

**HOUSE OF REPRESENTATIVES STAFF ANALYSIS  
FINAL BILL ANALYSIS**

**BILL #:** HB 5003      PCB APC 19-02    Implementing the 2019-2020 General Appropriations Act  
**SPONSOR(S):** Appropriations Committee, Cummings  
**TIED BILLS:**            **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Appropriations Committee	24 Y, 1 N	Kramer	Pridgeon

**FINAL HOUSE FLOOR ACTION:**    **GOVERNOR'S ACTION:**    Approved  
102                    **Y's**    2                    **N's**

**SUMMARY ANALYSIS**

HB 5003 passed the House on May 4, 2019, as SB 2502 as amended by the conference committee. The bill provides the statutory authority necessary to implement and execute the General Appropriations Act (GAA) for Fiscal Year 2019-2020. The statutory changes are effective for only one year and either expire on July 1, 2019 or revert to the language as it existed before the changes made by the bill.

Because this bill implements provisions of the General Appropriations Act for Fiscal Year 2019-2020, there are no direct fiscal impacts created by this bill.

The bill was approved by the Governor on June 21, 2019, ch. 2019-116, L.O.F., and will become effective on July 1, 2019 except as otherwise provided.

## I. SUBSTANTIVE INFORMATION

### A. EFFECT OF CHANGES:

#### **Background:**

Section 12 of Article III of the Florida Constitution states that “[l]aws making appropriations for salaries of public officers and other current expenses of the state shall contain provisions on no other subject”. This language has been interpreted to defeat proviso language attached to appropriations that have the effect of amending general law. For this reason, when general law changes are required to effectuate appropriations, those changes are placed in a general bill implementing the appropriations act instead of in the GAA. The changes made in the “implementing bill” are effective for only one year and either expire on July 1 of the next fiscal year or revert to the language as it existed before the changes made by the bill.

#### **Provisions of the bill:**

Section 1 provides legislative intent that the implementing and administering provisions of this act apply to the General Appropriations Act (GAA) for Fiscal Year 2019-2020.

Section 2 incorporates the Florida Education Finance Program (FEFP) work papers by reference for the purpose of displaying the calculations used by the Legislature.

Section 3 provides that funds provided for instructional materials shall be released and expended as required in the proviso language attached to Specific Appropriation 93.

Sections 4 amends s. 1009.215, F.S., to authorize fall term awards for University of Florida Innovation Academy students when summer funding is provided for other Bright Futures recipients. Section 5 provides that the amendments to s. 1009.215, F.S., expire July 1, 2020, and the text of that section reverts to that in existence on June 30, 2018.

Section 6 amends s. 1011.62, F.S., to maintain the funding compression allocation within the FEFP to provide additional funding for school districts whose total funds per FTE in the prior year were less than the statewide average.

Section 7 amends s.1001.26, F.S., to allow public colleges or universities that are part of the public broadcasting system to qualify for state funding. Section 8 provides that the amendments to s. 1001.26, F.S. expire July 1, 2020 and the text of that section reverts to that in existence on June 30, 2018.

Section 9 amends s. 1011.80, F.S., to remove the \$15 million annual performance funding appropriation limit for industry certifications for school district workforce education programs. As a result, school districts may be fully funded for earned certifications, subject to legislative appropriation.

Section 10 amends s. 1011.81, F.S., to remove the \$15 million annual performance funding appropriation limit for industry certifications for Florida College System institution programs. As a result, institutions may be fully funded for earned certifications, subject to legislative appropriation.

Section 11 provides that the amendments to ss. 1011.80 and 1011.81, F.S., expire July 1, 2020, and the text of those sections reverts to that in existence on June 30, 2019.

Section 12 notwithstanding s. 1002.37(2), F.S. relating to the governance of the Florida Virtual School, to transfer control of the school to the State Board of Education and requires the board to appoint an

executive director of the school. In addition, it requires the Department of Education to contract with an independent third-party to conduct an audit of the school and to provide recommendations to the Governor and the Legislature by November 1, 2019.

Section 13 directs the Office of Economic and Demographic Research to develop a methodology for calculating each school district's wage level index using appropriate county-level and occupational-level wage data. The office must provide a transition plan that minimizes negative impacts beginning with the 2020-2021 fiscal year, to the Governor and the Legislature by October 1, 2019.

Section 14 provides that the calculations of the Medicaid Disproportionate Share Hospital and Hospital Reimbursement programs for the 2019-2020 fiscal year, which is contained in the document titled "Medicaid Disproportionate Share Hospital and Hospital Reimbursement Programs, Fiscal Year 2019-2020" dated May 1, 2019, and filed with the Secretary of the Senate, are incorporated by reference for the purpose of displaying the calculations used by the Legislature

Section 15 authorizes the Agency for Health Care Administration (AHCA) to submit a budget amendment to realign funding between the AHCA and the Department of Health (DOH) for the Children's Medical Services (CMS) Network for the implementation of Statewide Medicaid Managed Care, to reflect actual enrollment changes due to the transition from fee-for-service into the capitated CMS Network.

Section 16 amends s. 409.908(2), F.S. to modify the parameters governing the nursing home prospective payment methodology for Medicaid provider reimbursement to increase the quality incentive payment pool from 6 percent to 6.5 percent beginning October 1, 2019. Section 17 provides that the amendments to s 409.908(2), F.S., expire July 1, 2020, and the text of that section reverts to that in existence on June 30, 2019.

Section 18 amends s. 409.908(23), F.S., relating to Medicaid rate setting for specified provider types, to specify the prospective payment system reimbursement for nursing home services will be governed by s. 409.908(2), F.S., and the GAA. Language relating to county health department reimbursement is restructured but not changed substantively. Section 19 provides that the amendments to s 409.908(23), F.S., expire July 1, 2020, and the text of that section reverts to that in existence on October 1, 2018.

Section 20 amends s. 409.908(26), F.S, to include Low Income Pool (LIP) payments and requires that Letters of Agreement for LIP be received by AHCA by October 1 and the funds outlined in the Letters of Agreement be received by October 31. Section 21 provides that the amendments to s 409.908(26), F.S., expire July 1, 2020, and the text of that section reverts to that in existence on June 30, 2019.

Section 22 amends s. 409.912(6), F.S., to authorize the AHCA to renew its existing fiscal agent contract. Section 23 provides that the amendments to s 409.912(6), F.S., expire July 1, 2020, and the text of that section reverts to that in existence on June 30, 2019.

Section 24 amends s. 409.904(12)(a) and (b), F.S. to eliminate the Medicaid retroactive eligibility period for non-pregnant adults in a manner that ensures that the modification provides eligibility will continue to begin the first day of the month in which a non-pregnant adult applies for Medicaid.

Section 25 requires the AHCA, in consultation with Department of Children and Families and certain other entities, to submit a report specifying certain requirements by January 10, 2020, to the Governor, the President of the Senate, and the Speaker of the House of Representatives regarding the impact of the Medicaid retroactive eligibility waiver on beneficiaries and providers.

Section 26 amends s. 393.0661(1), F.S., to require that if the Agency for Persons with Disabilities (APD) runs a deficit during the 2018-2019 fiscal year, the APD must work in conjunction with the

Agency for Health Care Administration (AHCA) to develop a plan to redesign the waiver program. Provides for a report to President of the Senate and the Speaker of the House of Representatives, and requires monthly updates. Section 27 provides that the amendments to s 393.0661(1), F.S., expire July 1, 2020, and the text of that section reverts to that in existence on June 30, 2019.

Section 28 amends s. 400.179 (2)(d). F.S., to reduce the threshold cash balance on the Lease Bond Trust Fund within AHCA to \$10 million. Section 29 provides that the amendments to s 400.179(2)(d), F.S., expire July 1, 2020, and the text of that sections reverts to that in existence on June 30, 2019.

Section 30 amends s. 624.91(5)(b). F.S., to require the Florida Healthy Kids Corporation to validate and calculate a refund amount for Title XXI providers who achieve a Medical Loss Ratio below 85 percent. These refunds shall be deposited into the General Revenue Fund, unallocated. Section 31 provides that the amendments to s 624.91(5)(b), F.S., expire July 1, 2020, and the text of that section reverts to that in existence on June 30, 2019.

Section 32 amends s. 893.055(18), F.S, relating to the prescription drug monitoring program to prohibit the use of any settlement agreement funds for the program for Fiscal Year 2019-2020.

Section 33 amends s. 409.911, F.S., to provide that, for the 2019-2020 fiscal year, the AHCA must distribute moneys to hospitals providing a disproportionate share of Medicaid or charity care services as provided in the GAA for Fiscal Year 2019-2020.

Section 34 amends s. 409.9113, F.S., to provide that, for the 2019-2020 fiscal year, the AHCA must make disproportionate share payments to teaching hospitals, as defined in s. 408.07, F.S. as provided in the GAA for Fiscal Year 2019-2020.

Section 35 amends s. 409.9119, F.S., to provides, that, for the 2019-2020 fiscal year, the AHCA must make disproportionate share payments to specialty hospitals for children as provided in the GAA for Fiscal Year 2019-2020.

Section 36 authorizes the AHCA to submit a budget amendment to realign funding within the Medicaid program appropriation categories to address any projected surpluses and deficits and to maximize the use of state trust funds.

Section 37 authorizes the Agency for Health Care Administration and the Department of Health to each submit a budget amendment pursuant to the notice, review, and objection provisions of s. 216.177, F.S., to realign funding within the Florida Kidcare program appropriation categories, or to increase budget authority in the Children's Medical Services Network category, to address projected surpluses and deficits within the program or to maximize the use of state trust funds. A single budget amendment must be submitted by each agency in the last quarter of the 2019-2020 fiscal year only.

Section 38 provides two additional exemptions from licensure requirements in part X of chapter 400, F.S., for specified entities.

Sections 39 and 40 amend ss. 381.986 and 381.988, F.S., to provide that the Department of Health is not required to prepare a statement of estimated regulatory costs when promulgating rules relating to medical marijuana testing laboratories, and any such rules adopted prior to July 1, 2020, are exempt from the legislative ratification provision of s. 120.541(3), F.S. Medical marijuana treatment centers are authorized to use a laboratory that has not been certified by the department until rules relating to medical marijuana testing laboratories are adopted by the department, but no later than July 1, 2020.

Section 41 amends s. 14(1), ch. 2017-232, Laws of Florida, to provide limited emergency rulemaking authority to the Department of Health and applicable boards to adopt emergency rules to implement the

Medical Use of Marijuana Act (2017). The department and applicable boards are not required to prepare a statement of estimated regulatory costs when promulgating rules to replace emergency rules, and any such rules are exempt from the legislative ratification provision of s. 120.541(3), F.S., until July 1, 2020. Section 42 provides that the amendments to s. 14(1), ch. 2017-232, Laws of Florida, expire on July 1, 2020, and the text of that provision reverts back to that in existence on June 30, 2019.

Section 43 amends s. 383.14, F.S., to require the Department of Health Newborn Screening Program to begin screening all newborns in Florida for Spinal Muscular Atrophy, and to add such a test to the Newborn Screening Panel as soon as practicable after July 1, 2019, but no later than May 3, 2020.

Section 44 allows the DCF to submit a budget amendment to realign funding within appropriations for the Guardianship Assistance Program.

Sections 45 and 46 authorizes the DCF to establish a formula to distribute funding for the Path Forward initiative due to the expiration of the federal Title IV-E Waiver.

Section 47 amends section 296.37, F.S., to maintain the personal needs allowance of \$130 for residents of Department of Veterans' Affairs nursing facilities.

Section 48 authorizes the Department of Health to submit a budget amendment, subject to the notice, review, and objection provisions of s. 216.177, F.S., to increase budget authority for the HIV/AIDS Prevention and Treatment Program if additional federal revenues become available in the 2019-2020 fiscal year.

Section 49 authorizes the DCF to submit a budget amendment, subject to the notice, review, and objection provisions of s. 216.177, F.S., to increase budget authority for the Supplemental Nutrition Assistance Program if additional federal revenues become available in the 2019-2020 fiscal year.

Section 50 authorizes the DCF to submit a budget amendment, subject to the notice, review, and objection provisions of s. 216.177, F.S., to realign funding within the Family Safety Program to maximize the use of Title IV-E and other federal funds

Section 51 amends s. 216.262, F.S., to allow the Executive Office of the Governor to request additional positions and appropriations from unallocated general revenue funds during the 2019-2020 fiscal year for the Department of Corrections (DOC), if the actual inmate population of the DOC exceeds the Criminal Justice Estimating Conference forecasts of February 22, 2019. The additional positions and appropriations may be used 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, and are subject to Legislative Budget Commission review and approval.

Sections 52 and 53 amends s. 1011.80, F.S., to permit the expenditure of appropriations for the education of state or federal inmates to the extent funds are specifically appropriated for this purpose.

Section 54 amends s. 215.18, F.S., to provide the Chief Justice of the Florida Supreme Court the authority to request a trust fund loan to ensure the state court system has sufficient funds to meet its appropriations contained in the GAA for Fiscal Year 2019-2020.

Section 55 requires the Department of Juvenile Justice to ensure that counties are fulfilling their financial responsibilities required in s. 985.6865, F.S., and to report any deficiencies to the Department of Revenue. If the Department of Juvenile Justice determines that a county has not met its obligations, it must direct the Department of Revenue to deduct the amount owed to the Department of Juvenile Justice from shared revenue funds provided to the county under s. 218.23, F.S. to be deposited into the

Shared County/State Juvenile Detention Trust Fund in Department of Juvenile Justice. The section also includes procedures to provide assurance to holders of bonds for which shared revenue fund distributions are pledged.

Section 56 amends s. 27.40, F.S., to require written certification of conflict by a public defender. If the office of criminal conflict and civil regional counsel cannot accept a case from the public defender due to conflict, the office of civil regional counsel is required to specifically identify and describe the conflict of interest and certify the conflict to the court before a court-appointed counsel may be assigned. Each public defender and regional counsel shall report, in the aggregate, the basis of all conflicts of interest certified to the court on a quarterly basis.

Contracts with appointed counsel and forms used in billing by court appointed counsel are required to be consistent with ss. 27.5304, and 216.311. A contract with court appointed counsel must specify that payment is contingent upon an appropriation by the Legislature. The flat fee established in s. 27.5304 is required to be presumed to be sufficient compensation.

The Justice Administrative Commission (JAC) is required to review appointed counsel billings, and objections by the JAC are required to be presumed correct unless a court determines, in writing, that competent and substantial evidence exists to justify overcoming the presumption. If an attorney does not permit the JAC or the Auditor General to review billing documentation, the attorney waives the claim for attorney fees. A finding by the JAC that the appointed counsel waived the right to seek compensation above the flat fee is required to be presumed correct, unless a court determines, in written findings, that competent and substantial evidence exists to overcome the presumption.

Section 57 provides that the amendments to s. 27.40(1), (2)(a), (3)(a), (5), (6), and (7), F.S., expire on July 1, 2020, and the text of those provisions reverts to that in existence on June 30, 2019.

Section 58 amends s. 27.5304, F.S., to increase, for the 2019-2020 fiscal year, the statutory compensation limits for fees paid to court-appointed attorneys in noncapital, nonlife felony and life felony cases. The Legislature is authorized to establish the actual amounts paid to attorneys in these categories in the GAA for Fiscal Year 2019-2020.

Court-appointed counsel may be compensated only in compliance with s. 27.40(1), (2)(a), (7), this section, and the GAA. The JAC is required to review all billings and must contemporaneously document its review before authorizing payment to an attorney. Objections by the JAC to billings by an attorney are required to be presumed correct by a court unless the court determines, in writing, that competent and substantial evidence supports overcoming the presumption. Motions to exceed the flat fee are required to be served on the JAC at least 20 business days before the hearing date, and the JAC may appear at the hearing in person or telephonically.

Section 59 provides that the amendments to s. 27.5304(1), (3), (7), (11), and (12)(a) – (e), F.S., expire on July 1, 2020, and the text of those provisions reverts to that in existence on June 30, 2019.

Section 60 requires clerks to pay costs of compensation to jurors, for meals or lodging provided to jurors, and for jury-related personnel costs that exceed funding in the GAA for these purposes.

Sections 61 and 62 amend s. 318.18 and s. 817.568, F.S., to require the deposit of certain funds into the Indigent Criminal Defense Trust Fund instead of the Public Defenders Revenue Trust Fund. Section 63 provides that the amendments to ss. 318.18, F.S., and 817.568, F.S., expire July 1, 2020, and the text of those sections reverts to that in existence on June 30, 2018.

Section 64 permits a Supreme Court justice who resides outside of Leon County to designate an official headquarters in the district in which he or she resides. The designated official headquarters may serve

only as the justice's private chambers. The justice is eligible to receive 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 (Leon County) to conduct court business. In addition, the justice is eligible for reimbursement of travel expenses for travel between the justice's official headquarters and the headquarters of the Supreme Court.

Section 65 requires the Department of Management Services (DMS) and agencies to utilize a tenant broker to renegotiate private lease agreements, in excess of 2,000 square feet, expiring before June 30, 2022.

Section 66 continues the online procurement system transaction fee authorized in ss. 287.042(1)(h)1. and 287.057(22)(c), F.S., at 0.7 percent for the 2019-2020 fiscal year only.

Section 67 prohibits an agency from transferring funds from a data processing category to any category other than another data processing category.

Section 68 authorizes the Executive Office of the Governor (EOG) to transfer funds in the specific appropriation category "Data Processing Assessment - Agency for State Technology" between agencies, in order to align the budget authority granted with the assessments that must be paid by each agency to the Agency for State Technology (AST).

Section 69 authorizes the EOG to transfer funds in the appropriation category "Special Categories-Risk Management Insurance" between departments in order to align the budget authority granted with the premiums paid by each department for risk management insurance.

Section 70 authorizes the EOG to transfer funds in the appropriation category "Special Categories - Transfer to DMS - Human Resources Services Purchased per Statewide Contract" of the GAA for Fiscal Year 2019-2020 between departments, in order to align the budget authority granted with the assessments that must be paid by each agency to the DMS for human resources management services.

Section 71 defines the components of the Florida Accounting Information Resource subsystem (FLAIR) and Cash Management System (CMS) included in the Department of Financial Services Planning Accounting and Ledger Management (PALM) system. This section also provides the executive steering committee (ESC) membership and the process for ESC meetings and decisions.

Section 72 directs executive branch state agencies and the judicial branch to collaborate with the EOG and the DMS to implement and utilize the statewide travel management system.

Section 73 transfers the AST Budget and Policy Section, Cost Recovery Section, and administrative rules in chapter 74-3, F.A.C., to the DMS.

Section 74 amends s. 20.22, F.S., and directs the DMS to provide financial management oversight and legislative budget request support to the AST.

Section 75 amends s. 20.255, F.S., and directs the Department of Environmental Protection to act as the primary point of contact for statewide geographic information systems and grants, coordinate and promote statewide geospatial data sharing.

Section 76 amends s. 20.61, F.S., to remove financial management duties from the AST provided by the DMS. The section also removes specific designation of some AST positions.

Section 77 provides that the amendment to s. 20.61, F.S., expires July 1, 2020, and the text of that section reverts to that in existence on June 30, 2018.

Section 78 reenacts s. 282.0041, F.S., as amended in s. 58, ch. 2018-10, L.O.F., to create a new definition and revise several current definitions to align with the assessment of administrative costs to customers.

Section 79 reenacts s. 282.0051, F.S., as amended in s. 59, ch. 2018-10, L.O.F., to remove specific financial management duties including annual reconciliation, billing and refunds, and estimating customer costs from the AST.

Section 80 reenacts s. 282.201, F.S., as amended in s. 60, ch. 2018-10, L.O.F., to remove customer-billing duties from the AST.

Section 81 provides that the amendments to ss. 282.0041(5), (20), and (28), 282.0051(11), and 282.201(2)(d), F.S., expire July 1, 2020, and the text of those provisions reverts to that in existence on June 30, 2018.

Section 82 provides that if legislation substantially similar to the amendments to ss. 20.22, 20.255, 20.61, 282.0041, 282.0051, and 282.201, F.S., is passed during the 2019 Regular Session and becomes law, then sections 73, 74, 75, 76, 77, 78, 79, and 80 of this bill will not take effect.

Section 83 amends s. 216.181(11)(d), F.S., to authorize the Legislative Budget Commission to increase amounts appropriated to the Fish and Wildlife Conservation Commission or the Department of Environmental Protection (DEP) for fixed capital outlay projects. The increase in fixed capital outlay budget authority is authorized for funds provided to the state from the Gulf Environmental Benefit Fund administered by the National Fish and Wildlife Foundation, the Gulf Coast Restoration Trust Fund related to the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast Act of 2012 (RESTORE Act), or from British Petroleum Corporation (BP) for natural resources damage assessment early restoration projects. Any continuing commitment for future appropriations by the Legislature must be identified specifically.

Section 84 amends s. 215.18, F.S., to authorize the Governor to temporarily transfer moneys, from one or more of the trust funds in the State Treasury, to a land acquisition trust fund (LATF) within the Department of Agriculture and Consumer Services, the DEP, the Department of State, or the Fish and Wildlife Conservation Commission, whenever there is a deficiency that would render the LATF temporarily insufficient to meet its just requirements, including the timely payment of appropriations from that trust fund. These funds must be expended solely and exclusively in accordance with Art. X, s. 28 of the Florida Constitution. This transfer is a temporary loan, and the funds must be repaid to the trust funds from which the moneys are loaned by the end of the 2019-2020 fiscal year. Any action proposed pursuant to this subsection is subject to the notice, review, and objection procedures of s. 216.177, F.S., and the Governor shall provide notice of such action at least seven days before the effective date of the transfer of trust funds.

Section 85 provides that, in order to implement specific appropriations from the land acquisition trust funds within the Department of Agriculture and Consumer Services, the DEP, the Fish and Wildlife Conservation Commission, and the Department of State, the DEP will transfer a proportionate share of revenues in the Land Acquisition Trust Fund within the DEP on a monthly basis, after subtracting required debt service payments, to each agency and retain a proportionate share within the Land Acquisition Trust Fund within the DEP. Total distributions to a land acquisition trust fund within the other agencies may not exceed the total appropriations for the fiscal year. The section further provides that



DEP may advance funds from the beginning unobligated fund balance in the Land Acquisition Trust Fund to LATF within the Fish and Wildlife Conservation Commission for cash flow purposes.

Section 86 amends s. 375.041, F.S., relating to the Land Acquisition Trust Fund to remove the requirement to fund Lake Apopka restoration.

Section 87 amends s. 216.181, F.S., to authorize the Legislative Budget Commission to increase amounts appropriated to the Department of Environmental Protection for fixed capital outlay projects. The increase is authorized for funds provided to the state from the Trustee of the Environmental Mitigation Trust administered by Wilmington Trust for violation of the Clean Air Act by Volkswagen.

Section 88 authorizes the Department of Agriculture and Consumer Services to submit a budget amendment to increase budget authority for the National School Lunch program when necessary.

Section 89 extends the sunset date from June 30, 2019, to June 30, 2020, to authorize the Department of Agriculture and Consumer Services to use money deposited in the Pest Control Trust Fund to carry out any of the powers of the Division of Agricultural Environmental Services.

Section 90 amends s. 570.93 F.S., to revise the agricultural water conservation program to enable cost-share funds to continue to be used for irrigation system retrofits and mobile irrigation lab evaluations. The revision also permits the funds to be expended on additional water conservation activities pursuant to s. 403.067(7)(c), F.S. Section 91 provides that the amendment to s. 570.93(1)(a), F.S., expires July 1, 2020, and the text of that paragraph reverts to that in existence on June 20, 2019.

Section 92 amends s. 527.07(1), F.S., to revise requirements for labeling petroleum measuring devices that have been inspected by the Department of Agriculture and Consumer Services. Section 93 provides that the amendment to s. 525.07(1), F.S., expires July 1, 2020, and the text of that subsection reverts to that in existence on June 20, 2019.

Section 94 amends s. 259.105, F.S., to provide for distribution a specified amount from the Florida Forever Trust to the Division of State Lands within the Department of Environmental Protection.

Section 95 amends s. 321.04, F.S., to provide that for the 2019-2020 fiscal year, the Department of Highway Safety and Motor Vehicles may assign a patrol officer to a Cabinet member if the department deems such assignment appropriate or if requested by such Cabinet member in response to a threat. Additionally, the Governor may request the department to assign one or more highway patrol officers to the Lieutenant Governor for security services.

Section 96 amends s. 420.9079, F.S., relating to the Local Government Housing Trust Fund, to allow funds to be used as provided in the GAA for the 2019-2020 fiscal year.

Section 97 amends s. 420.0005, F.S., relating to the State Housing Trust Fund, to allow funds to be used as provided in the GAA for the 2019-2020 fiscal year.

Section 98 amends s. 288.0655, F.S., relating to the Rural Infrastructure Fund to provide that funds appropriated for the grant program for Florida Panhandle counties shall be distributed pursuant to and for the purposes described in the proviso language associated with Specific Appropriation 2314 of the GAA for the 2019-2020 fiscal year.

Section 99 amends 288.1226, F.S., to extend the repeal date of the Florida Tourism Industry Marketing Corporation, doing business as VISIT FLORIDA, from October 1, 2019, to July 1, 2020.

Section 100 amends 288.923, F.S., to extend the repeal date of the Division of Tourism Marketing within Enterprise Florida, Inc., from October 1, 2019, to July 1, 2020.

Section 101 amends s. 339.135(7)(g), F.S., to authorize the chair and vice chair of the Legislative Budget Commission to approve, pursuant to s. 216.177, F.S., a work program amendment that transfers fixed capital outlay appropriations between categories or increases appropriation categories if a commission meeting cannot be held within 30 days of submittal of the amendment by the Department of Transportation.

Section 102 amends s. 339.2818, F.S., related to the Small County Outreach Program in the Department of Transportation, to provide grants to counties or municipalities named in the Hurricane Michael federal disaster declaration. The grants may fund 100 percent of the local road project's costs to repair damage due to Hurricane Michael, excluding road capacity improvements.

Section 103 amends s. 112.061, F.S., to authorize a lieutenant governor who permanently resides outside of Leon County to designate an official headquarters in his or her county as his or her official headquarters for purposes of s. 112.061, F.S. A lieutenant governor for whom an official headquarters in his or her county of residence is established may be paid travel and subsistence expenses when travelling between their official headquarters and the State Capitol to conduct state business.

Section 104 amends s. 216.292(2)(a), F.S., to grant broader legislative review of any "five percent" budget transfers. For the 2019-2020 fiscal year, the review must ensure the proposed action maximizes the use of available and appropriate trust funds, does not exceed delegated authority and is not contrary to legislative policy and intent.

Section 105 requires the Department of Management Services to maintain and offer during Fiscal Year 2019-2020 for the State Group Health Insurance Program the standard and high deductible PPO and HMO plans which are offered during Fiscal Year 2018-2019, notwithstanding s. 110.123(3)(f) and (j), F.S..

Section 106 provides that no state agency may initiate a competitive solicitation for a product or service if the completion of such competitive solicitation would require a change in law or require a change to the agency's budget other than a transfer authorized in s. 216.292(2) or (3), F.S., unless the initiation of such competitive solicitation is specifically authorized in law or in the GAA or by the Legislative Budget Commission.

Section 107 amends s. 112.24, F.S., to provide that the reassignment of an employee of a state agency may be made if recommended by the Governor or Chief Justice, as appropriate, and approved by the chairs of the Senate and House budget 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, F.S. This requirement applies to state employee reassignments regardless of which agency (sending or receiving) is responsible for pay and benefits of the assigned employee.

Section 108 maintains legislative salaries at the July 1, 2010, level.

Section 109 amends s. 215.32(2)(b), F.S., in order to implement the transfer of moneys to the General Revenue Fund from trust funds in the 2019-2020 GAA. Section 110 reverts the language of s. 215.32(2)(b), F.S., to the text in effect on June 30, 2011.

Section 111 provides that funds appropriated for travel by state employees be limited to travel for activities that are critical to each state agency's mission. The section prohibits funds from being used to travel to foreign countries, other states, conferences, staff-training, or other administrative functions

unless the agency head approves in writing. The agency head is required to consider the use of teleconferencing and electronic communication to meet needs of activity before approving travel.

Section 112 provides that, notwithstanding s. 112.061, F.S., 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. Exempts travel for conducting an audit, examination, inspection or investigation or travel activities relating to a litigation or emergency response.

Section 113 provides that a state agency may not enter into a contract containing a nondisclosure clause that prohibits a contractor from disclosing to members or staff of the Legislature information relevant to the performance of the contract.

Section 114 specifies that no section of the bill shall take effect if the appropriations and proviso to which it relates are vetoed.

Section 115 provides that a permanent change made by another law to any of the same statutes amended by this bill will take precedence over the provision in this bill.

Section 116 provides a severability clause.

Section 117 provides effective dates.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

### **A. FISCAL IMPACT ON STATE GOVERNMENT:**

1. Revenues: None.
2. Expenditures: None.

### **B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues: None.
2. Expenditures: None.

### **C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:** None.

### **D. FISCAL COMMENTS:**

Because this bill implements provisions of the General Appropriations Act for Fiscal Year 2019-2020, there are no direct fiscal impacts created by this bill.