

By the Committee on Appropriations

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1 A bill to be entitled
2 An act implementing the 2020-2021 General
3 Appropriations Act; providing legislative intent;
4 incorporating by reference certain calculations of the
5 Florida Education Finance Program; providing that
6 funds for instructional materials must be released and
7 expended as required in specified proviso language;
8 amending s. 1011.62, F.S.; conforming a provision
9 regarding the virtual education contribution to
10 reflect the Teacher Salary Increase Allocation;
11 extending for 1 fiscal year provisions governing the
12 funding compression allocation; suspending the Florida
13 Best and Brightest Teacher and Principal Allocation
14 for the 2020-2021 fiscal year; creating the Teacher
15 Salary Increase Allocation; specifying the purpose of
16 the allocation; prescribing the manner in which funds
17 under the allocation may be provided and used;
18 providing for the expiration and reversion of
19 specified statutory text; amending ss. 1012.731 and
20 1012.732, F.S.; suspending the Florida Best and
21 Brightest Teacher Program and the Florida Best and
22 Brightest Principal Program for the 2020-2021 fiscal
23 year; amending s. 1013.62, F.S.; specifying the source
24 of charter school capital outlay funding; providing
25 that charter schools are ineligible to receive capital
26 outlay funding unless the governing board chair and
27 the school's chief administrative officer provides an
28 annual certification under oath; providing for the
29 expiration and reversion of specified statutory text;

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30 creating s. 1004.6499, F.S.; establishing the Florida
31 Institute of Politics at the Florida State University;
32 providing the purpose and goals of the institute;
33 incorporating by reference certain calculations for
34 the Medicaid Disproportionate Share Hospital and
35 Hospital Reimbursement programs; authorizing the
36 Agency for Health Care Administration, in consultation
37 with the Department of Health, to submit a budget
38 amendment to realign funding for a component of the
39 Children's Medical Services program to reflect actual
40 enrollment changes; specifying requirements for such
41 realignment; authorizing the agency to request
42 nonoperating budget authority for transferring certain
43 federal funds to the Department of Health; reenacting
44 s. 409.908(23), F.S., relating to the reimbursement of
45 Medicaid providers; extending for 1 fiscal year
46 provisions regarding reimbursement rates; providing
47 for the expiration and reversion of specified
48 statutory text; reenacting s. 409.908(26), F.S.,
49 relating to the reimbursement of Medicaid providers;
50 extending for 1 fiscal year a provision regarding the
51 receipt of funds to be used for Low Income Pool
52 Program payments; providing for the expiration and
53 reversion of specified statutory text; amending s.
54 409.904, F.S.; extending for 1 fiscal year a provision
55 requiring the Agency for Health Care Administration to
56 make payments to Medicaid-covered services; requiring
57 the Agency for Health Care Administration, in
58 consultation with the Department of Children and

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59 Families and certain other entities, to submit a
60 report to the Governor and the Legislature by a
61 specified date; specifying requirements for the
62 report; reenacting s. 624.91(5)(b), F.S., relating to
63 the Florida Healthy Kids Corporation; extending for 1
64 fiscal year a provision requiring the corporation to
65 validate the medical loss ratio and calculate a refund
66 amount for insurers and providers of health care
67 services who meet certain criteria; providing for the
68 expiration and reversion of specified statutory text;
69 amending s. 381.915, F.S.; revising limitations
70 regarding a cancer center's participation under Tier 3
71 of the Florida Consortium of National Cancer Institute
72 Centers Program and authorization for centers to
73 pursue certain designations by the institute;
74 providing for the expiration and reversion of
75 specified statutory text; amending s. 893.055, F.S.;
76 extending for 1 fiscal year a provision prohibiting
77 the Attorney General and the Department of Health from
78 using certain settlement agreement funds to administer
79 the prescription drug monitoring program; amending s.
80 409.911, F.S.; updating the average of audited
81 disproportionate share data for purposes of
82 calculating disproportionate share payments; extending
83 for 1 fiscal year the requirement that the Agency for
84 Health Care Administration distribute moneys to
85 hospitals that provide a disproportionate share of
86 Medicaid or charity care services, as provided in the
87 General Appropriations Act; amending s. 409.9113,

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88 F.S.; extending for 1 fiscal year the requirement that
89 the Agency for Health Care Administration make
90 disproportionate share payments to teaching hospitals
91 as provided in the General Appropriations Act;
92 amending s. 409.9119, F.S.; extending for 1 fiscal
93 year the requirement that the Agency for Health Care
94 Administration make disproportionate share payments to
95 certain specialty hospitals for children; authorizing
96 the Agency for Health Care Administration to submit a
97 budget amendment to realign Medicaid funding for
98 specified purposes, subject to certain limitations;
99 requiring the Agency for Health Care Administration to
100 contract with an organization for the provision of
101 elder care services in specified counties if certain
102 conditions are met; specifying requirements for the
103 program; authorizing the Agency for Health Care
104 Administration and the Department of Health to each
105 submit a budget amendment to realign funding within
106 the Florida Kidcare program appropriation categories
107 or increase budget authority for certain purposes;
108 specifying the timeframe within which any such budget
109 amendment must be submitted; amending s. 381.986,
110 F.S.; exempting rules pertaining to the medical use of
111 marijuana from certain rulemaking requirements;
112 amending s. 381.988, F.S.; exempting rules pertaining
113 to medical marijuana testing laboratories from certain
114 rulemaking requirements; amending s. 14(1), chapter
115 2017-232, Laws of Florida; exempting certain rules
116 pertaining to medical marijuana adopted to replace

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117 emergency rules from specified rulemaking
118 requirements; providing for the expiration and
119 reversion of specified law; requiring the Agency for
120 Health Care Administration to replace the Medicaid
121 Enterprise System; specifying requirements for the
122 replacement system; requiring the agency to take
123 specified action; providing for the establishment of
124 an executive steering committee to oversee
125 implementation of the replacement system; providing
126 for membership, meeting requirements, duties, and
127 responsibilities of the steering committee;
128 authorizing the Department of Children and Families to
129 submit a budget amendment to realign funding for
130 implementation of the Guardianship Assistance Program;
131 requiring the Department of Children and Families to
132 establish a formula for the distribution of funds to
133 implement the Guardianship Assistance Program;
134 amending s. 296.37, F.S.; extending for 1 fiscal year
135 a provision specifying the monthly contribution to
136 residents of a state veterans' nursing home;
137 authorizing the Department of Children and Families to
138 submit a budget amendment to increase budget authority
139 for the Supplemental Nutrition Assistance Program if
140 certain conditions are met; authorizing the Department
141 of Children and Families to ~~su91bmit~~ a budget
142 amendment to realign funding within the Family Safety
143 Program for specified purposes; amending s. 216.262,
144 F.S.; extending for 1 fiscal year the authority of the
145 Department of Corrections to submit a budget amendment

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146 for additional positions and appropriations under
147 certain circumstances; amending s. 1011.80, F.S.;
148 specifying the manner by which state funds for
149 postsecondary workforce programs may be used for
150 inmate education; providing for the expiration and
151 reversion of specified statutory text; amending s.
152 215.18, F.S.; extending for 1 fiscal year the
153 authority and related repayment requirements for
154 temporary trust fund loans to the state court system
155 which are sufficient to meet the system's
156 appropriation; requiring the Department of Juvenile
157 Justice to review county juvenile detention payments
158 to determine whether a county has met specified
159 financial responsibilities; requiring amounts owed by
160 the county for such financial responsibilities to be
161 deducted from certain county funds; requiring the
162 Department of Revenue to transfer withheld funds to a
163 specified trust fund; requiring the Department of
164 Revenue to ensure that such reductions in amounts
165 distributed do not reduce distributions below amounts
166 necessary for certain payments due on bonds and to
167 comply with bond covenants; requiring the Department
168 of Revenue to notify the Department of Juvenile
169 Justice if bond payment requirements mandate a
170 reduction in deductions for amounts owed by a county;
171 reenacting and amending s. 27.40, F.S., relating to
172 court-appointed counsel; extending for 1 fiscal year
173 provisions governing the appointment of court-
174 appointed counsel; establishing the Cross-

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175 Jurisdictional Death Penalty Pilot Program within the
176 Office of Criminal Conflict and Civil Regional Counsel
177 of the Second Appellate District; specifying the
178 manner of appointing counsel to indigent defendants
179 who meet specified criteria; providing reporting
180 requirements regarding the pilot program; specifying
181 that repeal of the act does not terminate appointments
182 of counsel made under the pilot program; reenacting
183 and amending s. 27.5304, F.S., relating to private
184 court-appointed counsel; extending for 1 fiscal year
185 limitations on compensation for representation in
186 criminal proceedings; providing for the expiration and
187 reversion of specified statutory text; specifying that
188 clerks of the circuit court are responsible for
189 certain costs related to juries which exceed a certain
190 funding level; reenacting s. 318.18(19)(c), F.S.,
191 relating to penalty amounts for traffic infractions;
192 extending for 1 fiscal year the redirection of
193 revenues from the Public Defenders Revenue Trust Fund
194 to the Indigent Criminal Defense Trust Fund;
195 reenacting s. 817.568(12)(b), F.S., relating to the
196 criminal use of personal identification information;
197 extending for 1 fiscal year the redirection of
198 revenues from the Public Defenders Revenue Trust Fund
199 to the Indigent Criminal Defense Trust Fund; providing
200 for the expiration and reversion of specified
201 statutory text; requiring the Department of Management
202 Services to use tenant broker services to renegotiate
203 or reprocur certain private lease agreements for

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204 office or storage space; requiring the Department of
205 Management Services to provide a report to the
206 Governor and Legislature by a specified date;
207 prohibiting an agency from transferring funds from a
208 data processing category to another category that is
209 not a data processing category; authorizing the
210 Executive Office of the Governor to transfer funds
211 appropriated for data processing assessment between
212 departments for a specified purpose; authorizing the
213 Executive Office of the Governor to transfer funds
214 between departments for purposes of aligning amounts
215 paid for risk management insurance and for human
216 resources services; requiring the Department of
217 Financial Services to replace specified components of
218 the Florida Accounting Information Resource Subsystem
219 (FLAIR) and the Cash Management Subsystem (CMS);
220 specifying certain actions to be taken by the
221 Department of Financial Services regarding FLAIR and
222 CMS replacement; providing for the composition of an
223 executive steering committee to oversee FLAIR and CMS
224 replacement; prescribing duties and responsibilities
225 of the executive steering committee; amending s.
226 216.181, F.S.; extending for 1 fiscal year the
227 authority for the Legislative Budget Commission to
228 increase amounts appropriated to the Fish and Wildlife
229 Conservation Commission or the Department of
230 Environmental Protection for certain fixed capital
231 outlay projects from specified sources; amending s.
232 215.18, F.S.; extending for 1 fiscal year the

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233 authority of the Governor, if there is a specified
234 temporary deficiency in a land acquisition trust fund
235 in the Department of Agriculture and Consumer
236 Services, the Department of Environmental Protection,
237 the Department of State, or the Fish and Wildlife
238 Conservation Commission, to transfer funds from other
239 trust funds in the State Treasury as a temporary loan
240 to such trust fund; providing a deadline for the
241 repayment of a temporary loan; requiring the
242 Department of Environmental Protection to transfer
243 designated proportions of the revenues deposited in
244 the Land Acquisition Trust Fund within the department
245 to land acquisition trust funds in the Department of
246 Agriculture and Consumer Services, the Department of
247 State, and the Fish and Wildlife Conservation
248 Commission according to specified parameters and
249 calculations; defining the term "department";
250 requiring the Department of Environmental Protection
251 to retain a proportionate share of revenues;
252 specifying a limit on distributions; requiring the
253 Department of Environmental Protection to make
254 transfers to land acquisition trust funds; specifying
255 the method of determining transfer amounts;
256 authorizing the Department of Environmental Protection
257 to advance funds from its land acquisition trust fund
258 to the Fish and Wildlife Conservation Commission's
259 land acquisition trust fund for specified purposes;
260 requiring the Department of Environmental Protection
261 to prorate amounts transferred to the Fish and

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262 Wildlife Conservation Commission; amending s. 216.181,
263 F.S.; extending for 1 fiscal year authorization for
264 the Legislative Budget Commission to increase amounts
265 appropriated to the Department of Environmental
266 Protection for fixed capital outlay projects using
267 specified funds; amending s. 570.441, F.S.; extending
268 for 1 fiscal year a provision authorizing the
269 Department of Agriculture and Consumer Services to use
270 certain funds for purposes related to the Division of
271 Agricultural Environmental Services; reenacting s.
272 570.93(1)(a), F.S., relating to the agricultural water
273 conservation program of the Department of Agriculture
274 and Consumer Services; extending for 1 fiscal year
275 provisions governing the cost-share program; providing
276 for the expiration and reversion of specified
277 statutory text; amending s. 259.105, F.S.; providing
278 for the distribution of proceeds from the Florida
279 Forever Trust Fund for the 2020-2021 fiscal year;
280 amending s. 375.041, F.S.; specifying that certain
281 funds for projects dedicated to restoring Lake Apopka
282 shall be appropriated as provided in the General
283 Appropriations Act; amending s. 321.04, F.S.;

284 extending for 1 fiscal year a provision requiring the
285 Department of Highway Safety and Motor Vehicles to
286 assign one or more patrol officers to the office of
287 Lieutenant Governor for security purposes, upon
288 request of the Governor; extending for 1 fiscal year
289 the requirement that the Department of Highway Safety
290 and Motor Vehicles assign a patrol officer to a

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291 Cabinet member under certain circumstances; amending
292 s. 420.9079, F.S.; authorizing funds in the Local
293 Government Housing Trust Fund to be used as provided
294 in the General Appropriations Act; amending s.
295 420.0005, F.S.; authorizing certain funds related to
296 state housing to be used as provided in the General
297 Appropriations Act; amending s. 288.1226, F.S.;
298 extending the scheduled repeal of the Florida Tourism
299 Industry Marketing Corporation direct-support
300 organization; amending s. 288.923, F.S.; extending the
301 scheduled repeal of the Division of Tourism Marketing
302 of Enterprise Florida, Inc.; amending s. 338.2278,
303 F.S.; authorizing certain uncommitted funding for the
304 Transportation Disadvantaged Trust Fund to be used as
305 provided in the General Appropriations Act; amending
306 s. 339.135, F.S.; extending for 1 fiscal year
307 authorization for the chair and vice chair of the
308 Legislative Budget Commission to approve the
309 Department of Transportation's budget amendment under
310 specified circumstances; authorizing the chair and
311 vice chair of the commission to approve certain budget
312 amendments of the Department of Transportation if
313 certain conditions are met; amending s. 112.061, F.S.;
314 extending for 1 fiscal year authorization for the
315 Lieutenant Governor to designate an alternative
316 official headquarters, subject to certain limitations;
317 amending s. 216.292, F.S.; extending for 1 fiscal year
318 a provision prescribing requirements for the review of
319 certain transfers of appropriations; requiring the

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320 Department of Management Services to maintain and
321 offer the same health insurance options for
322 participants of the state group health insurance
323 program for the 2020-2021 fiscal year as for the
324 preceding fiscal year; prohibiting a state agency from
325 initiating a competitive solicitation for a product or
326 service under certain circumstances; providing an
327 exception; amending s. 112.24, F.S.; extending for 1
328 fiscal year the authorization, subject to specified
329 requirements, for the assignment of an employee of a
330 state agency under an employee interchange agreement;
331 providing that the annual salaries of the members of
332 the Legislature be maintained at a specified level;
333 reenacting s. 215.32(2)(b), F.S., relating to the
334 source and use of certain trust funds; providing for
335 the future expiration and reversion of statutory text;
336 limiting the use of travel funds to activities that
337 are critical to an agency's mission; providing
338 exceptions; placing a monetary cap on lodging expenses
339 for state employee travel to certain meetings
340 organized or sponsored by a state agency or the
341 judicial branch; authorizing employees to expend their
342 own funds for lodging expenses in excess of the
343 monetary caps; prohibiting state agencies from
344 entering into contracts containing certain
345 nondisclosure agreements; providing conditions under
346 which the veto of certain appropriations or proviso
347 language in the General Appropriations Act voids
348 language that implements such appropriations;

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349 providing for the continued operation of certain
350 provisions notwithstanding a future repeal or
351 expiration provided by the act; providing
352 severability; providing effective dates.
353

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

355
356 Section 1. It is the intent of the Legislature that the
357 implementing and administering provisions of this act apply to
358 the General Appropriations Act for the 2020-2021 fiscal year.

359 Section 2. In order to implement Specific Appropriations 8,
360 9, 10, 92, and 93 of the 2020-2021 General Appropriations Act,
361 the calculations of the Florida Education Finance Program for
362 the 2020-2021 fiscal year included in the document titled
363 "Public School Funding: The Florida Education Finance Program,"
364 dated February 6, 2020, and filed with the Secretary of the
365 Senate, are incorporated by reference for the purpose of
366 displaying the calculations used by the Legislature, consistent
367 with the requirements of state law, in making appropriations for
368 the Florida Education Finance Program. This section expires July
369 1, 2021.

370 Section 3. In order to implement Specific Appropriations 8
371 and 92 of the 2020-2021 General Appropriations Act, and
372 notwithstanding ss. 1002.20, 1003.02, 1006.28-1006.42,
373 1011.62(6)(b)3., and 1011.67, Florida Statutes, relating to the
374 expenditure of funds provided for instructional materials, for
375 the 2020-2021 fiscal year, funds provided for instructional
376 materials shall be released and expended as required in the
377 proviso language for Specific Appropriation 92 of the 2020-2021

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378 General Appropriations Act. This section expires July 1, 2021.

379 Section 4. In order to implement Specific Appropriations 8
380 and 92 of the 2020-2021 General Appropriations Act, subsections
381 (11), (17), and (18) of section 1011.62, Florida Statutes, are
382 amended, and subsection (22) is added to that section, to read:

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

389 (11) VIRTUAL EDUCATION CONTRIBUTION.—The Legislature may
390 annually provide in the Florida Education Finance Program a
391 virtual education contribution. The amount of the virtual
392 education contribution shall be the difference between the
393 amount per FTE established in the General Appropriations Act for
394 virtual education and the amount per FTE for each district and
395 the Florida Virtual School, which may be calculated by taking
396 the sum of the base FEFP allocation, the discretionary local
397 effort, the state-funded discretionary contribution, the
398 discretionary millage compression supplement, the research-based
399 reading instruction allocation, the best and brightest teacher
400 and principal allocation, the teacher salary increase
401 allocation, and the instructional materials allocation, and then
402 dividing by the total unweighted FTE. This difference shall be
403 multiplied by the virtual education unweighted FTE for programs
404 and options identified in s. 1002.455 and the Florida Virtual
405 School and its franchises to equal the virtual education
406 contribution and shall be included as a separate allocation in

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407 the funding formula.

408 (17) FUNDING COMPRESSION ALLOCATION.—The Legislature may
409 provide an annual funding compression allocation in the General
410 Appropriations Act. The allocation is created to provide
411 additional funding to school districts and developmental
412 research schools whose total funds per FTE in the prior year
413 were less than the statewide average. Using the most recent
414 prior year FEFP calculation for each eligible school district,
415 the total funds per FTE shall be subtracted from the state
416 average funds per FTE, not including any adjustments made
417 pursuant to paragraph (19) (b). The resulting funds per FTE
418 difference, or a portion thereof, as designated in the General
419 Appropriations Act, shall then be multiplied by the school
420 district's total unweighted FTE to provide the allocation. If
421 the calculated funds are greater than the amount included in the
422 General Appropriations Act, they must be prorated to the
423 appropriation amount based on each participating school
424 district's share. This subsection expires July 1, 2021 ~~2020~~.

425 (18) THE FLORIDA BEST AND BRIGHTEST TEACHER AND PRINCIPAL
426 ALLOCATION.—

427 (a) The Florida Best and Brightest Teacher and Principal
428 Allocation is created to recruit, retain, and recognize
429 classroom teachers and instructional personnel who meet the
430 criteria established in s. 1012.731 and reward principals who
431 meet the criteria established in s. 1012.732. Subject to annual
432 appropriation, each school district shall receive an allocation
433 based on the district's proportionate share of FEFP base
434 funding. The Legislature may specify a minimum allocation for
435 all districts in the General Appropriations Act.

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436 (b) From the allocation, each district shall provide the
437 following:

438 1. A one-time recruitment award, as provided in s.
439 1012.731(3)(a);

440 2. A retention award, as provided in s. 1012.731(3)(b); and

441 3. A recognition award, as provided in s. 1012.731(3)(c)
442 from the remaining balance of the appropriation after the
443 payment of all other awards authorized under ss. 1012.731 and
444 1012.732.

445 (c) From the allocation, each district shall provide
446 eligible principals an award as provided in s. 1012.732(3).

447
448 If a district's calculated awards exceed the allocation, the
449 district may prorate the awards.

450 (d) The allocation authorized in this subsection is
451 suspended for the 2020-2021 fiscal year and does not apply
452 during such fiscal year. This paragraph expires July 1, 2021.

453 (22) TEACHER SALARY INCREASE ALLOCATION.-

454 (a) The Teacher Salary Increase Allocation is created to
455 increase teacher salaries and improve this state's relative
456 teacher salary position when compared with teacher salaries in
457 other states.

458 (b) Subject to annual appropriation, funds may be provided
459 for each school district to increase the minimum base salary for
460 full-time classroom teachers as defined in s. 1012.01(2)(a) or
461 all instructional personnel as defined by s. 1012.01(2)(a)-(d),
462 plus certified prekindergarten teachers, but not including
463 substitute teachers, by no less than the amount designated in
464 the General Appropriations Act. In addition, funds may also be

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465 provided in an amount designated in the General Appropriations
466 Act for salary increases for all full-time instructional
467 personnel as determined by the school board and the local
468 bargaining unit.

469 (c) Funds for this purpose shall be allocated on each
470 district's share of the base FEFP allocation. Funds for the
471 minimum base salary increase may be provided in multiple years
472 in order to achieve a particular salary goal. The minimum base
473 salary is the base annual salary before payroll deductions and
474 excluding additional compensation.

475 (d) This subsection expires July 1, 2021.

476 Section 5. The amendment to s. 1011.62(11), Florida
477 Statutes, by this act, expires July 1, 2021, and the text of
478 that subsection shall revert to that in existence on June 30,
479 2020, except that any amendments to such text enacted other than
480 by this act shall be preserved and continue to operate to the
481 extent that such amendments are not dependent upon the portions
482 of text which expire pursuant to this section.

483 Section 6. In order to implement Specific Appropriations 8
484 and 92 of the 2020-2021 General Appropriations Act, subsection
485 (4) is added to section 1012.731, Florida Statutes, to read:

486 1012.731 The Florida Best and Brightest Teacher Program.—

487 (4) No awards may be made pursuant to this section and the
488 operation of the program is suspended for the 2020-2021 fiscal
489 year. This subsection expires July 1, 2021.

490 Section 7. In order to implement Specific Appropriations 8
491 and 92 of the 2020-2021 General Appropriations Act, subsection
492 (4) is added to section 1012.732, Florida Statutes, to read:

493 1012.732 The Florida Best and Brightest Principal Program.—

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494 (4) No awards may be made pursuant to this section and the
495 operation of the program is suspended for the 2020-2021 fiscal
496 year. This subsection expires July 1, 2021.

497 Section 8. In order to implement Specific Appropriation 21
498 of the 2020-2021 General Appropriations Act, subsection (1) of
499 section 1013.62, Florida Statutes, is amended to read:

500 1013.62 Charter schools capital outlay funding.—

501 (1) For the 2020-2021 ~~2018-2019~~ fiscal year, charter school
502 capital outlay funding shall consist of state funds appropriated
503 in the 2020-2021 ~~2018-2019~~ General Appropriations Act. Beginning
504 in fiscal year 2021-2022 ~~2019-2020~~, charter school capital
505 outlay funding shall consist of state funds when such funds are
506 appropriated in the General Appropriations Act and revenue
507 resulting from the discretionary millage authorized in s.
508 1011.71(2) if the amount of state funds appropriated for charter
509 school capital outlay in any fiscal year is less than the
510 average charter school capital outlay funds per unweighted full-
511 time equivalent student for the 2018-2019 fiscal year,
512 multiplied by the estimated number of charter school students
513 for the applicable fiscal year, and adjusted by changes in the
514 Consumer Price Index issued by the United States Department of
515 Labor from the previous fiscal year. Nothing in this subsection
516 prohibits a school district from distributing to charter schools
517 funds resulting from the discretionary millage authorized in s.
518 1011.71(2).

519 (a) To be eligible to receive capital outlay funds, a
520 charter school must:

521 1.a. Have been in operation for 2 or more years;

522 b. Be governed by a governing board established in the

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523 state for 2 or more years which operates both charter schools
524 and conversion charter schools within the state;

525 c. Be an expanded feeder chain of a charter school within
526 the same school district that is currently receiving charter
527 school capital outlay funds;

528 d. Have been accredited by a regional accrediting
529 association as defined by State Board of Education rule; or

530 e. Serve students in facilities that are provided by a
531 business partner for a charter school-in-the-workplace pursuant
532 to s. 1002.33(15) (b) .

533 2. Have an annual audit that does not reveal any of the
534 financial emergency conditions provided in s. 218.503(1) for the
535 most recent fiscal year for which such audit results are
536 available.

537 3. Have satisfactory student achievement based on state
538 accountability standards applicable to the charter school.

539 4. Have received final approval from its sponsor pursuant
540 to s. 1002.33 for operation during that fiscal year.

541 5. Serve students in facilities that are not provided by
542 the charter school's sponsor.

543 (b) A charter school is not eligible to receive capital
544 outlay funds if it was created by the conversion of a public
545 school and operates in facilities provided by the charter
546 school's sponsor for a nominal fee, or at no charge, or if it is
547 directly or indirectly operated by the school district.

548 (c) A charter school additionally is not eligible for a
549 funding allocation unless the chair of the governing board and
550 the chief administrative officer of the charter school annually
551 certify under oath that the funds will be used solely and

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552 exclusively for constructing, renovating, leasing, purchasing,
553 financing or improving charter school facilities that are:

554 1. Owned by a school district, political subdivision of the
555 state, municipality, Florida College System institution, or
556 state university; or

557 2. Owned by an organization, qualified as an exempt
558 organization under s. 501(c)(3) of the Internal Revenue Code, or
559 a tax support organization under s. 509 of the Internal Revenue
560 Code, whose articles of incorporation specify that upon the
561 organization's dissolution, the subject property, subject to any
562 indebtedness secured thereby and the satisfaction of the
563 organization's other debts, will be transferred as indicated in
564 the articles of incorporation to:

565 a. Another such exempt organization, including one
566 organized for educational purposes.

567 b. A school district or other political subdivision of the
568 state.

569 c. A municipality.

570 d. A Florida College System institution.

571 e. A state university; or

572 3. Owned by and leased from, at a fair market value, a
573 person or entity that is not an affiliated party of the charter
574 school. For purposes of this subparagraph, the term "affiliated
575 party of the charter school" means the applicant for the charter
576 school pursuant to s. 1002.33; the governing board of the
577 charter school or a member of the governing board; the charter
578 school principal; an individual employed by the charter school;
579 or a relative, as defined in s. 1002.33(24)(a)2., of a charter
580 school governing board member, a charter school principal or a

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581 charter school employee.

582 Section 9. The amendments to s. 1013.62(1), Florida
583 Statutes, by this act expire July 1, 2021, and the text of that
584 subsection shall revert to that in existence on June 30, 2020,
585 except that any amendments to such text enacted other than by
586 this act shall be preserved and continue to operate to the
587 extent that such amendments are not dependent upon the portions
588 of text which expire pursuant to this section.

589 Section 10. In order to implement Specific Appropriation
590 150 of the 2020-2021 General Appropriations Act, section
591 1004.6499, Florida Statutes, is created to read:

592 1004.6499 Florida Institute of Politics.-

593 (1) The Florida Institute of Politics is established at the
594 Florida State University within the College of Social Sciences
595 and Public Policy. The purpose of the institute is to provide
596 the southeastern region of the United States with a world class,
597 bipartisan, nationally-renowned institute of politics.

598 (2) The goals of the institute are to:

599 (a) Motivate students across the Florida State University
600 to become aware of the significance of government and civic
601 engagement at all levels and politics in general.

602 (b) Provide students with an opportunity to be politically
603 active and civically engaged.

604 (c) Nurture a state of consciousness and passion for public
605 service and politics.

606 (d) Plan and host forums to allow students and guests to
607 hear from and interact with experts from government, politics,
608 policy, and journalism on a frequent basis.

609 (e) Become a national and state resource on polling

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610 information and survey methodology.

611 (f) Provide fellowships and internship opportunities to
612 students in government, non-profit organizations, and community
613 organizations.

614 (g) Provide training sessions for newly elected state and
615 local public officials.

616 (h) Organize and sponsor conferences, symposia and
617 workshops throughout Florida to educate and inform citizens,
618 elected officials, and appointed policymakers regarding
619 effective policymaking techniques and processes.

620 (i) Create and promote research and awareness regarding
621 politics, citizen involvement and public service.

622 (j) Collaborate with related policy institutes and research
623 activities at Florida State University and other institutions of
624 higher education to motivate, increase and sustain citizen
625 involvement in public affairs.

626 (3) This section expires July 1, 2021.

627 Section 11. In order to implement Specific Appropriations
628 207, 208, 211, and 215 of the 2020-2021 General Appropriations
629 Act, the calculations for the Medicaid Disproportionate Share
630 Hospital and Hospital Reimbursement programs for the 2020-2021
631 fiscal year contained in the document titled "Medicaid
632 Disproportionate Share Hospital and Hospital Reimbursement
633 Programs, Fiscal Year 2020-2021," dated February 6, 2020, and
634 filed with the Secretary of the Senate, are incorporated by
635 reference for the purpose of displaying the calculations used by
636 the Legislature, consistent with the requirements of state law,
637 in making appropriations for the Medicaid Disproportionate Share
638 Hospital and Hospital Reimbursement programs. This section

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639 expires July 1, 2021.

640 Section 12. In order to implement Specific Appropriations
641 201 through 228 and 526 of the 2020-2021 General Appropriations
642 Act, and notwithstanding ss. 216.181 and 216.292, Florida
643 Statutes, the Agency for Health Care Administration, in
644 consultation with the Department of Health, may submit a budget
645 amendment, subject to the notice, review, and objection
646 procedures of s. 216.177, Florida Statutes, to realign funding
647 within and between agencies based on implementation of the
648 Managed Medical Assistance component of the Statewide Medicaid
649 Managed Care program for the Children's Medical Services program
650 of the Department of Health. The funding realignment shall
651 reflect the actual enrollment changes due to the transfer of
652 beneficiaries from fee-for-service to the capitated Children's
653 Medical Services Network. The Agency for Health Care
654 Administration may submit a request for nonoperating budget
655 authority to transfer the federal funds to the Department of
656 Health pursuant to s. 216.181(12), Florida Statutes. This
657 section expires July 1, 2021.

658 Section 13. In order to implement Specific Appropriations
659 225 and 226 of the 2020-2021 General Appropriations Act, and
660 notwithstanding the expiration date in section 19 of chapter
661 2019-116, Laws of Florida, subsection (23) of section 409.908,
662 Florida Statutes, is reenacted to read:

663 409.908 Reimbursement of Medicaid providers.—Subject to
664 specific appropriations, the agency shall reimburse Medicaid
665 providers, in accordance with state and federal law, according
666 to methodologies set forth in the rules of the agency and in
667 policy manuals and handbooks incorporated by reference therein.

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668 These methodologies may include fee schedules, reimbursement
669 methods based on cost reporting, negotiated fees, competitive
670 bidding pursuant to s. 287.057, and other mechanisms the agency
671 considers efficient and effective for purchasing services or
672 goods on behalf of recipients. If a provider is reimbursed based
673 on cost reporting and submits a cost report late and that cost
674 report would have been used to set a lower reimbursement rate
675 for a rate semester, then the provider's rate for that semester
676 shall be retroactively calculated using the new cost report, and
677 full payment at the recalculated rate shall be effected
678 retroactively. Medicare-granted extensions for filing cost
679 reports, if applicable, shall also apply to Medicaid cost
680 reports. Payment for Medicaid compensable services made on
681 behalf of Medicaid eligible persons is subject to the
682 availability of moneys and any limitations or directions
683 provided for in the General Appropriations Act or chapter 216.
684 Further, nothing in this section shall be construed to prevent
685 or limit the agency from adjusting fees, reimbursement rates,
686 lengths of stay, number of visits, or number of services, or
687 making any other adjustments necessary to comply with the
688 availability of moneys and any limitations or directions
689 provided for in the General Appropriations Act, provided the
690 adjustment is consistent with legislative intent.

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

696 (b)1. Base rate reimbursement for inpatient services under

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697 a diagnosis-related group payment methodology shall be provided
698 in the General Appropriations Act.

699 2. Base rate reimbursement for outpatient services under an
700 enhanced ambulatory payment group methodology shall be provided
701 in the General Appropriations Act.

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

705 Section 14. The text of s. 409.908(23), Florida Statutes,
706 as carried forward from chapter 2018-10, Laws of Florida, by
707 this act, expires July 1, 2021, and the text of that subsection
708 shall revert to that in existence on October 1, 2018, not
709 including any amendments made by chapter 2018-10, Laws of
710 Florida, except that any amendments to such text enacted other
711 than by this act and chapters 2019-116 and 2018-10, Laws of
712 Florida, shall be preserved and continue to operate to the
713 extent that such amendments are not dependent upon the portions
714 of text which expire pursuant to this section.

715 Section 15. In order to implement Specific Appropriation
716 209 of the 2020-2021 General Appropriations Act, and
717 notwithstanding the expiration date in section 21 of chapter
718 2019-116, Laws of Florida, subsection (26) of section 409.908,
719 Florida Statutes, is reenacted to read:

720 409.908 Reimbursement of Medicaid providers.—Subject to
721 specific appropriations, the agency shall reimburse Medicaid
722 providers, in accordance with state and federal law, according
723 to methodologies set forth in the rules of the agency and in
724 policy manuals and handbooks incorporated by reference therein.
725 These methodologies may include fee schedules, reimbursement

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726 methods based on cost reporting, negotiated fees, competitive
727 bidding pursuant to s. 287.057, and other mechanisms the agency
728 considers efficient and effective for purchasing services or
729 goods on behalf of recipients. If a provider is reimbursed based
730 on cost reporting and submits a cost report late and that cost
731 report would have been used to set a lower reimbursement rate
732 for a rate semester, then the provider's rate for that semester
733 shall be retroactively calculated using the new cost report, and
734 full payment at the recalculated rate shall be effected
735 retroactively. Medicare-granted extensions for filing cost
736 reports, if applicable, shall also apply to Medicaid cost
737 reports. Payment for Medicaid compensable services made on
738 behalf of Medicaid eligible persons is subject to the
739 availability of moneys and any limitations or directions
740 provided for in the General Appropriations Act or chapter 216.
741 Further, nothing in this section shall be construed to prevent
742 or limit the agency from adjusting fees, reimbursement rates,
743 lengths of stay, number of visits, or number of services, or
744 making any other adjustments necessary to comply with the
745 availability of moneys and any limitations or directions
746 provided for in the General Appropriations Act, provided the
747 adjustment is consistent with legislative intent.

748 (26) The agency may receive funds from state entities,
749 including, but not limited to, the Department of Health, local
750 governments, and other local political subdivisions, for the
751 purpose of making special exception payments and Low Income Pool
752 Program payments, including federal matching funds. Funds
753 received for this purpose shall be separately accounted for and
754 may not be commingled with other state or local funds in any

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755 manner. The agency may certify all local governmental funds used
756 as state match under Title XIX of the Social Security Act to the
757 extent and in the manner authorized under the General
758 Appropriations Act and pursuant to an agreement between the
759 agency and the local governmental entity. In order for the
760 agency to certify such local governmental funds, a local
761 governmental entity must submit a final, executed letter of
762 agreement to the agency, which must be received by October 1 of
763 each fiscal year and provide the total amount of local
764 governmental funds authorized by the entity for that fiscal year
765 under the General Appropriations Act. The local governmental
766 entity shall use a certification form prescribed by the agency.
767 At a minimum, the certification form must identify the amount
768 being certified and describe the relationship between the
769 certifying local governmental entity and the local health care
770 provider. Local governmental funds outlined in the letters of
771 agreement must be received by the agency no later than October
772 31 of each fiscal year in which such funds are pledged, unless
773 an alternative plan is specifically approved by the agency.

774 Section 16. The text of s. 409.908(26), Florida Statutes,
775 as carried forward from chapter 2019-116, Laws of Florida, by
776 this act, expires July 1, 2021, and the text of that subsection
777 shall revert to that in existence on June 30, 2019, except that
778 any amendments to such text enacted other than by this act shall
779 be preserved and continue to operate to the extent that such
780 amendments are not dependent upon the portions of text which
781 expire pursuant to this section.

782 Section 17. In order to implement Specific Appropriations
783 207, 211, 212, 214, 216, and 225 of the 2020-2021 General

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784 Appropriations Act, subsection (12) of section 409.904, Florida
785 Statutes, is amended to read:

786 409.904 Optional payments for eligible persons.—The agency
787 may make payments for medical assistance and related services on
788 behalf of the following persons who are determined to be
789 eligible subject to the income, assets, and categorical
790 eligibility tests set forth in federal and state law. Payment on
791 behalf of these Medicaid eligible persons is subject to the
792 availability of moneys and any limitations established by the
793 General Appropriations Act or chapter 216.

794 (12) Effective July 1, 2020 ~~2019~~, the agency shall make
795 payments to Medicaid-covered services:

796 (a) For eligible children and pregnant women, retroactive
797 for a period of no more than 90 days before the month in which
798 an application for Medicaid is submitted.

799 (b) For eligible nonpregnant adults, retroactive to the
800 first day of the month in which an application for Medicaid is
801 submitted.

802

803 This subsection expires July 1, 2021 ~~2020~~.

804 Section 18. In order to implement Specific Appropriations
805 207, 211, 212, 214, 216, and 225 of the 2020-2021 General
806 Appropriations Act, by March 1, 2021, the Agency for Health Care
807 Administration, in consultation with the Department of Children
808 and Families, the Florida Hospital Association, the Safety Net
809 Hospital Alliance of Florida, the Florida Health Care
810 Association, and LeadingAge Florida, shall submit a report to
811 the Governor, the President of the Senate, and the Speaker of
812 the House of Representatives regarding the impact of the waiver

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813 of Medicaid retroactive eligibility on beneficiaries and
814 providers. The report must include, but is not limited to:

815 (1) The total unduplicated number of nonpregnant adults who
816 applied for Medicaid at a hospital site from May 1, 2020,
817 through January 31, 2021; and, of those applicants, the number
818 whose Medicaid applications were approved, the number whose
819 Medicaid applications were denied, and the reasons for denial
820 ranked by frequency.

821 (2) The total unduplicated number of nonpregnant adults who
822 applied for Medicaid at a nursing home site from May 1, 2020,
823 through January 31, 2021; and, of those applicants, the number
824 whose Medicaid applications were approved, the number whose
825 Medicaid applications were denied, and the reasons for denial
826 ranked by frequency.

827 (3) The estimated impact of medical debt on nonpregnant
828 adults for whom a Medicaid application was not submitted in the
829 same month when the individual became an inpatient of a hospital
830 or a resident of a nursing home.

831 (4) Additional recommendations to improve outreach and
832 Medicaid coverage for nonpregnant adults who would be eligible
833 for Medicaid if they applied before an event that requires
834 hospital or nursing home care.

835

836 This section expires July 1, 2021.

837 Section 19. In order to implement Specific Appropriations
838 181 through 184 of the 2020-2021 General Appropriations Act, and
839 notwithstanding the expiration date in section 31 of chapter
840 2019-116, Laws of Florida, paragraph (b) of subsection (5) of
841 section 624.91, Florida Statutes, is reenacted to read:

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842 624.91 The Florida Healthy Kids Corporation Act.—
843 (5) CORPORATION AUTHORIZATION, DUTIES, POWERS.—
844 (b) The Florida Healthy Kids Corporation shall:
845 1. Arrange for the collection of any family, local
846 contributions, or employer payment or premium, in an amount to
847 be determined by the board of directors, to provide for payment
848 of premiums for comprehensive insurance coverage and for the
849 actual or estimated administrative expenses.
850 2. Arrange for the collection of any voluntary
851 contributions to provide for payment of Florida Kidcare program
852 premiums for children who are not eligible for medical
853 assistance under Title XIX or Title XXI of the Social Security
854 Act.
855 3. Subject to the provisions of s. 409.8134, accept
856 voluntary supplemental local match contributions that comply
857 with the requirements of Title XXI of the Social Security Act
858 for the purpose of providing additional Florida Kidcare coverage
859 in contributing counties under Title XXI.
860 4. Establish the administrative and accounting procedures
861 for the operation of the corporation.
862 5. Establish, with consultation from appropriate
863 professional organizations, standards for preventive health
864 services and providers and comprehensive insurance benefits
865 appropriate to children, provided that such standards for rural
866 areas shall not limit primary care providers to board-certified
867 pediatricians.
868 6. Determine eligibility for children seeking to
869 participate in the Title XXI-funded components of the Florida
870 Kidcare program consistent with the requirements specified in s.

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871 409.814, as well as the non-Title-XXI-eligible children as
872 provided in subsection (3).

873 7. Establish procedures under which providers of local
874 match to, applicants to and participants in the program may have
875 grievances reviewed by an impartial body and reported to the
876 board of directors of the corporation.

877 8. Establish participation criteria and, if appropriate,
878 contract with an authorized insurer, health maintenance
879 organization, or third-party administrator to provide
880 administrative services to the corporation.

881 9. Establish enrollment criteria that include penalties or
882 waiting periods of 30 days for reinstatement of coverage upon
883 voluntary cancellation for nonpayment of family premiums.

884 10. Contract with authorized insurers or any provider of
885 health care services, meeting standards established by the
886 corporation, for the provision of comprehensive insurance
887 coverage to participants. Such standards shall include criteria
888 under which the corporation may contract with more than one
889 provider of health care services in program sites. Health plans
890 shall be selected through a competitive bid process. The Florida
891 Healthy Kids Corporation shall purchase goods and services in
892 the most cost-effective manner consistent with the delivery of
893 quality medical care. The maximum administrative cost for a
894 Florida Healthy Kids Corporation contract shall be 15 percent.
895 For health care contracts, the minimum medical loss ratio for a
896 Florida Healthy Kids Corporation contract shall be 85 percent.
897 For dental contracts, the remaining compensation to be paid to
898 the authorized insurer or provider under a Florida Healthy Kids
899 Corporation contract shall be no less than an amount which is 85

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900 percent of premium; to the extent any contract provision does
901 not provide for this minimum compensation, this section shall
902 prevail. For an insurer or any provider of health care services
903 which achieves an annual medical loss ratio below 85 percent,
904 the Florida Healthy Kids Corporation shall validate the medical
905 loss ratio and calculate an amount to be refunded by the insurer
906 or any provider of health care services to the state which shall
907 be deposited into the General Revenue Fund unallocated. The
908 health plan selection criteria and scoring system, and the
909 scoring results, shall be available upon request for inspection
910 after the bids have been awarded.

911 11. Establish disenrollment criteria in the event local
912 matching funds are insufficient to cover enrollments.

913 12. Develop and implement a plan to publicize the Florida
914 Kidcare program, the eligibility requirements of the program,
915 and the procedures for enrollment in the program and to maintain
916 public awareness of the corporation and the program.

917 13. Secure staff necessary to properly administer the
918 corporation. Staff costs shall be funded from state and local
919 matching funds and such other private or public funds as become
920 available. The board of directors shall determine the number of
921 staff members necessary to administer the corporation.

922 14. In consultation with the partner agencies, provide a
923 report on the Florida Kidcare program annually to the Governor,
924 the Chief Financial Officer, the Commissioner of Education, the
925 President of the Senate, the Speaker of the House of
926 Representatives, and the Minority Leaders of the Senate and the
927 House of Representatives.

928 15. Provide information on a quarterly basis to the

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929 Legislature and the Governor which compares the costs and
930 utilization of the full-pay enrolled population and the Title
931 XXI-subsidized enrolled population in the Florida Kidcare
932 program. The information, at a minimum, must include:

933 a. The monthly enrollment and expenditure for full-pay
934 enrollees in the Medikids and Florida Healthy Kids programs
935 compared to the Title XXI-subsidized enrolled population; and

936 b. The costs and utilization by service of the full-pay
937 enrollees in the Medikids and Florida Healthy Kids programs and
938 the Title XXI-subsidized enrolled population.

939 16. Establish benefit packages that conform to the
940 provisions of the Florida Kidcare program, as created in ss.
941 409.810-409.821.

942 Section 20. The text of s. 624.91(5)(b), Florida Statutes,
943 as carried forward from chapter 2019-116, Laws of Florida, by
944 this act, expires July 1, 2021, and the text of that paragraph
945 shall revert to that in existence on June 30, 2019, except that
946 any amendments to such text enacted other than by this act shall
947 be preserved and continue to operate to the extent that such
948 amendments are not dependent upon the portions of text which
949 expire pursuant to this section.

950 Section 21. In order to implement Specific Appropriation
951 458 of the 2020-2021 General Appropriations Act, subsection (4)
952 of section 381.915, Florida Statutes, is amended to read:

953 381.915 Florida Consortium of National Cancer Institute
954 Centers Program.—

955 (4) Tier designations and corresponding weights within the
956 Florida Consortium of National Cancer Institute Centers Program
957 are as follows:

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958 (a) Tier 1: Florida-based NCI-designated comprehensive
959 cancer centers, which shall be weighted at 1.5.

960 (b) Tier 2: Florida-based NCI-designated cancer centers,
961 which shall be weighted at 1.25.

962 (c) Tier 3: Florida-based cancer centers seeking
963 designation as either a NCI-designated cancer center or NCI-
964 designated comprehensive cancer center, which shall be weighted
965 at 1.0.

966 1. A cancer center shall meet the following minimum
967 criteria to be considered eligible for Tier 3 designation in any
968 given fiscal year:

969 a. Conducting cancer-related basic scientific research and
970 cancer-related population scientific research;

971 b. Offering and providing the full range of diagnostic and
972 treatment services on site, as determined by the Commission on
973 Cancer of the American College of Surgeons;

974 c. Hosting or conducting cancer-related interventional
975 clinical trials that are registered with the NCI's Clinical
976 Trials Reporting Program;

977 d. Offering degree-granting programs or affiliating with
978 universities through degree-granting programs accredited or
979 approved by a nationally recognized agency and offered through
980 the center or through the center in conjunction with another
981 institution accredited by the Commission on Colleges of the
982 Southern Association of Colleges and Schools;

983 e. Providing training to clinical trainees, medical
984 trainees accredited by the Accreditation Council for Graduate
985 Medical Education or the American Osteopathic Association, and
986 postdoctoral fellows recently awarded a doctorate degree; and

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987 f. Having more than \$5 million in annual direct costs
988 associated with their total NCI peer-reviewed grant funding.

989 2. The General Appropriations Act or accompanying
990 legislation may limit the number of cancer centers which shall
991 receive Tier 3 designations or provide additional criteria for
992 such designation.

993 3. A cancer center's participation in Tier 3 may not extend
994 beyond July 1, 2021 ~~shall be limited to 6 years.~~

995 4. A cancer center that qualifies as a designated Tier 3
996 center under the criteria provided in subparagraph 1. by July 1,
997 2014, is authorized to pursue NCI designation as a cancer center
998 or a comprehensive cancer center until July 1, 2021 ~~for 6 years~~
999 ~~after qualification.~~

1000 Section 22. The amendments to s. 381.915(4), Florida
1001 Statutes, by this act expire July 1, 2021, and the text of that
1002 subsection shall revert to that in existence on June 30, 2020,
1003 except that any amendments to such text enacted other than by
1004 this act shall be preserved and continue to operate to the
1005 extent that such amendments are not dependent upon the portions
1006 of text which expire pursuant to this section.

1007 Section 23. In order to implement Specific Appropriations
1008 536, 537, 542, and 545 of the 2020-2021 General Appropriations
1009 Act, subsection (17) of section 893.055, Florida Statutes, is
1010 amended to read:

1011 893.055 Prescription drug monitoring program.—

1012 (17) For the 2020-2021 ~~2019-2020~~ fiscal year only, neither
1013 the Attorney General nor the department may use funds received
1014 as part of a settlement agreement to administer the prescription
1015 drug monitoring program. This subsection expires July 1, 2021

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1016 2020.

1017 Section 24. In order to implement Specific Appropriation
1018 208 of the 2020-2021 General Appropriations Act, subsections (2)
1019 and (10) of section 409.911, Florida Statutes, are amended to
1020 read:

1021 409.911 Disproportionate share program.—Subject to specific
1022 allocations established within the General Appropriations Act
1023 and any limitations established pursuant to chapter 216, the
1024 agency shall distribute, pursuant to this section, moneys to
1025 hospitals providing a disproportionate share of Medicaid or
1026 charity care services by making quarterly Medicaid payments as
1027 required. Notwithstanding the provisions of s. 409.915, counties
1028 are exempt from contributing toward the cost of this special
1029 reimbursement for hospitals serving a disproportionate share of
1030 low-income patients.

1031 (2) The Agency for Health Care Administration shall use the
1032 following actual audited data to determine the Medicaid days and
1033 charity care to be used in calculating the disproportionate
1034 share payment:

1035 (a) The average of the 2012, 2013, and 2014 ~~2011, 2012, and~~
1036 ~~2013~~ audited disproportionate share data to determine each
1037 hospital's Medicaid days and charity care for the 2020-2021
1038 ~~2019-2020~~ state fiscal year.

1039 (b) If the Agency for Health Care Administration does not
1040 have the prescribed 3 years of audited disproportionate share
1041 data as noted in paragraph (a) for a hospital, the agency shall
1042 use the average of the years of the audited disproportionate
1043 share data as noted in paragraph (a) which is available.

1044 (c) In accordance with s. 1923(b) of the Social Security

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1045 Act, a hospital with a Medicaid inpatient utilization rate
1046 greater than one standard deviation above the statewide mean or
1047 a hospital with a low-income utilization rate of 25 percent or
1048 greater shall qualify for reimbursement.

1049 (10) Notwithstanding any provision of this section to the
1050 contrary, for the 2020-2021 ~~2019-2020~~ state fiscal year, the
1051 agency shall distribute moneys to hospitals providing a
1052 disproportionate share of Medicaid or charity care services as
1053 provided in the 2020-2021 ~~2019-2020~~ General Appropriations Act.
1054 This subsection expires July 1, 2021 ~~2020~~.

1055 Section 25. In order to implement Specific Appropriation
1056 208 of the 2020-2021 General Appropriations Act, subsection (3)
1057 of section 409.9113, Florida Statutes, is amended to read:

1058 409.9113 Disproportionate share program for teaching
1059 hospitals.—In addition to the payments made under s. 409.911,
1060 the agency shall make disproportionate share payments to
1061 teaching hospitals, as defined in s. 408.07, for their increased
1062 costs associated with medical education programs and for
1063 tertiary health care services provided to the indigent. This
1064 system of payments must conform to federal requirements and
1065 distribute funds in each fiscal year for which an appropriation
1066 is made by making quarterly Medicaid payments. Notwithstanding
1067 s. 409.915, counties are exempt from contributing toward the
1068 cost of this special reimbursement for hospitals serving a
1069 disproportionate share of low-income patients. The agency shall
1070 distribute the moneys provided in the General Appropriations Act
1071 to statutorily defined teaching hospitals and family practice
1072 teaching hospitals, as defined in s. 395.805, pursuant to this
1073 section. The funds provided for statutorily defined teaching

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1074 hospitals shall be distributed as provided in the General
1075 Appropriations Act. The funds provided for family practice
1076 teaching hospitals shall be distributed equally among family
1077 practice teaching hospitals.

1078 (3) Notwithstanding any provision of this section to the
1079 contrary, for the 2020-2021 ~~2019-2020~~ state fiscal year, the
1080 agency shall make disproportionate share payments to teaching
1081 hospitals, as defined in s. 408.07, as provided in the 2020-2021
1082 ~~2019-2020~~ General Appropriations Act. This subsection expires
1083 July 1, 2021 ~~2020~~.

1084 Section 26. In order to implement Specific Appropriation
1085 208 of the 2020-2021 General Appropriations Act, subsection (4)
1086 of section 409.9119, Florida Statutes, is amended to read:

1087 409.9119 Disproportionate share program for specialty
1088 hospitals for children.—In addition to the payments made under
1089 s. 409.911, the Agency for Health Care Administration shall
1090 develop and implement a system under which disproportionate
1091 share payments are made to those hospitals that are separately
1092 licensed by the state as specialty hospitals for children, have
1093 a federal Centers for Medicare and Medicaid Services
1094 certification number in the 3300-3399 range, have Medicaid days
1095 that exceed 55 percent of their total days and Medicare days
1096 that are less than 5 percent of their total days, and were
1097 licensed on January 1, 2013, as specialty hospitals for
1098 children. This system of payments must conform to federal
1099 requirements and must distribute funds in each fiscal year for
1100 which an appropriation is made by making quarterly Medicaid
1101 payments. Notwithstanding s. 409.915, counties are exempt from
1102 contributing toward the cost of this special reimbursement for

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1103 hospitals that serve a disproportionate share of low-income
1104 patients. The agency may make disproportionate share payments to
1105 specialty hospitals for children as provided for in the General
1106 Appropriations Act.

1107 (4) Notwithstanding any provision of this section to the
1108 contrary, for the 2020-2021 ~~2019-2020~~ state fiscal year, for
1109 hospitals achieving full compliance under subsection (3), the
1110 agency shall make disproportionate share payments to specialty
1111 hospitals for children as provided in the 2020-2021 ~~2019-2020~~
1112 General Appropriations Act. This subsection expires July 1, 2021
1113 ~~2020~~.

1114 Section 27. In order to implement Specific Appropriations
1115 201 through 228 of the 2020-2021 General Appropriations Act, and
1116 notwithstanding ss. 216.181 and 216.292, Florida Statutes, the
1117 Agency for Health Care Administration may submit a budget
1118 amendment, subject to the notice, review, and objection
1119 procedures of s. 216.177, Florida Statutes, to realign funding
1120 within the Medicaid program appropriation categories to address
1121 projected surpluses and deficits within the program and to
1122 maximize the use of state trust funds. A single budget amendment
1123 shall be submitted in the last quarter of the 2020-2021 fiscal
1124 year only. This section expires July 1, 2021.

1125 Section 28. In order to implement Specific Appropriation
1126 406 of the 2020-2021 General Appropriations Act, and subject to
1127 federal approval of the application to be a site for the Program
1128 of All-Inclusive Care for the Elderly, the Agency for Health
1129 Care Administration shall contract with one private health care
1130 organization, the sole member of which is a private, not-for-
1131 profit corporation that owns and manages health care

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1132 organizations that provide comprehensive long-term care
1133 services, including nursing home, assisted living, independent
1134 housing, home care, adult day care, and care management. This
1135 organization shall provide these services to frail and elderly
1136 persons who reside in Escambia, Okaloosa, and Santa Rosa
1137 Counties. The organization is exempt from the requirements of
1138 chapter 641, Florida Statutes. The agency, in consultation with
1139 the Department of Elderly Affairs and subject to an
1140 appropriation, shall approve up to 200 initial enrollees in the
1141 Program of All-Inclusive Care for the Elderly established by
1142 this organization to serve elderly persons who reside in
1143 Escambia, Okaloosa, and Santa Rosa Counties. This section
1144 expires July 1, 2021.

1145 Section 29. In order to implement Specific Appropriations
1146 181 through 186 and 526 of the 2020-2021 General Appropriations
1147 Act, and notwithstanding ss. 216.181 and 216.292, Florida
1148 Statutes, the Agency for Health Care Administration and the
1149 Department of Health may each submit a budget amendment, subject
1150 to the notice, review, and objection procedures of s. 216.177,
1151 Florida Statutes, to realign funding within the Florida Kidcare
1152 program appropriation categories, or to increase budget
1153 authority in the Children's Medical Services Network category,
1154 to address projected surpluses and deficits within the program
1155 or to maximize the use of state trust funds. A single budget
1156 amendment must be submitted by each agency in the last quarter
1157 of the 2020-2021 fiscal year only. This section expires July 1,
1158 2021.

1159 Section 30. In order to implement Specific Appropriations
1160 468 through 470, 475, and 482 of the 2020-2021 General

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1161 Appropriations Act, subsection (17) of section 381.986, Florida
1162 Statutes, is amended to read:

1163 381.986 Medical use of marijuana.—

1164 (17) Rules adopted pursuant to this section before July 1,
1165 2021 ~~2020~~, are not subject to ss. 120.54(3)(b) and 120.541.
1166 Notwithstanding paragraph (8)(e), a medical marijuana treatment
1167 center may use a laboratory that has not been certified by the
1168 department under s. 381.988 until such time as at least one
1169 laboratory holds the required certification pursuant to s.
1170 381.988, but in no event later than July 1, 2021 ~~2020~~. This
1171 subsection expires July 1, 2021 ~~2020~~.

1172 Section 31. In order to implement Specific Appropriations
1173 468 through 470, 475, and 482 of the 2020-2021 General
1174 Appropriations Act, subsection (11) of section 381.988, Florida
1175 Statutes, is amended to read:

1176 381.988 Medical marijuana testing laboratories; marijuana
1177 tests conducted by a certified laboratory.—

1178 (11) Rules adopted under subsection (9) before July 1, 2021
1179 ~~2020~~, are not subject to ss. 120.54(3)(b) and 120.541. This
1180 subsection expires July 1, 2021 ~~2020~~.

1181 Section 32. Effective July 1, 2020, upon the expiration and
1182 reversion of the amendments made to subsection (1) of section 14
1183 of chapter 2017-232, Laws of Florida, pursuant to section 42 of
1184 chapter 2019-116, Laws of Florida, and in order to implement
1185 Specific Appropriations 468 through 470, 475, and 482 of the
1186 2020-2021 General Appropriations Act, subsection (1) of section
1187 14 of chapter 2017-232, Laws of Florida, is amended to read:

1188 Section 14. Department of Health; authority to adopt rules;
1189 cause of action.—

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1190 (1) EMERGENCY RULEMAKING.—

1191 (a) The Department of Health and the applicable boards
1192 shall adopt emergency rules pursuant to s. 120.54(4), Florida
1193 Statutes, and this section necessary to implement ss. 381.986
1194 and 381.988, Florida Statutes. If an emergency rule adopted
1195 under this section is held to be unconstitutional or an invalid
1196 exercise of delegated legislative authority, and becomes void,
1197 the department or the applicable boards may adopt an emergency
1198 rule pursuant to this section to replace the rule that has
1199 become void. If the emergency rule adopted to replace the void
1200 emergency rule is also held to be unconstitutional or an invalid
1201 exercise of delegated legislative authority and becomes void,
1202 the department and the applicable boards must follow the
1203 nonemergency rulemaking procedures of the Administrative
1204 Procedures Act to replace the rule that has become void.

1205 (b) For emergency rules adopted under this section, the
1206 department and the applicable boards need not make the findings
1207 required by s. 120.54(4)(a), Florida Statutes. Emergency rules
1208 adopted under this section are exempt from ss. 120.54(3)(b) and
1209 120.541, Florida Statutes. The department and the applicable
1210 boards shall meet the procedural requirements in s. 120.54(4)(a)
1211 ~~s. 120.54(a)~~, Florida Statutes, if the department or the
1212 applicable boards have, before July 1, 2019 ~~the effective date~~
1213 ~~of this act~~, held any public workshops or hearings on the
1214 subject matter of the emergency rules adopted under this
1215 subsection. Challenges to emergency rules adopted under this
1216 subsection are subject to the time schedules provided in s.
1217 120.56(5), Florida Statutes.

1218 (c) Emergency rules adopted under this section are exempt

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1219 from s. 120.54(4)(c), Florida Statutes, and shall remain in
1220 effect until replaced by rules adopted under the nonemergency
1221 rulemaking procedures of the Administrative Procedures Act.
1222 Rules adopted under the nonemergency rulemaking procedures of
1223 the Administrative Procedures Act to replace emergency rules
1224 adopted under this section are exempt from ss. 120.54(3)(b) and
1225 120.541, Florida Statutes. By July 1, 2021 January 1, 2018, the
1226 department and the applicable boards shall initiate nonemergency
1227 rulemaking pursuant to the Administrative Procedures Act to
1228 replace all emergency rules adopted under this section by
1229 publishing a notice of rule development in the Florida
1230 Administrative Register. Except as provided in paragraph (a),
1231 after July 1, 2021 January 1, 2018, the department and
1232 applicable boards may not adopt rules pursuant to the emergency
1233 rulemaking procedures provided in this section.

1234 Section 33. The amendment to s. 14(1) of chapter 2017-232,
1235 Laws of Florida, by this act expires July 1, 2021, and the text
1236 of that subsection shall revert to that in existence on June 30,
1237 2019, except that any amendments to such text enacted other than
1238 by this act shall be preserved and continue to operate to the
1239 extent that such amendments are not dependent upon the portions
1240 of text which expire pursuant to this section.

1241 Section 34. In order to implement Specific Appropriation
1242 195 of the 2020-2021 General Appropriations Act, and
1243 notwithstanding s. 409.902(3)-(8), Florida Statutes:

1244 (1) The Agency for Health Care Administration shall replace
1245 the Medicaid Enterprise System (MES), which includes the Florida
1246 Medicaid Management Information System (FMMIS), enrollment
1247 broker system, third-party liability functionality, pharmacy

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1248 benefits management, fraud and abuse case tracking, prior
1249 authorization, home health electronic visit verification, and
1250 the Health Quality Assurance licensure system, with an
1251 integrated enterprise system consisting of a new integration
1252 platform, data warehouse, and modules for Provider Management,
1253 Case Management, and Recipient Enrollment and Management. The
1254 new system, the Florida Health Care Connection (FX) system, must
1255 provide better integration with subsystems supporting Florida's
1256 Medicaid program; uniformity, consistency, and improved access
1257 to data; and compatibility with the Centers for Medicare and
1258 Medicaid Services' Medicaid Information Technology Architecture
1259 (MITA) as the system matures and expands its functionality.

1260 (2) For purposes of replacing MES, the Agency for Health
1261 Care Administration shall:

1262 (a) Comply with and not exceed the Centers for Medicare and
1263 Medicaid Services funding authorizations for the FX system.

1264 (b) Ensure compliance and uniformity with published MITA
1265 framework and guidelines.

1266 (c) Ensure that all business requirements and technical
1267 specifications have been provided to the state's health and
1268 human services agencies for their review and input, and are
1269 approved by the executive steering committee established in
1270 paragraph (e), before the agency contracts for implementation or
1271 system development of new modules for the FX system.

1272 (d) Ensure the new FX system is compatible with and will
1273 seamlessly integrate financial and fiscal information into the
1274 state's new planning, accounting, and ledger management system,
1275 PALM.

1276 (e) Implement a project governance structure that includes

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- 1277 an executive steering committee composed of:
- 1278 1. The Secretary of Health Care Administration, or the
1279 executive sponsor of the project.
- 1280 2. A representative of the Division of Health Quality
1281 Assurance of the Agency for Health Care Administration,
1282 appointed by the Secretary of Health Care Administration.
- 1283 3. A representative of the Florida Center for Health
1284 Information and Transparency of the Agency for Health Care
1285 Administration, appointed by the Secretary of Health Care
1286 Administration.
- 1287 4. A representative of the Division of Information
1288 Technology of the Agency for Health Care Administration,
1289 appointed by the Secretary of Health Care Administration.
- 1290 5. A representative of the Division of Operations of the
1291 Agency for Health Care Administration, appointed by the
1292 Secretary of Health Care Administration.
- 1293 6. Two employees from the Division of Medicaid of the
1294 Agency for Health Care Administration, appointed by the
1295 Secretary of Health Care Administration.
- 1296 7. The Assistant Secretary for Child Welfare of the
1297 Department of Children and Families, or his or her designee.
- 1298 8. The Assistant Secretary for Economic Self-Sufficiency of
1299 the Department of Children and Families, or his or her designee.
- 1300 9. The Deputy Secretary for Children's Medical Services of
1301 the Department of Health, or his or her designee.
- 1302 10. A representative of the Agency for Persons with
1303 Disabilities who has experience with the preparation and
1304 submission of waivers to the Centers for Medicare and Medicaid
1305 Services, appointed by the director of the Agency for Persons

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1306 with Disabilities.

1307 11. A representative for the Department of Elderly Affairs
1308 who has experience with the Medicaid Program within that
1309 department, appointed by the Secretary of Elderly Affairs.

1310 12. A representative for the Department of Corrections who
1311 has experience Medicaid reporting within that department,
1312 appointed by the Secretary of Corrections.

1313 13. A representative for the Medicaid Fraud Control Unit
1314 within the Office of the Attorney General, appointed by the
1315 Attorney General.

1316 14. A representative of the Department of Financial
1317 Services who has experience with the state's financial processes
1318 including development of the PALM system, appointed by the Chief
1319 Financial Officer.

1320 (3) The Secretary of Health Care Administration or the
1321 executive sponsor of the project shall serve as chair of the
1322 executive steering committee, and the committee shall take
1323 action by a vote of at least 10 affirmative votes with the chair
1324 voting on the prevailing side. A quorum of the executive
1325 steering committee consists of at least 11 members.

1326 (4) The executive steering committee has the overall
1327 responsibility for ensuring that the project to replace MES
1328 meets its primary business objectives and shall:

1329 (a) Identify and recommend to the Executive Office of the
1330 Governor, the President of the Senate, and the Speaker of the
1331 House of Representatives any statutory changes needed to
1332 standardize the data collection and reporting for the state's
1333 Medicaid program.

1334 (b) Review and approve any changes to the project's scope,

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1335 schedule, and budget which do not conflict with the requirements
1336 of subsection (1).

1337 (c) Ensure that adequate resources are provided throughout
1338 all phases of the project.

1339 (d) Approve all major project deliverables.

1340 (e) Approve all solicitation-related documents associated
1341 with the replacement of MES.

1342 (5) This section expires July 1, 2021.

1343 Section 35. In order to implement Specific Appropriations
1344 330, 332, 361, and 362 of the 2020-2021 General Appropriations
1345 Act, and notwithstanding ss. 216.181 and 216.292, Florida
1346 Statutes, the Department of Children and Families may submit a
1347 budget amendment, subject to the notice, review, and objection
1348 procedures of s. 216.177, Florida Statutes, to realign funding
1349 within the department based on the implementation of the
1350 Guardianship Assistance Program, between and among the specific
1351 appropriations for guardianship assistance payments, foster care
1352 Level 1 room and board payments, relative caregiver payments,
1353 and nonrelative caregiver payments. This section expires July 1,
1354 2021.

1355 Section 36. In order to implement Specific Appropriations
1356 330 and 332 of the 2020-2021 General Appropriations Act, the
1357 Department of Children and Families shall establish a formula to
1358 distribute the recurring sums of \$10,597,824 from the General
1359 Revenue Fund and \$11,922,238 from the Federal Grants Trust Fund
1360 for actual and direct costs to implement the Guardianship
1361 Assistance Program, including Level 1 foster care board
1362 payments, licensing staff for community-based care lead
1363 agencies, and guardianship assistance payments. This section

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1364 expires July 1, 2021.

1365 Section 37. In order to implement Specific Appropriations
1366 554 through 560 and 562 of the 2020-2021 General Appropriations
1367 Act, subsection (3) of section 296.37, Florida Statutes, is
1368 amended to read:

1369 296.37 Residents; contribution to support.—

1370 (3) Notwithstanding subsection (1), each resident of the
1371 home who receives a pension, compensation, or gratuity from the
1372 United States Government, or income from any other source, of
1373 more than \$130 per month shall contribute to his or her
1374 maintenance and support while a resident of the home in
1375 accordance with a payment schedule determined by the
1376 administrator and approved by the director. The total amount of
1377 such contributions shall be to the fullest extent possible, but,
1378 in no case, shall exceed the actual cost of operating and
1379 maintaining the home. This subsection expires July 1, 2021 ~~2020~~.

1380 Section 38. In order to implement Specific Appropriations
1381 353 and 354 of the 2020-2021 General Appropriations Act, and
1382 notwithstanding ss. 216.181 and 216.292, Florida Statutes, the
1383 Department of Children and Families may submit a budget
1384 amendment, subject to the notice, review, and objection
1385 procedures of s. 216.177, Florida Statutes, to increase budget
1386 authority for the Supplemental Nutrition Assistance Program if
1387 additional federal revenue specific to the program becomes
1388 available for the program in the 2020-2021 fiscal year. This
1389 section expires July 1, 2021.

1390 Section 39. In order to implement Specific Appropriations
1391 312 through 315, 319, 320, 323, 328, 330, and 332 of the 2020-
1392 2021 General Appropriations Act, and notwithstanding ss. 216.181

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1393 and 216.292, Florida Statutes, the Department of Children and
1394 Families may submit a budget amendment, subject to the notice,
1395 review, and objection procedures of s. 216.177, Florida
1396 Statutes, to realign funding within the Family Safety Program to
1397 maximize the use of Title IV-E and other federal funds. This
1398 section expires July 1, 2021.

1399 Section 40. In order to implement Specific Appropriations
1400 582 through 673 and 685 through 720 of the 2020-2021 General
1401 Appropriations Act, subsection (4) of section 216.262, Florida
1402 Statutes, is amended to read:

1403 216.262 Authorized positions.—

1404 (4) Notwithstanding the provisions of this chapter relating
1405 to increasing the number of authorized positions, and for the
1406 2020-2021 ~~2019-2020~~ fiscal year only, if the actual inmate
1407 population of the Department of Corrections exceeds the inmate
1408 population projections of the December 17, 2019 ~~February 22,~~
1409 ~~2019~~, Criminal Justice Estimating Conference by 1 percent for 2
1410 consecutive months or 2 percent for any month, the Executive
1411 Office of the Governor, with the approval of the Legislative
1412 Budget Commission, shall immediately notify the Criminal Justice
1413 Estimating Conference, which shall convene as soon as possible
1414 to revise the estimates. The Department of Corrections may then
1415 submit a budget amendment requesting the establishment of
1416 positions in excess of the number authorized by the Legislature
1417 and additional appropriations from unallocated general revenue
1418 sufficient to provide for essential staff, fixed capital
1419 improvements, and other resources to provide classification,
1420 security, food services, health services, and other variable
1421 expenses within the institutions to accommodate the estimated

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1422 increase in the inmate population. All actions taken pursuant to
1423 this subsection are subject to review and approval by the
1424 Legislative Budget Commission. This subsection expires July 1,
1425 2021 ~~2020~~.

1426 Section 41. In order to implement Specific Appropriation
1427 707 of the 2020-2021 General Appropriations Act, and upon the
1428 expiration and reversion of the amendments made by section 52 of
1429 chapter 2019-116, Laws of Florida, paragraph (b) of subsection
1430 (8) of section 1011.80, Florida Statutes, is amended to read:

1431 1011.80 Funds for operation of workforce education
1432 programs.—

1433 (8)

1434 (b) State funds provided for the operation of postsecondary
1435 workforce programs may not be expended for the education of
1436 state or federal inmates, except to the extent that such funds
1437 are specifically appropriated for such purpose in the 2020-2021
1438 General Appropriations Act with more than 24 months of time
1439 remaining to serve on their sentences or federal inmates.

1440 Section 42. The amendment made to s. 1011.80(8)(b), Florida
1441 Statutes, by this act expires July 1, 2021, and the text of that
1442 paragraph shall revert to that in existence on July 1, 2019, but
1443 not including any amendments made by this act or chapters 2019-
1444 116 and 2018-10, Laws of Florida, and any amendments to such
1445 text enacted other than by this act shall be preserved and
1446 continue to operate to the extent that such amendments are not
1447 dependent upon the portions of text which expire pursuant to
1448 this section.

1449 Section 43. In order to implement Specific Appropriations
1450 3187 through 3253 of the 2020-2021 General Appropriations Act,

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1451 subsection (2) of section 215.18, Florida Statutes, is amended
1452 to read:

1453 215.18 Transfers between funds; limitation.—

1454 (2) The Chief Justice of the Supreme Court may receive one
1455 or more trust fund loans to ensure that the state court system
1456 has funds sufficient to meet its appropriations in the 2020-2021
1457 ~~2019-2020~~ General Appropriations Act. If the Chief Justice
1458 accesses the loan, he or she must notify the Governor and the
1459 chairs of the legislative appropriations committees in writing.
1460 The loan must come from other funds in the State Treasury which
1461 are for the time being or otherwise in excess of the amounts
1462 necessary to meet the just requirements of such last-mentioned
1463 funds. The Governor shall order the transfer of funds within 5
1464 days after the written notification from the Chief Justice. If
1465 the Governor does not order the transfer, the Chief Financial
1466 Officer shall transfer the requested funds. The loan of funds
1467 from which any money is temporarily transferred must be repaid
1468 by the end of the 2020-2021 ~~2019-2020~~ fiscal year. This
1469 subsection expires July 1, 2021 ~~2020~~.

1470 Section 44. (1) In order to implement Specific
1471 Appropriations 1120 through 1131 of the 2020-2021 General
1472 Appropriations Act, the Department of Juvenile Justice is
1473 required to review county juvenile detention payments to ensure
1474 that counties fulfill their financial responsibilities required
1475 in s. 985.6865, Florida Statutes. If the Department of Juvenile
1476 Justice determines that a county has not met its obligations,
1477 the department shall direct the Department of Revenue to deduct
1478 the amount owed to the Department of Juvenile Justice from the
1479 funds provided to the county under s. 218.23, Florida Statutes.

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1480 The Department of Revenue shall transfer the funds withheld to
1481 the Shared County/State Juvenile Detention Trust Fund.

1482 (2) As an assurance to holders of bonds issued by counties
1483 before July 1, 2020, for which distributions made pursuant to s.
1484 218.23, Florida Statutes, are pledged, or bonds issued to refund
1485 such bonds which mature no later than the bonds they refunded
1486 and which result in a reduction of debt service payable in each
1487 fiscal year, the amount available for distribution to a county
1488 shall remain as provided by law and continue to be subject to
1489 any lien or claim on behalf of the bondholders. The Department
1490 of Revenue must ensure, based on information provided by an
1491 affected county, that any reduction in amounts distributed
1492 pursuant to subsection (1) does not reduce the amount of
1493 distribution to a county below the amount necessary for the
1494 timely payment of principal and interest when due on the bonds
1495 and the amount necessary to comply with any covenant under the
1496 bond resolution or other documents relating to the issuance of
1497 the bonds. If a reduction to a county's monthly distribution
1498 must be decreased in order to comply with this section, the
1499 Department of Revenue must notify the Department of Juvenile
1500 Justice of the amount of the decrease, and the Department of
1501 Juvenile Justice must send a bill for payment of such amount to
1502 the affected county.

1503 (3) This section expires July 1, 2021.

1504 Section 45. In order to implement Specific Appropriations
1505 731 through 752, 916 through 1062, and 1083 through 1119 of the
1506 2020-2021 General Appropriations Act, and notwithstanding the
1507 expiration date in section 57 of chapter 2019-116, Laws of
1508 Florida, present subsection (11) of section 27.40, Florida

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1509 Statutes is renumbered as subsection (12), a new subsection (11)
1510 is added to that section, and subsection (1), paragraph (a) of
1511 subsection (2), paragraph (a) of subsection (3), and subsections
1512 (5), (6), and (7) of that section are reenacted, to read:

1513 27.40 Court-appointed counsel; circuit registries; minimum
1514 requirements; appointment by court.—

1515 (1) Counsel shall be appointed to represent any individual
1516 in a criminal or civil proceeding entitled to court-appointed
1517 counsel under the Federal or State Constitution or as authorized
1518 by general law. The court shall appoint a public defender to
1519 represent indigent persons as authorized in s. 27.51. The office
1520 of criminal conflict and civil regional counsel shall be
1521 appointed to represent persons in those cases in which provision
1522 is made for court-appointed counsel, but only after the public
1523 defender has certified to the court in writing that the public
1524 defender is unable to provide representation due to a conflict
1525 of interest or is not authorized to provide representation. The
1526 public defender shall report, in the aggregate, the specific
1527 basis of all conflicts of interest certified to the court. On a
1528 quarterly basis, the public defender shall submit this
1529 information to the Justice Administrative Commission.

1530 (2) (a) Private counsel shall be appointed to represent
1531 persons in those cases in which provision is made for court-
1532 appointed counsel but only after the office of criminal conflict
1533 and civil regional counsel has been appointed and has certified
1534 to the court in writing that the criminal conflict and civil
1535 regional counsel is unable to provide representation due to a
1536 conflict of interest. The criminal conflict and civil regional
1537 counsel shall report, in the aggregate, the specific basis of

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1538 all conflicts of interest certified to the court. On a quarterly
1539 basis, the criminal conflict and civil regional counsel shall
1540 submit this information to the Justice Administrative
1541 Commission.

1542 (3) In using a registry:

1543 (a) The chief judge of the circuit shall compile a list of
1544 attorneys in private practice, by county and by category of
1545 cases, and provide the list to the clerk of court in each
1546 county. The chief judge of the circuit may restrict the number
1547 of attorneys on the general registry list. To be included on a
1548 registry, an attorney must certify that he or she:

1549 1. Meets any minimum requirements established by the chief
1550 judge and by general law for court appointment;

1551 2. Is available to represent indigent defendants in cases
1552 requiring court appointment of private counsel; and

1553 3. Is willing to abide by the terms of the contract for
1554 services, s. 27.5304, and this section.

1555

1556 To be included on a registry, an attorney must enter into a
1557 contract for services with the Justice Administrative
1558 Commission. Failure to comply with the terms of the contract for
1559 services may result in termination of the contract and removal
1560 from the registry. Each attorney on the registry is responsible
1561 for notifying the clerk of the court and the Justice
1562 Administrative Commission of any change in his or her status.
1563 Failure to comply with this requirement is cause for termination
1564 of the contract for services and removal from the registry until
1565 the requirement is fulfilled.

1566 (5) The Justice Administrative Commission shall approve

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1567 uniform contract forms for use in procuring the services of
1568 private court-appointed counsel and uniform procedures and forms
1569 for use by a court-appointed attorney in support of billing for
1570 attorney's fees, costs, and related expenses to demonstrate the
1571 attorney's completion of specified duties. Such uniform
1572 contracts and forms for use in billing must be consistent with
1573 s. 27.5304, s. 216.311, and the General Appropriations Act and
1574 must contain the following statement: "The State of Florida's
1575 performance and obligation to pay under this contract is
1576 contingent upon an annual appropriation by the Legislature."

1577 (6) After court appointment, the attorney must immediately
1578 file a notice of appearance with the court indicating acceptance
1579 of the appointment to represent the defendant and of the terms
1580 of the uniform contract as specified in subsection (5).

1581 (7) (a) A private attorney appointed by the court from the
1582 registry to represent a client is entitled to payment as
1583 provided in s. 27.5304 so long as the requirements of subsection
1584 (1) and paragraph (2) (a) are met. An attorney appointed by the
1585 court who is not on the registry list may be compensated under
1586 s. 27.5304 only if the court finds in the order of appointment
1587 that there were no registry attorneys available for
1588 representation for that case and only if the requirements of
1589 subsection (1) and paragraph (2) (a) are met.

1590 (b)1. The flat fee established in s. 27.5304 and the
1591 General Appropriations Act shall be presumed by the court to be
1592 sufficient compensation. The attorney shall maintain appropriate
1593 documentation, including contemporaneous and detailed hourly
1594 accounting of time spent representing the client. If the
1595 attorney fails to maintain such contemporaneous and detailed

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1596 hourly records, the attorney waives the right to seek
1597 compensation in excess of the flat fee established in s. 27.5304
1598 and the General Appropriations Act. These records and documents
1599 are subject to review by the Justice Administrative Commission
1600 and audit by the Auditor General, subject to the attorney-client
1601 privilege and work-product privilege. The attorney shall
1602 maintain the records and documents in a manner that enables the
1603 attorney to redact any information subject to a privilege in
1604 order to facilitate the commission's review of the records and
1605 documents and not to impede such review. The attorney may redact
1606 information from the records and documents only to the extent
1607 necessary to comply with the privilege. The Justice
1608 Administrative Commission shall review such records and shall
1609 contemporaneously document such review before authorizing
1610 payment to an attorney. Objections by or on behalf of the
1611 Justice Administrative Commission to records or documents or to
1612 claims for payment by the attorney shall be presumed correct by
1613 the court unless the court determines, in writing, that
1614 competent and substantial evidence exists to justify overcoming
1615 the presumption.

1616 2. If an attorney fails, refuses, or declines to permit the
1617 commission or the Auditor General to review documentation for a
1618 case as provided in this paragraph, the attorney waives the
1619 right to seek, and the commission may not pay, compensation in
1620 excess of the flat fee established in s. 27.5304 and the General
1621 Appropriations Act for that case.

1622 3. A finding by the commission that an attorney has waived
1623 the right to seek compensation in excess of the flat fee
1624 established in s. 27.5304 and the General Appropriations Act, as

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1625 provided in this paragraph, shall be presumed to be correct,
1626 unless the court determines, in writing, that competent and
1627 substantial evidence exists to justify overcoming the
1628 presumption.

1629 (11) (a) The Cross-Jurisdictional Death Penalty Pilot
1630 Program is established within the Office of Criminal Conflict
1631 and Civil Regional Counsel of the Second Appellate District.

1632 (b) If the public defender for the Fifth Judicial Circuit
1633 or the Ninth Judicial Circuit is unable to provide
1634 representation to an indigent defendant charged with a crime
1635 under s. 782.04(1) or s. 790.161(4) to which the provisions of
1636 s. 921.141 apply due to a conflict of interest and the Criminal
1637 Conflict and Civil Regional Counsel of the Fifth Appellate
1638 District is also unable to provide representation for an
1639 indigent defendant due to a conflict of interest, the Criminal
1640 Conflict and Civil Regional Counsel of the Second Appellate
1641 District shall be appointed. If the Criminal Conflict and Civil
1642 Regional Counsel of the Second Appellate District is unable to
1643 provide representation to an indigent defendant due to a
1644 conflict of interest, private counsel shall be appointed as
1645 provided pursuant to this chapter.

1646 (c) The Office of Criminal Conflict and Civil Regional
1647 Counsel of the Second Appellate District shall provide a report
1648 on the implementation of the Cross-Jurisdictional Death Penalty
1649 Pilot Program to the Governor and the chairs of the
1650 appropriations committees of the Senate and House of
1651 Representatives no later than 30 days after the end of each
1652 calendar quarter. The reports must include the number of cases
1653 retained, the number of cases conflicted, the estimated cost

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1654 savings of the program, and any recommendations to improve the
1655 program. The Justice Administrative Commission shall provide
1656 data to assist with the program.

1657 (d) This subsection expires June 30, 2021. Notwithstanding
1658 the expiration of this subsection, appointments made pursuant to
1659 this section before June 30, 2021, shall continue until
1660 completion of the case.

1661 Section 46. In order to implement Specific Appropriations
1662 731 through 752, 916 through 1062, and 1083 through 1119 of the
1663 2020-2021 General Appropriations Act, and notwithstanding the
1664 expiration date in section 59 of chapter 2019-116, Laws of
1665 Florida, subsections (1), (3), (7), and (11), and paragraphs (a)
1666 through (e) of subsection (12) of section 27.5304, Florida
1667 Statutes, are reenacted, and subsection (13) of that section is
1668 amended, to read:

1669 27.5304 Private court-appointed counsel; compensation;
1670 notice.—

1671 (1) Private court-appointed counsel appointed in the manner
1672 prescribed in s. 27.40(1) and (2)(a) shall be compensated by the
1673 Justice Administrative Commission only as provided in this
1674 section and the General Appropriations Act. The flat fees
1675 prescribed in this section are limitations on compensation. The
1676 specific flat fee amounts for compensation shall be established
1677 annually in the General Appropriations Act. The attorney also
1678 shall be reimbursed for reasonable and necessary expenses in
1679 accordance with s. 29.007. If the attorney is representing a
1680 defendant charged with more than one offense in the same case,
1681 the attorney shall be compensated at the rate provided for the
1682 most serious offense for which he or she represented the

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1683 defendant. This section does not allow stacking of the fee
1684 limits established by this section.

1685 (3) The court retains primary authority and responsibility
1686 for determining the reasonableness of all billings for attorney
1687 fees, costs, and related expenses, subject to statutory
1688 limitations and the requirements of s. 27.40(7). Private court-
1689 appointed counsel is entitled to compensation upon final
1690 disposition of a case.

1691 (7) Counsel eligible to receive compensation from the state
1692 for representation pursuant to court appointment made in
1693 accordance with the requirements of s. 27.40(1) and (2)(a) in a
1694 proceeding under chapter 384, chapter 390, chapter 392, chapter
1695 393, chapter 394, chapter 397, chapter 415, chapter 743, chapter
1696 744, or chapter 984 shall receive compensation not to exceed the
1697 limits prescribed in the General Appropriations Act. Any such
1698 compensation must be determined as provided in s. 27.40(7).

1699 (11) It is the intent of the Legislature that the flat fees
1700 prescribed under this section and the General Appropriations Act
1701 comprise the full and complete compensation for private court-
1702 appointed counsel. It is further the intent of the Legislature
1703 that the fees in this section are prescribed for the purpose of
1704 providing counsel with notice of the limit on the amount of
1705 compensation for representation in particular proceedings and
1706 the sole procedure and requirements for obtaining payment for
1707 the same.

1708 (a) If court-appointed counsel moves to withdraw prior to
1709 the full performance of his or her duties through the completion
1710 of the case, the court shall presume that the attorney is not
1711 entitled to the payment of the full flat fee established under

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1712 this section and the General Appropriations Act.

1713 (b) If court-appointed counsel is allowed to withdraw from
1714 representation prior to the full performance of his or her
1715 duties through the completion of the case and the court appoints
1716 a subsequent attorney, the total compensation for the initial
1717 and any and all subsequent attorneys may not exceed the flat fee
1718 established under this section and the General Appropriations
1719 Act, except as provided in subsection (12).

1720

1721 This subsection constitutes notice to any subsequently appointed
1722 attorney that he or she will not be compensated the full flat
1723 fee.

1724 (12) The Legislature recognizes that on rare occasions an
1725 attorney may receive a case that requires extraordinary and
1726 unusual effort.

1727 (a) If counsel seeks compensation that exceeds the limits
1728 prescribed by law, he or she must file a motion with the chief
1729 judge for an order approving payment of attorney fees in excess
1730 of these limits.

1731 1. Before filing the motion, the counsel shall deliver a
1732 copy of the intended billing, together with supporting
1733 affidavits and all other necessary documentation, to the Justice
1734 Administrative Commission.

1735 2. The Justice Administrative Commission shall review the
1736 billings, affidavit, and documentation for completeness and
1737 compliance with contractual and statutory requirements and shall
1738 contemporaneously document such review before authorizing
1739 payment to an attorney. If the Justice Administrative Commission
1740 objects to any portion of the proposed billing, the objection

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1741 and supporting reasons must be communicated in writing to the
1742 private court-appointed counsel. The counsel may thereafter file
1743 his or her motion, which must specify whether the commission
1744 objects to any portion of the billing or the sufficiency of
1745 documentation, and shall attach the commission's letter stating
1746 its objection.

1747 (b) Following receipt of the motion to exceed the fee
1748 limits, the chief judge or a single designee shall hold an
1749 evidentiary hearing. The chief judge may select only one judge
1750 per circuit to hear and determine motions pursuant to this
1751 subsection, except multicounty circuits and the eleventh circuit
1752 may have up to two designees.

1753 1. At the hearing, the attorney seeking compensation must
1754 prove by competent and substantial evidence that the case
1755 required extraordinary and unusual efforts. The chief judge or
1756 single designee shall consider criteria such as the number of
1757 witnesses, the complexity of the factual and legal issues, and
1758 the length of trial. The fact that a trial was conducted in a
1759 case does not, by itself, constitute competent substantial
1760 evidence of an extraordinary and unusual effort. In a criminal
1761 case, relief under this section may not be granted if the number
1762 of work hours does not exceed 75 or the number of the state's
1763 witnesses deposed does not exceed 20.

1764 2. Objections by or on behalf of the Justice Administrative
1765 Commission to records or documents or to claims for payment by
1766 the attorney shall be presumed correct by the court unless the
1767 court determines, in writing, that competent and substantial
1768 evidence exists to justify overcoming the presumption. The chief
1769 judge or single designee shall enter a written order detailing

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1770 his or her findings and identifying the extraordinary nature of
1771 the time and efforts of the attorney in the case which warrant
1772 exceeding the flat fee established by this section and the
1773 General Appropriations Act.

1774 (c) A copy of the motion and attachments shall be served on
1775 the Justice Administrative Commission at least 20 business days
1776 before the date of a hearing. The Justice Administrative
1777 Commission has standing to appear before the court, and may
1778 appear in person or telephonically, including at the hearing
1779 under paragraph (b), to contest any motion for an order
1780 approving payment of attorney fees, costs, or related expenses
1781 and may participate in a hearing on the motion by use of
1782 telephonic or other communication equipment. The Justice
1783 Administrative Commission may contract with other public or
1784 private entities or individuals to appear before the court for
1785 the purpose of contesting any motion for an order approving
1786 payment of attorney fees, costs, or related expenses. The fact
1787 that the Justice Administrative Commission has not objected to
1788 any portion of the billing or to the sufficiency of the
1789 documentation is not binding on the court.

1790 (d) If the chief judge or a single designee finds that
1791 counsel has proved by competent and substantial evidence that
1792 the case required extraordinary and unusual efforts, the chief
1793 judge or single designee shall order the compensation to be paid
1794 to the attorney at a percentage above the flat fee rate,
1795 depending on the extent of the unusual and extraordinary effort
1796 required. The percentage must be only the rate necessary to
1797 ensure that the fees paid are not confiscatory under common law.
1798 The percentage may not exceed 200 percent of the established

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1799 flat fee, absent a specific finding that 200 percent of the flat
1800 fee in the case would be confiscatory. If the chief judge or
1801 single designee determines that 200 percent of the flat fee
1802 would be confiscatory, he or she shall order the amount of
1803 compensation using an hourly rate not to exceed \$75 per hour for
1804 a noncapital case and \$100 per hour for a capital case. However,
1805 the compensation calculated by using the hourly rate shall be
1806 only that amount necessary to ensure that the total fees paid
1807 are not confiscatory, subject to the requirements of s.
1808 27.40(7).

1809 (e) Any order granting relief under this subsection must be
1810 attached to the final request for a payment submitted to the
1811 Justice Administrative Commission and must satisfy the
1812 requirements of subparagraph (b)2.

1813 (13) Notwithstanding the limitation set forth in subsection
1814 (5) and for the 2020-2021 ~~2019-2020~~ fiscal year only, the
1815 compensation for representation in a criminal proceeding may not
1816 exceed the following:

1817 (a) For misdemeanors and juveniles represented at the trial
1818 level: \$1,000.

1819 (b) For noncapital, nonlife felonies represented at the
1820 trial level: \$15,000.

1821 (c) For life felonies represented at the trial level:
1822 \$15,000.

1823 (d) For capital cases represented at the trial level:
1824 \$25,000. For purposes of this paragraph, a "capital case" is any
1825 offense for which the potential sentence is death and the state
1826 has not waived seeking the death penalty.

1827 (e) For representation on appeal: \$9,000.

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1828 (f) This subsection expires July 1, 2021 ~~2020~~.

1829 Section 47. The amendments to s. 27.40(1), (2)(a), (3)(a),
1830 (5), (6), and (7), Florida Statutes, and 27.5304(1), (3), (7),
1831 (11), and (12)(a)-(e), Florida Statutes, as carried forward from
1832 chapter 2019-116, Laws of Florida, by this act, expire July 1,
1833 2021, and the text of those subsections and paragraphs, as
1834 applicable, shall revert to that in existence on June 30, 2019,
1835 except that any amendments to such text enacted other than by
1836 this act shall be preserved and continue to operate to the
1837 extent that such amendments are not dependent upon the portions
1838 of text which expire pursuant to this section.

1839 Section 48. In order to implement Specific Appropriation
1840 736 of the 2020-2021 General Appropriations Act, and
1841 notwithstanding s. 28.35, Florida Statutes, the clerks of the
1842 circuit court are responsible for any costs of compensation to
1843 jurors, for meals or lodging provided to jurors, and for jury-
1844 related personnel costs that exceed the funding provided in the
1845 General Appropriations Act for these purposes. This section
1846 expires July 1, 2021.

1847 Section 49. In order to implement Specific Appropriations
1848 916 through 1062 of the 2020-2021 General Appropriations Act,
1849 and notwithstanding the expiration date in section 63 of chapter
1850 2019-116, Laws of Florida, paragraph (c) of subsection (19) of
1851 section 318.18, Florida Statutes, is reenacted to read:

1852 318.18 Amount of penalties.—The penalties required for a
1853 noncriminal disposition pursuant to s. 318.14 or a criminal
1854 offense listed in s. 318.17 are as follows:

1855 (19) In addition to any penalties imposed, an Article V
1856 assessment of \$10 must be paid for all noncriminal moving and

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1857 nonmoving violations under chapters 316, 320, and 322. The
1858 assessment is not revenue for purposes of s. 28.36 and may not
1859 be used in establishing the budget of the clerk of the court
1860 under that section or s. 28.35. Of the funds collected under
1861 this subsection:

1862 (c) The sum of \$1.67 shall be deposited in the Indigent
1863 Criminal Defense Trust Fund for use by the public defenders.

1864 Section 50. In order to implement Specific Appropriations
1865 916 through 1062 of the 2020-2021 General Appropriations Act,
1866 and notwithstanding the expiration date in section 63 of chapter
1867 2019-116, Laws of Florida, paragraph (b) of subsection (12) of
1868 section 817.568, Florida Statutes, is reenacted to read:

1869 817.568 Criminal use of personal identification
1870 information.—

1871 (12) In addition to any sanction imposed when a person
1872 pleads guilty or nolo contendere to, or is found guilty of,
1873 regardless of adjudication, a violation of this section, the
1874 court shall impose a surcharge of \$1,001.

1875 (b) The sum of \$250 of the surcharge shall be deposited
1876 into the State Attorneys Revenue Trust Fund for the purpose of
1877 funding prosecutions of offenses relating to the criminal use of
1878 personal identification information. The sum of \$250 of the
1879 surcharge shall be deposited into the Indigent Criminal Defense
1880 Trust Fund for the purposes of indigent criminal defense related
1881 to the criminal use of personal identification information.

1882 Section 51. The text of ss. 318.18(19)(c) and
1883 817.568(12)(b), Florida Statutes, as carried forward from
1884 chapter 2018-10, Laws of Florida, by this act, expires July 1,
1885 2021, and the text of those paragraphs shall revert to that in

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1886 existence on June 30, 2018, except that any amendments to such
1887 text enacted other than by this act shall be preserved and
1888 continue to operate to the extent that such amendments are not
1889 dependent upon the portions of text which expire pursuant to
1890 this section.

1891 Section 52. In order to implement appropriations used to
1892 pay existing lease contracts for private lease space in excess
1893 of 2,000 square feet in the 2020-2021 General Appropriations
1894 Act, the Department of Management Services, with the cooperation
1895 of the agencies having the existing lease contracts for office
1896 or storage space, shall use tenant broker services to
1897 renegotiate or reprocure all private lease agreements for office
1898 or storage space expiring between July 1, 2021, and June 30,
1899 2023, in order to reduce costs in future years. The department
1900 shall incorporate this initiative into its 2020 master leasing
1901 report required under s. 255.249(7), Florida Statutes, and may
1902 use tenant broker services to explore the possibilities of
1903 colocating office or storage space, to review the space needs of
1904 each agency, and to review the length and terms of potential
1905 renewals or renegotiations. The department shall provide a
1906 report to the Executive Office of the Governor, the President of
1907 the Senate, and the Speaker of the House of Representatives by
1908 November 1, 2020, which lists each lease contract for private
1909 office or storage space, the status of renegotiations, and the
1910 savings achieved. This section expires July 1, 2021.

1911 Section 53. In order to implement appropriations authorized
1912 in the 2020-2021 General Appropriations Act for data center
1913 services, and notwithstanding s. 216.292(2)(a), Florida
1914 Statutes, an agency may not transfer funds from a data

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1915 processing category to a category other than another data
1916 processing category. This section expires July 1, 2021.

1917 Section 54. In order to implement the appropriation of
1918 funds in the appropriation category "Data Processing Assessment-
1919 Department of Management Services" in the 2020-2021 General
1920 Appropriations Act, and pursuant to the notice, review, and
1921 objection procedures of s. 216.177, Florida Statutes, the
1922 Executive Office of the Governor may transfer funds appropriated
1923 in that category between departments in order to align the
1924 budget authority granted based on the estimated billing cycle
1925 and methodology used by the Department of Management Services
1926 for data processing services provided. This section expires July
1927 1, 2021.

1928 Section 55. In order to implement the appropriation of
1929 funds in the appropriation category "Special Categories-Risk
1930 Management Insurance" in the 2020-2021 General Appropriations
1931 Act, and pursuant to the notice, review, and objection
1932 procedures of s. 216.177, Florida Statutes, the Executive Office
1933 of the Governor may transfer funds appropriated in that category
1934 between departments in order to align the budget authority
1935 granted with the premiums paid by each department for risk
1936 management insurance. This section expires July 1, 2021.

1937 Section 56. In order to implement the appropriation of
1938 funds in the appropriation category "Special Categories-Transfer
1939 to Department of Management Services-Human Resources Services
1940 Purchased per Statewide Contract" in the 2020-2021 General
1941 Appropriations Act, and pursuant to the notice, review, and
1942 objection procedures of s. 216.177, Florida Statutes, the
1943 Executive Office of the Governor may transfer funds appropriated

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1944 in that category between departments in order to align the
1945 budget authority granted with the assessments that must be paid
1946 by each agency to the Department of Management Services for
1947 human resource management services. This section expires July 1,
1948 2021.

1949 Section 57. In order to implement Specific Appropriations
1950 2388 through 2391 of the 2020-2021 General Appropriations Act:

1951 (1) The Department of Financial Services shall replace the
1952 four main components of the Florida Accounting Information
1953 Resource Subsystem (FLAIR), which include central FLAIR,
1954 departmental FLAIR, payroll, and information warehouse, and
1955 shall replace the cash management and accounting management
1956 components of the Cash Management Subsystem (CMS) with an
1957 integrated enterprise system that allows the state to organize,
1958 define, and standardize its financial management business
1959 processes and that complies with ss. 215.90-215.96, Florida
1960 Statutes. The department may not include in the replacement of
1961 FLAIR and CMS:

1962 (a) Functionality that duplicates any of the other
1963 information subsystems of the Florida Financial Management
1964 Information System; or

1965 (b) Agency business processes related to any of the
1966 functions included in the Personnel Information System, the
1967 Purchasing Subsystem, or the Legislative Appropriations
1968 System/Planning and Budgeting Subsystem.

1969 (2) For purposes of replacing FLAIR and CMS, the Department
1970 of Financial Services shall:

1971 (a) Take into consideration the cost and implementation
1972 data identified for Option 3 as recommended in the March 31,

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1973 2014, Florida Department of Financial Services FLAIR Study,
1974 version 031.

1975 (b) Ensure that all business requirements and technical
1976 specifications have been provided to all state agencies for
1977 their review and input and approved by the executive steering
1978 committee established in paragraph (c).

1979 (c) Implement a project governance structure that includes
1980 an executive steering committee composed of:

1981 1. The Chief Financial Officer or the executive sponsor of
1982 the project.

1983 2. A representative of the Division of Treasury of the
1984 Department of Financial Services, appointed by the Chief
1985 Financial Officer.

1986 3. A representative of the Division of Information Systems
1987 of the Department of Financial Services, appointed by the Chief
1988 Financial Officer.

1989 4. Four employees from the Division of Accounting and
1990 Auditing of the Department of Financial Services, appointed by
1991 the Chief Financial Officer. Each employee must have experience
1992 relating to at least one of the four main components that
1993 comprise FLAIR.

1994 5. Two employees from the Executive Office of the Governor,
1995 appointed by the Governor. One employee must have experience
1996 relating to the Legislative Appropriations System/Planning and
1997 Budgeting Subsystem.

1998 6. One employee from the Department of Revenue, appointed
1999 by the executive director, who has experience relating to the
2000 department's SUNTAX system.

2001 7. Two employees from the Department of Management

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2002 Services, appointed by the Secretary of Management Services. One
2003 employee must have experience relating to the department's
2004 personnel information subsystem, and one employee must have
2005 experience relating to the department's purchasing subsystem.

2006 8. Three state agency administrative services directors,
2007 appointed by the Governor. One director must represent a
2008 regulatory and licensing state agency, and one director must
2009 represent a healthcare-related state agency.

2010 (3) The Chief Financial Officer or the executive sponsor of
2011 the project shall serve as chair of the executive steering
2012 committee, and the committee shall take action by a vote of at
2013 least eight affirmative votes with the Chief Financial Officer
2014 or the executive sponsor of the project voting on the prevailing
2015 side. A quorum of the executive steering committee consists of
2016 at least 10 members.

2017 (4) The executive steering committee has the overall
2018 responsibility for ensuring that the project to replace FLAIR
2019 and CMS meets its primary business objectives and shall:

2020 (a) Identify and recommend to the Executive Office of the
2021 Governor, the President of the Senate, and the Speaker of the
2022 House of Representatives any statutory changes needed to
2023 implement the replacement subsystem that will standardize, to
2024 the fullest extent possible, the state's financial management
2025 business processes.

2026 (b) Review and approve any changes to the project's scope,
2027 schedule, and budget which do not conflict with the requirements
2028 of subsection (1).

2029 (c) Ensure that adequate resources are provided throughout
2030 all phases of the project.

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2031 (d) Approve all major project deliverables.

2032 (e) Approve all solicitation-related documents associated
2033 with the replacement of FLAIR and CMS.

2034 (5) This section expires July 1, 2021.

2035 Section 58. In order to implement Specific Appropriation
2036 1633 of the 2020-2021 General Appropriations Act, paragraph (d)
2037 of subsection (11) of section 216.181, Florida Statutes, is
2038 amended to read:

2039 216.181 Approved budgets for operations and fixed capital
2040 outlay.—

2041 (11)

2042 (d) Notwithstanding paragraph (b) and paragraph (2)(b), and
2043 for the 2020-2021 ~~2019-2020~~ fiscal year only, the Legislative
2044 Budget Commission may increase the amounts appropriated to the
2045 Fish and Wildlife Conservation Commission or the Department of
2046 Environmental Protection for fixed capital outlay projects,
2047 including additional fixed capital outlay projects, using funds
2048 provided to the state from the Gulf Environmental Benefit Fund
2049 administered by the National Fish and Wildlife Foundation; funds
2050 provided to the state from the Gulf Coast Restoration Trust Fund
2051 related to the Resources and Ecosystems Sustainability, Tourist
2052 Opportunities, and Revived Economies of the Gulf Coast Act of
2053 2012 (RESTORE Act); or funds provided by the British Petroleum
2054 Corporation (BP) for natural resource damage assessment
2055 restoration projects. Concurrent with submission of an amendment
2056 to the Legislative Budget Commission pursuant to this paragraph,
2057 any project that carries a continuing commitment for future
2058 appropriations by the Legislature must be specifically
2059 identified, together with the projected amount of the future

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2060 commitment associated with the project and the fiscal years in
2061 which the commitment is expected to commence. This paragraph
2062 expires July 1, 2021 ~~2020~~.

2063
2064 The provisions of this subsection are subject to the notice and
2065 objection procedures set forth in s. 216.177.

2066 Section 59. In order to implement specific appropriations
2067 from the land acquisition trust funds within the Department of
2068 Agriculture and Consumer Services, the Department of
2069 Environmental Protection, the Department of State, and the Fish
2070 and Wildlife Conservation Commission, which are contained in the
2071 2020-2021 General Appropriations Act, subsection (3) of section
2072 215.18, Florida Statutes, is amended to read:

2073 215.18 Transfers between funds; limitation.-

2074 (3) Notwithstanding subsection (1) and only with respect to
2075 a land acquisition trust fund in the Department of Agriculture
2076 and Consumer Services, the Department of Environmental
2077 Protection, the Department of State, or the Fish and Wildlife
2078 Conservation Commission, whenever there is a deficiency in a
2079 land acquisition trust fund which would render that trust fund
2080 temporarily insufficient to meet its just requirements,
2081 including the timely payment of appropriations from that trust
2082 fund, and other trust funds in the State Treasury have moneys
2083 that are for the time being or otherwise in excess of the
2084 amounts necessary to meet the just requirements, including
2085 appropriated obligations, of those other trust funds, the
2086 Governor may order a temporary transfer of moneys from one or
2087 more of the other trust funds to a land acquisition trust fund
2088 in the Department of Agriculture and Consumer Services, the

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2089 Department of Environmental Protection, the Department of State,
2090 or the Fish and Wildlife Conservation Commission. Any action
2091 proposed pursuant to this subsection is subject to the notice,
2092 review, and objection procedures of s. 216.177, and the Governor
2093 shall provide notice of such action at least 7 days before the
2094 effective date of the transfer of trust funds, except that
2095 during July 2020 ~~2019~~, notice of such action shall be provided
2096 at least 3 days before the effective date of a transfer unless
2097 such 3-day notice is waived by the chair and vice-chair of the
2098 Legislative Budget Commission. Any transfer of trust funds to a
2099 land acquisition trust fund in the Department of Agriculture and
2100 Consumer Services, the Department of Environmental Protection,
2101 the Department of State, or the Fish and Wildlife Conservation
2102 Commission must be repaid to the trust funds from which the
2103 moneys were loaned by the end of the 2020-2021 ~~2019-2020~~ fiscal
2104 year. The Legislature has determined that the repayment of the
2105 other trust fund moneys temporarily loaned to a land acquisition
2106 trust fund in the Department of Agriculture and Consumer
2107 Services, the Department of Environmental Protection, the
2108 Department of State, or the Fish and Wildlife Conservation
2109 Commission pursuant to this subsection is an allowable use of
2110 the moneys in a land acquisition trust fund because the moneys
2111 from other trust funds temporarily loaned to a land acquisition
2112 trust fund shall be expended solely and exclusively in
2113 accordance with s. 28, Art. X of the State Constitution. This
2114 subsection expires July 1, 2021 ~~2020~~.

2115 Section 60. (1) In order to implement specific
2116 appropriations from the land acquisition trust funds within the
2117 Department of Agriculture and Consumer Services, the Department

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2118 of Environmental Protection, the Department of State, and the
2119 Fish and Wildlife Conservation Commission, which are contained
2120 in the 2020-2021 General Appropriations Act, the Department of
2121 Environmental Protection shall transfer revenues from the Land
2122 Acquisition Trust Fund within the department to the land
2123 acquisition trust funds within the Department of Agriculture and
2124 Consumer Services, the Department of State, and the Fish and
2125 Wildlife Conservation Commission, as provided in this section.
2126 As used in this section, the term "department" means the
2127 Department of Environmental Protection.

2128 (2) After subtracting any required debt service payments,
2129 the proportionate share of revenues to be transferred to each
2130 land acquisition trust fund shall be calculated by dividing the
2131 appropriations from each of the land acquisition trust funds for
2132 the fiscal year by the total appropriations from the Land
2133 Acquisition Trust Fund within the department and the land
2134 acquisition trust funds within the Department of Agriculture and
2135 Consumer Services, the Department of State, and the Fish and
2136 Wildlife Conservation Commission for the fiscal year. The
2137 department shall transfer the proportionate share of the
2138 revenues in the Land Acquisition Trust Fund within the
2139 department on a monthly basis to the appropriate land
2140 acquisition trust funds within the Department of Agriculture and
2141 Consumer Services, the Department of State, and the Fish and
2142 Wildlife Conservation Commission and shall retain its
2143 proportionate share of the revenues in the Land Acquisition
2144 Trust Fund within the department. Total distributions to a land
2145 acquisition trust fund within the Department of Agriculture and
2146 Consumer Services, the Department of State, and the Fish and

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2147 Wildlife Conservation Commission may not exceed the total
2148 appropriations from such trust fund for the fiscal year.

2149 (3) In addition, the department shall transfer from the
2150 Land Acquisition Trust Fund to land acquisition trust funds
2151 within the Department of Agriculture and Consumer Services, the
2152 Department of State, and the Fish and Wildlife Conservation
2153 Commission amounts equal to the difference between the amounts
2154 appropriated in chapter 2019-115, Laws of Florida, to the
2155 department's Land Acquisition Trust Fund and the other land
2156 acquisition trust funds, and the amounts actually transferred
2157 between those trust funds during the 2019-2020 fiscal year.

2158 (4) The department may advance funds from the beginning
2159 unobligated fund balance in the Land Acquisition Trust Fund to
2160 the Land Acquisition Trust Fund within the Fish and Wildlife
2161 Conservation Commission needed for cash flow purposes based on a
2162 detailed expenditure plan. The department shall prorate amounts
2163 transferred quarterly to the Fish and Wildlife Conservation
2164 Commission to recoup the amount of funds advanced by June 30,
2165 2021.

2166 (5) This section expires July 1, 2021.

2167 Section 61. In order to implement Specific Appropriation
2168 1763 of the 2020-2021 General Appropriations Act, paragraph (e)
2169 of subsection (11) of section 216.181, Florida Statutes, is
2170 amended to read:

2171 216.181 Approved budgets for operations and fixed capital
2172 outlay.—

2173 (11)

2174 (e) Notwithstanding paragraph (b) and paragraph (2)(b), and
2175 for the 2020-2021 ~~2019-2020~~ fiscal year only, the Legislative

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2176 Budget Commission may increase the amounts appropriated to the
 2177 Department of Environmental Protection for fixed capital outlay
 2178 projects using funds provided to the state from the
 2179 environmental mitigation trust administered by a trustee
 2180 designated by the United States District Court for the Northern
 2181 District of California for eligible mitigation actions and
 2182 mitigation action expenditures described in the partial consent
 2183 decree entered into between the United States of America and
 2184 Volkswagen relating to violations of the Clean Air Act.
 2185 Concurrent with submission of an amendment to the Legislative
 2186 Budget Commission pursuant to this paragraph, any project that
 2187 carries a continuing commitment for future appropriations by the
 2188 Legislature must be specifically identified, together with the
 2189 projected amount of the future commitment associated with the
 2190 project and the fiscal years in which the commitment is expected
 2191 to commence. This paragraph expires July 1, 2021 ~~2020~~.

2192
 2193 The provisions of this subsection are subject to the notice and
 2194 objection procedures set forth in s. 216.177.

2195 Section 62. In order to implement Specific Appropriation
 2196 1443 through 1452 of the 2020-2021 General Appropriations Act,
 2197 subsection (4) of section 570.441, Florida Statutes, is amended
 2198 to read:

2199 570.441 Pest Control Trust Fund.—

2200 (4) In addition to the uses authorized under subsection
 2201 (2), moneys collected or received by the department under
 2202 chapter 482 may be used to carry out the provisions of s.
 2203 570.44. This subsection expires June 30, 2021 ~~2020~~.

2204 Section 63. In order to implement Specific Appropriation

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2205 1380 of the 2020-2021 General Appropriations Act, and
2206 notwithstanding the expiration date in section 91 of chapter
2207 2019-116, Laws of Florida, paragraph (a) of subsection (1) of
2208 section 570.93, Florida Statutes, is reenacted to read:

2209 570.93 Department of Agriculture and Consumer Services;
2210 agricultural water conservation and agricultural water supply
2211 planning.—

2212 (1) The department shall establish an agricultural water
2213 conservation program that includes the following:

2214 (a) A cost-share program, coordinated with the United
2215 States Department of Agriculture and other federal, state,
2216 regional, and local agencies when appropriate, for irrigation
2217 system retrofit and application of mobile irrigation laboratory
2218 evaluations, and for water conservation and water quality
2219 improvement pursuant to s. 403.067(7)(c).

2220 Section 64. The amendment to s. 570.93(1)(a), Florida
2221 Statutes, as carried forward from chapter 2019-116, Laws of
2222 Florida, by this act, expires July 1, 2021, and the text of that
2223 paragraph shall revert to that in existence on June 30, 2019,
2224 except that any amendments to such text enacted other than by
2225 this act shall be preserved and continue to operate to the
2226 extent that such amendments are not dependent upon the portions
2227 of text which expire pursuant to this section.

2228 Section 65. In order to implement Specific Appropriation
2229 1728 of the 2020-2021 General Appropriations Act, paragraph (m)
2230 of subsection (3) of section 259.105, Florida Statutes, is
2231 amended to read:

2232 259.105 The Florida Forever Act.—

2233 (3) Less the costs of issuing and the costs of funding

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2234 reserve accounts and other costs associated with bonds, the
2235 proceeds of cash payments or bonds issued pursuant to this
2236 section shall be deposited into the Florida Forever Trust Fund
2237 created by s. 259.1051. The proceeds shall be distributed by the
2238 Department of Environmental Protection in the following manner:

2239 (m) Notwithstanding paragraphs (a)-(j) and for the 2020-
2240 2021 ~~2019-2020~~ fiscal year, the amount of \$6 ~~\$33~~ million to only
2241 ~~the Division of State Lands within~~ the Department of
2242 Environmental Protection for grants pursuant to s. 375.075 ~~the~~
2243 ~~Board of Trustees Florida Forever Priority List land acquisition~~
2244 ~~projects~~. This paragraph expires July 1, 2021 ~~2020~~.

2245 Section 66. In order to implement appropriations from the
2246 Land Acquisition Trust Fund within the Department of
2247 Environmental Protection, paragraph (b) of subsection (3) of
2248 section 375.041, Florida Statutes, is amended to read:

2249 375.041 Land Acquisition Trust Fund.—

2250 (3) Funds distributed into the Land Acquisition Trust Fund
2251 pursuant to s. 201.15 shall be applied:

2252 (b) Of the funds remaining after the payments required
2253 under paragraph (a), but before funds may be appropriated,
2254 pledged, or dedicated for other uses:

2255 1. A minimum of the lesser of 25 percent or \$200 million
2256 shall be appropriated annually for Everglades projects that
2257 implement the Comprehensive Everglades Restoration Plan as set
2258 forth in s. 373.470, including the Central Everglades Planning
2259 Project subject to Congressional authorization; the Long-Term
2260 Plan as defined in s. 373.4592(2); and the Northern Everglades
2261 and Estuaries Protection Program as set forth in s. 373.4595.
2262 From these funds, \$32 million shall be distributed each fiscal

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2263 year through the 2023-2024 fiscal year to the South Florida
2264 Water Management District for the Long-Term Plan as defined in
2265 s. 373.4592(2). After deducting the \$32 million distributed
2266 under this subparagraph, from the funds remaining, a minimum of
2267 the lesser of 76.5 percent or \$100 million shall be appropriated
2268 each fiscal year through the 2025-2026 fiscal year for the
2269 planning, design, engineering, and construction of the
2270 Comprehensive Everglades Restoration Plan as set forth in s.
2271 373.470, including the Central Everglades Planning Project, the
2272 Everglades Agricultural Area Storage Reservoir Project, the Lake
2273 Okeechobee Watershed Project, the C-43 West Basin Storage
2274 Reservoir Project, the Indian River Lagoon-South Project, the
2275 Western Everglades Restoration Project, and the Picayune Strand
2276 Restoration Project. The Department of Environmental Protection
2277 and the South Florida Water Management District shall give
2278 preference to those Everglades restoration projects that reduce
2279 harmful discharges of water from Lake Okeechobee to the St.
2280 Lucie or Caloosahatchee estuaries in a timely manner. For the
2281 purpose of performing the calculation provided in this
2282 subparagraph, the amount of debt service paid pursuant to
2283 paragraph (a) for bonds issued after July 1, 2016, for the
2284 purposes set forth under paragraph (b) shall be added to the
2285 amount remaining after the payments required under paragraph
2286 (a). The amount of the distribution calculated shall then be
2287 reduced by an amount equal to the debt service paid pursuant to
2288 paragraph (a) on bonds issued after July 1, 2016, for the
2289 purposes set forth under this subparagraph.

2290 2. A minimum of the lesser of 7.6 percent or \$50 million
2291 shall be appropriated annually for spring restoration,

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2292 protection, and management projects. For the purpose of
2293 performing the calculation provided in this subparagraph, the
2294 amount of debt service paid pursuant to paragraph (a) for bonds
2295 issued after July 1, 2016, for the purposes set forth under
2296 paragraph (b) shall be added to the amount remaining after the
2297 payments required under paragraph (a). The amount of the
2298 distribution calculated shall then be reduced by an amount equal
2299 to the debt service paid pursuant to paragraph (a) on bonds
2300 issued after July 1, 2016, for the purposes set forth under this
2301 subparagraph.

2302 3. The sum of \$5 million shall be appropriated annually
2303 each fiscal year through the 2025-2026 fiscal year to the St.
2304 Johns River Water Management District for projects dedicated to
2305 the restoration of Lake Apopka. This distribution shall be
2306 reduced by an amount equal to the debt service paid pursuant to
2307 paragraph (a) on bonds issued after July 1, 2016, for the
2308 purposes set forth in this subparagraph.

2309 4. The sum of \$64 million is appropriated and shall be
2310 transferred to the Everglades Trust Fund for the 2018-2019
2311 fiscal year, and each fiscal year thereafter, for the EAA
2312 reservoir project pursuant to s. 373.4598. Any funds remaining
2313 in any fiscal year shall be made available only for Phase II of
2314 the C-51 reservoir project or projects identified in
2315 subparagraph 1. and must be used in accordance with laws
2316 relating to such projects. Any funds made available for such
2317 purposes in a fiscal year are in addition to the amount
2318 appropriated under subparagraph 1. This distribution shall be
2319 reduced by an amount equal to the debt service paid pursuant to
2320 paragraph (a) on bonds issued after July 1, 2017, for the

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2321 purposes set forth in this subparagraph.

2322 5. Notwithstanding subparagraph 3., for the 2020-2021 ~~2019-~~
2323 ~~2020~~ fiscal year, funds shall be appropriated as provided in the
2324 General Appropriations Act. This subparagraph expires July 1,
2325 2021 ~~2020~~.

2326 Section 67. In order to implement Specific Appropriation
2327 2659 of the 2020-2021 General Appropriations Act, paragraph (b)
2328 of subsection (3) and subsection (5) of section 321.04, Florida
2329 Statutes, are amended to read:

2330 321.04 Personnel of the highway patrol; rank
2331 classifications; probationary status of new patrol officers;
2332 subsistence; special assignments.—

2333 (3)

2334 (b) For the 2020-2021 ~~2019-2020~~ fiscal year only, upon the
2335 request of the Governor, the Department of Highway Safety and
2336 Motor Vehicles shall assign one or more patrol officers to the
2337 office of the Lieutenant Governor for security services. This
2338 paragraph expires July 1, 2021 ~~2020~~.

2339 (5) For the 2020-2021 ~~2019-2020~~ fiscal year only, the
2340 assignment of a patrol officer by the department shall include a
2341 Cabinet member specified in s. 4, Art. IV of the State
2342 Constitution if deemed appropriate by the department or in
2343 response to a threat and upon written request of such Cabinet
2344 member. This subsection expires July 1, 2021 ~~2020~~.

2345 Section 68. In order to implement Specific Appropriation
2346 2282 of the 2020-2021 General Appropriations Act, subsection (3)
2347 of section 420.9079, Florida Statutes, is amended to read:

2348 420.9079 Local Government Housing Trust Fund.—

2349 (3) For the 2020-2021 ~~2019-2020~~ fiscal year, funds may be

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2350 used as provided in the General Appropriations Act. This
 2351 subsection expires July 1, 2021 ~~2020~~.

2352 Section 69. In order to implement Specific Appropriation
 2353 2281 of the 2020-2021 General Appropriations Act, subsection (2)
 2354 of section 420.0005, Florida Statutes, is amended to read:

2355 420.0005 State Housing Trust Fund; State Housing Fund.—

2356 (2) For the 2020-2021 ~~2019-2020~~ fiscal year, funds may be
 2357 used as provided in the General Appropriations Act. This
 2358 subsection expires July 1, 2021 ~~2020~~.

2359 Section 70. In order to implement Specific Appropriation
 2360 2294 of the 2020-2021 General Appropriations Act, subsection
 2361 (14) of section 288.1226, Florida Statutes, is amended to read:

2362 288.1226 Florida Tourism Industry Marketing Corporation;
 2363 use of property; board of directors; duties; audit.—

2364 (14) REPEAL.—This section is repealed July 1, 2021 ~~2020~~,
 2365 unless reviewed and saved from repeal by the Legislature.

2366 Section 71. In order to implement Specific Appropriation
 2367 2294 of the 2020-2021 General Appropriations Act, subsection (6)
 2368 of section 288.923, Florida Statutes, is amended to read:

2369 288.923 Division of Tourism Marketing; definitions;
 2370 responsibilities.—

2371 (6) This section is repealed July 1, 2021 ~~2020~~, unless
 2372 reviewed and saved from repeal by the Legislature.

2373 Section 72. In order to implement Specific Appropriation
 2374 1915 of the 2020-2021 General Appropriations Act, paragraph (g)
 2375 of subsection (8) of section 338.2278, Florida Statutes, is
 2376 amended to read:

2377 338.2278 Multi-use Corridors of Regional Economic
 2378 Significance Program.—

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2379 (8) The amounts identified in subsection (7) by fiscal year
2380 shall be allocated as follows:

2381 (g)1. Except as provided in subparagraph 2., in each fiscal
2382 year in which funding provided under this subsection for the
2383 Small County Road Assistance Program, the Small County Outreach
2384 Program, the Transportation Disadvantaged Trust Fund, or the
2385 workforce development program is not committed by the end of
2386 each fiscal year, such uncommitted funds shall be used by the
2387 department to fund Multi-use Corridors of Regional Economic
2388 Significance Program projects. As provided in s. 339.135(7), the
2389 adopted work program may be amended to transfer funds between
2390 appropriations categories or to increase an appropriation
2391 category to implement this paragraph.

2392 2. For the 2020-2021 fiscal year, funding provided under
2393 this subsection for the Transportation Disadvantaged Trust Fund
2394 under paragraph (a) which is uncommitted at the end of the 2019-
2395 2020 fiscal year may be used as provided in the General
2396 Appropriations Act. This subparagraph expires July 1, 2021.

2397 Section 73. In order to implement Specific Appropriations
2398 1916 through 1929, 1929F through 1929J, 1944 through 1951, 1953
2399 through 1962, and 1999A through 2011 of the 2020-2021 General
2400 Appropriations Act, paragraphs (g) and (h) of subsection (7) of
2401 section 339.135, Florida Statutes, are amended to read:

2402 339.135 Work program; legislative budget request;
2403 definitions; preparation, adoption, execution, and amendment.-

2404 (7) AMENDMENT OF THE ADOPTED WORK PROGRAM.-

2405 (g)1. Any work program amendment which also requires the
2406 transfer of fixed capital outlay appropriations between
2407 categories within the department or the increase of an

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2408 appropriation category is subject to the approval of the
2409 Legislative Budget Commission.

2410 2. If a meeting of the Legislative Budget Commission cannot
2411 be held within 30 days after the department submits an amendment
2412 to the Legislative Budget Commission, the chair and vice chair
2413 of the Legislative Budget Commission may authorize such
2414 amendment to be approved pursuant to s. 216.177. This
2415 subparagraph expires July 1, 2021 ~~2020~~.

2416 (h)1. Any work program amendment that also adds a new
2417 project, or phase thereof, to the adopted work program in excess
2418 of \$3 million is subject to approval by the Legislative Budget
2419 Commission. Any work program amendment submitted under this
2420 paragraph must include, as supplemental information, a list of
2421 projects, or phases thereof, in the current 5-year adopted work
2422 program which are eligible for the funds within the
2423 appropriation category being used for the proposed amendment.
2424 The department shall provide a narrative with the rationale for
2425 not advancing an existing project, or phase thereof, in lieu of
2426 the proposed amendment.

2427 2. If a meeting of the Legislative Budget Commission cannot
2428 be held within 30 days after the department submits an amendment
2429 to the commission, the chair and vice chair of the commission
2430 may authorize such amendment to be approved pursuant to s.
2431 216.177. This subparagraph expires July 1, 2021.

2432 Section 74. In order to implement Specific Appropriation
2433 2599 of the 2020-2021 General Appropriations Act, paragraph (d)
2434 of subsection (4) of section 112.061, Florida Statutes, is
2435 amended to read:

2436 112.061 Per diem and travel expenses of public officers,

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2437 employees, and authorized persons; statewide travel management
2438 system.—

2439 (4) OFFICIAL HEADQUARTERS.—The official headquarters of an
2440 officer or employee assigned to an office shall be the city or
2441 town in which the office is located except that:

2442 (d) A Lieutenant Governor who permanently resides outside
2443 of Leon County, may, if he or she so requests, have an
2444 appropriate facility in his or her county designated as his or
2445 her official headquarters for purposes of this section. This
2446 official headquarters may only serve as the Lieutenant
2447 Governor's personal office. The Lieutenant Governor may not use
2448 state funds to lease space in any facility for his or her
2449 official headquarters.

2450 1. A Lieutenant Governor for whom an official headquarters
2451 is established in his or her county of residence pursuant to
2452 this paragraph is eligible for subsistence at a rate to be
2453 established by the Governor for each day or partial day that the
2454 Lieutenant Governor is at the State Capitol to conduct official
2455 state business. In addition to the subsistence allowance, a
2456 Lieutenant Governor is eligible for reimbursement for
2457 transportation expenses as provided in subsection (7) for travel
2458 between the Lieutenant Governor's official headquarters and the
2459 State Capitol to conduct state business.

2460 2. Payment of subsistence and reimbursement for
2461 transportation between a Lieutenant Governor's official
2462 headquarters and the State Capitol shall be made to the extent
2463 appropriated funds are available, as determined by the Governor.

2464 3. This paragraph expires July 1, 2021 ~~2020~~.

2465 Section 75. In order to implement the salaries and

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2466 benefits, expenses, other personal services, contracted
2467 services, and operating capital outlay categories of the 2020-
2468 2021 General Appropriations Act, paragraph (a) of subsection (2)
2469 of section 216.292, Florida Statutes, is amended to read:

2470 216.292 Appropriations nontransferable; exceptions.—

2471 (2) The following transfers are authorized to be made by
2472 the head of each department or the Chief Justice of the Supreme
2473 Court whenever it is deemed necessary by reason of changed
2474 conditions:

2475 (a) The transfer of appropriations funded from identical
2476 funding sources, except appropriations for fixed capital outlay,
2477 and the transfer of amounts included within the total original
2478 approved budget and plans of releases of appropriations as
2479 furnished pursuant to ss. 216.181 and 216.192, as follows:

2480 1. Between categories of appropriations within a budget
2481 entity, if no category of appropriation is increased or
2482 decreased by more than 5 percent of the original approved budget
2483 or \$250,000, whichever is greater, by all action taken under
2484 this subsection.

2485 2. Between budget entities within identical categories of
2486 appropriations, if no category of appropriation is increased or
2487 decreased by more than 5 percent of the original approved budget
2488 or \$250,000, whichever is greater, by all action taken under
2489 this subsection.

2490 3. Any agency exceeding salary rate established pursuant to
2491 s. 216.181(8) on June 30th of any fiscal year shall not be
2492 authorized to make transfers pursuant to subparagraphs 1. and 2.
2493 in the subsequent fiscal year.

2494 4. Notice of proposed transfers under subparagraphs 1. and

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2495 2. shall be provided to the Executive Office of the Governor and
2496 the chairs of the legislative appropriations committees at least
2497 3 days prior to agency implementation in order to provide an
2498 opportunity for review. The review shall be limited to ensuring
2499 that the transfer is in compliance with the requirements of this
2500 paragraph.

2501 5. For the 2020-2021 ~~2019-2020~~ fiscal year, the review
2502 shall ensure that transfers proposed pursuant to this paragraph
2503 comply with this chapter, maximize the use of available and
2504 appropriate trust funds, and are not contrary to legislative
2505 policy and intent. This subparagraph expires July 1, 2021 ~~2020~~.

2506 Section 76. In order to implement section 8 of the 2020-
2507 2021 General Appropriations Act, notwithstanding s.
2508 110.123(3)(f) and (j), Florida Statutes, the Department of
2509 Management Services shall maintain and offer the same PPO and
2510 HMO health plan alternatives to the participants of the state
2511 group health insurance program during the 2020-2021 fiscal year
2512 which were in effect for the 2019-2020 fiscal year. This section
2513 expires July 1, 2021.

2514 Section 77. In order to implement the appropriation of
2515 funds in the special categories, contracted services, and
2516 expenses categories of the 2020-2021 General Appropriations Act,
2517 a state agency may not initiate a competitive solicitation for a
2518 product or service if the completion of such competitive
2519 solicitation would:

2520 (1) Require a change in law; or

2521 (2) Require a change to the agency's budget other than a
2522 transfer authorized in s. 216.292(2) or (3), Florida Statutes,
2523 unless the initiation of such competitive solicitation is

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2524 specifically authorized in law, in the General Appropriations
2525 Act, or by the Legislative Budget Commission.

2526
2527 This section does not apply to a competitive solicitation for
2528 which the agency head certifies that a valid emergency exists.
2529 This section expires July 1, 2021.

2530 Section 78. In order to implement appropriations for
2531 salaries and benefits in the 2020-2021 General Appropriations
2532 Act, subsection (6) of section 112.24, Florida Statutes, is
2533 amended to read:

2534 112.24 Intergovernmental interchange of public employees.-
2535 To encourage economical and effective utilization of public
2536 employees in this state, the temporary assignment of employees
2537 among agencies of government, both state and local, and
2538 including school districts and public institutions of higher
2539 education is authorized under terms and conditions set forth in
2540 this section. State agencies, municipalities, and political
2541 subdivisions are authorized to enter into employee interchange
2542 agreements with other state agencies, the Federal Government,
2543 another state, a municipality, or a political subdivision
2544 including a school district, or with a public institution of
2545 higher education. State agencies are also authorized to enter
2546 into employee interchange agreements with private institutions
2547 of higher education and other nonprofit organizations under the
2548 terms and conditions provided in this section. In addition, the
2549 Governor or the Governor and Cabinet may enter into employee
2550 interchange agreements with a state agency, the Federal
2551 Government, another state, a municipality, or a political
2552 subdivision including a school district, or with a public

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2553 institution of higher learning to fill, subject to the
2554 requirements of chapter 20, appointive offices which are within
2555 the executive branch of government and which are filled by
2556 appointment by the Governor or the Governor and Cabinet. Under
2557 no circumstances shall employee interchange agreements be
2558 utilized for the purpose of assigning individuals to participate
2559 in political campaigns. Duties and responsibilities of
2560 interchange employees shall be limited to the mission and goals
2561 of the agencies of government.

2562 (6) For the 2020-2021 ~~2019-2020~~ fiscal year only, the
2563 assignment of an employee of a state agency as provided in this
2564 section may be made if recommended by the Governor or Chief
2565 Justice, as appropriate, and approved by the chairs of the
2566 legislative appropriations committees. Such actions shall be
2567 deemed approved if neither chair provides written notice of
2568 objection within 14 days after receiving notice of the action
2569 pursuant to s. 216.177. This subsection expires July 1, 2021
2570 ~~2020~~.

2571 Section 79. In order to implement Specific Appropriations
2572 2727 and 2728 of the 2020-2021 General Appropriations Act, and
2573 notwithstanding s. 11.13(1), Florida Statutes, the authorized
2574 salaries for members of the Legislature for the 2020-2021 fiscal
2575 year shall be set at the same level in effect on July 1, 2010.
2576 This section expires July 1, 2021.

2577 Section 80. In order to implement the transfer of funds
2578 from the General Revenue Fund from trust funds for the 2020-2021
2579 General Appropriations Act, and notwithstanding the expiration
2580 date in section 110 of chapter 2019-116, Laws of Florida,
2581 paragraph (b) of subsection (2) of section 215.32, Florida

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2582 Statutes, is reenacted to read:

2583 215.32 State funds; segregation.—

2584 (2) The source and use of each of these funds shall be as
2585 follows:

2586 (b)1. The trust funds shall consist of moneys received by
2587 the state which under law or under trust agreement are
2588 segregated for a purpose authorized by law. The state agency or
2589 branch of state government receiving or collecting such moneys
2590 is responsible for their proper expenditure as provided by law.
2591 Upon the request of the state agency or branch of state
2592 government responsible for the administration of the trust fund,
2593 the Chief Financial Officer may establish accounts within the
2594 trust fund at a level considered necessary for proper
2595 accountability. Once an account is established, the Chief
2596 Financial Officer may authorize payment from that account only
2597 upon determining that there is sufficient cash and releases at
2598 the level of the account.

2599 2. In addition to other trust funds created by law, to the
2600 extent possible, each agency shall use the following trust funds
2601 as described in this subparagraph for day-to-day operations:

2602 a. Operations or operating trust fund, for use as a
2603 depository for funds to be used for program operations funded by
2604 program revenues, with the exception of administrative
2605 activities when the operations or operating trust fund is a
2606 proprietary fund.

2607 b. Operations and maintenance trust fund, for use as a
2608 depository for client services funded by third-party payors.

2609 c. Administrative trust fund, for use as a depository for
2610 funds to be used for management activities that are departmental

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2611 in nature and funded by indirect cost earnings and assessments
2612 against trust funds. Proprietary funds are excluded from the
2613 requirement of using an administrative trust fund.

2614 d. Grants and donations trust fund, for use as a depository
2615 for funds to be used for allowable grant or donor agreement
2616 activities funded by restricted contractual revenue from private
2617 and public nonfederal sources.

2618 e. Agency working capital trust fund, for use as a
2619 depository for funds to be used pursuant to s. 216.272.

2620 f. Clearing funds trust fund, for use as a depository for
2621 funds to account for collections pending distribution to lawful
2622 recipients.

2623 g. Federal grant trust fund, for use as a depository for
2624 funds to be used for allowable grant activities funded by
2625 restricted program revenues from federal sources.

2626

2627 To the extent possible, each agency must adjust its internal
2628 accounting to use existing trust funds consistent with the
2629 requirements of this subparagraph. If an agency does not have
2630 trust funds listed in this subparagraph and cannot make such
2631 adjustment, the agency must recommend the creation of the
2632 necessary trust funds to the Legislature no later than the next
2633 scheduled review of the agency's trust funds pursuant to s.
2634 215.3206.

2635 3. All such moneys are hereby appropriated to be expended
2636 in accordance with the law or trust agreement under which they
2637 were received, subject always to the provisions of chapter 216
2638 relating to the appropriation of funds and to the applicable
2639 laws relating to the deposit or expenditure of moneys in the

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2640 State Treasury.

2641 4.a. Notwithstanding any provision of law restricting the
2642 use of trust funds to specific purposes, unappropriated cash
2643 balances from selected trust funds may be authorized by the
2644 Legislature for transfer to the Budget Stabilization Fund and
2645 General Revenue Fund in the General Appropriations Act.

2646 b. This subparagraph does not apply to trust funds required
2647 by federal programs or mandates; trust funds established for
2648 bond covenants, indentures, or resolutions whose revenues are
2649 legally pledged by the state or public body to meet debt service
2650 or other financial requirements of any debt obligations of the
2651 state or any public body; the Division of Licensing Trust Fund
2652 in the Department of Agriculture and Consumer Services; the
2653 State Transportation Trust Fund; the trust fund containing the
2654 net annual proceeds from the Florida Education Lotteries; the
2655 Florida Retirement System Trust Fund; trust funds under the
2656 management of the State Board of Education or the Board of
2657 Governors of the State University System, where such trust funds
2658 are for auxiliary enterprises, self-insurance, and contracts,
2659 grants, and donations, as those terms are defined by general
2660 law; trust funds that serve as clearing funds or accounts for
2661 the Chief Financial Officer or state agencies; trust funds that
2662 account for assets held by the state in a trustee capacity as an
2663 agent or fiduciary for individuals, private organizations, or
2664 other governmental units; and other trust funds authorized by
2665 the State Constitution.

2666 Section 81. The text of s. 215.32(2)(b), Florida Statutes,
2667 as carried forward from chapter 2011-47, Laws of Florida, by
2668 this act, expires July 1, 2021, and the text of that paragraph

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2669 shall revert to that in existence on June 30, 2011, except that
2670 any amendments to such text enacted other than by this act shall
2671 be preserved and continue to operate to the extent that such
2672 amendments are not dependent upon the portions of text which
2673 expire pursuant to this section.

2674 Section 82. In order to implement appropriations in the
2675 2020-2021 General Appropriations Act for state employee travel,
2676 the funds appropriated to each state agency which may be used
2677 for travel by state employees are limited during the 2020-2021
2678 fiscal year to travel for activities that are critical to each
2679 state agency's mission. Funds may not be used for travel by
2680 state employees to foreign countries, other states, conferences,
2681 staff training activities, or other administrative functions
2682 unless the agency head has approved, in writing, that such
2683 activities are critical to the agency's mission. The agency head
2684 shall consider using teleconferencing and other forms of
2685 electronic communication to meet the needs of the proposed
2686 activity before approving mission-critical travel. This section
2687 does not apply to travel for law enforcement purposes, military
2688 purposes, emergency management activities, or public health
2689 activities. This section expires July 1, 2021.

2690 Section 83. In order to implement appropriations in the
2691 2020-2021 General Appropriations Act for state employee travel
2692 and notwithstanding s. 112.061, Florida Statutes, costs for
2693 lodging associated with a meeting, conference, or convention
2694 organized or sponsored in whole or in part by a state agency or
2695 the judicial branch may not exceed \$225 per day. An employee may
2696 expend his or her own funds for any lodging expenses in excess
2697 of \$225 per day. For purposes of this section, a meeting does

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2698 not include travel activities for conducting an audit,
2699 examination, inspection, or investigation or travel activities
2700 related to a litigation or emergency response. This section
2701 expires July 1, 2021.

2702 Section 84. In order to implement the appropriation of
2703 funds in the special categories, contracted services, and
2704 expenses categories of the 2020-2021 General Appropriations Act,
2705 a state agency may not enter into a contract containing a
2706 nondisclosure clause that prohibits the contractor from
2707 disclosing information relevant to the performance of the
2708 contract to members or staff of the Senate or the House of
2709 Representatives. This section expires July 1, 2021.

2710 Section 85. Any section of this act which implements a
2711 specific appropriation or specifically identified proviso
2712 language in the 2020-2021 General Appropriations Act is void if
2713 the specific appropriation or specifically identified proviso
2714 language is vetoed. Any section of this act which implements
2715 more than one specific appropriation or more than one portion of
2716 specifically identified proviso language in the 2020-2021
2717 General Appropriations Act is void if all the specific
2718 appropriations or portions of specifically identified proviso
2719 language are vetoed.

2720 Section 86. If any other act passed during the 2020 Regular
2721 Session of the Legislature contains a provision that is
2722 substantively the same as a provision in this act, but that
2723 removes or is otherwise not subject to the future repeal applied
2724 to such provision by this act, the Legislature intends that the
2725 provision in the other act takes precedence and continues to
2726 operate, notwithstanding the future repeal provided by this act.

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2727 Section 87. If any provision of this act or its application
2728 to any person or circumstance is held invalid, the invalidity
2729 does not affect other provisions or applications of the act
2730 which can be given effect without the invalid provision or
2731 application, and to this end the provisions of this act are
2732 severable.

2733 Section 88. Except as otherwise expressly provided in this
2734 act and except for this section, which shall take effect upon
2735 this act becoming a law, this act shall take effect July 1,
2736 2020; or, if this act fails to become a law until after that
2737 date, it shall take effect upon becoming a law and shall operate
2738 retroactively to July 1, 2020.