Bill No. SB 2502, 1st Eng. (2019)

Amendment No.

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Senate House

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Representative Cummings offered the following:

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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 2019-2020 fiscal year.

Section 2. <u>In order to implement Specific Appropriations</u>
6, 7, 8, 93, and 94 of the 2019-2020 General Appropriations Act,
the calculations of the Florida Education Finance Program for
the 2019-2020 fiscal year included in the document titled
"Public School Funding: The Florida Education Finance Program,"

dated March 21, 2019, and filed with the Clerk of the House of

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14
    Representatives, are incorporated by reference for the purpose
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    of displaying the calculations used by the Legislature,
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    consistent with the requirements of state law, in making
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    appropriations for the Florida Education Finance Program. This
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    section expires July 1, 2020.
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         Section 3. In order to implement Specific Appropriations 6
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    and 93 of the 2019-2020 General Appropriations Act, and
    notwithstanding ss. 1002.20, 1003.02, 1006.28-1006.42,
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    1011.62(6)(b)3. and 1011.67, Florida Statutes, relating to the
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    expenditure of funds provided for instructional materials, for
    the 2019-2020 fiscal year, funds provided for instructional
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    materials shall be released and expended as required in the
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    proviso language for Specific Appropriation 93 of the 2019-2020
    General Appropriations Act. This section expires July 1, 2020.
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         Section 4. In order to implement Specific Appropriations
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    12 and 156 of the 2019-2020 General Appropriations Act and
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    notwithstanding ss. 216.181 and 216.292, Florida Statutes, the
    Board of Governors may submit a consolidated budget amendment,
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    subject to the notice, review, and objection procedures of s.
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    216.177, Florida Statutes, to transfer funds from Specific
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    Appropriations 12 and 156 to appropriate expenditure categories.
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    This section expires July 1, 2020.
         Section 5. In order to implement Specific Appropriations
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    203, 204, 207, and 211 of the 2019-2020 General Appropriations
    Act, the calculations for the Medicaid Disproportionate Share
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    Hospital and Hospital Reimbursement programs for the 2019-2020
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    fiscal year contained in the document titled "Medicaid Hospital
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    Funding Programs," dated March 21, 2019, and filed with the
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    Clerk of the House of Representatives, are incorporated by
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    reference for the purpose of displaying the calculations used by
    the Legislature, consistent with the requirements of state law,
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    in making appropriations for the Medicaid Disproportionate Share
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    Hospital and Hospital Reimbursement programs. This section
    expires July 1, 2020.
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         Section 6. In order to implement Specific Appropriations
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    197 through 224 and 523 of the 2019-2020 General Appropriations
    Act, and notwithstanding ss. 216.181 and 216.292, Florida
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    Statutes, the Agency for Health Care Administration, in
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    consultation with the Department of Health, may submit a budget
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    amendment, subject to the notice, review, and objection
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    procedures of s. 216.177, Florida Statutes, to realign funding
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    within and between agencies based on implementation of the
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    Managed Medical Assistance component of the Statewide Medicaid
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    Managed Care program for the Children's Medical Services program
    of the Department of Health. The funding realignment shall
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    reflect the actual enrollment changes due to the transfer of
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    beneficiaries from fee-for-service to the capitated Children's
    Medical Services Network. The Agency for Health Care
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    Administration may submit a request for nonoperating budget
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    authority to transfer the federal funds to the Department of
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Health pursuant to s. 216.181(12), Florida Statutes. This section expires July 1, 2020.

Section 7. <u>In order to implement Specific Appropriation</u> 245 of the 2019-2020 General Appropriations Act:

- (1) If during the 2019-2020 fiscal year, the Agency for Persons with Disabilities ceases to have an allocation algorithm and methodology adopted by valid rule pursuant to s. 393.0662, Florida Statutes, the agency shall use the following until it adopts a new allocation algorithm and methodology:
- (a) Each client's iBudget in effect as of the date the agency ceases to have an allocation algorithm and methodology adopted by valid rule pursuant to s. 393.0662, Florida Statutes, shall remain at that funding level.
- (b) The Agency for Persons with Disabilities shall determine the iBudget for a client newly enrolled in the home and community-based services waiver program using the same allocation algorithm and methodology used for the iBudgets determined between January 1, 2018, and December 31, 2018.
- (2) After a new allocation algorithm and methodology is adopted by final rule, a client's new iBudget shall be determined based on the new allocation algorithm and methodology and shall take effect as of the client's next support plan update.

- (3) Funding allocated under subsections (1) and (2) may be increased pursuant to s. 393.0662(1)(b), Florida Statutes, or as necessary to comply with federal regulations.
 - (4) This section expires July 1, 2020.

Section 8. In order to implement Specific Appropriation 204 of the 2019-2020 General Appropriations Act, subsections (2) and (10) of section 409.911, Florida Statutes, are amended to read:

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

- (2) The Agency for Health Care Administration shall use the following actual audited data to determine the Medicaid days and charity care to be used in calculating the disproportionate share payment:
- (a) The average of the $\underline{2011}$, $\underline{2012}$, and $\underline{2013}$ $\underline{2010}$, $\underline{2011}$, and $\underline{2012}$ audited disproportionate share data to determine each

hospital's Medicaid days and charity care for the $\underline{2019-2020}$ $\underline{2018-2019}$ state fiscal year.

- (b) If the Agency for Health Care Administration does not have the prescribed 3 years of audited disproportionate share data as noted in paragraph (a) for a hospital, the agency shall use the average of the years of the audited disproportionate share data as noted in paragraph (a) which is available.
- (c) In accordance with s. 1923(b) of the Social Security Act, a hospital with a Medicaid inpatient utilization rate greater than one standard deviation above the statewide mean or a hospital with a low-income utilization rate of 25 percent or greater shall qualify for reimbursement.
- (10) Notwithstanding any provision of this section to the contrary, for the 2019-2020 2018-2019 state fiscal year, the agency shall distribute moneys to hospitals providing a disproportionate share of Medicaid or charity care services as provided in the 2019-2020 2018-2019 General Appropriations Act. This subsection expires July 1, 2020 2019.
- Section 9. In order to implement Specific Appropriation 204 of the 2019-2020 General Appropriations Act, subsection (3) of section 409.9113, Florida Statutes, is amended to read:
- 409.9113 Disproportionate share program for teaching hospitals.—In addition to the payments made under s. 409.911, the agency shall make disproportionate share payments to teaching hospitals, as defined in s. 408.07, for their increased

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costs associated with medical education programs and for tertiary health care services provided to the indigent. This system of payments must conform to federal requirements and distribute funds in each fiscal year for which an appropriation is made by making quarterly Medicaid payments. Notwithstanding s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for hospitals serving a disproportionate share of low-income patients. The agency shall distribute the moneys provided in the General Appropriations Act to statutorily defined teaching hospitals and family practice teaching hospitals, as defined in s. 395.805, pursuant to this section. The funds provided for statutorily defined teaching hospitals shall be distributed as provided in the General Appropriations Act. The funds provided for family practice teaching hospitals shall be distributed equally among family practice teaching hospitals.

(3) Notwithstanding any provision of this section to the contrary, for the 2019-2020 2018-2019 state fiscal year, the agency shall make disproportionate share payments to teaching hospitals, as defined in s. 408.07, as provided in the 2019-2020 2018-2019 General Appropriations Act. This subsection expires July 1, 2020 2019.

Section 10. In order to implement Specific Appropriation 204 of the 2019-2020 General Appropriations Act, subsection (4) of section 409.9119, Florida Statutes, is amended to read:

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

(4) Notwithstanding any provision of this section to the contrary, for the 2019-2020 2018-2019 state fiscal year, for hospitals achieving full compliance under subsection (3), the agency shall make disproportionate share payments to specialty hospitals for children as provided in the 2019-2020 2018-2019

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General Appropriations Act. This subsection expires July 1, $\underline{2020}$ 187 $\underline{2019}$.

Section 11. In order to implement Specific Appropriations

197 through 224 of the 2019-2020 General Appropriations Act, and

notwithstanding ss. 216.181 and 216.292, Florida Statutes, the

Agency for Health Care Administration may submit a budget

amendment, subject to the notice, review, and objection

procedures of s. 216.177, Florida Statutes, to realign funding

within the Medicaid program appropriation categories to address

projected surpluses and deficits within the program and to

maximize the use of state trust funds. A single budget amendment

must be submitted in the last quarter of the 2019-2020 fiscal

year only. This section expires July 1, 2020.

Section 12. In order to implement Specific Appropriations

178 through 183 of the 2019-2020 General Appropriations Act, and

notwithstanding ss. 216.181 and 216.292, Florida Statutes, the

Agency for Health Care Administration may submit a budget

amendment, subject to the notice, review, and objection

procedures of s. 216.177, Florida Statutes, to realign funding

within the Florida Kidcare program appropriation categories to

address projected surpluses and deficits within the program and

to maximize the use of state trust funds. A single budget

amendment must be submitted in the last quarter of the 2019-2020

fiscal year only. This section expires July 1, 2020.

210	Section 13. In order to implement Specific Appropriations
211	326 and 327A of the 2019-2020 General Appropriations Act, and
212	notwithstanding ss. 216.181 and 216.292, Florida Statutes, the
213	Department of Children and Families may submit a budget
214	amendment, subject to the notice, review, and objection
215	procedures of s. 216.177, Florida Statutes, to realign funding
216	within the department based on the implementation of the
217	Guardianship Assistance Program established in s. 39.6225,
218	Florida Statutes, between the relative caregiver program
219	appropriation categories, including nonrelatives, established in
220	s. 39.5085, Florida Statutes, the Guardianship Assistance
221	Program appropriation categories, and to realign funding within
222	the Family Safety Program appropriation categories to maximize
223	the use of federal funds. This section expires July 1, 2020.
224	Section 14. In order to implement Specific Appropriations
225	326 and 327A of the 2019-2020 General Appropriations Act, and
226	notwithstanding s. 409.991, Florida Statutes, the Department of
227	Children and Families shall submit a budget amendment pursuant
228	to s. 216.177, Florida Statutes, to allocate the funds
229	appropriated to the Guardianship Assistance Program established
230	in s. 39.6225, Florida Statutes, including Level 1 foster care
231	board payments and guardianship assistance payments for the
232	2019-2020 fiscal year. This section expires July 1, 2020.
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Section 15. In order to implement Specific Appropriations 551 through 580 of the 2019-2020 General Appropriations Act, subsection (3) of section 296.37, Florida Statutes, is amended to read:

296.37 Residents; contribution to support.

(3) Notwithstanding subsection (1), each resident of the home who receives a pension, compensation, or gratuity from the United States Government, or income from any other source, of more than \$130 per month shall contribute to his or her maintenance and support while a resident of the home in accordance with a payment schedule determined by the administrator and approved by the director. The total amount of such contributions shall be to the fullest extent possible, but, in no case, shall exceed the actual cost of operating and maintaining the home. This subsection expires July 1, 2020 2019.

Section 16. In order to implement Specific Appropriation 470 of the 2019-2020 General Appropriations Act, and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the Department of Health may submit a budget amendment, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes, to increase budget authority for the HIV/AIDS Prevention and Treatment Program if additional federal revenues specific to HIV/AIDS prevention and treatment become available in the 2019-2020 fiscal year. This section expires July 1, 2020.

Section 17. In order to implement Specific Appropriation 349 of the 2019-2020 General Appropriations Act, and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the Department of Children and Families may submit a budget amendment, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes, to increase budget authority for the Supplemental Nutrition Assistance Program if additional federal revenue specific to the program becomes available for the program in the 2019-2020 fiscal year. This section expires July 1, 2020.

Section 18. In order to implement Specific Appropriations 581 through 704 and 716 through 750 of the 2019-2020 General Appropriations Act, subsection (4) of section 216.262, Florida Statutes, is amended to read:

216.262 Authorized positions.-

(4) Notwithstanding the provisions of this chapter relating to increasing the number of authorized positions, and for the 2019-2020 2018-2019 fiscal year only, if the actual inmate population of the Department of Corrections exceeds the inmate population projections of the February 22, 2019 December 20, 2017, Criminal Justice Estimating Conference by 1 percent for 2 consecutive months or 2 percent for any month, the Executive Office of the Governor, with the approval of the Legislative Budget Commission, shall immediately notify the Criminal Justice Estimating Conference, which shall convene as

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soon as possible to revise the estimates. The Department of Corrections may then submit a budget amendment requesting the establishment of positions in excess of the number authorized by the Legislature and additional appropriations from unallocated general revenue sufficient to provide for essential staff, fixed capital improvements, and other resources to provide classification, security, food services, health services, and other variable expenses within the institutions to accommodate the estimated increase in the inmate population. All actions taken pursuant to this subsection are subject to review and approval by the Legislative Budget Commission. This subsection expires July 1, 2020 2019.

Appropriations 1153 through 1164 of the 2019-2020 General
Appropriations Act, the Department of Juvenile Justice must
review county juvenile detention payments to ensure that
counties fulfill their financial responsibilities required in s.
985.6865, Florida Statutes. If the Department of Juvenile
Justice determines that a county has not met its obligations,
the department shall direct the Department of Revenue to deduct
the amount owed to the Department of Juvenile Justice from the
funds provided to the county under s. 218.23, Florida Statutes.
The Department of Revenue shall transfer the funds withheld to
the Shared County/State Juvenile Detention Trust Fund.

(2) As an assurance to holders of bonds issued by counties
before July 1, 2019, for which distributions made pursuant to s.
218.23, Florida Statutes, are pledged, or bonds issued to refund
such bonds which mature no later than the bonds they refunded
and which result in a reduction of debt service payable in each
fiscal year, the amount available for distribution to a county
shall remain as provided by law and continue to be subject to
any lien or claim on behalf of the bondholders. The Department
of Revenue must ensure, based on information provided by an
affected county, that any reduction in amounts distributed
pursuant to subsection (1) does not reduce the amount of
distribution to a county below the amount necessary for the
timely payment of principal and interest, when due, on the bonds
and the amount necessary to comply with any covenant under the
bond resolution or other documents relating to the issuance of
the bonds. If a reduction to a county's monthly distribution
must be decreased in order to comply with this section, the
Department of Revenue must notify the Department of Juvenile
Justice of the amount of the decrease, and the Department of
Juvenile Justice must send a bill for payment of such amount to
the affected county.
(3) This section expires July 1, 2020.
Section 20. In order to implement Specific Appropriation
778 of the 2019-2020 General Appropriations Act, subsection (13)
of s. 27.5304, Florida Statutes, is amended to read:

332	27.5304	Private	court-appointed	counsel;	compensation;
333	notice				

- (13) Notwithstanding the limitation set forth in subsection (5) and for the $\underline{2019-2020}$ $\underline{2018-2019}$ fiscal year only, the compensation for representation in a criminal proceeding may not exceed the following:
- (a) For misdemeanors and juveniles represented at the trial level: \$1,000.
- (b) For noncapital, nonlife felonies represented at the trial level: \$15,000.
- (c) For life felonies represented at the trial level: \$15,000.
- (d) For capital cases represented at the trial level: \$25,000. For purposes of this paragraph, a "capital case" is any offense for which the potential sentence is death and the state has not waived seeking the death penalty.
 - (e) For representation on appeal: \$9,000.
 - (f) This subsection expires July 1, 2020 2019.

Section 21. In order to implement Specific Appropriation 770 of the 2019-2020 General Appropriations Act, and notwithstanding s. 28.35, Florida Statutes, the clerks of the circuit court are responsible for any costs of compensation to jurors, for meals or lodging provided to jurors, and for jury-related personnel costs that exceed the funding provided in the

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General	Appropri	iations	Act	for	these	purposes.	This	section
expires	July 1,	2020.						

Section 22. In order to implement Specific Appropriations 952 through 1097 of the 2019-2020 General Appropriations Act, paragraph (c) of subsection (19) of section 318.18, Florida Statutes, and upon the expiration and reversion of the amendments made by section 40 of chapter 2018-10, Laws of Florida, section 318.18, Florida Statutes, is amended to read:

- 318.18 Amount of penalties.—The penalties required for a noncriminal disposition pursuant to s. 318.14 or a criminal offense listed in s. 318.17 are as follows:
- (19) In addition to any penalties imposed, an Article V assessment of \$10 must be paid for all noncriminal moving and nonmoving violations under chapters 316, 320, and 322. The assessment is not revenue for purposes of s. 28.36 and may not be used in establishing the budget of the clerk of the court under that section or s. 28.35. Of the funds collected under this subsection:
- (c) The sum of \$1.67 shall be deposited in the <u>Indigent</u>

 <u>Criminal Defense Public Defenders Revenue</u> Trust Fund for use by the public defenders.
- Section 23. The amendment made by this act to s. 318.18, Florida Statutes, expires July 1, 2019, and the text of that paragraph shall revert to that in existence on June 30, 2018, except that any amendments to such text enacted other than by

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

Section 24. In order to implement Specific Appropriations 952 through 1097 of the 2019-2020 General Appropriations Act, paragraph (b) of subsection (12) of section 817.568, Florida Statutes, and upon the expiration and reversion of the amendments made pursuant to section 42 of chapter 2018-10, Laws of Florida, paragraph (b) of subsection (12) of section 817.568, Florida Statutes, is amended to read:

817.568 Criminal use of personal identification information.—

- (12) In addition to any sanction imposed when a person pleads guilty or nolo contendere to, or is found guilty of, regardless of adjudication, a violation of this section, the court shall impose a surcharge of \$1,001.
- (b) The sum of \$250 of the surcharge shall be deposited into the State Attorneys Revenue Trust Fund for the purpose of funding prosecutions of offenses relating to the criminal use of personal identification information. The sum of \$250 of the surcharge shall be deposited into the Indigent Criminal Defense
 Public Defenders Revenue Trust Fund for the purposes of indigent criminal defense related to the criminal use of personal identification information.

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Florida Statutes, expires July 1, 2020, and the text of that paragraph shall revert to that in existence on June 30, 2018, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section. Section 26. In order to implement Specific Appropriation 3210 of the 2019-2020 General Appropriations Act, and notwithstanding s. 112.061(4), Florida Statutes: (1) (a) A Supreme Court justice who permanently resides outside Leon County is eligible for the designation of a district court of appeal courthouse, a county courthouse, or other appropriate facility in his or her district of residence as his or her official headquarters for purposes of s. 112.061, Florida Statutes. This official headquarters may serve only as the justice's private chambers. (b) 1. A justice for whom an official headquarters is

Section 25. The amendment made by this act to s. 817.568,

designated in his or her district of residence under this subsection is eligible for subsistence at a rate to be established by the Chief Justice for each day or partial day that the justice is at the headquarters of the Supreme Court to conduct court business, as authorized by the Chief Justice. The Chief Justice may authorize a justice to choose between subsistence based on lodging at a single-occupancy rate and meal

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430	reimbursemen	t as	provid	led in	s.	112.061	l, E	Florida	Sta	atutes,	and
431	subsistence	at a	fixed	rate	pres	scribed	by	the Ch	ief	Justic	e.

- 2. In addition to subsistence, a justice is eligible for reimbursement for travel expenses as provided in s. 112.061(7) and (8), Florida Statutes, for travel between the justice's official headquarters and the headquarters of the Supreme Court to conduct court business.
- (c) Payment of subsistence and reimbursement for travel expenses relating to travel between a justice's official headquarters and the headquarters of the Supreme Court shall be made to the extent appropriated funds are available, as determined by the Chief Justice.
- (2) The Chief Justice shall coordinate with each affected justice and other state and local officials as necessary to implement subsection (1).
- (3) (a) This section does not require a county to provide space in a county courthouse for a justice. A county may enter into an agreement with the Supreme Court governing the use of space in a county courthouse.
- (b) The Supreme Court may not use state funds to lease space in a district court of appeal courthouse, a county courthouse, or another facility to allow a justice to establish an official headquarters pursuant to subsection (1).
- (4) The Chief Justice may establish parameters governing the authority provided in this section, including specifying

455	minimum operational requirements for the designated
456	headquarters, limiting the number of days for which subsistence
457	and travel reimbursement may be provided, and prescribing
458	activities that qualify as the conduct of court business.
459	(5) This section expires July 1, 2020.
460	Section 27. In order to implement Specific Appropriations
461	773 and 779 of the 2019-2020 General Appropriations Act and
462	notwithstanding the provisions of s. 29.015, Florida Statutes,
463	funds appropriated to the public defenders and state attorneys
464	for due process expenditures shall be appropriated to the
465	Justice Administrative Commission. This section expires July 1,
466	<u>2020.</u>
467	Section 28. In order to implement Specific Appropriations
468	1330 through 1377 of the 2019-2020 General Appropriations Act,
469	and notwithstanding ss. 216.181 and 216.292, Florida Statutes,
470	the Department of Legal Affairs may submit a budget amendment,
471	subject to the notice, review, and objection procedures of s.
472	216.177, Florida Statutes, to increase budget authority in the
473	Federal Grants Trust Fund or the Crimes Compensation Trust Fund
474	if revenues become available in the 2019-2020 fiscal year and
475	additional budget authority is necessary to make disbursements.
476	This section expires July 1, 2020.
477	Section 29. In order to implement Specific Appropriation
478	3119 of the 2019-2020 General Appropriations Act, and
479	notwithstanding ss. 28.35(2)(f) and 28.36(2)(b), Florida

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480 Statutes, the total combined budgets of the clerks of the court 481 for the county fiscal year beginning October 1, 2019 may not 482 exceed the revenue estimates established by the most recent Revenue Estimating Conference plus appropriations made for the 483 484 purpose of funding clerk court-related functions in the 2019-485 2020 General Appropriations Act. This section expires July 1, 486 2020. Section 30. In order to implement appropriations used to 487 488 pay existing lease contracts for private lease space in excess 489 of 2,000 square feet in the 2019-2020 General Appropriations 490 Act, the Department of Management Services, with the cooperation 491 of the agencies having the existing lease contracts for office 492 or storage space, shall use tenant broker services to 493 renegotiate or reprocure all private lease agreements for office 494 or storage space expiring between July 1, 2020, and June 30, 495 2022, in order to reduce costs in future years. The department 496 shall incorporate this initiative into its 2019 master leasing 497 report required under s. 255.249(7), Florida Statutes, and may 498 use tenant broker services to explore the possibilities of 499 collocating office or storage space, to review the space needs 500 of each agency, and to review the length and terms of potential 501 renewals or renegotiations. The department shall provide a report to the Executive Office of the Governor, the President of 502 503 the Senate, and the Speaker of the House of Representatives by November 1, 2019, which lists each lease contract for private 504

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505	office or storage space, the status of renegotiations, and the
506	savings achieved. This section expires July 1, 2020.
507	Section 31. In order to implement Specific Appropriations
508	2839 through 2851 of the 2019-2020 General Appropriations Act,
509	and notwithstanding rule 60A-1.031, Florida Administrative Code,
510	the transaction fee collected for use of the online procurement
511	system, authorized in ss. 287.042(1)(h)1. and 287.057(22)(c),
512	Florida Statutes, is seven-tenths of 1 percent for the 2019-2020
513	fiscal year only. This section expires July 1, 2020.
514	Section 32. In order to implement the appropriation of
515	funds in the appropriation category "Data Processing Assessment-
516	Department of Management Services" in the 2019-2020 General
517	Appropriations Act, and pursuant to the notice, review, and
518	objection procedures of s. 216.177, Florida Statutes, the
519	Executive Office of the Governor may transfer funds appropriated
520	in that category between departments in order to align the
521	budget authority granted based on the estimated billing cycle
522	and methodology used by the Department of Management Services
523	for data processing services provided. This section expires July
524	<u>1, 2020.</u>
525	Section 33. In order to implement appropriations
526	authorized in the 2019-2020 General Appropriations Act for data
527	center services, and notwithstanding s. 216.292(2)(a), Florida
528	Statutes, an agency may not transfer funds from a data

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529	processing category to a category other than another data
530	processing category. This section expires July 1, 2020.
531	Section 34. In order to implement the appropriation of
532	funds in the appropriation category "Special Categories-Risk
533	Management Insurance" in the 2019-2020 General Appropriations
534	Act, and pursuant to the notice, review, and objection
535	procedures of s. 216.177, Florida Statutes, the Executive Office
536	of the Governor may transfer funds appropriated in that category
537	between departments in order to align the budget authority
538	granted with the premiums paid by each department for risk
539	management insurance. This section expires July 1, 2020.
540	Section 35. In order to implement the appropriation of
541	funds in the appropriation category "Special Categories-Transfer
542	to Department of Management Services-Human Resources Services
543	Purchased per Statewide Contract" in the 2019-2020 General
544	Appropriations Act, and pursuant to the notice, review, and
545	objection procedures of s. 216.177, Florida Statutes, the
546	Executive Office of the Governor may transfer funds appropriated
547	in that category between departments in order to align the
548	budget authority granted with the assessments that must be paid
549	by each agency to the Department of Management Services for
550	human resource management services. This section expires July 1,
551	<u>2020.</u>
552	Section 36. In order to implement Specific Appropriations
553	2421 through 2424 of the 2019-2020 General Appropriations Act:

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(1) The Department of Financial Services shall replace the
four main components of the Florida Accounting Information
Resource Subsystem (FLAIR), which include central FLAIR,
departmental FLAIR, payroll, and information warehouse, and
shall replace the cash management and accounting management
components of the Cash Management Subsystem (CMS) with an
integrated enterprise system that allows the state to organize,
define, and standardize its financial management business
processes and that complies with ss. 215.90-215.96, Florida
Statutes. The department may not include in the replacement of
FLAIR and CMS:
(a) Functionality that duplicates any of the other
information subsystems of the Florida Financial Management
Information System; or

- (b) Agency business processes related to any of the functions included in the Personnel Information System, the Purchasing Subsystem, or the Legislative Appropriations

 System/Planning and Budgeting Subsystem.
- (2) For purposes of replacing FLAIR and CMS, the Department of Financial Services shall:
- (a) Consider the cost and implementation data identified for Option 3 as recommended in the March 31, 2014, Florida

 Department of Financial Services FLAIR Study, version 031.
- (b) Ensure that all business requirements and technical specifications have been provided to all state agencies for

579	their	review	and	input	and	approved	by	the	executive	steering
580	commi	ttee est	tabli	shed	in pa	aragraph	(c).			

- (c) Implement a project governance structure that includes an executive steering committee composed of:
- 1. The Chief Financial Officer or the executive sponsor of the project.
- 2. A representative of the Division of Treasury of the Department of Financial Services, appointed by the Chief Financial Officer.
- 3. A representative of the Division of Information Systems of the Department of Financial Services, appointed by the Chief Financial Officer.
- 4. Four employees from the Division of Accounting and Auditing of the Department of Financial Services, appointed by the Chief Financial Officer. Each employee must have experience relating to at least one of the four main components that compose FLAIR.
- 5. Two employees from the Executive Office of the Governor, appointed by the Governor. One employee must have experience relating to the Legislative Appropriations

 System/Planning and Budgeting Subsystem.
- 6. One employee from the Department of Revenue, appointed by the executive director, who has experience relating to the department's SUNTAX system.

- 7. Two employees from the Department of Management
 Services, appointed by the Secretary of Management Services. One
 employee must have experience relating to the department's
 personnel information subsystem and one employee must have
 experience relating to the department's purchasing subsystem.
- 8. Three state agency administrative services directors, appointed by the Governor. One director must represent a regulatory and licensing state agency and one director must represent a health care-related state agency.
- of the project shall serve as chair of the executive steering committee, and the committee shall take action by a vote of at least eight affirmative votes with the Chief Financial Officer or the executive sponsor of the project voting on the prevailing side. A quorum of the executive steering committee consists of at least 10 members.
- (4) The executive steering committee has the overall responsibility for ensuring that the project to replace FLAIR and CMS meets its primary business objectives and shall:
- (a) Identify and recommend to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives any statutory changes needed to implement the replacement subsystem that will standardize, to the fullest extent possible, the state's financial management business processes.

628	(b) Review and approve any changes to the project's scope,
629	schedule, and budget which do not conflict with the requirements
630	of subsection (1).
631	(c) Ensure that adequate resources are provided throughout
632	all phases of the project.
633	(d) Approve all major project deliverables.
634	(e) Approve all solicitation-related documents associated
635	with the replacement of FLAIR and CMS.
636	(5) This section expires July 1, 2020.
637	Section 37. In order to implement appropriations in the
638	2019-2020 General Appropriations Act for executive branch and
639	judicial branch employee travel, the executive branch state
640	agencies and the judicial branch must collaborate with the
641	Executive Office of the Governor and the Department of
642	Management Services to implement the statewide travel management
643	system funded in Specific Appropriation 2788 in the 2019-2020
644	General Appropriations Act. For the purpose of complying with s.
645	112.061, Florida Statutes, all executive branch state agencies
646	and the judicial branch must use the statewide travel management
647	system. This section expires July 1, 2020.
648	Section 38. In order to implement Specific Appropriations
649	1781 of the 2019-2020 General Appropriations Act, paragraph (d)

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amended to read::

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of subsection (11) of section 216.181, Florida Statutes, is

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          216.181 Approved budgets for operations and fixed capital
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     outlay.-
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           (11)
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               Notwithstanding paragraph (b) and paragraph (2) (b),
     and for the 2019-2020 \frac{2018-2019}{2018-2019} fiscal year only, the
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     Legislative Budget Commission may increase the amounts
     appropriated to the Fish and Wildlife Conservation Commission or
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     the Department of Environmental Protection for fixed capital
     outlay projects, including additional fixed capital outlay
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     projects, using funds provided to the state from the Gulf
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     Environmental Benefit Fund administered by the National Fish and
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     Wildlife Foundation; funds provided to the state from the Gulf
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     Coast Restoration Trust Fund related to the Resources and
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     Ecosystems Sustainability, Tourist Opportunities, and Revived
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     Economies of the Gulf Coast Act of 2012 (RESTORE Act); or funds
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     provided by the British Petroleum Corporation (BP) for natural
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     resource damage assessment restoration projects. Concurrent with
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     submission of an amendment to the Legislative Budget Commission
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     pursuant to this paragraph, any project that carries a
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     continuing commitment for future appropriations by the
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     Legislature must be specifically identified, together with the
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     projected amount of the future commitment associated with the
     project and the fiscal years in which the commitment is expected
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     to commence. This paragraph expires July 1, 2020 <del>2019</del>.
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The provisions of this subsection are subject to the notice and objection procedures set forth in s. 216.177.

Section 39. In order to implement specific appropriations from the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, and the Fish and Wildlife Conservation Commission, which are contained in the 2019-2020 General Appropriations Act, subsection (3) of section 215.18, Florida Statutes, is amended to read:

215.18 Transfers between funds; limitation.-

(3) Notwithstanding subsection (1) and only with respect to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission, whenever there is a deficiency in a land acquisition trust fund which would render that trust fund temporarily insufficient to meet its just requirements, including the timely payment of appropriations from that trust fund, and other trust funds in the State Treasury have moneys that are for the time being or otherwise in excess of the amounts necessary to meet the just requirements, including appropriated obligations, of those other trust funds, the Governor may order a temporary transfer of moneys from one or more of the other trust funds to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the

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Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission. Any action proposed pursuant to this subsection is subject to the notice, review, and objection procedures of s. 216.177, and the Governor shall provide notice of such action at least 7 days before the effective date of the transfer of trust funds, except that during July 2019 2018, notice of such action shall be provided at least 3 days before the effective date of a transfer unless such 3-day notice is waived by the chair and vice-chair of the Legislative Budget Commission. Any transfer of trust funds to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission must be repaid to the trust funds from which the moneys were loaned by the end of the 2019-2020 2018-2019 fiscal year. The Legislature has determined that the repayment of the other trust fund moneys temporarily loaned to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission pursuant to this subsection is an allowable use of the moneys in a land acquisition trust fund because the moneys from other trust funds temporarily loaned to a land acquisition trust fund shall be expended solely and exclusively in

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accordance with s. 28, Art. X of the State Constitution. This subsection expires July 1, 2020 2019.

Section 40. (1) In order to implement specific
appropriations from the land acquisition trust funds within the
Department of Agriculture and Consumer Services, the Department
of Environmental Protection, the Department of State, and the
Fish and Wildlife Conservation Commission, which are contained
in the 2019-2020 General Appropriations Act, the Department of
Environmental Protection shall transfer revenues from the Land
Acquisition Trust Fund within the department to the land
acquisition trust funds within the Department of Agriculture and
Consumer Services, the Department of State, and the Fish and
Wildlife Conservation Commission, as provided in this section.
As used in this section, the term "department" means the
Department of Environmental Protection.

(2) After subtracting any required debt service payments, the proportionate share of revenues to be transferred to each land acquisition trust fund shall be calculated by dividing the appropriations from each of the land acquisition trust funds for the fiscal year by the total appropriations from the Land Acquisition Trust Fund within the department and the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission for the fiscal year. The department shall transfer the proportionate share of the

revenues in the Land Acquisition Trust Fund within the
department on a monthly basis to the appropriate land
acquisition trust funds within the Department of Agriculture and
Consumer Services, the Department of State, and the Fish and
Wildlife Conservation Commission and shall retain its
proportionate share of the revenues in the Land Acquisition
Trust Fund within the department. Total distributions to a land
acquisition trust fund within the Department of Agriculture and
Consumer Services, the Department of State, and the Fish and
Wildlife Conservation Commission may not exceed the total
appropriations from such trust fund for the fiscal year.

- (3) In addition, the department shall transfer from the Land Acquisition Trust Fund to land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission amounts equal to the difference between the amounts appropriated in chapter 2018-9, Laws of Florida, to the department's Land Acquisition Trust Fund and the other land acquisition trust funds, and the amounts actually transferred between those trust funds during the 2018-2019 fiscal year.
- (4) The department may advance funds from the beginning unobligated fund balance in the Land Acquisition Trust Fund to the Land Acquisition Trust Fund within the Fish and Wildlife Conservation Commission needed for cash flow purposes based on a detailed expenditure plan. The department shall prorate amounts

776 transferred quarterly to the Fish and Wildlife Conservation
777 Commission to recoup the amount of funds advanced by June 30,
778 2020.

(5) This section expires July 1, 2020.

Section 41. In order to implement appropriations from the Land Acquisition Trust Fund within the Department of Environmental Protection, paragraph (b) of subsection (3) of section 375.041, Florida Statutes, is amended to read:

375.041 Land Acquisition Trust Fund.-

- (3) Funds distributed into the Land Acquisition Trust Fund pursuant to s. 201.15 shall be applied:
- (b) Of the funds remaining after the payments required under paragraph (a), but before funds may be appropriated, pledged, or dedicated for other uses:
- 1. A minimum of the lesser of 25 percent or \$200 million shall be appropriated annually for Everglades projects that implement the Comprehensive Everglades Restoration Plan as set forth in s. 373.470, including the Central Everglades Planning Project subject to Congressional authorization; the Long-Term Plan as defined in s. 373.4592(2); and the Northern Everglades and Estuaries Protection Program as set forth in s. 373.4595. From these funds, \$32 million shall be distributed each fiscal year through the 2023-2024 fiscal year to the South Florida Water Management District for the Long-Term Plan as defined in s. 373.4592(2). After deducting the \$32 million distributed

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Amendment No.

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under this subparagraph, from the funds remaining, a minimum of the lesser of 76.5 percent or \$100 million shall be appropriated each fiscal year through the 2025-2026 fiscal year for the planning, design, engineering, and construction of the Comprehensive Everglades Restoration Plan as set forth in s. 373.470, including the Central Everglades Planning Project, the Everglades Agricultural Area Storage Reservoir Project, the Lake Okeechobee Watershed Project, the C-43 West Basin Storage Reservoir Project, the Indian River Lagoon-South Project, the Western Everglades Restoration Project, and the Picayune Strand Restoration Project. The Department of Environmental Protection and the South Florida Water Management District shall give preference to those Everglades restoration projects that reduce harmful discharges of water from Lake Okeechobee to the St. Lucie or Caloosahatchee estuaries in a timely manner. For the purpose of performing the calculation provided in this subparagraph, the amount of debt service paid pursuant to paragraph (a) for bonds issued after July 1, 2016, for the purposes set forth under paragraph (b) shall be added to the amount remaining after the payments required under paragraph (a). The amount of the distribution calculated shall then be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2016, for the purposes set forth under this subparagraph.

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- 2. A minimum of the lesser of 7.6 percent or \$50 million shall be appropriated annually for spring restoration, protection, and management projects. For the purpose of performing the calculation provided in this subparagraph, the amount of debt service paid pursuant to paragraph (a) for bonds issued after July 1, 2016, for the purposes set forth under paragraph (b) shall be added to the amount remaining after the payments required under paragraph (a). The amount of the distribution calculated shall then be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2016, for the purposes set forth under this subparagraph.
- 3. The sum of \$5 million shall be appropriated annually each fiscal year through the 2025-2026 fiscal year to the St. Johns River Water Management District for projects dedicated to the restoration of Lake Apopka. This distribution shall be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2016, for the purposes set forth in this subparagraph.
- 4. The sum of \$64 million is appropriated and shall be transferred to the Everglades Trust Fund for the 2018-2019 fiscal year, and each fiscal year thereafter, for the EAA reservoir project pursuant to s. 373.4598. Any funds remaining in any fiscal year shall be made available only for Phase II of the C-51 reservoir project or projects identified in

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subparagraph 1. and must be used in accordance with laws relating to such projects. Any funds made available for such purposes in a fiscal year are in addition to the amount appropriated under subparagraph 1. This distribution shall be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2017, for the purposes set forth in this subparagraph.

5. Notwithstanding subparagraph 3., for the $\underline{2019-2020}$ $\underline{2018-2019}$ fiscal year, funds shall be appropriated as provided in the General Appropriations Act. This subparagraph expires July 1, 2020 $\underline{2019}$.

Section 42. In order to implement Specific Appropriation 1640 of the 2019-2020 General Appropriations Act, paragraph (a) of subsection (6) of section 373.470, Florida Statutes, is reenacted to read:

373.470 Everglades restoration.-

- (6) DISTRIBUTIONS FROM SAVE OUR EVERGLADES TRUST FUND.-
- (a) Except as provided in paragraphs (d) and (e) and for funds appropriated for debt service, the department shall distribute funds in the Save Our Everglades Trust Fund to the district in accordance with a legislative appropriation and s. 373.026(8)(b). Distribution of funds to the district from the Save Our Everglades Trust Fund or the Land Acquisition Trust Fund shall be equally matched by the cumulative contributions from the district by fiscal year 2019-2020 by providing funding

or credits toward project components. The dollar value of inkind project design and construction work by the district in furtherance of the comprehensive plan and existing interest in public lands needed for a project component are credits towards the district's contributions.

Statutes, as carried forward from section 67 of chapter 2018-10, Laws of Florida, in this act, expires July 1, 2020, and the text of that paragraph shall revert to that in existence on June 30, 2017, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 44. In order to implement Specific Appropriation 1781 of the 2019-2020 General Appropriations Act, paragraph (e) of subsection (11) of section 216.181, Florida Statutes, is amended to read:

216.181 Approved budgets for operations and fixed capital outlay.—

(11)

(e) Notwithstanding paragraph (b) and paragraph (2)(b), and for the $\underline{2019-2020}$ $\underline{2018-2019}$ fiscal year only, the Legislative Budget Commission may increase the amounts appropriated to the Department of Environmental Protection for fixed capital outlay projects using funds provided to the state

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from the environmental mitigation trust administered by a trustee designated by the United States District Court for the Northern District of California for eligible mitigation actions and mitigation action expenditures described in the partial consent decree entered into between the United States of America and Volkswagen relating to violations of the Clean Air Act. Concurrent with submission of an amendment to the Legislative Budget Commission pursuant to this paragraph, any project that carries a continuing commitment for future appropriations by the Legislature must be specifically identified, together with the projected amount of the future commitment associated with the project and the fiscal years in which the commitment is expected to commence. This paragraph expires July 1, 2020 2019.

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

Section 45. In order to implement Specific Appropriation 1542 of the 2019-2020 General Appropriations Act, and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the Department of Agriculture and Consumer Services may submit a budget amendment, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes, to increase budget authority for the National School Lunch Program when necessary due to an increase in the number of school meals expected to be served. This section expires July 1, 2020.

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Section 46. In order to implement Specific Appropriations 2315 and 2316 of the 2019-2020 General Appropriations Act, subsection (3) of section 420.9079, Florida Statutes, is reenacted and amended to read:

420.9079 Local Government Housing Trust Fund.-

(3) For the $\underline{2019-2020}$ $\underline{2018-2019}$ fiscal year, funds may be used as provided in the General Appropriations Act. This subsection expires July 1, 2020 $\underline{2019}$.

Section 47. In order to implement Specific Appropriation 2315 of the 2019-2020 General Appropriations Act, section 420.0005, Florida Statutes, is reenacted and amended to read:

420.0005 State Housing Trust Fund; State Housing Fund.-

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

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Amendment No.

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

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(2) For the 2019-2020 2018-2019 fiscal year, funds may be used as provided in the General Appropriations Act. This subsection expires July 1, 2020 2019.

Section 48. <u>In order to implement Specific Appropriations</u>
2315 and 2316 of the 2019-2020 General Appropriations Act:

(1) The Hurricane Housing Recovery Program is created to provide funds to local governments for affordable housing recovery efforts, similar to the State Housing Initiatives Partnership as established in the State Housing Initiatives Partnership Act in ss. 420.907-420.9079, Florida Statutes. Notwithstanding ss. 420.9072 and 420.9073, Florida Statutes, the Florida Housing Finance Corporation shall administer the program and allocate resources to local governments according to a needbased formula that reflects housing damage estimates and population impacts resulting from Hurricane Michael. Eligible local governments must submit a strategy outlining proposed recovery actions, income levels and number of residential units to be served, and funding requests. Program funds shall be used to serve households with incomes up to 120 percent of area median income, except that at least 30 percent of program funds should be reserved for households with incomes up to 50 percent of area median income and an additional 30 percent of program funds reserved for households with incomes up to 80 percent of area median income. Program funds shall be used as follows:

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	(a)	Αt	least	65	percent	of	funds	allocated	shall	be	used
for h	nomeo	wnei	rship.								

- (b) Up to 15 percent of the funds may be used for administrative expenses to ensure expeditious use of funds.
- (c) Up to one-quarter of 1 percent may be used by the Florida Housing Finance Corporation for compliance monitoring.
- (2) Each participating local government shall submit a report of its use of funds from the Hurricane Housing Recovery Program and accomplishments through June 30, 2020, to the Florida Housing Finance Corporation. The corporation shall compile such reports and submit them to the President of the Senate and the Speaker of the House of Representatives.
- (3) The Rental Recovery Loan Program is created to provide funds to build additional rental housing due to impacts to the affordable housing stock and changes to population resulting from Hurricane Michael. The program is intended to allow the state to leverage additional federal rental financing similar to the State Apartment Incentive Loan Program as described in s. 420.5087, Florida Statutes.
- emergency rules pursuant to s. 120.54, Florida Statutes, to implement this section. The Legislature finds that any emergency rules adopted pursuant to this section meet the health, safety, and welfare requirements of s. 120.54(4), Florida Statutes. The Legislature finds that such emergency rulemaking is necessary to

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additional funds to assist those areas of the state that
sustained impacts to available affordable housing stock due to
recent hurricanes. Therefore, in adopting such emergency rules,
the corporation need not make the findings required by s.
120.54(4)(a), Florida Statutes. Emergency rules adopted under
this section are exempt from s. 120.54(4)(c), Florida Statutes.
(5) This section expires July 1, 2020.
Section 49. In order to implement Specific Appropriation
2314 of the 2019-2020 General Appropriations Act, subsection (6)
is added to section 288.0655, Florida Statutes, to read:
288.0655 Rural Infrastructure Fund
(6) For the 2019-2020 fiscal year, the funds appropriated
for the grant program for Florida Panhandle counties shall be
distributed pursuant to and for the purposes described in the

preserve the rights and welfare of the people and to provide

Section 50. In order to implement Specific Appropriation 2682 of the 2019-2020 General Appropriations Act, and upon the expiration and reversion of the amendments made by section 76 of chapter 2018-10, Laws of Florida, paragraph (b) of subsection (3) of section 321.04, Florida Statutes, is amended to read:

proviso language associated with Specific Appropriation 2314 of

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

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the 2019-2020 General Appropriations Act.

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- (b) Upon request of the Governor, the department shall assign one or more patrol officers to the office of Lieutenant Governor for security services. For the 2017-2018 fiscal year only, the patrol officer shall be assigned to the Lieutenant Governor. This paragraph expires July 1, 2020 2018.
- Section 51. In order to implement Specific Appropriation 2539 of the 2019-2020 General Appropriations Act, paragraph (d) is added to subsection (4) of section 112.061, Florida Statutes, to read:
- 112.061 Per diem and travel expenses of public officers, employees, and authorized persons.—
- (4) OFFICIAL HEADQUARTERS.—The official headquarters of an officer or employee assigned to an office shall be the city or town in which the office is located except that:
- (d) A Lieutenant Governor who permanently resides outside of Leon County may, if he or she so requests, have an appropriate facility in his or her county of residence designated as his or her official headquarters for purposes of this section. This official headquarters may serve only as the Lieutenant Governor's personal office. However, a Lieutenant Governor may not use state funds to lease a facility to establish an official headquarters. A Lieutenant Governor for whom an official headquarters is designated in his or her county of residence under this paragraph is eligible for subsistence at

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a rate established by the Governor for each day or partial day
that the Lieutenant Governor is at the state capitol to conduct
official state business. In addition to a subsistence, the
Lieutenant Governor may be reimbursed for transportation
expenses as provided in this section for travel between his or
her official headquarters and the state capitol to conduct
official state business. Payment of subsistence and
reimbursement for transportation expenses relating to travel
between a Lieutenant Governor's official headquarters and the
state capitol shall be made to the extent appropriated funds are
available as determined by the Governor. This paragraph expires
July 1, 2020.

Section 52. Subsection (2) of section 216.292, Florida Statutes, is reenacted and amended to read:

216.292 Appropriations nontransferable; exceptions.-

- (2) The following transfers are authorized to be made by the head of each department or the Chief Justice of the Supreme Court whenever it is deemed necessary by reason of changed conditions:
- (a) The transfer of appropriations funded from identical funding sources, except appropriations for fixed capital outlay, and the transfer of amounts included within the total original approved budget and plans of releases of appropriations as furnished pursuant to ss. 216.181 and 216.192, as follows:

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- 1. Between categories of appropriations within a budget entity, if no category of appropriation is increased or decreased by more than 5 percent of the original approved budget or \$250,000, whichever is greater, by all action taken under this subsection.
- 2. Between budget entities within identical categories of appropriations, if no category of appropriation is increased or decreased by more than 5 percent of the original approved budget or \$250,000, whichever is greater, by all action taken under this subsection.
- 3. Any agency exceeding salary rate established pursuant to s. 216.181(8) on June 30th of any fiscal year shall not be authorized to make transfers pursuant to subparagraphs 1. and 2. in the subsequent fiscal year.
- 4. Notice of proposed transfers under subparagraphs 1. and 2. shall be provided to the Executive Office of the Governor and the chairs of the legislative appropriations committees at least 3 days prior to agency implementation in order to provide an opportunity for review. The review shall be limited to ensuring that the transfer is in compliance with the requirements of this paragraph.
- 5. For the 2019-2020 2018-2019 fiscal year, the review shall ensure that transfers proposed pursuant to this paragraph comply with this chapter, maximize the use of available and

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1121	appropriate trust funds, and are not contrary to legislative
1122	policy and intent. This subparagraph expires July 1, $2020 2019$.
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1124	Section 53. In order to implement the appropriation of
1125	funds in the special categories, contracted services, and
1126	expenses categories of the 2019-2020 General Appropriations Act,
1127	a state agency may not initiate a competitive solicitation for a
1128	product or service if the completion of such competitive
1129	solicitation would:
1130	(1) Require a change in law; or
1131	(2) Require a change to the agency's budget other than a
1132	transfer authorized in s. 216.292(2) or (3), Florida Statutes,
1133	unless the initiation of such competitive solicitation is
1134	specifically authorized in law, in the General Appropriations
1135	Act, or by the Legislative Budget Commission.
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1137	This section does not apply to a competitive solicitation for
1138	which the agency head certifies that a valid emergency exists.
1139	This section expires July 1, 2020.
1140	Section 54. In order to implement appropriations for
1141	salaries and benefits in the 2019-2020 General Appropriations
1142	Act, subsection (6) of section 112.24, Florida Statutes, is
1143	amended to read:
1144	112.24 Intergovernmental interchange of public employees
1145	To encourage economical and effective utilization of public

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employees in this state, the temporary assignment of employees among agencies of government, both state and local, and including school districts and public institutions of higher education is authorized under terms and conditions set forth in this section. State agencies, municipalities, and political subdivisions are authorized to enter into employee interchange agreements with other state agencies, the Federal Government, another state, a municipality, or a political subdivision including a school district, or with a public institution of higher education. State agencies are also authorized to enter into employee interchange agreements with private institutions of higher education and other nonprofit organizations under the terms and conditions provided in this section. In addition, the Governor or the Governor and Cabinet may enter into employee interchange agreements with a state agency, the Federal Government, another state, a municipality, or a political subdivision including a school district, or with a public institution of higher learning to fill, subject to the requirements of chapter 20, appointive offices which are within the executive branch of government and which are filled by appointment by the Governor or the Governor and Cabinet. Under no circumstances shall employee interchange agreements be utilized for the purpose of assigning individuals to participate in political campaigns. Duties and responsibilities of

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interchange employees shall be limited to the mission and goals of the agencies of government.

(6) For the 2019-2020 2018-2019 fiscal year only, the assignment of an employee of a state agency as provided in this section may be made if recommended by the Governor or Chief Justice, as appropriate, and approved by the chairs of the legislative appropriations committees. Such actions shall be deemed approved if neither chair provides written notice of objection within 14 days after receiving notice of the action pursuant to s. 216.177. This subsection expires July 1, 2020 2019.

Section 55. In order to implement Specific Appropriations 2751 and 2752 of the 2019-2020 General Appropriations Act, and notwithstanding s. 11.13(1), Florida Statutes, the authorized salaries for members of the Legislature for the 2019-2020 fiscal year shall be set at the same level in effect on July 1, 2010. This section expires July 1, 2020.

Section 56. In order to implement the transfer of funds to the General Revenue Fund from trust funds for the 2019-2020 General Appropriations Act, and notwithstanding the expiration date contained in section 83 of chapter 2018-10, Laws of Florida, paragraph (b) of subsection (2) of section 215.32, Florida Statutes, is reenacted to read:

215.32 State funds; segregation.-

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- (2) The source and use of each of these funds shall be as follows:
- (b)1. The trust funds shall consist of moneys received by the state which under law or under trust agreement are segregated for a purpose authorized by law. The state agency or branch of state government receiving or collecting such moneys is responsible for their proper expenditure as provided by law. Upon the request of the state agency or branch of state government responsible for the administration of the trust fund, the Chief Financial Officer may establish accounts within the trust fund at a level considered necessary for proper accountability. Once an account is established, the Chief Financial Officer may authorize payment from that account only upon determining that there is sufficient cash and releases at the level of the account.
- 2. In addition to other trust funds created by law, to the extent possible, each agency shall use the following trust funds as described in this subparagraph for day-to-day operations:
- a. Operations or operating trust fund, for use as a depository for funds to be used for program operations funded by program revenues, with the exception of administrative activities when the operations or operating trust fund is a proprietary fund.
- b. Operations and maintenance trust fund, for use as a depository for client services funded by third-party payors.

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- c. Administrative trust fund, for use as a depository for funds to be used for management activities that are departmental in nature and funded by indirect cost earnings and assessments against trust funds. Proprietary funds are excluded from the requirement of using an administrative trust fund.
- d. Grants and donations trust fund, for use as a depository for funds to be used for allowable grant or donor agreement activities funded by restricted contractual revenue from private and public nonfederal sources.
- e. Agency working capital trust fund, for use as a depository for funds to be used pursuant to s. 216.272.
- f. Clearing funds trust fund, for use as a depository for funds to account for collections pending distribution to lawful recipients.
- g. Federal grant trust fund, for use as a depository for funds to be used for allowable grant activities funded by restricted program revenues from federal sources.

To the extent possible, each agency must adjust its internal accounting to use existing trust funds consistent with the requirements of this subparagraph. If an agency does not have trust funds listed in this subparagraph and cannot make such adjustment, the agency must recommend the creation of the necessary trust funds to the Legislature no later than the next

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scheduled review of the agency's trust funds pursuant to s. 1244 215.3206.

- 3. All such moneys are hereby appropriated to be expended in accordance with the law or trust agreement under which they were received, subject always to the provisions of chapter 216 relating to the appropriation of funds and to the applicable laws relating to the deposit or expenditure of moneys in the State Treasury.
- 4.a. Notwithstanding any provision of law restricting the use of trust funds to specific purposes, unappropriated cash balances from selected trust funds may be authorized by the Legislature for transfer to the Budget Stabilization Fund and General Revenue Fund in the General Appropriations Act.
- b. This subparagraph does not apply to trust funds required by federal programs or mandates; trust funds established for bond covenants, indentures, or resolutions whose revenues are legally pledged by the state or public body to meet debt service or other financial requirements of any debt obligations of the state or any public body; the Division of Licensing Trust Fund in the Department of Agriculture and Consumer Services; the State Transportation Trust Fund; the trust fund containing the net annual proceeds from the Florida Education Lotteries; the Florida Retirement System Trust Fund; trust funds under the management of the State Board of Education or the Board of Governors of the State University System, where

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such trust funds are for auxiliary enterprises, self-insurance, and contracts, grants, and donations, as those terms are defined by general law; trust funds that serve as clearing funds or accounts for the Chief Financial Officer or state agencies; trust funds that account for assets held by the state in a trustee capacity as an agent or fiduciary for individuals, private organizations, or other governmental units; and other trust funds authorized by the State Constitution.

Statutes, as carried forward by this act from chapter 2011-47,
Laws of Florida, expires July 1, 2020, and the text of that
paragraph shall revert to that in existence on June 30, 2011,
except that any amendments to such text enacted other than by
this act shall be preserved and continue to operate to the
extent that such amendments are not dependent upon the portions
of text which expire pursuant to this section.

Section 58. In order to implement appropriations in the 2019-2020 General Appropriations Act for state employee travel, the funds appropriated to each state agency which may be used for travel by state employees are limited during the 2019-2020 fiscal year to travel for activities that are critical to each state agency's mission. Funds may not be used for travel by state employees to foreign countries, other states, conferences, staff training activities, or other administrative functions unless the agency head has approved, in writing, that such

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activities are critical to the agency's mission. The agency head
shall consider using teleconferencing and other forms of
electronic communication to meet the needs of the proposed
activity before approving mission-critical travel. This section
does not apply to travel for law enforcement purposes, military
purposes, emergency management activities, or public health
activities. This section expires July 1, 2020.
Section 59. In order to implement appropriations in the
2019-2020 General Appropriations Act for state employee travel
and notwithstanding s. 112.061, Florida Statutes, costs for
lodging associated with a meeting, conference, or convention
organized or sponsored in whole or in part by a state agency or
the judicial branch may not exceed \$150 per day. An employee may
expend his or her own funds for any lodging expenses in excess
of \$150 per day. For purposes of this section, a meeting does
not include travel activities for conducting an audit,
examination, inspection, or investigation or travel activities
related to a litigation or emergency response. This section
expires July 1, 2020.
Section 60. In order to implement the appropriation of
funds in the special categories, contracted services, and
expenses categories of the 2019-2020 General Appropriations Act,

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a state agency may not enter into a contract containing a

disclosing information relevant to the performance of the

nondisclosure clause that prohibits the contractor from

1318	contract to members or staff of the Senate or the House of
1319	Representatives. This section expires July 1, 2020.
1320	Section 61. In order to implement Specific Appropriation
1321	2049 of the 2019-2020 General Appropriations Act, and
1322	notwithstanding ss. 110.123(3)(f) and 110.123(3)(j), Florida
1323	Statutes, the Department of Management Services shall maintain
1324	the state employee health insurance premium configuration in
1325	effect for the 2019-2020 fiscal year. This section expires July
1326	1, 2020.
1327	Section 62. Any section of this act which implements a
1328	specific appropriation or specifically identified proviso
1329	language in the 2019-2020 General Appropriations Act is void if
1330	the specific appropriation or specifically identified proviso
1331	language is vetoed. Any section of this act which implements
1332	more than one specific appropriation or more than one portion of
1333	specifically identified proviso language in the 2019-2020
1334	General Appropriations Act is void if all the specific
1335	appropriations or portions of specifically identified proviso
1336	language are vetoed.
1337	Section 63. If any other act passed during the 2019
1338	Regular Session of the Legislature contains a provision that is
1339	substantively the same as a provision in this act, but that
1340	removes or is otherwise not subject to the future repeal applied
1341	to such provision by this act, the Legislature intends that the

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provision in the other act takes precedence and continues to
operate, notwithstanding the future repeal provided by this act.

Section 64. If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

Section 65. Except as otherwise expressly provided in this act and this section, which shall take effect upon becoming a law, this act shall take effect July 1, 2019; or, if this act fails to become a law until after that date, it shall take effect upon becoming a law and shall operate retroactively to July 1, 2019.

TITLE AMENDMENT

Remove everything before the enacting clause and insert:

A bill to be entitled

An act implementing the 2019-2020 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program; providing that funds for instructional materials must be released and expended as required in specified proviso language;

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Amendment No.

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authorizing the Board of Governors to submit a budget amendment, subject to certain procedures, to transfer funds specified appropriations to other appropriate expenditure categories; incorporating by reference certain calculations of the Medicaid Disproportionate Share Hospital and Hospital Reimbursement programs; authorizing the Agency for Health Care Administration, in consultation with the Department of Health, to submit a budget amendment to realign funding for a component of the Children's Medical Services program to reflect actual enrollment changes; specifying requirements for such realignment; authorizing the agency to request nonoperating budget authority for transferring certain federal funds to the Department of Health; specifying criteria to be used by the Agency for Persons with Disabilities in the event that the rule which adopted an allocation algorithm and methodology for the iBudget system is no longer in effect; authorizing funding allocated for the algorithm may be increased under certain circumstances; amending s. 409.911, F.S.; updating the average of audited disproportionate share data for purposes of calculating disproportionate share payments; extending for 1 fiscal year the requirement that the Agency for Health Care Administration

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Amendment No.

distribute moneys to hospitals that provide a
disproportionate share of Medicaid or charity care
services as provided in the General Appropriations
Act; amending s. 409.9113, F.S.; extending for 1
fiscal year the requirement that the Agency for Health
Care Administration make disproportionate share
payments to teaching hospitals as provided in the
General Appropriations Act; amending s. 409.9119,
F.S.; extending for 1 fiscal year the requirement that
the Agency for Health Care Administration make
disproportionate share payments to certain specialty
hospitals for children; authorizing the Agency for
Health Care Administration to submit a budget
amendment to realign funding within the Medicaid
program appropriation categories; specifying the time
period within which such budget amendment must be
submitted; authorizing the Agency for Health Care
Administration to submit a budget amendment to realign
funding within the Florida Kidcare program
appropriation categories for certain purposes;
specifying the time period within which such budget
amendment must be submitted; providing for future
expiration; authorizing the Department of Children and
Families to submit a budget amendment to realign
funding based on implementation of the Guardianship

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Amendment No.

Assistance Program; providing criteria for the
realignment; providing for future expiration;
requiring the Department of Children and Families to
allocate funds appropriated to the Guardianship
Assistance Program allocate certain recurring sums
from a variety of funds to implement the Guardianship
Assistance Program; providing for future expiration;
requiring the Department of Children and Families to
submit a budget amendment to allocate funds
appropriated to the Guardianship Assistance Program;
providing for future expiration; amending s. 296.37,
F.S.; extending by one year the date that established
the amount of money residents of a veterans' nursing
home must receive monthly before being required to
contribute to their maintenance and support;
authorizing the Department of Health to submit a
budget amendment to increase budget authority for the
HIV/AIDS Prevention and Treatment Program if certain
conditions are met; providing for future expiration;
authorizing the Department of Children and Families to
submit a budget amendment to increase budget authority
for the Supplemental Nutrition Assistance Program if
certain conditions are met; providing for future
expiration; amending s. 216.262, F.S.; extending for 1
fiscal year the authority of the Department of

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Amendment No.

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Amendment No.

Defense Trust Fund; transferring all current balances
in the Public Defenders Revenue Trust Fund to the
Indigent Criminal Defense Trust Fund; providing for
the future expiration and reversion of specified
statutory text; authorizing a Supreme Court Justice to
designate an alternate facility as his or her official
headquarters for purposes of travel reimbursement and
subsistence allowance; specifying which expenses may
be reimbursed to a justice; requiring the Chief
Justice to coordinate with an affected justice and
other appropriate officials with respect to
implementation; providing construction; prohibiting
the Supreme Court from using state funds to lease
space in an alternate facility for use as a justice's
official headquarters; requiring that funds
appropriated to the state attorneys and public
defenders for certain purposes are appropriated to the
Justice Administrative Commission; providing for
future expiration; authorizing the Department of Legal
Affairs to submit a budget amendment to increase
budget authority for Federal Grants Trust Fund or the
Crimes Compensation Trust Fund under certain
circumstances; providing for future expiration;
prohibiting the combined budgets of the clerks of the
court to exceed certain revenue estimates plus certain

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appropriations; providing for future expiration;
requiring the Department of Management Services to use
tenant broker services to renegotiate or reprocure
certain private lease agreements for office or storage
space; requiring the Department of Management Services
to provide a report to the Governor and Legislature by
a specified date; specifying the amount of the
transaction fee to be collected for use of the online
procurement system; authorizing the Executive Office
of the Governor to transfer certain data processing
assessments between departments to align the budget
authority based on certain criteria; prohibiting an
agency from transferring funds from a data processing
category to another category that is not a data
processing category; authorizing the Executive Office
of the Governor to transfer certain risk management
insurance funds between departments for a specified
purpose; authorizing the Executive Office of the
Governor to transfer funds between departments for
purposes of aligning amounts paid for human resources
services; requiring the Department of Financial
Services to replace specified components of the
Florida Accounting Information Resource Subsystem
(FLAIR) and the Cash Management Subsystem (CMS);
specifying certain actions to be taken by the

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Amendment No.

1542	Department of Environmental Protection to transfer
1543	designated proportions of the revenues deposited in
1544	the Land Acquisition Trust Fund within the department
1545	to land acquisition trust funds in the Department of
1546	Agriculture and Consumer Services, the Department of
1547	State, and the Fish and Wildlife Conservation
1548	Commission according to specified parameters and
1549	calculations; requiring the Department of
1550	Environmental Protection to retain a proportionate
1551	share of revenues; specifying a limit on
1552	distributions; requiring the Department of
1553	Environmental Protection to make transfers to land
1554	acquisition trust funds; specifying the method of
1555	determining transfer amounts; authorizing the
1556	Department of Environmental Protection to advance
1557	funds from its land acquisition trust fund to the Fish
1558	and Wildlife Conservation Commission's land
1559	acquisition trust fund for specified purposes;
1560	requiring the Department of Environmental Protection
1561	to prorate amounts transferred to the Fish and
1562	Wildlife Conservation Commission; amending s. 375.041,
1563	F.S.; specifying that certain funds for projects
1564	dedicated to restoring Lake Apopka shall be
1565	appropriated as provided in the General Appropriations
1566	Act; reenacting s. 373.470, F.S.; relating to

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Amendment No.

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distribution of funds to the South Florida Water Management District from the Department of Environmental Protection's land acquisition trust fund which must be equally matched by cumulative district contributions for certain Everglades restoration efforts; providing for the future expiration and reversion of specified statutory text; amending s. 216.181, F.S.; authorizing the Legislative Budget Commission to increase amounts appropriated to the Department of Environmental Protection for fixed capital outlay projects using specified funds; specifying additional information to be included in budget amendments for projects requiring additional funding; authorizing the Department of Agriculture and Consumer Affairs to submit a budget amendment to increase budget authority for a school lunch program under certain circumstances; providing for future expiration; amending s. 420.9079, F.S.; authorizing funds in the Local Government Housing Trust Fund to be used as provided in the General Appropriations Act; amending s. 420.0005, F.S.; authorizing certain funds related to state housing to be used as provided in the General Appropriations Act; providing for future expiration; creating the Hurricane Housing Recovery Program to provide funds for certain purposes;

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Amendment No.

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requiring the Florida Housing Finance Corporation to administer the program and allocate resources in a specified way; providing criteria for use by local governments in receiving funds; specifying how program funds are to be used; requiring a report from local governments that receive funds; creating the Rental Recovery Loan Program for certain purposes; authoring the Florida Housing Finance Corporation to adopt emergency rules; providing legislative findings regarding emergency rulemaking need; amending s. 288.0655, F.S.; specifying how funds appropriated for the grant program for Florida Panhandle counties are to be distributed; amending s. 321.04, F.S.; requiring the Department of Highway Safety and Motor Vehicles, if requested by the Governor, to assign specified patrol officers to the office of Lieutenant Governor for security services; providing an expiration date; amending s. 112.061, F.S.; authorizing a Lieutenant Governor, under certain circumstances, to request to have official headquarters outside of Leon County; authorizing subsistence allowance and travel reimbursement at a rate established by the Governor; prohibiting the use of state funds to lease space for such official headquarters; providing an expiration date; amending s. 216.292, F.S.; specifying that the

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Amendment No.

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required review ensures that certain transfers of appropriations comply with ch. 216, F.S., maximize use of available and appropriate trust funds, and are not contrary to legislative policy and intent; prohibiting a state agency from initiating a competitive solicitation for a product or service under certain circumstances; providing an exception; amending s. 112.24, F.S.; extending for 1 fiscal year the authorization, subject to specified requirements, for the assignment of an employee of a state agency under an employee interchange agreement; providing that the annual salaries of the members of the Legislature shall be maintained at a specified level; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds; providing for the future expiration and reversion of specified statutory text; limiting the use of travel funds to activities that are critical to an agency's mission; providing exceptions; placing a monetary cap on lodging expenses for state employee travel to certain meetings organized or sponsored by a state agency or the judicial branch; authorizing employees to expend their own funds for lodging expenses in excess of the monetary caps; prohibiting state agencies from entering into contracts containing certain

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Amendment No.

nondisclosure agreements; requiring the Department of
Management Services to maintain the current state
employee health insurance premium configuration;
providing conditions under which the veto of certain
appropriations or proviso language in the General
Appropriations Act voids language that implements such
appropriation; providing for the continued operation
of certain provisions notwithstanding a future repeal
or expiration provided by the act; providing
severability; providing effective dates.

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