608 2015, Criminal Justice Estimating Conference by 1 percent for 2  
 1609 consecutive months or 2 percent for any month, the Executive  
 1610 Office of the Governor, with the approval of the Legislative  
 1611 Budget Commission, shall immediately notify the Criminal Justice  
 1612 Estimating Conference, which shall convene as soon as possible

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1613 to revise the estimates. The Department of Corrections may then  
1614 submit a budget amendment requesting the establishment of  
1615 positions in excess of the number authorized by the Legislature  
1616 and additional appropriations from unallocated general revenue  
1617 sufficient to provide for essential staff, fixed capital  
1618 improvements, and other resources to provide classification,  
1619 security, food services, health services, and other variable  
1620 expenses within the institutions to accommodate the estimated  
1621 increase in the inmate population. All actions taken pursuant to  
1622 this subsection are subject to review and approval by the  
1623 Legislative Budget Commission. This subsection expires July 1,  
1624 2017 ~~2016~~.

1625       Section 34. In order to implement Specific Appropriations  
1626 1283 and 1284 of the 2016-2017 General Appropriations Act, the  
1627 Department of Legal Affairs may expend appropriated funds in  
1628 those specific appropriations on the same programs that were  
1629 funded by the department pursuant to specific appropriations  
1630 made in general appropriations acts in previous years. This  
1631 section expires July 1, 2017.

1632       Section 35. In order to implement Specific Appropriations  
1633 1219 and 1224 of the 2016-2017 General Appropriations Act,  
1634 paragraph (d) of subsection (4) of section 932.7055, Florida  
1635 Statutes, is amended to read:

1636       932.7055 Disposition of liens and forfeited property.—

1637       (4) The proceeds from the sale of forfeited property shall  
1638 be disbursed in the following priority:

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1639 (d) Notwithstanding any other provision of this  
1640 subsection, and for the 2016-2017 ~~2015-2016~~ fiscal year only,  
1641 the funds in a special law enforcement trust fund established by  
1642 the governing body of a municipality may be expended to  
1643 reimburse the general fund of the municipality for moneys  
1644 advanced from the general fund to the special law enforcement  
1645 trust fund before October 1, 2001. This paragraph expires July  
1646 1, 2017 ~~2016~~.

1647 Section 36. In order to implement Specific Appropriations  
1648 3109 through 3179 of the 2016-2017 General Appropriations Act,  
1649 subsection (2) of section 215.18, Florida Statutes, is amended  
1650 to read:

1651 215.18 Transfers between funds; limitation.—

1652 (2) The Chief Justice of the Supreme Court may receive one  
1653 or more trust fund loans to ensure that the state court system  
1654 has funds sufficient to meet its appropriations in the 2016-2017  
1655 ~~2015-2016~~ General Appropriations Act. If the Chief Justice  
1656 accesses the loan, he or she must notify the Governor and the  
1657 chairs of the legislative appropriations committees in writing.  
1658 The loan must come from other funds in the State Treasury which  
1659 are for the time being or otherwise in excess of the amounts  
1660 necessary to meet the just requirements of such last-mentioned  
1661 funds. The Governor shall order the transfer of funds within 5  
1662 days after the written notification from the Chief Justice. If  
1663 the Governor does not order the transfer, the Chief Financial  
1664 Officer shall transfer the requested funds. The loan of funds



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1665 from which any money is temporarily transferred must be repaid  
1666 by the end of the 2016-2017 ~~2015-2016~~ fiscal year. This  
1667 subsection expires July 1, 2017 ~~2016~~.

1668 Section 37. In order to implement appropriations for  
1669 salaries and benefits in the 2016-2017 General Appropriations  
1670 Act for the Department of Corrections and notwithstanding s.  
1671 216.292, Florida Statutes, the Department of Corrections may not  
1672 transfer funds from a salaries and benefits category to any  
1673 other category within the department other than a salaries and  
1674 benefits category without approval of the Legislative Budget  
1675 Commission. This section expires July 1, 2017.

1676 Section 38. (1) In order to implement Specific  
1677 Appropriations 1093 through 1105 of the 2016-2017 General  
1678 Appropriations Act, the Department of Juvenile Justice is  
1679 required to review county juvenile detention payments to ensure  
1680 that counties fulfill their financial responsibilities required  
1681 in s. 985.686, Florida Statutes. If the Department of Juvenile  
1682 Justice determines that a county has not met its obligations,  
1683 the department shall direct the Department of Revenue to deduct  
1684 the amount owed to the Department of Juvenile Justice from the  
1685 funds provided to the county under s. 218.23, Florida Statutes.  
1686 The Department of Revenue shall transfer the funds withheld to  
1687 the Shared County/State Juvenile Detention Trust Fund.

1688 (2) As an assurance to holders of bonds issued by counties  
1689 before July 1, 2016, for which distributions made pursuant to s.  
1690 218.23, Florida Statutes, are pledged, or bonds issued to refund

1691 such bonds which mature no later than the bonds they refunded  
1692 and which result in a reduction of debt service payable in each  
1693 fiscal year, the amount available for distribution to a county  
1694 shall remain as provided by law and continue to be subject to  
1695 any lien or claim on behalf of the bondholders. The Department  
1696 of Revenue must ensure, based on information provided by an  
1697 affected county, that any reduction in amounts distributed  
1698 pursuant to subsection (1) does not reduce the amount of  
1699 distribution to a county below the amount necessary for the  
1700 timely payment of principal and interest when due on the bonds  
1701 and the amount necessary to comply with any covenant under the  
1702 bond resolution or other documents relating to the issuance of  
1703 the bonds. If a reduction to a county's monthly distribution  
1704 must be decreased in order to comply with this subsection, the  
1705 Department of Revenue must notify the Department of Juvenile  
1706 Justice of the amount of the decrease, and the Department of  
1707 Juvenile Justice must send a bill for payment of such amount to  
1708 the affected county.

1709 (3) This section expires July 1, 2017.

1710 Section 39. In order to implement appropriations used to  
1711 pay existing lease contracts for private lease space in excess  
1712 of 2,000 square feet in the 2016-2017 General Appropriations  
1713 Act, the Department of Management Services, with the cooperation  
1714 of the agencies having the existing lease contracts for office  
1715 or storage space, shall use tenant broker services to  
1716 renegotiate or reprocure all private lease agreements for office

1717 or storage space expiring between July 1, 2017, and June 30,  
1718 2019, in order to reduce costs in future years. The department  
1719 shall incorporate this initiative into its 2016 master leasing  
1720 report required under s. 255.249(7), Florida Statutes, and may  
1721 use tenant broker services to explore the possibilities of  
1722 collocating office or storage space, to review the space needs  
1723 of each agency, and to review the length and terms of potential  
1724 renewals or renegotiations. The department shall provide a  
1725 report to the Executive Office of the Governor, the President of  
1726 the Senate, and the Speaker of the House of Representatives by  
1727 November 1, 2016, which lists each lease contract for private  
1728 office or storage space, the status of renegotiations, and the  
1729 savings achieved. This section expires July 1, 2017.

1730 Section 40. In order to implement Specific Appropriations  
1731 2257 through 2265 of the 2016-2017 General Appropriations Act,  
1732 section 624.502, Florida Statutes, is reenacted to read:

1733 624.502 Service of process fee.—In all instances as  
1734 provided in any section of the insurance code and s. 48.151(3)  
1735 in which service of process is authorized to be made upon the  
1736 Chief Financial Officer or the director of the office, the  
1737 plaintiff shall pay to the department or office a fee of \$15 for  
1738 such service of process, which fee shall be deposited into the  
1739 Administrative Trust Fund.

1740 Section 41. The amendment to s. 624.502, Florida Statutes,  
1741 as carried forward by this act from chapter 2015-222, Laws of  
1742 Florida, expires July 1, 2017, and the text of that section

1743 shall revert to that in existence on June 30, 2013, except that  
1744 any amendments to such text enacted other than by this act shall  
1745 be preserved and continue to operate to the extent that such  
1746 amendments are not dependent upon the portions of text which  
1747 expire pursuant to this section.

1748 Section 42. In order to implement Specific Appropriations  
1749 2740 through 2752 of the 2016-2017 General Appropriations Act  
1750 and notwithstanding rule 60A-1.031, Florida Administrative Code,  
1751 the transaction fee collected for use of the online procurement  
1752 system, authorized in ss. 287.042(1)(h)1. and 287.057(22)(c),  
1753 Florida Statutes, shall be seven-tenths of 1 percent for the  
1754 2016-2017 fiscal year only. This section expires July 1, 2017.

1755 Section 43. In order to implement the appropriation of  
1756 funds in the appropriation category "Data Processing Services-  
1757 State Data Center-Agency for State Technology (AST)" in the  
1758 2016-2017 General Appropriations Act, and pursuant to the  
1759 notice, review, and objection procedures of s. 216.177, Florida  
1760 Statutes, the Executive Office of the Governor may transfer  
1761 funds appropriated in that category between departments in order  
1762 to align the budget authority granted based on the estimated  
1763 billing cycle and methodology used by the Agency for State  
1764 Technology for data processing services provided by the State  
1765 Data Center. This section expires July 1, 2017.

1766 Section 44. In order to implement appropriations  
1767 authorized in the 2016-2017 General Appropriations Act for data  
1768 center services, and notwithstanding s. 216.292(2)(a), Florida

1769 Statutes, except as authorized in sections 43 and 45, an agency  
1770 may not transfer funds from a data processing category to a  
1771 category other than another data processing category. This  
1772 section expires July 1, 2017.

1773 Section 45. In order to implement the appropriation of  
1774 funds in the appropriation category "Data Processing Services-  
1775 State Data Center-Agency for State Technology (AST)" in the  
1776 2016-2017 General Appropriations Act, and notwithstanding  
1777 section 44 and s. 282.201(1) and (5), Florida Statutes, an  
1778 agency may transfer funds appropriated to this category to a  
1779 contracted services appropriation category in order to contract  
1780 with a private sector cloud service if the service reduces the  
1781 agency's data center costs while maintaining the same or  
1782 improved levels of service and complies with all applicable  
1783 federal and state security and privacy requirements. Such  
1784 transfers are subject to the notice, review, and objection  
1785 procedures of s. 216.177, Florida Statutes.

1786 Section 46. In order to implement Specific Appropriation  
1787 2826 of the 2016-2017 General Appropriations Act, the Executive  
1788 Office of the Governor may transfer funds appropriated in the  
1789 appropriation category "Expenses" of the 2016-2017 General  
1790 Appropriations Act between agencies in order to allocate a  
1791 reduction relating to SUNCOM Network services. This section  
1792 expires July 1, 2017.

1793 Section 47. In order to implement the appropriation of  
1794 funds in the appropriation category "Special Categories-Risk

1795 Management Insurance" in the 2016-2017 General Appropriations  
 1796 Act, and pursuant to the notice, review, and objection  
 1797 procedures of s. 216.177, Florida Statutes, the Executive Office  
 1798 of the Governor may transfer funds appropriated in that category  
 1799 between departments in order to align the budget authority  
 1800 granted with the premiums paid by each department for risk  
 1801 management insurance. This section expires July 1, 2017.

1802       Section 48. In order to implement the appropriation of  
 1803 funds in the appropriation category "Special Categories-Transfer  
 1804 to Department of Management Services-Human Resources Services  
 1805 Purchased per Statewide Contract" in the 2016-2017 General  
 1806 Appropriations Act, and pursuant to the notice, review, and  
 1807 objection procedures of s. 216.177, Florida Statutes, the  
 1808 Executive Office of the Governor may transfer funds appropriated  
 1809 in that category between departments in order to align the  
 1810 budget authority granted with the assessments that must be paid  
 1811 by each agency to the Department of Management Services for  
 1812 human resource management services. This section expires July 1,  
 1813 2017.

1814       Section 49. In order to implement Specific Appropriation  
 1815 2317A of the 2016-2017 General Appropriations Act:

1816       (1) The Department of Financial Services shall replace the  
 1817 four main components of the Florida Accounting Information  
 1818 Resource Subsystem (FLAIR), which include central FLAIR,  
 1819 departmental FLAIR, payroll, and information warehouse, and  
 1820 shall replace the three main components of the Cash Management

1821 Subsystem (CMS), which include cash management, accounting  
1822 management, and investment management, with an integrated  
1823 enterprise system that allows the state to organize, define, and  
1824 standardize its financial management business processes and that  
1825 complies with ss. 215.90-215.96, Florida Statutes. The  
1826 department shall not include in the replacement of FLAIR and  
1827 CMS:

1828 (a) Functionality that duplicates any of the other  
1829 information subsystems of the Florida Financial Management  
1830 Information System; or

1831 (b) Agency business processes related to any of the  
1832 functions included in the Personnel Information System, the  
1833 Purchasing Subsystem, or the Legislative Appropriations  
1834 System/Planning and Budgeting Subsystem.

1835 (2) For purposes of replacing FLAIR and CMS, the  
1836 Department of Financial Services shall:

1837 (a) Take into consideration the cost and implementation of  
1838 data identified for Option 3 as recommended in the March 31,  
1839 2014, Florida Department of Financial Services FLAIR Study,  
1840 version 031.

1841 (b) Ensure that all business requirements and technical  
1842 specifications have been provided to all state agencies for  
1843 their review and input and approved by the executive steering  
1844 committee established in paragraph (c).

1845 (c) Implement a project governance structure that includes  
1846 an executive steering committee composed of:

- 1847 | 1. The Chief Financial Officer or the executive sponsor of  
1848 | the project.
- 1849 | 2. The director of the Division of Treasury of the  
1850 | Department of Financial Services.
- 1851 | 3. The director of the Division of Information Systems of  
1852 | the Department of Financial Services.
- 1853 | 4. Four employees from the Division of Accounting and  
1854 | Auditing of the Department of Financial Services appointed by  
1855 | the Chief Financial Officer. Each employee must have experience  
1856 | relating to at least one of the four main components that  
1857 | comprise FLAIR.
- 1858 | 5. Two employees from the Executive Office of the Governor  
1859 | appointed by the Governor. One employee must have experience  
1860 | relating to the Legislative Appropriations System/Planning and  
1861 | Budgeting Subsystem.
- 1862 | 6. One employee from the Department of Revenue appointed  
1863 | by the executive director of the department and has experience  
1864 | relating to the department's SUNTAX system.
- 1865 | 7. Two employees from the Department of Management  
1866 | Services appointed by the Secretary of Management Services. One  
1867 | employee must have experience relating to the department's  
1868 | personnel information subsystem and one employee must have  
1869 | experience relating to the department's purchasing subsystem.
- 1870 | 8. Three state agency administrative services directors  
1871 | appointed by the Governor. One director must represent a  
1872 | regulatory and licensing state agency and one director must



1873 represent a health care-related state agency.

1874 (3) The Chief Financial Officer or the executive sponsor  
1875 of the project shall serve as chair of the executive steering  
1876 committee, and the committee shall take action by a vote of at  
1877 least eight affirmative votes with the Chief Financial Officer  
1878 or the executive sponsor of the project voting on the prevailing  
1879 side.

1880 (4) The executive steering committee has the overall  
1881 responsibility for ensuring that the project to replace FLAIR  
1882 and CMS meets its primary business objectives and shall:

1883 (a) Identify and recommend to the Executive Office of the  
1884 Governor, the President of the Senate, and the Speaker of the  
1885 House of Representatives any statutory changes needed to  
1886 implement the replacement subsystem that will standardize to the  
1887 fullest extent possible the state's financial management  
1888 business processes.

1889 (b) Review and approve any changes to the project's scope,  
1890 schedule, and budget that do not conflict with the requirements  
1891 of subsection (1).

1892 (c) Ensure that adequate resources are provided throughout  
1893 all phases of the project.

1894 (d) Approve all major project deliverables.

1895 (e) Approve all solicitation-related documents associated  
1896 with the replacement of FLAIR and CMS.

1897 (5) This section expires July 1, 2017.

1898 Section 50. In order to implement Specific Appropriation

1899 1630A of the 2016-2017 General Appropriations Act, paragraph (e)  
 1900 of subsection (5) of section 161.143, Florida Statutes, is  
 1901 amended to read:

1902 161.143 Inlet management; planning, prioritizing, funding,  
 1903 approving, and implementing projects.—

1904 (5) The department shall annually provide an inlet  
 1905 management project list, in priority order, to the Legislature  
 1906 as part of the department's budget request. The list must  
 1907 include studies, projects, or other activities that address the  
 1908 management of at least 10 separate inlets and that are ranked  
 1909 according to the criteria established under subsection (2).

1910 (e) Notwithstanding paragraphs (a) and (b), and for the  
 1911 2016-2017 ~~2015-2016~~ fiscal year only, the amount allocated for  
 1912 inlet management funding is provided in the 2016-2017 ~~2015-2016~~  
 1913 General Appropriations Act. This paragraph expires July 1, 2017  
 1914 ~~2016~~.

1915 Section 51. In order to implement Specific Appropriation  
 1916 1533 of the 2016-2017 General Appropriations Act, paragraph (m)  
 1917 of subsection (3) of section 259.105, Florida Statutes, is  
 1918 amended to read:

1919 259.105 The Florida Forever Act.—

1920 (3) Less the costs of issuing and the costs of funding  
 1921 reserve accounts and other costs associated with bonds, the  
 1922 proceeds of cash payments or bonds issued pursuant to this  
 1923 section shall be deposited into the Florida Forever Trust Fund  
 1924 created by s. 259.1051. The proceeds shall be distributed by the

1925 Department of Environmental Protection in the following manner:

1926 (m) Notwithstanding paragraphs (a)-(j) and for the 2016-  
 1927 2017 ~~2015-2016~~ fiscal year only: ~~7~~ ~~\$17.4 million to only the~~  
 1928 ~~Division of State Lands within the Department of Environmental~~  
 1929 ~~Protection for the Board of Trustees Florida Forever Priority~~  
 1930 ~~List land acquisition projects.~~

1931 1. Thirty-five million dollars to the Department of  
 1932 Agriculture and Consumer Services for the acquisition of  
 1933 agricultural lands through perpetual conservation easements and  
 1934 other perpetual less-than-fee techniques, which will achieve the  
 1935 objectives of Florida Forever and s. 570.71.

1936 2. Thirty million dollars to the Department of  
 1937 Environmental Protection to be distributed among the water  
 1938 management districts as provided in subsection (11) to fund  
 1939 water resource development projects intended to achieve the goal  
 1940 of ensuring that sufficient quantities of water are available to  
 1941 meet the current and future needs of natural systems and the  
 1942 citizens of the state as specified in paragraph (4)(d).

1943 3. The remaining moneys appropriated from the Florida  
 1944 Forever Trust Fund shall be distributed only to the Division of  
 1945 State Lands within the Department of Environmental Protection  
 1946 for the acquisition of lands through less-than-fee techniques,  
 1947 for partnerships in which the state's portion of the acquisition  
 1948 cost is no more than 50 percent, or for conservation lands  
 1949 needed for military buffering.

1950

1951 This paragraph expires July 1, 2017 ~~2016~~.

1952 Section 52. In order to implement Specific Appropriations

1953 1712A, 1712B, 1712C, and 1740A of the 2016-2017 General

1954 Appropriations Act, paragraph (d) of subsection (11) of section

1955 216.181, Florida Statutes, is amended to read:

1956 216.181 Approved budgets for operations and fixed capital

1957 outlay.—

1958 (11)

1959 (d) Notwithstanding paragraph (b) and paragraph (2) (b),

1960 and for the 2016-2017 ~~2015-2016~~ fiscal year only, the

1961 Legislative Budget Commission may increase the amounts

1962 appropriated to the Fish and Wildlife Conservation Commission or

1963 the Department of Environmental Protection for fixed capital

1964 outlay projects, including additional fixed capital outlay

1965 projects, using funds provided to the state from the Gulf

1966 Environmental Benefit Fund administered by the National Fish and

1967 Wildlife Foundation; funds provided to the state from the Gulf

1968 Coast Restoration Trust Fund related to the Resources and

1969 Ecosystems Sustainability, Tourist Opportunities, and Revived

1970 Economies of the Gulf Coast Act of 2012 (RESTORE Act); or funds

1971 provided by the British Petroleum Corporation (BP) for natural

1972 resource damage assessment ~~early~~ restoration projects.

1973 Concurrent with submission of an amendment to the Legislative

1974 Budget Commission pursuant to this paragraph, any project that

1975 carries a continuing commitment for future appropriations by the

1976 Legislature must be specifically identified, together with the

1977 | projected amount of the future commitment associated with the  
 1978 | project and the fiscal years in which the commitment is expected  
 1979 | to commence. This paragraph expires July 1, 2017 ~~2016~~.

1980 |  
 1981 | The provisions of this subsection are subject to the notice and  
 1982 | objection procedures set forth in s. 216.177.

1983 | Section 53. In order to implement Specific Appropriation  
 1984 | 1670 of the 2016-2017 General Appropriations Act, subsection (5)  
 1985 | of section 403.709, Florida Statutes, is amended to read:

1986 | 403.709 Solid Waste Management Trust Fund; use of waste  
 1987 | tire fees.—There is created the Solid Waste Management Trust  
 1988 | Fund, to be administered by the department.

1989 | (5) (a) Notwithstanding subsection (1), a solid waste  
 1990 | landfill closure account is established within the Solid Waste  
 1991 | Management Trust Fund to provide funding for the closing and  
 1992 | long-term care of solid waste management facilities. The  
 1993 | department may use funds from the account to contract with a  
 1994 | third party for the closing and long-term care of a solid waste  
 1995 | management facility if:

1996 | 1. The facility has, ~~or~~ had, or was not required to obtain  
 1997 | a department permit to operate the facility;

1998 | 2. The permittee, where required by permit or rule,  
 1999 | provided proof of financial assurance for closure in the form of  
 2000 | an insurance certificate or an alternative form of financial  
 2001 | assurance mechanism established pursuant to s. 403.7125;

2002 | 3. The department has ordered the facility closed or has

2003 deemed the facility abandoned. ~~The facility is deemed to be~~  
 2004 ~~abandoned or was ordered to close by the department;~~

2005 4. The closure of the facility is accomplished in  
 2006 substantial accordance with a closure plan approved by the  
 2007 department; and

2008 5. The department has sufficient ~~written~~ documentation to  
 2009 confirm that the issuer of the ~~that the~~ insurance ~~company~~  
 2010 ~~issuing the closure insurance policy~~ or alternative form of  
 2011 financial insurance will provide or reimburse the funds required  
 2012 to complete the closing and long-term care of the facility.

2013 (b) The department shall deposit all ~~the~~ funds received  
 2014 from the insurer or other parties for reimbursing ~~insurance~~  
 2015 ~~company as reimbursement for~~ the costs of closing or long-term  
 2016 care of the facility under this subsection into the solid waste  
 2017 landfill closure account.

2018 (c) If the amount available under the insurance policy or  
 2019 alternative form of financial assurance is insufficient, or is  
 2020 otherwise unavailable, to perform or complete the facility  
 2021 closing or long-term care under this subsection, and the  
 2022 department has used all such funds from the insurance policy or  
 2023 alternative form of financial assurance, the department may use  
 2024 funds from the Solid Waste Management Trust Fund to pay for or  
 2025 reimburse additional expenses needed for performing or  
 2026 completing the approved facility closure or long-term care  
 2027 activities.

2028 (d) ~~(e)~~ This subsection expires July 1, 2017 ~~2016~~.

2029           Section 54. In order to implement specific appropriations  
 2030 from the land acquisition trust funds within the Department of  
 2031 Agriculture and Consumer Services, the Department of  
 2032 Environmental Protection, the Department of State, and the Fish  
 2033 and Wildlife Conservation Commission which are contained in the  
 2034 2016-2017 General Appropriations Act, subsection (3) of section  
 2035 215.18, Florida Statutes, is amended to read:

2036           215.18 Transfers between funds; limitation.—

2037           (3) Notwithstanding subsection (1) and only with respect  
 2038 to a land acquisition trust fund in the Department of  
 2039 Agriculture and Consumer Services, the Department of  
 2040 Environmental Protection, the Department of State, or the Fish  
 2041 and Wildlife Conservation Commission, whenever there is a  
 2042 deficiency in a land acquisition trust fund which would render  
 2043 that trust fund temporarily insufficient to meet its just  
 2044 requirements, including the timely payment of appropriations  
 2045 from that trust fund, and other trust funds in the State  
 2046 Treasury have moneys that are for the time being or otherwise in  
 2047 excess of the amounts necessary to meet the just requirements,  
 2048 including appropriated obligations, of those other trust funds,  
 2049 the Governor may order a temporary transfer of moneys from one  
 2050 or more of the other trust funds to a land acquisition trust  
 2051 fund in the Department of Agriculture and Consumer Services, the  
 2052 Department of Environmental Protection, the Department of State,  
 2053 or the Fish and Wildlife Conservation Commission. Any action  
 2054 proposed pursuant to this subsection is subject to the notice,

2055 review, and objection procedures of s. 216.177, and the Governor  
 2056 shall provide notice of such action at least 7 days before the  
 2057 effective date of the transfer of trust funds, except that  
 2058 during July 2016 ~~2015~~, notice of such action shall be provided  
 2059 at least 3 days before the effective date of a transfer unless  
 2060 such 3-day notice is waived by the chair and vice-chair of the  
 2061 Legislative Budget Commission. Any transfer of trust funds to a  
 2062 land acquisition trust fund in the Department of Agriculture and  
 2063 Consumer Services, the Department of Environmental Protection,  
 2064 the Department of State, or the Fish and Wildlife Conservation  
 2065 Commission must be repaid to the trust funds from which the  
 2066 moneys were loaned by the end of the 2016-2017 ~~2015-2016~~ fiscal  
 2067 year. The Legislature has determined that the repayment of the  
 2068 other trust fund moneys temporarily loaned to a land acquisition  
 2069 trust fund in the Department of Agriculture and Consumer  
 2070 Services, the Department of Environmental Protection, the  
 2071 Department of State, or the Fish and Wildlife Conservation  
 2072 Commission pursuant to this subsection is an allowable use of  
 2073 the moneys in a land acquisition trust fund because the moneys  
 2074 from other trust funds temporarily loaned to a land acquisition  
 2075 trust fund shall be expended solely and exclusively in  
 2076 accordance with s. 28, Art. X of the State Constitution. This  
 2077 subsection expires July 1, 2017 ~~2016~~.

2078 Section 55. (1) In order to implement specific  
 2079 appropriations from the land acquisition trust funds within the  
 2080 Department of Agriculture and Consumer Services, the Department



2081 of Environmental Protection, the Department of State, and the  
 2082 Fish and Wildlife Conservation Commission which are contained in  
 2083 the 2016-2017 General Appropriations Act, the Department of  
 2084 Environmental Protection shall transfer revenues from the Land  
 2085 Acquisition Trust Fund within the department to the land  
 2086 acquisition trust funds within the Department of Agriculture and  
 2087 Consumer Services, the Department of State, and the Fish and  
 2088 Wildlife Conservation Commission, as provided in this section.  
 2089 As used in this section, the term "department" means the  
 2090 Department of Environmental Protection.

2091 (2) After subtracting any required debt service payments,  
 2092 the proportionate share of revenues to be transferred to each  
 2093 land acquisition trust fund shall be calculated by dividing the  
 2094 appropriations from each of the land acquisition trust funds for  
 2095 the fiscal year by the total appropriations from the Land  
 2096 Acquisition Trust Fund within the department and the land  
 2097 acquisition trust funds within the Department of Agriculture and  
 2098 Consumer Services, the Department of State, and the Fish and  
 2099 Wildlife Commission for the fiscal year. The department shall  
 2100 transfer the proportionate share of the revenues in the Land  
 2101 Acquisition Trust Fund within the department on a monthly basis  
 2102 to the appropriate land acquisition trust funds within the  
 2103 Department of Agriculture and Consumer Services, the Department  
 2104 of State, and the Fish and Wildlife Commission and shall retain  
 2105 its proportionate share of the revenues in the Land Acquisition  
 2106 Trust Fund within the department. Total distributions to a land

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2107 acquisition trust fund within the Department of Agriculture and  
 2108 Consumer Services, the Department of State, and the Fish and  
 2109 Wildlife Commission may not exceed the total appropriations from  
 2110 such trust fund for the fiscal year.

2111 (3) This section expires July 1, 2017.

2112 Section 56. In order to implement Specific Appropriation  
 2113 1591A of the 2016-2017 General Appropriations Act, subsection  
 2114 (5) is added to section 403.890, Florida Statutes, to read:

2115 403.890 Water Protection and Sustainability Program.—  
 2116 Revenues deposited into or appropriated to the Water Protection  
 2117 and Sustainability Program Trust Fund shall be distributed by  
 2118 the Department of Environmental Protection in the following  
 2119 manner:

2120 (5) Notwithstanding subsections (1)-(3), and for the 2016-  
 2121 2017 fiscal year only, 100 percent of the funds deposited into  
 2122 or appropriated to the Water Protection and Sustainability  
 2123 Program Trust Fund shall be used for the development of  
 2124 alternative water supplies as provided in s. 373.707. This  
 2125 subsection expires July 1, 2017.

2126 Section 57. In order to implement Specific Appropriation  
 2127 2632 of the 2016-2017 General Appropriations Act, the Department  
 2128 of Highway Safety and Motor Vehicles shall contract with the  
 2129 corporation organized pursuant to part II of chapter 946,  
 2130 Florida Statutes, to manufacture the current or newly redesigned  
 2131 license plates, such contract being in the same manner and for  
 2132 the same price as that paid by the department during the 2013-

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2133 2014 fiscal year. The corporation shall seek sealed bids for the  
2134 reflectorized sheeting used in the manufacture of such license  
2135 plates, and in the event the sealed bids result in any savings  
2136 in the sheeting costs, the corporation shall credit to the  
2137 department an amount equal to 70 percent of the savings. The  
2138 name of the county may not appear on any redesigned license  
2139 plate. This section expires July 1, 2017.

2140 Section 58. In order to implement Specific Appropriation  
2141 1890 of the 2016-2017 General Appropriations Act, subsection (2)  
2142 of section 339.2818, Florida Statutes, is amended to read:

2143 339.2818 Small County Outreach Program.—

2144 (2) (a) For the purposes of this section, the term "small  
2145 county" means any county that has a population of 150,000 or  
2146 less as determined by the most recent official estimate pursuant  
2147 to s. 186.901.

2148 (b) Notwithstanding paragraph (a), for the 2016-2017 ~~2015-~~  
2149 ~~2016~~ fiscal year, for purposes of this section, the term "small  
2150 county" means any county that has a population of 165,000 or  
2151 less as determined by the most recent official estimate pursuant  
2152 to s. 186.901. This paragraph expires July 1, 2017 ~~2016~~.

2153 Section 59. In order to implement the salaries and  
2154 benefits, expenses, other personal services, contracted  
2155 services, special categories, and operating capital outlay  
2156 categories of the 2016-2017 General Appropriations Act,  
2157 paragraph (a) of subsection (2) of section 216.292, Florida  
2158 Statutes, is reenacted to read:

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2159 |           216.292 Appropriations nontransferable; exceptions.—

2160 |           (2) The following transfers are authorized to be made by  
2161 | the head of each department or the Chief Justice of the Supreme  
2162 | Court whenever it is deemed necessary by reason of changed  
2163 | conditions:

2164 |           (a) The transfer of appropriations funded from identical  
2165 | funding sources, except appropriations for fixed capital outlay,  
2166 | and the transfer of amounts included within the total original  
2167 | approved budget and plans of releases of appropriations as  
2168 | furnished pursuant to ss. 216.181 and 216.192, as follows:

2169 |           1. Between categories of appropriations within a budget  
2170 | entity, if no category of appropriation is increased or  
2171 | decreased by more than 5 percent of the original approved budget  
2172 | or \$250,000, whichever is greater, by all action taken under  
2173 | this subsection.

2174 |           2. Between budget entities within identical categories of  
2175 | appropriations, if no category of appropriation is increased or  
2176 | decreased by more than 5 percent of the original approved budget  
2177 | or \$250,000, whichever is greater, by all action taken under  
2178 | this subsection.

2179 |           3. Any agency exceeding salary rate established pursuant  
2180 | to s. 216.181(8) on June 30th of any fiscal year shall not be  
2181 | authorized to make transfers pursuant to subparagraphs 1. and 2.  
2182 | in the subsequent fiscal year.

2183 |           4. Notice of proposed transfers under subparagraphs 1. and  
2184 | 2. shall be provided to the Executive Office of the Governor and

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2185 the chairs of the legislative appropriations committees at least  
2186 3 days prior to agency implementation in order to provide an  
2187 opportunity for review.

2188 Section 60. The amendment to s. 216.292(2)(a), Florida  
2189 Statutes, as carried forward by this act from chapter 2015-222,  
2190 Laws of Florida, expires July 1, 2017, and the text of that  
2191 paragraph shall revert to that in existence on June 30, 2014,  
2192 except that any amendments to such text enacted other than by  
2193 this act shall be preserved and continue to operate to the  
2194 extent that such amendments are not dependent upon the portions  
2195 of text which expire pursuant to this section.

2196 Section 61. In order to implement the appropriation of  
2197 funds in the special categories, contracted services, and  
2198 expenses categories of the 2016-2017 General Appropriations Act,  
2199 a state agency may not initiate a competitive solicitation for a  
2200 product or service if the completion of such competitive  
2201 solicitation would:

2202 (1) Require a change in law; or  
2203 (2) Require a change to the agency's budget other than a  
2204 transfer authorized in s. 216.292(2) or (3), Florida Statutes,  
2205 unless the initiation of such competitive solicitation is  
2206 specifically authorized in law, in the General Appropriations  
2207 Act, or by the Legislative Budget Commission.

2208  
2209 This section does not apply to a competitive solicitation for  
2210 which the agency head certifies that a valid emergency exists.

2211 This section expires July 1, 2017.

2212 Section 62. In order to implement appropriations for  
 2213 salaries and benefits in the 2016-2017 General Appropriations  
 2214 Act, subsection (6) of section 112.24, Florida Statutes, is  
 2215 amended to read:

2216 112.24 Intergovernmental interchange of public employees.—  
 2217 To encourage economical and effective utilization of public  
 2218 employees in this state, the temporary assignment of employees  
 2219 among agencies of government, both state and local, and  
 2220 including school districts and public institutions of higher  
 2221 education is authorized under terms and conditions set forth in  
 2222 this section. State agencies, municipalities, and political  
 2223 subdivisions are authorized to enter into employee interchange  
 2224 agreements with other state agencies, the Federal Government,  
 2225 another state, a municipality, or a political subdivision  
 2226 including a school district, or with a public institution of  
 2227 higher education. State agencies are also authorized to enter  
 2228 into employee interchange agreements with private institutions  
 2229 of higher education and other nonprofit organizations under the  
 2230 terms and conditions provided in this section. In addition, the  
 2231 Governor or the Governor and Cabinet may enter into employee  
 2232 interchange agreements with a state agency, the Federal  
 2233 Government, another state, a municipality, or a political  
 2234 subdivision including a school district, or with a public  
 2235 institution of higher learning to fill, subject to the  
 2236 requirements of chapter 20, appointive offices which are within

2237 the executive branch of government and which are filled by  
 2238 appointment by the Governor or the Governor and Cabinet. Under  
 2239 no circumstances shall employee interchange agreements be  
 2240 utilized for the purpose of assigning individuals to participate  
 2241 in political campaigns. Duties and responsibilities of  
 2242 interchange employees shall be limited to the mission and goals  
 2243 of the agencies of government.

2244 (6) For the 2016-2017 ~~2015-2016~~ fiscal year only, the  
 2245 assignment of an employee of a state agency as provided in this  
 2246 section may be made if recommended by the Governor or Chief  
 2247 Justice, as appropriate, and approved by the chairs of the  
 2248 legislative appropriations committees. Such actions shall be  
 2249 deemed approved if neither chair provides written notice of  
 2250 objection within 14 days after receiving notice of the action  
 2251 pursuant to s. 216.177. This subsection expires July 1, 2017  
 2252 ~~2016~~.

2253 Section 63. In order to implement Specific Appropriations  
 2254 2652 and 2653 of the 2016-2017 General Appropriations Act and  
 2255 notwithstanding s. 11.13(1), Florida Statutes, the authorized  
 2256 salaries for members of the Legislature for the 2016-2017 fiscal  
 2257 year shall be set at the same level in effect on July 1, 2010.  
 2258 This section expires July 1, 2017.

2259 Section 64. In order to implement the transfer of funds to  
 2260 the General Revenue Fund from trust funds in the 2016-2017  
 2261 General Appropriations Act, paragraph (b) of subsection (2) of  
 2262 section 215.32, Florida Statutes, is reenacted to read:

2263 215.32 State funds; segregation.—

2264 (2) The source and use of each of these funds shall be as  
2265 follows:

2266 (b)1. The trust funds shall consist of moneys received by  
2267 the state which under law or under trust agreement are  
2268 segregated for a purpose authorized by law. The state agency or  
2269 branch of state government receiving or collecting such moneys  
2270 is responsible for their proper expenditure as provided by law.  
2271 Upon the request of the state agency or branch of state  
2272 government responsible for the administration of the trust fund,  
2273 the Chief Financial Officer may establish accounts within the  
2274 trust fund at a level considered necessary for proper  
2275 accountability. Once an account is established, the Chief  
2276 Financial Officer may authorize payment from that account only  
2277 upon determining that there is sufficient cash and releases at  
2278 the level of the account.

2279 2. In addition to other trust funds created by law, to the  
2280 extent possible, each agency shall use the following trust funds  
2281 as described in this subparagraph for day-to-day operations:

2282 a. Operations or operating trust fund, for use as a  
2283 depository for funds to be used for program operations funded by  
2284 program revenues, with the exception of administrative  
2285 activities when the operations or operating trust fund is a  
2286 proprietary fund.

2287 b. Operations and maintenance trust fund, for use as a  
2288 depository for client services funded by third-party payors.



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2289 c. Administrative trust fund, for use as a depository for  
2290 funds to be used for management activities that are departmental  
2291 in nature and funded by indirect cost earnings and assessments  
2292 against trust funds. Proprietary funds are excluded from the  
2293 requirement of using an administrative trust fund.

2294 d. Grants and donations trust fund, for use as a  
2295 depository for funds to be used for allowable grant or donor  
2296 agreement activities funded by restricted contractual revenue  
2297 from private and public nonfederal sources.

2298 e. Agency working capital trust fund, for use as a  
2299 depository for funds to be used pursuant to s. 216.272.

2300 f. Clearing funds trust fund, for use as a depository for  
2301 funds to account for collections pending distribution to lawful  
2302 recipients.

2303 g. Federal grant trust fund, for use as a depository for  
2304 funds to be used for allowable grant activities funded by  
2305 restricted program revenues from federal sources.

2306  
2307 To the extent possible, each agency must adjust its internal  
2308 accounting to use existing trust funds consistent with the  
2309 requirements of this subparagraph. If an agency does not have  
2310 trust funds listed in this subparagraph and cannot make such  
2311 adjustment, the agency must recommend the creation of the  
2312 necessary trust funds to the Legislature no later than the next  
2313 scheduled review of the agency's trust funds pursuant to s.  
2314 215.3206.

2315           3. All such moneys are hereby appropriated to be expended  
 2316 in accordance with the law or trust agreement under which they  
 2317 were received, subject always to the provisions of chapter 216  
 2318 relating to the appropriation of funds and to the applicable  
 2319 laws relating to the deposit or expenditure of moneys in the  
 2320 State Treasury.

2321           4.a. Notwithstanding any provision of law restricting the  
 2322 use of trust funds to specific purposes, unappropriated cash  
 2323 balances from selected trust funds may be authorized by the  
 2324 Legislature for transfer to the Budget Stabilization Fund and  
 2325 General Revenue Fund in the General Appropriations Act.

2326           b. This subparagraph does not apply to trust funds  
 2327 required by federal programs or mandates; trust funds  
 2328 established for bond covenants, indentures, or resolutions whose  
 2329 revenues are legally pledged by the state or public body to meet  
 2330 debt service or other financial requirements of any debt  
 2331 obligations of the state or any public body; the Division of  
 2332 Licensing Trust Fund in the Department of Agriculture and  
 2333 Consumer Services; the State Transportation Trust Fund; the  
 2334 trust fund containing the net annual proceeds from the Florida  
 2335 Education Lotteries; the Florida Retirement System Trust Fund;  
 2336 trust funds under the management of the State Board of Education  
 2337 or the Board of Governors of the State University System, where  
 2338 such trust funds are for auxiliary enterprises, self-insurance,  
 2339 and contracts, grants, and donations, as those terms are defined  
 2340 by general law; trust funds that serve as clearing funds or

2341 accounts for the Chief Financial Officer or state agencies;  
2342 trust funds that account for assets held by the state in a  
2343 trustee capacity as an agent or fiduciary for individuals,  
2344 private organizations, or other governmental units; and other  
2345 trust funds authorized by the State Constitution.

2346 Section 65. The amendment to s. 215.32(2)(b), Florida  
2347 Statutes, as carried forward by this act from chapter 2011-47,  
2348 Laws of Florida, expires July 1, 2017, and the text of that  
2349 paragraph shall revert to that in existence on June 30, 2011,  
2350 except that any amendments to such text enacted other than by  
2351 this act shall be preserved and continue to operate to the  
2352 extent that such amendments are not dependent upon the portions  
2353 of text which expire pursuant to this section.

2354 Section 66. In order to implement the issuance of new debt  
2355 authorized in the 2016-2017 General Appropriations Act, and  
2356 pursuant to s. 215.98, Florida Statutes, the Legislature  
2357 determines that the authorization and issuance of debt for the  
2358 2016-2017 fiscal year should be implemented and is in the best  
2359 interest of the state. This section expires July 1, 2017.

2360 Section 67. In order to implement appropriations in the  
2361 2016-2017 General Appropriations Act for state employee travel,  
2362 the funds appropriated to each state agency which may be used  
2363 for travel by state employees shall be limited during the 2016-  
2364 2017 fiscal year to travel for activities that are critical to  
2365 each state agency's mission. Funds may not be used for travel by  
2366 state employees to foreign countries, other states, conferences,

2367 staff training activities, or other administrative functions  
2368 unless the agency head has approved, in writing, that such  
2369 activities are critical to the agency's mission. The agency head  
2370 shall consider using teleconferencing and other forms of  
2371 electronic communication to meet the needs of the proposed  
2372 activity before approving mission-critical travel. This section  
2373 does not apply to travel for law enforcement purposes, military  
2374 purposes, emergency management activities, or public health  
2375 activities. This section expires July 1, 2017.

2376 Section 68. In order to implement section 8 of the 2016-  
2377 2017 General Appropriations Act, section 110.12315, Florida  
2378 Statutes, is reenacted to read:

2379 110.12315 Prescription drug program.—The state employees'  
2380 prescription drug program is established. This program shall be  
2381 administered by the Department of Management Services, according  
2382 to the terms and conditions of the plan as established by the  
2383 relevant provisions of the annual General Appropriations Act and  
2384 implementing legislation, subject to the following conditions:

2385 (1) The department shall allow prescriptions written by  
2386 health care providers under the plan to be filled by any  
2387 licensed pharmacy pursuant to contractual claims-processing  
2388 provisions. Nothing in this section may be construed as  
2389 prohibiting a mail order prescription drug program distinct from  
2390 the service provided by retail pharmacies.

2391 (2) In providing for reimbursement of pharmacies for  
2392 prescription medicines dispensed to members of the state group

2393 health insurance plan and their dependents under the state  
 2394 employees' prescription drug program:

2395 (a) Retail pharmacies participating in the program must be  
 2396 reimbursed at a uniform rate and subject to uniform conditions,  
 2397 according to the terms and conditions of the plan.

2398 (b) There shall be a 30-day supply limit for prescription  
 2399 card purchases, a 90-day supply limit for maintenance  
 2400 prescription drug purchases, and a 90-day supply limit for mail  
 2401 order or mail order prescription drug purchases.

2402 (c) The pharmacy dispensing fee shall be negotiated by the  
 2403 department.

2404 (3) Pharmacy reimbursement rates shall be as follows:

2405 (a) For mail order and specialty pharmacies contracting  
 2406 with the department, reimbursement rates shall be as established  
 2407 in the contract.

2408 (b) For retail pharmacies, the reimbursement rate shall be  
 2409 at the same rate as mail order pharmacies under contract with  
 2410 the department.

2411 (4) The department shall maintain the preferred brand name  
 2412 drug list to be used in the administration of the state  
 2413 employees' prescription drug program.

2414 (5) The department shall maintain a list of maintenance  
 2415 drugs.

2416 (a) Preferred provider organization health plan members  
 2417 may have prescriptions for maintenance drugs filled up to three  
 2418 times as a 30-day supply through a retail pharmacy; thereafter,

2419 prescriptions for the same maintenance drug must be filled as a  
2420 90-day supply either through the department's contracted mail  
2421 order pharmacy or through a retail pharmacy.

2422 (b) Health maintenance organization health plan members  
2423 may have prescriptions for maintenance drugs filled as a 90-day  
2424 supply either through a mail order pharmacy or through a retail  
2425 pharmacy.

2426 (6) Copayments made by health plan members for a 90-day  
2427 supply through a retail pharmacy shall be the same as copayments  
2428 made for a 90-day supply through the department's contracted  
2429 mail order pharmacy.

2430 (7) The department shall establish the reimbursement  
2431 schedule for prescription pharmaceuticals dispensed under the  
2432 program. Reimbursement rates for a prescription pharmaceutical  
2433 must be based on the cost of the generic equivalent drug if a  
2434 generic equivalent exists, unless the physician prescribing the  
2435 pharmaceutical clearly states on the prescription that the brand  
2436 name drug is medically necessary or that the drug product is  
2437 included on the formulary of drug products that may not be  
2438 interchanged as provided in chapter 465, in which case  
2439 reimbursement must be based on the cost of the brand name drug  
2440 as specified in the reimbursement schedule adopted by the  
2441 department.

2442 (8) The department shall conduct a prescription  
2443 utilization review program. In order to participate in the state  
2444 employees' prescription drug program, retail pharmacies

2445 dispensing prescription medicines to members of the state group  
 2446 health insurance plan or their covered dependents, or to  
 2447 subscribers or covered dependents of a health maintenance  
 2448 organization plan under the state group insurance program, shall  
 2449 make their records available for this review.

2450 (9) The department shall implement such additional cost-  
 2451 saving measures and adjustments as may be required to balance  
 2452 program funding within appropriations provided, including a  
 2453 trial or starter dose program and dispensing of long-term-  
 2454 maintenance medication in lieu of acute therapy medication.

2455 (10) Participating pharmacies must use a point-of-sale  
 2456 device or an online computer system to verify a participant's  
 2457 eligibility for coverage. The state is not liable for  
 2458 reimbursement of a participating pharmacy for dispensing  
 2459 prescription drugs to any person whose current eligibility for  
 2460 coverage has not been verified by the state's contracted  
 2461 administrator or by the department.

2462 (11) Under the state employees' prescription drug program  
 2463 copayments must be made as follows:

2464 (a) Effective January 1, 2013, for the State Group Health  
 2465 Insurance Standard Plan:

- 2466 1. For generic drug with card.....\$7.
- 2467 2. For preferred brand name drug with card.....\$30.
- 2468 3. For nonpreferred brand name drug with card.....\$50.
- 2469 4. For generic mail order drug.....\$14.
- 2470 5. For preferred brand name mail order drug.....\$60.

2471           6. For nonpreferred brand name mail order drug.....\$100.  
 2472           (b) Effective January 1, 2006, for the State Group Health  
 2473 Insurance High Deductible Plan:  
 2474           1. Retail coinsurance for generic drug with card.....30%.  
 2475           2. Retail coinsurance for preferred brand name drug with  
 2476 card 30%.  
 2477           3. Retail coinsurance for nonpreferred brand name drug  
 2478 with card.....50%.  
 2479           4. Mail order coinsurance for generic drug.....30%.  
 2480           5. Mail order coinsurance for preferred brand name drug30%.  
 2481           6. Mail order coinsurance for nonpreferred brand name drug50%.  
 2482           (c) The department shall create a preferred brand name  
 2483 drug list to be used in the administration of the state  
 2484 employees' prescription drug program.  
 2485           Section 69. (1) The amendment to s. 110.12315(2)(b),  
 2486 Florida Statutes, as carried forward by this act from chapter  
 2487 2014-53, Laws of Florida, expires July 1, 2017, and the text of  
 2488 that paragraph shall revert to that in existence on June 30,  
 2489 2012, except that any amendments to such text enacted other than  
 2490 by this act shall be preserved and continue to operate to the  
 2491 extent that such amendments are not dependent upon the portions  
 2492 of text which expire pursuant to this section.  
 2493           (2) The amendments to s. 110.12315(2)(c) and (3)-(6),  
 2494 Florida Statutes, as carried forward by this act from chapter  
 2495 2014-53, Laws of Florida, expire July 1, 2016, and the text and  
 2496 numbering of those provisions shall revert to that in existence



2497 on June 30, 2014, except that any amendments to such text  
 2498 enacted other than by this act shall be preserved and continue  
 2499 to operate to the extent that such amendments are not dependent  
 2500 upon the portions of text that expire pursuant to this section.

2501 (3) The amendment to s. 110.12315(7), Florida Statutes, as  
 2502 carried forward by this act from chapter 2014-53, Laws of  
 2503 Florida, expires July 1, 2017, and shall revert to the text of  
 2504 that subsection in existence on December 31, 2010, except that  
 2505 any amendments to such text enacted other than by this act shall  
 2506 be preserved and continue to operate to the extent that such  
 2507 amendments are not dependent upon the portions of text which  
 2508 expire pursuant to this section.

2509 Section 70. In order to implement the appropriation of  
 2510 funds in the special categories, contracted services, and  
 2511 expenses categories of the 2016-2017 General Appropriations Act,  
 2512 a state agency may not enter into a contract containing a  
 2513 nondisclosure clause that prohibits the contractor from  
 2514 disclosing information relevant to the performance of the  
 2515 contract to members or staff of the Senate or the House of  
 2516 Representatives.

2517 Section 71. Any section of this act which implements a  
 2518 specific appropriation or specifically identified proviso  
 2519 language in the 2016-2017 General Appropriations Act is void if  
 2520 the specific appropriation or specifically identified proviso  
 2521 language is vetoed. Any section of this act which implements  
 2522 more than one specific appropriation or more than one portion of

2523 specifically identified proviso language in the 2016-2017  
2524 General Appropriations Act is void if all the specific  
2525 appropriations or portions of specifically identified proviso  
2526 language are vetoed.

2527 Section 72. If any other act passed during the 2016  
2528 Regular Session of the Legislature contains a provision that is  
2529 substantively the same as a provision in this act, but that  
2530 removes or is otherwise not subject to the future repeal applied  
2531 to such provision by this act, the Legislature intends that the  
2532 provision in the other act takes precedence and continues to  
2533 operate, notwithstanding the future repeal provided by this act.

2534 Section 73. If any provision of this act or its  
2535 application to any person or circumstance is held invalid, the  
2536 invalidity does not affect other provisions or applications of  
2537 the act which can be given effect without the invalid provision  
2538 or application, and to this end the provisions of this act are  
2539 severable.

2540 Section 74. Except as otherwise expressly provided in this  
2541 act and except for this section, which shall take effect upon  
2542 this act becoming a law, this act shall take effect July 1,  
2543 2016; or, if this act fails to become a law until after that  
2544 date, it shall take effect upon becoming a law and shall operate  
2545 retroactively to July 1, 2016.