

Amendment No.

CHAMBER ACTION

Senate

House

.

The Conference Committee on HB 5003 offered the following:

Conference Committee Amendment (with title amendment)

Remove everything after the enacting clause and insert:

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

Section 2. In order to implement Specific Appropriations 6, 7, 8, 92, and 93 of the 2018-2019 General Appropriations Act, and funds appropriated to the Department of Education in the Aid to Local Governments Grants and Aids-Florida Education Finance Program category in CS/SB 7026 or similar legislation adopted during the 2018 Regular Session of the Legislature or an

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14 extension thereof, the calculations of the Florida Education
15 Finance Program for the 2018-2019 fiscal year included in the
16 document titled "Public School Funding: The Florida Education
17 Finance Program," dated March 8, 2018, and filed with the Clerk
18 of the House of Representatives, are incorporated by reference
19 for the purpose of displaying the calculations used by the
20 Legislature, consistent with the requirements of state law, in
21 making appropriations for the Florida Education Finance Program.
22 This section expires July 1, 2019.

23 Section 3. In order to implement Specific Appropriations 6
24 and 92 of the 2018-2019 General Appropriations Act, and
25 notwithstanding ss. 1002.20, 1003.02, 1006.28-1006.42,
26 1011.62(6)(b)5., and 1011.67, Florida Statutes, relating to the
27 expenditure of funds provided for instructional materials, for
28 the 2018-2019 fiscal year, funds provided for instructional
29 materials shall be released and expended as required in the
30 proviso language for Specific Appropriation 92 of the 2018-2019
31 General Appropriations Act. This section expires July 1, 2019.

32 Section 4. In order to implement Specific Appropriations 6
33 and 92 of the 2018-2019 General Appropriations Act, subsections
34 (16) and (17) of section 1011.62, Florida Statutes, are
35 renumbered as subsections (17) and (18), respectively, paragraph
36 (a) of subsection (4) and subsection (14) are amended, and a new
37 subsection (16) is added to that section, to read:

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38 1011.62 Funds for operation of schools.—If the annual
39 allocation from the Florida Education Finance Program to each
40 district for operation of schools is not determined in the
41 annual appropriations act or the substantive bill implementing
42 the annual appropriations act, it shall be determined as
43 follows:

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

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

52 1.a. Not later than 2 working days before July 19, the
53 Department of Revenue shall certify to the Commissioner of
54 Education its most recent estimate of the taxable value for
55 school purposes in each school district and the total for all
56 school districts in the state for the current calendar year
57 based on the latest available data obtained from the local
58 property appraisers. The value certified shall be the taxable
59 value for school purposes for that year, and no further
60 adjustments shall be made, except those made pursuant to
61 paragraphs (c) and (d), or an assessment roll change required by
62 final judicial decisions as specified in paragraph (17) (b)

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63 ~~(16) (b)~~. Not later than July 19, the Commissioner of Education
64 shall compute a millage rate, rounded to the next highest one
65 one-thousandth of a mill, which, when applied to 96 percent of
66 the estimated state total taxable value for school purposes,
67 would generate the prescribed aggregate required local effort
68 for that year for all districts. The Commissioner of Education
69 shall certify to each district school board the millage rate,
70 computed as prescribed in this subparagraph, as the minimum
71 millage rate necessary to provide the district required local
72 effort for that year.

73 b. The General Appropriations Act shall direct the
74 computation of the statewide adjusted aggregate amount for
75 required local effort for all school districts collectively from
76 ad valorem taxes to ensure that no school district's revenue
77 from required local effort millage will produce more than 90
78 percent of the district's total Florida Education Finance
79 Program calculation as calculated and adopted by the
80 Legislature, and the adjustment of the required local effort
81 millage rate of each district that produces more than 90 percent
82 of its total Florida Education Finance Program entitlement to a
83 level that will produce only 90 percent of its total Florida
84 Education Finance Program entitlement in the July calculation.

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

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

92 b. For each year identified in sub-subparagraph a., the
93 taxable value certified by the appraiser pursuant to s.
94 193.122(2) or (3), if applicable, since the prior certification
95 under sub-subparagraph 1.a. This is the certification that
96 reflects all final administrative actions of the value
97 adjustment board.

98 (14) QUALITY ASSURANCE GUARANTEE.—The Legislature may
99 annually in the General Appropriations Act determine a
100 percentage increase in funds per K-12 unweighted FTE as a
101 minimum guarantee to each school district. The guarantee shall
102 be calculated from prior year base funding per unweighted FTE
103 student which shall include the adjusted FTE dollars as provided
104 in subsection (17)~~(16)~~, quality guarantee funds, and actual
105 nonvoted discretionary local effort from taxes. From the base
106 funding per unweighted FTE, the increase shall be calculated for
107 the current year. The current year funds from which the
108 guarantee shall be determined shall include the adjusted FTE
109 dollars as provided in subsection (17)~~(16)~~ and potential
110 nonvoted discretionary local effort from taxes. A comparison of
111 current year funds per unweighted FTE to prior year funds per
112 unweighted FTE shall be computed. For those school districts

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113 | which have less than the legislatively assigned percentage
114 | increase, funds shall be provided to guarantee the assigned
115 | percentage increase in funds per unweighted FTE student. Should
116 | appropriated funds be less than the sum of this calculated
117 | amount for all districts, the commissioner shall prorate each
118 | district's allocation. This provision shall be implemented to
119 | the extent specifically funded.

120 | (16) FUNDING COMPRESSION ALLOCATION.-The Legislature may
121 | provide an annual funding compression allocation in the General
122 | Appropriations Act. The allocation is created to provide
123 | additional funding to school districts and developmental
124 | research schools whose total funds per FTE in the prior year
125 | were less than the statewide average. Using the most recent
126 | prior year FEFP calculation for each eligible school district,
127 | the total funds per FTE shall be subtracted from the state
128 | average funds per FTE, not including any adjustments made
129 | pursuant to paragraph (17) (b). The resulting funds per FTE
130 | difference, or a portion thereof, as designated in the General
131 | Appropriations Act, shall then be multiplied by the school
132 | district's total unweighted FTE to provide the allocation. If
133 | the calculated funds are greater than the amount included in the
134 | General Appropriations Act, they must be prorated to the
135 | appropriation amount based on each participating school
136 | district's share.

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138 | This subsection expires July 1, 2019.

139 | Section 5. In order to implement Specific Appropriation
140 | 121 of the 2018-2019 General Appropriations Act, subsection (1)
141 | of section 1001.26, Florida Statutes, is amended to read:

142 | 1001.26 Public broadcasting program system.—

143 | (1) There is created a public broadcasting program system
144 | for the state. The department shall provide funds, as
145 | specifically appropriated in the General Appropriations Act, to
146 | educational television stations qualified by the Corporation for
147 | Public Broadcasting or public colleges and universities that are
148 | part of the public broadcasting program system. The program
149 | system must include:

150 | (a) Support for existing Corporation for Public
151 | Broadcasting qualified program system educational television
152 | stations.

153 | (b) Maintenance of quality broadcast capability for
154 | educational stations that are part of the program system.

155 | (c) Interconnection of all educational stations that are
156 | part of the program system for simultaneous broadcast and of
157 | such stations with all universities and other institutions as
158 | necessary for sharing of resources and delivery of programming.

159 | (d) Establishment and maintenance of a capability for
160 | statewide program distribution with facilities and staff,
161 | provided such facilities and staff complement and strengthen
162 | existing educational television stations.

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163 (e) Provision of both statewide programming funds and
164 station programming support for educational television to meet
165 statewide priorities. Priorities for station programming need
166 not be the same as priorities for programming to be used
167 statewide. Station programming may include, but shall not be
168 limited to, citizens' participation programs, music and fine
169 arts programs, coverage of public hearings and governmental
170 meetings, equal air time for political candidates, and other
171 public interest programming.

172 Section 6. The amendment made by this act to s.
173 1001.26(1), Florida Statutes, expires July 1, 2019, and the text
174 of that subsection shall revert to that in existence on June 30,
175 2018, except that any amendments to such text enacted other than
176 by this act shall be preserved and continue to operate to the
177 extent that such amendments are not dependent upon the portions
178 of text which expire pursuant to this section.

179 Section 7. In order to implement Specific Appropriation
180 109 of the 2018-2019 General Appropriations Act and
181 notwithstanding s. 212.099, Florida Statutes, as created by
182 CS/HB 7055 during the 2018 Regular Session, for the 2018-2019
183 fiscal year, eligible contributions for the Florida Sales Tax
184 Credit Scholarship Program may not be used to fund the program
185 established under s. 1002.385. This section expires July 1,
186 2019.

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187 Section 8. In order to implement Specific Appropriation 70
188 of the 2018-2019 General Appropriations Act, and notwithstanding
189 the expiration date in section 8 of chapter 2017-71, Laws of
190 Florida, paragraph (b) of subsection (4) of section 1009.986,
191 Florida Statutes, is reenacted to read:

192 1009.986 Florida ABLE program.—

193 (4) FLORIDA ABLE PROGRAM.—

194 (b) The participation agreement must include provisions
195 specifying:

196 1. The participation agreement is only a debt or
197 obligation of the Florida ABLE program and the Florida ABLE
198 Program Trust Fund and, as provided under paragraph (f), is not
199 a debt or obligation of the Florida Prepaid College Board or the
200 state.

201 2. Participation in the Florida ABLE program does not
202 guarantee that sufficient funds will be available to cover all
203 qualified disability expenses for any designated beneficiary and
204 does not guarantee the receipt or continuation of any product or
205 service for the designated beneficiary.

206 3. Whether the Florida ABLE program requires a designated
207 beneficiary to be a resident of this state or a resident of a
208 contracting state at the time the ABLE account is established.
209 In determining whether to require residency, the Florida Prepaid
210 College Board shall consider, among other factors:

211 a. Market research; and

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212 b. Estimated operating revenues and costs.

213 4. The establishment of an ABLE account in violation of
214 federal law is prohibited.

215 5. Contributions in excess of the limitations set forth in
216 s. 529A of the Internal Revenue Code are prohibited.

217 6. The state is a creditor of ABLE accounts as, and to the
218 extent, set forth in s. 529A of the Internal Revenue Code.

219 7. Material misrepresentations by a party to the
220 participation agreement, other than Florida ABLE, Inc., in the
221 application for the participation agreement or in any
222 communication with Florida ABLE, Inc., regarding the Florida
223 ABLE program may result in the involuntary liquidation of the
224 ABLE account. If an account is involuntarily liquidated, the
225 designated beneficiary is entitled to a refund, subject to any
226 fees or penalties provided by the participation agreement and
227 the Internal Revenue Code.

228 Section 9. The text of s. 1009.986(4)(b), Florida
229 Statutes, as carried forward from chapter 2017-71, Laws of
230 Florida, in this act, expires July 1, 2019, and the text of that
231 paragraph shall revert to that in existence on June 30, 2016,
232 except that any amendments to such text enacted other than by
233 this act shall be preserved and continue to operate to the
234 extent that such amendments are not dependent upon the portions
235 of text which expire pursuant to this section.

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236 Section 10. In order to implement Specific Appropriation
237 70 of the 2018-2019 General Appropriations Act, subsection (7)
238 of section 1009.986, Florida Statutes, is amended to read:

239 1009.986 Florida ABLE program.—

240 (7) MEDICAID RECOVERY; PRIORITY OF DISTRIBUTIONS.—

241 (a) Unless prohibited by federal law, upon the death of a
242 designated beneficiary, funds in the ABLE account must first be
243 distributed for qualified disability expenses then transferred
244 to the estate of the designated beneficiary or an ABLE account
245 of another eligible individual specified by the designated
246 beneficiary or by the estate of the designated beneficiary. ~~Upon~~
247 ~~the death of the designated beneficiary, the Agency for Health~~
248 ~~Care Administration and the Medicaid program for another state~~
249 ~~may file a claim with the Florida ABLE program for the total~~
250 ~~amount of medical assistance provided for the designated~~
251 ~~beneficiary under the Medicaid program, less any premiums paid~~
252 ~~by or on behalf of the designated beneficiary to a Medicaid buy-~~
253 ~~in program. Funds in the ABLE account of the deceased designated~~
254 ~~beneficiary must first be distributed for qualified disability~~
255 ~~expenses followed by distributions for the Medicaid claim~~
256 ~~authorized under this paragraph. Any remaining amount shall be~~
257 ~~distributed as provided in the participation agreement.~~

258 (b) Except as required by federal law, the state Medicaid
259 program may not file a claim for Medicaid recovery of funds in
260 an ABLE account.

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261 ~~(c)-(b)~~ Florida ABLE, Inc., shall assist and cooperate with
262 the Agency for Health Care Administration and Medicaid programs
263 in other states by providing the agency and programs with the
264 information needed to accomplish the purpose and objective of
265 this subsection.

266 Section 11. The text of s. 1009.986(7), Florida Statutes,
267 expires July 1, 2019, and the text of that subsection shall
268 revert to that in existence on June 30, 2016, except that any
269 amendments to such text enacted other than by this act shall be
270 preserved and continue to operate to the extent that such
271 amendments are not dependent upon the portions of text which
272 expire pursuant to this section.

273 Section 12. In order to implement Specific Appropriations
274 4 and 66D of the 2018-2019 General Appropriations Act,
275 subsection (3) of section 1009.215, Florida Statutes, is amended
276 to read:

277 1009.215 Student enrollment pilot program for the spring
278 and summer terms.-

279 (3) Students who are enrolled in the pilot program and who
280 are eligible to receive Bright Futures Scholarships under ss.
281 1009.53-1009.536 shall be eligible to receive the scholarship
282 award for attendance during the spring and summer terms ~~no more~~
283 ~~than 2 semesters or the equivalent in any fiscal year, including~~
284 ~~the summer term.~~ This student cohort shall also be eligible to
285 receive Bright Futures Scholarships for the fall semester term

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286 to be used for off-campus or online coursework, if Bright
287 Futures Scholarship funding is provided by the Legislature for
288 three terms for that academic year for other eligible students.

289 Section 13. The text of s. 1009.215(3), Florida Statutes,
290 expires July 1, 2019, and the text of that subsection shall
291 revert to that in existence on June 30, 2018, except that any
292 amendments to such text enacted other than by this act shall be
293 preserved and continue to operate to the extent that such
294 amendments are not dependent upon the portions of text which
295 expire pursuant to this section.

296 Section 14. In order to implement Specific Appropriations
297 199, 200, 203, and 207 of the 2018-2019 General Appropriations
298 Act, the calculations for the Medicaid Disproportionate Share
299 Hospital and Hospital Reimbursement programs for the 2018-2019
300 fiscal year contained in the document titled "Medicaid Hospital
301 Funding Programs," dated March 8, 2018, and filed with the Clerk
302 of the House of Representatives, are incorporated by reference
303 for the purpose of displaying the calculations used by the
304 Legislature, consistent with the requirements of state law, in
305 making appropriations for the Medicaid Disproportionate Share
306 Hospital and Hospital Reimbursement programs. This section
307 expires July 1, 2019.

308 Section 15. In order to implement Specific Appropriations
309 193 through 212 and 524 of the 2018-2019 General Appropriations
310 Act, and notwithstanding ss. 216.181 and 216.292, Florida

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311 Statutes, the Agency for Health Care Administration, in
312 consultation with the Department of Health, may submit a budget
313 amendment, subject to the notice, review, and objection
314 procedures of s. 216.177, Florida Statutes, to realign funding
315 within and between agencies based on implementation of the
316 Managed Medical Assistance component of the Statewide Medicaid
317 Managed Care program for the Children's Medical Services program
318 of the Department of Health. The funding realignment shall
319 reflect the actual enrollment changes due to the transfer of
320 beneficiaries from fee-for-service to the capitated Children's
321 Medical Services Network. The Agency for Health Care
322 Administration may submit a request for nonoperating budget
323 authority to transfer the federal funds to the Department of
324 Health pursuant to s. 216.181(12), Florida Statutes. This
325 section expires July 1, 2019.

326 Section 16. In order to implement Specific Appropriation
327 242 of the 2018-2019 General Appropriations Act:

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

333 (a) Each client's iBudget in effect as of the date the
334 agency ceases to have an allocation algorithm and methodology

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335 adopted by valid rule pursuant to s. 393.0662, Florida Statutes,
336 shall remain at that funding level.

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

342 (2) After a new allocation algorithm and methodology is
343 adopted by final rule, a client's new iBudget shall be
344 determined based on the new allocation algorithm and methodology
345 and shall take effect as of the client's next support plan
346 update.

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

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

351 Section 17. Effective October 1, 2018, in order to
352 implement Specific Appropriations 217 and 218 of the 2018-2019
353 General Appropriations Act, subsection (2) of section 409.908,
354 Florida Statutes, as amended by chapter 2017-129, Laws of
355 Florida, is amended to read:

356 409.908 Reimbursement of Medicaid providers.—Subject to
357 specific appropriations, the agency shall reimburse Medicaid
358 providers, in accordance with state and federal law, according
359 to methodologies set forth in the rules of the agency and in

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360 policy manuals and handbooks incorporated by reference therein.
361 These methodologies may include fee schedules, reimbursement
362 methods based on cost reporting, negotiated fees, competitive
363 bidding pursuant to s. 287.057, and other mechanisms the agency
364 considers efficient and effective for purchasing services or
365 goods on behalf of recipients. If a provider is reimbursed based
366 on cost reporting and submits a cost report late and that cost
367 report would have been used to set a lower reimbursement rate
368 for a rate semester, then the provider's rate for that semester
369 shall be retroactively calculated using the new cost report, and
370 full payment at the recalculated rate shall be effected
371 retroactively. Medicare-granted extensions for filing cost
372 reports, if applicable, shall also apply to Medicaid cost
373 reports. Payment for Medicaid compensable services made on
374 behalf of Medicaid eligible persons is subject to the
375 availability of moneys and any limitations or directions
376 provided for in the General Appropriations Act or chapter 216.
377 Further, nothing in this section shall be construed to prevent
378 or limit the agency from adjusting fees, reimbursement rates,
379 lengths of stay, number of visits, or number of services, or
380 making any other adjustments necessary to comply with the
381 availability of moneys and any limitations or directions
382 provided for in the General Appropriations Act, provided the
383 adjustment is consistent with legislative intent.

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

388 2. Unless otherwise limited or directed in the General
389 Appropriations Act, reimbursement to hospitals licensed under
390 part I of chapter 395 for the provision of swing-bed nursing
391 home services must be made on the basis of the average statewide
392 nursing home payment, and reimbursement to a hospital licensed
393 under part I of chapter 395 for the provision of skilled nursing
394 services must be made on the basis of the average nursing home
395 payment for those services in the county in which the hospital
396 is located. When a hospital is located in a county that does not
397 have any community nursing homes, reimbursement shall be
398 determined by averaging the nursing home payments in counties
399 that surround the county in which the hospital is located.
400 Reimbursement to hospitals, including Medicaid payment of
401 Medicare copayments, for skilled nursing services shall be
402 limited to 30 days, unless a prior authorization has been
403 obtained from the agency. Medicaid reimbursement may be extended
404 by the agency beyond 30 days, and approval must be based upon
405 verification by the patient's physician that the patient
406 requires short-term rehabilitative and recuperative services
407 only, in which case an extension of no more than 15 days may be
408 approved. Reimbursement to a hospital licensed under part I of

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409 chapter 395 for the temporary provision of skilled nursing
410 services to nursing home residents who have been displaced as
411 the result of a natural disaster or other emergency may not
412 exceed the average county nursing home payment for those
413 services in the county in which the hospital is located and is
414 limited to the period of time which the agency considers
415 necessary for continued placement of the nursing home residents
416 in the hospital.

417 (b) Subject to any limitations or directions in the
418 General Appropriations Act, the agency shall establish and
419 implement a state Title XIX Long-Term Care Reimbursement Plan
420 for nursing home care in order to provide care and services in
421 conformance with the applicable state and federal laws, rules,
422 regulations, and quality and safety standards and to ensure that
423 individuals eligible for medical assistance have reasonable
424 geographic access to such care.

425 1. The agency shall amend the long-term care reimbursement
426 plan and cost reporting system to create direct care and
427 indirect care subcomponents of the patient care component of the
428 per diem rate. These two subcomponents together shall equal the
429 patient care component of the per diem rate. Separate prices
430 shall be calculated for each patient care subcomponent,
431 initially based on the September 2016 rate setting cost reports
432 and subsequently based on the most recently audited cost report
433 used during a rebasing year. The direct care subcomponent of the

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434 per diem rate for any providers still being reimbursed on a cost
 435 basis shall be limited by the cost-based class ceiling, and the
 436 indirect care subcomponent may be limited by the lower of the
 437 cost-based class ceiling, the target rate class ceiling, or the
 438 individual provider target. The ceilings and targets apply only
 439 to providers being reimbursed on a cost-based system. Effective
 440 October 1, 2018, a prospective payment methodology shall be
 441 implemented for rate setting purposes with the following
 442 parameters:

- 443 a. Peer Groups, including:
 - 444 (I) North-SMMC Regions 1-9, less Palm Beach and Okeechobee
 - 445 Counties; and
 - 446 (II) South-SMMC Regions 10-11, plus Palm Beach and
 - 447 Okeechobee Counties.

- 448 b. Percentage of Median Costs based on the cost reports
 449 used for September 2016 rate setting:
 - 450 (I) Direct Care Costs.....105 ~~100~~ percent.
 - 451 (II) Indirect Care Costs.....92 percent.
 - 452 (III) Operating Costs.....86 percent.

- 453 c. Floors:
 - 454 (I) Direct Care Component.....95 percent.
 - 455 (II) Indirect Care Component.....92.5 percent.
 - 456 (III) Operating Component.....None.

- 457 d. Pass-through PaymentsReal Estate and Personal Property
 458 Taxes and Property Insurance.

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459 e. Quality Incentive Program Payment Pool 8.5 ~~6~~ percent of
460 September 2016 non-property related payments of included
461 facilities.

462 f. Quality Score Threshold to Quality for Quality
463 Incentive
464 Payment.....20th percentile of included facilities.

- 465 g. Fair Rental Value System Payment Parameters:
- 466 (I) Building Value per Square Foot based on 2018 RS Means.
- 467 (II) Land Valuation 10 percent of Gross Building value.
- 468 (III) Facility Square Footage...Actual Square Footage.
- 469 (IV) Moveable Equipment Allowance.....\$8,000 per bed.
- 470 (V) Obsolescence Factor.....1.5 percent.
- 471 (VI) Fair Rental Rate of Return.....8 percent.
- 472 (VII) Minimum Occupancy.....90 percent.
- 473 (VIII) Maximum Facility Age.....40 years.
- 474 (IX) Minimum Square Footage per Bed.....350.
- 475 (X) Maximum Square Footage for Bed.....500.
- 476 (XI) Minimum Cost of a renovation/replacements \$500 per
477 bed.

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

480 2. The direct care subcomponent shall include salaries and
481 benefits of direct care staff providing nursing services
482 including registered nurses, licensed practical nurses, and
483 certified nursing assistants who deliver care directly to

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484 residents in the nursing home facility, allowable therapy costs,
485 and dietary costs. This excludes nursing administration, staff
486 development, the staffing coordinator, and the administrative
487 portion of the minimum data set and care plan coordinators. The
488 direct care subcomponent also includes medically necessary
489 dental care, vision care, hearing care, and podiatric care.

490 3. All other patient care costs shall be included in the
491 indirect care cost subcomponent of the patient care per diem
492 rate, including complex medical equipment, medical supplies, and
493 other allowable ancillary costs. Costs may not be allocated
494 directly or indirectly to the direct care subcomponent from a
495 home office or management company.

496 4. On July 1 of each year, the agency shall report to the
497 Legislature direct and indirect care costs, including average
498 direct and indirect care costs per resident per facility and
499 direct care and indirect care salaries and benefits per category
500 of staff member per facility.

501 5. Every fourth year, the agency shall rebase nursing home
502 prospective payment rates to reflect changes in cost based on
503 the most recently audited cost report for each participating
504 provider.

505 6. A direct care supplemental payment may be made to
506 providers whose direct care hours per patient day are above the
507 80th percentile and who provide Medicaid services to a larger
508 percentage of Medicaid patients than the state average.

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509 7. For the period beginning on October 1, 2018, and ending
510 on September 30, 2021, the agency shall reimburse providers the
511 greater of their September 2016 cost-based rate or their
512 prospective payment rate. Effective October 1, 2021, the agency
513 shall reimburse providers the greater of 95 percent of their
514 cost-based rate or their rebased prospective payment rate, using
515 the most recently audited cost report for each facility. This
516 subparagraph shall expire September 30, 2023.

517 8. Pediatric, Florida Department of Veterans Affairs, and
518 government-owned facilities are exempt from the pricing model
519 established in this subsection and shall remain on a cost-based
520 prospective payment system. Effective October 1, 2018, the
521 agency shall set rates for all facilities remaining on a cost-
522 based prospective payment system using each facility's most
523 recently audited cost report, eliminating retroactive
524 settlements.

525

526 It is the intent of the Legislature that the reimbursement plan
527 achieve the goal of providing access to health care for nursing
528 home residents who require large amounts of care while
529 encouraging diversion services as an alternative to nursing home
530 care for residents who can be served within the community. The
531 agency shall base the establishment of any maximum rate of
532 payment, whether overall or component, on the available moneys
533 as provided for in the General Appropriations Act. The agency

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534 may base the maximum rate of payment on the results of
535 scientifically valid analysis and conclusions derived from
536 objective statistical data pertinent to the particular maximum
537 rate of payment.

538 Section 18. Effective October 1, 2018, in order to
539 implement Specific Appropriations 217 and 218 of the 2018-2019
540 General Appropriations Act, subsection (23) of section 409.908,
541 Florida Statutes, is amended to read:

542 409.908 Reimbursement of Medicaid providers.—Subject to
543 specific appropriations, the agency shall reimburse Medicaid
544 providers, in accordance with state and federal law, according
545 to methodologies set forth in the rules of the agency and in
546 policy manuals and handbooks incorporated by reference therein.
547 These methodologies may include fee schedules, reimbursement
548 methods based on cost reporting, negotiated fees, competitive
549 bidding pursuant to s. 287.057, and other mechanisms the agency
550 considers efficient and effective for purchasing services or
551 goods on behalf of recipients. If a provider is reimbursed based
552 on cost reporting and submits a cost report late and that cost
553 report would have been used to set a lower reimbursement rate
554 for a rate semester, then the provider's rate for that semester
555 shall be retroactively calculated using the new cost report, and
556 full payment at the recalculated rate shall be effected
557 retroactively. Medicare-granted extensions for filing cost
558 reports, if applicable, shall also apply to Medicaid cost

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559 reports. Payment for Medicaid compensable services made on
560 behalf of Medicaid eligible persons is subject to the
561 availability of moneys and any limitations or directions
562 provided for in the General Appropriations Act or chapter 216.
563 Further, nothing in this section shall be construed to prevent
564 or limit the agency from adjusting fees, reimbursement rates,
565 lengths of stay, number of visits, or number of services, or
566 making any other adjustments necessary to comply with the
567 availability of moneys and any limitations or directions
568 provided for in the General Appropriations Act, provided the
569 adjustment is consistent with legislative intent.

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

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

578 2. (e) Base rate reimbursement for outpatient services
579 under an enhanced ambulatory payment group methodology shall be
580 provided in the General Appropriations Act.

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

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584 ~~(d) This subsection applies to the following provider~~
585 ~~types:~~

586 ~~1. Nursing homes.~~

587 ~~2. County health departments.~~

588 ~~(e) The agency shall apply the effect of this subsection~~
589 ~~to the reimbursement rates for nursing home diversion programs.~~

590 Section 19. The amendments made by this act to s.
591 409.908(2) and (23), Florida Statutes, expire July 1, 2019, and
592 the text of those subsections shall revert to that in existence
593 on October 1, 2018, not including any amendments made by this
594 act, except that any amendments to such text enacted other than
595 by this act shall be preserved and continue to operate to the
596 extent that such amendments are not dependent upon the portions
597 of text which expire pursuant to this section.

598 Section 20. In order to implement Specific Appropriations
599 199, 203, 204, 206, 208, and 217 of the 2018-2019 General
600 Appropriations Act, the Agency for Health Care Administration
601 shall seek authorization from the federal Centers for Medicare
602 and Medicaid Services to eliminate the Medicaid retroactive
603 eligibility period for nonpregnant adults in a manner that
604 ensures that the elimination becomes effective on July 1, 2018.
605 Eligibility will continue to begin the first day of the month in
606 which a nonpregnant adult applies for Medicaid. This section
607 expires July 1, 2019.

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608 Section 21. In order to implement Specific Appropriations
609 535 through 545 of the 2018-2019 General Appropriations Act,
610 subsection (18) of section 893.055, Florida Statutes, is amended
611 to read:

612 893.055 Prescription drug monitoring program.—

613 (18) For the 2018-2019 ~~2017-2018~~ fiscal year only, neither
614 the Attorney General nor the department may use funds received
615 as part of a settlement agreement to administer the prescription
616 drug monitoring program. This subsection expires July 1, 2019
617 ~~2018~~.

618 Section 22. In order to implement Specific Appropriation
619 200 of the 2018-2019 General Appropriations Act, subsections (2)
620 and (10) of section 409.911, Florida Statutes, are amended to
621 read:

622 409.911 Disproportionate share program.—Subject to
623 specific allocations established within the General
624 Appropriations Act and any limitations established pursuant to
625 chapter 216, the agency shall distribute, pursuant to this
626 section, moneys to hospitals providing a disproportionate share
627 of Medicaid or charity care services by making quarterly
628 Medicaid payments as required. Notwithstanding the provisions of
629 s. 409.915, counties are exempt from contributing toward the
630 cost of this special reimbursement for hospitals serving a
631 disproportionate share of low-income patients.

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632 (2) The Agency for Health Care Administration shall use
633 the following actual audited data to determine the Medicaid days
634 and charity care to be used in calculating the disproportionate
635 share payment:

636 (a) The average of the 2010, 2011, and 2012 ~~2009, 2010,~~
637 ~~and 2011~~ audited disproportionate share data to determine each
638 hospital's Medicaid days and charity care for the 2018-2019
639 ~~2017-2018~~ state fiscal year.

640 (b) If the Agency for Health Care Administration does not
641 have the prescribed 3 years of audited disproportionate share
642 data as noted in paragraph (a) for a hospital, the agency shall
643 use the average of the years of the audited disproportionate
644 share data as noted in paragraph (a) which is available.

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

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

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656 Section 23. In order to implement Specific Appropriation
657 200 of the 2018-2019 General Appropriations Act, subsection (3)
658 of section 409.9113, Florida Statutes, is amended to read:

659 409.9113 Disproportionate share program for teaching
660 hospitals.—In addition to the payments made under s. 409.911,
661 the agency shall make disproportionate share payments to
662 teaching hospitals, as defined in s. 408.07, for their increased
663 costs associated with medical education programs and for
664 tertiary health care services provided to the indigent. This
665 system of payments must conform to federal requirements and
666 distribute funds in each fiscal year for which an appropriation
667 is made by making quarterly Medicaid payments. Notwithstanding
668 s. 409.915, counties are exempt from contributing toward the
669 cost of this special reimbursement for hospitals serving a
670 disproportionate share of low-income patients. The agency shall
671 distribute the moneys provided in the General Appropriations Act
672 to statutorily defined teaching hospitals and family practice
673 teaching hospitals, as defined in s. 395.805, pursuant to this
674 section. The funds provided for statutorily defined teaching
675 hospitals shall be distributed as provided in the General
676 Appropriations Act. The funds provided for family practice
677 teaching hospitals shall be distributed equally among family
678 practice teaching hospitals.

679 (3) Notwithstanding any provision of this section to the
680 contrary, for the 2018-2019 ~~2017-2018~~ state fiscal year, the

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681 agency shall make disproportionate share payments to teaching
682 hospitals, as defined in s. 408.07, as provided in the 2018-2019
683 ~~2017-2018~~ General Appropriations Act. This subsection expires
684 July 1, 2019 ~~2018~~.

685 Section 24. In order to implement Specific Appropriation
686 200 of the 2018-2019 General Appropriations Act, subsection (4)
687 of section 409.9119, Florida Statutes, is amended to read:

688 409.9119 Disproportionate share program for specialty
689 hospitals for children.—In addition to the payments made under
690 s. 409.911, the Agency for Health Care Administration shall
691 develop and implement a system under which disproportionate
692 share payments are made to those hospitals that are separately
693 licensed by the state as specialty hospitals for children, have
694 a federal Centers for Medicare and Medicaid Services
695 certification number in the 3300-3399 range, have Medicaid days
696 that exceed 55 percent of their total days and Medicare days
697 that are less than 5 percent of their total days, and were
698 licensed on January 1, 2013, as specialty hospitals for
699 children. This system of payments must conform to federal
700 requirements and must distribute funds in each fiscal year for
701 which an appropriation is made by making quarterly Medicaid
702 payments. Notwithstanding s. 409.915, counties are exempt from
703 contributing toward the cost of this special reimbursement for
704 hospitals that serve a disproportionate share of low-income
705 patients. The agency may make disproportionate share payments to

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706 specialty hospitals for children as provided for in the General
707 Appropriations Act.

708 (4) Notwithstanding any provision of this section to the
709 contrary, for the 2018-2019 ~~2017-2018~~ state fiscal year, for
710 hospitals achieving full compliance under subsection (3), the
711 agency shall make disproportionate share payments to specialty
712 hospitals for children as provided in the 2018-2019 ~~2017-2018~~
713 General Appropriations Act. This subsection expires July 1, 2019
714 ~~2018~~.

715 Section 25. In order to implement Specific Appropriations
716 193 through 220 of the 2018-2019 General Appropriations Act, and
717 notwithstanding ss. 216.181 and 216.292, Florida Statutes, the
718 Agency for Health Care Administration may submit a budget
719 amendment, subject to the notice, review, and objection
720 procedures of s. 216.177, Florida Statutes, to realign funding
721 within the Medicaid program appropriation categories to address
722 projected surpluses and deficits within the program and to
723 maximize the use of state trust funds. A single budget amendment
724 shall be submitted in the last quarter of the 2018-2019 fiscal
725 year only. This section expires July 1, 2019.

726 Section 26. In order to implement Specific Appropriation
727 325 of the 2018-2019 General Appropriations Act, paragraph (b)
728 of subsection (6) and subsection (7) of section 39.6251, Florida
729 Statutes, are amended to read:

730 39.6251 Continuing care for young adults.—

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731 (6) A young adult who is between the ages of 18 and 21 and
732 who has left care may return to care by applying to the
733 community-based care lead agency for readmission. The community-
734 based care lead agency shall readmit the young adult if he or
735 she continues to meet the eligibility requirements in this
736 section.

737 (b) Within 30 days after the young adult has been
738 readmitted to care, the community-based care lead agency shall
739 assign a case manager to update the case plan and the transition
740 plan and to arrange for the required services. Updates to the
741 case plan and the transition plan and arrangements for the
742 required services ~~Such activities~~ shall be undertaken in
743 consultation with the young adult. The department shall petition
744 the court to reinstate jurisdiction over the young adult.
745 Notwithstanding s. 39.013(2), the court shall resume
746 jurisdiction over the young adult if the department establishes
747 that he or she continues to meet the eligibility requirements in
748 this section.

749 (7) During each period of time that a young adult is in
750 care, the community-based lead agency shall provide regular case
751 management reviews that must include at least monthly face-to-
752 face meetings ~~contact~~ with the case manager. ~~If a young adult~~
753 ~~lives outside the service area of his or her community-based~~
754 ~~care lead agency, monthly contact may occur by telephone.~~

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755 Section 27. In order to implement Specific Appropriation
756 326 of the 2018-2019 General Appropriations Act, subsections (4)
757 and (5) of section 409.166, Florida Statutes, are amended to
758 read:

759 409.166 Children within the child welfare system; adoption
760 assistance program.—

761 (4) ADOPTION ASSISTANCE.—

762 (a) For purposes of administering payments under paragraph
763 (d), the term:

764 1. "Child" means an individual who has not attained 21
765 years of age.

766 2. "Young adult" means an individual who has attained 18
767 years of age but who has not attained 21 years of age.

768 (b)-(a) A maintenance subsidy shall be granted only when
769 all other resources available to a child have been thoroughly
770 explored and it can be clearly established that this is the most
771 acceptable plan for providing permanent placement for the child.
772 The maintenance subsidy may not be used as a substitute for
773 adoptive parent recruitment or as an inducement to adopt a child
774 who might be placed without providing a subsidy. However, it
775 shall be the policy of the department that no child be denied
776 adoption if providing a maintenance subsidy would make adoption
777 possible. The best interest of the child shall be the deciding
778 factor in every case. This section does not prohibit foster
779 parents from applying to adopt a child placed in their care.

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780 Foster parents or relative caregivers must be asked if they
781 would adopt without a maintenance subsidy.

782 ~~(c)-(b)~~ The department shall provide adoption assistance to
783 the adoptive parents, subject to specific appropriation, in the
784 amount of \$5,000 annually, paid on a monthly basis, for the
785 support and maintenance of a child until the 18th birthday of
786 such child or in an amount other than \$5,000 annually as
787 determined by the adoptive parents and the department and
788 memorialized in a written agreement between the adoptive parents
789 and the department. The agreement shall take into consideration
790 the circumstances of the adoptive parents and the needs of the
791 child being adopted. The amount of subsidy may be adjusted based
792 upon changes in the needs of the child or circumstances of the
793 adoptive parents. Changes shall not be made without the
794 concurrence of the adoptive parents. However, in no case shall
795 the amount of the monthly payment exceed the foster care
796 maintenance payment that would have been paid during the same
797 period if the child had been in a foster family home.

798 (d) Effective January 1, 2019, adoption assistance
799 payments may be made for a child whose adoptive parent entered
800 into an initial adoption assistance agreement after the child
801 reached 16 years of age but before the child reached 18 years of
802 age. Such payments may be made until the child reaches age 21 if
803 the child is:

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804 1. Completing secondary education or a program leading to
805 an equivalent credential;

806 2. Enrolled in an institution that provides postsecondary
807 or vocational education;

808 3. Participating in a program or activity designed to
809 promote or eliminate barriers to employment;

810 4. Employed for at least 80 hours per month; or

811 5. Unable to participate in programs or activities listed
812 in subparagraphs 1.-4. full time due to a physical, an
813 intellectual, an emotional, or a psychiatric condition that
814 limits participation. Any such barrier to participation must be
815 supported by documentation in the child's case file or school or
816 medical records of a physical, an intellectual, an emotional, or
817 a psychiatric condition that impairs the child's ability to
818 perform one or more life activities.

819 (e) A child or young adult receiving benefits through the
820 adoption assistance program is not eligible to simultaneously
821 receive relative caregiver benefits under s. 39.5085 or
822 postsecondary education services and support under s. 409.1451.

823 (f)~~(e)~~ The department may provide adoption assistance to
824 the adoptive parents, subject to specific appropriation, for
825 medical assistance initiated after the adoption of the child for
826 medical, surgical, hospital, and related services needed as a
827 result of a physical or mental condition of the child which
828 existed before the adoption and is not covered by Medicaid,

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829 Children's Medical Services, or Children's Mental Health
830 Services. Such assistance may be initiated at any time but shall
831 terminate on or before the child's 18th birthday.

832 (5) ELIGIBILITY FOR SERVICES.—

833 (a) As a condition of receiving ~~providing~~ adoption
834 assistance under this section, the adoptive parents must have an
835 approved adoption home study before the adoption is finalized
836 and must enter into an adoption-assistance agreement with the
837 department before the adoption is finalized which specifies the
838 financial assistance and other services to be provided.

839 (b) A child who is handicapped at the time of adoption
840 shall be eligible for services through the Children's Medical
841 Services network established under part I of chapter 391 if the
842 child was eligible for such services prior to the adoption.

843 Section 28. The amendments to ss. 39.6251 and 409.166,
844 Florida Statutes, expire July 1, 2019, and the text of those
845 sections shall revert to that in existence on June 30, 2018,
846 except that any amendments to such text enacted other than by
847 this act shall be preserved and continue to operate to the
848 extent that such amendments are not dependent upon the portions
849 of text which expire pursuant to this section.

850 Section 29. In order to implement Specific Appropriations
851 422 and 424 of the 2018-2019 General Appropriations Act,
852 subsection (17) is added to section 381.986, Florida Statutes,
853 to read:

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854 381.986 Medical use of marijuana.—

855 (17) Rules adopted pursuant to this section before July 1,
856 2019 are not subject to s. 120.541(3). Notwithstanding s.
857 381.986(8)(e), a medical marijuana treatment center may use a
858 laboratory that has not been certified by the department under
859 s. 381.988 until such time as at least one laboratory holds the
860 required certification pursuant to s. 381.988, but in no event
861 later than July 1, 2019. This subsection expires July 1, 2019.

862 Section 30. In order to implement Specific Appropriations
863 422 and 424 of the 2018-2019 General Appropriations Act,
864 subsection (11) is added to section 381.988, Florida Statutes,
865 to read:

866 381.988 Medical marijuana testing laboratories; marijuana
867 tests conducted by a certified laboratory.—

868 (11) Rules adopted under subsection (9) before July 1,
869 2019 are not subject to s. 120.541(3). This subsection expires
870 July 1, 2019.

871 Section 31. In order to implement Specific Appropriations
872 554 through 560 and 562 through 563 of the 2018-2019 General
873 Appropriations Act, subsection (3) of section 296.37, Florida
874 Statutes, is amended to read:

875 296.37 Residents; contribution to support.—

876 (3) Notwithstanding subsection (1), each resident of the
877 home who receives a pension, compensation, or gratuity from the
878 United States Government, or income from any other source, of

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879 | more than \$130 ~~\$105~~ per month shall contribute to his or her
880 | maintenance and support while a resident of the home in
881 | accordance with a payment schedule determined by the
882 | administrator and approved by the director. The total amount of
883 | such contributions shall be to the fullest extent possible, but,
884 | in no case, shall exceed the actual cost of operating and
885 | maintaining the home. This subsection expires July 1, 2019 ~~2017~~.

886 | Section 32. In order to implement Specific Appropriations
887 | 583 through 696 and 711 through 745 of the 2018-2019 General
888 | Appropriations Act, subsection (4) of section 216.262, Florida
889 | Statutes, is amended to read:

890 | 216.262 Authorized positions.—

891 | (4) Notwithstanding the provisions of this chapter
892 | relating to increasing the number of authorized positions, and
893 | for the 2018-2019 ~~2017-2018~~ fiscal year only, if the actual
894 | inmate population of the Department of Corrections exceeds the
895 | inmate population projections of the December 20, ~~February 23,~~
896 | 2017, Criminal Justice Estimating Conference by 1 percent for 2
897 | consecutive months or 2 percent for any month, the Executive
898 | Office of the Governor, with the approval of the Legislative
899 | Budget Commission, shall immediately notify the Criminal Justice
900 | Estimating Conference, which shall convene as soon as possible
901 | to revise the estimates. The Department of Corrections may then
902 | submit a budget amendment requesting the establishment of
903 | positions in excess of the number authorized by the Legislature

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904 and additional appropriations from unallocated general revenue
905 sufficient to provide for essential staff, fixed capital
906 improvements, and other resources to provide classification,
907 security, food services, health services, and other variable
908 expenses within the institutions to accommodate the estimated
909 increase in the inmate population. All actions taken pursuant to
910 this subsection are subject to review and approval by the
911 Legislative Budget Commission. This subsection expires July 1,
912 2019 ~~2018~~.

913 Section 33. In order to implement Specific Appropriations
914 3127 through 3194 of the 2018-2019 General Appropriations Act,
915 subsection (2) of section 215.18, Florida Statutes, is amended
916 to read:

917 215.18 Transfers between funds; limitation.—

918 (2) The Chief Justice of the Supreme Court may receive one
919 or more trust fund loans to ensure that the state court system
920 has funds sufficient to meet its appropriations in the 2018-2019
921 ~~2017-2018~~ General Appropriations Act. If the Chief Justice
922 accesses the loan, he or she must notify the Governor and the
923 chairs of the legislative appropriations committees in writing.
924 The loan must come from other funds in the State Treasury which
925 are for the time being or otherwise in excess of the amounts
926 necessary to meet the just requirements of such last-mentioned
927 funds. The Governor shall order the transfer of funds within 5
928 days after the written notification from the Chief Justice. If

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929 the Governor does not order the transfer, the Chief Financial
930 Officer shall transfer the requested funds. The loan of funds
931 from which any money is temporarily transferred must be repaid
932 by the end of the 2018-2019 ~~2017-2018~~ fiscal year. This
933 subsection expires July 1, 2019 ~~2018~~.

934 Section 34. In order to implement Specific Appropriation
935 716 of the 2018-2019 General Appropriations Act, and
936 notwithstanding s. 216.292, Florida Statutes, the Department of
937 Corrections is authorized to submit budget amendments to
938 transfer funds from categories within the department other than
939 fixed capital outlay categories into the Inmate Health Services
940 category in order to continue the current level of care in the
941 provision of health services. Such transfers are subject to the
942 notice, review, and objection procedures of s. 216.177, Florida
943 Statutes. This section expires July 1, 2019.

944 Section 35. (1) In order to implement Specific
945 Appropriations 1104 through 1115 of the 2018-2019 General
946 Appropriations Act, the Department of Juvenile Justice is
947 required to review county juvenile detention payments to ensure
948 that counties fulfill their financial responsibilities required
949 in s. 985.6865, Florida Statutes. If the Department of Juvenile
950 Justice determines that a county has not met its obligations,
951 the department shall direct the Department of Revenue to deduct
952 the amount owed to the Department of Juvenile Justice from the
953 funds provided to the county under s. 218.23, Florida Statutes.

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954 The Department of Revenue shall transfer the funds withheld to
955 the Shared County/State Juvenile Detention Trust Fund.

956 (2) As an assurance to holders of bonds issued by counties
957 before July 1, 2018, for which distributions made pursuant to s.
958 218.23, Florida Statutes, are pledged, or bonds issued to refund
959 such bonds which mature no later than the bonds they refunded
960 and which result in a reduction of debt service payable in each
961 fiscal year, the amount available for distribution to a county
962 shall remain as provided by law and continue to be subject to
963 any lien or claim on behalf of the bondholders. The Department
964 of Revenue must ensure, based on information provided by an
965 affected county, that any reduction in amounts distributed
966 pursuant to subsection (1) does not reduce the amount of
967 distribution to a county below the amount necessary for the
968 timely payment of principal and interest when due on the bonds
969 and the amount necessary to comply with any covenant under the
970 bond resolution or other documents relating to the issuance of
971 the bonds. If a reduction to a county's monthly distribution
972 must be decreased in order to comply with this section, the
973 Department of Revenue must notify the Department of Juvenile
974 Justice of the amount of the decrease, and the Department of
975 Juvenile Justice must send a bill for payment of such amount to
976 the affected county.

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

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978 Section 36. In order to implement Specific Appropriations
979 1104 through 1115 of the 2018-2019 General Appropriations Act,
980 the Department of Juvenile Justice may not provide, make, pay,
981 or deduct, and a nonfiscally constrained county may not apply,
982 deduct, or receive any reimbursement or any credit for any
983 previous overpayment of juvenile detention care costs related to
984 or for any previous state fiscal year, against the juvenile
985 detention care costs due from the nonfiscally constrained county
986 in the 2018-2019 fiscal year pursuant to s. 985.686, Florida
987 Statutes, or any other law. This section expires July 1, 2019.

988 Section 37. In order to implement Specific Appropriation
989 772 of the 2018-2019 General Appropriations Act, subsection (13)
990 of s. 27.5304, Florida Statutes, is amended to read:

991 27.5304 Private court-appointed counsel; compensation;
992 notice.—

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

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

999 (b) For noncapital, nonlife felonies represented at the
1000 trial level: \$15,000.

1001 (c) For life felonies represented at the trial level:
1002 \$15,000.

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1003 (d) For capital cases represented at the trial level:
1004 \$25,000. For purposes of this paragraph, a "capital case" is any
1005 offense for which the potential sentence is death and the state
1006 has not waived seeking the death penalty.

1007 (e) For representation on appeal: \$9,000.

1008 (f) This subsection expires July 1, 2019 ~~2018~~.

1009 Section 38. In order to implement Specific Appropriation
1010 764 of the 2018-2019 General Appropriations Act, and
1011 notwithstanding section 28.35, Florida Statutes, the clerks of
1012 the circuit court are responsible for any costs of compensation
1013 to jurors, for meals or lodging provided to jurors, and for
1014 jury-related personnel costs that exceed the funding provided in
1015 the General Appropriations Act for these purposes. This section
1016 expires July 1, 2019.

1017 Section 39. In order to implement Specific Appropriations
1018 922 through 1046A of the 2018-2019 General Appropriations Act,
1019 paragraph (c) of subsection (19) of section 318.18, Florida
1020 Statutes, is amended to read:

1021 318.18 Amount of penalties.—The penalties required for a
1022 noncriminal disposition pursuant to s. 318.14 or a criminal
1023 offense listed in s. 318.17 are as follows:

1024 (19) In addition to any penalties imposed, an Article V
1025 assessment of \$10 must be paid for all noncriminal moving and
1026 nonmoving violations under chapters 316, 320, and 322. The
1027 assessment is not revenue for purposes of s. 28.36 and may not

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1028 be used in establishing the budget of the clerk of the court
1029 under that section or s. 28.35. Of the funds collected under
1030 this subsection:

1031 (c) The sum of \$1.67 shall be deposited in the Indigent
1032 Criminal Defense ~~Public Defenders Revenue~~ Trust Fund for use by
1033 the public defenders.

1034 Section 40. The amendment made by this act to s. 318.18,
1035 Florida Statutes, expires July 1, 2019, and the text of that
1036 paragraph shall revert to that in existence on June 30, 2018,
1037 except that any amendments to such text enacted other than by
1038 this act shall be preserved and continue to operate to the
1039 extent that such amendments are not dependent upon the portions
1040 of text which expire pursuant to this section.

1041 Section 41. In order to implement Specific Appropriations
1042 922 through 1046A of the 2018-2019 General Appropriations Act,
1043 paragraph (b) of subsection (12) of section 817.568, Florida
1044 Statutes, is amended to read:

1045 817.568 Criminal use of personal identification
1046 information.—

1047 (12) In addition to any sanction imposed when a person
1048 pleads guilty or nolo contendere to, or is found guilty of,
1049 regardless of adjudication, a violation of this section, the
1050 court shall impose a surcharge of \$1,001.

1051 (b) The sum of \$250 of the surcharge shall be deposited
1052 into the State Attorneys Revenue Trust Fund for the purpose of

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1053 funding prosecutions of offenses relating to the criminal use of
1054 personal identification information. The sum of \$250 of the
1055 surcharge shall be deposited into the Indigent Criminal Defense
1056 ~~Public Defenders Revenue~~ Trust Fund for the purposes of indigent
1057 criminal defense related to the criminal use of personal
1058 identification information.

1059 Section 42. The amendment made by this act to s. 817.568,
1060 Florida Statutes, expires July 1, 2019, and the text of that
1061 paragraph shall revert to that in existence on June 30, 2018,
1062 except that any amendments to such text enacted other than by
1063 this act shall be preserved and continue to operate to the
1064 extent that such amendments are not dependent upon the portions
1065 of text which expire pursuant to this section.

1066 Section 43. In order to implement Specific Appropriations
1067 922 through 1046A of the 2018-2019 General Appropriations Act,
1068 all current balances remaining in, and all revenues of, the
1069 Public Defenders Revenue Trust Fund shall be transferred to the
1070 Indigent Criminal Defense Trust Fund. This section expires July
1071 1, 2019.

1072 Section 44. In order to implement Specific Appropriation
1073 732 of the 2018-2019 General Appropriations Act, paragraph (b)
1074 of subsection (7) of section 1011.80, Florida Statutes, is
1075 amended to read:

1076 1011.80 Funds for operation of workforce education
1077 programs.—

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1078 (7)

1079 (b) State funds provided for the operation of
1080 postsecondary workforce programs may not be expended for the
1081 education of state or federal inmates, except to the extent that
1082 such funds are specifically appropriated for such purpose in the
1083 2018-2019 General Appropriations Act.

1084 Section 45. The amendment made by this act to s. 1011.80,
1085 Florida Statutes, expires July 1, 2019, and the text of that
1086 subsection shall revert to that in existence on June 30, 2018,
1087 except that any amendments to such text enacted other than by
1088 this act shall be preserved and continue to operate to the
1089 extent that such amendments are not dependent upon the portions
1090 of text which expire pursuant to this section.

1091 Section 46. In order to implement Specific Appropriation
1092 3129 of the 2018-2019 General Appropriations Act, and
1093 notwithstanding s. 112.061(4), Florida Statutes:

1094 (1) (a) A Supreme Court justice who permanently resides
1095 outside Leon County may, if he or she so requests, have a
1096 district court of appeal courthouse, a county courthouse, or
1097 other appropriate facility in his or her district of residence
1098 designated as his or her official headquarters for purposes of
1099 s. 112.061, Florida Statutes. This official headquarters may
1100 serve only as the justice's private chambers.

1101 (b) A justice for whom an official headquarters is
1102 designated in his or her district of residence under this

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1103 subsection is eligible for subsistence at a rate to be
1104 established by the Chief Justice for each day or partial day
1105 that the justice is at the headquarters of the Supreme Court to
1106 conduct court business. In addition to the subsistence
1107 allowance, a justice is eligible for reimbursement for
1108 transportation expenses as provided in s. 112.061(7), Florida
1109 Statutes, for travel between the justice's official headquarters
1110 and the headquarters of the Supreme Court to conduct court
1111 business.

1112 (c) Payment of subsistence and reimbursement for
1113 transportation expenses relating to travel between a justice's
1114 official headquarters and the headquarters of the Supreme Court
1115 shall be made to the extent appropriated funds are available, as
1116 determined by the Chief Justice.

1117 (2) The Chief Justice shall coordinate with each affected
1118 justice and other state and local officials as necessary to
1119 implement paragraph (1) (a).

1120 (3) (a) This section does not require a county to provide
1121 space in a county courthouse for a justice. A county may enter
1122 into an agreement with the Supreme Court governing the use of
1123 space in a county courthouse.

1124 (b) The Supreme Court may not use state funds to lease
1125 space in a district court of appeal courthouse, a county
1126 courthouse, or another facility to allow a justice to establish
1127 an official headquarters pursuant to subsection (1).

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1128 (4) This section expires July 1, 2019.

1129 Section 47. In order to implement appropriations used to
1130 pay existing lease contracts for private lease space in excess
1131 of 2,000 square feet in the 2018-2019 General Appropriations
1132 Act, the Department of Management Services, with the cooperation
1133 of the agencies having the existing lease contracts for office
1134 or storage space, shall use tenant broker services to
1135 renegotiate or reprocure all private lease agreements for office
1136 or storage space expiring between July 1, 2019, and June 30,
1137 2021, in order to reduce costs in future years. The department
1138 shall incorporate this initiative into its 2018 master leasing
1139 report required under s. 255.249(7), Florida Statutes, and may
1140 use tenant broker services to explore the possibilities of
1141 collocating office or storage space, to review the space needs
1142 of each agency, and to review the length and terms of potential
1143 renewals or renegotiations. The department shall provide a
1144 report to the Executive Office of the Governor, the President of
1145 the Senate, and the Speaker of the House of Representatives by
1146 November 1, 2018, which lists each lease contract for private
1147 office or storage space, the status of renegotiations, and the
1148 savings achieved. This section expires July 1, 2019.

1149 Section 48. In order to implement Specific Appropriations
1150 2758 through 2770 of the 2018-2019 General Appropriations Act,
1151 and notwithstanding rule 60A-1.031, Florida Administrative Code,
1152 the transaction fee collected for use of the online procurement

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1153 system, authorized in ss. 287.042(1)(h)1. and 287.057(22)(c),
1154 Florida Statutes, is seven-tenths of 1 percent for the 2018-2019
1155 fiscal year only. This section expires July 1, 2019.

1156 Section 49. In order to implement appropriations
1157 authorized in the 2018-2019 General Appropriations Act for data
1158 center services, and notwithstanding s. 216.292(2)(a), Florida
1159 Statutes, an agency may not transfer funds from a data
1160 processing category to a category other than another data
1161 processing category. This section expires July 1, 2019.

1162 Section 50. In order to implement the appropriation of
1163 funds in the appropriation category "Data Processing Assessment-
1164 Agency for State Technology" in the 2018-2019 General
1165 Appropriations Act, and pursuant to the notice, review, and
1166 objection procedures of s. 216.177, Florida Statutes, the
1167 Executive Office of the Governor may transfer funds appropriated
1168 in that category between departments in order to align the
1169 budget authority granted based on the estimated billing cycle
1170 and methodology used by the Agency for State Technology for data
1171 processing services provided. This section expires July 1, 2019.

1172 Section 51. In order to implement the appropriation of
1173 funds in the appropriation category "Special Categories-Risk
1174 Management Insurance" in the 2018-2019 General Appropriations
1175 Act, and pursuant to the notice, review, and objection
1176 procedures of s. 216.177, Florida Statutes, the Executive Office
1177 of the Governor may transfer funds appropriated in that category

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1178 between departments in order to align the budget authority
1179 granted with the premiums paid by each department for risk
1180 management insurance. This section expires July 1, 2019.

1181 Section 52. In order to implement the appropriation of
1182 funds in the appropriation category "Special Categories-Transfer
1183 to Department of Management Services-Human Resources Services
1184 Purchased per Statewide Contract" in the 2018-2019 General
1185 Appropriations Act, and pursuant to the notice, review, and
1186 objection procedures of s. 216.177, Florida Statutes, the
1187 Executive Office of the Governor may transfer funds appropriated
1188 in that category between departments in order to align the
1189 budget authority granted with the assessments that must be paid
1190 by each agency to the Department of Management Services for
1191 human resource management services. This section expires July 1,
1192 2019.

1193 Section 53. In order to implement Specific Appropriations
1194 2332 through 2335 of the 2018-2019 General Appropriations Act:

1195 (1) The Department of Financial Services shall replace the
1196 four main components of the Florida Accounting Information
1197 Resource Subsystem (FLAIR), which include central FLAIR,
1198 departmental FLAIR, payroll, and information warehouse, and
1199 shall replace the cash management and accounting management
1200 components of the Cash Management Subsystem (CMS) with an
1201 integrated enterprise system that allows the state to organize,
1202 define, and standardize its financial management business

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1203 processes and that complies with ss. 215.90-215.96, Florida
1204 Statutes. The department may not include in the replacement of
1205 FLAIR and CMS:

1206 (a) Functionality that duplicates any of the other
1207 information subsystems of the Florida Financial Management
1208 Information System; or

1209 (b) Agency business processes related to any of the
1210 functions included in the Personnel Information System, the
1211 Purchasing Subsystem, or the Legislative Appropriations
1212 System/Planning and Budgeting Subsystem.

1213 (2) For purposes of replacing FLAIR and CMS, the
1214 Department of Financial Services shall:

1215 (a) Take into consideration the cost and implementation
1216 data identified for Option 3 as recommended in the March 31,
1217 2014, Florida Department of Financial Services FLAIR Study,
1218 version 031.

1219 (b) Ensure that all business requirements and technical
1220 specifications have been provided to all state agencies for
1221 their review and input and approved by the executive steering
1222 committee established in paragraph (c).

1223 (c) Implement a project governance structure that includes
1224 an executive steering committee composed of:

1225 1. The Chief Financial Officer or the executive sponsor of
1226 the project.

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1227 2. A representative of the Division of Treasury of the
1228 Department of Financial Services, appointed by the Chief
1229 Financial Officer.

1230 3. A representative of the Division of Information Systems
1231 of the Department of Financial Services, appointed by the Chief
1232 Financial Officer.

1233 4. Four employees from the Division of Accounting and
1234 Auditing of the Department of Financial Services, appointed by
1235 the Chief Financial Officer. Each employee must have experience
1236 relating to at least one of the four main components that
1237 compose FLAIR.

1238 5. Two employees from the Executive Office of the
1239 Governor, appointed by the Governor. One employee must have
1240 experience relating to the Legislative Appropriations
1241 System/Planning and Budgeting Subsystem.

1242 6. One employee from the Department of Revenue, appointed
1243 by the executive director, who has experience relating to the
1244 department's SUNTAX system.

1245 7. Two employees from the Department of Management
1246 Services, appointed by the Secretary of Management Services. One
1247 employee must have experience relating to the department's
1248 personnel information subsystem and one employee must have
1249 experience relating to the department's purchasing subsystem.

1250 8. Three state agency administrative services directors,
1251 appointed by the Governor. One director must represent a

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1252 regulatory and licensing state agency and one director must
1253 represent a health care-related state agency.

1254 (3) The Chief Financial Officer or the executive sponsor
1255 of the project shall serve as chair of the executive steering
1256 committee, and the committee shall take action by a vote of at
1257 least eight affirmative votes with the Chief Financial Officer
1258 or the executive sponsor of the project voting on the prevailing
1259 side. A quorum of the executive steering committee consists of
1260 at least 10 members.

1261 (4) The executive steering committee has the overall
1262 responsibility for ensuring that the project to replace FLAIR
1263 and CMS meets its primary business objectives and shall:

1264 (a) Identify and recommend to the Executive Office of the
1265 Governor, the President of the Senate, and the Speaker of the
1266 House of Representatives any statutory changes needed to
1267 implement the replacement subsystem that will standardize, to
1268 the fullest extent possible, the state's financial management
1269 business processes.

1270 (b) Review and approve any changes to the project's scope,
1271 schedule, and budget which do not conflict with the requirements
1272 of subsection (1).

1273 (c) Ensure that adequate resources are provided throughout
1274 all phases of the project.

1275 (d) Approve all major project deliverables.

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1276 (e) Approve all solicitation-related documents associated
1277 with the replacement of FLAIR and CMS.

1278 (5) This section expires July 1, 2019.

1279 Section 54. In order to implement Specific Appropriations
1280 2703 through 2714 of the 2018-2019 General Appropriations Act,
1281 all powers, duties, functions, records, personnel, property,
1282 pending issues and existing contracts, administrative authority,
1283 and administrative rules in chapter 74-3, Florida Administrative
1284 Code, of the Budget and Policy Section and the Cost Recovery and
1285 Billing Section within the Agency for State Technology are
1286 transferred by a type two transfer, as defined in s. 20.06(2),
1287 Florida Statutes, to the Department of Management Services. This
1288 section expires July 1, 2019.

1289 Section 55. In order to implement Specific Appropriations
1290 2703 through 2714 of the 2018-2019 General Appropriations Act,
1291 subsection (4) is added to section 20.22, Florida Statutes, to
1292 read:

1293 20.22 Department of Management Services.—There is created
1294 a Department of Management Services.

1295 (4) The Department of Management Services shall provide
1296 the Agency for State Technology with financial management
1297 oversight. The agency shall provide the department all documents
1298 and necessary information, as requested, to meet the
1299 requirements of this section. The department's financial
1300 management oversight includes:

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1301 (a) Developing and implementing cost-recovery mechanisms
1302 for the administrative and data center costs of services through
1303 agency assessments of applicable customer entities. Such cost-
1304 recovery mechanisms must comply with applicable state and
1305 federal regulations concerning the distribution and use of funds
1306 and must ensure that, for each fiscal year, no service or
1307 customer entity subsidizes another service or customer entity.

1308 (b) Implementing an annual reconciliation process to
1309 ensure that each customer entity is paying for the full direct
1310 and indirect cost of each service as determined by the customer
1311 entity's use of each service.

1312 (c) Providing rebates that may be credited against future
1313 billings to customer entities when revenues exceed costs.

1314 (d) Requiring each customer entity to transfer sufficient
1315 funds into the appropriate data processing appropriation
1316 category before implementing a customer entity's request for a
1317 change in the type or level of service provided, if such change
1318 results in a net increase to the customer entity's costs for
1319 that fiscal year.

1320 (e) By October 1, 2018, providing to each customer
1321 entity's agency head the estimated agency assessment cost by the
1322 Agency for State Technology for the following fiscal year. The
1323 agency assessment cost of each customer entity includes
1324 administrative and data center services costs of the agency.

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1325 (f) Preparing the legislative budget request for the
1326 Agency for State Technology based on the issues requested and
1327 approved by the executive director of the Agency for State
1328 Technology. Upon the approval of the agency's executive
1329 director, the Department of Management Services shall transmit
1330 the agency's legislative budget request to the Governor and the
1331 Legislature pursuant to s. 216.023.

1332 (g) Providing a plan for consideration by the Legislative
1333 Budget Commission if the Agency for State Technology increases
1334 the cost of a service for a reason other than a customer
1335 entity's request made under paragraph (d). Such a plan is
1336 required only if the service cost increase results in a net
1337 increase to a customer entity.

1338 (h) Providing a timely invoicing methodology to recover
1339 the cost of services provided to the customer entity pursuant to
1340 s. 215.422.

1341 (i) Providing an annual reconciliation process of prior
1342 year expenditures completed on a timely basis and overall budget
1343 management pursuant to chapter 216.

1344 (j) This subsection expires July 1, 2019.

1345 Section 56. In order to implement Specific Appropriations
1346 1517 through 1524 of the 2018-2019 General Appropriations Act,
1347 subsection (9) is added to section 20.255, Florida Statutes, to
1348 read:

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1349 20.255 Department of Environmental Protection.—There is
1350 created a Department of Environmental Protection.

1351 (9) The department shall act as the lead agency of the
1352 executive branch for the development and review of policies,
1353 practices, and standards related to geospatial data. The
1354 department shall coordinate and promote geospatial data sharing
1355 throughout the state government and serve as the primary point
1356 of contact for statewide geographic information systems
1357 projects, grants, and resources. This subsection expires July 1,
1358 2019.

1359 Section 57. In order to implement Specific Appropriation
1360 2908 of the 2018-2019 General Appropriations Act, section 20.61,
1361 Florida Statutes, is amended to read:

1362 20.61 Agency for State Technology.—The Agency for State
1363 Technology is created within the Department of Management
1364 Services. The agency is a separate budget program and is not
1365 subject to control, supervision, or direction by the Department
1366 of Management Services, including, but not limited to,
1367 purchasing, transactions involving real or personal property, or
1368 personnel, with the exception of financial management, which
1369 shall be provided by the Department of Management Services
1370 pursuant to s. 20.22 ~~or budgetary matters.~~

1371 (1) (a) The executive director of the agency shall serve as
1372 the state's chief information officer and shall be appointed by
1373 the Governor, subject to confirmation by the Senate.

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1374 (b) The executive director must be a proven, effective
1375 administrator who preferably has executive-level experience in
1376 both the public and private sectors in development and
1377 implementation of information technology strategic planning;
1378 management of enterprise information technology projects,
1379 particularly management of large-scale consolidation projects;
1380 and development and implementation of fiscal and substantive
1381 information technology policy.

1382 ~~(2) The following positions are established within the~~
1383 ~~agency, all of whom shall be appointed by the executive~~
1384 ~~director:~~

1385 ~~(a) Deputy executive director, who shall serve as the~~
1386 ~~deputy chief information officer.~~

1387 ~~(b) Chief planning officer and six strategic planning~~
1388 ~~coordinators. One coordinator shall be assigned to each of the~~
1389 ~~following major program areas: health and human services,~~
1390 ~~education, government operations, criminal and civil justice,~~
1391 ~~agriculture and natural resources, and transportation and~~
1392 ~~economic development.~~

1393 ~~(c) Chief operations officer.~~

1394 ~~(d) Chief information security officer.~~

1395 ~~(e) Chief technology officer.~~

1396 (2)~~(3)~~ The Technology Advisory Council, consisting of
1397 seven members, is established within the Agency for State
1398 Technology and shall be maintained pursuant to s. 20.052. Four

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1399 members of the council shall be appointed by the Governor, two
1400 of whom must be from the private sector and one of whom must be
1401 a cybersecurity expert. The President of the Senate and the
1402 Speaker of the House of Representatives shall each appoint one
1403 member of the council. The Attorney General, the Commissioner of
1404 Agriculture and Consumer Services, and the Chief Financial
1405 Officer shall jointly appoint one member by agreement of a
1406 majority of these officers. Upon initial establishment of the
1407 council, two of the Governor's appointments shall be for 2-year
1408 terms. Thereafter, all appointments shall be for 4-year terms.

1409 (a) The council shall consider and make recommendations to
1410 the executive director on such matters as enterprise information
1411 technology policies, standards, services, and architecture. The
1412 council may also identify and recommend opportunities for the
1413 establishment of public-private partnerships when considering
1414 technology infrastructure and services in order to accelerate
1415 project delivery and provide a source of new or increased
1416 project funding.

1417 (b) The executive director shall consult with the council
1418 with regard to executing the duties and responsibilities of the
1419 agency related to statewide information technology strategic
1420 planning and policy.

1421 (c) The council shall be governed by the Code of Ethics
1422 for Public Officers and Employees as set forth in part III of

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1423 chapter 112, and each member must file a statement of financial
1424 interests pursuant to s. 112.3145.

1425 Section 58. In order to implement Specific Appropriations
1426 2911 through 2930 of the 2018-2019 General Appropriations Act,
1427 subsections (5) and (20) of section 282.0041, Florida Statutes,
1428 are amended and a new subsection (28) is added to that section,
1429 to read:

1430 282.0041 Definitions.—As used in this chapter, the term:

1431 (5) "Customer entity" means an entity that obtains
1432 services from the Agency for State Technology ~~state data center~~.

1433 (20) "Service-level agreement" means a written contract
1434 between the Agency for State Technology ~~state data center~~ and a
1435 customer entity which specifies the scope of services provided,
1436 service level, the duration of the agreement, the responsible
1437 parties, and agency assessment ~~service~~ costs, which include
1438 administrative and data center costs. A service-level agreement
1439 is not a rule pursuant to chapter 120.

1440 (28) "Agency assessment" means the amount each customer
1441 entity must pay annually for services from the Agency for State
1442 Technology and includes administrative and data center services
1443 costs.

1444 Section 59. In order to implement Specific Appropriations
1445 2911 through 2930 of the 2018-2019 General Appropriations Act,
1446 subsection (11) of section 282.0051, Florida Statutes, is
1447 amended to read:

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1448 282.0051 Agency for State Technology; powers, duties, and
1449 functions.—The Agency for State Technology shall have the
1450 following powers, duties, and functions:

1451 (11) Provide operational management and oversight of the
1452 state data center established pursuant to s. 282.201, which
1453 includes:

1454 (a) Implementing industry standards and best practices for
1455 the state data center's facilities, operations, maintenance,
1456 planning, and management processes.

1457 ~~(b) Developing and implementing cost-recovery mechanisms~~
1458 ~~that recover the full direct and indirect cost of services~~
1459 ~~through charges to applicable customer entities. Such cost-~~
1460 ~~recovery mechanisms must comply with applicable state and~~
1461 ~~federal regulations concerning distribution and use of funds and~~
1462 ~~must ensure that, for any fiscal year, no service or customer~~
1463 ~~entity subsidizes another service or customer entity.~~

1464 (b)(e) Developing and implementing appropriate operating
1465 guidelines and procedures necessary for the state data center to
1466 perform its duties pursuant to s. 282.201. The guidelines and
1467 procedures must comply with applicable state and federal laws,
1468 regulations, and policies and conform to generally accepted
1469 governmental accounting and auditing standards. The guidelines
1470 and procedures must include, but not be limited to:

1471 1. Implementing a consolidated administrative support
1472 structure responsible for providing ~~financial management,~~

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1473 procurement, transactions involving real or personal property,
1474 human resources, and operational support.

1475 ~~2. Implementing an annual reconciliation process to ensure~~
1476 ~~that each customer entity is paying for the full direct and~~
1477 ~~indirect cost of each service as determined by the customer~~
1478 ~~entity's use of each service.~~

1479 ~~3. Providing rebates that may be credited against future~~
1480 ~~billings to customer entities when revenues exceed costs.~~

1481 ~~4. Requiring customer entities to validate that sufficient~~
1482 ~~funds exist in the appropriate data processing appropriation~~
1483 ~~category or will be transferred into the appropriate data~~
1484 ~~processing appropriation category before implementation of a~~
1485 ~~customer entity's request for a change in the type or level of~~
1486 ~~service provided, if such change results in a net increase to~~
1487 ~~the customer entity's costs for that fiscal year.~~

1488 ~~5. By September 1 of each year, providing to each customer~~
1489 ~~entity's agency head the projected costs of providing data~~
1490 ~~center services for the following fiscal year.~~

1491 ~~6. Providing a plan for consideration by the Legislative~~
1492 ~~Budget Commission if the cost of a service is increased for a~~
1493 ~~reason other than a customer entity's request made pursuant to~~
1494 ~~subparagraph 4. Such a plan is required only if the service cost~~
1495 ~~increase results in a net increase to a customer entity for that~~
1496 ~~fiscal year.~~

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1497 ~~2.7.~~ Standardizing and consolidating procurement and
1498 contracting practices.

1499 ~~(c)-(d)~~ In collaboration with the Department of Law
1500 Enforcement, developing and implementing a process for
1501 detecting, reporting, and responding to information technology
1502 security incidents, breaches, and threats.

1503 ~~(d)-(e)~~ Adopting rules relating to the operation of the
1504 state data center, ~~including, but not limited to, budgeting and~~
1505 ~~accounting procedures, cost-recovery methodologies, and~~
1506 ~~operating procedures.~~

1507 ~~(e)-(f)~~ Beginning May 1, 2016, and annually thereafter,
1508 conducting a market analysis to determine whether the state's
1509 approach to the provision of data center services is the most
1510 effective and efficient manner by which its customer entities
1511 can acquire such services, based on federal, state, and local
1512 government trends; best practices in service provision; and the
1513 acquisition of new and emerging technologies. The results of the
1514 market analysis shall assist the state data center in making
1515 adjustments to its data center service offerings.

1516 Section 60. In order to implement Specific Appropriations
1517 2908 of the 2018-2019 General Appropriations Act, paragraph (d)
1518 of subsection (2) of section 282.201, Florida Statutes, is
1519 amended to read:

1520 282.201 State data center.—The state data center is
1521 established within the Agency for State Technology and shall

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1522 provide data center services that are hosted on premises or
1523 externally through a third-party provider as an enterprise
1524 information technology service. The provision of data center
1525 services must comply with applicable state and federal laws,
1526 regulations, and policies, including all applicable security,
1527 privacy, and auditing requirements.

1528 (2) STATE DATA CENTER DUTIES.—The state data center shall:

1529 (d) Enter into a service-level agreement with each
1530 customer entity to provide the required type and level of
1531 service or services. If a customer entity fails to execute an
1532 agreement within 60 days after commencement of a service, the
1533 state data center may cease service. A service-level agreement
1534 may not have a term exceeding 3 years and at a minimum must:

- 1535 1. Identify the parties and their roles, duties, and
1536 responsibilities under the agreement.
- 1537 2. State the duration of the contract term and specify the
1538 conditions for renewal.
- 1539 3. Identify the scope of work.
- 1540 4. Identify the products or services to be delivered with
1541 sufficient specificity to permit an external financial or
1542 performance audit.
- 1543 5. Establish the services to be provided, the business
1544 standards that must be met for each service, the cost of each
1545 service, and the metrics and processes by which the business

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1546 standards for each service are to be objectively measured and
1547 reported.

1548 ~~6. Provide a timely billing methodology to recover the~~
1549 ~~cost of services provided to the customer entity pursuant to s.~~
1550 ~~215.422.~~

1551 6.7. Provide a procedure for modifying the service-level
1552 agreement based on changes in the type, level, and cost of a
1553 service.

1554 7.8. Include a right-to-audit clause to ensure that the
1555 parties to the agreement have access to records for audit
1556 purposes during the term of the service-level agreement.

1557 8.9. Provide that a service-level agreement may be
1558 terminated by either party for cause only after giving the other
1559 party and the Agency for State Technology notice in writing of
1560 the cause for termination and an opportunity for the other party
1561 to resolve the identified cause within a reasonable period.

1562 9.10. Provide for mediation of disputes by the Division of
1563 Administrative Hearings pursuant to s. 120.573.

1564 Section 61. The amendments made by this act to ss. 20.61,
1565 282.0041, 282.0051, and 282.201, Florida Statutes, expire July
1566 1, 2019, and the text of those sections shall revert to that in
1567 existence on June 30, 2018, except that any amendments to such
1568 text enacted other than by this act shall be preserved and
1569 continue to operate to the extent that such amendments are not

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1570 dependent upon the portions of text which expire pursuant to
1571 this section.

1572 Section 62. In order to implement appropriations in the
1573 2018-2019 General Appropriations Act for executive branch and
1574 judicial branch employee travel, the executive branch state
1575 agencies and the judicial branch must collaborate with the
1576 Executive Office of the Governor and the Department of
1577 Management Services to implement the statewide travel management
1578 system funded in Specific Appropriation 2708 in the 2018-2019
1579 General Appropriations Act. For the purpose of complying with s.
1580 112.061, Florida Statutes, all executive branch state agencies
1581 and the judicial branch must use the statewide travel management
1582 system. This section expires July 1, 2019.

1583 Section 63. In order to implement Specific Appropriations
1584 1591 through 1593 of the 2018-2019 General Appropriations Act,
1585 paragraph (d) of subsection (11) of section 216.181, Florida
1586 Statutes, is amended to read:

1587 216.181 Approved budgets for operations and fixed capital
1588 outlay.—

1589 (11)

1590 (d) Notwithstanding paragraph (b) and paragraph (2)(b),
1591 and for the 2018-2019 ~~2017-2018~~ fiscal year only, the
1592 Legislative Budget Commission may increase the amounts
1593 appropriated to the Fish and Wildlife Conservation Commission or
1594 the Department of Environmental Protection for fixed capital

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1595 outlay projects, including additional fixed capital outlay
1596 projects, using funds provided to the state from the Gulf
1597 Environmental Benefit Fund administered by the National Fish and
1598 Wildlife Foundation; funds provided to the state from the Gulf
1599 Coast Restoration Trust Fund related to the Resources and
1600 Ecosystems Sustainability, Tourist Opportunities, and Revived
1601 Economies of the Gulf Coast Act of 2012 (RESTORE Act); or funds
1602 provided by the British Petroleum Corporation (BP) for natural
1603 resource damage assessment restoration projects. Concurrent with
1604 submission of an amendment to the Legislative Budget Commission
1605 pursuant to this paragraph, any project that carries a
1606 continuing commitment for future appropriations by the
1607 Legislature must be specifically identified, together with the
1608 projected amount of the future commitment associated with the
1609 project and the fiscal years in which the commitment is expected
1610 to commence. This paragraph expires July 1, 2019 ~~2018~~.

1611
1612 The provisions of this subsection are subject to the notice and
1613 objection procedures set forth in s. 216.177.

1614 Section 64. In order to implement specific appropriations
1615 from the land acquisition trust funds within the Department of
1616 Agriculture and Consumer Services, the Department of
1617 Environmental Protection, the Department of State, and the Fish
1618 and Wildlife Conservation Commission, which are contained in the

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1619 2018-2019 General Appropriations Act, subsection (3) of section
1620 215.18, Florida Statutes, is amended to read:
1621 215.18 Transfers between funds; limitation.—
1622 (3) Notwithstanding subsection (1) and only with respect
1623 to a land acquisition trust fund in the Department of
1624 Agriculture and Consumer Services, the Department of
1625 Environmental Protection, the Department of State, or the Fish
1626 and Wildlife Conservation Commission, whenever there is a
1627 deficiency in a land acquisition trust fund which would render
1628 that trust fund temporarily insufficient to meet its just
1629 requirements, including the timely payment of appropriations
1630 from that trust fund, and other trust funds in the State
1631 Treasury have moneys that are for the time being or otherwise in
1632 excess of the amounts necessary to meet the just requirements,
1633 including appropriated obligations, of those other trust funds,
1634 the Governor may order a temporary transfer of moneys from one
1635 or more of the other trust funds to a land acquisition trust
1636 fund in the Department of Agriculture and Consumer Services, the
1637 Department of Environmental Protection, the Department of State,
1638 or the Fish and Wildlife Conservation Commission. Any action
1639 proposed pursuant to this subsection is subject to the notice,
1640 review, and objection procedures of s. 216.177, and the Governor
1641 shall provide notice of such action at least 7 days before the
1642 effective date of the transfer of trust funds, except that
1643 during July 2018 ~~2017~~, notice of such action shall be provided

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1644 at least 3 days before the effective date of a transfer unless
1645 such 3-day notice is waived by the chair and vice-chair of the
1646 Legislative Budget Commission. Any transfer of trust funds to a
1647 land acquisition trust fund in the Department of Agriculture and
1648 Consumer Services, the Department of Environmental Protection,
1649 the Department of State, or the Fish and Wildlife Conservation
1650 Commission must be repaid to the trust funds from which the
1651 moneys were loaned by the end of the 2018-2019 ~~2017-2018~~ fiscal
1652 year. The Legislature has determined that the repayment of the
1653 other trust fund moneys temporarily loaned to a land acquisition
1654 trust fund in the Department of Agriculture and Consumer
1655 Services, the Department of Environmental Protection, the
1656 Department of State, or the Fish and Wildlife Conservation
1657 Commission pursuant to this subsection is an allowable use of
1658 the moneys in a land acquisition trust fund because the moneys
1659 from other trust funds temporarily loaned to a land acquisition
1660 trust fund shall be expended solely and exclusively in
1661 accordance with s. 28, Art. X of the State Constitution. This
1662 subsection expires July 1, 2019 ~~2018~~.

1663 Section 65. (1) In order to implement specific
1664 appropriations from the land acquisition trust funds within the
1665 Department of Agriculture and Consumer Services, the Department
1666 of Environmental Protection, the Department of State, and the
1667 Fish and Wildlife Conservation Commission, which are contained
1668 in the 2018-2019 General Appropriations Act, the Department of

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1669 Environmental Protection shall transfer revenues from the Land
1670 Acquisition Trust Fund within the department to the land
1671 acquisition trust funds within the Department of Agriculture and
1672 Consumer Services, the Department of State, and the Fish and
1673 Wildlife Conservation Commission, as provided in this section.
1674 As used in this section, the term "department" means the
1675 Department of Environmental Protection.

1676 (2) After subtracting any required debt service payments,
1677 the proportionate share of revenues to be transferred to each
1678 land acquisition trust fund shall be calculated by dividing the
1679 appropriations from each of the land acquisition trust funds for
1680 the fiscal year by the total appropriations from the Land
1681 Acquisition Trust Fund within the department and the land
1682 acquisition trust funds within the Department of Agriculture and
1683 Consumer Services, the Department of State, and the Fish and
1684 Wildlife Conservation Commission for the fiscal year. The
1685 department shall transfer the proportionate share of the
1686 revenues in the Land Acquisition Trust Fund within the
1687 department on a monthly basis to the appropriate land
1688 acquisition trust funds within the Department of Agriculture and
1689 Consumer Services, the Department of State, and the Fish and
1690 Wildlife Conservation Commission and shall retain its
1691 proportionate share of the revenues in the Land Acquisition
1692 Trust Fund within the department. Total distributions to a land
1693 acquisition trust fund within the Department of Agriculture and

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1694 Consumer Services, the Department of State, and the Fish and
1695 Wildlife Conservation Commission may not exceed the total
1696 appropriations from such trust fund for the fiscal year.

1697 (3) In addition, the department shall transfer from the
1698 Land Acquisition Trust Fund to land acquisition trust funds
1699 within the Department of Agriculture and Consumer Services, the
1700 Department of State, and the Fish and Wildlife Conservation
1701 Commission amounts equal to the difference between the amounts
1702 appropriated in chapter 2017-70, Laws of Florida, to the
1703 department's Land Acquisition Trust Fund and the other land
1704 acquisition trust funds, and the amounts actually transferred
1705 between those trust funds during the 2017-2018 fiscal year.

1706 (4) The department may advance funds from the beginning
1707 unobligated fund balance in the Land Acquisition Trust Fund to
1708 the Land Acquisition Trust Fund within the Fish and Wildlife
1709 Conservation Commission needed for cash flow purposes based on a
1710 detailed expenditure plan. The department shall prorate amounts
1711 transferred quarterly to the Fish and Wildlife Conservation
1712 Commission to recoup the amount of funds advanced by June 30,
1713 2019.

1714 (5) This section expires July 1, 2019.

1715 Section 66. In order to implement appropriations from the
1716 Land Acquisition Trust Fund within the Department of
1717 Environmental Protection, paragraph (b) of subsection (3) of
1718 section 375.041, Florida Statutes, is amended to read:

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1719 375.041 Land Acquisition Trust Fund.—

1720 (3) Funds distributed into the Land Acquisition Trust Fund
1721 pursuant to s. 201.15 shall be applied:

1722 (b) Of the funds remaining after the payments required
1723 under paragraph (a), but before funds may be appropriated,
1724 pledged, or dedicated for other uses:

1725 1. A minimum of the lesser of 25 percent or \$200 million
1726 shall be appropriated annually for Everglades projects that
1727 implement the Comprehensive Everglades Restoration Plan as set
1728 forth in s. 373.470, including the Central Everglades Planning
1729 Project subject to Congressional authorization; the Long-Term
1730 Plan as defined in s. 373.4592(2); and the Northern Everglades
1731 and Estuaries Protection Program as set forth in s. 373.4595.
1732 From these funds, \$32 million shall be distributed each fiscal
1733 year through the 2023-2024 fiscal year to the South Florida
1734 Water Management District for the Long-Term Plan as defined in
1735 s. 373.4592(2). After deducting the \$32 million distributed
1736 under this subparagraph, from the funds remaining, a minimum of
1737 the lesser of 76.5 percent or \$100 million shall be appropriated
1738 each fiscal year through the 2025-2026 fiscal year for the
1739 planning, design, engineering, and construction of the
1740 Comprehensive Everglades Restoration Plan as set forth in s.
1741 373.470, including the Central Everglades Planning Project, the
1742 Everglades Agricultural Area Storage Reservoir Project, the Lake
1743 Okeechobee Watershed Project, the C-43 West Basin Storage

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1744 Reservoir Project, the Indian River Lagoon-South Project, the
1745 Western Everglades Restoration Project, and the Picayune Strand
1746 Restoration Project. The Department of Environmental Protection
1747 and the South Florida Water Management District shall give
1748 preference to those Everglades restoration projects that reduce
1749 harmful discharges of water from Lake Okeechobee to the St.
1750 Lucie or Caloosahatchee estuaries in a timely manner. For the
1751 purpose of performing the calculation provided in this
1752 subparagraph, the amount of debt service paid pursuant to
1753 paragraph (a) for bonds issued after July 1, 2016, for the
1754 purposes set forth under paragraph (b) shall be added to the
1755 amount remaining after the payments required under paragraph
1756 (a). The amount of the distribution calculated shall then be
1757 reduced by an amount equal to the debt service paid pursuant to
1758 paragraph (a) on bonds issued after July 1, 2016, for the
1759 purposes set forth under this subparagraph.

1760 2. A minimum of the lesser of 7.6 percent or \$50 million
1761 shall be appropriated annually for spring restoration,
1762 protection, and management projects. For the purpose of
1763 performing the calculation provided in this subparagraph, the
1764 amount of debt service paid pursuant to paragraph (a) for bonds
1765 issued after July 1, 2016, for the purposes set forth under
1766 paragraph (b) shall be added to the amount remaining after the
1767 payments required under paragraph (a). The amount of the
1768 distribution calculated shall then be reduced by an amount equal

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1769 to the debt service paid pursuant to paragraph (a) on bonds
1770 issued after July 1, 2016, for the purposes set forth under this
1771 subparagraph.

1772 3. The sum of \$5 million shall be appropriated annually
1773 each fiscal year through the 2025-2026 fiscal year to the St.
1774 Johns River Water Management District for projects dedicated to
1775 the restoration of Lake Apopka. This distribution shall be
1776 reduced by an amount equal to the debt service paid pursuant to
1777 paragraph (a) on bonds issued after July 1, 2016, for the
1778 purposes set forth in this subparagraph.

1779 4. The sum of \$64 million is appropriated and shall be
1780 transferred to the Everglades Trust Fund for the 2018-2019
1781 fiscal year, and each fiscal year thereafter, for the EAA
1782 reservoir project pursuant to s. 373.4598. Any funds remaining
1783 in any fiscal year shall be made available only for Phase II of
1784 the C-51 reservoir project or projects identified in
1785 subparagraph 1. and must be used in accordance with laws
1786 relating to such projects. Any funds made available for such
1787 purposes in a fiscal year are in addition to the amount
1788 appropriated under subparagraph 1. This distribution shall be
1789 reduced by an amount equal to the debt service paid pursuant to
1790 paragraph (a) on bonds issued after July 1, 2017, for the
1791 purposes set forth in this subparagraph.

1792 5. Notwithstanding subparagraph 3., for the 2018-2019
1793 ~~2017-2018~~ fiscal year, funds shall be appropriated as provided

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1794 in the General Appropriations Act. This subparagraph expires
1795 July 1, 2019 ~~2018~~.

1796 Section 67. In order to implement Specific Appropriation
1797 1581 of the 2018-2019 General Appropriations Act, paragraph (a)
1798 of subsection (6) of section 373.470, Florida Statutes, is
1799 reenacted to read:

1800 373.470 Everglades restoration.—

1801 (6) DISTRIBUTIONS FROM SAVE OUR EVERGLADES TRUST FUND.—

1802 (a) Except as provided in paragraphs (d) and (e) and for
1803 funds appropriated for debt service, the department shall
1804 distribute funds in the Save Our Everglades Trust Fund to the
1805 district in accordance with a legislative appropriation and s.
1806 373.026(8)(b). Distribution of funds to the district from the
1807 Save Our Everglades Trust Fund or the Land Acquisition Trust
1808 Fund shall be equally matched by the cumulative contributions
1809 from the district by fiscal year 2019-2020 by providing funding
1810 or credits toward project components. The dollar value of in-
1811 kind project design and construction work by the district in
1812 furtherance of the comprehensive plan and existing interest in
1813 public lands needed for a project component are credits towards
1814 the district's contributions.

1815 Section 68. The text of s. 373.470(6)(a), Florida
1816 Statutes, as carried forward from chapter 2017-71, Laws of
1817 Florida, in this act, expires July 1, 2019, and the text of that
1818 paragraph shall revert to that in existence on June 30, 2017,

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1819 except that any amendments to such text enacted other than by
1820 this act shall be preserved and continue to operate to the
1821 extent that such amendments are not dependent upon the portions
1822 of text which expire pursuant to this section.

1823 Section 69. In order to implement Specific Appropriation
1824 1719 of the 2018-2019 General Appropriations Act, paragraph (e)
1825 of subsection (11) of section 216.181, Florida Statutes, is
1826 amended to read:

1827 216.181 Approved budgets for operations and fixed capital
1828 outlay.—

1829 (11)

1830 (e) Notwithstanding paragraph (b) and paragraph (2) (b),
1831 and for the 2018-2019 ~~2017-2018~~ fiscal year only, the
1832 Legislative Budget Commission may increase the amounts
1833 appropriated to the Department of Environmental Protection for
1834 fixed capital outlay projects using funds provided to the state
1835 from the environmental mitigation trust administered by a
1836 trustee designated by the United States District Court for the
1837 Northern District of California for eligible mitigation actions
1838 and mitigation action expenditures described in the partial
1839 consent decree entered into between the United States of America
1840 and Volkswagen relating to violations of the Clean Air Act.

1841 Concurrent with submission of an amendment to the Legislative
1842 Budget Commission pursuant to this paragraph, any project that
1843 carries a continuing commitment for future appropriations by the

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1844 Legislature must be specifically identified, together with the
1845 projected amount of the future commitment associated with the
1846 project and the fiscal years in which the commitment is expected
1847 to commence. This paragraph expires July 1, 2019 ~~2018~~.

1848

1849 The provisions of this subsection are subject to the notice and
1850 objection procedures set forth in s. 216.177.

1851 Section 70. In order to implement Specific Appropriations
1852 1549, 1549A, 1549B, and 1686A of the 2018-2019 General
1853 Appropriations Act, paragraph (m) of subsection (3) of section
1854 259.105, Florida Statutes, is amended to read:

1855 259.105 The Florida Forever Act.—

1856 (3) Less the costs of issuing and the costs of funding
1857 reserve accounts and other costs associated with bonds, the
1858 proceeds of cash payments or bonds issued pursuant to this
1859 section shall be deposited into the Florida Forever Trust Fund
1860 created by s. 259.1051. The proceeds shall be distributed by the
1861 Department of Environmental Protection in the following manner:

1862 (m) Notwithstanding paragraphs (a)-(j) and for the 2018-
1863 2019 ~~2016-2017~~ fiscal year only:

1864 1. The amount of \$77 million ~~\$15,156,206~~ to only the
1865 Division of State Lands within the Department of Environmental
1866 Protection for the Board of Trustees Florida Forever Priority
1867 List land acquisition projects.

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1868 2. The amount of \$10 million to the Department of
1869 Environmental Protection for use by the Florida Communities
1870 Trust for the purposes of part III of chapter 380, as described
1871 and limited by this subsection, and grants to local governments
1872 or nonprofit environmental organizations that are tax-exempt
1873 under s. 501(c)(3) of the United States Internal Revenue Code
1874 for the acquisition of community-based projects, urban open
1875 spaces, parks, and greenways to implement local government
1876 comprehensive plans. From funds available to the trust and used
1877 for land acquisition, 75 percent shall be matched by local
1878 governments on a dollar-for-dollar basis. The Legislature
1879 intends that the Florida Communities Trust emphasize funding
1880 projects in low-income or otherwise disadvantaged communities
1881 and projects that provide areas for direct water access and
1882 water-dependent facilities that are open to the public and offer
1883 public access by vessels to waters of the state, including boat
1884 ramps and associated parking and other support facilities. At
1885 least 30 percent of the total allocation provided to the trust
1886 shall be used in Standard Metropolitan Statistical Areas, but
1887 one-half of that amount shall be used in localities in which the
1888 project site is located in built-up commercial, industrial, or
1889 mixed-use areas and functions to intersperse open spaces within
1890 congested urban core areas. From funds allocated to the trust,
1891 no less than 5 percent shall be used to acquire lands for
1892 recreational trail systems, provided that in the event these

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1893 funds are not needed for such projects, they will be available
1894 for other trust projects. Local governments may use federal
1895 grants or loans, private donations, or environmental mitigation
1896 funds for any part or all of any local match required for
1897 acquisitions funded through the Florida Communities Trust. Any
1898 lands purchased by nonprofit organizations using funds allocated
1899 under this paragraph must provide for such lands to remain
1900 permanently in public use through a reversion of title to local
1901 or state government, conservation easement, or other appropriate
1902 mechanism. Projects funded with funds allocated to the trust
1903 shall be selected in a competitive process measured against
1904 criteria adopted in rule by the trust.

1905 3. The sum of \$2 million to the Department of
1906 Environmental Protection for the acquisition of land and capital
1907 project expenditures necessary to implement the Stan Mayfield
1908 Working Waterfronts Program within the Florida Communities Trust
1909 pursuant to s. 380.5105.

1910 4. The sum of \$2 million to the Department of
1911 Environmental Protection for grants pursuant to s. 375.075(1)-
1912 (4).

1913 ~~2. Thirty five million dollars to the Department of~~
1914 ~~Agriculture and Consumer Services for the acquisition of~~
1915 ~~agricultural lands through perpetual conservation easements and~~
1916 ~~other perpetual less-than-fee techniques, which will achieve the~~
1917 ~~objectives of Florida Forever and s. 570.71.~~

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1918 ~~3.a. Notwithstanding any allocation required pursuant to~~
1919 ~~paragraph (c), \$10 million shall be allocated to the Florida~~
1920 ~~Communities Trust for projects acquiring conservation or~~
1921 ~~recreation lands to enhance recreational opportunities for~~
1922 ~~individuals with unique abilities.~~

1923 ~~b. The Department of Environmental Protection may waive~~
1924 ~~the local government matching fund requirement of paragraph (c)~~
1925 ~~for projects acquiring conservation or recreation lands to~~
1926 ~~enhance recreational opportunities for individuals with unique~~
1927 ~~abilities.~~

1928 ~~e. Notwithstanding sub-subparagraphs a. and b., any funds~~
1929 ~~required to be used to acquire conservation or recreation lands~~
1930 ~~to enhance recreational opportunities for individuals with~~
1931 ~~unique abilities which have not been awarded for those purposes~~
1932 ~~by May 1, 2017, may be awarded to redevelop or renew outdoor~~
1933 ~~recreational facilities on public lands, including recreational~~
1934 ~~trails, parks, and urban open spaces, together with improvements~~
1935 ~~required to enhance recreational enjoyment and public access to~~
1936 ~~public lands, if such redevelopment and renewal is primarily~~
1937 ~~geared toward enhancing recreational opportunities for~~
1938 ~~individuals with unique abilities. The department may waive the~~
1939 ~~local matching requirement of paragraph (c) for such~~
1940 ~~redevelopment and renewal projects.~~

1941
1942 This paragraph expires July 1, 2019 2017.

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1943 Section 71. In order to implement Specific Appropriation
1944 1686A of the 2018-2019 General Appropriations Act, subsection
1945 (5) is added to section 375.075, Florida Statutes, to read:
1946 375.075 Outdoor recreation; financial assistance to local
1947 governments.-

1948 (5) (a) For the 2018-2019 fiscal year:

1949 1. Notwithstanding any other provision of this section, \$4
1950 million of funds for projects must be used exclusively for
1951 projects that provide recreational enhancements and
1952 opportunities for children. The department shall conduct a
1953 separate grant application process exclusively for such
1954 projects. The department shall establish a schedule for the
1955 grant application process for projects that provide publicly
1956 available recreational enhancements and opportunities for
1957 children and shall award the grants for such projects by
1958 December 31, 2018.

1959 2. Notwithstanding subsection (3), a local government may
1960 submit up to three grant applications for projects if at least
1961 one of those projects provides recreational enhancements and
1962 opportunities for children. The maximum project grant for each
1963 project application that provides recreational enhancements and
1964 opportunities for children may not exceed \$250,000 in state
1965 funds, which the local government must match on a dollar-for-
1966 dollar basis.

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1967 (b) The selection criteria used by the department for
1968 grant applications submitted pursuant to this subsection must
1969 give priority to projects geared toward children under the age
1970 of 12, but which also provide educational opportunities and have
1971 established safety standards. The department shall give the
1972 highest priority to project applications that further
1973 demonstrate they will serve the needs of children with unique
1974 abilities and will be accessible and usable to those with
1975 physical and developmental disabilities. All projects must have
1976 playground equipment and lighting that is adequate for evening
1977 use.

1978 (c) The playground equipment should be designed to serve
1979 children under the age of 12 with unique abilities, including
1980 those with physical and developmental disabilities. The criteria
1981 must also establish a minimum lot size for such project.

1982 (d) This subsection expires July 1, 2019.

1983 Section 72. In order to implement Specific Appropriation
1984 1581 of the 2018-2019 General Appropriations Act, if during the
1985 2018-2019 fiscal year, leases, reservations of possessory
1986 estates, or other farming property interests expire on lands
1987 owned or controlled by the state or the South Florida Water
1988 Management District which have been identified as being
1989 necessary for an Everglades Agricultural Area reservoir project,
1990 the district shall execute, renegotiate, extend, or amend
1991 agreements, including reasonable notice and termination

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1992 | provisions, so that the land does not sit fallow and provides
1993 | the maximum public benefit. Any such agreements shall provide
1994 | that agricultural operators shall be permitted to continue to
1995 | farm on a field-by-field basis until such time as the
1996 | agricultural operations are incompatible with site preparation,
1997 | on-site investigation, or construction for an Everglades
1998 | Agricultural Area reservoir project, as reasonably determined by
1999 | the lessor. This section expires July 1, 2019.

2000 | Section 73. In order to implement Specific Appropriation
2001 | 1855 of the 2018-2019 General Appropriations Act, subsection
2002 | (30) of section 427.013, Florida Statutes, is amended to read:
2003 | 427.013 The Commission for the Transportation
2004 | Disadvantaged; purpose and responsibilities.—The purpose of the
2005 | commission is to accomplish the coordination of transportation
2006 | services provided to the transportation disadvantaged. The goal
2007 | of this coordination is to assure the cost-effective provision
2008 | of transportation by qualified community transportation
2009 | coordinators or transportation operators for the transportation
2010 | disadvantaged without any bias or presumption in favor of
2011 | multioperator systems or not-for-profit transportation operators
2012 | over single operator systems or for-profit transportation
2013 | operators. In carrying out this purpose, the commission shall:
2014 | (30) For the 2018-2019 ~~2017-2018~~ fiscal year and
2015 | notwithstanding any other provision of this section:

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2016 (a) Allocate, from funds provided in the General
2017 Appropriations Act, to community transportation coordinators who
2018 operate in counties that are not direct recipients of ~~do not~~
2019 ~~receive~~ Urbanized Area Formula funds pursuant to 49 U.S.C. s.
2020 5307 to provide transportation services for persons with
2021 disabilities, older adults, and low-income persons so they may
2022 access health care, employment, education, and other life-
2023 sustaining activities. Funds allocated for this purpose shall be
2024 distributed among community transportation coordinators based
2025 upon the Transportation Disadvantaged Trip and Equipment
2026 allocation methodology established by the commission.

2027 (b) Award, from funds provided in the General
2028 Appropriations Act, competitive grants to community
2029 transportation coordinators to support transportation projects
2030 to:

2031 1. Enhance access to health care, shopping, education,
2032 employment, public services, and recreation;

2033 2. Assist in the development, improvement, and use of
2034 transportation systems in nonurbanized areas;

2035 3. Promote the efficient coordination of services;

2036 4. Support inner-city bus transportation; and

2037 5. Encourage private transportation providers to
2038 participate.

2039 (c) This subsection expires July 1, 2019 ~~2018~~.

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2040 Section 74. In order to implement Specific Appropriations
2041 2225 and 2226 of the 2018-2019 General Appropriations Act,
2042 subsection (3) is added to section 420.9079, Florida Statutes,
2043 to read:

2044 420.9079 Local Government Housing Trust Fund.—

2045 (3) For the 2018-2019 fiscal year, funds may be used as
2046 provided in the General Appropriations Act. This subsection
2047 expires July 1, 2019.

2048 Section 75. In order to implement Specific Appropriation
2049 2225 of the 2018-2019 General Appropriations Act, section
2050 420.0005, Florida Statutes, is amended to read:

2051 420.0005 State Housing Trust Fund; State Housing Fund.—

2052 (1) There is established in the State Treasury a separate
2053 trust fund to be named the "State Housing Trust Fund." There
2054 shall be deposited in the fund all moneys appropriated by the
2055 Legislature, or moneys received from any other source, for the
2056 purpose of this chapter, and all proceeds derived from the use
2057 of such moneys. The fund shall be administered by the Florida
2058 Housing Finance Corporation on behalf of the department, as
2059 specified in this chapter. Money deposited to the fund and
2060 appropriated by the Legislature must, notwithstanding the
2061 provisions of chapter 216 or s. 420.504(3), be transferred
2062 quarterly in advance, to the extent available, or, if not so
2063 available, as soon as received into the State Housing Trust
2064 Fund, and subject to the provisions of s. 420.5092(6)(a) and (b)

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2065 | by the Chief Financial Officer to the corporation upon
2066 | certification by the executive director of the Department of
2067 | Economic Opportunity that the corporation is in compliance with
2068 | the requirements of s. 420.0006. The certification made by the
2069 | executive director shall also include the split of funds among
2070 | programs administered by the corporation and the department as
2071 | specified in chapter 92-317, Laws of Florida, as amended. Moneys
2072 | advanced by the Chief Financial Officer must be deposited by the
2073 | corporation into a separate fund established with a qualified
2074 | public depository meeting the requirements of chapter 280 to be
2075 | named the "State Housing Fund" and used for the purposes of this
2076 | chapter. Administrative and personnel costs incurred in
2077 | implementing this chapter may be paid from the State Housing
2078 | Fund, but such costs may not exceed 5 percent of the moneys
2079 | deposited into such fund. To the State Housing Fund shall be
2080 | credited all loan repayments, penalties, and other fees and
2081 | charges accruing to such fund under this chapter. It is the
2082 | intent of this chapter that all loan repayments, penalties, and
2083 | other fees and charges collected be credited in full to the
2084 | program account from which the loan originated. Moneys in the
2085 | State Housing Fund which are not currently needed for the
2086 | purposes of this chapter shall be invested in such manner as is
2087 | provided for by statute. The interest received on any such
2088 | investment shall be credited to the State Housing Fund.

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2089 (2) For the 2018-2019 fiscal year, funds may be used as
2090 provided in the General Appropriations Act. This subsection
2091 expires July 1, 2019.

2092 Section 76. In order to implement Specific Appropriation
2093 2600 of the 2018-2019 General Appropriations Act, paragraph (b)
2094 of subsection (3) and subsection (5) of section 321.04, Florida
2095 Statutes, are amended to read:

2096 321.04 Personnel of the highway patrol; rank
2097 classifications; probationary status of new patrol officers;
2098 subsistence; special assignments.-

2099 (3)

2100 (b) For the 2018-2019 ~~2017-2018~~ fiscal year only, the
2101 patrol officer shall be assigned to the Lieutenant Governor.
2102 This paragraph expires July 1, 2019 ~~2018~~.

2103 (5) For the 2018-2019 ~~2017-2018~~ fiscal year only, the
2104 assignment of a patrol officer by the department shall include a
2105 Cabinet member specified in s. 4, Art. IV of the State
2106 Constitution if deemed appropriate by the department or in
2107 response to a threat and upon written request of such Cabinet
2108 member. This subsection expires July 1, 2019 ~~2018~~.

2109 Section 77. In order to implement Specific Appropriations
2110 1856 through 1869, 1875 through 1878, 1891 through 1899, 1901
2111 through 1910, and 1948 through 1959 of the 2018-2019 General
2112 Appropriations Act, paragraphs (d), (e), and (f) of subsection
2113 (5) of section 339.135, Florida Statutes, are amended to read:

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2114 339.135 Work program; legislative budget request;
2115 definitions; preparation, adoption, execution, and amendment.—

2116 (5) ADOPTION OF THE WORK PROGRAM.—

2117 (d) It is the intent of the Legislature that the
2118 department maintain fiscal solvency and make prudent use of all
2119 available fiscal resources to minimize any project, or a phase
2120 thereof, from being deferred within the work program. It is
2121 further the intent of the Legislature that the department, to
2122 the maximum extent feasible, reduce financial projects not
2123 programmed for contract letting as identified with a work
2124 program contract class code 8 and the box code RV to add
2125 projects to the 2018-2019 ~~2017-2018~~ work program which are
2126 identified by a specific appropriation in the 2018-2019 ~~2017-~~
2127 ~~2018~~ General Appropriations Act. This paragraph expires July 1,
2128 2019 ~~2018~~.

2129 (e) For the 2018-2019 ~~2017-2018~~ fiscal year only, the
2130 department is authorized to realign budget authority among
2131 appropriation categories to support the implementation of the
2132 2018-2019 ~~2017-2018~~ General Appropriations Act. The notice,
2133 review, and objection procedures under s. 216.177 apply only
2134 when projects, or a phase thereof, are not deferred or deleted
2135 from the work program. The request to realign budget authority
2136 among work program categories must be supported by documented
2137 production and financial goals within the parameters of finance,

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2138 available cash, and total authorized budget. This paragraph
2139 expires July 1, 2019 ~~2018~~.

2140 (f) For the 2018-2019 ~~2017-2018~~ fiscal year only, if the
2141 department submits a work program amendment to realign work
2142 program categories to the 2018-2019 ~~2017-2018~~ General
2143 Appropriations Act that defers or deletes any project, or a
2144 phase thereof, the work program amendment is subject to approval
2145 by the Legislative Budget Commission. The department shall
2146 provide to the Legislative Budget Commission the documents
2147 specified in subparagraphs 1.-8. when submitting the
2148 department's work program amendment to request approval to
2149 realign the work program appropriation categories to the 2018-
2150 2019 ~~2017-2018~~ General Appropriations Act. In addition, any work
2151 program amendment submitted to the Legislative Budget Commission
2152 which results in a reduced project commitment level for the
2153 2018-2019 ~~2017-2018~~ fiscal year must include the following
2154 documents:

2155 1. A proposed finance plan, as balanced to the requested
2156 work program amendment to realign the work program categories to
2157 the 2018-2019 ~~2017-2018~~ General Appropriations Act, or any other
2158 amendments that reduce work program commitments;

2159 2. A proposed cash forecast, as balanced to the requested
2160 work program amendment to realign the work program categories to
2161 the 2018-2019 ~~2017-2018~~ General Appropriations Act, or any other
2162 amendments that reduce work program commitments;

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- 2163 3. An adopted finance plan, as of July 1, 2018 ~~2017~~;
- 2164 4. An adopted cash forecast, as of July 1, 2018 ~~2017~~;
- 2165 5. A complete list of projects, or phases thereof,
- 2166 deferred or deleted from the impact of the projects identified
- 2167 by a specific appropriation in the 2018-2019 ~~2017-2018~~ General
- 2168 Appropriations Act for the 2018-2019 ~~2017-2018~~ through 2022-2023
- 2169 ~~2021-2022~~ work program;
- 2170 6. The department's methodology for identifying projects,
- 2171 or phases thereof, for deferral or deletion for the 2018-2019
- 2172 ~~2017-2018~~ through 2022-2023 ~~2021-2022~~ work program;
- 2173 7. A letter of concurrence or nonconcurrence from the
- 2174 affected metropolitan planning organization or, for
- 2175 nonmetropolitan areas, the board of county commissioners with
- 2176 impacted project selections; and
- 2177 8. A complete list of financial projects not programmed
- 2178 for contract letting as identified with a work program contract
- 2179 class code 8 and the box code RV included in fiscal years 2018-
- 2180 2019 ~~2017-2018~~ through 2022-2023 ~~2021-2022~~, as of July 1, 2018
- 2181 ~~2017~~.

2182

2183 This paragraph expires July 1, 2019 ~~2018~~.

2184 Section 78. In order to implement the salaries and

2185 benefits, expenses, other personal services, contracted

2186 services, special categories, and operating capital outlay

2187 categories of the 2018-2019 General Appropriations Act,

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2188 paragraph (a) of subsection (2) of section 216.292, Florida
2189 Statutes, is amended to read:

2190 216.292 Appropriations nontransferable; exceptions.—

2191 (2) The following transfers are authorized to be made by
2192 the head of each department or the Chief Justice of the Supreme
2193 Court whenever it is deemed necessary by reason of changed
2194 conditions:

2195 (a) The transfer of appropriations funded from identical
2196 funding sources, except appropriations for fixed capital outlay,
2197 and the transfer of amounts included within the total original
2198 approved budget and plans of releases of appropriations as
2199 furnished pursuant to ss. 216.181 and 216.192, as follows:

2200 1. Between categories of appropriations within a budget
2201 entity, if no category of appropriation is increased or
2202 decreased by more than 5 percent of the original approved budget
2203 or \$250,000, whichever is greater, by all action taken under
2204 this subsection.

2205 2. Between budget entities within identical categories of
2206 appropriations, if no category of appropriation is increased or
2207 decreased by more than 5 percent of the original approved budget
2208 or \$250,000, whichever is greater, by all action taken under
2209 this subsection.

2210 3. Any agency exceeding salary rate established pursuant
2211 to s. 216.181(8) on June 30th of any fiscal year shall not be

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2212 authorized to make transfers pursuant to subparagraphs 1. and 2.
2213 in the subsequent fiscal year.

2214 4. Notice of proposed transfers under subparagraphs 1. and
2215 2. shall be provided to the Executive Office of the Governor and
2216 the chairs of the legislative appropriations committees at least
2217 3 days prior to agency implementation in order to provide an
2218 opportunity for review. The review shall be limited to ensuring
2219 that the transfer is in compliance with the requirements of this
2220 paragraph.

2221 5. For the 2018-2019 ~~2017-2018~~ fiscal year, the review
2222 shall ensure that transfers proposed pursuant to this paragraph
2223 comply with this chapter, maximize the use of available and
2224 appropriate trust funds, and are not contrary to legislative
2225 policy and intent. This subparagraph expires July 1, 2019 ~~2018~~.

2226 Section 79. In order to implement the appropriation of
2227 funds in the special categories, contracted services, and
2228 expenses categories of the 2018-2019 General Appropriations Act,
2229 a state agency may not initiate a competitive solicitation for a
2230 product or service if the completion of such competitive
2231 solicitation would:

2232 (1) Require a change in law; or

2233 (2) Require a change to the agency's budget other than a
2234 transfer authorized in s. 216.292(2) or (3), Florida Statutes,
2235 unless the initiation of such competitive solicitation is

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2236 specifically authorized in law, in the General Appropriations
2237 Act, or by the Legislative Budget Commission.

2238
2239 This section does not apply to a competitive solicitation for
2240 which the agency head certifies that a valid emergency exists.

2241 This section expires July 1, 2019.

2242 Section 80. In order to implement appropriations for
2243 salaries and benefits in the 2018-2019 General Appropriations
2244 Act, subsection (6) of section 112.24, Florida Statutes, is
2245 amended to read:

2246 112.24 Intergovernmental interchange of public employees.—
2247 To encourage economical and effective utilization of public
2248 employees in this state, the temporary assignment of employees
2249 among agencies of government, both state and local, and
2250 including school districts and public institutions of higher
2251 education is authorized under terms and conditions set forth in
2252 this section. State agencies, municipalities, and political
2253 subdivisions are authorized to enter into employee interchange
2254 agreements with other state agencies, the Federal Government,
2255 another state, a municipality, or a political subdivision
2256 including a school district, or with a public institution of
2257 higher education. State agencies are also authorized to enter
2258 into employee interchange agreements with private institutions
2259 of higher education and other nonprofit organizations under the
2260 terms and conditions provided in this section. In addition, the

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2261 Governor or the Governor and Cabinet may enter into employee
2262 interchange agreements with a state agency, the Federal
2263 Government, another state, a municipality, or a political
2264 subdivision including a school district, or with a public
2265 institution of higher learning to fill, subject to the
2266 requirements of chapter 20, appointive offices which are within
2267 the executive branch of government and which are filled by
2268 appointment by the Governor or the Governor and Cabinet. Under
2269 no circumstances shall employee interchange agreements be
2270 utilized for the purpose of assigning individuals to participate
2271 in political campaigns. Duties and responsibilities of
2272 interchange employees shall be limited to the mission and goals
2273 of the agencies of government.

2274 (6) For the 2018-2019 ~~2017-2018~~ fiscal year only, the
2275 assignment of an employee of a state agency as provided in this
2276 section may be made if recommended by the Governor or Chief
2277 Justice, as appropriate, and approved by the chairs of the
2278 legislative appropriations committees. Such actions shall be
2279 deemed approved if neither chair provides written notice of
2280 objection within 14 days after receiving notice of the action
2281 pursuant to s. 216.177. This subsection expires July 1, 2019
2282 ~~2018~~.

2283 Section 81. In order to implement Specific Appropriations
2284 2670 and 2671 of the 2018-2019 General Appropriations Act, and
2285 notwithstanding s. 11.13(1), Florida Statutes, the authorized

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2286 salaries for members of the Legislature for the 2018-2019 fiscal
2287 year shall be set at the same level in effect on July 1, 2010.
2288 This section expires July 1, 2019.

2289 Section 82. In order to implement the transfer of funds to
2290 the General Revenue Fund from trust funds for the 2018-2019
2291 General Appropriations Act, and notwithstanding the expiration
2292 date contained in section 56 of chapter 2017-70, Laws of
2293 Florida, paragraph (b) of subsection (2) of section 215.32,
2294 Florida Statutes, is reenacted to read:

2295 215.32 State funds; segregation.-

2296 (2) The source and use of each of these funds shall be as
2297 follows:

2298 (b)1. The trust funds shall consist of moneys received by
2299 the state which under law or under trust agreement are
2300 segregated for a purpose authorized by law. The state agency or
2301 branch of state government receiving or collecting such moneys
2302 is responsible for their proper expenditure as provided by law.
2303 Upon the request of the state agency or branch of state
2304 government responsible for the administration of the trust fund,
2305 the Chief Financial Officer may establish accounts within the
2306 trust fund at a level considered necessary for proper
2307 accountability. Once an account is established, the Chief
2308 Financial Officer may authorize payment from that account only
2309 upon determining that there is sufficient cash and releases at
2310 the level of the account.

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2311 2. In addition to other trust funds created by law, to the
2312 extent possible, each agency shall use the following trust funds
2313 as described in this subparagraph for day-to-day operations:

2314 a. Operations or operating trust fund, for use as a
2315 depository for funds to be used for program operations funded by
2316 program revenues, with the exception of administrative
2317 activities when the operations or operating trust fund is a
2318 proprietary fund.

2319 b. Operations and maintenance trust fund, for use as a
2320 depository for client services funded by third-party payors.

2321 c. Administrative trust fund, for use as a depository for
2322 funds to be used for management activities that are departmental
2323 in nature and funded by indirect cost earnings and assessments
2324 against trust funds. Proprietary funds are excluded from the
2325 requirement of using an administrative trust fund.

2326 d. Grants and donations trust fund, for use as a
2327 depository for funds to be used for allowable grant or donor
2328 agreement activities funded by restricted contractual revenue
2329 from private and public nonfederal sources.

2330 e. Agency working capital trust fund, for use as a
2331 depository for funds to be used pursuant to s. 216.272.

2332 f. Clearing funds trust fund, for use as a depository for
2333 funds to account for collections pending distribution to lawful
2334 recipients.

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2335 g. Federal grant trust fund, for use as a depository for
2336 funds to be used for allowable grant activities funded by
2337 restricted program revenues from federal sources.

2338
2339 To the extent possible, each agency must adjust its internal
2340 accounting to use existing trust funds consistent with the
2341 requirements of this subparagraph. If an agency does not have
2342 trust funds listed in this subparagraph and cannot make such
2343 adjustment, the agency must recommend the creation of the
2344 necessary trust funds to the Legislature no later than the next
2345 scheduled review of the agency's trust funds pursuant to s.
2346 215.3206.

2347 3. All such moneys are hereby appropriated to be expended
2348 in accordance with the law or trust agreement under which they
2349 were received, subject always to the provisions of chapter 216
2350 relating to the appropriation of funds and to the applicable
2351 laws relating to the deposit or expenditure of moneys in the
2352 State Treasury.

2353 4.a. Notwithstanding any provision of law restricting the
2354 use of trust funds to specific purposes, unappropriated cash
2355 balances from selected trust funds may be authorized by the
2356 Legislature for transfer to the Budget Stabilization Fund and
2357 General Revenue Fund in the General Appropriations Act.

2358 b. This subparagraph does not apply to trust funds
2359 required by federal programs or mandates; trust funds

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2360 established for bond covenants, indentures, or resolutions whose
2361 revenues are legally pledged by the state or public body to meet
2362 debt service or other financial requirements of any debt
2363 obligations of the state or any public body; the Division of
2364 Licensing Trust Fund in the Department of Agriculture and
2365 Consumer Services; the State Transportation Trust Fund; the
2366 trust fund containing the net annual proceeds from the Florida
2367 Education Lotteries; the Florida Retirement System Trust Fund;
2368 trust funds under the management of the State Board of Education
2369 or the Board of Governors of the State University System, where
2370 such trust funds are for auxiliary enterprises, self-insurance,
2371 and contracts, grants, and donations, as those terms are defined
2372 by general law; trust funds that serve as clearing funds or
2373 accounts for the Chief Financial Officer or state agencies;
2374 trust funds that account for assets held by the state in a
2375 trustee capacity as an agent or fiduciary for individuals,
2376 private organizations, or other governmental units; and other
2377 trust funds authorized by the State Constitution.

2378 Section 83. The amendment to s. 215.32(2)(b), Florida
2379 Statutes, as carried forward by this act from chapter 2011-47,
2380 Laws of Florida, expires July 1, 2019, and the text of that
2381 paragraph shall revert to that in existence on June 30, 2011,
2382 except that any amendments to such text enacted other than by
2383 this act shall be preserved and continue to operate to the

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2384 extent that such amendments are not dependent upon the portions
2385 of text which expire pursuant to this section.

2386 Section 84. In order to implement appropriations in the
2387 2018-2019 General Appropriations Act for state employee travel,
2388 the funds appropriated to each state agency which may be used
2389 for travel by state employees are limited during the 2018-2019
2390 fiscal year to travel for activities that are critical to each
2391 state agency's mission. Funds may not be used for travel by
2392 state employees to foreign countries, other states, conferences,
2393 staff training activities, or other administrative functions
2394 unless the agency head has approved, in writing, that such
2395 activities are critical to the agency's mission. The agency head
2396 shall consider using teleconferencing and other forms of
2397 electronic communication to meet the needs of the proposed
2398 activity before approving mission-critical travel. This section
2399 does not apply to travel for law enforcement purposes, military
2400 purposes, emergency management activities, or public health
2401 activities. This section expires July 1, 2019.

2402 Section 85. In order to implement appropriations in the
2403 2018-2019 General Appropriations Act for state employee travel
2404 and notwithstanding s. 112.061, Florida Statutes, costs for
2405 lodging associated with a meeting, conference, or convention
2406 organized or sponsored in whole or in part by a state agency or
2407 the judicial branch may not exceed \$150 per day. An employee may
2408 expend his or her own funds for any lodging expenses in excess

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2409 of \$150 per day. For purposes of this section, a meeting does
2410 not include travel activities for conducting an audit,
2411 examination, inspection, or investigation or travel activities
2412 related to a litigation or emergency response. This section
2413 expires July 1, 2019.

2414 Section 86. In order to implement the appropriation of
2415 funds in the special categories, contracted services, and
2416 expenses categories of the 2018-2019 General Appropriations Act,
2417 a state agency may not enter into a contract containing a
2418 nondisclosure clause that prohibits the contractor from
2419 disclosing information relevant to the performance of the
2420 contract to members or staff of the Senate or the House of
2421 Representatives. This section expires July 1, 2019.

2422 Section 87. In order to implement Specific Appropriation
2423 1966 of the 2018-2019 General Appropriations Act, section 5 of
2424 chapter 2017-88, Laws of Florida, is amended to read:

2425 Section 5. (1) For the 2019 plan year, the Department of
2426 Management Services shall develop and establish ~~determine and~~
2427 ~~recommend~~ premiums for enrollees using the same premium tiers
2428 available during the 2018 plan year. The premiums developed must
2429 ~~that~~ reflect the relative ~~actual~~ differences in costs to the
2430 program for each of the health maintenance organization and the
2431 preferred provider organization plan options offered in the
2432 state group insurance program for both self-insured and fully
2433 insured plans. The premiums for the plan options shall reflect

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2434 the costs to the program for both medical and prescription drug
2435 benefits.

2436 (2) The premium rate for employers shall be the same as
2437 those established for the state group insurance program in the
2438 General Appropriations Act for the 2018-2019 fiscal year. The
2439 premium rates for employees must be calculated so that the total
2440 premiums contributed by employees do not exceed the amount of
2441 premiums forecasted to be collected from employees in the 2019
2442 plan year in the most recent official information and the
2443 premium rate for an employee with "agency pay-all" status must
2444 remain one-sixth of the premium rate for an employee in the
2445 career service for the same plan option. The premium rates for
2446 Medicare-eligible enrollees must be calculated so that the total
2447 premiums contributed by Medicare-eligible enrollees do not
2448 exceed 106 percent of the amount of premiums forecasted to be
2449 collected from such enrollees in the 2019 plan year in the most
2450 recent official information. For purposes of this subsection,
2451 the term "official information" means the results of the
2452 consensus estimating conference on the financial outlook of the
2453 State Employees' Health Insurance Trust Fund.

2454 (3) By July 1, 2018, the department shall submit ~~report~~ the
2455 proposed premium rates to the Governor, the President of the
2456 Senate, and the Speaker of the House of Representatives.

2457 (4) The department shall establish the enrollee premium
2458 rates subject to the notice, review, and objection provisions of

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2459 section 216.177, Florida Statutes, no later than August 15,
2460 2018. The Legislature must submit its written objections to such
2461 rates no later than August 31, 2018. If the Legislature objects
2462 to the premium rates pursuant to section 216.177, Florida
2463 Statutes, the enrollee premiums in effect on June 30, 2018, or
2464 established in the General Appropriations Act for the 2018-2019
2465 fiscal year, whichever are greater, shall remain in effect for
2466 the 2019 plan year.

2467 Section 88. Any section of this act which implements a
2468 specific appropriation or specifically identified proviso
2469 language in the 2018-2019 General Appropriations Act is void if
2470 the specific appropriation or specifically identified proviso
2471 language is vetoed. Any section of this act which implements
2472 more than one specific appropriation or more than one portion of
2473 specifically identified proviso language in the 2018-2019
2474 General Appropriations Act is void if all the specific
2475 appropriations or portions of specifically identified proviso
2476 language are vetoed.

2477 Section 89. If any other act passed during the 2018
2478 Regular Session of the Legislature contains a provision that is
2479 substantively the same as a provision in this act, but that
2480 removes or is otherwise not subject to the future repeal applied
2481 to such provision by this act, the Legislature intends that the
2482 provision in the other act takes precedence and continues to
2483 operate, notwithstanding the future repeal provided by this act.

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2484 Section 90. If any provision of this act or its
 2485 application to any person or circumstance is held invalid, the
 2486 invalidity does not affect other provisions or applications of
 2487 the act which can be given effect without the invalid provision
 2488 or application, and to this end the provisions of this act are
 2489 severable.

2490 Section 91. Except as otherwise expressly provided in this
 2491 act and except for this section, which shall take effect upon
 2492 this act becoming a law, this act shall take effect July 1,
 2493 2018; or, if this act fails to become a law until after that
 2494 date, it shall take effect upon becoming a law and shall operate
 2495 retroactively to July 1, 2018.

2496
 2497 -----

2498 **T I T L E A M E N D M E N T**

2499 Remove everything before the enacting clause and insert:

2500 A bill to be entitled

2501 An act implementing the 2018-2019 General
 2502 Appropriations Act; providing legislative intent;
 2503 incorporating by reference certain calculations of the
 2504 Florida Education Finance Program; providing that
 2505 funds for instructional materials must be released and
 2506 expended as required in specified proviso language;
 2507 amending s. 1011.62, F.S.; creating the funding
 2508 compression allocation; providing the purpose of the

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2509 allocation; authorizing funding for the annual
2510 allocation for specified purposes; providing the
2511 calculation for the allocation; amending s. 1001.26,
2512 F.S.; authorizing the Department of Education to
2513 provide certain appropriated funds to public colleges
2514 and universities; providing for the future expiration
2515 and reversion of specified statutory text; prohibiting
2516 eligible contributions to the Florida Sales Tax Credit
2517 Scholarship Program from being used to fund a
2518 specified scholarship program; reenacting s.
2519 1009.986(4)(b), F.S., relating to the Florida ABLE
2520 program; extending by 1 fiscal year provisions
2521 regarding the participation agreement for the program;
2522 providing for the future expiration and reversion of
2523 specified statutory text; amending s. 1009.986, F.S.;
2524 revising the distribution of funds in the ABLE account
2525 upon the death of the designated beneficiary;
2526 prohibiting the state Medicaid program from filing
2527 certain claims for Medicaid recovery of funds except
2528 as required by federal law; providing for the future
2529 expiration and reversion of specified statutory text;
2530 amending s. 1009.215, F.S.; specifying that students
2531 enrolled in a specified pilot program who are eligible
2532 to receive Bright Futures Scholarships are also
2533 eligible for such scholarship funds for designated

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2534 terms and under specified circumstances; providing for
2535 the future expiration and reversion of specified
2536 statutory text; incorporating by reference certain
2537 calculations of the Medicaid Disproportionate Share
2538 Hospital and Hospital Reimbursement programs;
2539 authorizing the Agency for Health Care Administration,
2540 in consultation with the Department of Health, to
2541 submit a budget amendment to realign funding for a
2542 component of the Children's Medical Services program
2543 to reflect actual enrollment changes; specifying
2544 requirements for such realignment; authorizing the
2545 agency to request nonoperating budget authority for
2546 transferring certain federal funds to the Department
2547 of Health; specifying criteria to be used by the
2548 Agency for Persons with Disabilities in the event that
2549 the rule which adopted an allocation algorithm and
2550 methodology for the iBudget system is no longer in
2551 effect; authorizing funding allocated for the
2552 algorithm may be increased under certain
2553 circumstances; amending s. 409.908, F.S.; revising
2554 parameters relating to the prospective payment
2555 methodology for the reimbursement of Medicaid
2556 providers to be implemented for rate-setting purposes;
2557 requiring the agency to establish prospective payment
2558 reimbursement rates for nursing home services as

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Amendment No.

2559 provided in this act and in the General Appropriations
2560 Act; providing for the future expiration and reversion
2561 of specified statutory text; requiring the Agency for
2562 Health Care Administration to seek authorization from
2563 the federal Centers for Medicare and Medicaid Services
2564 to eliminate the Medicaid retroactive eligibility
2565 period to ensure that the elimination becomes
2566 effective by a certain date; amending s. 893.055,
2567 F.S.; prohibiting the Attorney General and the
2568 Department of Health from using certain settlement
2569 agreement funds to administer the prescription drug
2570 monitoring program; amending s. 409.911, F.S.;

2571 updating the average of audited disproportionate share
2572 data for purposes of calculating disproportionate
2573 share payments; extending for 1 fiscal year the
2574 requirement that the Agency for Health Care
2575 Administration distribute moneys to hospitals that
2576 provide a disproportionate share of Medicaid or
2577 charity care services as provided in the General
2578 Appropriations Act; amending s. 409.9113, F.S.;

2579 extending for 1 fiscal year the requirement that the
2580 Agency for Health Care Administration make
2581 disproportionate share payments to teaching hospitals
2582 as provided in the General Appropriations Act;

2583 authorizing the Agency of Health Care Administration

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2584 to submit a budget amendment to realign funding within
2585 the Medicaid program appropriation categories;
2586 specifying the time period within which such budget
2587 amendment must be submitted; amending s. 409.9119,
2588 F.S.; extending for 1 fiscal year the requirement that
2589 the Agency for Health Care Administration make
2590 disproportionate share payments to certain specialty
2591 hospitals for children; amending s. 39.6251, F.S.;
2592 requiring the case manager for a young adult in foster
2593 care to consult the young adult when updating case or
2594 the transition plans and arrangements; deleting a
2595 provision authorizing case management reviews to be
2596 conducted by telephone under certain circumstances;
2597 amending s. 409.166, F.S.; providing definitions;
2598 providing conditions for the department to provide
2599 adoption assistance payments to adoptive parents of
2600 certain children; providing that children and young
2601 adults receiving benefits through the adoption
2602 assistance program are ineligible for specified other
2603 benefits and services; providing additional conditions
2604 for eligibility for adoption assistance; providing for
2605 expiration and reversion of specified statutory text;
2606 amending s. 381.986, F.S.; exempting certain rules
2607 adopted before a specified date related to medical use
2608 of marijuana from legislative ratification

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Amendment No.

2609 requirements; authorizing medical marijuana treatment
2610 centers to use laboratories that have not been
2611 certified under specified conditions; amending s.
2612 381.988, F.S.; exempting certain rules adopted before
2613 a specified date related to medical marijuana testing
2614 laboratories from legislative ratification
2615 requirements; amending s. 296.37, F.S.; revising the
2616 amount of money residents of a veterans' nursing home
2617 must receive monthly before being required to
2618 contribute to their maintenance and support; amending
2619 s. 216.262, F.S.; extending for 1 fiscal year the
2620 authority of the Department of Corrections to submit a
2621 budget amendment for additional positions and
2622 appropriations under certain circumstances; amending
2623 s. 215.18, F.S.; extending for 1 fiscal year the
2624 authority and related repayment requirements for
2625 temporary trust fund loans to the state court system
2626 which are sufficient to meet the system's
2627 appropriation; authorizing the Department of
2628 Corrections to submit certain budget amendments to
2629 transfer funds into the Inmate Health Services
2630 category; providing that such transfers are subject to
2631 notice, review, and objection procedures; requiring
2632 the Department of Juvenile Justice to review county
2633 juvenile detention payments to determine whether the

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Amendment No.

2634 county has met specified financial responsibilities;
2635 requiring amounts owed by the county for such
2636 financial responsibilities to be deducted from certain
2637 county funds; requiring the Department of Revenue to
2638 transfer withheld funds to a specified trust fund;
2639 requiring the Department of Revenue to ensure that
2640 such reductions in amounts distributed do not reduce
2641 distributions below amounts necessary for certain
2642 payments due on bonds and comply with bond covenants;
2643 requiring the Department of Revenue to notify the
2644 Department of Juvenile Justice if bond payment
2645 requirements require a reduction in deductions for
2646 amounts owed by a county; prohibiting the Department
2647 of Juvenile Justice from providing to certain
2648 nonfiscally constrained counties reimbursements or
2649 credits against identified juvenile detention center
2650 costs under specified circumstances; prohibiting a
2651 nonfiscally constrained county from applying,
2652 deducting, or receiving such reimbursements or
2653 credits; amending s. 27.5304, F.S.; establishing
2654 certain limitations on compensation for private court-
2655 appointed counsel for the 2018-2019 fiscal year;
2656 specifying that the clerks of the circuit court are
2657 responsible for certain costs related to jurors that
2658 exceed funding provided in the General Appropriations

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Amendment No.

2659 Act; amending ss. 318.18 and 817.568, F.S.;

2660 redirecting revenues from the Public Defenders Revenue

2661 Trust Fund to the Indigent Criminal Defense Trust

2662 Fund; transferring all current balances in the Public

2663 Defenders Revenue Trust Fund to the Indigent Criminal

2664 Defense Trust Fund; amending s. 1011.80, F.S.;

2665 providing that state funds provided for postsecondary

2666 workforce program operations may be used for inmate

2667 education if specifically appropriated for such

2668 purpose; providing for the future expiration and

2669 reversion of specified statutory text; authorizing a

2670 Supreme Court Justice to designate an alternate

2671 facility as his or her official headquarters for

2672 purposes of travel reimbursement; specifying which

2673 expenses may be reimbursed to a justice; requiring the

2674 Chief Justice to coordinate with an affected justice

2675 and other appropriate officials with respect to

2676 implementation; providing construction; prohibiting

2677 the Supreme Court from using state funds to lease

2678 space in an alternate facility for use as a justice's

2679 official headquarters; requiring the Department of

2680 Management Services to use tenant broker services to

2681 renegotiate or reprocure certain private lease

2682 agreements for office or storage space; requiring the

2683 Department of Management Services to provide a report

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Amendment No.

2684 to the Governor and Legislature by a specified date;
2685 specifying the amount of the transaction fee to be
2686 collected for use of the online procurement system;
2687 prohibiting an agency from transferring funds from a
2688 data processing category to another category that is
2689 not a data processing category; authorizing the
2690 Executive Office of the Governor to transfer funds
2691 appropriated for data processing assessment between
2692 departments for a specified purpose; authorizing the
2693 Executive Office of the Governor to transfer funds
2694 between departments for purposes of aligning amounts
2695 paid for risk management insurance and for human
2696 resources services; requiring the Department of
2697 Financial Services to replace specified components of
2698 the Florida Accounting Information Resource Subsystem
2699 (FLAIR) and the Cash Management Subsystem (CMS);
2700 specifying certain actions to be taken by the
2701 Department of Financial Services regarding FLAIR and
2702 CMS replacement; providing for the composition of an
2703 executive steering committee to oversee FLAIR and CMS
2704 replacement; prescribing duties and responsibilities
2705 of the executive steering committee; transferring
2706 specified entities within the Agency for State
2707 Technology to the Department of Management Services;
2708 amending s. 20.22, F.S.; requiring the Department of

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Amendment No.

2709 Management Services to provide the Agency for State
2710 Technology financial management oversight; specifying
2711 oversight responsibilities; amending s. 20.255, F.S.;
2712 providing duties of the Department of Environmental
2713 Protection related to geospatial data development,
2714 review, policies, practices, and standards; amending
2715 s. 20.61, F.S.; specifying that the Department of
2716 Management Services shall provide financial management
2717 for the Agency for State Technology; deleting
2718 specified positions within the agency; amending s.
2719 282.0041, F.S.; revising and providing definitions
2720 related to data services; amending s. 282.0051, F.S.;
2721 deleting specified duties from the Agency for State
2722 Technology related to financial management; amending
2723 s. 282.201, F.S.; deleting the requirement that the
2724 state data center provide a billing methodology;
2725 providing for future expiration and reversion of
2726 specified statutory text; requiring executive branch
2727 state agencies and the judicial branch to collaborate
2728 with the Executive Office of the Governor regarding
2729 the statewide travel management system and to use such
2730 system; amending s. 216.181, F.S.; extending for 1
2731 fiscal year the authority for the Legislative Budget
2732 Commission to increase amounts appropriated to the
2733 Fish and Wildlife Conservation Commission or the

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Amendment No.

2734 Department of Environmental Protection for certain
2735 fixed capital outlay projects from specified sources;
2736 amending s. 215.18, F.S.; extending for 1 fiscal year
2737 the authority of the Governor, if there is a specified
2738 temporary deficiency in a land acquisition trust fund
2739 in the Department of Agriculture and Consumer
2740 Services, the Department of Environmental Protection,
2741 the Department of State, or the Fish and Wildlife
2742 Conservation Commission, to transfer funds from other
2743 trust funds in the State Treasury as a temporary loan
2744 to such trust fund; providing time periods for the
2745 repayment of a temporary loan; requiring the
2746 Department of Environmental Protection to transfer
2747 designated proportions of the revenues deposited in
2748 the Land Acquisition Trust Fund within the department
2749 to land acquisition trust funds in the Department of
2750 Agriculture and Consumer Services, the Department of
2751 State, and the Fish and Wildlife Conservation
2752 Commission according to specified parameters and
2753 calculations; requiring the Department of
2754 Environmental Protection to retain a proportionate
2755 share of revenues; specifying a limit on
2756 distributions; requiring the Department of
2757 Environmental Protection to make transfers to land
2758 acquisition trust funds; specifying the method of

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Amendment No.

2759 determining transfer amounts; authorizing the
2760 Department of Environmental Protection to advance
2761 funds from its land acquisition trust fund to the Fish
2762 and Wildlife Conservation Commission's land
2763 acquisition trust fund for specified purposes;
2764 requiring the Department of Environmental Protection
2765 to prorate amounts transferred to the Fish and
2766 Wildlife Conservation Commission; amending s. 375.041,
2767 F.S.; specifying that certain funds for projects
2768 dedicated to restoring Lake Apopka shall be
2769 appropriated as provided in the General Appropriations
2770 Act; reenacting s. 373.470, F.S.; relating to
2771 distribution of funds to the South Florida Water
2772 Management District from the Department of
2773 Environmental Protection's land acquisition trust fund
2774 which must be equally matched by cumulative district
2775 contributions for certain Everglades restoration
2776 efforts; providing for the future expiration and
2777 reversion of specified statutory text; amending s.
2778 216.181, F.S.; authorizing the Legislative Budget
2779 Commission to increase amounts appropriated to the
2780 Department of Environmental Protection for fixed
2781 capital outlay projects using specified funds;
2782 specifying additional information to be included in
2783 budget amendments for projects requiring additional

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Amendment No.

2784 funding; amending s. 259.105, F.S.; revising
2785 distributions from the Florida Forever Trust Fund;
2786 amending s. 375.075, F.S.; requiring that a minimum
2787 amount of funds for the Florida Recreation Development
2788 Assistance Program be used for projects that provide
2789 recreational enhancements and opportunities for
2790 children; requiring the Department of Environmental
2791 Protection to award grants by a specified date;
2792 providing limitations with respect to the number of
2793 grant applications a local government may submit and
2794 the maximum project grant amount; specifying
2795 requirements for the selection criteria used by the
2796 department; requiring the South Florida Water
2797 Management District to allow the continued
2798 agricultural use of certain agricultural lands owned
2799 or controlled by the state or district under specified
2800 circumstances; specifying parameters to be used in
2801 extending or amending leases, reservations of
2802 possessory estates, or other farming interests;
2803 amending s. 427.013, F.S.; extending for 1 fiscal year
2804 a requirement that the Commission for the
2805 Transportation Disadvantaged allocate and award
2806 appropriated funds for specified purposes; amending s.
2807 420.9079, F.S.; authorizing funds in the Local
2808 Government Housing Trust Fund to be used as provided

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2809 in the General Appropriations Act; amending s.
2810 420.0005, F.S.; authorizing certain funds related to
2811 state housing to be used as provided in the General
2812 Appropriations Act; providing for future expiration;
2813 amending s. 321.04, F.S.; extending for 1 fiscal year
2814 provisions requiring the Department of Highway Safety
2815 and Motor Vehicles to assign the patrol officer
2816 assigned to the office of the Governor to the
2817 Lieutenant Governor and to assign a patrol officer to
2818 a Cabinet member under certain circumstances; amending
2819 s. 339.135, F.S.; extending for 1 fiscal year
2820 provisions authorizing the Department of
2821 Transportation to realign budget authority to carry
2822 out the department's work program; amending s.
2823 216.292, F.S.; specifying that the required review
2824 ensures that certain transfers of appropriations
2825 comply with ch. 216, F.S., maximize use of available
2826 and appropriate trust funds, and are not contrary to
2827 legislative policy and intent; prohibiting a state
2828 agency from initiating a competitive solicitation for
2829 a product or service under certain circumstances;
2830 providing an exception; amending s. 112.24, F.S.;
2831 extending for 1 fiscal year the authorization, subject
2832 to specified requirements, for the assignment of an
2833 employee of a state agency under an employee

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Amendment No.

2834 interchange agreement; providing that the annual
2835 salaries of the members of the Legislature shall be
2836 maintained at a specified level; reenacting s.
2837 215.32(2)(b), F.S., relating to the source and use of
2838 certain trust funds; providing for the future
2839 expiration and reversion of statutory text; limiting
2840 the use of travel funds to activities that are
2841 critical to an agency's mission; providing exceptions;
2842 placing a monetary cap on lodging expenses for state
2843 employee travel to certain meetings organized or
2844 sponsored by a state agency or the judicial branch;
2845 authorizing employees to expend their own funds for
2846 lodging expenses in excess of the monetary caps;
2847 prohibiting state agencies from entering into
2848 contracts containing certain nondisclosure agreements;
2849 amending ch. 2017-88, Laws of Florida; requiring the
2850 Department of Management Services to develop and
2851 establish specified premiums for the different health
2852 insurance plan options; specifying the methodology for
2853 calculating premium rates for employees; specifying
2854 notice, review, and objection requirements; providing
2855 conditions under which the veto of certain
2856 appropriations or proviso language in the General
2857 Appropriations Act voids language that implements such
2858 appropriation; providing for the continued operation

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2859 | of certain provisions notwithstanding a future repeal
2860 | or expiration provided by the act; providing
2861 | severability; providing effective dates.

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