

1 A bill to be entitled
2 An act implementing the 2017-2018 General
3 Appropriations Act; providing legislative intent;
4 incorporating by reference certain calculations of the
5 Florida Education Finance Program; specifying the
6 required ad valorem tax millage contribution by
7 certain district school boards for certain funded
8 construction projects; amending s. 1012.731, F.S.;
9 delaying the expiration of the Florida Best and
10 Brightest Teacher Scholarship Program; revising
11 criteria for eligibility for scholarships; revising
12 information submitted by school districts to the
13 Department of Education; creating s. 1012.732, F.S.;
14 creating the Florida Best and Brightest Principal
15 Scholarship Program; providing legislative intent;
16 providing a program to provide scholarship funding for
17 principals who meet certain criteria; requiring school
18 districts to award scholarships to eligible school
19 principals; amending s. 1004.345, F.S.; delaying by 1
20 year the date by which the Florida Polytechnic
21 University must meet specified criteria established by
22 the Board of Governors; providing for the future
23 expiration and reversion of statutory text related to
24 the Florida Polytechnic University in meeting
25 specified criteria; prohibiting personal services of

26 college system institutions and state universities to
27 be used by certain direct-support organizations;
28 incorporating by reference certain calculations of the
29 Medicaid Low-Income Pool, Disproportionate Share
30 Hospital, and Hospital Reimbursement programs;
31 authorizing the Agency for Health Care Administration,
32 with the Department of Health, to submit a budget
33 amendment to realign funding for certain agencies
34 based on a specific component of the Statewide
35 Medicaid Managed Care program of the Department of
36 Health; requiring the funding realignment to meet
37 certain criteria; authorizing the Agency for Health
38 Care administration to submit a request to transfer
39 federal funds to the Department of Health; requiring
40 the Agency for Persons with Disabilities to use
41 specified methodologies if it ceases to have an
42 algorithm and allocation methodology adopted by valid
43 rule; authorizing increases in iBudget funding under
44 certain circumstances; authorizing agencies, for 1
45 year, to submit budget amendments, subject to notice,
46 review, and objection procedures, to implement the
47 Federal Refugee Resettlement Program under certain
48 circumstances; amending s. 893.055, F.S.; prohibiting
49 the Attorney General and the Department of Health
50 from using certain settlement agreement funds to

51 administer the prescription drug monitoring program;
52 amending s. 216.262, F.S.; extending for 1 fiscal year
53 the authority of the Department of Corrections to
54 submit a budget amendment for additional positions and
55 appropriations under certain circumstances; amending
56 s. 215.18, F.S.; extending for 1 fiscal year the
57 authority and related repayment requirements for
58 temporary trust fund loans to the state court system
59 which are sufficient to meet the system's
60 appropriation; authorizing the Department of
61 Corrections to submit certain budget amendments to
62 transfer funds into the Inmate Health Services
63 category; providing that such transfers are subject to
64 notice, review, and objection procedures; requiring
65 the Department of Juvenile Justice to review county
66 juvenile detention payments to determine if the county
67 has met specified financial responsibilities;
68 requiring amounts owed by the county for such
69 financial responsibilities to be deducted from certain
70 county funds; requiring the Department of Revenue to
71 transfer funds withheld to specified trust funds;
72 requiring the Department of Revenue to ensure that
73 such reductions in amounts distributed do not reduce
74 distributions below amounts necessary for certain
75 payments due on bonds and comply with bond covenants;

76 requiring the Department of Revenue to notify the
77 Department of Juvenile Justice if bond payment
78 requirements require a reduction in deductions for
79 amounts owed by a county; requiring the Department of
80 Management Services to use tenant broker services to
81 renegotiate or reprocure certain private lease
82 agreements for office or storage space; requiring the
83 Department of Management Services to provide a report
84 to the Governor and Legislature by a specified date;
85 specifying the amount of the transaction fee to be
86 collected for use of an online procurement system;
87 authorizing the Executive Office of the Governor,
88 subject to notice, review, and objection procedures,
89 to transfer funds appropriated for certain data
90 processing services between departments for a
91 specified purpose; prohibiting an agency from
92 transferring funds from a data processing category to
93 another category that is not a data processing
94 category; authorizing the Executive Office of the
95 Governor, subject to notice, review, and objection
96 procedures, to transfer funds between departments for
97 purposes of aligning amounts paid for risk management
98 insurance and for human resource management services;
99 providing for replacement of the Florida Accounting
100 Information Resource Subsystem; providing for project

101 governance structure; amending s. 216.181, F.S.;

102 extending by 1 fiscal year the authority for the

103 Legislative Budget Commission to increase amounts

104 appropriated to the Fish and Wildlife Conservation

105 Commission or the Department of Environmental

106 Protection for certain fixed capital outlay projects

107 from specified sources; amending s. 215.18, F.S.;

108 authorizing the Governor, if there is a specified

109 deficiency in a land acquisition trust fund in the

110 Department of Agriculture and Consumer Services, the

111 Department of Environmental Protection, the Department

112 of State, or the Fish and Wildlife Conservation

113 Commission, to transfer funds from other trust funds

114 in the State Treasury as a temporary loan to such

115 trust fund for a specified period; providing

116 procedures for the transfer and repayment of the loan;

117 requiring the Department of Environmental Protection

118 to transfer designated proportions of the revenues

119 deposited in the Land Acquisition Trust Fund within

120 the department to land acquisition trust funds in the

121 Department of Agriculture and Consumer Services, the

122 Department of State, and the Fish and Wildlife

123 Conservation Commission according to specified

124 parameters and calculations; requiring the department

125 to retain a proportionate share of revenues;

126 specifying a limit on distributions; amending s.
127 373.470, F.S.; requiring distribution of funds to the
128 South Florida Water Management District from the Land
129 Acquisition Trust Fund to be equally matched by
130 cumulative district contributions for certain
131 Everglades restoration efforts; providing for the
132 future expiration and reversion of statutory text
133 related to distribution of funds to the South Florida
134 Water Management District; amending s. 375.041, F.S.;
135 specifying that certain funds for spring restoration,
136 protection, and management projects and certain
137 projects dedicated to restoring Lake Apopka shall be
138 appropriated under the General Appropriations Act;
139 amending s. 339.135, F.S.; authorizing the Department
140 of Transportation to request the Executive Office of
141 the Governor to amend the adopted work program for
142 emergencies for certain projects, or phases thereof;
143 providing for the future expiration and reversion of
144 specified statutory text; reenacting s. 216.292(2)(a),
145 F.S., relating to exceptions for nontransferable
146 appropriations; providing for the future expiration
147 and reversion of statutory text related to
148 nontransferable appropriations; prohibiting a state
149 agency from initiating a competitive solicitation for
150 a product or service under certain circumstances;

151 providing an exception; amending s. 112.24, F.S.;
152 extending by 1 fiscal year the authorization, subject
153 to specified requirements, for the assignment of an
154 employee of a state agency under an employee
155 interchange agreement; providing that the annual
156 salaries of the members of the Legislature shall be
157 maintained at a specified level; reenacting s.
158 215.32(2)(b), F.S., relating to the source and use of
159 certain trust funds; providing for the future
160 expiration and reversion of statutory text related to
161 the source and use of specified trust funds; limiting
162 the use of travel funds to activities that are
163 critical to an agency's mission; providing exceptions;
164 placing a monetary cap on the amount of money
165 available for state employee travel to certain
166 meetings organized or sponsored by a state agency or
167 the judicial branch; authorizing employees to expend
168 their own funds for lodging expenses in excess of the
169 monetary caps; requiring executive branch state
170 agencies and the judicial branch to collaborate with
171 the Executive Office of the Governor regarding the
172 statewide travel management system and to use such
173 system; reenacting and amending s. 110.12315, F.S.,
174 relating to the state employees' prescription drug
175 program; requiring the Department of Management

176 Services to implement certain formulary management
 177 measures for prescription drugs and supplies;
 178 specifying mechanism for inclusion by medical
 179 necessity review if excluded from the formulary;
 180 providing for the future expiration and reversion of
 181 statutory text related to the state employees'
 182 prescription drug program; prohibiting agencies from
 183 entering into contracts containing certain
 184 nondisclosure agreements; providing conditions under
 185 which the veto of certain appropriations or proviso
 186 language in the General Appropriations Act voids
 187 language that implements such appropriation; providing
 188 for the continued operation of certain provisions
 189 notwithstanding a future repeal or expiration provided
 190 by the act; providing severability; providing an
 191 effective date.

192
 193 Be It Enacted by the Legislature of the State of Florida:

194
 195 Section 1. It is the intent of the Legislature that the
 196 implementing and administering provisions of this act apply to
 197 the General Appropriations Act for the 2017-2018 fiscal year.

198 Section 2. In order to implement Specific Appropriations
 199 7, 8, 9, 91, and 92 of the 2017-2018 General Appropriations Act,
 200 the calculations of the Florida Education Finance Program for

201 the 2017-2018 fiscal year in the document titled "Public School
202 Funding: The Florida Education Finance Program," dated March 30,
203 2017, and filed with the Clerk of the House of Representatives,
204 are incorporated by reference for the purpose of displaying the
205 calculations used by the Legislature, consistent with the
206 requirements of state law, in making appropriations for the
207 Florida Education Finance Program. This section expires July 1,
208 2018.

209 Section 3. In order to implement Specific Appropriation 22
210 of the 2017-2018 General Appropriations Act and notwithstanding
211 s. 1013.64(2), Florida Statutes, any district school board that
212 generates less than \$2 million in revenue from a 1-mill levy of
213 ad valorem tax shall contribute 0.75 mills for the 2017-2018
214 fiscal year toward the cost of funded special facilities
215 construction projects. This section expires July 1, 2018.

216 Section 4. In order to implement Specific Appropriation
217 100A of the 2017-2018 General Appropriations Act, section
218 1012.731, Florida Statutes, is reenacted and amended to read:

219 1012.731 The Florida Best and Brightest Teacher
220 Scholarship Program.—

221 (1) The Legislature recognizes that, second only to
222 parents, teachers play the most critical role within schools in
223 preparing students to achieve a high level of academic
224 performance. The Legislature further recognizes that research
225 has linked student outcomes to a teacher's own academic

226 achievement. Therefore, it is the intent of the Legislature to
227 designate teachers who have achieved high academic standards
228 during their own education as Florida's best and brightest
229 teacher scholars.

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

236 (3)(a) To be eligible for a scholarship, a classroom
237 teacher must:

238 1. Have achieved a composite score at or above the 77th
239 ~~80th~~ percentile on ~~either the SAT, or the~~ ACT, GRE, LSAT, GMAT,
240 or MCAT based on the National Percentile Ranks in effect when
241 the classroom teacher took the assessment. ~~and~~

242 2. Have been evaluated as highly effective pursuant to s.
243 1012.34, or have been evaluated as highly effective based on a
244 commissioner-approved student learning growth formula adopted by
245 rule pursuant to s. 1012.34(8), in the school year immediately
246 preceding the year in which the scholarship will be awarded,
247 unless the classroom teacher is newly hired by the district
248 school board and has not been evaluated pursuant to s. 1012.34.

249 (b) In order to demonstrate eligibility for an award, an
250 eligible classroom teacher must submit to the school district,

251 no later than November 1, an official record of his or her
252 qualifying assessment ~~SAT or ACT score~~ demonstrating that the
253 classroom teacher scored at or above the 77th ~~80th~~ percentile
254 based on the National Percentile Ranks in effect when the
255 teacher took the assessment. Once a classroom teacher is deemed
256 eligible by the school district, ~~including teachers deemed~~
257 ~~eligible in the 2015-2016 fiscal year,~~ the teacher shall remain
258 eligible as long as he or she remains employed by the school
259 district as a classroom teacher at the time of the award and
260 receives an annual performance evaluation rating of highly
261 effective pursuant to s. 1012.34 or is evaluated as highly
262 effective based on a commissioner-approved student learning
263 growth formula adopted by rule pursuant to s. 1012.34(8).

264 (4) Annually, by December 1, each school district shall
265 submit to the department:

266 (a) The number of eligible classroom teachers who qualify
267 for the scholarship.

268 (b) The name and Master School Identification Number of
269 each school in the district to which an eligible classroom
270 teacher is assigned.

271 (c) The name of the school principal of each eligible
272 classroom teacher's school if he or she has served as the school
273 principal for at least 2 consecutive school years, including the
274 current school year.

275 (5) Annually, by February 1, the department shall disburse

276 scholarship funds to each school district for each eligible
277 classroom teacher to receive a scholarship as provided in the
278 General Appropriations Act. A scholarship in the amount provided
279 in the General Appropriations Act shall be awarded to every
280 eligible classroom teacher. If the number of eligible classroom
281 teachers exceeds the total appropriation authorized in the
282 General Appropriations Act, the department shall prorate the
283 per-teacher scholarship amount.

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

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

289 (8) This section expires July 1, 2018 ~~2017~~.

290 Section 5. In order to implement Specific Appropriation
291 100A of the 2017-2018 General Appropriations Act, section
292 1012.732, Florida Statutes, is created to read:

293 1012.732 The Florida Best and Brightest Principal
294 Scholarship Program.—

295 (1) The Legislature recognizes that the most effective
296 school principals establish a safe and supportive school
297 environment for students and faculty. Research shows that these
298 principals increase student learning by providing opportunities
299 for the professional growth, collaboration, and autonomy that
300 classroom teachers need to become and remain highly effective

301 educational professionals. As a result, these principals are
302 able to recruit and retain more of the best classroom teachers
303 and improve student outcomes at their schools, including schools
304 serving low-income and high-need student populations. Therefore,
305 it is the intent of the Legislature to designate school
306 principals whose faculty consists of a high percentage of
307 classroom teachers designated as Florida's best and brightest
308 teachers pursuant to s. 1012.731.

309 (2) There is created the Florida Best and Brightest
310 Principal Scholarship Program to be administered by the
311 Department of Education. The program shall provide categorical
312 funding for scholarships to be awarded to school principals, as
313 defined in s. 1012.01(3)(c)1., who have recruited and retained a
314 high percentage of best and brightest teachers.

315 (3) A school principal identified pursuant to s.
316 1012.731(4)(c) is eligible to receive a scholarship under this
317 section if he or she has served as the school principal for at
318 least 2 consecutive school years, including the current school
319 year and his or her school has a ratio of best and brightest
320 teachers to other classroom teachers that is at the 80th
321 percentile or higher for schools within the same grade group,
322 statewide, including elementary schools, middle schools, high
323 schools, and schools with a combination of grade levels.

324 (4) Annually, by February 1, the department shall identify
325 eligible school principals and disburse funds to each school

326 district for each eligible school principal to receive a
327 scholarship as provided in the General Appropriations Act. A
328 scholarship must be awarded to every eligible school principal,
329 with a greater scholarship amount awarded to school principals
330 who are assigned to a Title I school. If the number of eligible
331 school principals exceeds the total appropriation authorized in
332 the General Appropriations Act, the department shall prorate
333 each school principal's scholarship in a manner consistent with
334 this subsection.

335 (5) Annually, by April 1, each school district must award
336 a scholarship to each eligible school principal.

337 (6) A school district must provide a best and brightest
338 principal with the additional authority and responsibilities
339 provided in s. 1012.28(8) for a minimum of 2 years.

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

343 (8) This section expires July 1, 2018.

344 Section 6. In order to implement Specific Appropriation
345 141 of the 2017-2018 General Appropriations Act, subsection (1)
346 of section 1004.345, Florida Statutes, is amended to read:

347 1004.345 The Florida Polytechnic University.—

348 (1) By December 31, 2018 ~~2017~~, the Florida Polytechnic
349 University shall meet the following criteria as established by
350 the Board of Governors:

351 (a) Achieve accreditation from the Commission on Colleges
352 of the Southern Association of Colleges and Schools;

353 (b) Initiate the development of the new programs in the
354 fields of science, technology, engineering, and mathematics;

355 (c) Seek discipline-specific accreditation for programs;

356 (d) Attain a minimum FTE of 1,244, with a minimum 50
357 percent of that FTE in the fields of science, technology,
358 engineering, and mathematics and 20 percent in programs related
359 to those fields;

360 (e) Complete facilities and infrastructure, including the
361 Science and Technology Building, Phase I of the Wellness Center,
362 and a residence hall or halls containing no fewer than 190 beds;
363 and

364 (f) Have the ability to provide, either directly or where
365 feasible through a shared services model, administration of
366 financial aid, admissions, student support, information
367 technology, and finance and accounting with an internal audit
368 function.

369 Section 7. The amendment made by this act to s. 1004.345,
370 Florida Statutes, expires July 1, 2018, and the text of that
371 section shall revert to that in existence on June 30, 2016,
372 except that any amendments to such text enacted other than by
373 this act shall be preserved and continue to operate to the
374 extent that such amendments are not dependent upon the portions
375 of text which expire pursuant to this section.

376 Section 8. In order to implement Specific Appropriation
 377 141 of the 2017-2018 General Appropriations Act:

378 (1) Notwithstanding s. 1004.70, Florida Statutes, the
 379 board of trustees of a Florida College System institution may
 380 not allow the use of personal services of the institution by an
 381 institution direct-support organization. A Florida College
 382 System institution direct-support organization may not give,
 383 either directly or indirectly, any gift to a political committee
 384 as defined in s. 106.011, Florida Statutes.

385 (2) Notwithstanding s. 1004.28, Florida Statutes, the
 386 board of trustees of a state university may not allow the use of
 387 personal services of the university by a university direct-
 388 support organization. A state university direct-support
 389 organization may not give, either directly or indirectly, any
 390 gift to a political committee as defined in s. 106.011, Florida
 391 Statutes.

392 (3) This section expires July 1, 2018.

393 Section 9. In order to implement Specific Appropriations
 394 198, 199, and 203 of the 2017-2018 General Appropriations Act,
 395 the calculations for the Medicaid, Disproportionate Share
 396 Hospital, and Hospital Reimbursement programs for the 2017-2018
 397 fiscal year contained in the document titled "Medicaid Hospital
 398 Funding Programs," dated March 30, 2017, and filed with the
 399 Clerk of the House of Representatives, are incorporated by
 400 reference for the purpose of displaying the calculations used by

401 the Legislature, consistent with the requirements of state law,
402 in making appropriations for the Medicaid Low-Income Pool,
403 Disproportionate Share Hospital, and Hospital Reimbursement
404 programs. This section expires July 1, 2018.

405 Section 10. In order to implement Specific Appropriations
406 191 through 212A and 522 of the 2017-2018 General Appropriations
407 Act and notwithstanding ss. 216.181 and 216.292, Florida
408 Statutes, the Agency for Health Care Administration, in
409 consultation with the Department of Health, may submit a budget
410 amendment, subject to the notice, review, and objection
411 procedures of s. 216.177, Florida Statutes, to realign funding
412 within and between agencies based on implementation of the
413 Managed Medical Assistance component of the Statewide Medicaid
414 Managed Care program for the Children's Medical Services program
415 of the Department of Health. The funding realignment shall
416 reflect the actual enrollment changes due to the transfer of
417 beneficiaries from fee-for-service to the capitated Children's
418 Medical Services Network. The Agency for Health Care
419 Administration may submit a request for nonoperating budget
420 authority to transfer the federal funds to the Department of
421 Health pursuant to s. 216.181(12), Florida Statutes. This
422 section expires July 1, 2018.

423 Section 11. In order to implement Specific Appropriation
424 241 of the 2017-2018 General Appropriations Act:

425 (1) If, during the 2017-2018 fiscal year, the Agency for

426 Persons with Disabilities ceases to have an algorithm and
427 allocation methodology adopted by valid rule pursuant to s.
428 393.0662, Florida Statutes, the agency shall use the following
429 until it adopts a new algorithm and allocation methodology:

430 (a) Each client's iBudget shall remain at that funding
431 level in effect as of the date the agency ceases to have an
432 algorithm and allocation methodology adopted by valid rule
433 pursuant to s. 393.0662, Florida Statutes.

434 (b) The Agency for Persons with Disabilities shall
435 determine the iBudget for each client newly enrolled in the home
436 and community-based services waiver program using the same
437 algorithm and allocation methodology used for the iBudgets
438 determined between January 1, 2017, and June 30, 2017.

439 (2) After a new algorithm and allocation methodology is
440 adopted by final rule, a client's new iBudget shall be
441 determined based on the new algorithm and allocation methodology
442 and shall take effect as of the client's next support plan
443 update.

444 (3) Funding allocated under subsections (1) and (2) may be
445 increased under s. 393.0662(1)(b), Florida Statutes, or as
446 necessary to comply with federal regulations.

447 (4) This section expires July 1, 2018.

448 Section 12. In order to implement Specific Appropriations
449 191 through 220A, 338 through 358A, and 481 through 493 of the
450 2017-2018 General Appropriations Act and notwithstanding ss.

451 216.181 and 216.292, Florida Statutes, in the event that CS/HB
452 427 or similar legislation fails to become law, agencies are
453 authorized to submit budget amendments, subject to the notice,
454 review, and objection procedures of s. 216.177, Florida
455 Statutes, to fully implement the Federal Refugee Resettlement
456 Program. This section expires July 1, 2018.

457 Section 13. In order to implement Specific Appropriations
458 532 through 542 of the 2017-2018 General Appropriations Act,
459 subsection (18) is added to section 893.055, Florida Statutes,
460 to read:

461 893.055 Prescription drug monitoring program.—

462 (18) For the 2017-2018 fiscal year only, neither the
463 Attorney General nor the department may use funds received as
464 part of a settlement agreement to administer the prescription
465 drug monitoring program. This subsection expires July 1, 2018.

466 Section 14. In order to implement Specific Appropriations
467 582 through 706 and 722 through 756 of the 2017-2018 General
468 Appropriations Act, subsection (4) of section 216.262, Florida
469 Statutes, is amended to read:

470 216.262 Authorized positions.—

471 (4) Notwithstanding the provisions of this chapter
472 relating to increasing the number of authorized positions, and
473 for the 2017-2018 ~~2016-2017~~ fiscal year only, if the actual
474 inmate population of the Department of Corrections exceeds the
475 inmate population projections of the February 23, 2017 ~~December~~

476 ~~17, 2015~~, Criminal Justice Estimating Conference by 1 percent
477 for 2 consecutive months or 2 percent for any month, the
478 Executive Office of the Governor, with the approval of the
479 Legislative Budget Commission, shall immediately notify the
480 Criminal Justice Estimating Conference, which shall convene as
481 soon as possible to revise the estimates. The Department of
482 Corrections may then submit a budget amendment requesting the
483 establishment of positions in excess of the number authorized by
484 the Legislature and additional appropriations from unallocated
485 general revenue sufficient to provide for essential staff, fixed
486 capital improvements, and other resources to provide
487 classification, security, food services, health services, and
488 other variable expenses within the institutions to accommodate
489 the estimated increase in the inmate population. All actions
490 taken pursuant to this subsection are subject to review and
491 approval by the Legislative Budget Commission. This subsection
492 expires July 1, 2018 ~~2017~~.

493 Section 15. In order to implement Specific Appropriations
494 3145 through 3212 of the 2017-2018 General Appropriations Act,
495 subsection (2) of section 215.18, Florida Statutes, is amended
496 to read:

497 215.18 Transfers between funds; limitation.—

498 (2) The Chief Justice of the Supreme Court may receive one
499 or more trust fund loans to ensure that the state court system
500 has funds sufficient to meet its appropriations in the 2017-2018

501 ~~2016-2017~~ General Appropriations Act. If the Chief Justice
502 accesses the loan, he or she must notify the Governor and the
503 chairs of the legislative appropriations committees in writing.
504 The loan must come from other funds in the State Treasury which
505 are for the time being or otherwise in excess of the amounts
506 necessary to meet the just requirements of such last-mentioned
507 funds. The Governor shall order the transfer of funds within 5
508 days after the written notification from the Chief Justice. If
509 the Governor does not order the transfer, the Chief Financial
510 Officer shall transfer the requested funds. The loan of funds
511 from which any money is temporarily transferred must be repaid
512 by the end of the 2017-2018 ~~2016-2017~~ fiscal year. This
513 subsection expires July 1, 2018 ~~2017~~.

514 Section 16. In order to implement Specific Appropriation
515 727 of the 2017-2018 General Appropriations Act and
516 notwithstanding s. 216.292, Florida Statutes, the Department of
517 Corrections is authorized to submit budget amendments to
518 transfer funds from categories within the department other than
519 fixed capital outlay categories into the Inmate Health Services
520 category in order to continue the current level of care in the
521 provision of health services. Such transfers are subject to the
522 notice, review, and objection procedures of s. 216.177, Florida
523 Statutes. This section expires July 1, 2018.

524 Section 17. (1) In order to implement Specific
525 Appropriations 1104 through 1116 of the 2017-2018 General

526 Appropriations Act, the Department of Juvenile Justice is
527 required to review county juvenile detention payments to ensure
528 that counties fulfill their financial responsibilities required
529 in s. 985.6865, Florida Statutes. If the Department of Juvenile
530 Justice determines that a county has not met its obligations,
531 the department shall direct the Department of Revenue to deduct
532 the amount owed to the Department of Juvenile Justice from the
533 funds provided to the county under s. 218.23, Florida Statutes.
534 The Department of Revenue shall transfer the funds withheld to
535 the Shared County/State Juvenile Detention Trust Fund.

536 (2) As an assurance to holders of bonds issued by counties
537 before July 1, 2017, for which distributions made pursuant to s.
538 218.23, Florida Statutes, are pledged, or bonds issued to refund
539 such bonds which mature no later than the bonds they refunded
540 and which result in a reduction of debt service payable in each
541 fiscal year, the amount available for distribution to a county
542 shall remain as provided by law and continue to be subject to
543 any lien or claim on behalf of the bondholders. The Department
544 of Revenue must ensure, based on information provided by an
545 affected county, that any reduction in amounts distributed
546 pursuant to subsection (1) does not reduce the amount of
547 distribution to a county below the amount necessary for the
548 timely payment of principal and interest when due on the bonds
549 and the amount necessary to comply with any covenant under the
550 bond resolution or other documents relating to the issuance of

551 the bonds. If a reduction to a county's monthly distribution
552 must be decreased in order to comply with this subsection, the
553 Department of Revenue must notify the Department of Juvenile
554 Justice of the amount of the decrease, and the Department of
555 Juvenile Justice must send a bill for payment of such amount to
556 the affected county.

557 (3) This section expires July 1, 2018.

558 Section 18. In order to implement appropriations used to
559 pay existing lease contracts for private lease space in excess
560 of 2,000 square feet in the 2017-2018 General Appropriations
561 Act, the Department of Management Services, with the cooperation
562 of the agencies having the existing lease contracts for office
563 or storage space, shall use tenant broker services to
564 renegotiate or reprocure all private lease agreements for office
565 or storage space expiring between July 1, 2018 and June 30,
566 2020, in order to reduce costs in future years. The department
567 shall incorporate this initiative into its 2017 master leasing
568 report required under s. 255.249(7), Florida Statutes, and may
569 use tenant broker services to explore the possibilities of
570 collocating office or storage space, to review the space needs
571 of each agency, and to review the length and terms of potential
572 renewals or renegotiations. The department shall provide a
573 report to the Executive Office of the Governor, the President of
574 the Senate, and the Speaker of the House of Representatives by
575 November 1, 2017, which lists each lease contract for private

576 office or storage space, the status of renegotiations, and the
577 savings achieved. This section expires July 1, 2018.

578 Section 19. In order to implement Specific Appropriations
579 2768 through 2780A of the 2017-2018 General Appropriations Act
580 and notwithstanding rule 60A-1.031, Florida Administrative Code,
581 the transaction fee collected for use of the online procurement
582 system authorized in ss. 287.042(1)(h)1. and 287.057(22)(c),
583 Florida Statutes, shall be seven-tenths of 1 percent for the
584 2017-2018 fiscal year. This section expires July 1, 2018.

585 Section 20. In order to implement the appropriation of
586 funds in the appropriation category "Data Processing Services-
587 State Data Center" in the 2017-2018 General Appropriations Act,
588 and pursuant to the notice, review, and objection procedures of
589 s. 216.177, Florida Statutes, the Executive Office of the
590 Governor may transfer funds appropriated in that category
591 between departments in order to align the budget authority
592 granted based on the estimated billing cycle and methodology
593 used by the State Data Center for data processing services. This
594 section expires July 1, 2018.

595 Section 21. In order to implement appropriations
596 authorized in the 2017-2018 General Appropriations Act for data
597 center services, and notwithstanding s. 216.292(2)(a), Florida
598 Statutes, except as authorized in section 20, an agency may not
599 transfer funds from a data processing category to a category
600 other than another data processing category. This section

601 expires July 1, 2018.

602 Section 22. In order to implement the appropriation of
603 funds in the appropriation category "Special Categories-Risk
604 Management Insurance" in the 2017-2018 General Appropriations
605 Act, and pursuant to the notice, review, and objection
606 procedures of s. 216.177, Florida Statutes, the Executive Office
607 of the Governor may transfer funds appropriated in that category
608 between departments in order to align the budget authority
609 granted with the premiums paid by each department for risk
610 management insurance. This section expires July 1, 2018.

611 Section 23. In order to implement the appropriation of
612 funds in the appropriation category "Special Categories-Transfer
613 to Department of Management Services-Human Resources Services
614 Purchased per Statewide Contract" in the 2017-2018 General
615 Appropriations Act, and pursuant to the notice, review, and
616 objection procedures of s. 216.177, Florida Statutes, the
617 Executive Office of the Governor may transfer funds appropriated
618 in that category between departments in order to align the
619 budget authority granted with the assessments that must be paid
620 by each agency to the Department of Management Services for
621 human resource management services. This section expires July 1,
622 2018.

623 Section 24. In order to implement Specific Appropriation
624 2334 of the 2017-2018 General Appropriations Act:

625 (1) The Department of Financial Services shall replace the

626 four main components of the Florida Accounting Information
627 Resource Subsystem (FLAIR), which include central FLAIR,
628 departmental FLAIR, payroll, and information warehouse, and
629 shall replace the cash management and accounting management
630 components of the Cash Management Subsystem (CMS) with an
631 integrated enterprise system that allows the state to organize,
632 define, and standardize its financial management business
633 processes and that complies with ss. 215.90-215.96, Florida
634 Statutes. The department shall not include in the replacement of
635 FLAIR and CMS:

636 (a) Functionality that duplicates any of the other
637 information subsystems of the Florida Financial Management
638 Information System; or

639 (b) Agency business processes related to any of the
640 functions included in the Personnel Information System, the
641 Purchasing Subsystem, or the Legislative Appropriations
642 System/Planning and Budgeting Subsystem.

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

645 (a) Take into consideration the cost and implementation
646 data identified for Option 3 as recommended in the March 31,
647 2014, Florida Department of Financial Services FLAIR Study,
648 version 031.

649 (b) Ensure that all business requirements and technical
650 specifications have been provided to all state agencies for

651 their review and input and approved by the executive steering
652 committee established in paragraph (c).

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

655 1. The Chief Financial Officer or the executive sponsor of
656 the project.

657 2. A representative of the Division of Treasury of the
658 Department of Financial Services appointed by the Chief
659 Financial Officer.

660 3. A representative of the Division of Information Systems
661 of the Department of Financial Services appointed by the Chief
662 Financial Officer.

663 4. Four employees from the Division of Accounting and
664 Auditing of the Department of Financial Services appointed by
665 the Chief Financial Officer. Each employee must have experience
666 relating to at least one of the four main components that
667 comprise FLAIR.

668 5. Two employees from the Executive Office of the Governor
669 appointed by the Governor. One employee must have experience
670 relating to the Legislative Appropriations System/Planning and
671 Budgeting Subsystem.

672 6. One employee from the Department of Revenue appointed
673 by the executive director of the department who has experience
674 relating to the department's SUNTAX system.

675 7. Two employees from the Department of Management

676 Services appointed by the Secretary of Management Services. One
677 employee must have experience relating to the department's
678 personnel information subsystem and one employee must have
679 experience relating to the department's purchasing subsystem.

680 8. Three state agency administrative services directors
681 appointed by the Governor. One director must represent a
682 regulatory and licensing state agency and one director must
683 represent a health care-related state agency.

684 (3) The Chief Financial Officer or the executive sponsor
685 of the project shall serve as chair of the executive steering
686 committee, and the committee shall take action by a vote of at
687 least eight affirmative votes with the Chief Financial Officer
688 or the executive sponsor of the project voting on the prevailing
689 side. A quorum of the executive steering committee consists of
690 at least ten members.

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

694 (a) Identify and recommend to the Executive Office of the
695 Governor, the President of the Senate, and the Speaker of the
696 House of Representatives any statutory changes needed to
697 implement the replacement subsystem that will standardize to the
698 fullest extent possible the state's financial management
699 business processes.

700 (b) Review and approve any changes to the project's scope,

701 schedule, and budget that do not conflict with the requirements
 702 of subsection (1).

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

705 (d) Approve all major project deliverables.

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

708 (5) This section expires July 1, 2018.

709 Section 25. In order to implement Specific Appropriations
 710 1603A, 1603B, 1604, and 1743 of the 2017-2018 General
 711 Appropriations Act, paragraph (d) of subsection (11) of section
 712 216.181, Florida Statutes, is amended to read:

713 216.181 Approved budgets for operations and fixed capital
 714 outlay.—

715 (11)

716 (d) Notwithstanding paragraph (b) and paragraph (2) (b),
 717 and for the 2017-2018 ~~2016-2017~~ fiscal year only, the
 718 Legislative Budget Commission may increase the amounts
 719 appropriated to the Fish and Wildlife Conservation Commission or
 720 the Department of Environmental Protection for fixed capital
 721 outlay projects, including additional fixed capital outlay
 722 projects, using funds provided to the state from the Gulf
 723 Environmental Benefit Fund administered by the National Fish and
 724 Wildlife Foundation; funds provided to the state from the Gulf
 725 Coast Restoration Trust Fund related to the Resources and

726 Ecosystems Sustainability, Tourist Opportunities, and Revived
 727 Economies of the Gulf Coast Act of 2012 (RESTORE Act); or funds
 728 provided by the British Petroleum Corporation (BP) for natural
 729 resource damage assessment restoration projects. Concurrent with
 730 submission of an amendment to the Legislative Budget Commission
 731 pursuant to this paragraph, any project that carries a
 732 continuing commitment for future appropriations by the
 733 Legislature must be specifically identified, together with the
 734 projected amount of the future commitment associated with the
 735 project and the fiscal years in which the commitment is expected
 736 to commence. This paragraph expires July 1, 2018 ~~2017~~.

737
 738 The provisions of this subsection are subject to the notice and
 739 objection procedures set forth in s. 216.177.

740 Section 26. In order to implement specific appropriations
 741 from the land acquisition trust funds within the Department of
 742 Agriculture and Consumer Services, the Department of
 743 Environmental Protection, the Department of State, and the Fish
 744 and Wildlife Conservation Commission which are contained in the
 745 2017-2018 General Appropriations Act, subsection (3) of section
 746 215.18, Florida Statutes, is reenacted and amended to read:

747 215.18 Transfers between funds; limitation.—

748 (3) Notwithstanding subsection (1) and only with respect
 749 to a land acquisition trust fund in the Department of
 750 Agriculture and Consumer Services, the Department of

751 Environmental Protection, the Department of State, or the Fish
752 and Wildlife Conservation Commission, whenever there is a
753 deficiency in a land acquisition trust fund which would render
754 that trust fund temporarily insufficient to meet its just
755 requirements, including the timely payment of appropriations
756 from that trust fund, and other trust funds in the State
757 Treasury have moneys that are for the time being or otherwise in
758 excess of the amounts necessary to meet the just requirements,
759 including appropriated obligations, of those other trust funds,
760 the Governor may order a temporary transfer of moneys from one
761 or more of the other trust funds to a land acquisition trust
762 fund in the Department of Agriculture and Consumer Services, the
763 Department of Environmental Protection, the Department of State,
764 or the Fish and Wildlife Conservation Commission. Any action
765 proposed pursuant to this subsection is subject to the notice,
766 review, and objection procedures of s. 216.177, and the Governor
767 shall provide notice of such action at least 7 days before the
768 effective date of the transfer of trust funds, except that
769 during July 2017 ~~2016~~, notice of such action shall be provided
770 at least 3 days before the effective date of a transfer unless
771 such 3-day notice is waived by the chair and vice-chair of the
772 Legislative Budget Commission. Any transfer of trust funds to a
773 land acquisition trust fund in the Department of Agriculture and
774 Consumer Services, the Department of Environmental Protection,
775 the Department of State, or the Fish and Wildlife Conservation

776 Commission must be repaid to the trust funds from which the
777 moneys were loaned by the end of the 2017-2018 ~~2016-2017~~ fiscal
778 year. The Legislature has determined that the repayment of the
779 other trust fund moneys temporarily loaned to a land acquisition
780 trust fund in the Department of Agriculture and Consumer
781 Services, the Department of Environmental Protection, the
782 Department of State, or the Fish and Wildlife Conservation
783 Commission pursuant to this subsection is an allowable use of
784 the moneys in a land acquisition trust fund because the moneys
785 from other trust funds temporarily loaned to a land acquisition
786 trust fund shall be expended solely and exclusively in
787 accordance with s. 28, Art. X of the State Constitution. This
788 subsection expires July 1, 2018 ~~2017~~.

789 Section 27. (1) In order to implement specific
790 appropriations from the land acquisition trust funds within the
791 Department of Agriculture and Consumer Services, the Department
792 of Environmental Protection, the Department of State, and the
793 Fish and Wildlife Conservation Commission which are contained in
794 the 2017-2018 General Appropriations Act, the Department of
795 Environmental Protection shall transfer revenues from the Land
796 Acquisition Trust Fund within the department to the land
797 acquisition trust funds within the Department of Agriculture and
798 Consumer Services, the Department of State, and the Fish and
799 Wildlife Conservation Commission, as provided in this section.
800 As used in this section, the term "department" means the

801 Department of Environmental Protection.

802 (2) After subtracting any required debt service payments,
803 the proportionate share of revenues to be transferred to each
804 land acquisition trust fund shall be calculated by dividing the
805 appropriations from each of the land acquisition trust funds for
806 the fiscal year by the total appropriations from the Land
807 Acquisition Trust Fund within the department and the land
808 acquisition trust funds within the Department of Agriculture and
809 Consumer Services, the Department of State, and the Fish and
810 Wildlife Commission for the fiscal year. The department shall
811 transfer the proportionate share of the revenues in the Land
812 Acquisition Trust Fund within the department on a monthly basis
813 to the appropriate land acquisition trust funds within the
814 Department of Agriculture and Consumer Services, the Department
815 of State, and the Fish and Wildlife Commission and shall retain
816 its proportionate share of the revenues in the Land Acquisition
817 Trust Fund within the department. Total distributions to a land
818 acquisition trust fund within the Department of Agriculture and
819 Consumer Services, the Department of State, and the Fish and
820 Wildlife Commission may not exceed the total appropriations from
821 such trust fund for the fiscal year.

822 (3) This section expires July 1, 2018.

823 Section 28. In order to implement Specific Appropriation
824 1594 of the 2017-2018 General Appropriations Act, paragraph (a)
825 of subsection (6) of section 373.470, Florida Statutes, is

826 amended to read:

827 373.470 Everglades restoration.—

828 (6) DISTRIBUTIONS FROM SAVE OUR EVERGLADES TRUST FUND.—

829 (a) Except as provided in paragraphs (d) and (e) and for
 830 funds appropriated for debt service, the department shall
 831 distribute funds in the Save Our Everglades Trust Fund to the
 832 district in accordance with a legislative appropriation and s.
 833 373.026(8)(b). Distribution of funds to the district from the
 834 Save Our Everglades Trust Fund or the Land Acquisition Trust
 835 Fund shall be equally matched by the cumulative contributions
 836 from the district by fiscal year 2019-2020 by providing funding
 837 or credits toward project components. The dollar value of in-
 838 kind project design and construction work by the district in
 839 furtherance of the comprehensive plan and existing interest in
 840 public lands needed for a project component are credits towards
 841 the district's contributions.

842 Section 29. The amendment made by this act to s.
 843 373.470(6)(a), Florida Statutes, expires July 1, 2018, and the
 844 text of that paragraph shall revert to that in existence on June
 845 30, 2017, except that any amendments to such text enacted other
 846 than by this act shall be preserved and continue to operate to
 847 the extent that such amendments are not dependent upon the
 848 portions of text which expire pursuant to this section.

849 Section 30. In order to implement Specific Appropriation
 850 1606 of the 2017-2018 General Appropriations Act, paragraph (b)

HB 5003

2017

851 of subsection (3) of section 375.041, Florida Statutes, is
852 amended to read:

853 375.041 Land Acquisition Trust Fund.—

854 (3) Funds distributed into the Land Acquisition Trust Fund
855 pursuant to s. 201.15 shall be applied:

856 (b) Of the funds remaining after the payments required
857 under paragraph (a), but before funds may be appropriated,
858 pledged, or dedicated for other uses:

859 1. A minimum of the lesser of 25 percent or \$200 million
860 shall be appropriated annually for Everglades projects that
861 implement the Comprehensive Everglades Restoration Plan as set
862 forth in s. 373.470, including the Central Everglades Planning
863 Project subject to Congressional authorization; the Long-Term
864 Plan as defined in s. 373.4592(2); and the Northern Everglades
865 and Estuaries Protection Program as set forth in s. 373.4595.
866 From these funds, \$32 million shall be distributed each fiscal
867 year through the 2023-2024 fiscal year to the South Florida
868 Water Management District for the Long-Term Plan as defined in
869 s. 373.4592(2). After deducting the \$32 million distributed
870 under this subparagraph, from the funds remaining, a minimum of
871 the lesser of 76.5 percent or \$100 million shall be appropriated
872 each fiscal year through the 2025-2026 fiscal year for the
873 planning, design, engineering, and construction of the
874 Comprehensive Everglades Restoration Plan as set forth in s.
875 373.470, including the Central Everglades Planning Project

876 subject to Congressional authorization. The Department of
877 Environmental Protection and the South Florida Water Management
878 District shall give preference to those Everglades restoration
879 projects that reduce harmful discharges of water from Lake
880 Okeechobee to the St. Lucie or Caloosahatchee estuaries in a
881 timely manner. For the purpose of performing the calculation
882 provided in this subparagraph, the amount of debt service paid
883 pursuant to paragraph (a) for bonds issued after July 1, 2016,
884 for the purposes set forth under paragraph (b) shall be added to
885 the amount remaining after the payments required under paragraph
886 (a). The amount of the distribution calculated shall then be
887 reduced by an amount equal to the debt service paid pursuant to
888 paragraph (a) on bonds issued after July 1, 2016, for the
889 purposes set forth under this subparagraph.

890 2. A minimum of the lesser of 7.6 percent or \$50 million
891 shall be appropriated annually for spring restoration,
892 protection, and management projects. For the purpose of
893 performing the calculation provided in this subparagraph, the
894 amount of debt service paid pursuant to paragraph (a) for bonds
895 issued after July 1, 2016, for the purposes set forth under
896 paragraph (b) shall be added to the amount remaining after the
897 payments required under paragraph (a). The amount of the
898 distribution calculated shall then be reduced by an amount equal
899 to the debt service paid pursuant to paragraph (a) on bonds
900 issued after July 1, 2016, for the purposes set forth under this

901 subparagraph.

902 3. The sum of \$5 million shall be appropriated annually
 903 each fiscal year through the 2025-2026 fiscal year to the St.
 904 Johns River Water Management District for projects dedicated to
 905 the restoration of Lake Apopka. This distribution shall be
 906 reduced by an amount equal to the debt service paid pursuant to
 907 paragraph (a) on bonds issued after July 1, 2016, for the
 908 purposes set forth in this subparagraph.

909 4. Notwithstanding subparagraphs 2 and 3, for the 2017-
 910 2018 fiscal year, funds shall be appropriated as provided in the
 911 General Appropriations Act. This subparagraph expires July 1,
 912 2018.

913 Section 31. In order to implement Specific Appropriations
 914 1869 through 1882, 1888 through 1891, 1905 through 1925, and
 915 1964 through 1976 of the 2017-2018 General Appropriations Act,
 916 paragraph (e) of subsection (7) of section 339.135, Florida
 917 Statutes, is amended to read:

918 339.135 Work program; legislative budget request;
 919 definitions; preparation, adoption, execution, and amendment.—

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

921 (e) Notwithstanding paragraphs (d), ~~and~~ (g), and (h) and
 922 ss. 216.177(2) and 216.351, the secretary may request the
 923 Executive Office of the Governor to amend the adopted work
 924 program when an emergency exists, as defined in s. 252.34, and
 925 the emergency relates to the repair or rehabilitation of any

926 state transportation facility. The Executive Office of the
927 Governor may approve the amendment to the adopted work program
928 and amend that portion of the department's approved budget if a
929 delay incident to the notification requirements in paragraph (d)
930 would be detrimental to the interests of the state. However, the
931 department shall immediately notify the parties specified in
932 paragraph (d) and provide such parties written justification for
933 the emergency action within 7 days after approval by the
934 Executive Office of the Governor of the amendment to the adopted
935 work program and the department's budget. The adopted work
936 program may not be amended under this subsection without
937 certification by the comptroller of the department that there
938 are sufficient funds available pursuant to the 36-month cash
939 forecast and applicable statutes.

940 Section 32. The amendment made by this act to s.
941 339.135(7), Florida Statutes, expires July 1, 2018, and the text
942 of that section shall revert to that in existence on June 30,
943 2017, except that any amendments to such text enacted other than
944 by this act shall be preserved and continue to operate to the
945 extent that such amendments are not dependent upon the portions
946 of text which expire pursuant to this section.

947 Section 33. In order to implement the salaries and
948 benefits, expenses, other personal services, contracted
949 services, special categories, and operating capital outlay
950 categories of the 2017-2018 General Appropriations Act,

951 paragraph (a) of subsection (2) of section 216.292, Florida
952 Statutes, is reenacted to read:

953 216.292 Appropriations nontransferable; exceptions.—

954 (2) The following transfers are authorized to be made by
955 the head of each department or the Chief Justice of the Supreme
956 Court whenever it is deemed necessary by reason of changed
957 conditions:

958 (a) The transfer of appropriations funded from identical
959 funding sources, except appropriations for fixed capital outlay,
960 and the transfer of amounts included within the total original
961 approved budget and plans of releases of appropriations as
962 furnished pursuant to ss. 216.181 and 216.192, as follows:

963 1. Between categories of appropriations within a budget
964 entity, if no category of appropriation is increased or
965 decreased by more than 5 percent of the original approved budget
966 or \$250,000, whichever is greater, by all action taken under
967 this subsection.

968 2. Between budget entities within identical categories of
969 appropriations, if no category of appropriation is increased or
970 decreased by more than 5 percent of the original approved budget
971 or \$250,000, whichever is greater, by all action taken under
972 this subsection.

973 3. Any agency exceeding salary rate established pursuant
974 to s. 216.181(8) on June 30th of any fiscal year shall not be
975 authorized to make transfers pursuant to subparagraphs 1. and 2.

976 in the subsequent fiscal year.

977 4. Notice of proposed transfers under subparagraphs 1. and
978 2. shall be provided to the Executive Office of the Governor and
979 the chairs of the legislative appropriations committees at least
980 3 days prior to agency implementation in order to provide an
981 opportunity for review.

982 Section 34. The amendment to s. 216.292(2)(a), Florida
983 Statutes, as carried forward by this act from chapter 2015-222,
984 Laws of Florida, expires July 1, 2018, and the text of that
985 paragraph shall revert to that in existence on June 30, 2014,
986 except that any amendments to such text enacted other than by
987 this act shall be preserved and continue to operate to the
988 extent that such amendments are not dependent upon the portions
989 of text which expire pursuant to this section.

990 Section 35. In order to implement the appropriation of
991 funds in the special categories, contracted services, and
992 expenses categories of the 2017-2018 General Appropriations Act,
993 a state agency may not initiate a competitive solicitation for a
994 product or service if the completion of such competitive
995 solicitation would:

996 (1) Require a change in law; or

997 (2) Require a change to the agency's budget other than a
998 transfer authorized in s. 216.292(2) or (3), Florida Statutes,
999 unless the initiation of such competitive solicitation is
1000 specifically authorized in law, in the General Appropriations

1001 Act, or by the Legislative Budget Commission.

1002
 1003 This section does not apply to a competitive solicitation for
 1004 which the agency head certifies that a valid emergency exists.

1005 This section expires July 1, 2018.

1006 Section 36. In order to implement appropriations for
 1007 salaries and benefits in the 2017-2018 General Appropriations
 1008 Act, subsection (6) of section 112.24, Florida Statutes, is
 1009 amended to read:

1010 112.24 Intergovernmental interchange of public employees.—
 1011 To encourage economical and effective utilization of public
 1012 employees in this state, the temporary assignment of employees
 1013 among agencies of government, both state and local, and
 1014 including school districts and public institutions of higher
 1015 education is authorized under terms and conditions set forth in
 1016 this section. State agencies, municipalities, and political
 1017 subdivisions are authorized to enter into employee interchange
 1018 agreements with other state agencies, the Federal Government,
 1019 another state, a municipality, or a political subdivision
 1020 including a school district, or with a public institution of
 1021 higher education. State agencies are also authorized to enter
 1022 into employee interchange agreements with private institutions
 1023 of higher education and other nonprofit organizations under the
 1024 terms and conditions provided in this section. In addition, the
 1025 Governor or the Governor and Cabinet may enter into employee

1026 interchange agreements with a state agency, the Federal
1027 Government, another state, a municipality, or a political
1028 subdivision including a school district, or with a public
1029 institution of higher learning to fill, subject to the
1030 requirements of chapter 20, appointive offices which are within
1031 the executive branch of government and which are filled by
1032 appointment by the Governor or the Governor and Cabinet. Under
1033 no circumstances shall employee interchange agreements be
1034 utilized for the purpose of assigning individuals to participate
1035 in political campaigns. Duties and responsibilities of
1036 interchange employees shall be limited to the mission and goals
1037 of the agencies of government.

1038 (6) For the 2017-2018 ~~2016-2017~~ fiscal year only, the
1039 assignment of an employee of a state agency as provided in this
1040 section may be made if recommended by the Governor or Chief
1041 Justice, as appropriate, and approved by the chairs of the
1042 legislative appropriations committees. Such actions shall be
1043 deemed approved if neither chair provides written notice of
1044 objection within 14 days after receiving notice of the action
1045 pursuant to s. 216.177. This subsection expires July 1, 2018
1046 ~~2017~~.

1047 Section 37. In order to implement Specific Appropriations
1048 2681 and 2682 of the 2017-2018 General Appropriations Act and
1049 notwithstanding s. 11.13(1), Florida Statutes, the authorized
1050 salaries for members of the Legislature for the 2017-2018 fiscal

1051 year shall be set at the same level in effect on July 1, 2010.
1052 This section expires July 1, 2018.

1053 Section 38. In order to implement the transfer of funds to
1054 the General Revenue Fund from trust funds in the 2017-2018
1055 General Appropriations Act, paragraph (b) of subsection (2) of
1056 section 215.32, Florida Statutes, is reenacted to read:

1057 215.32 State funds; segregation.—

1058 (2) The source and use of each of these funds shall be as
1059 follows:

1060 (b)1. The trust funds shall consist of moneys received by
1061 the state which under law or under trust agreement are
1062 segregated for a purpose authorized by law. The state agency or
1063 branch of state government receiving or collecting such moneys
1064 is responsible for their proper expenditure as provided by law.
1065 Upon the request of the state agency or branch of state
1066 government responsible for the administration of the trust fund,
1067 the Chief Financial Officer may establish accounts within the
1068 trust fund at a level considered necessary for proper
1069 accountability. Once an account is established, the Chief
1070 Financial Officer may authorize payment from that account only
1071 upon determining that there is sufficient cash and releases at
1072 the level of the account.

1073 2. In addition to other trust funds created by law, to the
1074 extent possible, each agency shall use the following trust funds
1075 as described in this subparagraph for day-to-day operations:

1076 a. Operations or operating trust fund, for use as a
 1077 depository for funds to be used for program operations funded by
 1078 program revenues, with the exception of administrative
 1079 activities when the operations or operating trust fund is a
 1080 proprietary fund.

1081 b. Operations and maintenance trust fund, for use as a
 1082 depository for client services funded by third-party payors.

1083 c. Administrative trust fund, for use as a depository for
 1084 funds to be used for management activities that are departmental
 1085 in nature and funded by indirect cost earnings and assessments
 1086 against trust funds. Proprietary funds are excluded from the
 1087 requirement of using an administrative trust fund.

1088 d. Grants and donations trust fund, for use as a
 1089 depository for funds to be used for allowable grant or donor
 1090 agreement activities funded by restricted contractual revenue
 1091 from private and public nonfederal sources.

1092 e. Agency working capital trust fund, for use as a
 1093 depository for funds to be used pursuant to s. 216.272.

1094 f. Clearing funds trust fund, for use as a depository for
 1095 funds to account for collections pending distribution to lawful
 1096 recipients.

1097 g. Federal grant trust fund, for use as a depository for
 1098 funds to be used for allowable grant activities funded by
 1099 restricted program revenues from federal sources.

1100

1101 To the extent possible, each agency must adjust its internal
1102 accounting to use existing trust funds consistent with the
1103 requirements of this subparagraph. If an agency does not have
1104 trust funds listed in this subparagraph and cannot make such
1105 adjustment, the agency must recommend the creation of the
1106 necessary trust funds to the Legislature no later than the next
1107 scheduled review of the agency's trust funds pursuant to s.
1108 215.3206.

1109 3. All such moneys are hereby appropriated to be expended
1110 in accordance with the law or trust agreement under which they
1111 were received, subject always to the provisions of chapter 216
1112 relating to the appropriation of funds and to the applicable
1113 laws relating to the deposit or expenditure of moneys in the
1114 State Treasury.

1115 4.a. Notwithstanding any provision of law restricting the
1116 use of trust funds to specific purposes, unappropriated cash
1117 balances from selected trust funds may be authorized by the
1118 Legislature for transfer to the Budget Stabilization Fund and
1119 General Revenue Fund in the General Appropriations Act.

1120 b. This subparagraph does not apply to trust funds
1121 required by federal programs or mandates; trust funds
1122 established for bond covenants, indentures, or resolutions whose
1123 revenues are legally pledged by the state or public body to meet
1124 debt service or other financial requirements of any debt
1125 obligations of the state or any public body; the Division of

1126 Licensing Trust Fund in the Department of Agriculture and
 1127 Consumer Services; the State Transportation Trust Fund; the
 1128 trust fund containing the net annual proceeds from the Florida
 1129 Education Lotteries; the Florida Retirement System Trust Fund;
 1130 trust funds under the management of the State Board of Education
 1131 or the Board of Governors of the State University System, where
 1132 such trust funds are for auxiliary enterprises, self-insurance,
 1133 and contracts, grants, and donations, as those terms are defined
 1134 by general law; trust funds that serve as clearing funds or
 1135 accounts for the Chief Financial Officer or state agencies;
 1136 trust funds that account for assets held by the state in a
 1137 trustee capacity as an agent or fiduciary for individuals,
 1138 private organizations, or other governmental units; and other
 1139 trust funds authorized by the State Constitution.

1140 Section 39. The amendment to s. 215.32(2)(b), Florida
 1141 Statutes, as carried forward by this act from chapter 2011-47,
 1142 Laws of Florida, expires July 1, 2018, and the text of that
 1143 paragraph shall revert to that in existence on June 30, 2011,
 1144 except that any amendments to such text enacted other than by
 1145 this act shall be preserved and continue to operate to the
 1146 extent that such amendments are not dependent upon the portions
 1147 of text which expire pursuant to this section.

1148 Section 40. In order to implement appropriations in the
 1149 2017-2018 General Appropriations Act for state employee travel,
 1150 the funds appropriated to each state agency which may be used

1151 for travel by state employees shall be limited during the 2017-
1152 2018 fiscal year to travel for activities that are critical to
1153 each state agency's mission. Funds may not be used for travel by
1154 state employees to foreign countries, other states, conferences,
1155 staff training activities, or other administrative functions
1156 unless the agency head has approved, in writing, that such
1157 activities are critical to the agency's mission. The agency head
1158 shall consider using teleconferencing and other forms of
1159 electronic communication to meet the needs of the proposed
1160 activity before approving mission-critical travel. This section
1161 does not apply to travel for law enforcement purposes, military
1162 purposes, emergency management activities, or public health
1163 activities. This section expires July 1, 2018.

1164 Section 41. In order to implement appropriations in the
1165 2017-2018 General Appropriations Act for state employee travel
1166 and notwithstanding s. 112.061, Florida Statutes, costs for
1167 lodging associated with a meeting, conference, or convention
1168 organized or sponsored in whole or in part by a state agency or
1169 the judicial branch may not exceed \$150 per day. An employee may
1170 expend his or her own funds for any lodging expenses in excess
1171 of \$150 per day. For purposes of this section, a meeting does
1172 not include travel activities for conducting an audit,
1173 examination, inspection, or investigation or travel activities
1174 related to a litigation or emergency response. This section
1175 expires July 1, 2018.

1176 Section 42. In order to implement appropriations in the
1177 2017-2018 General Appropriations Act for executive branch and
1178 judicial branch employee travel, the executive branch state
1179 agencies and the judicial branch must collaborate with the
1180 Executive Office of the Governor and the Department of
1181 Management Services to implement the statewide travel management
1182 system funded in Specific Appropriation 2718A in the 2017-2018
1183 General Appropriations Act. For the purpose of complying with s.
1184 112.061, Florida Statutes, all executive branch state agencies
1185 and the judicial branch must use the statewide travel management
1186 system. This section expires July 1, 2018.

1187 Section 43. In order to implement section 8 of the 2017-
1188 2018 General Appropriations Act, section 110.12315, Florida
1189 Statutes, is reenacted and subsection (12) is added to that
1190 section, to read:

1191 110.12315 Prescription drug program.—The state employees'
1192 prescription drug program is established. This program shall be
1193 administered by the Department of Management Services, according
1194 to the terms and conditions of the plan as established by the
1195 relevant provisions of the annual General Appropriations Act and
1196 implementing legislation, subject to the following conditions:

1197 (1) The department shall allow prescriptions written by
1198 health care providers under the plan to be filled by any
1199 licensed pharmacy pursuant to contractual claims-processing
1200 provisions. Nothing in this section may be construed as

1201 prohibiting a mail order prescription drug program distinct from
1202 the service provided by retail pharmacies.

1203 (2) In providing for reimbursement of pharmacies for
1204 prescription medicines dispensed to members of the state group
1205 health insurance plan and their dependents under the state
1206 employees' prescription drug program:

1207 (a) Retail pharmacies participating in the program must be
1208 reimbursed at a uniform rate and subject to uniform conditions,
1209 according to the terms and conditions of the plan.

1210 (b) There shall be a 30-day supply limit for prescription
1211 card purchases, a 90-day supply limit for maintenance
1212 prescription drug purchases, and a 90-day supply limit for mail
1213 order or mail order prescription drug purchases.

1214 (c) The pharmacy dispensing fee shall be negotiated by the
1215 department.

1216 (3) Pharmacy reimbursement rates shall be as follows:

1217 (a) For mail order and specialty pharmacies contracting
1218 with the department, reimbursement rates shall be as established
1219 in the contract.

1220 (b) For retail pharmacies, the reimbursement rate shall be
1221 at the same rate as mail order pharmacies under contract with
1222 the department.

1223 (4) The department shall maintain the preferred brand name
1224 drug list to be used in the administration of the state
1225 employees' prescription drug program.

1226 (5) The department shall maintain a list of maintenance
 1227 drugs.

1228 (a) Preferred provider organization health plan members
 1229 may have prescriptions for maintenance drugs filled up to three
 1230 times as a 30-day supply through a retail pharmacy; thereafter,
 1231 prescriptions for the same maintenance drug must be filled as a
 1232 90-day supply either through the department's contracted mail
 1233 order pharmacy or through a retail pharmacy.

1234 (b) Health maintenance organization health plan members
 1235 may have prescriptions for maintenance drugs filled as a 90-day
 1236 supply either through a mail order pharmacy or through a retail
 1237 pharmacy.

1238 (6) Copayments made by health plan members for a 90-day
 1239 supply through a retail pharmacy shall be the same as copayments
 1240 made for a 90-day supply through the department's contracted
 1241 mail order pharmacy.

1242 (7) The department shall establish the reimbursement
 1243 schedule for prescription pharmaceuticals dispensed under the
 1244 program. Reimbursement rates for a prescription pharmaceutical
 1245 must be based on the cost of the generic equivalent drug if a
 1246 generic equivalent exists, unless the physician, advanced
 1247 registered nurse practitioner, or physician assistant
 1248 prescribing the pharmaceutical clearly states on the
 1249 prescription that the brand name drug is medically necessary or
 1250 that the drug product is included on the formulary of drug

1251 products that may not be interchanged as provided in chapter
1252 465, in which case reimbursement must be based on the cost of
1253 the brand name drug as specified in the reimbursement schedule
1254 adopted by the department.

1255 (8) The department shall conduct a prescription
1256 utilization review program. In order to participate in the state
1257 employees' prescription drug program, retail pharmacies
1258 dispensing prescription medicines to members of the state group
1259 health insurance plan or their covered dependents, or to
1260 subscribers or covered dependents of a health maintenance
1261 organization plan under the state group insurance program, shall
1262 make their records available for this review.

1263 (9) The department shall implement such additional cost-
1264 saving measures and adjustments as may be required to balance
1265 program funding within appropriations provided, including a
1266 trial or starter dose program and dispensing of long-term-
1267 maintenance medication in lieu of acute therapy medication.

1268 (10) Participating pharmacies must use a point-of-sale
1269 device or an online computer system to verify a participant's
1270 eligibility for coverage. The state is not liable for
1271 reimbursement of a participating pharmacy for dispensing
1272 prescription drugs to any person whose current eligibility for
1273 coverage has not been verified by the state's contracted
1274 administrator or by the department.

1275 (11) Under the state employees' prescription drug program

1276 copayments must be made as follows:

1277 (a) Effective January 1, 2013, for the State Group Health

1278 Insurance Standard Plan:

1279 1. For generic drug with card.....\$7.

1280 2. For preferred brand name drug with card.....\$30.

1281 3. For nonpreferred brand name drug with card.....\$50.

1282 4. For generic mail order drug.....\$14.

1283 5. For preferred brand name mail order drug.....\$60.

1284 6. For nonpreferred brand name mail order drug.....\$100.

1285 (b) Effective January 1, 2006, for the State Group Health

1286 Insurance High Deductible Plan:

1287 1. Retail coinsurance for generic drug with card.....30%.

1288 2. Retail coinsurance for preferred brand name drug with

1289 card 30%.

1290 3. Retail coinsurance for nonpreferred brand name drug

1291 with card.....50%.

1292 4. Mail order coinsurance for generic drug.....30%.

1293 5. Mail order coinsurance for preferred brand name drug30%.

1294 6. Mail order coinsurance for nonpreferred brand name drug50%.

1295 (c) The department shall create a preferred brand name

1296 drug list to be used in the administration of the state

1297 employees' prescription drug program.

1298 (12) Notwithstanding section 8 of chapter 99-255, Laws of

1299 Florida, the department shall implement formulary management

1300 measures by which prescription drugs and supplies shall be

1301 subject to formulary inclusion and exclusion. Prescription drugs
1302 and supplies that are excluded may be made available to an
1303 individual member of the state employee prescription drug
1304 program or his or her covered dependents for inclusion by
1305 medical necessity review. This subsection expires July 1, 2018.

1306 Section 44. (1) The amendment to s. 110.12315(2)(b),
1307 Florida Statutes, as carried forward by this act from chapter
1308 2014-53, Laws of Florida, expires July 1, 2018, and the text of
1309 that paragraph shall revert to that in existence on June 30,
1310 2012, except that any amendments to such text enacted other than
1311 by this act shall be preserved and continue to operate to the
1312 extent that such amendments are not dependent upon the portions
1313 of text which expire pursuant to this section.

1314 (2) The amendments to s. 110.12315(2)(c) and (3)-(6),
1315 Florida Statutes, as carried forward by this act from chapter
1316 2014-53, Laws of Florida, expire July 1, 2018, and the text and
1317 numbering of those provisions shall revert to that in existence
1318 on June 30, 2014, except that any amendments to such text
1319 enacted other than by this act shall be preserved and continue
1320 to operate to the extent that such amendments are not dependent
1321 upon the portions of text that expire pursuant to this section.

1322 (3) The amendment to s. 110.12315(7), Florida Statutes, as
1323 carried forward by this act from chapter 2014-53, Laws of
1324 Florida, expires July 1, 2018, and shall revert to the text of
1325 that subsection in existence on December 31, 2010, except that

1326 any amendments to such text enacted other than by this act shall
1327 be preserved and continue to operate to the extent that such
1328 amendments are not dependent upon the portions of text which
1329 expire pursuant to this section.

1330 Section 45. In order to implement the appropriation of
1331 funds in the special categories, contracted services, and
1332 expenses categories of the 2017-2018 General Appropriations Act,
1333 a state agency may not enter into a contract containing a
1334 nondisclosure clause that prohibits the contractor from
1335 disclosing information relevant to the performance of the
1336 contract to members or staff of the Senate or the House of
1337 Representatives. This section expires July 1, 2018.

1338 Section 46. Any section of this act which implements a
1339 specific appropriation or specifically identified proviso
1340 language in the 2017-2018 General Appropriations Act is void if
1341 the specific appropriation or specifically identified proviso
1342 language is vetoed. Any section of this act which implements
1343 more than one specific appropriation or more than one portion of
1344 specifically identified proviso language in the 2017-2018
1345 General Appropriations Act is void if all the specific
1346 appropriations or portions of specifically identified proviso
1347 language are vetoed.

1348 Section 47. If any other act passed during the 2017
1349 Regular Session of the Legislature contains a provision that is
1350 substantively the same as a provision in this act, but that

1351 removes or is otherwise not subject to the future repeal applied
1352 to such provision by this act, the Legislature intends that the
1353 provision in the other act takes precedence and continues to
1354 operate, notwithstanding the future repeal provided by this act.

1355 Section 48. If any provision of this act or its
1356 application to any person or circumstance is held invalid, the
1357 invalidity does not affect other provisions or applications of
1358 the act which can be given effect without the invalid provision
1359 or application, and to this end the provisions of this act are
1360 severable.

1361 Section 49. Except as otherwise expressly provided in this
1362 act and except for this section, which shall take effect upon
1363 becoming a law, this act shall take effect July 1, 2017; or, if
1364 this act fails to become a law until after that date, it shall
1365 take effect upon becoming a law and shall operate retroactively
1366 to July 1, 2017.