

20182502e1

1 A bill to be entitled
2 An act implementing the 2018-2019 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 amending s. 1002.333, F.S.; specifying that certain
9 schools of hope are eligible to receive hope
10 supplemental service allocation funds; specifying
11 required duties of the State Board of Education for
12 the 2017-2018 fiscal year; providing for the future
13 expiration and reversion of specified statutory text;
14 amending s. 1011.62, F.S.; creating the hope
15 supplemental services allocation; providing the
16 purpose of the allocation; specifying the services
17 that may be funded by the allocation; requiring a plan
18 for implementation to be developed and submitted to
19 the appropriate governing body before distribution of
20 the allocation; providing requirements for
21 implementation plans; requiring approved plans to be
22 submitted to the Commissioner of Education by a
23 specified date; providing for the allocation of funds
24 for the 2018-2019 fiscal year; creating the mental
25 health assistance allocation; providing the purpose of
26 the allocation; providing for the annual allocation of
27 such funds on a specified basis; prohibiting the use
28 of allocated funds to supplant funds provided from
29 other operating funds, to increase salaries, or to

20182502e1

30 provide bonuses; providing requirements for school
31 districts and charter schools; providing that required
32 plans must include certain elements; requiring school
33 districts to annually submit approved plans to the
34 commissioner by a specified date; creating the funding
35 compression allocation; providing the purpose of the
36 allocation; authorizing funding for the annual
37 allocation for specified purposes; providing the
38 calculation for the allocation; amending s. 1012.731,
39 F.S.; deleting Florida Best and Brightest Teacher
40 Scholarship Program scholarship awards authorized for
41 the 2018-2019 school year; incorporating by reference
42 certain calculations of the Medicaid Disproportionate
43 Share Hospital program; authorizing the Agency for
44 Health Care Administration, in consultation with the
45 Department of Health, to submit a budget amendment to
46 realign funding for a component of the Children's
47 Medical Services program; specifying requirements for
48 such realignment; authorizing the agency to request
49 nonoperating budget authority for transferring certain
50 federal funds to the department; specifying criteria
51 to be used by the Agency for Persons with Disabilities
52 in the event that an allocation algorithm and
53 methodology for the iBudget system is no longer in
54 effect; providing for the implementation of any new
55 iBudget allocation algorithm and methodology;
56 authorizing increased funding for an iBudget under
57 certain circumstances; amending s. 409.908, F.S.;

58 revising parameters relating to the prospective

20182502e1

59 payment methodology for the reimbursement of Medicaid
60 providers to be implemented for rate-setting purposes;
61 requiring the agency to establish prospective payment
62 reimbursement rates for nursing home services as
63 provided in this act and in the General Appropriations
64 Act; providing for the future expiration and reversion
65 of specified statutory text; requiring the Agency for
66 Health Care Administration to seek authorization from
67 the federal Centers for Medicare and Medicaid Services
68 to modify the period of retroactive Medicaid
69 eligibility in a manner that ensures that the
70 modification becomes effective by a certain date;
71 amending s. 409.911, F.S.; updating the average of
72 audited disproportionate share data for purposes of
73 calculating disproportionate share payments; extending
74 for 1 fiscal year the requirement that the Agency for
75 Health Care Administration distribute moneys to
76 hospitals that provide a disproportionate share of
77 Medicaid or charity care services as set forth in the
78 General Appropriations Act; amending s. 409.9113,
79 F.S.; extending for 1 fiscal year the requirement that
80 the Agency for Health Care Administration make
81 disproportionate share payments to teaching hospitals
82 as set forth in the General Appropriations Act;
83 amending s. 409.9119, F.S.; extending for 1 fiscal
84 year the requirement that the Agency for Health Care
85 Administration make disproportionate share payments to
86 certain specialty hospitals for children as set forth
87 in the General Appropriations Act; amending s.

20182502e1

88 216.262, F.S.; extending for 1 fiscal year the
89 authority of the Department of Corrections to submit a
90 budget amendment for additional positions and
91 appropriations under certain circumstances; amending
92 s. 215.18, F.S.; extending for 1 fiscal year the
93 authority, and related repayment requirements, for
94 temporary trust fund loans to the state court system
95 which are sufficient to meet the system's
96 appropriation; authorizing the Department of
97 Corrections to submit certain budget amendments to
98 transfer funds into the Inmate Health Services
99 category; providing that such transfers are subject to
100 notice, review, and objection procedures; requiring
101 the Department of Juvenile Justice to review county
102 juvenile detention payments to ensure that counties
103 fulfill specified financial responsibilities;
104 requiring amounts owed by a county for such financial
105 responsibilities to be deducted from certain county
106 funds; requiring the Department of Revenue to transfer
107 withheld funds to a specified trust fund; requiring
108 the Department of Revenue to ensure that such
109 reductions in amounts distributed do not reduce
110 distributions below amounts necessary for certain
111 payments due on bonds and to comply with bond
112 covenants; requiring the Department of Revenue to
113 notify the Department of Juvenile Justice if bond
114 payment requirements require a reduction in deductions
115 for amounts owed by a county; prohibiting the
116 Department of Juvenile Justice from providing to

20182502e1

117 certain nonfiscally constrained counties
118 reimbursements or credits against identified juvenile
119 detention center costs under specified circumstances;
120 prohibiting a nonfiscally constrained county from
121 applying, deducting, or receiving such reimbursements
122 or credits; amending s. 27.5304, F.S.; extending for 1
123 fiscal year certain limitations on compensation for
124 private court-appointed counsel; amending s. 1011.80,
125 F.S.; providing that state funds provided for
126 postsecondary workforce program operations may be used
127 for inmate education if specifically appropriated for
128 such purpose; authorizing a Supreme Court Justice to
129 designate an alternate facility as his or her official
130 headquarters for purposes of travel reimbursement;
131 specifying which expenses may be reimbursed to a
132 justice; requiring the Chief Justice to coordinate
133 with an affected justice and other appropriate
134 officials with respect to implementation; providing
135 for construction; prohibiting the Supreme Court from
136 using state funds to lease space in an alternate
137 facility for use as a justice's official headquarters;
138 requiring the Department of Management Services to use
139 tenant broker services to renegotiate or reprocure
140 certain private lease agreements for office or storage
141 space; requiring the Department of Management Services
142 to provide a report to the Executive Office of the
143 Governor and the Legislature by a specified date;
144 specifying the amount of the transaction fee to be
145 collected for use of the state's online procurement

20182502e1

146 system; prohibiting an agency from transferring funds
147 from a data processing category to another category
148 that is not a data processing category; authorizing
149 the Executive Office of the Governor to transfer funds
150 appropriated in certain appropriation categories
151 between departments for specified purposes; requiring
152 the Department of Financial Services to replace
153 specified components of the Florida Accounting
154 Information Resource Subsystem (FLAIR) and the Cash
155 Management Subsystem (CMS); specifying certain actions
156 to be taken by the Department of Financial Services
157 regarding FLAIR and CMS replacement; providing for the
158 composition of an executive steering committee to
159 oversee FLAIR and CMS replacement; prescribing duties
160 and responsibilities of the executive steering
161 committee; amending s. 282.0051, F.S.; revising the
162 powers, duties, and functions of the Agency for State
163 Technology with respect to the operational management
164 and oversight of the state data center; providing for
165 the future expiration and reversion of specified
166 statutory text; amending s. 216.181, F.S.; extending
167 for 1 fiscal year the authority for the Legislative
168 Budget Commission to increase amounts appropriated to
169 the Fish and Wildlife Conservation Commission or the
170 Department of Environmental Protection for certain
171 fixed capital outlay projects from specified sources;
172 amending s. 215.18, F.S.; extending for 1 fiscal year
173 the authority of the Governor, if there is a specified
174 deficiency in a land acquisition trust fund in the

20182502e1

175 Department of Agriculture and Consumer Services, the
176 Department of Environmental Protection, the Department
177 of State, or the Fish and Wildlife Conservation
178 Commission, to transfer funds from other trust funds
179 in the State Treasury as a temporary loan to such
180 trust fund; providing procedures for the repayment of
181 the temporary loan; amending s. 375.041, F.S.;
182 specifying that certain funds for projects dedicated
183 to restoring Lake Apopka shall be appropriated as
184 provided under the General Appropriations Act;
185 reenacting s. 373.470(6)(a), F.S., relating to
186 Everglades restoration; providing for the future
187 expiration and reversion of specified statutory text;
188 amending s. 216.181, F.S.; extending for 1 fiscal year
189 the authority of the Legislative Budget Commission to
190 increase amounts appropriated to the Department of
191 Environmental Protection for fixed capital outlay
192 projects using specified funds; specifying additional
193 information to be included in budget amendments for
194 projects requiring additional funding; requiring the
195 Department of Environmental Protection to transfer a
196 designated proportionate share of the revenues
197 deposited in the Land Acquisition Trust Fund within
198 the department to land acquisition trust funds in the
199 Department of Agriculture and Consumer Services, the
200 Department of State, and the Fish and Wildlife
201 Conservation Commission, according to specified
202 parameters and calculations; defining the term
203 "department"; requiring the Department of

20182502e1

204 Environmental Protection to retain a proportionate
205 share of revenues; specifying a limit on
206 distributions; requiring the Department of
207 Environmental Protection to make transfers to land
208 acquisition trust funds; specifying the method of
209 determining transfer amounts; authorizing the
210 Department of Environmental Protection to advance
211 funds from its land acquisition trust fund to the Fish
212 and Wildlife Conservation Commission's land
213 acquisition trust fund for specified purposes;
214 requiring the Department of Environmental Protection
215 to prorate amounts transferred to the Fish and
216 Wildlife Conservation Commission; requiring the
217 Department of Environmental Protection to distribute
218 moneys transferred from the Land Acquisition Trust
219 Fund into the Florida Forever Trust Fund in accordance
220 with a specified distribution formula; amending s.
221 375.075, F.S.; requiring that a minimum amount of
222 funds for the Florida Recreation Development
223 Assistance Program be used for projects that provide
224 recreational enhancements and opportunities for
225 children; requiring the Department of Environmental
226 Protection to award grants by a specified date;
227 providing limitations with respect to the number of
228 grant applications a local government may submit and
229 the maximum project grant amount; specifying
230 requirements for the selection criteria used by the
231 department; amending s. 376.3071, F.S.; allocating a
232 specified sum from the Inland Protection Trust Fund

20182502e1

233 for the payment of repair, replacement, and
234 preventative measure costs for storage tanks, piping,
235 or system components; requiring an owner or operator
236 to submit an application to the department to receive
237 funding; prescribing requirements for such
238 application; specifying requirements, restrictions,
239 and limitations regarding applications and payments;
240 prohibiting payments for specified expenses; providing
241 construction; requiring the department to ensure that
242 petroleum storage systems approved after a specified
243 date meet certain standards; amending s. 295.23, F.S.;
244 transferring duties relating to the administration of
245 the veterans research and marketing campaign from the
246 Florida Tourism Industry Marketing Corporation to
247 Florida Is For Veterans, Inc.; revising the annual
248 appropriation for the veterans research and marketing
249 campaign; amending s. 295.21, F.S.; revising the
250 duties of Florida Is For Veterans, Inc., regarding the
251 veterans research and marketing campaign to conform to
252 changes made by the act; providing for the future
253 expiration and reversion of specified statutory text;
254 amending s. 427.013, F.S.; extending for 1 fiscal year
255 a requirement that the Commission for the
256 Transportation Disadvantaged allocate and award
257 appropriated funds for specified purposes; amending s.
258 321.04, F.S.; extending for 1 fiscal year provisions
259 requiring the Department of Highway Safety and Motor
260 Vehicles to assign the patrol officer assigned to the
261 Office of the Governor to the Lieutenant Governor and

20182502e1

262 to assign a patrol officer to a Cabinet member under
263 certain circumstances; amending s. 339.135, F.S.;
264 extending for 1 fiscal year provisions authorizing the
265 Department of Transportation to realign budget
266 authority to carry out the department's work program;
267 amending s. 216.292, F.S.; extending for 1 fiscal year
268 a provision that requires a review of certain
269 transfers of appropriations to ensure compliance with
270 ch. 216, F.S., and that such transfers are not
271 contrary to legislative policy and intent; amending s.
272 112.24, F.S.; extending for 1 fiscal year the
273 authorization, subject to specified requirements, for
274 the assignment of an employee of a state agency under
275 an employee interchange agreement; providing that the
276 annual salaries of the members of the Legislature
277 shall be maintained at a specified level; reenacting
278 s. 215.32(2)(b), F.S., relating to the source and use
279 of certain trust funds; providing for the future
280 expiration and reversion of specified statutory text;
281 prohibiting state agencies from entering into
282 contracts containing certain nondisclosure agreements;
283 providing conditions under which the veto of certain
284 appropriations or proviso language in the General
285 Appropriations Act voids language that implements such
286 appropriations; providing for the continued operation
287 of certain provisions notwithstanding a future repeal
288 or expiration provided by the act; providing
289 severability; providing effective dates.

20182502e1

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

292
293 Section 1. It is the intent of the Legislature that the
294 implementing and administering provisions of this act apply to
295 the General Appropriations Act for the 2018-2019 fiscal year.

296 Section 2. In order to implement Specific Appropriations 6,
297 7, 8, 92, and 93 of the 2018-2019 General Appropriations Act,
298 the calculations of the Florida Education Finance Program for
299 the 2018-2019 fiscal year included in the document titled
300 "Public School Funding: The Florida Education Finance Program,"
301 dated February 1, 2018, and filed with the Secretary of the
302 Senate, are incorporated by reference for the purpose of
303 displaying the calculations used by the Legislature, consistent
304 with the requirements of state law, in making appropriations for
305 the Florida Education Finance Program. This section expires July
306 1, 2019.

307 Section 3. In order to implement Specific Appropriations 6
308 and 92 of the 2018-2019 General Appropriations Act, and
309 notwithstanding ss. 1002.20, 1003.02, 1006.28-1006.42,
310 1011.62(6)(b)5., and 1011.67, Florida Statutes, relating to the
311 expenditure of funds provided for instructional materials, for
312 the 2018-2019 fiscal year, funds provided for instructional
313 materials shall be released and expended as required in the
314 proviso language for Specific Appropriation 92 of the 2018-2019
315 General Appropriations Act. This section expires July 1, 2019.

316 Section 4. In order to implement Specific Appropriations 6
317 and 92 of the 2018-2019 General Appropriations Act, paragraphs
318 (b) and (c) of subsection (10) of section 1002.333, Florida
319 Statutes, are amended to read:

20182502e1

320 1002.333 Persistently low-performing schools.—

321 (10) SCHOOLS OF HOPE PROGRAM.—The Schools of Hope Program
322 is created within the Department of Education.

323 (b) A traditional public school that is required to submit
324 a plan for implementation pursuant to s. 1008.33(4) is eligible
325 to receive funding for services authorized up to \$2,000 per
326 full-time equivalent student from the hope supplemental services
327 allocation established under s. 1011.62(16) Schools of Hope
328 Program based upon the strength of the school's plan for
329 implementation and its focus on evidence-based interventions
330 that lead to student success by providing wrap-around services
331 that leverage community assets, improve school and community
332 collaboration, and develop family and community partnerships.
333 Wrap-around services include, but are not limited to, tutorial
334 and after-school programs, student counseling, nutrition
335 education, parental counseling, and adult education. Plans for
336 implementation may also include models that develop a culture of
337 attending college, high academic expectations, character
338 development, dress codes, and an extended school day and school
339 year. At a minimum, a plan for implementation must:

340 1. Establish wrap-around services that develop family and
341 community partnerships.

342 2. Establish clearly defined and measurable high academic
343 and character standards.

344 3. Increase parental involvement and engagement in the
345 child's education.

346 4. Describe how the school district will identify, recruit,
347 retain, and reward instructional personnel. The state board may
348 waive the requirements of s. 1012.22(1)(c)5., and suspend the

20182502e1

349 ~~requirements of s. 1012.34, to facilitate implementation of the~~
350 ~~plan.~~

351 ~~5. Identify a knowledge-rich curriculum that the school~~
352 ~~will use that focuses on developing a student's background~~
353 ~~knowledge.~~

354 ~~6. Provide professional development that focuses on~~
355 ~~academic rigor, direct instruction, and creating high academic~~
356 ~~and character standards.~~

357 (c) For the 2017-2018 fiscal year, the state board shall:

358 1. Provide awards for up to 25 schools and prioritize
359 awards for implementation plans ~~submitted pursuant to paragraph~~
360 ~~(b)~~ that are based on whole school transformation and that are
361 developed in consultation with the school's principal.

362 2. Annually report on the implementation of this subsection
363 in the report required by s. 1008.345(5), and provide summarized
364 academic performance reports of each traditional public school
365 receiving funds.

366 Section 5. The amendments made by this act to s.
367 1002.33(10)(b)-(c), Florida Statutes, expire July 1, 2019, and
368 the text of those paragraphs shall revert to that in existence
369 on June 30, 2018, except that any amendments to such text
370 enacted other than by this act shall be preserved and continue
371 to operate to the extent that such amendments are not dependent
372 upon the portions of text which expire pursuant to this section.

373 Section 6. In order to implement Specific Appropriations 6
374 and 92 of the 2018-2019 General Appropriations Act, present
375 subsections (16) and (17) of section 1011.62, Florida Statutes,
376 are renumbered as subsections (19) and (20), respectively, new
377 subsections (16) and (17) and subsection (18) are added to that

20182502e1

378 section, and paragraph (a) of subsection (4) and subsection (14)
379 of that section are amended, to read:

380 1011.62 Funds for operation of schools.—If the annual
381 allocation from the Florida Education Finance Program to each
382 district for operation of schools is not determined in the
383 annual appropriations act or the substantive bill implementing
384 the annual appropriations act, it shall be determined as
385 follows:

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

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

394 1.a. Not later than 2 working days before July 19, the
395 Department of Revenue shall certify to the Commissioner of
396 Education its most recent estimate of the taxable value for
397 school purposes in each school district and the total for all
398 school districts in the state for the current calendar year
399 based on the latest available data obtained from the local
400 property appraisers. The value certified shall be the taxable
401 value for school purposes for that year, and no further
402 adjustments shall be made, except those made pursuant to
403 paragraphs (c) and (d), or an assessment roll change required by
404 final judicial decisions as specified in paragraph (19) (b)
405 ~~(16) (b)~~. Not later than July 19, the Commissioner of Education
406 shall compute a millage rate, rounded to the next highest one

20182502e1

407 one-thousandth of a mill, which, when applied to 96 percent of
408 the estimated state total taxable value for school purposes,
409 would generate the prescribed aggregate required local effort
410 for that year for all districts. The Commissioner of Education
411 shall certify to each district school board the millage rate,
412 computed as prescribed in this subparagraph, as the minimum
413 millage rate necessary to provide the district required local
414 effort for that year.

415 b. The General Appropriations Act shall direct the
416 computation of the statewide adjusted aggregate amount for
417 required local effort for all school districts collectively from
418 ad valorem taxes to ensure that no school district's revenue
419 from required local effort millage will produce more than 90
420 percent of the district's total Florida Education Finance
421 Program calculation as calculated and adopted by the
422 Legislature, and the adjustment of the required local effort
423 millage rate of each district that produces more than 90 percent
424 of its total Florida Education Finance Program entitlement to a
425 level that will produce only 90 percent of its total Florida
426 Education Finance Program entitlement in the July calculation.

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

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

434 b. For each year identified in sub-subparagraph a., the
435 taxable value certified by the appraiser pursuant to s.

20182502e1

436 193.122(2) or (3), if applicable, since the prior certification
437 under sub-subparagraph 1.a. This is the certification that
438 reflects all final administrative actions of the value
439 adjustment board.

440 (14) QUALITY ASSURANCE GUARANTEE.—The Legislature may
441 annually in the General Appropriations Act determine a
442 percentage increase in funds per K-12 unweighted FTE as a
443 minimum guarantee to each school district. The guarantee shall
444 be calculated from prior year base funding per unweighted FTE
445 student which shall include the adjusted FTE dollars as provided
446 in subsection (19) ~~(16)~~, quality guarantee funds, and actual
447 nonvoted discretionary local effort from taxes. From the base
448 funding per unweighted FTE, the increase shall be calculated for
449 the current year. The current year funds from which the
450 guarantee shall be determined shall include the adjusted FTE
451 dollars as provided in subsection (19) ~~(16)~~ and potential
452 nonvoted discretionary local effort from taxes. A comparison of
453 current year funds per unweighted FTE to prior year funds per
454 unweighted FTE shall be computed. For those school districts
455 which have less than the legislatively assigned percentage
456 increase, funds shall be provided to guarantee the assigned
457 percentage increase in funds per unweighted FTE student. Should
458 appropriated funds be less than the sum of this calculated
459 amount for all districts, the commissioner shall prorate each
460 district's allocation. This provision shall be implemented to
461 the extent specifically funded.

462 (16) HOPE SUPPLEMENTAL SERVICES ALLOCATION.—The hope
463 supplemental services allocation is created to provide district-
464 managed turnaround schools, as required under s. 1008.33(4)(a),

20182502e1

465 and charter schools authorized under s. 1008.33(4)(b), with
466 funds to offer services designed to improve the overall academic
467 and community welfare of the schools' students and their
468 families.

469 (a) Services funded by the allocation may include, but are
470 not limited to, tutorial and after-school programs, student
471 counseling, nutrition education, and parental counseling. In
472 addition, services may also include models that develop a
473 culture that encourages students to complete high school and to
474 attend college or career training, set high academic
475 expectations, inspire character development, and include an
476 extended school day and school year.

477 (b) Prior to distribution of the allocation, a school
478 district, for a district turnaround school, or the charter
479 school governing board for a charter school, as applicable,
480 shall develop and submit a plan for implementation to its
481 respective governing body for approval no later than August 1 of
482 the fiscal year.

483 (c) At a minimum, the plans required under paragraph (b)
484 must:

485 1. Establish comprehensive support services that develop
486 family and community partnerships;

487 2. Establish clearly defined and measurable high academic
488 and character standards;

489 3. Increase parental involvement and engagement in the
490 child's education;

491 4. Describe how instructional personnel will be identified,
492 recruited, retained, and rewarded;

493 5. Provide professional development that focuses on

20182502e1

494 academic rigor, direct instruction, and creating high academic
495 and character standards; and

496 6. Provide focused instruction to improve student academic
497 proficiency, which may include additional instruction time
498 beyond the normal school day or school year.

499 (d) Each school district and hope operator shall submit
500 approved plans to the commissioner by September 1 of each fiscal
501 year.

502 (e) For the 2018-2019 fiscal year, a school that is
503 selected to receive funding in the 2017-2018 fiscal year
504 pursuant to s. 1002.333(10)(c) shall receive \$2,000 per FTE. A
505 district-managed turnaround school required under s.
506 1008.33(4)(a) and a charter school authorized under s.
507 1008.33(4)(b) are eligible for the remaining funds based on the
508 school's unweighted FTE, up to \$2,000 per FTE or as provided in
509 the General Appropriations Act.

510
511 This subsection expires July 1, 2019.

512 (17) MENTAL HEALTH ASSISTANCE ALLOCATION.—The mental health
513 assistance allocation is created to provide supplemental funding
514 to assist school districts in establishing or expanding
515 comprehensive school-based mental health programs that increase
516 awareness of mental health issues among children and school-age
517 youth; train educators and other school staff in detecting and
518 responding to mental health issues; and connect children, youth,
519 and families who may experience behavioral health issues with
520 appropriate services. These funds may be allocated annually in
521 the General Appropriations Act to each eligible school district
522 and developmental research school based on each entity's

20182502e1

523 proportionate share of Florida Education Finance Program base
524 funding. The district funding allocation must include a minimum
525 amount as specified in the General Appropriations Act. Upon
526 submission and approval of a plan that includes the elements
527 specified in paragraph (b), charter schools are also entitled to
528 a proportionate share of district funding for this program. The
529 allocated funds may not supplant funds that are provided for
530 this purpose from other operating funds and may not be used to
531 increase salaries or provide bonuses.

532 (a) Prior to distribution of the allocation:

533 1. The district must annually develop and submit a detailed
534 plan outlining the local program and planned expenditures to the
535 district school board for approval.

536 2. A charter school must annually develop and submit a
537 detailed plan outlining the local program and planned
538 expenditures of the funds in the plan to its governing body for
539 approval. After the plan is approved by the governing body, it
540 must be provided to its school district for submission to the
541 commissioner.

542 (b) The plans required under paragraph (a) must include, at
543 a minimum, all of the following elements:

544 1. A collaborative effort or partnership between the school
545 district and at least one local community program or agency
546 involved in mental health to provide or to improve prevention,
547 diagnosis, and treatment services for students;

548 2. Programs to assist students in dealing with bullying,
549 trauma, and violence;

550 3. Strategies or programs to reduce the likelihood of at-
551 risk students developing social, emotional, or behavioral health

20182502e1

552 problems or substance use disorders;

553 4. Strategies to improve the early identification of
554 social, emotional, or behavioral problems or substance use
555 disorders and to improve the provision of early intervention
556 services;

557 5. Strategies to enhance the availability of school-based
558 crisis intervention services and appropriate referrals for
559 students in need of mental health services; and

560 6. Training opportunities for school personnel in the
561 techniques and supports needed to identify students who have
562 trauma histories and who have or are at risk of having a mental
563 illness, and in the use of referral mechanisms that effectively
564 link such students to appropriate treatment and intervention
565 services in the school and in the community.

566 (c) The districts shall submit approved plans to the
567 commissioner by August 1 of each fiscal year.

568
569 This subsection expires July 1, 2019.

570 (18) FUNDING COMPRESSION ALLOCATION.—The Legislature may
571 provide an annual funding compression allocation in the General
572 Appropriations Act. The allocation is created to provide
573 additional funding to school districts and developmental
574 research schools whose total funds per FTE in the prior year
575 were less than the statewide average. Using the most recent
576 prior year FEFP calculation for each eligible school district,
577 the total funds per FTE shall be subtracted from the state
578 average funds per FTE, not including any adjustments made
579 pursuant to paragraph (19) (b). The resulting funds per FTE
580 difference, or a portion thereof, as designated in the General

20182502e1

581 Appropriations Act, shall then be multiplied by the school
582 district's total unweighted FTE to provide the allocation. If
583 the calculated funds are greater than the amount included in the
584 General Appropriations Act, they must be prorated to the
585 appropriation amount based on each participating school
586 district's share.

587

588 This subsection expires July 1, 2019.

589 Section 7. In order to implement Specific Appropriations 6
590 and 92 of the 2018-2019 General Appropriations Act, paragraph
591 (c) of subsection (3) of section 1012.731, Florida Statutes, is
592 amended to read:

593 1012.731 The Florida Best and Brightest Teacher Scholarship
594 Program.—

595 (3)

596 (c) Notwithstanding the requirements of this subsection,
597 for the 2017-2018, ~~2018-2019,~~ and 2019-2020 school years, any
598 classroom teacher who:

599 1. Was evaluated as highly effective pursuant to s. 1012.34
600 in the school year immediately preceding the year in which the
601 scholarship will be awarded shall receive a scholarship of
602 \$1200, including a classroom teacher who received an award
603 pursuant to paragraph (a).

604 2. Was evaluated as effective pursuant to s. 1012.34 in the
605 school year immediately preceding the year in which the
606 scholarship will be awarded a scholarship of up to \$800. If the
607 number of eligible classroom teachers under this subparagraph
608 exceeds the total allocation, the department shall prorate the
609 per-teacher scholarship amount.

20182502e1

610
611 This paragraph expires July 1, 2020.

612 Section 8. In order to implement Specific Appropriation 200
613 of the 2018-2019 General Appropriations Act, the calculations
614 for the Medicaid Disproportionate Share Hospital program for the
615 2018-2019 fiscal year contained in the document titled "Medicaid
616 Hospital Funding Program," dated January 26, 2018, and filed
617 with the Secretary of the Senate, are incorporated by reference
618 for the purpose of displaying the calculations used by the
619 Legislature, consistent with the requirements of state law, in
620 making appropriations for the Medicaid Disproportionate Share
621 Hospital program. This section expires July 1, 2019.

622 Section 9. In order to implement Specific Appropriations
623 193 through 220 and 524 of the 2018-2019 General Appropriations
624 Act, and notwithstanding ss. 216.181 and 216.292, Florida
625 Statutes, the Agency for Health Care Administration, in
626 consultation with the Department of Health, may submit a budget
627 amendment, subject to the notice, review, and objection
628 procedures of s. 216.177, Florida Statutes, to realign funding
629 within and between agencies based on implementation of the
630 Managed Medical Assistance component of the Statewide Medicaid
631 Managed Care program for the Children's Medical Services program
632 of the Department of Health. The funding realignment shall
633 reflect the actual enrollment changes due to the transfer of
634 beneficiaries from fee-for-service to the capitated Children's
635 Medical Services Network. The Agency for Health Care
636 Administration may submit a request for nonoperating budget
637 authority to transfer the federal funds to the Department of
638 Health pursuant to s. 216.181(12), Florida Statutes. This

20182502e1

639 section expires July 1, 2019.

640 Section 10. In order to implement Specific Appropriation
641 242 of the 2018-2019 General Appropriations Act:

642 (1) If during the 2018-2019 fiscal year, the Agency for
643 Persons with Disabilities ceases to have an allocation algorithm
644 and methodology adopted by valid rule pursuant to s. 393.0662,
645 Florida Statutes, the agency shall use the following until it
646 adopts a new allocation algorithm and methodology:

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

651 (b) The Agency for Persons with Disabilities shall
652 determine the iBudget for a client newly enrolled in the home
653 and community-based services waiver program using the same
654 allocation algorithm and methodology used for the iBudgets
655 determined between January 1, 2017, and December 31, 2017.

656 (2) After a new allocation algorithm and methodology is
657 adopted by final rule, a client's new iBudget shall be
658 determined based on the new allocation algorithm and methodology
659 and shall take effect as of the client's next support plan
660 update.

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

664 (4) This section expires July 1, 2019.

665 Section 11. Effective October 1, 2018, in order to
666 implement Specific Appropriations 217 and 218 of the 2018-2019
667 General Appropriations Act, section 8 of chapter 2017-129, Laws

20182502e1

668 of Florida, is amended to read:

669 Section 8. Effective October 1, 2018, subsection (2) of
670 section 409.908, Florida Statutes, is amended to read:

671 409.908 Reimbursement of Medicaid providers.—Subject to
672 specific appropriations, the agency shall reimburse Medicaid
673 providers, in accordance with state and federal law, according
674 to methodologies set forth in the rules of the agency and in
675 policy manuals and handbooks incorporated by reference therein.
676 These methodologies may include fee schedules, reimbursement
677 methods based on cost reporting, negotiated fees, competitive
678 bidding pursuant to s. 287.057, and other mechanisms the agency
679 considers efficient and effective for purchasing services or
680 goods on behalf of recipients. If a provider is reimbursed based
681 on cost reporting and submits a cost report late and that cost
682 report would have been used to set a lower reimbursement rate
683 for a rate semester, then the provider's rate for that semester
684 shall be retroactively calculated using the new cost report, and
685 full payment at the recalculated rate shall be effected
686 retroactively. Medicare-granted extensions for filing cost
687 reports, if applicable, shall also apply to Medicaid cost
688 reports. Payment for Medicaid compensable services made on
689 behalf of Medicaid eligible persons is subject to the
690 availability of moneys and any limitations or directions
691 provided for in the General Appropriations Act or chapter 216.
692 Further, nothing in this section shall be construed to prevent
693 or limit the agency from adjusting fees, reimbursement rates,
694 lengths of stay, number of visits, or number of services, or
695 making any other adjustments necessary to comply with the
696 availability of moneys and any limitations or directions

20182502e1

697 provided for in the General Appropriations Act, provided the
698 adjustment is consistent with legislative intent.

699 (2) (a) 1. Reimbursement to nursing homes licensed under part
700 II of chapter 400 and state-owned-and-operated intermediate care
701 facilities for the developmentally disabled licensed under part
702 VIII of chapter 400 must be made prospectively.

703 2. Unless otherwise limited or directed in the General
704 Appropriations Act, reimbursement to hospitals licensed under
705 part I of chapter 395 for the provision of swing-bed nursing
706 home services must be made on the basis of the average statewide
707 nursing home payment, and reimbursement to a hospital licensed
708 under part I of chapter 395 for the provision of skilled nursing
709 services must be made on the basis of the average nursing home
710 payment for those services in the county in which the hospital
711 is located. When a hospital is located in a county that does not
712 have any community nursing homes, reimbursement shall be
713 determined by averaging the nursing home payments in counties
714 that surround the county in which the hospital is located.
715 Reimbursement to hospitals, including Medicaid payment of
716 Medicare copayments, for skilled nursing services shall be
717 limited to 30 days, unless a prior authorization has been
718 obtained from the agency. Medicaid reimbursement may be extended
719 by the agency beyond 30 days, and approval must be based upon
720 verification by the patient's physician that the patient
721 requires short-term rehabilitative and recuperative services
722 only, in which case an extension of no more than 15 days may be
723 approved. Reimbursement to a hospital licensed under part I of
724 chapter 395 for the temporary provision of skilled nursing
725 services to nursing home residents who have been displaced as

20182502e1

726 the result of a natural disaster or other emergency may not
727 exceed the average county nursing home payment for those
728 services in the county in which the hospital is located and is
729 limited to the period of time which the agency considers
730 necessary for continued placement of the nursing home residents
731 in the hospital.

732 (b) Subject to any limitations or directions in the General
733 Appropriations Act, the agency shall establish and implement a
734 state Title XIX Long-Term Care Reimbursement Plan for nursing
735 home care in order to provide care and services in conformance
736 with the applicable state and federal laws, rules, regulations,
737 and quality and safety standards and to ensure that individuals
738 eligible for medical assistance have reasonable geographic
739 access to such care.

740 1. The agency shall amend the long-term care reimbursement
741 plan and cost reporting system to create direct care and
742 indirect care subcomponents of the patient care component of the
743 per diem rate. These two subcomponents together shall equal the
744 patient care component of the per diem rate. Separate prices
745 shall be calculated for each patient care subcomponent,
746 initially based on the September 2016 rate setting cost reports
747 and subsequently based on the most recently audited cost report
748 used during a rebasing year. The direct care subcomponent of the
749 per diem rate for any providers still being reimbursed on a cost
750 basis shall be limited by the cost-based class ceiling, and the
751 indirect care subcomponent may be limited by the lower of the
752 cost-based class ceiling, the target rate class ceiling, or the
753 individual provider target. The ceilings and targets apply only
754 to providers being reimbursed on a cost-based system. Effective

20182502e1

755 October 1, 2018, a prospective payment methodology shall be
 756 implemented for rate setting purposes with the following
 757 parameters:

758 a. Peer Groups, including:

759 (I) North-SMMC Regions 1-9, less Palm Beach and Okeechobee
 760 Counties; and

761 (II) South-SMMC Regions 10-11, plus Palm Beach and
 762 Okeechobee Counties.

763 b. Percentage of Median Costs based on the cost reports
 764 used for September 2016 rate setting:

765 (I) Direct Care Costs.....105 ~~100~~ percent.
 766 (II) Indirect Care Costs.....92 percent.
 767 (III) Operating Costs.....86 percent.

768 c. Floors:

769 (I) Direct Care Component.....95 percent.
 770 (II) Indirect Care Component.....92.5 percent.
 771 (III) Operating Component.....None.

772 d. Pass-through Payments...Real Estate and Personal Property
 773 Taxes and Property Insurance.

774 e. Quality Incentive Program Payment Pool...7.5 ~~6~~ percent of
 775 September 2016 non-property related payments of included
 776 facilities.

777 f. Quality Score Threshold to Quality for Quality Incentive
 778 Payment.....20th percentile of included facilities.

779 g. Fair Rental Value System Payment Parameters:

780 (I) Building Value per Square Foot based on 2018 RS Means.
 781 (II) Land Valuation.....10 percent of Gross Building value.
 782 (III) Facility Square Footage.....Actual Square Footage.
 783 (IV) Moveable Equipment Allowance.....\$8,000 per bed.

20182502e1

- 784 (V) Obsolescence Factor.....1.5 percent.
- 785 (VI) Fair Rental Rate of Return.....8 percent.
- 786 (VII) Minimum Occupancy.....90 percent.
- 787 (VIII) Maximum Facility Age.....40 years.
- 788 (IX) Minimum Square Footage per Bed.....350.
- 789 (X) Maximum Square Footage for Bed.....500.
- 790 (XI) Minimum Cost of a renovation/replacements.\$500 per bed.

791 h. Ventilator Supplemental payment of \$200 per Medicaid day
 792 of 40,000 ventilator Medicaid days per fiscal year.

793 2. The direct care subcomponent shall include salaries and
 794 benefits of direct care staff providing nursing services
 795 including registered nurses, licensed practical nurses, and
 796 certified nursing assistants who deliver care directly to
 797 residents in the nursing home facility, allowable therapy costs,
 798 and dietary costs. This excludes nursing administration, staff
 799 development, the staffing coordinator, and the administrative
 800 portion of the minimum data set and care plan coordinators. The
 801 direct care subcomponent also includes medically necessary
 802 dental care, vision care, hearing care, and podiatric care.

803 3. All other patient care costs shall be included in the
 804 indirect care cost subcomponent of the patient care per diem
 805 rate, including complex medical equipment, medical supplies, and
 806 other allowable ancillary costs. Costs may not be allocated
 807 directly or indirectly to the direct care subcomponent from a
 808 home office or management company.

809 4. On July 1 of each year, the agency shall report to the
 810 Legislature direct and indirect care costs, including average
 811 direct and indirect care costs per resident per facility and
 812 direct care and indirect care salaries and benefits per category

20182502e1

813 of staff member per facility.

814 5. Every fourth year, the agency shall rebase nursing home
815 prospective payment rates to reflect changes in cost based on
816 the most recently audited cost report for each participating
817 provider.

818 6. A direct care supplemental payment may be made to
819 providers whose direct care hours per patient day are above the
820 80th percentile and who provide Medicaid services to a larger
821 percentage of Medicaid patients than the state average.

822 7. For the period beginning on October 1, 2018, and ending
823 on September 30, 2021, the agency shall reimburse providers the
824 greater of their September 2016 cost-based rate or their
825 prospective payment rate. Effective October 1, 2021, the agency
826 shall reimburse providers the greater of 95 percent of their
827 cost-based rate or their rebased prospective payment rate, using
828 the most recently audited cost report for each facility. This
829 subparagraph shall expire September 30, 2023.

830 8. Pediatric, Florida Department of Veterans Affairs, and
831 government-owned facilities are exempt from the pricing model
832 established in this subsection and shall remain on a cost-based
833 prospective payment system. Effective October 1, 2018, the
834 agency shall set rates for all facilities remaining on a cost-
835 based prospective payment system using each facility's most
836 recently audited cost report, eliminating retroactive
837 settlements.

838
839 It is the intent of the Legislature that the reimbursement plan
840 achieve the goal of providing access to health care for nursing
841 home residents who require large amounts of care while

20182502e1

842 encouraging diversion services as an alternative to nursing home
843 care for residents who can be served within the community. The
844 agency shall base the establishment of any maximum rate of
845 payment, whether overall or component, on the available moneys
846 as provided for in the General Appropriations Act. The agency
847 may base the maximum rate of payment on the results of
848 scientifically valid analysis and conclusions derived from
849 objective statistical data pertinent to the particular maximum
850 rate of payment.

851 Section 12. Effective October 1, 2018, in order to
852 implement Specific Appropriations 217 and 218 of the 2018-2019
853 General Appropriations Act, subsection (23) of section 409.908,
854 Florida Statutes, is amended to read:

855 409.908 Reimbursement of Medicaid providers.—Subject to
856 specific appropriations, the agency shall reimburse Medicaid
857 providers, in accordance with state and federal law, according
858 to methodologies set forth in the rules of the agency and in
859 policy manuals and handbooks incorporated by reference therein.
860 These methodologies may include fee schedules, reimbursement
861 methods based on cost reporting, negotiated fees, competitive
862 bidding pursuant to s. 287.057, and other mechanisms the agency
863 considers efficient and effective for purchasing services or
864 goods on behalf of recipients. If a provider is reimbursed based
865 on cost reporting and submits a cost report late and that cost
866 report would have been used to set a lower reimbursement rate
867 for a rate semester, then the provider's rate for that semester
868 shall be retroactively calculated using the new cost report, and
869 full payment at the recalculated rate shall be effected
870 retroactively. Medicare-granted extensions for filing cost

20182502e1

871 reports, if applicable, shall also apply to Medicaid cost
872 reports. Payment for Medicaid compensable services made on
873 behalf of Medicaid eligible persons is subject to the
874 availability of moneys and any limitations or directions
875 provided for in the General Appropriations Act or chapter 216.
876 Further, nothing in this section shall be construed to prevent
877 or limit the agency from adjusting fees, reimbursement rates,
878 lengths of stay, number of visits, or number of services, or
879 making any other adjustments necessary to comply with the
880 availability of moneys and any limitations or directions
881 provided for in the General Appropriations Act, provided the
882 adjustment is consistent with legislative intent.

883 (23) (a) The agency shall establish rates at a level that
884 ensures no increase in statewide expenditures resulting from a
885 change in unit costs for county health departments effective
886 July 1, 2011. Reimbursement rates shall be as provided in the
887 General Appropriations Act.

888 (b) 1. Base rate reimbursement for inpatient services under
889 a diagnosis-related group payment methodology shall be provided
890 in the General Appropriations Act.

891 ~~2. (e)~~ Base rate reimbursement for outpatient services under
892 an enhanced ambulatory payment group methodology shall be
893 provided in the General Appropriations Act.

894 3. Prospective payment system reimbursement for nursing
895 home services shall be as provided in subsection (2) and in the
896 General Appropriations Act

897 ~~(d) This subsection applies to the following provider~~
898 ~~types:~~

899 ~~1. Nursing homes.~~

20182502e1

900 ~~2. County health departments.~~

901 ~~(c) The agency shall apply the effect of this subsection to~~
902 ~~the reimbursement rates for nursing home diversion programs.~~

903 Section 13. The amendments made by this act to ss.
904 409.908(2) and (23), Florida Statutes, expire July 1, 2019, and
905 the text of those subsections shall revert to that in existence
906 on October 1, 2018, not including any amendments made by this
907 act, except that any amendments to such text enacted other than
908 by this act shall be preserved and continue to operate to the
909 extent that such amendments are not dependent upon the portions
910 of text which expire pursuant to this section.

911 Section 14. Effective upon this act becoming a law, in
912 order to implement Specific Appropriations 199, 203, 204, 206,
913 208, and 217 of the 2018-2019 General Appropriations Act, the
914 Agency for Health Care Administration shall seek authorization
915 from the federal Centers for Medicare and Medicaid Services to
916 modify the period of retroactive Medicaid eligibility from 90
917 days to 30 days in a manner that ensures that the modification
918 becomes effective on July 1, 2018.

919 Section 15. In order to implement Specific Appropriation
920 200 of the 2018-2019 General Appropriations Act, subsections (2)
921 and (10) of section 409.911, Florida Statutes, are amended to
922 read:

923 409.911 Disproportionate share program.—Subject to specific
924 allocations established within the General Appropriations Act
925 and any limitations established pursuant to chapter 216, the
926 agency shall distribute, pursuant to this section, moneys to
927 hospitals providing a disproportionate share of Medicaid or
928 charity care services by making quarterly Medicaid payments as

20182502e1

929 required. Notwithstanding the provisions of s. 409.915, counties
930 are exempt from contributing toward the cost of this special
931 reimbursement for hospitals serving a disproportionate share of
932 low-income patients.

933 (2) The Agency for Health Care Administration shall use the
934 following actual audited data to determine the Medicaid days and
935 charity care to be used in calculating the disproportionate
936 share payment:

937 (a) The average of the 2010, 2011, and 2012 ~~2009, 2010, and~~
938 ~~2011~~ audited disproportionate share data to determine each
939 hospital's Medicaid days and charity care for the 2018-2019
940 ~~2017-2018~~ state fiscal year.

941 (b) If the Agency for Health Care Administration does not
942 have the prescribed 3 years of audited disproportionate share
943 data as noted in paragraph (a) for a hospital, the agency shall
944 use the average of the years of the audited disproportionate
945 share data as noted in paragraph (a) which is available.

946 (c) In accordance with s. 1923(b) of the Social Security
947 Act, a hospital with a Medicaid inpatient utilization rate
948 greater than one standard deviation above the statewide mean or
949 a hospital with a low-income utilization rate of 25 percent or
950 greater shall qualify for reimbursement.

951 (10) Notwithstanding any provision of this section to the
952 contrary, for the 2018-2019 ~~2017-2018~~ state fiscal year, the
953 agency shall distribute moneys to hospitals providing a
954 disproportionate share of Medicaid or charity care services as
955 provided in the 2018-2019 ~~2017-2018~~ General Appropriations Act.
956 This subsection expires July 1, 2019 ~~2018~~.

957 Section 16. In order to implement Specific Appropriation

20182502e1

958 200 of the 2018-2019 General Appropriations Act, subsection (3)
959 of section 409.9113, Florida Statutes, is amended to read:

960 409.9113 Disproportionate share program for teaching
961 hospitals.—In addition to the payments made under s. 409.911,
962 the agency shall make disproportionate share payments to
963 teaching hospitals, as defined in s. 408.07, for their increased
964 costs associated with medical education programs and for
965 tertiary health care services provided to the indigent. This
966 system of payments must conform to federal requirements and
967 distribute funds in each fiscal year for which an appropriation
968 is made by making quarterly Medicaid payments. Notwithstanding
969 s. 409.915, counties are exempt from contributing toward the
970 cost of this special reimbursement for hospitals serving a
971 disproportionate share of low-income patients. The agency shall
972 distribute the moneys provided in the General Appropriations Act
973 to statutorily defined teaching hospitals and family practice
974 teaching hospitals, as defined in s. 395.805, pursuant to this
975 section. The funds provided for statutorily defined teaching
976 hospitals shall be distributed as provided in the General
977 Appropriations Act. The funds provided for family practice
978 teaching hospitals shall be distributed equally among family
979 practice teaching hospitals.

980 (3) Notwithstanding any provision of this section to the
981 contrary, for the 2018-2019 ~~2017-2018~~ state fiscal year, the
982 agency shall make disproportionate share payments to teaching
983 hospitals, as defined in s. 408.07, as provided in the 2018-2019
984 ~~2017-2018~~ General Appropriations Act. This subsection expires
985 July 1, 2019 ~~2018~~.

986 Section 17. In order to implement Specific Appropriation

20182502e1

987 200 of the 2018-2019 General Appropriations Act, subsection (4)
988 of section 409.9119, Florida Statutes, is amended to read:

989 409.9119 Disproportionate share program for specialty
990 hospitals for children.—In addition to the payments made under
991 s. 409.911, the Agency for Health Care Administration shall
992 develop and implement a system under which disproportionate
993 share payments are made to those hospitals that are separately
994 licensed by the state as specialty hospitals for children, have
995 a federal Centers for Medicare and Medicaid Services
996 certification number in the 3300-3399 range, have Medicaid days
997 that exceed 55 percent of their total days and Medicare days
998 that are less than 5 percent of their total days, and were
999 licensed on January 1, 2013, as specialty hospitals for
1000 children. This system of payments must conform to federal
1001 requirements and must distribute funds in each fiscal year for
1002 which an appropriation is made by making quarterly Medicaid
1003 payments. Notwithstanding s. 409.915, counties are exempt from
1004 contributing toward the cost of this special reimbursement for
1005 hospitals that serve a disproportionate share of low-income
1006 patients. The agency may make disproportionate share payments to
1007 specialty hospitals for children as provided for in the General
1008 Appropriations Act.

1009 (4) Notwithstanding any provision of this section to the
1010 contrary, for the 2018-2019 ~~2017-2018~~ state fiscal year, for
1011 hospitals achieving full compliance under subsection (3), the
1012 agency shall make disproportionate share payments to specialty
1013 hospitals for children as provided in the 2018-2019 ~~2017-2018~~
1014 General Appropriations Act. This subsection expires July 1, 2019
1015 ~~2018~~.

20182502e1

1016 Section 18. In order to implement Specific Appropriations
1017 583 through 692 and 711 through 745 of the 2018-2019 General
1018 Appropriations Act, subsection (4) of section 216.262, Florida
1019 Statutes, is amended to read:

1020 216.262 Authorized positions.—

1021 (4) Notwithstanding the provisions of this chapter relating
1022 to increasing the number of authorized positions, and for the
1023 2018-2019 ~~2017-2018~~ fiscal year only, if the actual inmate
1024 population of the Department of Corrections exceeds the inmate
1025 population projections of the December 20, 2017 ~~February 23,~~
1026 ~~2017~~, Criminal Justice Estimating Conference by 1 percent for 2
1027 consecutive months or 2 percent for any month, the Executive
1028 Office of the Governor, with the approval of the Legislative
1029 Budget Commission, shall immediately notify the Criminal Justice
1030 Estimating Conference, which shall convene as soon as possible
1031 to revise the estimates. The Department of Corrections may then
1032 submit a budget amendment requesting the establishment of
1033 positions in excess of the number authorized by the Legislature
1034 and additional appropriations from unallocated general revenue
1035 sufficient to provide for essential staff, fixed capital
1036 improvements, and other resources to provide classification,
1037 security, food services, health services, and other variable
1038 expenses within the institutions to accommodate the estimated
1039 increase in the inmate population. All actions taken pursuant to
1040 this subsection are subject to review and approval by the
1041 Legislative Budget Commission. This subsection expires July 1,
1042 2019 ~~2018~~.

1043 Section 19. In order to implement Specific Appropriations
1044 3127 through 3194 of the 2018-2019 General Appropriations Act,

20182502e1

1045 subsection (2) of section 215.18, Florida Statutes, is amended
1046 to read:

1047 215.18 Transfers between funds; limitation.—

1048 (2) The Chief Justice of the Supreme Court may receive one
1049 or more trust fund loans to ensure that the state court system
1050 has funds sufficient to meet its appropriations in the 2018-2019
1051 ~~2017-2018~~ General Appropriations Act. If the Chief Justice
1052 accesses the loan, he or she must notify the Governor and the
1053 chairs of the legislative appropriations committees in writing.
1054 The loan must come from other funds in the State Treasury which
1055 are for the time being or otherwise in excess of the amounts
1056 necessary to meet the just requirements of such last-mentioned
1057 funds. The Governor shall order the transfer of funds within 5
1058 days after the written notification from the Chief Justice. If
1059 the Governor does not order the transfer, the Chief Financial
1060 Officer shall transfer the requested funds. The loan of funds
1061 from which any money is temporarily transferred must be repaid
1062 by the end of the 2018-2019 ~~2017-2018~~ fiscal year. This
1063 subsection expires July 1, 2019 ~~2018~~.

1064 Section 20. In order to implement Specific Appropriation
1065 716 of the 2018-2019 General Appropriations Act, and
1066 notwithstanding s. 216.292, Florida Statutes, the Department of
1067 Corrections is authorized to submit budget amendments to
1068 transfer funds from categories within the department other than
1069 fixed capital outlay categories into the Inmate Health Services
1070 category in order to continue the current level of care in the
1071 provision of health services. Such transfers are subject to the
1072 notice, review, and objection procedures of s. 216.177, Florida
1073 Statutes. This section expires July 1, 2019.

20182502e1

1074 Section 21. (1) In order to implement Specific
1075 Appropriations 1104 through 1114 of the 2018-2019 General
1076 Appropriations Act, the Department of Juvenile Justice must
1077 review county juvenile detention payments to ensure that
1078 counties fulfill their financial responsibilities required in s.
1079 985.6865, Florida Statutes. If the Department of Juvenile
1080 Justice determines that a county has not met its obligations,
1081 the department must direct the Department of Revenue to deduct
1082 the amount owed to the Department of Juvenile Justice from the
1083 funds provided to the county under s. 218.23, Florida Statutes.
1084 The Department of Revenue shall transfer the funds withheld to
1085 the Shared County/State Juvenile Detention Trust Fund.

1086 (2) As an assurance to holders of bonds issued by counties
1087 before July 1, 2018, for which distributions made pursuant to s.
1088 218.23, Florida Statutes, are pledged, or bonds issued to refund
1089 such bonds which mature no later than the bonds they refunded
1090 and which result in a reduction of debt service payable in each
1091 fiscal year, the amount available for distribution to a county
1092 shall remain as provided by law and continue to be subject to
1093 any lien or claim on behalf of the bondholders. The Department
1094 of Revenue must ensure, based on information provided by an
1095 affected county, that any reduction in amounts distributed
1096 pursuant to subsection (1) does not reduce the amount of
1097 distribution to a county below the amount necessary for the
1098 timely payment of principal and interest when due on the bonds
1099 and the amount necessary to comply with any covenant under the
1100 bond resolution or other documents relating to the issuance of
1101 the bonds. If a reduction to a county's monthly distribution
1102 must be decreased in order to comply with this subsection, the

20182502e1

1103 Department of Revenue must notify the Department of Juvenile
1104 Justice of the amount of the decrease, and the Department of
1105 Juvenile Justice must send a bill for payment of such amount to
1106 the affected county.

1107 (3) This section expires July 1, 2019.

1108 Section 22. In order to implement Specific Appropriations
1109 1104 through 1114 of the 2018-2019 General Appropriations Act,
1110 the Department of Juvenile Justice may not provide, make, pay,
1111 or deduct, and a nonfiscally constrained county may not apply,
1112 deduct, or receive any reimbursement or any credit for any
1113 previous overpayment of juvenile detention care costs related to
1114 or for any previous state fiscal year, against the juvenile
1115 detention care costs due from the nonfiscally constrained county
1116 in the 2018-2019 fiscal year pursuant to s. 985.686, Florida
1117 Statutes, or any other law. This section expires July 1, 2019.

1118 Section 23. In order to implement Specific Appropriation
1119 772 of the 2018-2019 General Appropriations Act, subsection (13)
1120 of section 27.5304, Florida Statutes, is amended to read:

1121 27.5304 Private court-appointed counsel; compensation;
1122 notice.—

1123 (13) Notwithstanding the limitation set forth in subsection
1124 (5) and for the 2018-2019 ~~2017-2018~~ fiscal year only, the
1125 compensation for representation in a criminal proceeding may not
1126 exceed the following:

1127 (a) For misdemeanors and juveniles represented at the trial
1128 level: \$1,000.

1129 (b) For noncapital, nonlife felonies represented at the
1130 trial level: \$15,000.

1131 (c) For life felonies represented at the trial level:

20182502e1

1132 \$15,000.

1133 (d) For capital cases represented at the trial level:
1134 \$25,000. For purposes of this paragraph, a "capital case" is any
1135 offense for which the potential sentence is death and the state
1136 has not waived seeking the death penalty.

1137 (e) For representation on appeal: \$9,000.

1138

1139 ~~(f)~~ This subsection expires July 1, 2019 ~~2018~~.

1140 Section 24. In order to implement Specific Appropriation
1141 732 of the 2018-2019 General Appropriations Act, paragraph (b)
1142 of subsection (7) of section 1011.80, Florida Statutes, is
1143 amended to read:

1144 1011.80 Funds for operation of workforce education
1145 programs.—

1146 (7)

1147 (b) State funds provided for the operation of postsecondary
1148 workforce programs may not be expended for the education of
1149 state or federal inmates, except to the extent that such funds
1150 are specifically appropriated for such purpose in the 2018-2019
1151 General Appropriations Act.

1152 Section 25. In order to implement Specific Appropriation
1153 3129 of the 2018-2019 General Appropriations Act, and
1154 notwithstanding s. 112.061(4), Florida Statutes:

1155 (1) (a) A Supreme Court justice who permanently resides
1156 outside Leon County may, if he or she so requests, have a
1157 district court of appeal courthouse, a county courthouse, or
1158 other appropriate facility in his or her district of residence
1159 designated as his or her official headquarters for purposes of
1160 s. 112.061, Florida Statutes. This official headquarters may

20182502e1

1161 serve only as the justice's private chambers.

1162 (b) A justice for whom an official headquarters is
1163 designated in his or her district of residence under this
1164 subsection is eligible for subsistence at a rate to be
1165 established by the Chief Justice for each day or partial day
1166 that the justice is at the headquarters of the Supreme Court to
1167 conduct court business. In addition to the subsistence
1168 allowance, a justice is eligible for reimbursement for
1169 transportation expenses as provided in s. 112.061(7), Florida
1170 Statutes, for travel between the justice's official headquarters
1171 and the headquarters of the Supreme Court to conduct court
1172 business.

1173 (c) Payment of subsistence and reimbursement for
1174 transportation expenses relating to travel between a justice's
1175 official headquarters and the headquarters of the Supreme Court
1176 shall be made to the extent appropriated funds are available, as
1177 determined by the Chief Justice.

1178 (2) The Chief Justice shall coordinate with each affected
1179 justice and other state and local officials as necessary to
1180 implement paragraph (1)(a).

1181 (3)(a) This section does not require a county to provide
1182 space in a county courthouse for a justice. A county may enter
1183 into an agreement with the Supreme Court governing the use of
1184 space in a county courthouse.

1185 (b) The Supreme Court may not use state funds to lease
1186 space in a district court of appeal courthouse, a county
1187 courthouse, or another facility to allow a justice to establish
1188 an official headquarters pursuant to subsection (1).

1189 (4) This section expires July 1, 2019.

20182502e1

1190 Section 26. In order to implement appropriations used to
1191 pay existing lease contracts for private lease space in excess
1192 of 2,000 square feet in the 2018-2019 General Appropriations
1193 Act, the Department of Management Services, with the cooperation
1194 of the agencies having the existing lease contracts for office
1195 or storage space, shall use tenant broker services to
1196 renegotiate or reprocure all private lease agreements for office
1197 or storage space expiring between July 1, 2019, and June 30,
1198 2021, in order to reduce costs in future years. The department
1199 shall incorporate this initiative into its 2018 master leasing
1200 report required under s. 255.249(7), Florida Statutes, and may
1201 use tenant broker services to explore the possibilities of
1202 collocating office or storage space, to review the space needs
1203 of each agency, and to review the length and terms of potential
1204 renewals or renegotiations. The department shall provide a
1205 report to the Executive Office of the Governor, the President of
1206 the Senate, and the Speaker of the House of Representatives by
1207 November 1, 2018, which lists each lease contract for private
1208 office or storage space, the status of renegotiations, and the
1209 savings achieved. This section expires July 1, 2019.

1210 Section 27. In order to implement Specific Appropriations
1211 2758 through 2770 of the 2018-2019 General Appropriations Act,
1212 and notwithstanding rule 60A-1.031, Florida Administrative Code,
1213 the transaction fee collected for use of the online procurement
1214 system, authorized in ss. 287.042(1)(h)1. and 287.057(22)(c),
1215 Florida Statutes, is seven-tenths of 1 percent for the 2018-2019
1216 fiscal year only. This section expires July 1, 2019.

1217 Section 28. In order to implement appropriations authorized
1218 in the 2018-2019 General Appropriations Act for data center

20182502e1

1219 services, and notwithstanding s. 216.292(2)(a), Florida
1220 Statutes, an agency may not transfer funds from a data
1221 processing category to a category other than another data
1222 processing category. This section expires July 1, 2019.

1223 Section 29. In order to implement the appropriation of
1224 funds in the appropriation category "Data Processing Assessment-
1225 Agency for State Technology" in the 2018-2019 General
1226 Appropriations Act, and pursuant to the notice, review, and
1227 objection procedures of s. 216.177, Florida Statutes, the
1228 Executive Office of the Governor may transfer funds appropriated
1229 in that category between departments in order to align the
1230 budget authority granted based on the estimated billing cycle
1231 and methodology used by the Agency for State Technology for data
1232 processing services provided. This section expires July 1, 2019.

1233 Section 30. In order to implement the appropriation of
1234 funds in the appropriation category "Special Categories-Risk
1235 Management Insurance" in the 2018-2019 General Appropriations
1236 Act, and pursuant to the notice, review, and objection
1237 procedures of s. 216.177, Florida Statutes, the Executive Office
1238 of the Governor may transfer funds appropriated in that category
1239 between departments in order to align the budget authority
1240 granted with the premiums paid by each department for risk
1241 management insurance. This section expires July 1, 2019.

1242 Section 31. In order to implement the appropriation of
1243 funds in the appropriation category "Special Categories-Transfer
1244 to Department of Management Services-Human Resources Services
1245 Purchased per Statewide Contract" in the 2018-2019 General
1246 Appropriations Act, and pursuant to the notice, review, and
1247 objection procedures of s. 216.177, Florida Statutes, the

20182502e1

1248 Executive Office of the Governor may transfer funds appropriated
1249 in that category between departments in order to align the
1250 budget authority granted with the assessments that must be paid
1251 by each agency to the Department of Management Services for
1252 human resource management services. This section expires July 1,
1253 2019.

1254 Section 32. In order to implement Specific Appropriation
1255 2333 of the 2018-2019 General Appropriations Act:

1256 (1) The Department of Financial Services shall replace the
1257 four main components of the Florida Accounting Information
1258 Resource Subsystem (FLAIR), which include central FLAIR,
1259 departmental FLAIR, payroll, and information warehouse, and
1260 shall replace the cash management and accounting management
1261 components of the Cash Management Subsystem (CMS) with an
1262 integrated enterprise system that allows the state to organize,
1263 define, and standardize its financial management business
1264 processes and that complies with ss. 215.90-215.96, Florida
1265 Statutes. The department may not include in the replacement of
1266 FLAIR and CMS:

1267 (a) Functionality that duplicates any of the other
1268 information subsystems of the Florida Financial Management
1269 Information System; or

1270 (b) Agency business processes related to any of the
1271 functions included in the Personnel Information System, the
1272 Purchasing Subsystem, or the Legislative Appropriations
1273 System/Planning and Budgeting Subsystem.

1274 (2) For purposes of replacing FLAIR and CMS, the Department
1275 of Financial Services shall:

1276 (a) Take into consideration the cost and implementation

20182502e1

1277 data identified for Option 3 as recommended in the March 31,
1278 2014, Florida Department of Financial Services FLAIR Study,
1279 version 031.

1280 (b) Ensure that all business requirements and technical
1281 specifications have been provided to all state agencies for
1282 their review and input and approved by the executive steering
1283 committee established in paragraph (c).

1284 (c) Implement a project governance structure that includes
1285 an executive steering committee composed of:

1286 1. The Chief Financial Officer or the executive sponsor of
1287 the project.

1288 2. A representative of the Division of Treasury of the
1289 Department of Financial Services, appointed by the Chief
1290 Financial Officer.

1291 3. A representative of the Division of Information Systems
1292 of the Department of Financial Services, appointed by the Chief
1293 Financial Officer.

1294 4. Four employees from the Division of Accounting and
1295 Auditing of the Department of Financial Services, appointed by
1296 the Chief Financial Officer. Each employee must have experience
1297 relating to at least one of the four main components that
1298 comprise FLAIR.

1299 5. Two employees from the Executive Office of the Governor,
1300 appointed by the Governor. One employee must have experience
1301 relating to the Legislative Appropriations System/Planning and
1302 Budgeting Subsystem.

1303 6. One employee from the Department of Revenue, appointed
1304 by the executive director, who has experience relating to the
1305 department's SUNTAX system.

20182502e1

1306 7. Two employees from the Department of Management
1307 Services, appointed by the Secretary of Management Services. One
1308 employee must have experience relating to the department's
1309 personnel information subsystem, and one employee must have
1310 experience relating to the department's purchasing subsystem.

1311 8. Three state agency administrative services directors,
1312 appointed by the Governor. One director must represent a
1313 regulatory and licensing state agency, and one director must
1314 represent a health care-related state agency.

1315 (3) The Chief Financial Officer or the executive sponsor of
1316 the project shall serve as chair of the executive steering
1317 committee, and the committee shall take action by a vote of at
1318 least eight affirmative votes with the Chief Financial Officer
1319 or the executive sponsor of the project voting on the prevailing
1320 side. A quorum of the executive steering committee consists of
1321 at least 10 members.

1322 (4) The executive steering committee has the overall
1323 responsibility for ensuring that the project to replace FLAIR
1324 and CMS meets its primary business objectives and shall:

1325 (a) Identify and recommend to the Executive Office of the
1326 Governor, the President of the Senate, and the Speaker of the
1327 House of Representatives any statutory changes needed to
1328 implement the replacement subsystem that will standardize, to
1329 the fullest extent possible, the state's financial management
1330 business processes.

1331 (b) Review and approve any changes to the project's scope,
1332 schedule, and budget which do not conflict with the requirements
1333 of subsection (1).

1334 (c) Ensure that adequate resources are provided throughout

20182502e1

1335 all phases of the project.

1336 (d) Approve all major project deliverables.

1337 (e) Approve all solicitation-related documents associated
1338 with the replacement of FLAIR and CMS.

1339 (5) This section expires July 1, 2019.

1340 Section 33. In order to implement Specific Appropriation
1341 2908 of the 2018-2019 General Appropriations Act, paragraph (b)
1342 of subsection (11) of section 282.0051, Florida Statutes, is
1343 amended to read:

1344 282.0051 Agency for State Technology; powers, duties, and
1345 functions.—The Agency for State Technology shall have the
1346 following powers, duties, and functions:

1347 (11) Provide operational management and oversight of the
1348 state data center established pursuant to s. 282.201, which
1349 includes:

1350 (b) Procuring budget support and customer billing services
1351 from the department to develop and implement ~~Developing and~~
1352 ~~implementing~~ cost-recovery mechanisms that recover the full
1353 direct and indirect cost of services through charges to
1354 applicable customer entities. Such cost-recovery mechanisms must
1355 comply with applicable state and federal regulations concerning
1356 distribution and use of funds and must ensure that, for any
1357 fiscal year, no service or customer entity subsidizes another
1358 service or customer entity.

1359 Section 34. The amendment made by this act to s.
1360 282.0051(11) (b), Florida Statutes, expires July 1, 2019, and the
1361 text of that paragraph shall revert to that in existence on June
1362 30, 2018, except that any amendments to such text enacted other
1363 than by this act shall be preserved and continue to operate to

20182502e1

1364 the extent that such amendments are not dependent upon the
1365 portions of text which expire pursuant to this section.

1366 Section 35. In order to implement Specific Appropriations
1367 1591, 1592, and 1593 of the 2018-2019 General Appropriations
1368 Act, paragraph (d) of subsection (11) of section 216.181,
1369 Florida Statutes, is amended to read:

1370 216.181 Approved budgets for operations and fixed capital
1371 outlay.—

1372 (11)

1373 (d) Notwithstanding paragraph (b) and paragraph (2)(b), and
1374 for the 2018-2019 ~~2017-2018~~ fiscal year only, the Legislative
1375 Budget Commission may increase the amounts appropriated to the
1376 Fish and Wildlife Conservation Commission or the Department of
1377 Environmental Protection for fixed capital outlay projects,
1378 including additional fixed capital outlay projects, using funds
1379 provided to the state from the Gulf Environmental Benefit Fund
1380 administered by the National Fish and Wildlife Foundation; funds
1381 provided to the state from the Gulf Coast Restoration Trust Fund
1382 related to the Resources and Ecosystems Sustainability, Tourist
1383 Opportunities, and Revived Economies of the Gulf Coast Act of
1384 2012 (RESTORE Act); or funds provided by the British Petroleum
1385 Corporation (BP) for natural resource damage assessment
1386 restoration projects. Concurrent with submission of an amendment
1387 to the Legislative Budget Commission pursuant to this paragraph,
1388 any project that carries a continuing commitment for future
1389 appropriations by the Legislature must be specifically
1390 identified, together with the projected amount of the future
1391 commitment associated with the project and the fiscal years in
1392 which the commitment is expected to commence. This paragraph

20182502e1

1393 expires July 1, 2019 ~~2018~~.

1394

1395 The provisions of this subsection are subject to the notice and
1396 objection procedures set forth in s. 216.177.

1397 Section 36. In order to implement specific appropriations
1398 from the land acquisition trust funds within the Department of
1399 Agriculture and Consumer Services, the Department of
1400 Environmental Protection, the Department of State, and the Fish
1401 and Wildlife Conservation Commission, which are contained in the
1402 2018-2019 General Appropriations Act, subsection (3) of section
1403 215.18, Florida Statutes, is amended to read:

1404 215.18 Transfers between funds; limitation.—

1405 (3) Notwithstanding subsection (1) and only with respect to
1406 a land acquisition trust fund in the Department of Agriculture
1407 and Consumer Services, the Department of Environmental
1408 Protection, the Department of State, or the Fish and Wildlife
1409 Conservation Commission, whenever there is a deficiency in a
1410 land acquisition trust fund which would render that trust fund
1411 temporarily insufficient to meet its just requirements,
1412 including the timely payment of appropriations from that trust
1413 fund, and other trust funds in the State Treasury have moneys
1414 that are for the time being or otherwise in excess of the
1415 amounts necessary to meet the just requirements, including
1416 appropriated obligations, of those other trust funds, the
1417 Governor may order a temporary transfer of moneys from one or
1418 more of the other trust funds to a land acquisition trust fund
1419 in the Department of Agriculture and Consumer Services, the
1420 Department of Environmental Protection, the Department of State,
1421 or the Fish and Wildlife Conservation Commission. Any action

20182502e1

1422 proposed pursuant to this subsection is subject to the notice,
1423 review, and objection procedures of s. 216.177, and the Governor
1424 shall provide notice of such action at least 7 days before the
1425 effective date of the transfer of trust funds, except that
1426 during July 2018 ~~2017~~, notice of such action shall be provided
1427 at least 3 days before the effective date of a transfer unless
1428 such 3-day notice is waived by the chair and vice-chair of the
1429 Legislative Budget Commission. Any transfer of trust funds to a
1430 land acquisition trust fund in the Department of Agriculture and
1431 Consumer Services, the Department of Environmental Protection,
1432 the Department of State, or the Fish and Wildlife Conservation
1433 Commission must be repaid to the trust funds from which the
1434 moneys were loaned by the end of the 2018-2019 ~~2017-2018~~ fiscal
1435 year. The Legislature has determined that the repayment of the
1436 other trust fund moneys temporarily loaned to a land acquisition
1437 trust fund in the Department of Agriculture and Consumer
1438 Services, the Department of Environmental Protection, the
1439 Department of State, or the Fish and Wildlife Conservation
1440 Commission pursuant to this subsection is an allowable use of
1441 the moneys in a land acquisition trust fund because the moneys
1442 from other trust funds temporarily loaned to a land acquisition
1443 trust fund shall be expended solely and exclusively in
1444 accordance with s. 28, Art. X of the State Constitution. This
1445 subsection expires July 1, 2019 ~~2018~~.

1446 Section 37. In order to implement Section 63 of the 2018-
1447 2019 General Appropriations Act, paragraph (b) of subsection (3)
1448 of section 375.041, Florida Statutes, is amended to read:

1449 375.041 Land Acquisition Trust Fund.—

1450 (3) Funds distributed into the Land Acquisition Trust Fund

20182502e1

1451 pursuant to s. 201.15 shall be applied:

1452 (b) Of the funds remaining after the payments required
1453 under paragraph (a), but before funds may be appropriated,
1454 pledged, or dedicated for other uses:

1455 1. A minimum of the lesser of 25 percent or \$200 million
1456 shall be appropriated annually for Everglades projects that
1457 implement the Comprehensive Everglades Restoration Plan as set
1458 forth in s. 373.470, including the Central Everglades Planning
1459 Project subject to Congressional authorization; the Long-Term
1460 Plan as defined in s. 373.4592(2); and the Northern Everglades
1461 and Estuaries Protection Program as set forth in s. 373.4595.
1462 From these funds, \$32 million shall be distributed each fiscal
1463 year through the 2023-2024 fiscal year to the South Florida
1464 Water Management District for the Long-Term Plan as defined in
1465 s. 373.4592(2). After deducting the \$32 million distributed
1466 under this subparagraph, from the funds remaining, a minimum of
1467 the lesser of 76.5 percent or \$100 million shall be appropriated
1468 each fiscal year through the 2025-2026 fiscal year for the
1469 planning, design, engineering, and construction of the
1470 Comprehensive Everglades Restoration Plan as set forth in s.
1471 373.470, including the Central Everglades Planning Project, the
1472 Everglades Agricultural Area Storage Reservoir Project, the Lake
1473 Okeechobee Watershed Project, the C-43 West Basin Storage
1474 Reservoir Project, the Indian River Lagoon-South Project, the
1475 Western Everglades Restoration Project, and the Picayune Strand
1476 Restoration Project. The Department of Environmental Protection
1477 and the South Florida Water Management District shall give
1478 preference to those Everglades restoration projects that reduce
1479 harmful discharges of water from Lake Okeechobee to the St.

20182502e1

1480 Lucie or Caloosahatchee estuaries in a timely manner. For the
1481 purpose of performing the calculation provided in this
1482 subparagraph, the amount of debt service paid pursuant to
1483 paragraph (a) for bonds issued after July 1, 2016, for the
1484 purposes set forth under paragraph (b) shall be added to the
1485 amount remaining after the payments required under paragraph
1486 (a). The amount of the distribution calculated shall then be
1487 reduced by an amount equal to the debt service paid pursuant to
1488 paragraph (a) on bonds issued after July 1, 2016, for the
1489 purposes set forth under this subparagraph.

1490 2. A minimum of the lesser of 7.6 percent or \$50 million
1491 shall be appropriated annually for spring restoration,
1492 protection, and management projects. For the purpose of
1493 performing the calculation provided in this subparagraph, the
1494 amount of debt service paid pursuant to paragraph (a) for bonds
1495 issued after July 1, 2016, for the purposes set forth under
1496 paragraph (b) shall be added to the amount remaining after the
1497 payments required under paragraph (a). The amount of the
1498 distribution calculated shall then be reduced by an amount equal
1499 to the debt service paid pursuant to paragraph (a) on bonds
1500 issued after July 1, 2016, for the purposes set forth under this
1501 subparagraph.

1502 3. The sum of \$5 million shall be appropriated annually
1503 each fiscal year through the 2025-2026 fiscal year to the St.
1504 Johns River Water Management District for projects dedicated to
1505 the restoration of Lake Apopka. This distribution shall be
1506 reduced by an amount equal to the debt service paid pursuant to
1507 paragraph (a) on bonds issued after July 1, 2016, for the
1508 purposes set forth in this subparagraph.

20182502e1

1509 4. The sum of \$64 million is appropriated and shall be
1510 transferred to the Everglades Trust Fund for the 2018-2019
1511 fiscal year, and each fiscal year thereafter, for the EAA
1512 reservoir project pursuant to s. 373.4598. Any funds remaining
1513 in any fiscal year shall be made available only for Phase II of
1514 the C-51 reservoir project or projects identified in
1515 subparagraph 1. and must be used in accordance with laws
1516 relating to such projects. Any funds made available for such
1517 purposes in a fiscal year are in addition to the amount
1518 appropriated under subparagraph 1. This distribution shall be
1519 reduced by an amount equal to the debt service paid pursuant to
1520 paragraph (a) on bonds issued after July 1, 2017, for the
1521 purposes set forth in this subparagraph.

1522 5. Notwithstanding subparagraph 3., for the 2018-2019 ~~2017-~~
1523 ~~2018~~ fiscal year, funds shall be appropriated as provided in the
1524 General Appropriations Act. This subparagraph expires July 1,
1525 2019 ~~2018~~.

1526 Section 38. In order to implement Specific Appropriation
1527 1581 of the 2018-2019 General Appropriations Act, and
1528 notwithstanding the expiration date contained in section 39 of
1529 chapter 2017-71, Laws of Florida, paragraph (a) of subsection
1530 (6) of section 373.470, Florida Statutes, is reenacted to read:

1531 373.470 Everglades restoration.—

1532 (6) DISTRIBUTIONS FROM SAVE OUR EVERGLADES TRUST FUND.—

1533 (a) Except as provided in paragraphs (d) and (e) and for
1534 funds appropriated for debt service, the department shall
1535 distribute funds in the Save Our Everglades Trust Fund to the
1536 district in accordance with a legislative appropriation and s.
1537 373.026(8)(b). Distribution of funds to the district from the

20182502e1

1538 Save Our Everglades Trust Fund or the Land Acquisition Trust
1539 Fund shall be equally matched by the cumulative contributions
1540 from the district by fiscal year 2019-2020 by providing funding
1541 or credits toward project components. The dollar value of in-
1542 kind project design and construction work by the district in
1543 furtherance of the comprehensive plan and existing interest in
1544 public lands needed for a project component are credits towards
1545 the district's contributions.

1546 Section 39. The amendment to s. 373.470(6)(a), Florida
1547 Statutes, as carried forward by this act from chapter 2017-71,
1548 Laws of Florida, expires July 1, 2019, and the text of that
1549 paragraph shall revert to that in existence on June 30, 2017,
1550 except that any amendments to such text enacted other than by
1551 this act shall be preserved and continue to operate to the
1552 extent that such amendments are not dependent upon the portions
1553 of text which expire pursuant to this section.

1554 Section 40. In order to implement Specific Appropriation
1555 1719 of the 2018-2019 General Appropriations Act, paragraph (e)
1556 of subsection (11) of section 216.181, Florida Statutes, is
1557 amended to read:

1558 216.181 Approved budgets for operations and fixed capital
1559 outlay.—

1560 (11)

1561 (e) Notwithstanding paragraph (b) and paragraph (2)(b), and
1562 for the 2018-2019 ~~2017-2018~~ fiscal year only, the Legislative
1563 Budget Commission may increase the amounts appropriated to the
1564 Department of Environmental Protection for fixed capital outlay
1565 projects using funds provided to the state from the
1566 environmental mitigation trust administered by a trustee

20182502e1

1567 designated by the United States District Court for the Northern
1568 District of California for eligible mitigation actions and
1569 mitigation action expenditures described in the partial consent
1570 decree entered into between the United States of America and
1571 Volkswagen relating to violations of the Clean Air Act.
1572 Concurrent with submission of an amendment to the Legislative
1573 Budget Commission pursuant to this paragraph, any project that
1574 carries a continuing commitment for future appropriations by the
1575 Legislature must be specifically identified, together with the
1576 projected amount of the future commitment associated with the
1577 project and the fiscal years in which the commitment is expected
1578 to commence. This paragraph expires July 1, 2019 ~~2018~~.

1579
1580 The provisions of this subsection are subject to the notice and
1581 objection procedures set forth in s. 216.177.

1582 Section 41. (1) In order to implement specific
1583 appropriations from the land acquisition trust funds within the
1584 Department of Agriculture and Consumer Services, the Department
1585 of Environmental Protection, the Department of State, and the
1586 Fish and Wildlife Conservation Commission, which are contained
1587 in the 2018-2019 General Appropriations Act, the Department of
1588 Environmental Protection shall transfer revenues from the Land
1589 Acquisition Trust Fund within the department to the land
1590 acquisition trust funds within the Department of Agriculture and
1591 Consumer Services, the Department of State, and the Fish and
1592 Wildlife Conservation Commission, as provided in this section.
1593 As used in this section, the term "department" means the
1594 Department of Environmental Protection.

1595 (2) After subtracting any required debt service payments,

20182502e1

1596 the proportionate share of revenues to be transferred to each
1597 land acquisition trust fund shall be calculated by dividing the
1598 appropriations from each of the land acquisition trust funds for
1599 the fiscal year by the total appropriations from the Land
1600 Acquisition Trust Fund within the department and the land
1601 acquisition trust funds within the Department of Agriculture and
1602 Consumer Services, the Department of State, and the Fish and
1603 Wildlife Conservation Commission for the fiscal year. The
1604 department shall transfer the proportionate share of the
1605 revenues in the Land Acquisition Trust Fund within the
1606 department on a monthly basis to the appropriate land
1607 acquisition trust funds within the Department of Agriculture and
1608 Consumer Services, the Department of State, and the Fish and
1609 Wildlife Conservation Commission and shall retain its
1610 proportionate share of the revenues in the Land Acquisition
1611 Trust Fund within the department. Total distributions to a land
1612 acquisition trust fund within the Department of Agriculture and
1613 Consumer Services, the Department of State, and the Fish and
1614 Wildlife Conservation Commission may not exceed the total
1615 appropriations from such trust fund for the fiscal year.

1616 (3) In addition, the department shall transfer from the
1617 Land Acquisition Trust Fund to land acquisition trust funds
1618 within the Department of Agriculture and Consumer Services, the
1619 Department of State, and the Fish and Wildlife Conservation
1620 Commission amounts equal to the difference between the amounts
1621 appropriated in chapter 2017-70, Laws of Florida, to the
1622 department's Land Acquisition Trust Fund and the other land
1623 acquisition trust funds, and the amounts actually transferred
1624 between those trust funds during the 2017-2018 fiscal year.

20182502e1

1625 (4) The department may advance funds from the beginning
1626 unobligated fund balance in the Land Acquisition Trust Fund to
1627 the Land Acquisition Trust Fund within the Fish and Wildlife
1628 Conservation Commission needed for cash flow purposes based on a
1629 detailed expenditure plan. The department shall prorate amounts
1630 transferred quarterly to the Fish and Wildlife Conservation
1631 Commission to recoup the amount of funds advanced by June 30,
1632 2019.

1633 (5) This section expires July 1, 2019.

1634 Section 42. In order to implement Specific Appropriations
1635 1393A, 1393B, 1549, 1549A, 1549B, 1550A, 1681A, 1681B, 1686A,
1636 and 1802A of the 2018-2019 General Appropriations Act, the
1637 Department of Environmental Protection shall distribute any
1638 moneys transferred from the Land Acquisition Trust Fund into the
1639 Florida Forever Trust Fund using the distribution formula
1640 specified in s. 259.105(3), Florida Statutes. This section
1641 expires July 1, 2019.

1642 Section 43. In order to implement Specific Appropriation
1643 1686A of the 2018-2019 General Appropriations Act, subsection
1644 (5) is added to section 375.075, Florida Statutes, to read:

1645 375.075 Outdoor recreation; financial assistance to local
1646 governments.-

1647 (5) (a) For the 2018-2019 fiscal year:

1648 1. Notwithstanding any other provision of this section, \$4
1649 million of funds for projects must be used exclusively for
1650 projects that provide recreational enhancements and
1651 opportunities for children. The department shall conduct a
1652 separate grant application process exclusively for such
1653 projects. The department shall establish the schedule for the

20182502e1

1654 grant application process for projects that provide publicly
1655 available recreational enhancements and opportunities for
1656 children and shall award the grants for such projects by
1657 December 31, 2018, and each year thereafter.

1658 2. Notwithstanding subsection (3), a local government may
1659 submit up to three grant applications for projects if at least
1660 one of those projects provides recreational enhancements and
1661 opportunities for children. The maximum project grant for each
1662 project application that provides recreational enhancements and
1663 opportunities for children may not exceed \$250,000 in state
1664 funds, which the local government must match on a dollar-for-
1665 dollar basis.

1666 (b) The selection criteria used by the department for grant
1667 applications submitted pursuant to this subsection must give
1668 priority to projects geared toward children under the age of 12,
1669 but which also provide educational opportunities and have
1670 established safety standards. The department shall give the
1671 highest priority to those project applications that further
1672 demonstrate they will serve the needs of children with unique
1673 abilities and will be accessible and usable to those with
1674 physical and developmental disabilities. All projects must be
1675 required to have playground equipment and lighting that is
1676 adequate for evening use.

1677 (c) The playground equipment should be designed in a manner
1678 to serve children under the age of 12 with unique abilities,
1679 including those with physical and developmental disabilities.
1680 The criteria must also establish a minimum lot size for such
1681 project.

1682 (d) This subsection expires July 1, 2019.

20182502e1

1683 Section 44. In order to implement Specific Appropriation
1684 1660 of the 2018-2019 General Appropriations Act, paragraph (r)
1685 is added to subsection (4) of section 376.3071, Florida
1686 Statutes, to read:

1687 376.3071 Inland Protection Trust Fund; creation; purposes;
1688 funding.—

1689 (4) USES.—Whenever, in its determination, incidents of
1690 inland contamination related to the storage of petroleum or
1691 petroleum products may pose a threat to the public health,
1692 safety, or welfare, water resources, or the environment, the
1693 department shall obligate moneys available in the fund to
1694 provide for:

1695 (r) Notwithstanding paragraph (j), \$10 million is allocated
1696 for the 2018-2019 fiscal year for the payment of the repair or
1697 the replacement of, or other preventive measures for, storage
1698 tanks, piping, or system components. Such costs may include
1699 equipment, preventive measures, excavation, electrical work,
1700 site restoration, and maintenance protocols. Owners or operators
1701 may submit an application for funding on forms developed by the
1702 department.

1703 1. The application must include:

1704 a. An affidavit by a petroleum storage system specialty
1705 contractor and supporting documentation demonstrating that the
1706 storage tank system may have been damaged or is subject to
1707 damage by incompatibility with fuel blended with ethanol or
1708 biodiesel;

1709 b. A proposed scope of work and cost; and

1710 c. For proposals to replace tanks or piping, a statement
1711 from a certified public accountant which indicates the

20182502e1

1712 depreciated value of the equipment. The depreciated value is the
1713 maximum allowable replacement cost. Tanks and piping that are 20
1714 years old or older are deemed to have no replacement value.

1715 2. The department must review the application for
1716 completeness, accuracy, and reasonableness of costs and scope of
1717 work. Upon approval of an application, the department must issue
1718 a purchase order to the applicant. The department may not issue
1719 a purchase order unless funds remain for the current fiscal
1720 year. The purchase order must include a deductible of 25 percent
1721 of the total cost. Except for preventative maintenance
1722 contracts, the specified work must be substantially completed
1723 within 180 days after the date of issuance of the purchase
1724 order.

1725 3. Applications shall be funded on a first-come, first-
1726 served basis. Except for preventative maintenance contracts, the
1727 specified work must be substantially completed within 180 days
1728 after the date of issuance of the purchase order. After such
1729 time, the purchase order is void. An owner or operator may not
1730 cancel a preventative maintenance contract without cause.
1731 Following submission of proof to the department that the
1732 approved scope of work; or, in the case of preventative
1733 maintenance contracts, the first service event is complete; the
1734 applicant may request payment. A petroleum storage system owner
1735 or operator may not receive more than \$200,000 per fiscal year
1736 for any single facility or \$500,000 per fiscal year for all the
1737 facilities it owns or operates.

1738 4. Owners or operators who have incurred costs for repair,
1739 replacement, or other preventative measures as described in this
1740 paragraph from July 1, 2015, through June 30, 2018, may apply to

20182502e1

1741 request payment for such costs from the department using the
1742 procedure specified in this paragraph. The department may not
1743 disburse payments for approved applications for such work until
1744 all purchase orders for previously approved applications
1745 submitted after July 1, 2018, have been paid and funds remain
1746 available for the fiscal year. Such payment is subject to a
1747 deductible of 25 percent of the approved cost.

1748 5. Payment may not be provided for:

1749 a. Any costs for which an application for repair,
1750 replacement, or preventative measures is not approved in
1751 accordance with this paragraph;

1752 b. Proposal costs or costs related to preparation of the
1753 application and required documentation;

1754 c. Costs associated with the services of a certified public
1755 accountant;

1756 d. Costs associated with storage tanks, piping, or
1757 ancillary equipment that has been previously repaired or
1758 replaced with funds that have been paid pursuant to this
1759 section;

1760 e. Facilities that are not in compliance with department
1761 storage tank rules, until the facility has been brought into
1762 compliance with such rules; or

1763 f. Costs associated with damage to petroleum storage
1764 systems caused in whole or in part by causes other than the
1765 storage of fuels blended with ethanol or biodiesel.

1766 6. This paragraph does not affect the obligations of
1767 facility owners or operators or petroleum storage system owners
1768 or operators to timely comply with department rules regarding
1769 the maintenance, replacement, and repair of petroleum storage

20182502e1

1770 systems in order to prevent a release or discharge of
1771 pollutants. This paragraph does not prevent the department from
1772 issuing a purchase order in accordance with this paragraph based
1773 on grounds that work had commenced before the issuance of the
1774 purchase order.

1775 7. The department shall ensure that petroleum storage
1776 systems approved after July 1, 2018, meet applicable standards
1777 for compatibility for ethanol blends, biodiesel blends, and
1778 other alternative fuels that are likely to be installed in such
1779 systems.

1780 8. This paragraph expires July 1, 2019.

1781
1782 The issuance of a site rehabilitation completion order pursuant
1783 to subsection (5) or paragraph (12) (b) for contamination
1784 eligible for programs funded by this section does not alter the
1785 project's eligibility for state-funded remediation if the
1786 department determines that site conditions are not protective of
1787 human health under actual or proposed circumstances of exposure
1788 under subsection (5). The Inland Protection Trust Fund may be
1789 used only to fund the activities in ss. 376.30-376.317 except
1790 ss. 376.3078 and 376.3079. Amounts on deposit in the fund in
1791 each fiscal year must first be applied or allocated for the
1792 payment of amounts payable by the department pursuant to
1793 paragraph (n) under a service contract entered into by the
1794 department pursuant to s. 376.3075 and appropriated in each year
1795 by the Legislature before making or providing for other
1796 disbursements from the fund. This subsection does not authorize
1797 the use of the fund for cleanup of contamination caused
1798 primarily by a discharge of solvents as defined in s.

20182502e1

1799 206.9925(6), or polychlorinated biphenyls when their presence
1800 causes them to be hazardous wastes, except solvent contamination
1801 which is the result of chemical or physical breakdown of
1802 petroleum products and is otherwise eligible. Facilities used
1803 primarily for the storage of motor or diesel fuels as defined in
1804 ss. 206.01 and 206.86 are not excluded from eligibility pursuant
1805 to this section.

1806 Section 45. In order to implement Specific Appropriation
1807 582 of the 2018-2019 General Appropriations Act, section 295.23,
1808 Florida Statutes, is amended to read:

1809 295.23 Veterans research and marketing campaign.—

1810 (1) Florida Is For Veterans, Inc., may request the Florida
1811 Tourism Industry Marketing Corporation for assistance in the
1812 following research and marketing activities shall:

1813 (a) ~~Provide input to Florida Is For Veterans, Inc., on~~
1814 Research to identify the target market and the educational and
1815 employment needs of those in the target market.

1816 (b) Development and administration of ~~Develop and conduct~~ a
1817 marketing campaign to encourage retired and recently separated
1818 military personnel to remain in the state or to make the state
1819 their permanent residence.

1820 (c) Development of ~~Develop~~ a process for the dissemination
1821 of information to the target market and targeting that
1822 information to the interests and needs of veterans of all ages
1823 to facilitate veterans' knowledge of and access to benefits.

1824 ~~(2) The Florida Tourism Industry Marketing Corporation~~
1825 ~~shall seek advice from Florida Is For Veterans, Inc., on the~~
1826 ~~scope, process, and focus of the marketing campaign. Input must~~
1827 ~~be received before invitations to bid, requests for proposals,~~

20182502e1

1828 ~~or invitations to negotiate for contracted services are~~
 1829 ~~advertised. Florida Is For Veterans, Inc., shall be kept~~
 1830 ~~informed at each stage of the marketing campaign and may provide~~
 1831 ~~recommendations to the Florida Tourism Industry Marketing~~
 1832 ~~Corporation to ensure that the effort effectively reaches~~
 1833 ~~veterans.~~

1834 (2)~~(3)~~ For the purposes of this section, Florida Is For
 1835 Veterans, Inc., ~~the Florida Tourism Industry Marketing~~
 1836 ~~Corporation~~ shall expend the amount appropriated in the General
 1837 Appropriations Act ~~\$1 million annually~~ on marketing the state to
 1838 veterans as a permanent home and on information dissemination to
 1839 improve veterans' knowledge of and access to benefits ~~through a~~
 1840 ~~combination of existing funds appropriated to the Florida~~
 1841 ~~Tourism Industry Marketing Corporation by the Legislature and~~
 1842 ~~private funds.~~

1843 Section 46. In order to implement Specific Appropriation
 1844 582 of the 2018-2019 General Appropriations Act, paragraphs (a)
 1845 and (b) of subsection (3) of section 295.21, Florida Statutes,
 1846 are amended to read:

1847 295.21 Florida Is For Veterans, Inc.—

1848 (3) DUTIES.—The corporation shall:

1849 (a) Conduct research to identify the target market and the
 1850 educational and employment needs of those in the target market.
 1851 The corporation shall contract with at least one entity pursuant
 1852 to the competitive bidding requirements in s. 287.057 and the
 1853 provisions of s. 295.187 to perform the research. Such entity
 1854 must have experience conducting market research on the veteran
 1855 demographic. The corporation may ~~shall~~ seek input from the
 1856 Florida Tourism Industry Marketing Corporation on the scope,

20182502e1

1857 process, and focus of such research.

1858 (b) Develop and implement a marketing campaign for ~~Advise~~
1859 ~~the Florida Tourism Industry Marketing Corporation, pursuant to~~
1860 ~~s. 295.23, on:~~

1861 ~~1.~~ the target market as identified in paragraph (a). The

1862 ~~2. Development and implementation of a~~ marketing campaign
1863 must ~~to~~ encourage members of the target market to remain in the
1864 state or to make the state their permanent residence. The
1865 corporation must establish

1866 ~~3.~~ methods for disseminating information to the target
1867 market that relates to the interests and needs of veterans of
1868 all ages and facilitates veterans' knowledge of and access to
1869 benefits. The corporation may request assistance from the
1870 Florida Tourism Industry Marketing Corporation pursuant to s.
1871 295.23.

1872 Section 47. The amendments made by this act to ss. 295.21
1873 and 295.23, Florida Statutes, expire July 1, 2019, and the text
1874 of those sections shall revert to that in existence on June 30,
1875 2018, except that any amendments to such text enacted other than
1876 by this act shall be preserved and continue to operate to the
1877 extent that such amendments are not dependent upon the portions
1878 of text which expire pursuant to this section.

1879 Section 48. In order to implement Specific Appropriation
1880 1855 of the 2018-2019 General Appropriations Act, subsection
1881 (30) of section 427.013, Florida Statutes, is amended to read:
1882 427.013 The Commission for the Transportation
1883 Disadvantaged; purpose and responsibilities.—The purpose of the
1884 commission is to accomplish the coordination of transportation
1885 services provided to the transportation disadvantaged. The goal

20182502e1

1886 of this coordination is to assure the cost-effective provision
1887 of transportation by qualified community transportation
1888 coordinators or transportation operators for the transportation
1889 disadvantaged without any bias or presumption in favor of
1890 multioperator systems or not-for-profit transportation operators
1891 over single operator systems or for-profit transportation
1892 operators. In carrying out this purpose, the commission shall:

1893 (30) For the 2018-2019 ~~2017-2018~~ fiscal year and
1894 notwithstanding any other provision of this section:

1895 (a) Allocate, from funds provided in the General
1896 Appropriations Act, to community transportation coordinators who
1897 operate in counties that are not direct recipients of ~~do not~~
1898 ~~receive~~ Urbanized Area Formula funds pursuant to 49 U.S.C. s.
1899 5307 to provide transportation services for persons with
1900 disabilities, older adults, and low-income persons so they may
1901 access health care, employment, education, and other life-
1902 sustaining activities. Funds allocated for this purpose shall be
1903 distributed among community transportation coordinators based
1904 upon the Transportation Disadvantaged Trip and Equipment
1905 allocation methodology established by the commission.

1906 (b) Award, from funds provided in the General
1907 Appropriations Act, competitive grants to community
1908 transportation coordinators to support transportation projects
1909 to:

1910 1. Enhance access to health care, shopping, education,
1911 employment, public services, and recreation;

1912 2. Assist in the development, improvement, and use of
1913 transportation systems in nonurbanized areas;

1914 3. Promote the efficient coordination of services;

20182502e1

1915 4. Support inner-city bus transportation; and
1916 5. Encourage private transportation providers to
1917 participate.

1918 (c) This subsection expires July 1, 2019 ~~2018~~.

1919 Section 49. In order to implement Specific Appropriation
1920 2296 of the 2018-2019 General Appropriations Act, subsections
1921 (3) and (5) of section 321.04, Florida Statutes, are amended to
1922 read:

1923 321.04 Personnel of the highway patrol; rank
1924 classifications; probationary status of new patrol officers;
1925 subsistence; special assignments.—

1926 (3) (a) The Department of Highway Safety and Motor Vehicles
1927 shall assign one patrol officer to the office of the Governor;
1928 said patrol officer so assigned shall be selected by the
1929 Governor and shall have rank and pay not less than that of a
1930 lieutenant of the Florida Highway Patrol, and said patrol
1931 officer so assigned shall be paid by said department from the
1932 appropriation made to said department; said patrol officer shall
1933 have and receive all other benefits provided for in this chapter
1934 or any other statute now in existence or hereinafter enacted.

1935 (b) For the 2018-2019 ~~2017-2018~~ fiscal year only, the
1936 patrol officer shall be assigned to the Lieutenant Governor.
1937 This paragraph expires July 1, 2019 ~~2018~~.

1938 (5) For the 2018-2019 ~~2017-2018~~ fiscal year only, the
1939 assignment of a patrol officer by the department shall include a
1940 Cabinet member specified in s. 4, Art. IV of the State
1941 Constitution if deemed appropriate by the department or in
1942 response to a threat and upon written request of such Cabinet
1943 member. This subsection expires July 1, 2019 ~~2018~~.

20182502e1

1944 Section 50. In order to implement Specific Appropriations
1945 1856 through 1869, 1875 through 1878, 1891 through 1910, and
1946 1948 through 1959 of the 2018-2019 General Appropriations Act,
1947 paragraphs (d), (e), and (f) of subsection (5) of section
1948 339.135, Florida Statutes, are amended to read:

1949 339.135 Work program; legislative budget request;
1950 definitions; preparation, adoption, execution, and amendment.—

1951 (5) ADOPTION OF THE WORK PROGRAM.—

1952 (d) It is the intent of the Legislature that the department
1953 maintain fiscal solvency and make prudent use of all available
1954 fiscal resources to minimize any project, or a phase thereof,
1955 from being deferred within the work program. It is further the
1956 intent of the Legislature that the department, to the maximum
1957 extent feasible, reduce financial projects not programmed for
1958 contract letting as identified with a work program contract
1959 class code 8 and the box code RV to add projects to the 2018-
1960 2019 ~~2017-2018~~ work program which are identified by a specific
1961 appropriation in the 2018-2019 ~~2017-2018~~ General Appropriations
1962 Act. This paragraph expires July 1, 2019 ~~2018~~.

1963 (e) For the 2018-2019 ~~2017-2018~~ fiscal year only, the
1964 department is authorized to realign budget authority among
1965 appropriation categories to support the implementation of the
1966 2018-2019 ~~2017-2018~~ General Appropriations Act. The notice,
1967 review, and objection procedures under s. 216.177 apply only
1968 when projects, or a phase thereof, are not deferred or deleted
1969 from the work program. The request to realign budget authority
1970 among work program categories must be supported by documented
1971 production and financial goals within the parameters of finance,
1972 available cash, and total authorized budget. This paragraph

20182502e1

1973 expires July 1, 2019 ~~2018~~.

1974 (f) For the 2018-2019 ~~2017-2018~~ fiscal year only, if the
1975 department submits a work program amendment to realign work
1976 program categories to the 2018-2019 ~~2017-2018~~ General
1977 Appropriations Act that defers or deletes any project, or a
1978 phase thereof, the work program amendment is subject to approval
1979 by the Legislative Budget Commission. The department shall
1980 provide to the Legislative Budget Commission the documents
1981 specified in subparagraphs 1.-8. when submitting the
1982 department's work program amendment to request approval to
1983 realign the work program appropriation categories to the 2018-
1984 2019 ~~2017-2018~~ General Appropriations Act. In addition, any work
1985 program amendment submitted to the Legislative Budget Commission
1986 which results in a reduced project commitment level for the
1987 2018-2019 ~~2017-2018~~ fiscal year must include the following
1988 documents:

1989 1. A proposed finance plan, as balanced to the requested
1990 work program amendment to realign the work program categories to
1991 the 2018-2019 ~~2017-2018~~ General Appropriations Act, or any other
1992 amendments that reduce work program commitments;

1993 2. A proposed cash forecast, as balanced to the requested
1994 work program amendment to realign the work program categories to
1995 the 2018-2019 ~~2017-2018~~ General Appropriations Act, or any other
1996 amendments that reduce work program commitments;

1997 3. An adopted finance plan, as of July 1, 2018 ~~2017~~;

1998 4. An adopted cash forecast, as of July 1, 2018 ~~2017~~;

1999 5. A complete list of projects, or phases thereof, deferred
2000 or deleted from the impact of the projects identified by a
2001 specific appropriation in the 2018-2019 ~~2017-2018~~ General

20182502e1

2002 Appropriations Act for the 2018-2019 ~~2017-2018~~ through 2022-2023
2003 ~~2021-2022~~ work program;

2004 6. The department's methodology for identifying projects,
2005 or phases thereof, for deferral or deletion for the 2018-2019
2006 ~~2017-2018~~ through 2022-2023 ~~2021-2022~~ work program;

2007 7. A letter of concurrence or nonconcurrence from the
2008 affected metropolitan planning organization or, for
2009 nonmetropolitan areas, the board of county commissioners with
2010 impacted project selections; and

2011 8. A complete list of financial projects not programmed for
2012 contract letting as identified with a work program contract
2013 class code 8 and the box code RV included in fiscal years 2018-
2014 2019 ~~2017-2018~~ through 2022-2023 ~~2021-2022~~, as of July 1, 2018
2015 ~~2017~~.

2016

2017 This paragraph expires July 1, 2019 ~~2018~~.

2018 Section 51. In order to implement the salaries and
2019 benefits, expenses, other personal services, contracted
2020 services, special categories, and operating capital outlay
2021 categories of the 2018-2019 General Appropriations Act,
2022 paragraph (a) of subsection (2) of section 216.292, Florida
2023 Statutes, is amended to read:

2024 216.292 Appropriations nontransferable; exceptions.—

2025 (2) The following transfers are authorized to be made by
2026 the head of each department or the Chief Justice of the Supreme
2027 Court whenever it is deemed necessary by reason of changed
2028 conditions:

2029 (a) The transfer of appropriations funded from identical
2030 funding sources, except appropriations for fixed capital outlay,

20182502e1

2031 and the transfer of amounts included within the total original
2032 approved budget and plans of releases of appropriations as
2033 furnished pursuant to ss. 216.181 and 216.192, as follows:

2034 1. Between categories of appropriations within a budget
2035 entity, if no category of appropriation is increased or
2036 decreased by more than 5 percent of the original approved budget
2037 or \$250,000, whichever is greater, by all action taken under
2038 this subsection.

2039 2. Between budget entities within identical categories of
2040 appropriations, if no category of appropriation is increased or
2041 decreased by more than 5 percent of the original approved budget
2042 or \$250,000, whichever is greater, by all action taken under
2043 this subsection.

2044 3. Any agency exceeding salary rate established pursuant to
2045 s. 216.181(8) on June 30th of any fiscal year shall not be
2046 authorized to make transfers pursuant to subparagraphs 1. and 2.
2047 in the subsequent fiscal year.

2048 4. Notice of proposed transfers under subparagraphs 1. and
2049 2. shall be provided to the Executive Office of the Governor and
2050 the chairs of the legislative appropriations committees at least
2051 3 days prior to agency implementation in order to provide an
2052 opportunity for review. The review shall be limited to ensuring
2053 that the transfer is in compliance with the requirements of this
2054 paragraph.

2055 5. For the 2018-2019 ~~2017-2018~~ fiscal year, the review
2056 shall ensure that transfers proposed pursuant to this paragraph
2057 comply with this chapter and are not contrary to legislative
2058 policy and intent. This subparagraph expires July 1, 2019 ~~2018~~.

2059 Section 52. In order to implement the salaries and

20182502e1

2060 benefits, expenses, other personal services, contracted
2061 services, special categories, and operating capital outlay
2062 categories of the 2018-2019 General Appropriations Act,
2063 subsection (6) of section 112.24, Florida Statutes, is amended
2064 to read:

2065 112.24 Intergovernmental interchange of public employees.—
2066 To encourage economical and effective utilization of public
2067 employees in this state, the temporary assignment of employees
2068 among agencies of government, both state and local, and
2069 including school districts and public institutions of higher
2070 education is authorized under terms and conditions set forth in
2071 this section. State agencies, municipalities, and political
2072 subdivisions are authorized to enter into employee interchange
2073 agreements with other state agencies, the Federal Government,
2074 another state, a municipality, or a political subdivision
2075 including a school district, or with a public institution of
2076 higher education. State agencies are also authorized to enter
2077 into employee interchange agreements with private institutions
2078 of higher education and other nonprofit organizations under the
2079 terms and conditions provided in this section. In addition, the
2080 Governor or the Governor and Cabinet may enter into employee
2081 interchange agreements with a state agency, the Federal
2082 Government, another state, a municipality, or a political
2083 subdivision including a school district, or with a public
2084 institution of higher learning to fill, subject to the
2085 requirements of chapter 20, appointive offices which are within
2086 the executive branch of government and which are filled by
2087 appointment by the Governor or the Governor and Cabinet. Under
2088 no circumstances shall employee interchange agreements be

20182502e1

2089 utilized for the purpose of assigning individuals to participate
2090 in political campaigns. Duties and responsibilities of
2091 interchange employees shall be limited to the mission and goals
2092 of the agencies of government.

2093 (6) For the 2018-2019 ~~2017-2018~~ fiscal year only, the
2094 assignment of an employee of a state agency as provided in this
2095 section may be made if recommended by the Governor or Chief
2096 Justice, as appropriate, and approved by the chairs of the
2097 legislative appropriations committees. Such actions shall be
2098 deemed approved if neither chair provides written notice of
2099 objection within 14 days after receiving notice of the action
2100 pursuant to s. 216.177. This subsection expires July 1, 2019
2101 ~~2018~~.

2102 Section 53. In order to implement Specific Appropriations
2103 2670 and 2671 of the 2018-2019 General Appropriations Act, and
2104 notwithstanding s. 11.13(1), Florida Statutes, the authorized
2105 salaries for members of the Legislature for the 2018-2019 fiscal
2106 year shall be set at the same level in effect on July 1, 2010.
2107 This section expires July 1, 2019.

2108 Section 54. In order to implement the transfer of funds to
2109 the General Revenue Fund from trust funds for the 2018-2019
2110 General Appropriations Act, paragraph (b) of subsection (2) of
2111 section 215.32, Florida Statutes, is reenacted to read:

2112 215.32 State funds; segregation.—

2113 (2) The source and use of each of these funds shall be as
2114 follows:

2115 (b)1. The trust funds shall consist of moneys received by
2116 the state which under law or under trust agreement are
2117 segregated for a purpose authorized by law. The state agency or

20182502e1

2118 branch of state government receiving or collecting such moneys
2119 is responsible for their proper expenditure as provided by law.
2120 Upon the request of the state agency or branch of state
2121 government responsible for the administration of the trust fund,
2122 the Chief Financial Officer may establish accounts within the
2123 trust fund at a level considered necessary for proper
2124 accountability. Once an account is established, the Chief
2125 Financial Officer may authorize payment from that account only
2126 upon determining that there is sufficient cash and releases at
2127 the level of the account.

2128 2. In addition to other trust funds created by law, to the
2129 extent possible, each agency shall use the following trust funds
2130 as described in this subparagraph for day-to-day operations:

2131 a. Operations or operating trust fund, for use as a
2132 depository for funds to be used for program operations funded by
2133 program revenues, with the exception of administrative
2134 activities when the operations or operating trust fund is a
2135 proprietary fund.

2136 b. Operations and maintenance trust fund, for use as a
2137 depository for client services funded by third-party payors.

2138 c. Administrative trust fund, for use as a depository for
2139 funds to be used for management activities that are departmental
2140 in nature and funded by indirect cost earnings and assessments
2141 against trust funds. Proprietary funds are excluded from the
2142 requirement of using an administrative trust fund.

2143 d. Grants and donations trust fund, for use as a depository
2144 for funds to be used for allowable grant or donor agreement
2145 activities funded by restricted contractual revenue from private
2146 and public nonfederal sources.

20182502e1

2147 e. Agency working capital trust fund, for use as a
2148 depository for funds to be used pursuant to s. 216.272.

2149 f. Clearing funds trust fund, for use as a depository for
2150 funds to account for collections pending distribution to lawful
2151 recipients.

2152 g. Federal grant trust fund, for use as a depository for
2153 funds to be used for allowable grant activities funded by
2154 restricted program revenues from federal sources.

2155
2156 To the extent possible, each agency must adjust its internal
2157 accounting to use existing trust funds consistent with the
2158 requirements of this subparagraph. If an agency does not have
2159 trust funds listed in this subparagraph and cannot make such
2160 adjustment, the agency must recommend the creation of the
2161 necessary trust funds to the Legislature no later than the next
2162 scheduled review of the agency's trust funds pursuant to s.
2163 215.3206.

2164 3. All such moneys are hereby appropriated to be expended
2165 in accordance with the law or trust agreement under which they
2166 were received, subject always to the provisions of chapter 216
2167 relating to the appropriation of funds and to the applicable
2168 laws relating to the deposit or expenditure of moneys in the
2169 State Treasury.

2170 4.a. Notwithstanding any provision of law restricting the
2171 use of trust funds to specific purposes, unappropriated cash
2172 balances from selected trust funds may be authorized by the
2173 Legislature for transfer to the Budget Stabilization Fund and
2174 General Revenue Fund in the General Appropriations Act.

2175 b. This subparagraph does not apply to trust funds required

20182502e1

2176 by federal programs or mandates; trust funds established for
2177 bond covenants, indentures, or resolutions whose revenues are
2178 legally pledged by the state or public body to meet debt service
2179 or other financial requirements of any debt obligations of the
2180 state or any public body; the Division of Licensing Trust Fund
2181 in the Department of Agriculture and Consumer Services; the
2182 State Transportation Trust Fund; the trust fund containing the
2183 net annual proceeds from the Florida Education Lotteries; the
2184 Florida Retirement System Trust Fund; trust funds under the
2185 management of the State Board of Education or the Board of
2186 Governors of the State University System, where such trust funds
2187 are for auxiliary enterprises, self-insurance, and contracts,
2188 grants, and donations, as those terms are defined by general
2189 law; trust funds that serve as clearing funds or accounts for
2190 the Chief Financial Officer or state agencies; trust funds that
2191 account for assets held by the state in a trustee capacity as an
2192 agent or fiduciary for individuals, private organizations, or
2193 other governmental units; and other trust funds authorized by
2194 the State Constitution.

2195 Section 55. The amendment to s. 215.32(2)(b), Florida
2196 Statutes, as carried forward by this act from chapter 2011-47,
2197 Laws of Florida, expires July 1, 2019, and the text of that
2198 paragraph shall revert to that in existence on June 30, 2011,
2199 except that any amendments to such text enacted other than by
2200 this act and chapter 2011-47, Laws of Florida, shall be
2201 preserved and continue to operate to the extent that such
2202 amendments are not dependent upon the portions of text which
2203 expire pursuant to this section.

2204 Section 56. In order to implement the appropriation of

20182502e1

2205 funds in the special categories, contracted services, and
2206 expenses categories of the 2018-2019 General Appropriations Act,
2207 a state agency may not enter into a contract containing a
2208 nondisclosure clause that prohibits the contractor from
2209 disclosing information relevant to the performance of the
2210 contract to members or staff of the Senate or the House of
2211 Representatives. This section expires July 1, 2019.

2212 Section 57. Any section of this act which implements a
2213 specific appropriation or specifically identified proviso
2214 language in the 2018-2019 General Appropriations Act is void if
2215 the specific appropriation or specifically identified proviso
2216 language is vetoed. Any section of this act which implements
2217 more than one specific appropriation or more than one portion of
2218 specifically identified proviso language in the 2018-2019
2219 General Appropriations Act is void if all the specific
2220 appropriations or portions of specifically identified proviso
2221 language are vetoed.

2222 Section 58. If any other act passed during the 2018 Regular
2223 Session of the Legislature contains a provision that is
2224 substantively the same as a provision in this act, but that
2225 removes or is otherwise not subject to the future repeal applied
2226 to such provision by this act, the Legislature intends that the
2227 provision in the other act takes precedence and continues to
2228 operate, notwithstanding the future repeal provided by this act.

2229 Section 59. If any provision of this act or its application
2230 to any person or circumstance is held invalid, the invalidity
2231 does not affect other provisions or applications of the act
2232 which can be given effect without the invalid provision or
2233 application, and to this end the provisions of this act are

20182502e1

2234 severable.

2235 Section 60. Except as otherwise expressly provided in this
2236 act and except for this section, which shall take effect upon
2237 this act becoming a law, this act shall take effect July 1,
2238 2018; or, if this act fails to become a law until after that
2239 date, it shall take effect upon becoming a law and shall operate
2240 retroactively to July 1, 2018.