

20202502e1

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 for the expiration and reversion of specified
26 statutory text; reenacting s. 1001.26(1), F.S.,
27 relating to the public broadcasting program system;
28 extending for 1 fiscal year authorization for the
29 Department of Education to provide certain

20202502e1

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

20202502e1

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

20202502e1

88 hospitals that provide a disproportionate share of
89 Medicaid or charity care services, as provided in the
90 General Appropriations Act; amending s. 409.9113,
91 F.S.; extending for 1 fiscal year the requirement that
92 the Agency for Health Care Administration make
93 disproportionate share payments to teaching hospitals
94 as provided in the General Appropriations Act;
95 amending s. 409.9119, F.S.; extending for 1 fiscal
96 year the requirement that the Agency for Health Care
97 Administration make disproportionate share payments to
98 certain specialty hospitals for children; authorizing
99 the Agency for Health Care Administration to submit a
100 budget amendment to realign Medicaid funding for
101 specified purposes, subject to certain limitations;
102 requiring the Agency for Health Care Administration to
103 contract with an organization for the provision of
104 elder care services in specified counties if certain
105 conditions are met; specifying requirements for the
106 program; authorizing the Agency for Health Care
107 Administration and the Department of Health to each
108 submit a budget amendment to realign funding within
109 the Florida Kidcare program appropriation categories
110 or increase budget authority for certain purposes;
111 specifying the timeframe within which any such budget
112 amendment must be submitted; amending s. 381.986,
113 F.S.; exempting rules pertaining to the medical use of
114 marijuana from certain rulemaking requirements;
115 amending s. 381.988, F.S.; exempting rules pertaining
116 to medical marijuana testing laboratories from certain

20202502e1

117 rulemaking requirements; amending s. 14(1), chapter
118 2017-232, Laws of Florida; exempting certain rules
119 pertaining to medical marijuana adopted to replace
120 emergency rules from specified rulemaking
121 requirements; providing for the expiration and
122 reversion of specified law; requiring the Agency for
123 Health Care Administration to replace the Medicaid
124 Enterprise System; specifying requirements for the
125 replacement system; requiring the agency to take
126 specified action; providing for the establishment of
127 an executive steering committee to oversee
128 implementation of the replacement system; providing
129 for membership, meeting requirements, duties, and
130 responsibilities of the steering committee;
131 authorizing the Department of Children and Families to
132 submit a budget amendment to realign funding for
133 implementation of the Guardianship Assistance Program;
134 requiring the Department of Children and Families to
135 establish a formula for the distribution of funds to
136 implement the Guardianship Assistance Program;
137 amending s. 296.37, F.S.; extending for 1 fiscal year
138 a provision specifying the monthly contribution to
139 residents of a state veterans' nursing home;
140 authorizing the Department of Children and Families to
141 submit a budget amendment to increase budget authority
142 for the Supplemental Nutrition Assistance Program if
143 certain conditions are met; authorizing the Department
144 of Children and Families to submit a budget amendment
145 to realign funding within the Family Safety Program

20202502e1

146 for specified purposes; amending s. 216.262, F.S.;

147 extending for 1 fiscal year the authority of the

148 Department of Corrections to submit a budget amendment

149 for additional positions and appropriations under

150 certain circumstances; amending s. 1011.80, F.S.;

151 specifying the manner by which state funds for

152 postsecondary workforce programs may be used for

153 inmate education; providing for the expiration and

154 reversion of specified statutory text; amending s.

155 215.18, F.S.; extending for 1 fiscal year the

156 authority and related repayment requirements for

157 temporary trust fund loans to the state court system

158 which are sufficient to meet the system's

159 appropriation; requiring the Department of Juvenile

160 Justice to review county juvenile detention payments

161 to determine whether a county has met specified

162 financial responsibilities; requiring amounts owed by

163 the county for such financial responsibilities to be

164 deducted from certain county funds; requiring the

165 Department of Revenue to transfer withheld funds to a

166 specified trust fund; requiring the Department of

167 Revenue to ensure that such reductions in amounts

168 distributed do not reduce distributions below amounts

169 necessary for certain payments due on bonds and to

170 comply with bond covenants; requiring the Department

171 of Revenue to notify the Department of Juvenile

172 Justice if bond payment requirements mandate a

173 reduction in deductions for amounts owed by a county;

174 reenacting and amending s. 27.40, F.S., relating to

20202502e1

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

20202502e1

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

20202502e1

233 Environmental Protection for certain fixed capital
234 outlay projects from specified sources; amending s.
235 215.18, F.S.; extending for 1 fiscal year the
236 authority of the Governor, if there is a specified
237 temporary deficiency in a land acquisition trust fund
238 in the Department of Agriculture and Consumer
239 Services, the Department of Environmental Protection,
240 the Department of State, or the Fish and Wildlife
241 Conservation Commission, to transfer funds from other
242 trust funds in the State Treasury as a temporary loan
243 to such trust fund; providing a deadline for the
244 repayment of a temporary loan; requiring the
245 Department of Environmental Protection to transfer
246 designated proportions of the revenues deposited in
247 the Land Acquisition Trust Fund within the department
248 to land acquisition trust funds in the Department of
249 Agriculture and Consumer Services, the Department of
250 State, and the Fish and Wildlife Conservation
251 Commission according to specified parameters and
252 calculations; defining the term "department";
253 requiring the Department of Environmental Protection
254 to retain a proportionate share of revenues;
255 specifying a limit on distributions; requiring the
256 Department of Environmental Protection to make
257 transfers to land acquisition trust funds; specifying
258 the method of determining transfer amounts;
259 authorizing the Department of Environmental Protection
260 to advance funds from its land acquisition trust fund
261 to the Fish and Wildlife Conservation Commission's

20202502e1

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

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

20202502e1

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

20202502e1

320 amending s. 216.292, F.S.; extending for 1 fiscal year
321 a provision prescribing requirements for the review of
322 certain transfers of appropriations; requiring the
323 Department of Management Services to maintain and
324 offer the same health insurance options for
325 participants of the state group health insurance
326 program for the 2020-2021 fiscal year as for the
327 preceding fiscal year; prohibiting a state agency from
328 initiating a competitive solicitation for a product or
329 service under certain circumstances; providing an
330 exception; amending s. 112.24, F.S.; extending for 1
331 fiscal year the authorization, subject to specified
332 requirements, for the assignment of an employee of a
333 state agency under an employee interchange agreement;
334 providing that the annual salaries of the members of
335 the Legislature be maintained at a specified level;
336 reenacting s. 215.32(2)(b), F.S., relating to the
337 source and use of certain trust funds; providing for
338 the future expiration and reversion of statutory text;
339 limiting the use of travel funds to activities that
340 are critical to an agency's mission; providing
341 exceptions; placing a monetary cap on lodging expenses
342 for state employee travel to certain meetings
343 organized or sponsored by a state agency or the
344 judicial branch; authorizing employees to expend their
345 own funds for lodging expenses in excess of the
346 monetary caps; prohibiting state agencies from
347 entering into contracts containing certain
348 nondisclosure agreements; providing conditions under

20202502e1

349 which the veto of certain appropriations or proviso
350 language in the General Appropriations Act voids
351 language that implements such appropriations;
352 providing for the continued operation of certain
353 provisions notwithstanding a future repeal or
354 expiration provided by the act; providing
355 severability; providing effective dates.
356

357 Be It Enacted by the Legislature of the State of Florida:
358

359 Section 1. It is the intent of the Legislature that the
360 implementing and administering provisions of this act apply to
361 the General Appropriations Act for the 2020-2021 fiscal year.

362 Section 2. In order to implement Specific Appropriations 8,
363 9, 10, 92, and 93 of the 2020-2021 General Appropriations Act,
364 the calculations of the Florida Education Finance Program for
365 the 2020-2021 fiscal year included in the document titled
366 "Public School Funding: The Florida Education Finance Program,"
367 dated February 6, 2020, and filed with the Secretary of the
368 Senate, are incorporated by reference for the purpose of
369 displaying the calculations used by the Legislature, consistent
370 with the requirements of state law, in making appropriations for
371 the Florida Education Finance Program. This section expires July
372 1, 2021.

373 Section 3. In order to implement Specific Appropriations 8
374 and 92 of the 2020-2021 General Appropriations Act, and
375 notwithstanding ss. 1002.20, 1003.02, 1006.28-1006.42,
376 1011.62(6)(b)3., and 1011.67, Florida Statutes, relating to the
377 expenditure of funds provided for instructional materials, for

20202502e1

378 the 2020-2021 fiscal year, funds provided for instructional
379 materials shall be released and expended as required in the
380 proviso language for Specific Appropriation 92 of the 2020-2021
381 General Appropriations Act. This section expires July 1, 2021.

382 Section 4. In order to implement Specific Appropriations 8
383 and 92 of the 2020-2021 General Appropriations Act, subsections
384 (11), (17), and (18) of section 1011.62, Florida Statutes, are
385 amended, and subsection (22) is added to that section, to read:

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

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

20202502e1

407 and options identified in s. 1002.455 and the Florida Virtual
408 School and its franchises to equal the virtual education
409 contribution and shall be included as a separate allocation in
410 the funding formula.

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

428 (18) THE FLORIDA BEST AND BRIGHTEST TEACHER AND PRINCIPAL
429 ALLOCATION.—

430 (a) The Florida Best and Brightest Teacher and Principal
431 Allocation is created to recruit, retain, and recognize
432 classroom teachers and instructional personnel who meet the
433 criteria established in s. 1012.731 and reward principals who
434 meet the criteria established in s. 1012.732. Subject to annual
435 appropriation, each school district shall receive an allocation

20202502e1

436 based on the district's proportionate share of FEFP base
437 funding. The Legislature may specify a minimum allocation for
438 all districts in the General Appropriations Act.

439 (b) From the allocation, each district shall provide the
440 following:

441 1. A one-time recruitment award, as provided in s.
442 1012.731(3) (a);

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

444 3. A recognition award, as provided in s. 1012.731(3) (c)
445 from the remaining balance of the appropriation after the
446 payment of all other awards authorized under ss. 1012.731 and
447 1012.732.

448 (c) From the allocation, each district shall provide
449 eligible principals an award as provided in s. 1012.732(3).
450

451 If a district's calculated awards exceed the allocation, the
452 district may prorate the awards.

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

456 (22) TEACHER SALARY INCREASE ALLOCATION.-

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

461 (b) Subject to annual appropriation, funds may be provided
462 for each school district to increase the minimum base salary for
463 full-time classroom teachers as defined in s. 1012.01(2) (a) or
464 all instructional personnel as defined by s. 1012.01(2) (a)-(d),

20202502e1

465 plus certified prekindergarten teachers, but not including
466 substitute teachers, by no less than the amount designated in
467 the General Appropriations Act. In addition, funds may also be
468 provided in an amount designated in the General Appropriations
469 Act for salary increases for all full-time instructional
470 personnel as determined by the school board and the local
471 bargaining unit.

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

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

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

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

489 1012.731 The Florida Best and Brightest Teacher Program.—

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

493 Section 7. In order to implement Specific Appropriations 8

20202502e1

494 and 92 of the 2020-2021 General Appropriations Act, subsection
495 (4) is added to section 1012.732, Florida Statutes, to read:

496 1012.732 The Florida Best and Brightest Principal Program.—

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

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

503 1013.62 Charter schools capital outlay funding.—

504 (1) For the 2020-2021 ~~2018-2019~~ fiscal year, charter school
505 capital outlay funding shall consist of state funds appropriated
506 in the 2020-2021 ~~2018-2019~~ General Appropriations Act. Beginning
507 in fiscal year 2021-2022 ~~2019-2020~~, charter school capital
508 outlay funding shall consist of state funds when such funds are
509 appropriated in the General Appropriations Act and revenue
510 resulting from the discretionary millage authorized in s.

511 1011.71(2) if the amount of state funds appropriated for charter
512 school capital outlay in any fiscal year is less than the
513 average charter school capital outlay funds per unweighted full-
514 time equivalent student for the 2018-2019 fiscal year,

515 multiplied by the estimated number of charter school students
516 for the applicable fiscal year, and adjusted by changes in the
517 Consumer Price Index issued by the United States Department of
518 Labor from the previous fiscal year. Nothing in this subsection
519 prohibits a school district from distributing to charter schools
520 funds resulting from the discretionary millage authorized in s.
521 1011.71(2).

522 (a) To be eligible to receive capital outlay funds, a

20202502e1

523 charter school must:

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

525 b. Be governed by a governing board established in the
526 state for 2 or more years which operates both charter schools
527 and conversion charter schools within the state;

528 c. Be an expanded feeder chain of a charter school within
529 the same school district that is currently receiving charter
530 school capital outlay funds;

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

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

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

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

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

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

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

551 Section 9. The amendments to s. 1013.62(1), Florida

20202502e1

552 Statutes, by this act expire July 1, 2021, and the text of that
553 subsection shall revert to that in existence on June 30, 2020,
554 except that any amendments to such text enacted other than by
555 this act shall be preserved and continue to operate to the
556 extent that such amendments are not dependent upon the portions
557 of text which expire pursuant to this section.

558 Section 10. In order to implement Specific Appropriation
559 123 of the 2020-2021 General Appropriations Act, and
560 notwithstanding the expiration date in section 8 of chapter
561 2019-116, Laws of Florida, subsection (1) of section 1001.26,
562 Florida Statutes, is reenacted to read:

563 1001.26 Public broadcasting program system.—

564 (1) There is created a public broadcasting program system
565 for the state. The department shall provide funds, as
566 specifically appropriated in the General Appropriations Act, to
567 educational television stations qualified by the Corporation for
568 Public Broadcasting or public colleges and universities that are
569 part of the public broadcasting program system. The program
570 system must include:

571 (a) Support for existing Corporation for Public
572 Broadcasting qualified program system educational television
573 stations.

574 (b) Maintenance of quality broadcast capability for
575 educational stations that are part of the program system.

576 (c) Interconnection of all educational stations that are
577 part of the program system for simultaneous broadcast and of
578 such stations with all universities and other institutions as
579 necessary for sharing of resources and delivery of programming.

580 (d) Establishment and maintenance of a capability for

20202502e1

581 statewide program distribution with facilities and staff,
582 provided such facilities and staff complement and strengthen
583 existing educational television stations.

584 (e) Provision of both statewide programming funds and
585 station programming support for educational television to meet
586 statewide priorities. Priorities for station programming need
587 not be the same as priorities for programming to be used
588 statewide. Station programming may include, but shall not be
589 limited to, citizens' participation programs, music and fine
590 arts programs, coverage of public hearings and governmental
591 meetings, equal air time for political candidates, and other
592 public interest programming.

593 Section 11. The text of s. 1001.26(1), Florida Statutes, as
594 carried forward from chapter 2019-116, Laws of Florida, by this
595 act, expires July 1, 2021, and the text of that subsection shall
596 revert to that in existence on June 30, 2018, except that any
597 amendments enacted other than by this act shall be preserved and
598 continue to operate to the extent that such amendments are not
599 dependent upon the portions of text which expire pursuant to
600 this section.

601 Section 12. In order to implement Specific Appropriation
602 150 of the 2020-2021 General Appropriations Act, section
603 1004.6499, Florida Statutes, is created to read:

604 1004.6499 Florida Institute of Politics.—

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

20202502e1

- 610 (2) The goals of the institute are to:
- 611 (a) Motivate students across the Florida State University
612 to become aware of the significance of government and civic
613 engagement at all levels and politics in general.
- 614 (b) Provide students with an opportunity to be politically
615 active and civically engaged.
- 616 (c) Nurture a state of consciousness and passion for public
617 service and politics.
- 618 (d) Plan and host forums to allow students and guests to
619 hear from and interact with experts from government, politics,
620 policy, and journalism on a frequent basis.
- 621 (e) Become a national and state resource on polling
622 information and survey methodology.
- 623 (f) Provide fellowships and internship opportunities to
624 students in government, non-profit organizations, and community
625 organizations.
- 626 (g) Provide training sessions for newly elected state and
627 local public officials.
- 628 (h) Organize and sponsor conferences, symposia and
629 workshops throughout Florida to educate and inform citizens,
630 elected officials, and appointed policymakers regarding
631 effective policymaking techniques and processes.
- 632 (i) Create and promote research and awareness regarding
633 politics, citizen involvement and public service.
- 634 (j) Collaborate with related policy institutes and research
635 activities at Florida State University and other institutions of
636 higher education to motivate, increase and sustain citizen
637 involvement in public affairs.
- 638 (3) This section expires July 1, 2021.

20202502e1

639 Section 13. In order to implement Specific Appropriations
640 207, 208, 211, and 215 of the 2020-2021 General Appropriations
641 Act, the calculations for the Medicaid Disproportionate Share
642 Hospital and Hospital Reimbursement programs for the 2020-2021
643 fiscal year contained in the document titled "Medicaid
644 Disproportionate Share Hospital and Hospital Reimbursement
645 Programs, Fiscal Year 2020-2021," dated February 6, 2020, and
646 filed with the Secretary of the Senate, are incorporated by
647 reference for the purpose of displaying the calculations used by
648 the Legislature, consistent with the requirements of state law,
649 in making appropriations for the Medicaid Disproportionate Share
650 Hospital and Hospital Reimbursement programs. This section
651 expires July 1, 2021.

652 Section 14. In order to implement Specific Appropriations
653 201 through 228 and 526 of the 2020-2021 General Appropriations
654 Act, and notwithstanding ss. 216.181 and 216.292, Florida
655 Statutes, the Agency for Health Care Administration, in
656 consultation with the Department of Health, may submit a budget
657 amendment, subject to the notice, review, and objection
658 procedures of s. 216.177, Florida Statutes, to realign funding
659 within and between agencies based on implementation of the
660 Managed Medical Assistance component of the Statewide Medicaid
661 Managed Care program for the Children's Medical Services program
662 of the Department of Health. The funding realignment shall
663 reflect the actual enrollment changes due to the transfer of
664 beneficiaries from fee-for-service to the capitated Children's
665 Medical Services Network. The Agency for Health Care
666 Administration may submit a request for nonoperating budget
667 authority to transfer the federal funds to the Department of

20202502e1

668 Health pursuant to s. 216.181(12), Florida Statutes. This
669 section expires July 1, 2021.

670 Section 15. In order to implement Specific Appropriations
671 225 and 226 of the 2020-2021 General Appropriations Act, and
672 notwithstanding the expiration date in section 19 of chapter
673 2019-116, Laws of Florida, subsection (23) of section 409.908,
674 Florida Statutes, is reenacted to read:

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

20202502e1

697 or limit the agency from adjusting fees, reimbursement rates,
698 lengths of stay, number of visits, or number of services, or
699 making any other adjustments necessary to comply with the
700 availability of moneys and any limitations or directions
701 provided for in the General Appropriations Act, provided the
702 adjustment is consistent with legislative intent.

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

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

711 2. Base rate reimbursement for outpatient services under an
712 enhanced ambulatory payment group methodology shall be provided
713 in the General Appropriations Act.

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

717 Section 16. The text of s. 409.908(23), Florida Statutes,
718 as carried forward from chapter 2018-10, Laws of Florida, by
719 this act, expires July 1, 2021, and the text of that subsection
720 shall revert to that in existence on October 1, 2018, not
721 including any amendments made by chapter 2018-10, Laws of
722 Florida, except that any amendments to such text enacted other
723 than by this act and chapters 2019-116 and 2018-10, Laws of
724 Florida, shall be preserved and continue to operate to the
725 extent that such amendments are not dependent upon the portions

20202502e1

726 of text which expire pursuant to this section.

727 Section 17. In order to implement Specific Appropriation
728 209 of the 2020-2021 General Appropriations Act, and
729 notwithstanding the expiration date in section 21 of chapter
730 2019-116, Laws of Florida, subsection (26) of section 409.908,
731 Florida Statutes, is reenacted to read:

732 409.908 Reimbursement of Medicaid providers.—Subject to
733 specific appropriations, the agency shall reimburse Medicaid
734 providers, in accordance with state and federal law, according
735 to methodologies set forth in the rules of the agency and in
736 policy manuals and handbooks incorporated by reference therein.
737 These methodologies may include fee schedules, reimbursement
738 methods based on cost reporting, negotiated fees, competitive
739 bidding pursuant to s. 287.057, and other mechanisms the agency
740 considers efficient and effective for purchasing services or
741 goods on behalf of recipients. If a provider is reimbursed based
742 on cost reporting and submits a cost report late and that cost
743 report would have been used to set a lower reimbursement rate
744 for a rate semester, then the provider's rate for that semester
745 shall be retroactively calculated using the new cost report, and
746 full payment at the recalculated rate shall be effected
747 retroactively. Medicare-granted extensions for filing cost
748 reports, if applicable, shall also apply to Medicaid cost
749 reports. Payment for Medicaid compensable services made on
750 behalf of Medicaid eligible persons is subject to the
751 availability of moneys and any limitations or directions
752 provided for in the General Appropriations Act or chapter 216.
753 Further, nothing in this section shall be construed to prevent
754 or limit the agency from adjusting fees, reimbursement rates,

20202502e1

755 lengths of stay, number of visits, or number of services, or
756 making any other adjustments necessary to comply with the
757 availability of moneys and any limitations or directions
758 provided for in the General Appropriations Act, provided the
759 adjustment is consistent with legislative intent.

760 (26) The agency may receive funds from state entities,
761 including, but not limited to, the Department of Health, local
762 governments, and other local political subdivisions, for the
763 purpose of making special exception payments and Low Income Pool
764 Program payments, including federal matching funds. Funds
765 received for this purpose shall be separately accounted for and
766 may not be commingled with other state or local funds in any
767 manner. The agency may certify all local governmental funds used
768 as state match under Title XIX of the Social Security Act to the
769 extent and in the manner authorized under the General
770 Appropriations Act and pursuant to an agreement between the
771 agency and the local governmental entity. In order for the
772 agency to certify such local governmental funds, a local
773 governmental entity must submit a final, executed letter of
774 agreement to the agency, which must be received by October 1 of
775 each fiscal year and provide the total amount of local
776 governmental funds authorized by the entity for that fiscal year
777 under the General Appropriations Act. The local governmental
778 entity shall use a certification form prescribed by the agency.
779 At a minimum, the certification form must identify the amount
780 being certified and describe the relationship between the
781 certifying local governmental entity and the local health care
782 provider. Local governmental funds outlined in the letters of
783 agreement must be received by the agency no later than October

20202502e1

784 31 of each fiscal year in which such funds are pledged, unless
785 an alternative plan is specifically approved by the agency.

786 Section 18. The text of s. 409.908(26), Florida Statutes,
787 as carried forward from chapter 2019-116, Laws of Florida, by
788 this act, expires July 1, 2021, and the text of that subsection
789 shall revert to that in existence on June 30, 2019, except that
790 any amendments to such text enacted other than by this act shall
791 be preserved and continue to operate to the extent that such
792 amendments are not dependent upon the portions of text which
793 expire pursuant to this section.

794 Section 19. In order to implement Specific Appropriations
795 207, 211, 212, 214, 216, and 225 of the 2020-2021 General
796 Appropriations Act, subsection (12) of section 409.904, Florida
797 Statutes, is amended to read:

798 409.904 Optional payments for eligible persons.—The agency
799 may make payments for medical assistance and related services on
800 behalf of the following persons who are determined to be
801 eligible subject to the income, assets, and categorical
802 eligibility tests set forth in federal and state law. Payment on
803 behalf of these Medicaid eligible persons is subject to the
804 availability of moneys and any limitations established by the
805 General Appropriations Act or chapter 216.

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

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

811 (b) For eligible nonpregnant adults, retroactive to the
812 first day of the month in which an application for Medicaid is

20202502e1

813 submitted.

814

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

816 Section 20. In order to implement Specific Appropriations
817 207, 211, 212, 214, 216, and 225 of the 2020-2021 General
818 Appropriations Act, by March 1, 2021, the Agency for Health Care
819 Administration, in consultation with the Department of Children
820 and Families, the Florida Hospital Association, the Safety Net
821 Hospital Alliance of Florida, the Florida Health Care
822 Association, and LeadingAge Florida, shall submit a report to
823 the Governor, the President of the Senate, and the Speaker of
824 the House of Representatives regarding the impact of the waiver
825 of Medicaid retroactive eligibility on beneficiaries and
826 providers. The report must include, but is not limited to:

827 (1) The total unduplicated number of nonpregnant adults who
828 applied for Medicaid at a hospital site from May 1, 2020,
829 through January 31, 2021; and, of those applicants, the number
830 whose Medicaid applications were approved, the number whose
831 Medicaid applications were denied, and the reasons for denial
832 ranked by frequency.

833 (2) The total unduplicated number of nonpregnant adults who
834 applied for Medicaid at a nursing home site from May 1, 2020,
835 through January 31, 2021; and, of those applicants, the number
836 whose Medicaid applications were approved, the number whose
837 Medicaid applications were denied, and the reasons for denial
838 ranked by frequency.

839 (3) The estimated impact of medical debt on nonpregnant
840 adults for whom a Medicaid application was not submitted in the
841 same month when the individual became an inpatient of a hospital

20202502e1

842 or a resident of a nursing home.

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

847

848 This section expires July 1, 2021.

849 Section 21. In order to implement Specific Appropriations
850 181 through 184 of the 2020-2021 General Appropriations Act, and
851 notwithstanding the expiration date in section 31 of chapter
852 2019-116, Laws of Florida, paragraph (b) of subsection (5) of
853 section 624.91, Florida Statutes, is reenacted to read:

854 624.91 The Florida Healthy Kids Corporation Act.—

855 (5) CORPORATION AUTHORIZATION, DUTIES, POWERS.—

856 (b) The Florida Healthy Kids Corporation shall:

857 1. Arrange for the collection of any family, local
858 contributions, or employer payment or premium, in an amount to
859 be determined by the board of directors, to provide for payment
860 of premiums for comprehensive insurance coverage and for the
861 actual or estimated administrative expenses.

862 2. Arrange for the collection of any voluntary
863 contributions to provide for payment of Florida Kidcare program
864 premiums for children who are not eligible for medical
865 assistance under Title XIX or Title XXI of the Social Security
866 Act.

867 3. Subject to the provisions of s. 409.8134, accept
868 voluntary supplemental local match contributions that comply
869 with the requirements of Title XXI of the Social Security Act
870 for the purpose of providing additional Florida Kidcare coverage

20202502e1

871 in contributing counties under Title XXI.

872 4. Establish the administrative and accounting procedures
873 for the operation of the corporation.

874 5. Establish, with consultation from appropriate
875 professional organizations, standards for preventive health
876 services and providers and comprehensive insurance benefits
877 appropriate to children, provided that such standards for rural
878 areas shall not limit primary care providers to board-certified
879 pediatricians.

880 6. Determine eligibility for children seeking to
881 participate in the Title XXI-funded components of the Florida
882 Kidcare program consistent with the requirements specified in s.
883 409.814, as well as the non-Title-XXI-eligible children as
884 provided in subsection (3).

885 7. Establish procedures under which providers of local
886 match to, applicants to and participants in the program may have
887 grievances reviewed by an impartial body and reported to the
888 board of directors of the corporation.

889 8. Establish participation criteria and, if appropriate,
890 contract with an authorized insurer, health maintenance
891 organization, or third-party administrator to provide
892 administrative services to the corporation.

893 9. Establish enrollment criteria that include penalties or
894 waiting periods of 30 days for reinstatement of coverage upon
895 voluntary cancellation for nonpayment of family premiums.

896 10. Contract with authorized insurers or any provider of
897 health care services, meeting standards established by the
898 corporation, for the provision of comprehensive insurance
899 coverage to participants. Such standards shall include criteria

20202502e1

900 under which the corporation may contract with more than one
901 provider of health care services in program sites. Health plans
902 shall be selected through a competitive bid process. The Florida
903 Healthy Kids Corporation shall purchase goods and services in
904 the most cost-effective manner consistent with the delivery of
905 quality medical care. The maximum administrative cost for a
906 Florida Healthy Kids Corporation contract shall be 15 percent.
907 For health care contracts, the minimum medical loss ratio for a
908 Florida Healthy Kids Corporation contract shall be 85 percent.
909 For dental contracts, the remaining compensation to be paid to
910 the authorized insurer or provider under a Florida Healthy Kids
911 Corporation contract shall be no less than an amount which is 85
912 percent of premium; to the extent any contract provision does
913 not provide for this minimum compensation, this section shall
914 prevail. For an insurer or any provider of health care services
915 which achieves an annual medical loss ratio below 85 percent,
916 the Florida Healthy Kids Corporation shall validate the medical
917 loss ratio and calculate an amount to be refunded by the insurer
918 or any provider of health care services to the state which shall
919 be deposited into the General Revenue Fund unallocated. The
920 health plan selection criteria and scoring system, and the
921 scoring results, shall be available upon request for inspection
922 after the bids have been awarded.

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

925 12. Develop and implement a plan to publicize the Florida
926 Kidcare program, the eligibility requirements of the program,
927 and the procedures for enrollment in the program and to maintain
928 public awareness of the corporation and the program.

20202502e1

929 13. Secure staff necessary to properly administer the
930 corporation. Staff costs shall be funded from state and local
931 matching funds and such other private or public funds as become
932 available. The board of directors shall determine the number of
933 staff members necessary to administer the corporation.

934 14. In consultation with the partner agencies, provide a
935 report on the Florida Kidcare program annually to the Governor,
936 the Chief Financial Officer, the Commissioner of Education, the
937 President of the Senate, the Speaker of the House of
938 Representatives, and the Minority Leaders of the Senate and the
939 House of Representatives.

940 15. Provide information on a quarterly basis to the
941 Legislature and the Governor which compares the costs and
942 utilization of the full-pay enrolled population and the Title
943 XXI-subsidized enrolled population in the Florida Kidcare
944 program. The information, at a minimum, must include:

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

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

951 16. Establish benefit packages that conform to the
952 provisions of the Florida Kidcare program, as created in ss.
953 409.810-409.821.

954 Section 22. The text of s. 624.91(5)(b), Florida Statutes,
955 as carried forward from chapter 2019-116, Laws of Florida, by
956 this act, expires July 1, 2021, and the text of that paragraph
957 shall revert to that in existence on June 30, 2019, except that

20202502e1

958 any amendments to such text enacted other than by this act shall
959 be preserved and continue to operate to the extent that such
960 amendments are not dependent upon the portions of text which
961 expire pursuant to this section.

962 Section 23. In order to implement Specific Appropriation
963 458 of the 2020-2021 General Appropriations Act, subsection (4)
964 of section 381.915, Florida Statutes, is amended to read:

965 381.915 Florida Consortium of National Cancer Institute
966 Centers Program.—

967 (4) Tier designations and corresponding weights within the
968 Florida Consortium of National Cancer Institute Centers Program
969 are as follows:

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

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

974 (c) Tier 3: Florida-based cancer centers seeking
975 designation as either a NCI-designated cancer center or NCI-
976 designated comprehensive cancer center, which shall be weighted
977 at 1.0.

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

981 a. Conducting cancer-related basic scientific research and
982 cancer-related population scientific research;

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

986 c. Hosting or conducting cancer-related interventional

20202502e1

987 clinical trials that are registered with the NCI's Clinical
988 Trials Reporting Program;

989 d. Offering degree-granting programs or affiliating with
990 universities through degree-granting programs accredited or
991 approved by a nationally recognized agency and offered through
992 the center or through the center in conjunction with another
993 institution accredited by the Commission on Colleges of the
994 Southern Association of Colleges and Schools;

995 e. Providing training to clinical trainees, medical
996 trainees accredited by the Accreditation Council for Graduate
997 Medical Education or the American Osteopathic Association, and
998 postdoctoral fellows recently awarded a doctorate degree; and

999 f. Having more than \$5 million in annual direct costs
1000 associated with their total NCI peer-reviewed grant funding.

1001 2. The General Appropriations Act or accompanying
1002 legislation may limit the number of cancer centers which shall
1003 receive Tier 3 designations or provide additional criteria for
1004 such designation.

1005 3. A cancer center's participation in Tier 3 may not extend
1006 beyond July 1, 2021 ~~shall be limited to 6 years.~~

1007 4. A cancer center that qualifies as a designated Tier 3
1008 center under the criteria provided in subparagraph 1. by July 1,
1009 2014, is authorized to pursue NCI designation as a cancer center
1010 or a comprehensive cancer center until July 1, 2021 ~~for 6 years~~
1011 ~~after qualification.~~

1012 Section 24. The amendments to s. 381.915(4), Florida
1013 Statutes, by this act expire July 1, 2021, and the text of that
1014 subsection shall revert to that in existence on June 30, 2020,
1015 except that any amendments to such text enacted other than by

20202502e1

1016 this act shall be preserved and continue to operate to the
1017 extent that such amendments are not dependent upon the portions
1018 of text which expire pursuant to this section.

1019 Section 25. In order to implement Specific Appropriations
1020 536, 537, 542, and 545 of the 2020-2021 General Appropriations
1021 Act, subsection (17) of section 893.055, Florida Statutes, is
1022 amended to read:

1023 893.055 Prescription drug monitoring program.—

1024 (17) For the 2020-2021 ~~2019-2020~~ fiscal year only, neither
1025 the Attorney General nor the department may use funds received
1026 as part of a settlement agreement to administer the prescription
1027 drug monitoring program. This subsection expires July 1, 2021
1028 ~~2020~~.

1029 Section 26. In order to implement Specific Appropriation
1030 208 of the 2020-2021 General Appropriations Act, subsections (2)
1031 and (10) of section 409.911, Florida Statutes, are amended to
1032 read:

1033 409.911 Disproportionate share program.—Subject to specific
1034 allocations established within the General Appropriations Act
1035 and any limitations established pursuant to chapter 216, the
1036 agency shall distribute, pursuant to this section, moneys to
1037 hospitals providing a disproportionate share of Medicaid or
1038 charity care services by making quarterly Medicaid payments as
1039 required. Notwithstanding the provisions of s. 409.915, counties
1040 are exempt from contributing toward the cost of this special
1041 reimbursement for hospitals serving a disproportionate share of
1042 low-income patients.

1043 (2) The Agency for Health Care Administration shall use the
1044 following actual audited data to determine the Medicaid days and

20202502e1

1045 charity care to be used in calculating the disproportionate
1046 share payment:

1047 (a) The average of the 2012, 2013, and 2014 ~~2011, 2012, and~~
1048 ~~2013~~ audited disproportionate share data to determine each
1049 hospital's Medicaid days and charity care for the 2020-2021
1050 ~~2019-2020~~ state fiscal year.

1051 (b) If the Agency for Health Care Administration does not
1052 have the prescribed 3 years of audited disproportionate share
1053 data as noted in paragraph (a) for a hospital, the agency shall
1054 use the average of the years of the audited disproportionate
1055 share data as noted in paragraph (a) which is available.

1056 (c) In accordance with s. 1923(b) of the Social Security
1057 Act, a hospital with a Medicaid inpatient utilization rate
1058 greater than one standard deviation above the statewide mean or
1059 a hospital with a low-income utilization rate of 25 percent or
1060 greater shall qualify for reimbursement.

1061 (10) Notwithstanding any provision of this section to the
1062 contrary, for the 2020-2021 ~~2019-2020~~ state fiscal year, the
1063 agency shall distribute moneys to hospitals providing a
1064 disproportionate share of Medicaid or charity care services as
1065 provided in the 2020-2021 ~~2019-2020~~ General Appropriations Act.
1066 This subsection expires July 1, 2021 ~~2020~~.

1067 Section 27. In order to implement Specific Appropriation
1068 208 of the 2020-2021 General Appropriations Act, subsection (3)
1069 of section 409.9113, Florida Statutes, is amended to read:

1070 409.9113 Disproportionate share program for teaching
1071 hospitals.—In addition to the payments made under s. 409.911,
1072 the agency shall make disproportionate share payments to
1073 teaching hospitals, as defined in s. 408.07, for their increased

20202502e1

1074 costs associated with medical education programs and for
1075 tertiary health care services provided to the indigent. This
1076 system of payments must conform to federal requirements and
1077 distribute funds in each fiscal year for which an appropriation
1078 is made by making quarterly Medicaid payments. Notwithstanding
1079 s. 409.915, counties are exempt from contributing toward the
1080 cost of this special reimbursement for hospitals serving a
1081 disproportionate share of low-income patients. The agency shall
1082 distribute the moneys provided in the General Appropriations Act
1083 to statutorily defined teaching hospitals and family practice
1084 teaching hospitals, as defined in s. 395.805, pursuant to this
1085 section. The funds provided for statutorily defined teaching
1086 hospitals shall be distributed as provided in the General
1087 Appropriations Act. The funds provided for family practice
1088 teaching hospitals shall be distributed equally among family
1089 practice teaching hospitals.

1090 (3) Notwithstanding any provision of this section to the
1091 contrary, for the 2020-2021 ~~2019-2020~~ state fiscal year, the
1092 agency shall make disproportionate share payments to teaching
1093 hospitals, as defined in s. 408.07, as provided in the 2020-2021
1094 ~~2019-2020~~ General Appropriations Act. This subsection expires
1095 July 1, 2021 ~~2020~~.

1096 Section 28. In order to implement Specific Appropriation
1097 208 of the 2020-2021 General Appropriations Act, subsection (4)
1098 of section 409.9119, Florida Statutes, is amended to read:

1099 409.9119 Disproportionate share program for specialty
1100 hospitals for children.—In addition to the payments made under
1101 s. 409.911, the Agency for Health Care Administration shall
1102 develop and implement a system under which disproportionate

20202502e1

1103 share payments are made to those hospitals that are separately
1104 licensed by the state as specialty hospitals for children, have
1105 a federal Centers for Medicare and Medicaid Services
1106 certification number in the 3300-3399 range, have Medicaid days
1107 that exceed 55 percent of their total days and Medicare days
1108 that are less than 5 percent of their total days, and were
1109 licensed on January 1, 2013, as specialty hospitals for
1110 children. This system of payments must conform to federal
1111 requirements and must distribute funds in each fiscal year for
1112 which an appropriation is made by making quarterly Medicaid
1113 payments. Notwithstanding s. 409.915, counties are exempt from
1114 contributing toward the cost of this special reimbursement for
1115 hospitals that serve a disproportionate share of low-income
1116 patients. The agency may make disproportionate share payments to
1117 specialty hospitals for children as provided for in the General
1118 Appropriations Act.

1119 (4) Notwithstanding any provision of this section to the
1120 contrary, for the 2020-2021 ~~2019-2020~~ state fiscal year, for
1121 hospitals achieving full compliance under subsection (3), the
1122 agency shall make disproportionate share payments to specialty
1123 hospitals for children as provided in the 2020-2021 ~~2019-2020~~
1124 General Appropriations Act. This subsection expires July 1, 2021
1125 ~~2020~~.

1126 Section 29. In order to implement Specific Appropriations
1127 201 through 228 of the 2020-2021 General Appropriations Act, and
1128 notwithstanding ss. 216.181 and 216.292, Florida Statutes, the
1129 Agency for Health Care Administration may submit a budget
1130 amendment, subject to the notice, review, and objection
1131 procedures of s. 216.177, Florida Statutes, to realign funding

20202502e1

1132 within the Medicaid program appropriation categories to address
1133 projected surpluses and deficits within the program and to
1134 maximize the use of state trust funds. A single budget amendment
1135 shall be submitted in the last quarter of the 2020-2021 fiscal
1136 year only. This section expires July 1, 2021.

1137 Section 30. In order to implement Specific Appropriation
1138 406 of the 2020-2021 General Appropriations Act, and subject to
1139 federal approval of the application to be a site for the Program
1140 of All-Inclusive Care for the Elderly, the Agency for Health
1141 Care Administration shall contract with one private health care
1142 organization, the sole member of which is a private, not-for-
1143 profit corporation that owns and manages health care
1144 organizations that provide comprehensive long-term care
1145 services, including nursing home, assisted living, independent
1146 housing, home care, adult day care, and care management. This
1147 organization shall provide these services to frail and elderly
1148 persons who reside in Escambia, Okaloosa, and Santa Rosa
1149 Counties. The organization is exempt from the requirements of
1150 chapter 641, Florida Statutes. The agency, in consultation with
1151 the Department of Elderly Affairs and subject to an
1152 appropriation, shall approve up to 200 initial enrollees in the
1153 Program of All-Inclusive Care for the Elderly established by
1154 this organization to serve elderly persons who reside in
1155 Escambia, Okaloosa, and Santa Rosa Counties. This section
1156 expires July 1, 2021.

1157 Section 31. In order to implement Specific Appropriations
1158 181 through 186 and 526 of the 2020-2021 General Appropriations
1159 Act, and notwithstanding ss. 216.181 and 216.292, Florida
1160 Statutes, the Agency for Health Care Administration and the

20202502e1

1161 Department of Health may each submit a budget amendment, subject
1162 to the notice, review, and objection procedures of s. 216.177,
1163 Florida Statutes, to realign funding within the Florida Kidcare
1164 program appropriation categories, or to increase budget
1165 authority in the Children's Medical Services Network category,
1166 to address projected surpluses and deficits within the program
1167 or to maximize the use of state trust funds. A single budget
1168 amendment must be submitted by each agency in the last quarter
1169 of the 2020-2021 fiscal year only. This section expires July 1,
1170 2021.

1171 Section 32. In order to implement Specific Appropriations
1172 468 through 470, 475, and 482 of the 2020-2021 General
1173 Appropriations Act, subsection (17) of section 381.986, Florida
1174 Statutes, is amended to read:

1175 381.986 Medical use of marijuana.—

1176 (17) Rules adopted pursuant to this section before July 1,
1177 2021 ~~2020~~, are not subject to ss. 120.54(3)(b) and 120.541.
1178 Notwithstanding paragraph (8)(e), a medical marijuana treatment
1179 center may use a laboratory that has not been certified by the
1180 department under s. 381.988 until such time as at least one
1181 laboratory holds the required certification pursuant to s.
1182 381.988, but in no event later than July 1, 2021 ~~2020~~. This
1183 subsection expires July 1, 2021 ~~2020~~.

1184 Section 33. In order to implement Specific Appropriations
1185 468 through 470, 475, and 482 of the 2020-2021 General
1186 Appropriations Act, subsection (11) of section 381.988, Florida
1187 Statutes, is amended to read:

1188 381.988 Medical marijuana testing laboratories; marijuana
1189 tests conducted by a certified laboratory.—

20202502e1

1190 (11) Rules adopted under subsection (9) before July 1, 2021
1191 ~~2020~~, are not subject to ss. 120.54(3)(b) and 120.541. This
1192 subsection expires July 1, 2021 ~~2020~~.

1193 Section 34. Effective July 1, 2020, upon the expiration and
1194 reversion of the amendments made to subsection (1) of section 14
1195 of chapter 2017-232, Laws of Florida, pursuant to section 42 of
1196 chapter 2019-116, Laws of Florida, and in order to implement
1197 Specific Appropriations 468 through 470, 475, and 482 of the
1198 2020-2021 General Appropriations Act, subsection (1) of section
1199 14 of chapter 2017-232, Laws of Florida, is amended to read:

1200 Section 14. Department of Health; authority to adopt rules;
1201 cause of action.—

1202 (1) EMERGENCY RULEMAKING.—

1203 (a) The Department of Health and the applicable boards
1204 shall adopt emergency rules pursuant to s. 120.54(4), Florida
1205 Statutes, and this section necessary to implement ss. 381.986
1206 and 381.988, Florida Statutes. If an emergency rule adopted
1207 under this section is held to be unconstitutional or an invalid
1208 exercise of delegated legislative authority, and becomes void,
1209 the department or the applicable boards may adopt an emergency
1210 rule pursuant to this section to replace the rule that has
1211 become void. If the emergency rule adopted to replace the void
1212 emergency rule is also held to be unconstitutional or an invalid
1213 exercise of delegated legislative authority and becomes void,
1214 the department and the applicable boards must follow the
1215 nonemergency rulemaking procedures of the Administrative
1216 Procedures Act to replace the rule that has become void.

1217 (b) For emergency rules adopted under this section, the
1218 department and the applicable boards need not make the findings

20202502e1

1219 required by s. 120.54(4) (a), Florida Statutes. Emergency rules
1220 adopted under this section are exempt from ss. 120.54(3) (b) and
1221 120.541, Florida Statutes. The department and the applicable
1222 boards shall meet the procedural requirements in s. 120.54(4) (a)
1223 ~~s. 120.54(a)~~, Florida Statutes, if the department or the
1224 applicable boards have, before July 1, 2019 ~~the effective date~~
1225 ~~of this act~~, held any public workshops or hearings on the
1226 subject matter of the emergency rules adopted under this
1227 subsection. Challenges to emergency rules adopted under this
1228 subsection are subject to the time schedules provided in s.
1229 120.56(5), Florida Statutes.

1230 (c) Emergency rules adopted under this section are exempt
1231 from s. 120.54(4) (c), Florida Statutes, and shall remain in
1232 effect until replaced by rules adopted under the nonemergency
1233 rulemaking procedures of the Administrative Procedures Act.
1234 Rules adopted under the nonemergency rulemaking procedures of
1235 the Administrative Procedures Act to replace emergency rules
1236 adopted under this section are exempt from ss. 120.54(3) (b) and
1237 120.541, Florida Statutes. By July 1, 2021 ~~January 1, 2018~~, the
1238 department and the applicable boards shall initiate nonemergency
1239 rulemaking pursuant to the Administrative Procedures Act to
1240 replace all emergency rules adopted under this section by
1241 publishing a notice of rule development in the Florida
1242 Administrative Register. Except as provided in paragraph (a),
1243 after July 1, 2021 ~~January 1, 2018~~, the department and
1244 applicable boards may not adopt rules pursuant to the emergency
1245 rulemaking procedures provided in this section.

1246 Section 35. The amendment to s. 14(1) of chapter 2017-232,
1247 Laws of Florida, by this act expires July 1, 2021, and the text

20202502e1

1248 of that subsection shall revert to that in existence on June 30,
1249 2019, except that any amendments to such text enacted other than
1250 by this act shall be preserved and continue to operate to the
1251 extent that such amendments are not dependent upon the portions
1252 of text which expire pursuant to this section.

1253 Section 36. In order to implement Specific Appropriation
1254 195 of the 2020-2021 General Appropriations Act, and
1255 notwithstanding s. 409.902(3)-(8), Florida Statutes:

1256 (1) The Agency for Health Care Administration shall replace
1257 the Medicaid Enterprise System (MES), which includes the Florida
1258 Medicaid Management Information System (FMMIS), enrollment
1259 broker system, third-party liability functionality, pharmacy
1260 benefits management, fraud and abuse case tracking, prior
1261 authorization, home health electronic visit verification, and
1262 the Health Quality Assurance licensure system, with an
1263 integrated enterprise system consisting of a new integration
1264 platform, data warehouse, and modules for Provider Management,
1265 Case Management, and Recipient Enrollment and Management. The
1266 new system, the Florida Health Care Connection (FX) system, must
1267 provide better integration with subsystems supporting Florida's
1268 Medicaid program; uniformity, consistency, and improved access
1269 to data; and compatibility with the Centers for Medicare and
1270 Medicaid Services' Medicaid Information Technology Architecture
1271 (MITA) as the system matures and expands its functionality.

1272 (2) For purposes of replacing MES, the Agency for Health
1273 Care Administration shall:

1274 (a) Comply with and not exceed the Centers for Medicare and
1275 Medicaid Services funding authorizations for the FX system.

1276 (b) Ensure compliance and uniformity with published MITA

20202502e1

1277 framework and guidelines.

1278 (c) Ensure that all business requirements and technical
1279 specifications have been provided to the state's health and
1280 human services agencies for their review and input, and are
1281 approved by the executive steering committee established in
1282 paragraph (e), before the agency contracts for implementation or
1283 system development of new modules for the FX system.

1284 (d) Ensure the new FX system is compatible with and will
1285 seamlessly integrate financial and fiscal information into the
1286 state's new planning, accounting, and ledger management system,
1287 PALM.

1288 (e) Implement a project governance structure that includes
1289 an executive steering committee composed of:

1290 1. The Secretary of Health Care Administration, or the
1291 executive sponsor of the project.

1292 2. A representative of the Division of Health Quality
1293 Assurance of the Agency for Health Care Administration,
1294 appointed by the Secretary of Health Care Administration.

1295 3. A representative of the Florida Center for Health
1296 Information and Transparency of the Agency for Health Care
1297 Administration, appointed by the Secretary of Health Care
1298 Administration.

1299 4. A representative of the Division of Information
1300 Technology of the Agency for Health Care Administration,
1301 appointed by the Secretary of Health Care Administration.

1302 5. A representative of the Division of Operations of the
1303 Agency for Health Care Administration, appointed by the
1304 Secretary of Health Care Administration.

1305 6. Two employees from the Division of Medicaid of the

20202502e1

1306 Agency for Health Care Administration, appointed by the
1307 Secretary of Health Care Administration.

1308 7. The Assistant Secretary for Child Welfare of the
1309 Department of Children and Families, or his or her designee.

1310 8. The Assistant Secretary for Economic Self-Sufficiency of
1311 the Department of Children and Families, or his or her designee.

1312 9. The Deputy Secretary for Children's Medical Services of
1313 the Department of Health, or his or her designee.

1314 10. A representative of the Agency for Persons with
1315 Disabilities who has experience with the preparation and
1316 submission of waivers to the Centers for Medicare and Medicaid
1317 Services, appointed by the director of the Agency for Persons
1318 with Disabilities.

1319 11. A representative for the Department of Elderly Affairs
1320 who has experience with the Medicaid Program within that
1321 department, appointed by the Secretary of Elderly Affairs.

1322 12. A representative for the Department of Corrections who
1323 has experience Medicaid reporting within that department,
1324 appointed by the Secretary of Corrections.

1325 13. A representative for the Medicaid Fraud Control Unit
1326 within the Office of the Attorney General, appointed by the
1327 Attorney General.

1328 14. A representative of the Department of Financial
1329 Services who has experience with the state's financial processes
1330 including development of the PALM system, appointed by the Chief
1331 Financial Officer.

1332 (3) The Secretary of Health Care Administration or the
1333 executive sponsor of the project shall serve as chair of the
1334 executive steering committee, and the committee shall take

20202502e1

1335 action by a vote of at least 10 affirmative votes with the chair
1336 voting on the prevailing side. A quorum of the executive
1337 steering committee consists of at least 11 members.

1338 (4) The executive steering committee has the overall
1339 responsibility for ensuring that the project to replace MES
1340 meets its primary business objectives and shall:

1341 (a) Identify and recommend to the Executive Office of the
1342 Governor, the President of the Senate, and the Speaker of the
1343 House of Representatives any statutory changes needed to
1344 standardize the data collection and reporting for the state's
1345 Medicaid program.

1346 (b) Review and approve any changes to the project's scope,
1347 schedule, and budget which do not conflict with the requirements
1348 of subsection (1).

1349 (c) Ensure that adequate resources are provided throughout
1350 all phases of the project.

1351 (d) Approve all major project deliverables.

1352 (e) Approve all solicitation-related documents associated
1353 with the replacement of MES.

1354 (5) This section expires July 1, 2021.

1355 Section 37. In order to implement Specific Appropriations
1356 330, 332, 361, and 362 of the 2020-2021 General Appropriations
1357 Act, and notwithstanding ss. 216.181 and 216.292, Florida
1358 Statutes, the Department of Children and Families may submit a
1359 budget amendment, subject to the notice, review, and objection
1360 procedures of s. 216.177, Florida Statutes, to realign funding
1361 within the department based on the implementation of the
1362 Guardianship Assistance Program, between and among the specific
1363 appropriations for guardianship assistance payments, foster care

20202502e1

1364 Level 1 room and board payments, relative caregiver payments,
1365 and nonrelative caregiver payments. This section expires July 1,
1366 2021.

1367 Section 38. In order to implement Specific Appropriations
1368 330 and 332 of the 2020-2021 General Appropriations Act, the
1369 Department of Children and Families shall establish a formula to
1370 distribute the recurring sums of \$10,597,824 from the General
1371 Revenue Fund and \$11,922,238 from the Federal Grants Trust Fund
1372 for actual and direct costs to implement the Guardianship
1373 Assistance Program, including Level 1 foster care board
1374 payments, licensing staff for community-based care lead
1375 agencies, and guardianship assistance payments. This section
1376 expires July 1, 2021.

1377 Section 39. In order to implement Specific Appropriations
1378 554 through 560 and 562 of the 2020-2021 General Appropriations
1379 Act, subsection (3) of section 296.37, Florida Statutes, is
1380 amended to read:

1381 296.37 Residents; contribution to support.—

1382 (3) Notwithstanding subsection (1), each resident of the
1383 home who receives a pension, compensation, or gratuity from the
1384 United States Government, or income from any other source, of
1385 more than \$130 per month shall contribute to his or her
1386 maintenance and support while a resident of the home in
1387 accordance with a payment schedule determined by the
1388 administrator and approved by the director. The total amount of
1389 such contributions shall be to the fullest extent possible, but,
1390 in no case, shall exceed the actual cost of operating and
1391 maintaining the home. This subsection expires July 1, 2021 ~~2020~~.

1392 Section 40. In order to implement Specific Appropriations

20202502e1

1393 353 and 354 of the 2020-2021 General Appropriations Act, and
 1394 notwithstanding ss. 216.181 and 216.292, Florida Statutes, the
 1395 Department of Children and Families may submit a budget
 1396 amendment, subject to the notice, review, and objection
 1397 procedures of s. 216.177, Florida Statutes, to increase budget
 1398 authority for the Supplemental Nutrition Assistance Program if
 1399 additional federal revenue specific to the program becomes
 1400 available for the program in the 2020-2021 fiscal year. This
 1401 section expires July 1, 2021.

1402 Section 41. In order to implement Specific Appropriations
 1403 312 through 315, 319, 320, 323, 328, 330, and 332 of the 2020-
 1404 2021 General Appropriations Act, and notwithstanding ss. 216.181
 1405 and 216.292, Florida Statutes, the Department of Children and
 1406 Families may submit a budget amendment, subject to the notice,
 1407 review, and objection procedures of s. 216.177, Florida
 1408 Statutes, to realign funding within the Family Safety Program to
 1409 maximize the use of Title IV-E and other federal funds. This
 1410 section expires July 1, 2021.

1411 Section 42. In order to implement Specific Appropriations
 1412 582 through 673 and 685 through 720 of the 2020-2021 General
 1413 Appropriations Act, subsection (4) of section 216.262, Florida
 1414 Statutes, is amended to read:

1415 216.262 Authorized positions.—

1416 (4) Notwithstanding the provisions of this chapter relating
 1417 to increasing the number of authorized positions, and for the
 1418 2020-2021 ~~2019-2020~~ fiscal year only, if the actual inmate
 1419 population of the Department of Corrections exceeds the inmate
 1420 population projections of the December 17, 2019 ~~February 22,~~
 1421 ~~2019~~, Criminal Justice Estimating Conference by 1 percent for 2

20202502e1

1422 consecutive months or 2 percent for any month, the Executive
1423 Office of the Governor, with the approval of the Legislative
1424 Budget Commission, shall immediately notify the Criminal Justice
1425 Estimating Conference, which shall convene as soon as possible
1426 to revise the estimates. The Department of Corrections may then
1427 submit a budget amendment requesting the establishment of
1428 positions in excess of the number authorized by the Legislature
1429 and additional appropriations from unallocated general revenue
1430 sufficient to provide for essential staff, fixed capital
1431 improvements, and other resources to provide classification,
1432 security, food services, health services, and other variable
1433 expenses within the institutions to accommodate the estimated
1434 increase in the inmate population. All actions taken pursuant to
1435 this subsection are subject to review and approval by the
1436 Legislative Budget Commission. This subsection expires July 1,
1437 2021 ~~2020~~.

1438 Section 43. In order to implement Specific Appropriation
1439 707 of the 2020-2021 General Appropriations Act, and upon the
1440 expiration and reversion of the amendments made by section 52 of
1441 chapter 2019-116, Laws of Florida, paragraph (b) of subsection
1442 (8) of section 1011.80, Florida Statutes, is amended to read:
1443 1011.80 Funds for operation of workforce education
1444 programs.—

1445 (8)

1446 (b) State funds provided for the operation of postsecondary
1447 workforce programs may not be expended for the education of
1448 state or federal inmates, except to the extent that such funds
1449 are specifically appropriated for such purpose in the 2020-2021
1450 General Appropriations Act ~~with more than 24 months of time~~

20202502e1

1451 ~~remaining to serve on their sentences or federal inmates.~~

1452 Section 44. The amendment made to s. 1011.80(8)(b), Florida
1453 Statutes, by this act expires July 1, 2021, and the text of that
1454 paragraph shall revert to that in existence on July 1, 2019, but
1455 not including any amendments made by this act or chapters 2019-
1456 116 and 2018-10, Laws of Florida, and any amendments to such
1457 text enacted other than by this act shall be preserved and
1458 continue to operate to the extent that such amendments are not
1459 dependent upon the portions of text which expire pursuant to
1460 this section.

1461 Section 45. In order to implement Specific Appropriations
1462 3187 through 3253 of the 2020-2021 General Appropriations Act,
1463 subsection (2) of section 215.18, Florida Statutes, is amended
1464 to read:

1465 215.18 Transfers between funds; limitation.—

1466 (2) The Chief Justice of the Supreme Court may receive one
1467 or more trust fund loans to ensure that the state court system
1468 has funds sufficient to meet its appropriations in the 2020-2021
1469 ~~2019-2020~~ General Appropriations Act. If the Chief Justice
1470 accesses the loan, he or she must notify the Governor and the
1471 chairs of the legislative appropriations committees in writing.
1472 The loan must come from other funds in the State Treasury which
1473 are for the time being or otherwise in excess of the amounts
1474 necessary to meet the just requirements of such last-mentioned
1475 funds. The Governor shall order the transfer of funds within 5
1476 days after the written notification from the Chief Justice. If
1477 the Governor does not order the transfer, the Chief Financial
1478 Officer shall transfer the requested funds. The loan of funds
1479 from which any money is temporarily transferred must be repaid

20202502e1

1480 by the end of the 2020-2021 ~~2019-2020~~ fiscal year. This
1481 subsection expires July 1, 2021 ~~2020~~.

1482 Section 46. (1) In order to implement Specific
1483 Appropriations 1120 through 1131 of the 2020-2021 General
1484 Appropriations Act, the Department of Juvenile Justice is
1485 required to review county juvenile detention payments to ensure
1486 that counties fulfill their financial responsibilities required
1487 in s. 985.6865, Florida Statutes. If the Department of Juvenile
1488 Justice determines that a county has not met its obligations,
1489 the department shall direct the Department of Revenue to deduct
1490 the amount owed to the Department of Juvenile Justice from the
1491 funds provided to the county under s. 218.23, Florida Statutes.
1492 The Department of Revenue shall transfer the funds withheld to
1493 the Shared County/State Juvenile Detention Trust Fund.

1494 (2) As an assurance to holders of bonds issued by counties
1495 before July 1, 2020, for which distributions made pursuant to s.
1496 218.23, Florida Statutes, are pledged, or bonds issued to refund
1497 such bonds which mature no later than the bonds they refunded
1498 and which result in a reduction of debt service payable in each
1499 fiscal year, the amount available for distribution to a county
1500 shall remain as provided by law and continue to be subject to
1501 any lien or claim on behalf of the bondholders. The Department
1502 of Revenue must ensure, based on information provided by an
1503 affected county, that any reduction in amounts distributed
1504 pursuant to subsection (1) does not reduce the amount of
1505 distribution to a county below the amount necessary for the
1506 timely payment of principal and interest when due on the bonds
1507 and the amount necessary to comply with any covenant under the
1508 bond resolution or other documents relating to the issuance of

20202502e1

1509 the bonds. If a reduction to a county's monthly distribution
1510 must be decreased in order to comply with this section, the
1511 Department of Revenue must notify the Department of Juvenile
1512 Justice of the amount of the decrease, and the Department of
1513 Juvenile Justice must send a bill for payment of such amount to
1514 the affected county.

1515 (3) This section expires July 1, 2021.

1516 Section 47. In order to implement Specific Appropriations
1517 731 through 752, 916 through 1062, and 1083 through 1119 of the
1518 2020-2021 General Appropriations Act, and notwithstanding the
1519 expiration date in section 57 of chapter 2019-116, Laws of
1520 Florida, present subsection (11) of section 27.40, Florida
1521 Statutes, is renumbered as subsection (12), a new subsection
1522 (11) is added to that section, and subsection (1), paragraph (a)
1523 of subsection (2), paragraph (a) of subsection (3), and
1524 subsections (5), (6), and (7) of that section are reenacted, to
1525 read:

1526 27.40 Court-appointed counsel; circuit registries; minimum
1527 requirements; appointment by court.—

1528 (1) Counsel shall be appointed to represent any individual
1529 in a criminal or civil proceeding entitled to court-appointed
1530 counsel under the Federal or State Constitution or as authorized
1531 by general law. The court shall appoint a public defender to
1532 represent indigent persons as authorized in s. 27.51. The office
1533 of criminal conflict and civil regional counsel shall be
1534 appointed to represent persons in those cases in which provision
1535 is made for court-appointed counsel, but only after the public
1536 defender has certified to the court in writing that the public
1537 defender is unable to provide representation due to a conflict

20202502e1

1538 of interest or is not authorized to provide representation. The
1539 public defender shall report, in the aggregate, the specific
1540 basis of all conflicts of interest certified to the court. On a
1541 quarterly basis, the public defender shall submit this
1542 information to the Justice Administrative Commission.

1543 (2) (a) Private counsel shall be appointed to represent
1544 persons in those cases in which provision is made for court-
1545 appointed counsel but only after the office of criminal conflict
1546 and civil regional counsel has been appointed and has certified
1547 to the court in writing that the criminal conflict and civil
1548 regional counsel is unable to provide representation due to a
1549 conflict of interest. The criminal conflict and civil regional
1550 counsel shall report, in the aggregate, the specific basis of
1551 all conflicts of interest certified to the court. On a quarterly
1552 basis, the criminal conflict and civil regional counsel shall
1553 submit this information to the Justice Administrative
1554 Commission.

1555 (3) In using a registry:

1556 (a) The chief judge of the circuit shall compile a list of
1557 attorneys in private practice, by county and by category of
1558 cases, and provide the list to the clerk of court in each
1559 county. The chief judge of the circuit may restrict the number
1560 of attorneys on the general registry list. To be included on a
1561 registry, an attorney must certify that he or she:

1562 1. Meets any minimum requirements established by the chief
1563 judge and by general law for court appointment;

1564 2. Is available to represent indigent defendants in cases
1565 requiring court appointment of private counsel; and

1566 3. Is willing to abide by the terms of the contract for

20202502e1

1567 services, s. 27.5304, and this section.

1568

1569 To be included on a registry, an attorney must enter into a
1570 contract for services with the Justice Administrative
1571 Commission. Failure to comply with the terms of the contract for
1572 services may result in termination of the contract and removal
1573 from the registry. Each attorney on the registry is responsible
1574 for notifying the clerk of the court and the Justice
1575 Administrative Commission of any change in his or her status.
1576 Failure to comply with this requirement is cause for termination
1577 of the contract for services and removal from the registry until
1578 the requirement is fulfilled.

1579 (5) The Justice Administrative Commission shall approve
1580 uniform contract forms for use in procuring the services of
1581 private court-appointed counsel and uniform procedures and forms
1582 for use by a court-appointed attorney in support of billing for
1583 attorney's fees, costs, and related expenses to demonstrate the
1584 attorney's completion of specified duties. Such uniform
1585 contracts and forms for use in billing must be consistent with
1586 s. 27.5304, s. 216.311, and the General Appropriations Act and
1587 must contain the following statement: "The State of Florida's
1588 performance and obligation to pay under this contract is
1589 contingent upon an annual appropriation by the Legislature."

1590 (6) After court appointment, the attorney must immediately
1591 file a notice of appearance with the court indicating acceptance
1592 of the appointment to represent the defendant and of the terms
1593 of the uniform contract as specified in subsection (5).

1594 (7) (a) A private attorney appointed by the court from the
1595 registry to represent a client is entitled to payment as

20202502e1

1596 provided in s. 27.5304 so long as the requirements of subsection
1597 (1) and paragraph (2)(a) are met. An attorney appointed by the
1598 court who is not on the registry list may be compensated under
1599 s. 27.5304 only if the court finds in the order of appointment
1600 that there were no registry attorneys available for
1601 representation for that case and only if the requirements of
1602 subsection (1) and paragraph (2)(a) are met.

1603 (b)1. The flat fee established in s. 27.5304 and the
1604 General Appropriations Act shall be presumed by the court to be
1605 sufficient compensation. The attorney shall maintain appropriate
1606 documentation, including contemporaneous and detailed hourly
1607 accounting of time spent representing the client. If the
1608 attorney fails to maintain such contemporaneous and detailed
1609 hourly records, the attorney waives the right to seek
1610 compensation in excess of the flat fee established in s. 27.5304
1611 and the General Appropriations Act. These records and documents
1612 are subject to review by the Justice Administrative Commission
1613 and audit by the Auditor General, subject to the attorney-client
1614 privilege and work-product privilege. The attorney shall
1615 maintain the records and documents in a manner that enables the
1616 attorney to redact any information subject to a privilege in
1617 order to facilitate the commission's review of the records and
1618 documents and not to impede such review. The attorney may redact
1619 information from the records and documents only to the extent
1620 necessary to comply with the privilege. The Justice
1621 Administrative Commission shall review such records and shall
1622 contemporaneously document such review before authorizing
1623 payment to an attorney. Objections by or on behalf of the
1624 Justice Administrative Commission to records or documents or to

20202502e1

1625 claims for payment by the attorney shall be presumed correct by
1626 the court unless the court determines, in writing, that
1627 competent and substantial evidence exists to justify overcoming
1628 the presumption.

1629 2. If an attorney fails, refuses, or declines to permit the
1630 commission or the Auditor General to review documentation for a
1631 case as provided in this paragraph, the attorney waives the
1632 right to seek, and the commission may not pay, compensation in
1633 excess of the flat fee established in s. 27.5304 and the General
1634 Appropriations Act for that case.

1635 3. A finding by the commission that an attorney has waived
1636 the right to seek compensation in excess of the flat fee
1637 established in s. 27.5304 and the General Appropriations Act, as
1638 provided in this paragraph, shall be presumed to be correct,
1639 unless the court determines, in writing, that competent and
1640 substantial evidence exists to justify overcoming the
1641 presumption.

1642 (11) (a) The Cross-Jurisdictional Death Penalty Pilot
1643 Program is established within the Office of Criminal Conflict
1644 and Civil Regional Counsel of the Second Appellate District.

1645 (b) If the public defender for the Fifth Judicial Circuit
1646 or the Ninth Judicial Circuit is unable to provide
1647 representation to an indigent defendant charged with a crime
1648 under s. 782.04(1) or s. 790.161(4) to which the provisions of
1649 s. 921.141 apply due to a conflict of interest and the Criminal
1650 Conflict and Civil Regional Counsel of the Fifth Appellate
1651 District is also unable to provide representation for an
1652 indigent defendant due to a conflict of interest, the Criminal
1653 Conflict and Civil Regional Counsel of the Second Appellate

20202502e1

1654 District shall be appointed. If the Criminal Conflict and Civil
1655 Regional Counsel of the Second Appellate District is unable to
1656 provide representation to an indigent defendant due to a
1657 conflict of interest, private counsel shall be appointed as
1658 provided pursuant to this chapter.

1659 (c) The Office of Criminal Conflict and Civil Regional
1660 Counsel of the Second Appellate District shall provide a report
1661 on the implementation of the Cross-Jurisdictional Death Penalty
1662 Pilot Program to the Governor and the chairs of the
1663 appropriations committees of the Senate and House of
1664 Representatives no later than 30 days after the end of each
1665 calendar quarter. The reports must include the number of cases
1666 retained, the number of cases conflicted, the estimated cost
1667 savings of the program, and any recommendations to improve the
1668 program. The Justice Administrative Commission shall provide
1669 data to assist with the program.

1670 (d) This subsection expires June 30, 2021. Notwithstanding
1671 the expiration of this subsection, appointments made pursuant to
1672 this section before June 30, 2021, shall continue until
1673 completion of the case.

1674 Section 48. In order to implement Specific Appropriations
1675 731 through 752, 916 through 1062, and 1083 through 1119 of the
1676 2020-2021 General Appropriations Act, and notwithstanding the
1677 expiration date in section 59 of chapter 2019-116, Laws of
1678 Florida, subsections (1), (3), (7), and (11), and paragraphs (a)
1679 through (e) of subsection (12) of section 27.5304, Florida
1680 Statutes, are reenacted, and subsection (13) of that section is
1681 amended, to read:

1682 27.5304 Private court-appointed counsel; compensation;

20202502e1

1683 notice.—

1684 (1) Private court-appointed counsel appointed in the manner
1685 prescribed in s. 27.40(1) and (2)(a) shall be compensated by the
1686 Justice Administrative Commission only as provided in this
1687 section and the General Appropriations Act. The flat fees
1688 prescribed in this section are limitations on compensation. The
1689 specific flat fee amounts for compensation shall be established
1690 annually in the General Appropriations Act. The attorney also
1691 shall be reimbursed for reasonable and necessary expenses in
1692 accordance with s. 29.007. If the attorney is representing a
1693 defendant charged with more than one offense in the same case,
1694 the attorney shall be compensated at the rate provided for the
1695 most serious offense for which he or she represented the
1696 defendant. This section does not allow stacking of the fee
1697 limits established by this section.

1698 (3) The court retains primary authority and responsibility
1699 for determining the reasonableness of all billings for attorney
1700 fees, costs, and related expenses, subject to statutory
1701 limitations and the requirements of s. 27.40(7). Private court-
1702 appointed counsel is entitled to compensation upon final
1703 disposition of a case.

1704 (7) Counsel eligible to receive compensation from the state
1705 for representation pursuant to court appointment made in
1706 accordance with the requirements of s. 27.40(1) and (2)(a) in a
1707 proceeding under chapter 384, chapter 390, chapter 392, chapter
1708 393, chapter 394, chapter 397, chapter 415, chapter 743, chapter
1709 744, or chapter 984 shall receive compensation not to exceed the
1710 limits prescribed in the General Appropriations Act. Any such
1711 compensation must be determined as provided in s. 27.40(7).

20202502e1

1712 (11) It is the intent of the Legislature that the flat fees
1713 prescribed under this section and the General Appropriations Act
1714 comprise the full and complete compensation for private court-
1715 appointed counsel. It is further the intent of the Legislature
1716 that the fees in this section are prescribed for the purpose of
1717 providing counsel with notice of the limit on the amount of
1718 compensation for representation in particular proceedings and
1719 the sole procedure and requirements for obtaining payment for
1720 the same.

1721 (a) If court-appointed counsel moves to withdraw prior to
1722 the full performance of his or her duties through the completion
1723 of the case, the court shall presume that the attorney is not
1724 entitled to the payment of the full flat fee established under
1725 this section and the General Appropriations Act.

1726 (b) If court-appointed counsel is allowed to withdraw from
1727 representation prior to the full performance of his or her
1728 duties through the completion of the case and the court appoints
1729 a subsequent attorney, the total compensation for the initial
1730 and any and all subsequent attorneys may not exceed the flat fee
1731 established under this section and the General Appropriations
1732 Act, except as provided in subsection (12).

1733
1734 This subsection constitutes notice to any subsequently appointed
1735 attorney that he or she will not be compensated the full flat
1736 fee.

1737 (12) The Legislature recognizes that on rare occasions an
1738 attorney may receive a case that requires extraordinary and
1739 unusual effort.

1740 (a) If counsel seeks compensation that exceeds the limits

20202502e1

1741 prescribed by law, he or she must file a motion with the chief
1742 judge for an order approving payment of attorney fees in excess
1743 of these limits.

1744 1. Before filing the motion, the counsel shall deliver a
1745 copy of the intended billing, together with supporting
1746 affidavits and all other necessary documentation, to the Justice
1747 Administrative Commission.

1748 2. The Justice Administrative Commission shall review the
1749 billings, affidavit, and documentation for completeness and
1750 compliance with contractual and statutory requirements and shall
1751 contemporaneously document such review before authorizing
1752 payment to an attorney. If the Justice Administrative Commission
1753 objects to any portion of the proposed billing, the objection
1754 and supporting reasons must be communicated in writing to the
1755 private court-appointed counsel. The counsel may thereafter file
1756 his or her motion, which must specify whether the commission
1757 objects to any portion of the billing or the sufficiency of
1758 documentation, and shall attach the commission's letter stating
1759 its objection.

1760 (b) Following receipt of the motion to exceed the fee
1761 limits, the chief judge or a single designee shall hold an
1762 evidentiary hearing. The chief judge may select only one judge
1763 per circuit to hear and determine motions pursuant to this
1764 subsection, except multicounty circuits and the eleventh circuit
1765 may have up to two designees.

1766 1. At the hearing, the attorney seeking compensation must
1767 prove by competent and substantial evidence that the case
1768 required extraordinary and unusual efforts. The chief judge or
1769 single designee shall consider criteria such as the number of

20202502e1

1770 witnesses, the complexity of the factual and legal issues, and
1771 the length of trial. The fact that a trial was conducted in a
1772 case does not, by itself, constitute competent substantial
1773 evidence of an extraordinary and unusual effort. In a criminal
1774 case, relief under this section may not be granted if the number
1775 of work hours does not exceed 75 or the number of the state's
1776 witnesses deposed does not exceed 20.

1777 2. Objections by or on behalf of the Justice Administrative
1778 Commission to records or documents or to claims for payment by
1779 the attorney shall be presumed correct by the court unless the
1780 court determines, in writing, that competent and substantial
1781 evidence exists to justify overcoming the presumption. The chief
1782 judge or single designee shall enter a written order detailing
1783 his or her findings and identifying the extraordinary nature of
1784 the time and efforts of the attorney in the case which warrant
1785 exceeding the flat fee established by this section and the
1786 General Appropriations Act.

1787 (c) A copy of the motion and attachments shall be served on
1788 the Justice Administrative Commission at least 20 business days
1789 before the date of a hearing. The Justice Administrative
1790 Commission has standing to appear before the court, and may
1791 appear in person or telephonically, including at the hearing
1792 under paragraph (b), to contest any motion for an order
1793 approving payment of attorney fees, costs, or related expenses
1794 and may participate in a hearing on the motion by use of
1795 telephonic or other communication equipment. The Justice
1796 Administrative Commission may contract with other public or
1797 private entities or individuals to appear before the court for
1798 the purpose of contesting any motion for an order approving

20202502e1

1799 payment of attorney fees, costs, or related expenses. The fact
1800 that the Justice Administrative Commission has not objected to
1801 any portion of the billing or to the sufficiency of the
1802 documentation is not binding on the court.

1803 (d) If the chief judge or a single designee finds that
1804 counsel has proved by competent and substantial evidence that
1805 the case required extraordinary and unusual efforts, the chief
1806 judge or single designee shall order the compensation to be paid
1807 to the attorney at a percentage above the flat fee rate,
1808 depending on the extent of the unusual and extraordinary effort
1809 required. The percentage must be only the rate necessary to
1810 ensure that the fees paid are not confiscatory under common law.
1811 The percentage may not exceed 200 percent of the established
1812 flat fee, absent a specific finding that 200 percent of the flat
1813 fee in the case would be confiscatory. If the chief judge or
1814 single designee determines that 200 percent of the flat fee
1815 would be confiscatory, he or she shall order the amount of
1816 compensation using an hourly rate not to exceed \$75 per hour for
1817 a noncapital case and \$100 per hour for a capital case. However,
1818 the compensation calculated by using the hourly rate shall be
1819 only that amount necessary to ensure that the total fees paid
1820 are not confiscatory, subject to the requirements of s.
1821 27.40(7).

1822 (e) Any order granting relief under this subsection must be
1823 attached to the final request for a payment submitted to the
1824 Justice Administrative Commission and must satisfy the
1825 requirements of subparagraph (b)2.

1826 (13) Notwithstanding the limitation set forth in subsection
1827 (5) and for the 2020-2021 ~~2019-2020~~ fiscal year only, the

20202502e1

1828 compensation for representation in a criminal proceeding may not
1829 exceed the following:

1830 (a) For misdemeanors and juveniles represented at the trial
1831 level: \$1,000.

1832 (b) For noncapital, nonlife felonies represented at the
1833 trial level: \$15,000.

1834 (c) For life felonies represented at the trial level:
1835 \$15,000.

1836 (d) For capital cases represented at the trial level:
1837 \$25,000. For purposes of this paragraph, a "capital case" is any
1838 offense for which the potential sentence is death and the state
1839 has not waived seeking the death penalty.

1840 (e) For representation on appeal: \$9,000.

1841 (f) This subsection expires July 1, 2021 ~~2020~~.

1842 Section 49. The amendments to s. 27.40(1), (2)(a), (3)(a),
1843 (5), (6), and (7), Florida Statutes, and 27.5304(1), (3), (7),
1844 (11), and (12)(a)-(e), Florida Statutes, as carried forward from
1845 chapter 2019-116, Laws of Florida, by this act, expire July 1,
1846 2021, and the text of those subsections and paragraphs, as
1847 applicable, shall revert to that in existence on June 30, 2019,
1848 except that any amendments to such text enacted other than by
1849 this act shall be preserved and continue to operate to the
1850 extent that such amendments are not dependent upon the portions
1851 of text which expire pursuant to this section.

1852 Section 50. In order to implement Specific Appropriation
1853 736 of the 2020-2021 General Appropriations Act, and
1854 notwithstanding s. 28.35, Florida Statutes, the clerks of the
1855 circuit court are responsible for any costs of compensation to
1856 jurors, for meals or lodging provided to jurors, and for jury-

20202502e1

1857 related personnel costs that exceed the funding provided in the
1858 General Appropriations Act for these purposes. This section
1859 expires July 1, 2021.

1860 Section 51. In order to implement Specific Appropriations
1861 916 through 1062 of the 2020-2021 General Appropriations Act,
1862 and notwithstanding the expiration date in section 63 of chapter
1863 2019-116, Laws of Florida, paragraph (c) of subsection (19) of
1864 section 318.18, Florida Statutes, is reenacted to read:

1865 318.18 Amount of penalties.—The penalties required for a
1866 noncriminal disposition pursuant to s. 318.14 or a criminal
1867 offense listed in s. 318.17 are as follows:

1868 (19) In addition to any penalties imposed, an Article V
1869 assessment of \$10 must be paid for all noncriminal moving and
1870 nonmoving violations under chapters 316, 320, and 322. The
1871 assessment is not revenue for purposes of s. 28.36 and may not
1872 be used in establishing the budget of the clerk of the court
1873 under that section or s. 28.35. Of the funds collected under
1874 this subsection:

1875 (c) The sum of \$1.67 shall be deposited in the Indigent
1876 Criminal Defense Trust Fund for use by the public defenders.

1877 Section 52. In order to implement Specific Appropriations
1878 916 through 1062 of the 2020-2021 General Appropriations Act,
1879 and notwithstanding the expiration date in section 63 of chapter
1880 2019-116, Laws of Florida, paragraph (b) of subsection (12) of
1881 section 817.568, Florida Statutes, is reenacted to read:

1882 817.568 Criminal use of personal identification
1883 information.—

1884 (12) In addition to any sanction imposed when a person
1885 pleads guilty or nolo contendere to, or is found guilty of,

20202502e1

1886 regardless of adjudication, a violation of this section, the
1887 court shall impose a surcharge of \$1,001.

1888 (b) The sum of \$250 of the surcharge shall be deposited
1889 into the State Attorneys Revenue Trust Fund for the purpose of
1890 funding prosecutions of offenses relating to the criminal use of
1891 personal identification information. The sum of \$250 of the
1892 surcharge shall be deposited into the Indigent Criminal Defense
1893 Trust Fund for the purposes of indigent criminal defense related
1894 to the criminal use of personal identification information.

1895 Section 53. The text of ss. 318.18(19)(c) and
1896 817.568(12)(b), Florida Statutes, as carried forward from
1897 chapter 2018-10, Laws of Florida, by this act, expires July 1,
1898 2021, and the text of those paragraphs shall revert to that in
1899 existence on June 30, 2018, except that any amendments to such
1900 text enacted other than by this act shall be preserved and
1901 continue to operate to the extent that such amendments are not
1902 dependent upon the portions of text which expire pursuant to
1903 this section.

1904 Section 54. In order to implement appropriations used to
1905 pay existing lease contracts for private lease space in excess
1906 of 2,000 square feet in the 2020-2021 General Appropriations
1907 Act, the Department of Management Services, with the cooperation
1908 of the agencies having the existing lease contracts for office
1909 or storage space, shall use tenant broker services to
1910 renegotiate or reprocur all private lease agreements for office
1911 or storage space expiring between July 1, 2021, and June 30,
1912 2023, in order to reduce costs in future years. The department
1913 shall incorporate this initiative into its 2020 master leasing
1914 report required under s. 255.249(7), Florida Statutes, and may

20202502e1

1915 use tenant broker services to explore the possibilities of
1916 colocating office or storage space, to review the space needs of
1917 each agency, and to review the length and terms of potential
1918 renewals or renegotiations. The department shall provide a
1919 report to the Executive Office of the Governor, the President of
1920 the Senate, and the Speaker of the House of Representatives by
1921 November 1, 2020, which lists each lease contract for private
1922 office or storage space, the status of renegotiations, and the
1923 savings achieved. This section expires July 1, 2021.

1924 Section 55. In order to implement appropriations authorized
1925 in the 2020-2021 General Appropriations Act for data center
1926 services, and notwithstanding s. 216.292(2)(a), Florida
1927 Statutes, an agency may not transfer funds from a data
1928 processing category to a category other than another data
1929 processing category. This section expires July 1, 2021.

1930 Section 56. In order to implement the appropriation of
1931 funds in the appropriation category "Data Processing Assessment-
1932 Department of Management Services" in the 2020-2021 General
1933 Appropriations Act, and pursuant to the notice, review, and
1934 objection procedures of s. 216.177, Florida Statutes, the
1935 Executive Office of the Governor may transfer funds appropriated
1936 in that category between departments in order to align the
1937 budget authority granted based on the estimated billing cycle
1938 and methodology used by the Department of Management Services
1939 for data processing services provided. This section expires July
1940 1, 2021.

1941 Section 57. In order to implement the appropriation of
1942 funds in the appropriation category "Special Categories-Risk
1943 Management Insurance" in the 2020-2021 General Appropriations

20202502e1

1944 Act, and pursuant to the notice, review, and objection
1945 procedures of s. 216.177, Florida Statutes, the Executive Office
1946 of the Governor may transfer funds appropriated in that category
1947 between departments in order to align the budget authority
1948 granted with the premiums paid by each department for risk
1949 management insurance. This section expires July 1, 2021.

1950 Section 58. In order to implement the appropriation of
1951 funds in the appropriation category "Special Categories-Transfer
1952 to Department of Management Services-Human Resources Services
1953 Purchased per Statewide Contract" in the 2020-2021 General
1954 Appropriations Act, and pursuant to the notice, review, and
1955 objection procedures of s. 216.177, Florida Statutes, the
1956 Executive Office of the Governor may transfer funds appropriated
1957 in that category between departments in order to align the
1958 budget authority granted with the assessments that must be paid
1959 by each agency to the Department of Management Services for
1960 human resource management services. This section expires July 1,
1961 2021.

1962 Section 59. In order to implement Specific Appropriations
1963 2388 through 2391 of the 2020-2021 General Appropriations Act:

1964 (1) The Department of Financial Services shall replace the
1965 four main components of the Florida Accounting Information
1966 Resource Subsystem (FLAIR), which include central FLAIR,
1967 departmental FLAIR, payroll, and information warehouse, and
1968 shall replace the cash management and accounting management
1969 components of the Cash Management Subsystem (CMS) with an
1970 integrated enterprise system that allows the state to organize,
1971 define, and standardize its financial management business
1972 processes and that complies with ss. 215.90-215.96, Florida

20202502e1

1973 Statutes. The department may not include in the replacement of
1974 FLAIR and CMS:

1975 (a) Functionality that duplicates any of the other
1976 information subsystems of the Florida Financial Management
1977 Information System; or

1978 (b) Agency business processes related to any of the
1979 functions included in the Personnel Information System, the
1980 Purchasing Subsystem, or the Legislative Appropriations
1981 System/Planning and Budgeting Subsystem.

1982 (2) For purposes of replacing FLAIR and CMS, the Department
1983 of Financial Services shall:

1984 (a) Take into consideration the cost and implementation
1985 data identified for Option 3 as recommended in the March 31,
1986 2014, Florida Department of Financial Services FLAIR Study,
1987 version 031.

1988 (b) Ensure that all business requirements and technical
1989 specifications have been provided to all state agencies for
1990 their review and input and approved by the executive steering
1991 committee established in paragraph (c).

1992 (c) Implement a project governance structure that includes
1993 an executive steering committee composed of:

1994 1. The Chief Financial Officer or the executive sponsor of
1995 the project.

1996 2. A representative of the Division of Treasury of the
1997 Department of Financial Services, appointed by the Chief
1998 Financial Officer.

1999 3. A representative of the Division of Information Systems
2000 of the Department of Financial Services, appointed by the Chief
2001 Financial Officer.

20202502e1

2002 4. Four employees from the Division of Accounting and
2003 Auditing of the Department of Financial Services, appointed by
2004 the Chief Financial Officer. Each employee must have experience
2005 relating to at least one of the four main components that
2006 comprise FLAIR.

2007 5. Two employees from the Executive Office of the Governor,
2008 appointed by the Governor. One employee must have experience
2009 relating to the Legislative Appropriations System/Planning and
2010 Budgeting Subsystem.

2011 6. One employee from the Department of Revenue, appointed
2012 by the executive director, who has experience relating to the
2013 department's SUNTAX system.

2014 7. Two employees from the Department of Management
2015 Services, appointed by the Secretary of Management Services. One
2016 employee must have experience relating to the department's
2017 personnel information subsystem, and one employee must have
2018 experience relating to the department's purchasing subsystem.

2019 8. Three state agency administrative services directors,
2020 appointed by the Governor. One director must represent a
2021 regulatory and licensing state agency, and one director must
2022 represent a healthcare-related state agency.

2023 (3) The Chief Financial Officer or the executive sponsor of
2024 the project shall serve as chair of the executive steering
2025 committee, and the committee shall take action by a vote of at
2026 least eight affirmative votes with the Chief Financial Officer
2027 or the executive sponsor of the project voting on the prevailing
2028 side. A quorum of the executive steering committee consists of
2029 at least 10 members.

2030 (4) The executive steering committee has the overall

20202502e1

2031 responsibility for ensuring that the project to replace FLAIR
2032 and CMS meets its primary business objectives and shall:

2033 (a) Identify and recommend to the Executive Office of the
2034 Governor, the President of the Senate, and the Speaker of the
2035 House of Representatives any statutory changes needed to
2036 implement the replacement subsystem that will standardize, to
2037 the fullest extent possible, the state's financial management
2038 business processes.

2039 (b) Review and approve any changes to the project's scope,
2040 schedule, and budget which do not conflict with the requirements
2041 of subsection (1).

2042 (c) Ensure that adequate resources are provided throughout
2043 all phases of the project.

2044 (d) Approve all major project deliverables.

2045 (e) Approve all solicitation-related documents associated
2046 with the replacement of FLAIR and CMS.

2047 (5) This section expires July 1, 2021.

2048 Section 60. In order to implement Specific Appropriation
2049 1633 of the 2020-2021 General Appropriations Act, paragraph (d)
2050 of subsection (11) of section 216.181, Florida Statutes, is
2051 amended to read:

2052 216.181 Approved budgets for operations and fixed capital
2053 outlay.—

2054 (11)

2055 (d) Notwithstanding paragraph (b) and paragraph (2)(b), and
2056 for the 2020-2021 ~~2019-2020~~ fiscal year only, the Legislative
2057 Budget Commission may increase the amounts appropriated to the
2058 Fish and Wildlife Conservation Commission or the Department of
2059 Environmental Protection for fixed capital outlay projects,

20202502e1

2060 including additional fixed capital outlay projects, using funds
2061 provided to the state from the Gulf Environmental Benefit Fund
2062 administered by the National Fish and Wildlife Foundation; funds
2063 provided to the state from the Gulf Coast Restoration Trust Fund
2064 related to the Resources and Ecosystems Sustainability, Tourist
2065 Opportunities, and Revived Economies of the Gulf Coast Act of
2066 2012 (RESTORE Act); or funds provided by the British Petroleum
2067 Corporation (BP) for natural resource damage assessment
2068 restoration projects. Concurrent with submission of an amendment
2069 to the Legislative Budget Commission pursuant to this paragraph,
2070 any project that carries a continuing commitment for future
2071 appropriations by the Legislature must be specifically
2072 identified, together with the projected amount of the future
2073 commitment associated with the project and the fiscal years in
2074 which the commitment is expected to commence. This paragraph
2075 expires July 1, 2021 ~~2020~~.

2076
2077 The provisions of this subsection are subject to the notice and
2078 objection procedures set forth in s. 216.177.

2079 Section 61. In order to implement specific appropriations
2080 from the land acquisition trust funds within the Department of
2081 Agriculture and Consumer Services, the Department of
2082 Environmental Protection, the Department of State, and the Fish
2083 and Wildlife Conservation Commission, which are contained in the
2084 2020-2021 General Appropriations Act, subsection (3) of section
2085 215.18, Florida Statutes, is amended to read:

2086 215.18 Transfers between funds; limitation.—

2087 (3) Notwithstanding subsection (1) and only with respect to
2088 a land acquisition trust fund in the Department of Agriculture

20202502e1

2089 and Consumer Services, the Department of Environmental
2090 Protection, the Department of State, or the Fish and Wildlife
2091 Conservation Commission, whenever there is a deficiency in a
2092 land acquisition trust fund which would render that trust fund
2093 temporarily insufficient to meet its just requirements,
2094 including the timely payment of appropriations from that trust
2095 fund, and other trust funds in the State Treasury have moneys
2096 that are for the time being or otherwise in excess of the
2097 amounts necessary to meet the just requirements, including
2098 appropriated obligations, of those other trust funds, the
2099 Governor may order a temporary transfer of moneys from one or
2100 more of the other trust funds to a land acquisition trust fund
2101 in the Department of Agriculture and Consumer Services, the
2102 Department of Environmental Protection, the Department of State,
2103 or the Fish and Wildlife Conservation Commission. Any action
2104 proposed pursuant to this subsection is subject to the notice,
2105 review, and objection procedures of s. 216.177, and the Governor
2106 shall provide notice of such action at least 7 days before the
2107 effective date of the transfer of trust funds, except that
2108 during July 2020 ~~2019~~, notice of such action shall be provided
2109 at least 3 days before the effective date of a transfer unless
2110 such 3-day notice is waived by the chair and vice-chair of the
2111 Legislative Budget Commission. Any transfer of trust funds to a
2112 land acquisition trust fund in the Department of Agriculture and
2113 Consumer Services, the Department of Environmental Protection,
2114 the Department of State, or the Fish and Wildlife Conservation
2115 Commission must be repaid to the trust funds from which the
2116 moneys were loaned by the end of the 2020-2021 ~~2019-2020~~ fiscal
2117 year. The Legislature has determined that the repayment of the

20202502e1

2118 other trust fund moneys temporarily loaned to a land acquisition
2119 trust fund in the Department of Agriculture and Consumer
2120 Services, the Department of Environmental Protection, the
2121 Department of State, or the Fish and Wildlife Conservation
2122 Commission pursuant to this subsection is an allowable use of
2123 the moneys in a land acquisition trust fund because the moneys
2124 from other trust funds temporarily loaned to a land acquisition
2125 trust fund shall be expended solely and exclusively in
2126 accordance with s. 28, Art. X of the State Constitution. This
2127 subsection expires July 1, 2021 ~~2020~~.

2128 Section 62. (1) In order to implement specific
2129 appropriations from the land acquisition trust funds within the
2130 Department of Agriculture and Consumer Services, the Department
2131 of Environmental Protection, the Department of State, and the
2132 Fish and Wildlife Conservation Commission, which are contained
2133 in the 2020-2021 General Appropriations Act, the Department of
2134 Environmental Protection shall transfer revenues from the Land
2135 Acquisition Trust Fund within the department to the land
2136 acquisition trust funds within the Department of Agriculture and
2137 Consumer Services, the Department of State, and the Fish and
2138 Wildlife Conservation Commission, as provided in this section.
2139 As used in this section, the term "department" means the
2140 Department of Environmental Protection.

2141 (2) After subtracting any required debt service payments,
2142 the proportionate share of revenues to be transferred to each
2143 land acquisition trust fund shall be calculated by dividing the
2144 appropriations from each of the land acquisition trust funds for
2145 the fiscal year by the total appropriations from the Land
2146 Acquisition Trust Fund within the department and the land

20202502e1

2147 acquisition trust funds within the Department of Agriculture and
2148 Consumer Services, the Department of State, and the Fish and
2149 Wildlife Conservation Commission for the fiscal year. The
2150 department shall transfer the proportionate share of the
2151 revenues in the Land Acquisition Trust Fund within the
2152 department on a monthly basis to the appropriate land
2153 acquisition trust funds within the Department of Agriculture and
2154 Consumer Services, the Department of State, and the Fish and
2155 Wildlife Conservation Commission and shall retain its
2156 proportionate share of the revenues in the Land Acquisition
2157 Trust Fund within the department. Total distributions to a land
2158 acquisition trust fund within the Department of Agriculture and
2159 Consumer Services, the Department of State, and the Fish and
2160 Wildlife Conservation Commission may not exceed the total
2161 appropriations from such trust fund for the fiscal year.

2162 (3) In addition, the department shall transfer from the
2163 Land Acquisition Trust Fund to land acquisition trust funds
2164 within the Department of Agriculture and Consumer Services, the
2165 Department of State, and the Fish and Wildlife Conservation
2166 Commission amounts equal to the difference between the amounts
2167 appropriated in chapter 2019-115, Laws of Florida, to the
2168 department's Land Acquisition Trust Fund and the other land
2169 acquisition trust funds, and the amounts actually transferred
2170 between those trust funds during the 2019-2020 fiscal year.

2171 (4) The department may advance funds from the beginning
2172 unobligated fund balance in the Land Acquisition Trust Fund to
2173 the Land Acquisition Trust Fund within the Fish and Wildlife
2174 Conservation Commission needed for cash flow purposes based on a
2175 detailed expenditure plan. The department shall prorate amounts

20202502e1

2176 transferred quarterly to the Fish and Wildlife Conservation
2177 Commission to recoup the amount of funds advanced by June 30,
2178 2021.

2179 (5) This section expires July 1, 2021.

2180 Section 63. In order to implement Specific Appropriation
2181 1763 of the 2020-2021 General Appropriations Act, paragraph (e)
2182 of subsection (11) of section 216.181, Florida Statutes, is
2183 amended to read:

2184 216.181 Approved budgets for operations and fixed capital
2185 outlay.—

2186 (11)

2187 (e) Notwithstanding paragraph (b) and paragraph (2)(b), and
2188 for the 2020-2021 ~~2019-2020~~ fiscal year only, the Legislative
2189 Budget Commission may increase the amounts appropriated to the
2190 Department of Environmental Protection for fixed capital outlay
2191 projects using funds provided to the state from the
2192 environmental mitigation trust administered by a trustee
2193 designated by the United States District Court for the Northern
2194 District of California for eligible mitigation actions and
2195 mitigation action expenditures described in the partial consent
2196 decree entered into between the United States of America and
2197 Volkswagen relating to violations of the Clean Air Act.

2198 Concurrent with submission of an amendment to the Legislative
2199 Budget Commission pursuant to this paragraph, any project that
2200 carries a continuing commitment for future appropriations by the
2201 Legislature must be specifically identified, together with the
2202 projected amount of the future commitment associated with the
2203 project and the fiscal years in which the commitment is expected
2204 to commence. This paragraph expires July 1, 2021 ~~2020~~.

20202502e1

2205
2206 The provisions of this subsection are subject to the notice and
2207 objection procedures set forth in s. 216.177.

2208 Section 64. In order to implement Specific Appropriations
2209 1443 through 1452 of the 2020-2021 General Appropriations Act,
2210 subsection (4) of section 570.441, Florida Statutes, is amended
2211 to read:

2212 570.441 Pest Control Trust Fund.—

2213 (4) In addition to the uses authorized under subsection
2214 (2), moneys collected or received by the department under
2215 chapter 482 may be used to carry out the provisions of s.
2216 570.44. This subsection expires June 30, 2021 ~~2020~~.

2217 Section 65. In order to implement Specific Appropriation
2218 1380 of the 2020-2021 General Appropriations Act, and
2219 notwithstanding the expiration date in section 91 of chapter
2220 2019-116, Laws of Florida, paragraph (a) of subsection (1) of
2221 section 570.93, Florida Statutes, is reenacted to read:

2222 570.93 Department of Agriculture and Consumer Services;
2223 agricultural water conservation and agricultural water supply
2224 planning.—

2225 (1) The department shall establish an agricultural water
2226 conservation program that includes the following:

2227 (a) A cost-share program, coordinated with the United
2228 States Department of Agriculture and other federal, state,
2229 regional, and local agencies when appropriate, for irrigation
2230 system retrofit and application of mobile irrigation laboratory
2231 evaluations, and for water conservation and water quality
2232 improvement pursuant to s. 403.067(7)(c).

2233 Section 66. The amendment to s. 570.93(1)(a), Florida

20202502e1

2234 Statutes, as carried forward from chapter 2019-116, Laws of
2235 Florida, by this act, expires July 1, 2021, and the text of that
2236 paragraph shall revert to that in existence on June 30, 2019,
2237 except that any amendments to such text enacted other than by
2238 this act shall be preserved and continue to operate to the
2239 extent that such amendments are not dependent upon the portions
2240 of text which expire pursuant to this section.

2241 Section 67. In order to implement Specific Appropriation
2242 1728 of the 2020-2021 General Appropriations Act, paragraph (m)
2243 of subsection (3) of section 259.105, Florida Statutes, is
2244 amended to read:

2245 259.105 The Florida Forever Act.—

2246 (3) Less the costs of issuing and the costs of funding
2247 reserve accounts and other costs associated with bonds, the
2248 proceeds of cash payments or bonds issued pursuant to this
2249 section shall be deposited into the Florida Forever Trust Fund
2250 created by s. 259.1051. The proceeds shall be distributed by the
2251 Department of Environmental Protection in the following manner:

2252 (m) Notwithstanding paragraphs (a)-(j) and for the 2020-
2253 2021 ~~2019-2020~~ fiscal year, the amount of \$6 ~~\$33~~ million to only
2254 ~~the Division of State Lands within~~ the Department of
2255 Environmental Protection for grants pursuant to s. 375.075 ~~the~~
2256 ~~Board of Trustees Florida Forever Priority List land acquisition~~
2257 ~~projects~~. This paragraph expires July 1, 2021 ~~2020~~.

2258 Section 68. In order to implement appropriations from the
2259 Land Acquisition Trust Fund within the Department of
2260 Environmental Protection, paragraph (b) of subsection (3) of
2261 section 375.041, Florida Statutes, is amended to read:

2262 375.041 Land Acquisition Trust Fund.—

20202502e1

2263 (3) Funds distributed into the Land Acquisition Trust Fund
2264 pursuant to s. 201.15 shall be applied:

2265 (b) Of the funds remaining after the payments required
2266 under paragraph (a), but before funds may be appropriated,
2267 pledged, or dedicated for other uses:

2268 1. A minimum of the lesser of 25 percent or \$200 million
2269 shall be appropriated annually for Everglades projects that
2270 implement the Comprehensive Everglades Restoration Plan as set
2271 forth in s. 373.470, including the Central Everglades Planning
2272 Project subject to Congressional authorization; the Long-Term
2273 Plan as defined in s. 373.4592(2); and the Northern Everglades
2274 and Estuaries Protection Program as set forth in s. 373.4595.
2275 From these funds, \$32 million shall be distributed each fiscal
2276 year through the 2023-2024 fiscal year to the South Florida
2277 Water Management District for the Long-Term Plan as defined in
2278 s. 373.4592(2). After deducting the \$32 million distributed
2279 under this subparagraph, from the funds remaining, a minimum of
2280 the lesser of 76.5 percent or \$100 million shall be appropriated
2281 each fiscal year through the 2025-2026 fiscal year for the
2282 planning, design, engineering, and construction of the
2283 Comprehensive Everglades Restoration Plan as set forth in s.
2284 373.470, including the Central Everglades Planning Project, the
2285 Everglades Agricultural Area Storage Reservoir Project, the Lake
2286 Okeechobee Watershed Project, the C-43 West Basin Storage
2287 Reservoir Project, the Indian River Lagoon-South Project, the
2288 Western Everglades Restoration Project, and the Picayune Strand
2289 Restoration Project. The Department of Environmental Protection
2290 and the South Florida Water Management District shall give
2291 preference to those Everglades restoration projects that reduce

20202502e1

2292 harmful discharges of water from Lake Okeechobee to the St.
2293 Lucie or Caloosahatchee estuaries in a timely manner. For the
2294 purpose of performing the calculation provided in this
2295 subparagraph, the amount of debt service paid pursuant to
2296 paragraph (a) for bonds issued after July 1, 2016, for the
2297 purposes set forth under paragraph (b) shall be added to the
2298 amount remaining after the payments required under paragraph
2299 (a). The amount of the distribution calculated shall then be
2300 reduced by an amount equal to the debt service paid pursuant to
2301 paragraph (a) on bonds issued after July 1, 2016, for the
2302 purposes set forth under this subparagraph.

2303 2. A minimum of the lesser of 7.6 percent or \$50 million
2304 shall be appropriated annually for spring restoration,
2305 protection, and management projects. For the purpose of
2306 performing the calculation provided in this subparagraph, the
2307 amount of debt service paid pursuant to paragraph (a) for bonds
2308 issued after July 1, 2016, for the purposes set forth under
2309 paragraph (b) shall be added to the amount remaining after the
2310 payments required under paragraph (a). The amount of the
2311 distribution calculated shall then be reduced by an amount equal
2312 to the debt service paid pursuant to paragraph (a) on bonds
2313 issued after July 1, 2016, for the purposes set forth under this
2314 subparagraph.

2315 3. The sum of \$5 million shall be appropriated annually
2316 each fiscal year through the 2025-2026 fiscal year to the St.
2317 Johns River Water Management District for projects dedicated to
2318 the restoration of Lake Apopka. 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, 2016, for the

20202502e1

2321 purposes set forth in this subparagraph.

2322 4. The sum of \$64 million is appropriated and shall be
2323 transferred to the Everglades Trust Fund for the 2018-2019
2324 fiscal year, and each fiscal year thereafter, for the EAA
2325 reservoir project pursuant to s. 373.4598. Any funds remaining
2326 in any fiscal year shall be made available only for Phase II of
2327 the C-51 reservoir project or projects identified in
2328 subparagraph 1. and must be used in accordance with laws
2329 relating to such projects. Any funds made available for such
2330 purposes in a fiscal year are in addition to the amount
2331 appropriated under subparagraph 1. This distribution shall be
2332 reduced by an amount equal to the debt service paid pursuant to
2333 paragraph (a) on bonds issued after July 1, 2017, for the
2334 purposes set forth in this subparagraph.

2335 5. Notwithstanding subparagraph 3., for the 2020-2021 ~~2019-~~
2336 ~~2020~~ fiscal year, funds shall be appropriated as provided in the
2337 General Appropriations Act. This subparagraph expires July 1,
2338 2021 ~~2020~~.

2339 Section 69. In order to implement Specific Appropriation
2340 2659 of the 2020-2021 General Appropriations Act, paragraph (b)
2341 of subsection (3) and subsection (5) of section 321.04, Florida
2342 Statutes, are amended to read:

2343 321.04 Personnel of the highway patrol; rank
2344 classifications; probationary status of new patrol officers;
2345 subsistence; special assignments.—

2346 (3)

2347 (b) For the 2020-2021 ~~2019-2020~~ fiscal year only, upon the
2348 request of the Governor, the Department of Highway Safety and
2349 Motor Vehicles shall assign one or more patrol officers to the

20202502e1

2350 office of the Lieutenant Governor for security services. This
2351 paragraph expires July 1, 2021 ~~2020~~.

2352 (5) For the 2020-2021 ~~2019-2020~~ fiscal year only, the
2353 assignment of a patrol officer by the department shall include a
2354 Cabinet member specified in s. 4, Art. IV of the State
2355 Constitution if deemed appropriate by the department or in
2356 response to a threat and upon written request of such Cabinet
2357 member. This subsection expires July 1, 2021 ~~2020~~.

2358 Section 70. In order to implement Specific Appropriation
2359 2282 of the 2020-2021 General Appropriations Act, subsection (3)
2360 of section 420.9079, Florida Statutes, is amended to read:

2361 420.9079 Local Government Housing Trust Fund.—

2362 (3) For the 2020-2021 ~~2019-2020~~ fiscal year, funds may be
2363 used as provided in the General Appropriations Act. This
2364 subsection expires July 1, 2021 ~~2020~~.

2365 Section 71. In order to implement Specific Appropriation
2366 2281 of the 2020-2021 General Appropriations Act, subsection (2)
2367 of section 420.0005, Florida Statutes, is amended to read:

2368 420.0005 State Housing Trust Fund; State Housing Fund.—

2369 (2) For the 2020-2021 ~~2019-2020~~ fiscal year, funds may be
2370 used as provided in the General Appropriations Act. This
2371 subsection expires July 1, 2021 ~~2020~~.

2372 Section 72. In order to implement Specific Appropriation
2373 2294 of the 2020-2021 General Appropriations Act, subsection
2374 (14) of section 288.1226, Florida Statutes, is amended to read:

2375 288.1226 Florida Tourism Industry Marketing Corporation;
2376 use of property; board of directors; duties; audit.—

2377 (14) REPEAL.—This section is repealed July 1, 2021 ~~2020~~,
2378 unless reviewed and saved from repeal by the Legislature.

20202502e1

2379 Section 73. In order to implement Specific Appropriation
2380 2294 of the 2020-2021 General Appropriations Act, subsection (6)
2381 of section 288.923, Florida Statutes, is amended to read:

2382 288.923 Division of Tourism Marketing; definitions;
2383 responsibilities.—

2384 (6) This section is repealed July 1, 2021 ~~2020~~, unless
2385 reviewed and saved from repeal by the Legislature.

2386 Section 74. In order to implement Specific Appropriation
2387 1915 of the 2020-2021 General Appropriations Act, paragraph (g)
2388 of subsection (8) of section 338.2278, Florida Statutes, is
2389 amended to read:

2390 338.2278 Multi-use Corridors of Regional Economic
2391 Significance Program.—

2392 (8) The amounts identified in subsection (7) by fiscal year
2393 shall be allocated as follows:

2394 (g)1. Except as provided in subparagraph 2., in each fiscal
2395 year in which funding provided under this subsection for the
2396 Small County Road Assistance Program, the Small County Outreach
2397 Program, the Transportation Disadvantaged Trust Fund, or the
2398 workforce development program is not committed by the end of
2399 each fiscal year, such uncommitted funds shall be used by the
2400 department to fund Multi-use Corridors of Regional Economic
2401 Significance Program projects. As provided in s. 339.135(7), the
2402 adopted work program may be amended to transfer funds between
2403 appropriations categories or to increase an appropriation
2404 category to implement this paragraph.

2405 2. For the 2020-2021 fiscal year, funding provided under
2406 this subsection for the Transportation Disadvantaged Trust Fund
2407 under paragraph (a) which is uncommitted at the end of the 2019-

20202502e1

2408 2020 fiscal year may be used as provided in the General
2409 Appropriations Act. This subparagraph expires July 1, 2021.

2410 Section 75. In order to implement Specific Appropriations
2411 1916 through 1929, 1929F through 1929J, 1944 through 1951, 1953
2412 through 1962, and 1999A through 2011 of the 2020-2021 General
2413 Appropriations Act, paragraphs (g) and (h) of subsection (7) of
2414 section 339.135, Florida Statutes, are amended to read:

2415 339.135 Work program; legislative budget request;
2416 definitions; preparation, adoption, execution, and amendment.—

2417 (7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

2418 (g)1. Any work program amendment which also requires the
2419 transfer of fixed capital outlay appropriations between
2420 categories within the department or the increase of an
2421 appropriation category is subject to the approval of the
2422 Legislative Budget Commission.

2423 2. If a meeting of the Legislative Budget Commission cannot
2424 be held within 30 days after the department submits an amendment
2425 to the Legislative Budget Commission, the chair and vice chair
2426 of the Legislative Budget Commission may authorize such
2427 amendment to be approved pursuant to s. 216.177. This
2428 subparagraph expires July 1, 2021 ~~2020~~.

2429 (h)1. Any work program amendment that also adds a new
2430 project, or phase thereof, to the adopted work program in excess
2431 of \$3 million is subject to approval by the Legislative Budget
2432 Commission. Any work program amendment submitted under this
2433 paragraph must include, as supplemental information, a list of
2434 projects, or phases thereof, in the current 5-year adopted work
2435 program which are eligible for the funds within the
2436 appropriation category being used for the proposed amendment.

20202502e1

2437 The department shall provide a narrative with the rationale for
2438 not advancing an existing project, or phase thereof, in lieu of
2439 the proposed amendment.

2440 2. If a meeting of the Legislative Budget Commission cannot
2441 be held within 30 days after the department submits an amendment
2442 to the commission, the chair and vice chair of the commission
2443 may authorize such amendment to be approved pursuant to s.
2444 216.177. This subparagraph expires July 1, 2021.

2445 Section 76. In order to implement Specific Appropriation
2446 2599 of the 2020-2021 General Appropriations Act, paragraph (d)
2447 of subsection (4) of section 112.061, Florida Statutes, is
2448 amended to read:

2449 112.061 Per diem and travel expenses of public officers,
2450 employees, and authorized persons; statewide travel management
2451 system.—

2452 (4) OFFICIAL HEADQUARTERS.—The official headquarters of an
2453 officer or employee assigned to an office shall be the city or
2454 town in which the office is located except that:

2455 (d) A Lieutenant Governor who permanently resides outside
2456 of Leon County, may, if he or she so requests, have an
2457 appropriate facility in his or her county designated as his or
2458 her official headquarters for purposes of this section. This
2459 official headquarters may only serve as the Lieutenant
2460 Governor's personal office. The Lieutenant Governor may not use
2461 state funds to lease space in any facility for his or her
2462 official headquarters.

2463 1. A Lieutenant Governor for whom an official headquarters
2464 is established in his or her county of residence pursuant to
2465 this paragraph is eligible for subsistence at a rate to be

20202502e1

2466 established by the Governor for each day or partial day that the
2467 Lieutenant Governor is at the State Capitol to conduct official
2468 state business. In addition to the subsistence allowance, a
2469 Lieutenant Governor is eligible for reimbursement for
2470 transportation expenses as provided in subsection (7) for travel
2471 between the Lieutenant Governor's official headquarters and the
2472 State Capitol to conduct state business.

2473 2. Payment of subsistence and reimbursement for
2474 transportation between a Lieutenant Governor's official
2475 headquarters and the State Capitol shall be made to the extent
2476 appropriated funds are available, as determined by the Governor.

2477 3. This paragraph expires July 1, 2021 ~~2020~~.

2478 Section 77. In order to implement the salaries and
2479 benefits, expenses, other personal services, contracted
2480 services, and operating capital outlay categories of the 2020-
2481 2021 General Appropriations Act, paragraph (a) of subsection (2)
2482 of section 216.292, Florida Statutes, is amended to read:

2483 216.292 Appropriations nontransferable; exceptions.—

2484 (2) The following transfers are authorized to be made by
2485 the head of each department or the Chief Justice of the Supreme
2486 Court whenever it is deemed necessary by reason of changed
2487 conditions:

2488 (a) The transfer of appropriations funded from identical
2489 funding sources, except appropriations for fixed capital outlay,
2490 and the transfer of amounts included within the total original
2491 approved budget and plans of releases of appropriations as
2492 furnished pursuant to ss. 216.181 and 216.192, as follows:

2493 1. Between categories of appropriations within a budget
2494 entity, if no category of appropriation is increased or

20202502e1

2495 decreased by more than 5 percent of the original approved budget
2496 or \$250,000, whichever is greater, by all action taken under
2497 this subsection.

2498 2. Between budget entities within identical categories of
2499 appropriations, if no category of appropriation is increased or
2500 decreased by more than 5 percent of the original approved budget
2501 or \$250,000, whichever is greater, by all action taken under
2502 this subsection.

2503 3. Any agency exceeding salary rate established pursuant to
2504 s. 216.181(8) on June 30th of any fiscal year shall not be
2505 authorized to make transfers pursuant to subparagraphs 1. and 2.
2506 in the subsequent fiscal year.

2507 4. Notice of proposed transfers under subparagraphs 1. and
2508 2. shall be provided to the Executive Office of the Governor and
2509 the chairs of the legislative appropriations committees at least
2510 3 days prior to agency implementation in order to provide an
2511 opportunity for review. The review shall be limited to ensuring
2512 that the transfer is in compliance with the requirements of this
2513 paragraph.

2514 5. For the 2020-2021 ~~2019-2020~~ fiscal year, the review
2515 shall ensure that transfers proposed pursuant to this paragraph
2516 comply with this chapter, maximize the use of available and
2517 appropriate trust funds, and are not contrary to legislative
2518 policy and intent. This subparagraph expires July 1, 2021 ~~2020~~.

2519 Section 78. In order to implement section 8 of the 2020-
2520 2021 General Appropriations Act, notwithstanding s.
2521 110.123(3) (f) and (j), Florida Statutes, the Department of
2522 Management Services shall maintain and offer the same PPO and
2523 HMO health plan alternatives to the participants of the state

20202502e1

2524 group health insurance program during the 2020-2021 fiscal year
2525 which were in effect for the 2019-2020 fiscal year. This section
2526 expires July 1, 2021.

2527 Section 79. In order to implement the appropriation of
2528 funds in the special categories, contracted services, and
2529 expenses categories of the 2020-2021 General Appropriations Act,
2530 a state agency may not initiate a competitive solicitation for a
2531 product or service if the completion of such competitive
2532 solicitation would:

2533 (1) Require a change in law; or

2534 (2) Require a change to the agency's budget other than a
2535 transfer authorized in s. 216.292(2) or (3), Florida Statutes,
2536 unless the initiation of such competitive solicitation is
2537 specifically authorized in law, in the General Appropriations
2538 Act, or by the Legislative Budget Commission.

2539
2540 This section does not apply to a competitive solicitation for
2541 which the agency head certifies that a valid emergency exists.
2542 This section expires July 1, 2021.

2543 Section 80. In order to implement appropriations for
2544 salaries and benefits in the 2020-2021 General Appropriations
2545 Act, subsection (6) of section 112.24, Florida Statutes, is
2546 amended to read:

2547 112.24 Intergovernmental interchange of public employees.-
2548 To encourage economical and effective utilization of public
2549 employees in this state, the temporary assignment of employees
2550 among agencies of government, both state and local, and
2551 including school districts and public institutions of higher
2552 education is authorized under terms and conditions set forth in

20202502e1

2553 this section. State agencies, municipalities, and political
2554 subdivisions are authorized to enter into employee interchange
2555 agreements with other state agencies, the Federal Government,
2556 another state, a municipality, or a political subdivision
2557 including a school district, or with a public institution of
2558 higher education. State agencies are also authorized to enter
2559 into employee interchange agreements with private institutions
2560 of higher education and other nonprofit organizations under the
2561 terms and conditions provided in this section. In addition, the
2562 Governor or the Governor and Cabinet may enter into employee
2563 interchange agreements with a state agency, the Federal
2564 Government, another state, a municipality, or a political
2565 subdivision including a school district, or with a public
2566 institution of higher learning to fill, subject to the
2567 requirements of chapter 20, appointive offices which are within
2568 the executive branch of government and which are filled by
2569 appointment by the Governor or the Governor and Cabinet. Under
2570 no circumstances shall employee interchange agreements be
2571 utilized for the purpose of assigning individuals to participate
2572 in political campaigns. Duties and responsibilities of
2573 interchange employees shall be limited to the mission and goals
2574 of the agencies of government.

2575 (6) For the 2020-2021 ~~2019-2020~~ fiscal year only, the
2576 assignment of an employee of a state agency as provided in this
2577 section may be made if recommended by the Governor or Chief
2578 Justice, as appropriate, and approved by the chairs of the
2579 legislative appropriations committees. Such actions shall be
2580 deemed approved if neither chair provides written notice of
2581 objection within 14 days after receiving notice of the action

20202502e1

2582 pursuant to s. 216.177. This subsection expires July 1, 2021
2583 ~~2020~~.

2584 Section 81. In order to implement Specific Appropriations
2585 2727 and 2728 of the 2020-2021 General Appropriations Act, and
2586 notwithstanding s. 11.13(1), Florida Statutes, the authorized
2587 salaries for members of the Legislature for the 2020-2021 fiscal
2588 year shall be set at the same level in effect on July 1, 2010.
2589 This section expires July 1, 2021.

2590 Section 82. In order to implement the transfer of funds
2591 from the General Revenue Fund from trust funds for the 2020-2021
2592 General Appropriations Act, and notwithstanding the expiration
2593 date in section 110 of chapter 2019-116, Laws of Florida,
2594 paragraph (b) of subsection (2) of section 215.32, Florida
2595 Statutes, is reenacted to read:

2596 215.32 State funds; segregation.—

2597 (2) The source and use of each of these funds shall be as
2598 follows:

2599 (b)1. The trust funds shall consist of moneys received by
2600 the state which under law or under trust agreement are
2601 segregated for a purpose authorized by law. The state agency or
2602 branch of state government receiving or collecting such moneys
2603 is responsible for their proper expenditure as provided by law.
2604 Upon the request of the state agency or branch of state
2605 government responsible for the administration of the trust fund,
2606 the Chief Financial Officer may establish accounts within the
2607 trust fund at a level considered necessary for proper
2608 accountability. Once an account is established, the Chief
2609 Financial Officer may authorize payment from that account only
2610 upon determining that there is sufficient cash and releases at

20202502e1

2611 the level of the account.

2612 2. In addition to other trust funds created by law, to the
2613 extent possible, each agency shall use the following trust funds
2614 as described in this subparagraph for day-to-day operations:

2615 a. Operations or operating trust fund, for use as a
2616 depository for funds to be used for program operations funded by
2617 program revenues, with the exception of administrative
2618 activities when the operations or operating trust fund is a
2619 proprietary fund.

2620 b. Operations and maintenance trust fund, for use as a
2621 depository for client services funded by third-party payors.

2622 c. Administrative trust fund, for use as a depository for
2623 funds to be used for management activities that are departmental
2624 in nature and funded by indirect cost earnings and assessments
2625 against trust funds. Proprietary funds are excluded from the
2626 requirement of using an administrative trust fund.

2627 d. Grants and donations trust fund, for use as a depository
2628 for funds to be used for allowable grant or donor agreement
2629 activities funded by restricted contractual revenue from private
2630 and public nonfederal sources.

2631 e. Agency working capital trust fund, for use as a
2632 depository for funds to be used pursuant to s. 216.272.

2633 f. Clearing funds trust fund, for use as a depository for
2634 funds to account for collections pending distribution to lawful
2635 recipients.

2636 g. Federal grant trust fund, for use as a depository for
2637 funds to be used for allowable grant activities funded by
2638 restricted program revenues from federal sources.

2639

20202502e1

2640 To the extent possible, each agency must adjust its internal
2641 accounting to use existing trust funds consistent with the
2642 requirements of this subparagraph. If an agency does not have
2643 trust funds listed in this subparagraph and cannot make such
2644 adjustment, the agency must recommend the creation of the
2645 necessary trust funds to the Legislature no later than the next
2646 scheduled review of the agency's trust funds pursuant to s.
2647 215.3206.

2648 3. All such moneys are hereby appropriated to be expended
2649 in accordance with the law or trust agreement under which they
2650 were received, subject always to the provisions of chapter 216
2651 relating to the appropriation of funds and to the applicable
2652 laws relating to the deposit or expenditure of moneys in the
2653 State Treasury.

2654 4.a. Notwithstanding any provision of law restricting the
2655 use of trust funds to specific purposes, unappropriated cash
2656 balances from selected trust funds may be authorized by the
2657 Legislature for transfer to the Budget Stabilization Fund and
2658 General Revenue Fund in the General Appropriations Act.

2659 b. This subparagraph does not apply to trust funds required
2660 by federal programs or mandates; trust funds established for
2661 bond covenants, indentures, or resolutions whose revenues are
2662 legally pledged by the state or public body to meet debt service
2663 or other financial requirements of any debt obligations of the
2664 state or any public body; the Division of Licensing Trust Fund
2665 in the Department of Agriculture and Consumer Services; the
2666 State Transportation Trust Fund; the trust fund containing the
2667 net annual proceeds from the Florida Education Lotteries; the
2668 Florida Retirement System Trust Fund; trust funds under the

20202502e1

2669 management of the State Board of Education or the Board of
2670 Governors of the State University System, where such trust funds
2671 are for auxiliary enterprises, self-insurance, and contracts,
2672 grants, and donations, as those terms are defined by general
2673 law; trust funds that serve as clearing funds or accounts for
2674 the Chief Financial Officer or state agencies; trust funds that
2675 account for assets held by the state in a trustee capacity as an
2676 agent or fiduciary for individuals, private organizations, or
2677 other governmental units; and other trust funds authorized by
2678 the State Constitution.

2679 Section 83. The text of s. 215.32(2)(b), Florida Statutes,
2680 as carried forward from chapter 2011-47, Laws of Florida, by
2681 this act, expires July 1, 2021, and the text of that paragraph
2682 shall revert to that in existence on June 30, 2011, except that
2683 any amendments to such text enacted other than by this act shall
2684 be preserved and continue to operate to the extent that such
2685 amendments are not dependent upon the portions of text which
2686 expire pursuant to this section.

2687 Section 84. In order to implement appropriations in the
2688 2020-2021 General Appropriations Act for state employee travel,
2689 the funds appropriated to each state agency which may be used
2690 for travel by state employees are limited during the 2020-2021
2691 fiscal year to travel for activities that are critical to each
2692 state agency's mission. Funds may not be used for travel by
2693 state employees to foreign countries, other states, conferences,
2694 staff training activities, or other administrative functions
2695 unless the agency head has approved, in writing, that such
2696 activities are critical to the agency's mission. The agency head
2697 shall consider using teleconferencing and other forms of

20202502e1

2698 electronic communication to meet the needs of the proposed
2699 activity before approving mission-critical travel. This section
2700 does not apply to travel for law enforcement purposes, military
2701 purposes, emergency management activities, or public health
2702 activities. This section expires July 1, 2021.

2703 Section 85. In order to implement appropriations in the
2704 2020-2021 General Appropriations Act for state employee travel
2705 and notwithstanding s. 112.061, Florida Statutes, costs for
2706 lodging associated with a meeting, conference, or convention
2707 organized or sponsored in whole or in part by a state agency or
2708 the judicial branch may not exceed \$225 per day. An employee may
2709 expend his or her own funds for any lodging expenses in excess
2710 of \$225 per day. For purposes of this section, a meeting does
2711 not include travel activities for conducting an audit,
2712 examination, inspection, or investigation or travel activities
2713 related to a litigation or emergency response. This section
2714 expires July 1, 2021.

2715 Section 86. In order to implement the appropriation of
2716 funds in the special categories, contracted services, and
2717 expenses categories of the 2020-2021 General Appropriations Act,
2718 a state agency may not enter into a contract containing a
2719 nondisclosure clause that prohibits the contractor from
2720 disclosing information relevant to the performance of the
2721 contract to members or staff of the Senate or the House of
2722 Representatives. This section expires July 1, 2021.

2723 Section 87. Any section of this act which implements a
2724 specific appropriation or specifically identified proviso
2725 language in the 2020-2021 General Appropriations Act is void if
2726 the specific appropriation or specifically identified proviso

20202502e1

2727 language is vetoed. Any section of this act which implements
2728 more than one specific appropriation or more than one portion of
2729 specifically identified proviso language in the 2020-2021
2730 General Appropriations Act is void if all the specific
2731 appropriations or portions of specifically identified proviso
2732 language are vetoed.

2733 Section 88. If any other act passed during the 2020 Regular
2734 Session of the Legislature contains a provision that is
2735 substantively the same as a provision in this act, but that
2736 removes or is otherwise not subject to the future repeal applied
2737 to such provision by this act, the Legislature intends that the
2738 provision in the other act takes precedence and continues to
2739 operate, notwithstanding the future repeal provided by this act.

2740 Section 89. If any provision of this act or its application
2741 to any person or circumstance is held invalid, the invalidity
2742 does not affect other provisions or applications of the act
2743 which can be given effect without the invalid provision or
2744 application, and to this end the provisions of this act are
2745 severable.

2746 Section 90. Except as otherwise expressly provided in this
2747 act and except for this section, which shall take effect upon
2748 this act becoming a law, this act shall take effect July 1,
2749 2020; or, if this act fails to become a law until after that
2750 date, it shall take effect upon becoming a law and shall operate
2751 retroactively to July 1, 2020.