

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           incorporating by reference certain calculations for  
9           the Medicaid Hospital Funding programs; authorizing  
10          the Agency for Health Care Administration, in  
11          consultation with the Department of Health, to submit  
12          a budget amendment to realign funding for a component  
13          of the Children's Medical Services program to reflect  
14          actual enrollment changes; specifying requirements for  
15          such realignment; authorizing the agency to request  
16          nonoperating budget authority for transferring certain  
17          federal funds to the Department of Health; authorizing  
18          the Agency for Health Care Administration to submit a  
19          budget amendment to realign Medicaid funding for  
20          specified purposes, subject to certain limitations;  
21          authorizing the Agency for Health Care Administration  
22          and the Department of Health to each submit a budget  
23          amendment to realign funding within the Florida  
24          Kidcare program appropriation categories or increase  
25          budget authority for certain purposes; specifying the

26 | time period within each such budget amendment must be  
27 | submitted; amending s. 381.986, F.S.; extending for 1  
28 | year the exemption of certain rules pertaining to the  
29 | medical use of marijuana from certain rulemaking  
30 | requirements; authorizing the Department of Children  
31 | and Families to submit a budget amendment to realign  
32 | funding for implementation of the Guardianship  
33 | Assistance Program; requiring the Department of  
34 | Children and Families to establish a formula for the  
35 | distribution of funds to implement the Guardianship  
36 | Assistance Program; authorizing the Department of  
37 | Health to submit a budget amendment to increase budget  
38 | authority for the HIV/AIDS Prevention and Treatment  
39 | Program if certain conditions are met; authorizing the  
40 | Department of Children and Families to submit a budget  
41 | amendment to realign funding within the Family Safety  
42 | Program for specified purposes; amending s. 409.968,  
43 | F.S.; requiring the Agency for Health Care  
44 | Administration to withhold and set aside portions of  
45 | the managed care rates from the rate cells for a  
46 | certain purpose; directing the agency to require  
47 | Medicaid managed care plans to submit proposals in a  
48 | specified manner; specifying items the plans must  
49 | implement; providing a timeframe to allow the agency  
50 | to disburse specified portions of rate; requiring the

51 agency to replace the Florida Medicaid Management  
52 Information System (FMMIS) and fiscal agent operations  
53 with a specified new system; specifying items that may  
54 not be included in the new system; providing  
55 directives to the agency related to replacing the  
56 FMMIS and the Medicaid fiscal agent; requiring the  
57 agency to implement a project governance structure  
58 that includes an executive steering committee;  
59 providing procedures for use by the executive steering  
60 committee; providing responsibilities of the executive  
61 steering committee; amending s. 216.262, F.S.;  
62 extending for 1 fiscal year the authority of the  
63 Department of Corrections to submit a budget amendment  
64 for additional positions and appropriations under  
65 certain circumstances; requiring review and approval  
66 by the Legislative Budget Commission; amending s.  
67 1011.80, F.S.; specifying the manner by which state  
68 funds for postsecondary workforce programs may be used  
69 for inmate education; amending s. 215.18, F.S.;  
70 extending for 1 fiscal year the authority and related  
71 repayment requirements for temporary trust fund loans  
72 to the state court system which are sufficient to meet  
73 the system's appropriation; requiring the Department  
74 of Juvenile Justice to review county juvenile  
75 detention payments to determine whether a county has

76 met specified financial responsibilities; requiring  
77 amounts owed by the county for such financial  
78 responsibilities to be deducted from certain county  
79 funds; requiring the Department of Revenue to transfer  
80 withheld funds to a specified trust fund; requiring  
81 the Department of Revenue to ensure that such  
82 reductions in amounts distributed do not reduce  
83 distributions below amounts necessary for certain  
84 payments due on bonds and to comply with bond  
85 covenants; requiring the Department of Revenue to  
86 notify the Department of Juvenile Justice if bond  
87 payment requirements mandate a reduction in deductions  
88 for amounts owed by a county; amending s. 27.40, F.S.;  
89 revising circumstances under which the office of  
90 criminal conflict and civil regional counsel or  
91 private counsel may be appointed; requiring the public  
92 defender and the office of criminal conflict and civil  
93 regional counsel to report certain information to the  
94 Justice Administrative Commission at specified  
95 intervals; requiring inclusion of a specified  
96 statement on uniform contracts and forms used for  
97 private court-appointed counsel; modifying  
98 requirements for the notice of appearance filed by a  
99 court-appointed attorney; modifying conditions under  
100 which a private attorney is entitled to payment;

101 providing that the flat fee for compensation of  
102 private court-appointed counsel is presumed to be  
103 sufficient; providing that certain records and  
104 documents maintained by the court-appointed attorney  
105 are subject to audit by the Auditor General; requiring  
106 the Justice Administrative Commission to review such  
107 records and documents before authorizing payment to  
108 the court-appointed attorney; providing a rebuttable  
109 presumption for certain objections made by or on  
110 behalf of the Justice Administrative Commission;  
111 revising the presumption in favor of the commission  
112 regarding a court-appointed attorney's waiver of the  
113 right to seek compensation in excess of the flat fee;  
114 providing for the expiration and reversion of  
115 specified statutory text; amending s. 27.5304, F.S.;  
116 specifying the exclusive method for compensating  
117 certain court-appointed counsel; providing a  
118 rebuttable presumption for certain objections made by  
119 or on behalf of the Justice Administrative Commission  
120 at the evidentiary hearing regarding the private  
121 court-appointed counsel's compensation; increasing the  
122 length of time before the hearing that certain  
123 documents must be served on the commission;  
124 authorizing the commission to appear in person or  
125 telephonically at such hearing; establishing certain

126 limitations on compensation for private court-  
127 appointed counsel for the 2020-2021 fiscal year;  
128 providing for the expiration and reversion of  
129 specified statutory text; specifying that clerks of  
130 the circuit court are responsible for certain costs  
131 related to juries which exceed a certain funding  
132 level; reenacting s. 318.18(19)(c), F.S., relating to  
133 penalty amounts for traffic infractions; extending for  
134 1 fiscal year the redirection of revenues from the  
135 Public Defenders Revenue Trust Fund to the Indigent  
136 Criminal Defense Trust Fund; reenacting s.  
137 817.568(12)(b), F.S., relating to the criminal use of  
138 personal identification information; extending for 1  
139 fiscal year the redirection of revenues from the  
140 Public Defenders Revenue Trust Fund to the Indigent  
141 Criminal Defense Trust Fund; providing for the  
142 expiration and reversion of specified statutory text;  
143 requiring the Department of Management Services to use  
144 tenant broker services to renegotiate or reprocure  
145 certain private lease agreements for office or storage  
146 space; requiring the Department of Management Services  
147 to provide a report to the Governor and the  
148 Legislature by a specified date; specifying the amount  
149 of the transaction fee to be collected for use of the  
150 online procurement system; prohibiting an agency from

151 transferring funds from a data processing category to  
152 another category that is not a data processing  
153 category; authorizing the Executive Office of the  
154 Governor to transfer funds appropriated for data  
155 processing assessment between departments for a  
156 specified purpose; authorizing the Executive Office of  
157 the Governor to transfer funds between departments for  
158 purposes of aligning amounts paid for risk management  
159 insurance and for human resources services purchased  
160 per statewide contract; requiring the Department of  
161 Financial Services to replace specified components of  
162 the Florida Accounting Information Resource Subsystem  
163 (FLAIR) and the Cash Management Subsystem (CMS);  
164 specifying certain actions to be taken by the  
165 Department of Financial Services regarding FLAIR and  
166 CMS replacement; providing for the composition of an  
167 executive steering committee to oversee FLAIR and CMS  
168 replacement; prescribing duties and responsibilities  
169 of the executive steering committee; extending the  
170 expiration of the Florida Cybersecurity Task Force and  
171 its duties; extending the date by which the Florida  
172 Cybersecurity Task Force must submit a final report to  
173 specified entities; amending s. 215.18, F.S.;  
174 extending for 1 fiscal year the authority of the  
175 Governor, if there is a specified temporary deficiency

176 | in a land acquisition trust fund in the Department of  
177 | Agriculture and Consumer Services, the Department of  
178 | Environmental Protection, the Department of State, or  
179 | the Fish and Wildlife Conservation Commission, to  
180 | transfer funds from other trust funds in the State  
181 | Treasury as a temporary loan to such trust fund;  
182 | providing a deadline for the repayment of a temporary  
183 | loan; requiring the Department of Environmental  
184 | Protection to transfer designated proportions of the  
185 | revenues deposited in the Land Acquisition Trust Fund  
186 | within the department to land acquisition trust funds  
187 | in the Department of Agriculture and Consumer  
188 | Services, the Department of State, and the Fish and  
189 | Wildlife Conservation Commission according to  
190 | specified parameters and calculations; defining the  
191 | term "department"; requiring the Department of  
192 | Environmental Protection to retain a proportionate  
193 | share of revenues; specifying a limit on  
194 | distributions; requiring the Department of  
195 | Environmental Protection to make transfers to land  
196 | acquisition trust funds; specifying the method of  
197 | determining transfer amounts; authorizing the  
198 | Department of Environmental Protection to advance  
199 | funds from its land acquisition trust fund to the Fish  
200 | and Wildlife Conservation Commission's land



201 acquisition trust fund for specified purposes;  
202 requiring the Department of Environmental Protection  
203 to prorate amounts transferred to the Fish and  
204 Wildlife Conservation Commission; amending s. 375.041,  
205 F.S.; specifying that certain funds for projects  
206 dedicated to restoring Lake Apopka shall be  
207 appropriated as provided in the General Appropriations  
208 Act; amending s. 216.181, F.S.; authorizing the  
209 Legislative Budget Commission to increase amounts  
210 appropriated to the Department of Environmental  
211 Protection for fixed capital outlay projects using  
212 specified funds; amending s. 570.441, F.S.; extending  
213 for 1 fiscal year a provision authorizing the  
214 Department of Agriculture and Consumer Services to use  
215 certain funds for purposes related to the Division of  
216 Agricultural Environmental Services; amending s.  
217 525.07, F.S.; authorizing the Department of  
218 Agriculture and Consumer Services to affix an  
219 inspection sticker meeting specified requirements to  
220 any petroleum measuring device; requiring the removal  
221 of stickers that do not meet specified requirements;  
222 amending s. 321.04, F.S.; extending for 1 year the  
223 requirement that the Department of Highway Safety and  
224 Motor Vehicles assign one or more patrol officers to  
225 the office of Lieutenant Governor for security

226 | purposes, upon request of the Governor; extending for  
227 | 1 fiscal year the requirement that the Department of  
228 | Highway Safety and Motor Vehicles assign a patrol  
229 | officer to a Cabinet member under certain  
230 | circumstances; amending s. 420.9079, F.S.; authorizing  
231 | funds in the Local Government Housing Trust Fund to be  
232 | used as provided in the General Appropriations Act;  
233 | amending s. 420.0005, F.S.; extending for 1 year the  
234 | authorization for certain funds related to state  
235 | housing to be used as provided in the General  
236 | Appropriations Act; amending s. 288.0655, F.S.;  
237 | extending for 1 year the specification of how funds  
238 | appropriated for the grant program under the Rural  
239 | Infrastructure Fund for Florida Panhandle counties are  
240 | to be distributed; amending s. 288.80125, F.S.;  
241 | requiring funds in the Triumph Gulf Coast Trust Fund  
242 | to be used for the Rebuild Florida Revolving Loan Fund  
243 | program for specified purposes; providing an  
244 | expiration date; amending s. 339.135, F.S.; extending  
245 | for 1 year the authorization for the chair and vice  
246 | chair of the Legislative Budget Commission to approve  
247 | the Department of Transportation's budget amendment  
248 | under specified circumstances; amending s. 339.2818,  
249 | F.S.; authorizing certain counties and municipalities  
250 | to compete for additional funds for specified purposes

251 related to Hurricane Michael recovery; amending s.  
252 112.061, F.S.; extending for 1 year the authorization  
253 for the Lieutenant Governor to designate an  
254 alternative official headquarters under certain  
255 conditions; specifying restrictions, limitations,  
256 eligibility for the subsistence allowance,  
257 reimbursement of transportation expenses, and payment  
258 thereof; amending s. 216.292, F.S.; extending for 1  
259 fiscal year a provision prescribing requirements for  
260 the review of certain transfers of appropriations;  
261 requiring the Department of Management Services to  
262 maintain and offer the same health insurance options  
263 for participants of the State Group Health Insurance  
264 Program for the 2020-2021 fiscal year as applied in  
265 certain previous fiscal year; prohibiting a state  
266 agency from initiating a competitive solicitation for  
267 a product or service under certain circumstances;  
268 providing an exception; amending s. 112.24, F.S.;  
269 extending for 1 fiscal year the authorization, subject  
270 to specified requirements, for the assignment of an  
271 employee of a state agency under an employee  
272 interchange agreement; providing that the annual  
273 salaries of the members of the Legislature be  
274 maintained at a specified level; limiting the use of  
275 travel funds to activities that are critical to an

276 agency's mission; providing exceptions; providing a  
277 monetary cap on lodging expenses for state employee  
278 travel to certain meetings organized or sponsored by a  
279 state agency or the judicial branch; authorizing  
280 employees to expend their own funds for lodging  
281 expenses in excess of the monetary caps; prohibiting a  
282 state agency from entering into a contract containing  
283 certain nondisclosure agreement; providing conditions  
284 under which the veto of certain appropriations or  
285 proviso language in the General Appropriations Act  
286 voids language that implements such appropriation;  
287 providing for the continued operation of certain  
288 provisions notwithstanding a future repeal or  
289 expiration provided by the act; providing effective  
290 dates.

291

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

293

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

297 Section 2. In order to implement Specific Appropriations  
298 8, 9, 10, 92, and 93 of the 2020-2021 General Appropriations  
299 Act, the calculations of the Florida Education Finance Program  
300 for the 2020-2021 fiscal year included in the document titled

301 "Public School Funding: The Florida Education Finance Program,"  
302 dated January 30, 2020, and filed with the Clerk of the House of  
303 Representatives, are incorporated by reference for the purpose  
304 of displaying the calculations used by the Legislature,  
305 consistent with the requirements of state law, in making  
306 appropriations for the Florida Education Finance Program. This  
307 section expires July 1, 2021.

308 Section 3. In order to implement Specific Appropriations 8  
309 and 92 of the 2020-2021 General Appropriations Act, and  
310 notwithstanding ss. 1002.20, 1003.02, 1006.28-1006.42,  
311 1011.62 (6) (b) 3., and 1011.67, Florida Statutes, relating to the  
312 expenditure of funds provided for instructional materials, for  
313 the 2020-2021 fiscal year, funds provided for instructional  
314 materials shall be released and expended as required in the  
315 proviso language for Specific Appropriation 93 of the 2020-2021  
316 General Appropriations Act. This section expires July 1, 2021.

317 Section 4. In order to implement Specific Appropriations  
318 207, 208, 211, and 215 of the 2020-2021 General Appropriations  
319 Act, the calculations for the Medicaid Hospital Funding programs  
320 for the 2020-2021 fiscal year contained in the document titled  
321 "Medicaid Hospital Funding Programs, Fiscal Year 2020-2021,"  
322 dated January 30, 2020, and filed with the Clerk of the House of  
323 Representatives, are incorporated by reference for the purpose  
324 of displaying the calculations used by the Legislature,  
325 consistent with the requirements of state law, in making

326 appropriations for the Medicaid Hospital Funding programs. This  
 327 section expires July 1, 2021.

328 Section 5. In order to implement Specific Appropriations  
 329 201 through 228 and 526 of the 2020-2021 General Appropriations  
 330 Act, and notwithstanding ss. 216.181 and 216.292, Florida  
 331 Statutes, the Agency for Health Care Administration, in  
 332 consultation with the Department of Health, may submit a budget  
 333 amendment, subject to the notice, review, and objection  
 334 procedures of s. 216.177, Florida Statutes, to realign funding  
 335 within and between agencies based on implementation of the  
 336 Managed Medical Assistance component of the Statewide Medicaid  
 337 Managed Care program for the Children's Medical Services program  
 338 of the Department of Health. The funding realignment shall  
 339 reflect the actual enrollment changes due to the transfer of  
 340 beneficiaries from fee-for-service to the capitated Children's  
 341 Medical Services Network. The Agency for Health Care  
 342 Administration may submit a request for nonoperating budget  
 343 authority to transfer the federal funds to the Department of  
 344 Health pursuant to s. 216.181(12), Florida Statutes. This  
 345 section expires July 1, 2021.

346 Section 6. In order to implement Specific Appropriations  
 347 201 through 228 of the 2020-2021 General Appropriations Act, and  
 348 notwithstanding ss. 216.181 and 216.292, Florida Statutes, the  
 349 Agency for Health Care Administration may submit a budget  
 350 amendment, subject to the notice, review, and objection

351 procedures of s. 216.177, Florida Statutes, to realign funding  
352 within the Medicaid program appropriation categories to address  
353 projected surpluses and deficits within the program and to  
354 maximize the use of state trust funds. A single budget amendment  
355 shall be submitted in the last quarter of the 2020-2021 fiscal  
356 year only. This section expires July 1, 2021.

357 Section 7. In order to implement Specific Appropriations  
358 181 through 186 and 526 of the 2020-2021 General Appropriations  
359 Act, and notwithstanding ss. 216.181 and 216.292, Florida  
360 Statutes, the Agency for Health Care Administration and the  
361 Department of Health may each submit a budget amendment, subject  
362 to the notice, review, and objection procedures of s. 216.177,  
363 Florida Statutes, to realign funding within the Florida Kidcare  
364 program appropriation categories, or to increase budget  
365 authority in the Children's Medical Services Network category,  
366 to address projected surpluses and deficits within the program  
367 or to maximize the use of state trust funds. A single budget  
368 amendment must be submitted by each agency in the last quarter  
369 of the 2020-2021 fiscal year only. This section expires July 1,  
370 2021.

371 Section 8. In order to implement Specific Appropriations  
372 468, 469, and 475 of the 2020-2021 General Appropriations Act,  
373 subsection (17) of section 381.986, Florida Statutes, is amended  
374 to read:

375 381.986 Medical use of marijuana.—

376 (17) Rules adopted pursuant to this section before July 1,  
377 2021 ~~2020~~, are not subject to ss. 120.54(3)(b) and 120.541.  
378 ~~Notwithstanding paragraph (8)(c), a medical marijuana treatment~~  
379 ~~center may use a laboratory that has not been certified by the~~  
380 ~~department under s. 381.988 until such time as at least one~~  
381 ~~laboratory holds the required certification pursuant to s.~~  
382 ~~381.988, but in no event later than July 1, 2020.~~ This  
383 subsection expires July 1, 2021 ~~2020~~.

384 Section 9. In order to implement Specific Appropriations  
385 330, 332, 361, and 362 of the 2020-2021 General Appropriations  
386 Act, and notwithstanding ss. 216.181 and 216.292, Florida  
387 Statutes, the Department of Children and Families may submit a  
388 budget amendment, subject to the notice, review, and objection  
389 procedures of s. 216.177, Florida Statutes, to realign funding  
390 within the department based on the implementation of the  
391 Guardianship Assistance Program, between and among the specific  
392 appropriations for guardianship assistance payments, foster care  
393 Level 1 room and board payments, relative caregiver payments,  
394 and nonrelative caregiver payments. This section expires July 1,  
395 2021.

396 Section 10. In order to implement Specific Appropriations  
397 330 and 332 of the 2020-2021 General Appropriations Act, the  
398 Department of Children and Families shall establish a formula to  
399 distribute the recurring sums of \$19,627,812 from the General  
400 Revenue Fund and \$15,668,869 from the Federal Grants Trust Fund



401 for actual and direct costs to implement the Guardianship  
402 Assistance Program, including Level 1 foster care board  
403 payments, licensing staff for community-based care lead  
404 agencies, and guardianship assistance payments. This section  
405 expires July 1, 2021.

406 Section 11. In order to implement Specific Appropriations  
407 471 and 510 of the 2020-2021 General Appropriations Act, and  
408 notwithstanding ss. 216.181 and 216.292, Florida Statutes, the  
409 Department of Health may submit a budget amendment, subject to  
410 the notice, review, and objection procedures of s. 216.177,  
411 Florida Statutes, to increase budget authority for the HIV/AIDS  
412 Prevention and Treatment Program if additional federal revenues  
413 specific to HIV/AIDS prevention and treatment become available  
414 in the 2020-2021 fiscal year. This section expires July 1, 2021.

415 Section 12. In order to implement Specific Appropriations  
416 312 through 315, 319, 320, 323, 328 through 330, and 332 of the  
417 2020-2021 General Appropriations Act, and notwithstanding ss.  
418 216.181 and 216.292, Florida Statutes, the Department of  
419 Children and Families may submit a budget amendment, subject to  
420 the notice, review, and objection procedures of s. 216.177,  
421 Florida Statutes, to realign funding within the Family Safety  
422 Program to maximize the use of Title IV-E and other federal  
423 funds. This section expires July 1, 2021.

424 Section 13. In order to implement Specific Appropriations  
425 215 and 226 of the 2020-2021 General Appropriations Act,

426 subsection (6) is added to section 409.968, Florida Statutes, to  
427 read:

428 409.968 Managed care plan payments.—

429 (6) The agency shall withhold and set aside a portion of  
430 the managed care rates from the rate cells for special needs and  
431 home health services in the managed medical assistance and  
432 managed long-term care programs to implement a home health  
433 performance incentive program. The agency shall direct Medicaid  
434 managed care plans to submit to the agency proposals to ensure  
435 all covered and authorized home health services are provided to  
436 recipients, methods for measuring provider compliance, and  
437 mechanisms for documenting compliance to the agency. The plans  
438 must implement a method for families and caregivers to report  
439 provider failures to provide services in real time. The agency  
440 may disburse the withheld portion of rate in the last quarter of  
441 the fiscal year only if the agency documents in writing that the  
442 plans ensured all covered and authorized home health services  
443 were provided. This subsection expires July 1, 2021.

444 Section 14. In order to implement Specific Appropriation  
445 200A of the 2020-2021 General Appropriations Act:

446 (1) The Agency for Health Care Administration shall  
447 replace the current Florida Medicaid Management Information  
448 System (FMMIS) and fiscal agent operations with a system that is  
449 modular, interoperable, and scalable for the Florida Medicaid  
450 program that complies with all applicable federal and state laws

451 and requirements. The agency may not include in the project to  
452 replace the current FMMIS and fiscal agent contract:

453 (a) Functionality that duplicates any of the information  
454 systems of the other health and human services state agencies;  
455 or

456 (b) Procurement for agency requirements external to the  
457 Division of Medicaid with the intent to leverage the Medicaid  
458 technology infrastructure without legislative appropriation or  
459 legislative authorization to procure these requirements.

460 (2) For purposes of replacing FMMIS and the current  
461 Medicaid fiscal agent, the Agency for Health Care Administration  
462 shall:

463 (a) Prioritize procurements for the replacement of the  
464 current functions of FMMIS and the responsibilities of the  
465 current Medicaid fiscal agent, to minimize the need to extend  
466 all or portions of the current fiscal agent contract.

467 (b) Ensure that all business requirements and technical  
468 specifications have been provided to all affected state agencies  
469 for their review and input and approved by the executive  
470 steering committee established in paragraph (e).

471 (c) Consult with the Executive Office of the Governor's  
472 working group for interagency information technology integration  
473 for the development of competitive solicitations that provide  
474 for data interoperability and shared information technology  
475 services across the state's health and human services agencies.

476 (d) Implement a data governance structure for the project  
477 to coordinate data sharing and interoperability across state  
478 healthcare entities.

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

481 1. The Secretary of the Agency for Health Care  
482 Administration or the executive sponsor of the project.

483 2. Three representatives of the Department of Children and  
484 Families, appointed by the secretary of the department.

485 3. Four employees from the Division of Medicaid within the  
486 Agency for Health Care Administration, appointed by the  
487 Secretary of the Agency for Health Care Administration.

488 4. The Chief Information Officer of the Agency for Health  
489 Care Administration.

490 5. The state chief information officer or designee.

491 6. One staff member from the Division of Children's  
492 Medical Services within the Department of Health appointed by  
493 the State Surgeon General.

494 7. A representative from the Agency for Persons with  
495 Disabilities, appointed by the director of the Agency for  
496 Persons with Disabilities.

497 8. A representative from the Florida Healthy Kids  
498 Corporation.

499 9. A representative from the Department of Health,  
500 appointed by the State Surgeon General.

501       10. A representative from the Department of Elderly  
502 Affairs, appointed by the secretary of the department.

503       (3) The agency secretary or the executive sponsor of the  
504 project shall serve as chair of the executive steering  
505 committee, and the committee shall take action by a vote of at  
506 least eight affirmative votes with the Secretary of the Agency  
507 for Health Care Administration or the executive sponsor of the  
508 project voting on the prevailing side. A quorum of the executive  
509 steering committee consists of at least eight members.

510       (4) The executive steering committee has the overall  
511 responsibility for ensuring that the project to replace FMMIS  
512 and the Medicaid fiscal agent meets its primary business  
513 objectives and shall:

514       (a) Identify and recommend to the Executive Office of the  
515 Governor, the President of the Senate, and the Speaker of the  
516 House of Representatives any statutory changes needed to  
517 implement the modular replacement to standardize, to the fullest  
518 extent possible, the state's healthcare data and business  
519 processes.

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

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

525       (d) Approve all major project deliverables.

526 (e) Approve all solicitation-related documents associated  
527 with the replacement of the current FMMIS and Medicaid fiscal  
528 agent.

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

530 Section 15. In order to implement Specific Appropriations  
531 582 through 673 and 685 through 720 of the 2020-2021 General  
532 Appropriations Act, subsection (4) of section 216.262, Florida  
533 Statutes, is amended to read:

534 216.262 Authorized positions.—

535 (4) Notwithstanding the provisions of this chapter  
536 relating to increasing the number of authorized positions, and  
537 for the 2020-2021 ~~2019-2020~~ fiscal year only, if the actual  
538 inmate population of the Department of Corrections exceeds the  
539 inmate population projections of the December 17 ~~February 22,~~  
540 2019, Criminal Justice Estimating Conference by 1 percent for 2  
541 consecutive months or 2 percent for any month, the Executive  
542 Office of the Governor, with the approval of the Legislative  
543 Budget Commission, shall immediately notify the Criminal Justice  
544 Estimating Conference, which shall convene as soon as possible  
545 to revise the estimates. The Department of Corrections may then  
546 submit a budget amendment requesting the establishment of  
547 positions in excess of the number authorized by the Legislature  
548 and additional appropriations from unallocated general revenue  
549 sufficient to provide for essential staff, fixed capital  
550 improvements, and other resources to provide classification,

551 security, food services, health services, and other variable  
552 expenses within the institutions to accommodate the estimated  
553 increase in the inmate population. All actions taken pursuant to  
554 this subsection are subject to review and approval by the  
555 Legislative Budget Commission. This subsection expires July 1,  
556 2021 ~~2020~~.

557 Section 16. In order to implement Specific Appropriation  
558 707 of the 2020-2021 General Appropriations Act, upon the  
559 expiration and reversion of the amendment made to section  
560 1011.80, Florida Statutes, pursuant to section 53 of chapter  
561 2019-116, Laws of Florida, paragraph (c) is added to subsection  
562 (8) of section 1011.80, Florida Statutes, to read:

563 1011.80 Funds for operation of workforce education  
564 programs.—

565 (8)

566 (c) Notwithstanding paragraph (b), state funds provided  
567 for the operation of postsecondary workforce programs may be  
568 expended for the education of state inmates with more than 24  
569 months of time remaining on their sentences or federal inmates  
570 if funds are specifically appropriated for such purpose in the  
571 2020-2021 General Appropriations Act. This paragraph expires  
572 July 1, 2021.

573 Section 17. In order to implement Specific Appropriations  
574 3187 through 3253 of the 2020-2021 General Appropriations Act,  
575 subsection (2) of section 215.18, Florida Statutes, is amended

576 | to read:

577 |       215.18 Transfers between funds; limitation.—

578 |       (2) The Chief Justice of the Supreme Court may receive one  
 579 | or more trust fund loans to ensure that the state court system  
 580 | has funds sufficient to meet its appropriations in the 2020-2021  
 581 | ~~2019-2020~~ General Appropriations Act. If the Chief Justice  
 582 | accesses the loan, he or she must notify the Governor and the  
 583 | chairs of the legislative appropriations committees in writing.  
 584 | The loan must come from other funds in the State Treasury which  
 585 | are for the time being or otherwise in excess of the amounts  
 586 | necessary to meet the just requirements of such last-mentioned  
 587 | funds. The Governor shall order the transfer of funds within 5  
 588 | days after the written notification from the Chief Justice. If  
 589 | the Governor does not order the transfer, the Chief Financial  
 590 | Officer shall transfer the requested funds. The loan of funds  
 591 | from which any money is temporarily transferred must be repaid  
 592 | by the end of the 2020-2021 ~~2019-2020~~ fiscal year. This  
 593 | subsection expires July 1, 2021 ~~2020~~.

594 |       Section 18. (1) In order to implement Specific  
 595 | Appropriations 1120 through 1131 of the 2020-2021 General  
 596 | Appropriations Act, the Department of Juvenile Justice is  
 597 | required to review county juvenile detention payments to ensure  
 598 | that counties fulfill their financial responsibilities required  
 599 | in s. 985.6865, Florida Statutes. If the Department of Juvenile  
 600 | Justice determines that a county has not met its obligations,



601 the department shall direct the Department of Revenue to deduct  
602 the amount owed to the Department of Juvenile Justice from the  
603 funds provided to the county under s. 218.23, Florida Statutes.  
604 The Department of Revenue shall transfer the funds withheld to  
605 the Shared County/State Juvenile Detention Trust Fund.

606 (2) As an assurance to holders of bonds issued by counties  
607 before July 1, 2020, for which distributions made pursuant to s.  
608 218.23, Florida Statutes, are pledged, or bonds issued to refund  
609 such bonds which mature no later than the bonds they refunded  
610 and which result in a reduction of debt service payable in each  
611 fiscal year, the amount available for distribution to a county  
612 shall remain as provided by law and continue to be subject to  
613 any lien or claim on behalf of the bondholders. The Department  
614 of Revenue must ensure, based on information provided by an  
615 affected county, that any reduction in amounts distributed  
616 pursuant to subsection (1) does not reduce the amount of  
617 distribution to a county below the amount necessary for the  
618 timely payment of principal and interest when due on the bonds  
619 and the amount necessary to comply with any covenant under the  
620 bond resolution or other documents relating to the issuance of  
621 the bonds. If a reduction to a county's monthly distribution  
622 must be decreased in order to comply with this section, the  
623 Department of Revenue must notify the Department of Juvenile  
624 Justice of the amount of the decrease, and the Department of  
625 Juvenile Justice must send a bill for payment of such amount to

626 the affected county.

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

628 Section 19. In order to implement Specific Appropriations  
629 731 through 752, 916 through 1062, and 1083 through 1119 of the  
630 2020-2021 General Appropriations Act, upon the expiration and  
631 reversion of the amendments made to section 27.40, F.S. pursuant  
632 to section 57 of chapter 2019-116, Laws of Florida, subsection  
633 (1), paragraph (a) of subsection (2), paragraph (a) of  
634 subsection (3), and subsections (5), (6), and (7) of section  
635 27.40, Florida Statutes, are amended to read:

636 27.40 Court-appointed counsel; circuit registries; minimum  
637 requirements; appointment by court.—

638 (1) Counsel shall be appointed to represent any individual  
639 in a criminal or civil proceeding entitled to court-appointed  
640 counsel under the Federal or State Constitution or as authorized  
641 by general law. The court shall appoint a public defender to  
642 represent indigent persons as authorized in s. 27.51. The office  
643 of criminal conflict and civil regional counsel shall be  
644 appointed to represent persons in those cases in which provision  
645 is made for court-appointed counsel, but only after the public  
646 defender has certified to the court in writing that the public  
647 defender is unable to provide representation due to a conflict  
648 of interest or is not authorized to provide representation. The  
649 public defender shall report, in the aggregate, the specific  
650 basis of all conflicts of interest certified to the court. On a

651 quarterly basis, the public defender shall submit this  
652 information to the Justice Administrative Commission.

653 (2) (a) Private counsel shall be appointed to represent  
654 persons in those cases in which provision is made for court-  
655 appointed counsel but only after the office of criminal conflict  
656 and civil regional counsel has been appointed and has certified  
657 to the court in writing that the criminal conflict and civil  
658 regional counsel is unable to provide representation due to a  
659 conflict of interest. The criminal conflict and civil regional  
660 counsel shall report, in the aggregate, the specific basis of  
661 all conflicts of interest certified to the court. On a quarterly  
662 basis, the criminal conflict and civil regional counsel shall  
663 submit this information to the Justice Administrative  
664 Commission.

665 (3) In using a registry:

666 (a) The chief judge of the circuit shall compile a list of  
667 attorneys in private practice, by county and by category of  
668 cases, and provide the list to the clerk of court in each  
669 county. The chief judge of the circuit may restrict the number  
670 of attorneys on the general registry list. To be included on a  
671 registry, an attorney must certify that he or she:

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

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

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

678  
679 To be included on a registry, an attorney must enter into a  
680 contract for services with the Justice Administrative  
681 Commission. Failure to comply with the terms of the contract for  
682 services may result in termination of the contract and removal  
683 from the registry. Each attorney on the registry is responsible  
684 for notifying the clerk of the court and the Justice  
685 Administrative Commission of any change in his or her status.  
686 Failure to comply with this requirement is cause for termination  
687 of the contract for services and removal from the registry until  
688 the requirement is fulfilled.

689 (5) The Justice Administrative Commission shall approve  
690 uniform contract forms for use in procuring the services of  
691 private court-appointed counsel and uniform procedures and forms  
692 for use by a court-appointed attorney in support of billing for  
693 attorney's fees, costs, and related expenses to demonstrate the  
694 attorney's completion of specified duties. Such uniform  
695 contracts and forms for use in billing must be consistent with  
696 s. 27.5304, s. 216.311, and the General Appropriations Act and  
697 must contain the following statement: "The State of Florida's  
698 performance and obligation to pay under this contract is  
699 contingent upon an annual appropriation by the Legislature."

700 (6) After court appointment, the attorney must immediately

701 file a notice of appearance with the court indicating acceptance  
702 of the appointment to represent the defendant and of the terms  
703 of the uniform contract as specified in subsection (5).

704 (7) (a) A private attorney appointed by the court from the  
705 registry to represent a client is entitled to payment as  
706 provided in s. 27.5304 so long as the requirements of subsection  
707 (1) and paragraph (2) (a) are met. An attorney appointed by the  
708 court who is not on the registry list may be compensated under  
709 s. 27.5304 only if the court finds in the order of appointment  
710 that there were no registry attorneys available for  
711 representation for that case and only if the requirements of  
712 subsection (1) and paragraph (2) (a) are met.

713 (b)1. The flat fee established in s. 27.5304 and the  
714 General Appropriations Act shall be presumed by the court to be  
715 sufficient compensation. The attorney shall maintain appropriate  
716 documentation, including contemporaneous and detailed hourly  
717 accounting of time spent representing the client. If the  
718 attorney fails to maintain such contemporaneous and detailed  
719 hourly records, the attorney waives the right to seek  
720 compensation in excess of the flat fee established in s. 27.5304  
721 and the General Appropriations Act. These records and documents  
722 are subject to review by the Justice Administrative Commission  
723 and audit by the Auditor General, subject to the attorney-client  
724 privilege and work-product privilege. The attorney shall  
725 maintain the records and documents in a manner that enables the

726 attorney to redact any information subject to a privilege in  
727 order to facilitate the commission's review of the records and  
728 documents and not to impede such review. The attorney may redact  
729 information from the records and documents only to the extent  
730 necessary to comply with the privilege. The Justice  
731 Administrative Commission shall review such records and shall  
732 contemporaneously document such review before authorizing  
733 payment to an attorney. Objections by or on behalf of the  
734 Justice Administrative Commission to records or documents or to  
735 claims for payment by the attorney shall be presumed correct by  
736 the court unless the court determines in writing competent and  
737 substantial evidence exists to justify overcoming the  
738 presumption.

739 2. If an attorney fails, refuses, or declines to permit  
740 the commission or the Auditor General to review documentation  
741 for a case as provided in this paragraph, the attorney waives  
742 the right to seek, and the commission may not pay, compensation  
743 in excess of the flat fee established in s. 27.5304 and the  
744 General Appropriations Act for that case.

745 3. A finding by the commission that an attorney has waived  
746 the right to seek compensation in excess of the flat fee  
747 established in s. 27.5304 and the General Appropriations Act, as  
748 provided in this paragraph, shall be ~~is~~ presumed to be correct  
749 valid, unless the, as determined by a court determines, in  
750 writing, that competent and substantial evidence exists to

751 justify overcoming the presumption, ~~the commission's finding is~~  
752 ~~not supported by competent and substantial evidence.~~

753 Section 20. The amendments to s. 27.40(1), (2)(a), (3)(a),  
754 (5), (6), and (7), Florida Statutes, made by this act expire  
755 July 1, 2021, and the text of those subsections and paragraphs,  
756 as applicable, shall revert to that in existence on June 30,  
757 2019, except that any amendments to such text enacted other than  
758 by this act shall be preserved and continue to operate to the  
759 extent that such amendments are not dependent upon the portions  
760 of text which expire pursuant to this section.

761 Section 21. In order to implement Specific Appropriations  
762 731 through 752, 916 through 1062, and 1083 through 1119 of the  
763 2020-2021 General Appropriations Act, upon the expiration and  
764 reversion of the amendments made to section 27.5304, Florida  
765 Statutes, pursuant to section 59 of chapter 2019-116, Laws of  
766 Florida, subsections (1), (3), (7), and (11), paragraphs (a)  
767 through (e) of subsection (12), and subsection (13) of section  
768 27.5304, Florida Statutes, are amended to read:

769 27.5304 Private court-appointed counsel; compensation;  
770 notice.—

771 (1) Private court-appointed counsel appointed in the  
772 manner prescribed in s. 27.40(1) and (2)(a) shall be compensated  
773 by the Justice Administrative Commission only as provided in  
774 this section and the General Appropriations Act. The flat fees  
775 prescribed in this section are limitations on compensation. The

776 specific flat fee amounts for compensation shall be established  
777 annually in the General Appropriations Act. The attorney also  
778 shall be reimbursed for reasonable and necessary expenses in  
779 accordance with s. 29.007. If the attorney is representing a  
780 defendant charged with more than one offense in the same case,  
781 the attorney shall be compensated at the rate provided for the  
782 most serious offense for which he or she represented the  
783 defendant. This section does not allow stacking of the fee  
784 limits established by this section.

785 (3) The court retains primary authority and responsibility  
786 for determining the reasonableness of all billings for attorney  
787 fees, costs, and related expenses, subject to statutory  
788 limitations and the requirements of s. 27.40(7). Private court-  
789 appointed counsel is entitled to compensation upon final  
790 disposition of a case.

791 (7) Counsel eligible ~~entitled~~ to receive compensation from  
792 the state for representation pursuant to court appointment made  
793 in accordance with the requirements of s. 27.40(1) and (2)(a) in  
794 a proceeding under chapter 384, chapter 390, chapter 392,  
795 chapter 393, chapter 394, chapter 397, chapter 415, chapter 743,  
796 chapter 744, or chapter 984 shall receive compensation not to  
797 exceed the limits prescribed in the General Appropriations Act.  
798 Any such compensation must be determined as provided in s.  
799 27.40(7).

800 (11) It is the intent of the Legislature that the flat



801 fees prescribed under this section and the General  
802 Appropriations Act comprise the full and complete compensation  
803 for private court-appointed counsel. It is further the intent of  
804 the Legislature that the fees in this section are prescribed for  
805 the purpose of providing counsel with notice of the limit on the  
806 amount of compensation for representation in particular  
807 proceedings and the sole procedure and requirements for  
808 obtaining payment for the same.

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

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

821  
822 This subsection constitutes notice to any subsequently appointed  
823 attorney that he or she will not be compensated the full flat  
824 fee.

825 (12) The Legislature recognizes that on rare occasions an

826 attorney may receive a case that requires extraordinary and  
827 unusual effort.

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

832 1. Before filing the motion, the counsel shall deliver a  
833 copy of the intended billing, together with supporting  
834 affidavits and all other necessary documentation, to the Justice  
835 Administrative Commission.

836 2. The Justice Administrative Commission shall review the  
837 billings, affidavit, and documentation for completeness and  
838 compliance with contractual and statutory requirements and shall  
839 contemporaneously document such review before authorizing  
840 payment to an attorney. If the Justice Administrative Commission  
841 objects to any portion of the proposed billing, the objection  
842 and supporting reasons must be communicated in writing to the  
843 private court-appointed counsel. The counsel may thereafter file  
844 his or her motion, which must specify whether the commission  
845 objects to any portion of the billing or the sufficiency of  
846 documentation, and shall attach the commission's letter stating  
847 its objection.

848 (b) Following receipt of the motion to exceed the fee  
849 limits, the chief judge or a single designee shall hold an  
850 evidentiary hearing. The chief judge may select only one judge

851 per circuit to hear and determine motions pursuant to this  
852 subsection, except multicounty circuits and the eleventh circuit  
853 may have up to two designees.

854 1. At the hearing, the attorney seeking compensation must  
855 prove by competent and substantial evidence that the case  
856 required extraordinary and unusual efforts. The chief judge or  
857 single designee shall consider criteria such as the number of  
858 witnesses, the complexity of the factual and legal issues, and  
859 the length of trial. The fact that a trial was conducted in a  
860 case does not, by itself, constitute competent substantial  
861 evidence of an extraordinary and unusual effort. In a criminal  
862 case, relief under this section may not be granted if the number  
863 of work hours does not exceed 75 or the number of the state's  
864 witnesses deposed does not exceed 20.

865 2. Objections by or on behalf of the Justice  
866 Administrative Commission to records or documents or to claims  
867 for payment by the attorney shall be presumed correct by the  
868 court unless the court determines, in writing, that competent  
869 and substantial evidence exists to justify overcoming the  
870 presumption. The chief judge or single designee shall enter a  
871 written order detailing his or her findings and identifying the  
872 extraordinary nature of the time and efforts of the attorney in  
873 the case which warrant exceeding the flat fee established by  
874 this section and the General Appropriations Act.

875 (c) A copy of the motion and attachments shall be served

876 on the Justice Administrative Commission at least 20 ~~5~~ business  
877 days before the date of a hearing. The Justice Administrative  
878 Commission has standing to appear before the court, and may  
879 appear in person or telephonically, including at the hearing  
880 under paragraph (b), to contest any motion for an order  
881 approving payment of attorney fees, costs, or related expenses  
882 and may participate in a hearing on the motion by use of  
883 telephonic or other communication equipment. The Justice  
884 Administrative Commission may contract with other public or  
885 private entities or individuals to appear before the court for  
886 the purpose of contesting any motion for an order approving  
887 payment of attorney fees, costs, or related expenses. The fact  
888 that the Justice Administrative Commission has not objected to  
889 any portion of the billing or to the sufficiency of the  
890 documentation is not binding on the court.

891 (d) If the chief judge or a single designee finds that  
892 counsel has proved by competent and substantial evidence that  
893 the case required extraordinary and unusual efforts, the chief  
894 judge or single designee shall order the compensation to be paid  
895 to the attorney at a percentage above the flat fee rate,  
896 depending on the extent of the unusual and extraordinary effort  
897 required. The percentage must be only the rate necessary to  
898 ensure that the fees paid are not confiscatory under common law.  
899 The percentage may not exceed 200 percent of the established  
900 flat fee, absent a specific finding that 200 percent of the flat

901 fee in the case would be confiscatory. If the chief judge or  
902 single designee determines that 200 percent of the flat fee  
903 would be confiscatory, he or she shall order the amount of  
904 compensation using an hourly rate not to exceed \$75 per hour for  
905 a noncapital case and \$100 per hour for a capital case. However,  
906 the compensation calculated by using the hourly rate shall be  
907 only that amount necessary to ensure that the total fees paid  
908 are not confiscatory, subject to the requirements of s.  
909 27.40(7).

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

914 (13) Notwithstanding the limitation set forth in  
915 subsection (5) and for the 2020-2021 ~~2018-2019~~ fiscal year only,  
916 the compensation for representation in a criminal proceeding may  
917 not exceed the following:

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

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

922 (c) For life felonies represented at the trial level:  
923 \$15,000.

924 (d) For capital cases represented at the trial level:  
925 \$25,000. For purposes of this paragraph, a "capital case" is any

926 | offense for which the potential sentence is death and the state  
 927 | has not waived seeking the death penalty.

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

929 |       (f) This subsection expires July 1, 2021 ~~2019~~.

930 |       Section 22. The amendments to s. 27.5304(1), (3), (7),  
 931 | (11), and (12)(a)-(e), Florida Statutes, made by this act expire  
 932 | July 1, 2021, and the text of those subsections and paragraphs,  
 933 | as applicable, shall revert to that in existence on June 30,  
 934 | 2019, except that any amendments to such text enacted other than  
 935 | by this act shall be preserved and continue to operate to the  
 936 | extent that such amendments are not dependent upon the portions  
 937 | of text which expire pursuant to this section.

938 |       Section 23. In order to implement Specific Appropriation  
 939 | 736 of the 2020-2021 General Appropriations Act, and  
 940 | notwithstanding s. 28.35, Florida Statutes, the clerks of the  
 941 | circuit court are responsible for any costs of compensation to  
 942 | jurors, for meals or lodging provided to jurors, and for jury-  
 943 | related personnel costs that exceed the funding provided in the  
 944 | General Appropriations Act for these purposes. This section  
 945 | expires July 1, 2021.

946 |       Section 24. In order to implement Specific Appropriations  
 947 | 916 through 1062 of the 2020-2021 General Appropriations Act,  
 948 | and notwithstanding the expiration date in section 63 of chapter  
 949 | 2019-116, Laws of Florida, paragraph (c) of subsection (19) of  
 950 | section 318.18, Florida Statutes, is reenacted to read:

951           318.18 Amount of penalties.—The penalties required for a  
952 noncriminal disposition pursuant to s. 318.14 or a criminal  
953 offense listed in s. 318.17 are as follows:

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

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

963           Section 25. In order to implement Specific Appropriations  
964 916 through 1062 of the 2020-2021 General Appropriations Act,  
965 and notwithstanding the expiration date in section 63 of chapter  
966 2019-116, Laws of Florida, paragraph (b) of subsection (12) of  
967 section 817.568, Florida Statutes, is reenacted to read:

968           817.568 Criminal use of personal identification  
969 information.—

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

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

976 funding prosecutions of offenses relating to the criminal use of  
977 personal identification information. The sum of \$250 of the  
978 surcharge shall be deposited into the Indigent Criminal Defense  
979 Trust Fund for the purposes of indigent criminal defense related  
980 to the criminal use of personal identification information.

981 Section 26. The text of ss. 318.18(19)(c) and  
982 817.568(12)(b), Florida Statutes, as carried forward from  
983 chapter 2019-116, Laws of Florida, by this act, expires July 1,  
984 2021, and the text of those paragraphs shall revert to that in  
985 existence on June 30, 2018, except that any amendments to such  
986 text enacted other than by this act shall be preserved and  
987 continue to operate to the extent that such amendments are not  
988 dependent upon the portions of text which expire pursuant to  
989 this section.

990 Section 27. In order to implement appropriations used to  
991 pay existing lease contracts for private lease space in excess  
992 of 2,000 square feet in the 2020-2021 General Appropriations  
993 Act, the Department of Management Services, with the cooperation  
994 of the agencies having the existing lease contracts for office  
995 or storage space, shall use tenant broker services to  
996 renegotiate or reprocure all private lease agreements for office  
997 or storage space expiring between July 1, 2021, and June 30,  
998 2023, in order to reduce costs in future years. The department  
999 shall incorporate this initiative into its 2020 master leasing  
1000 report required under s. 255.249(7), Florida Statutes, and may



1001 use tenant broker services to explore the possibilities of  
1002 collocating office or storage space, to review the space needs  
1003 of each agency, and to review the length and terms of potential  
1004 renewals or renegotiations. The department shall provide a  
1005 report to the Executive Office of the Governor, the President of  
1006 the Senate, and the Speaker of the House of Representatives by  
1007 November 1, 2020, which lists each lease contract for private  
1008 office or storage space, the status of renegotiations, and the  
1009 savings achieved. This section expires July 1, 2021.

1010 Section 28. In order to implement Specific Appropriations  
1011 2820 through 2832 of the 2020-2021 General Appropriations Act,  
1012 and notwithstanding rule 60A-1.031, Florida Administrative Code,  
1013 the transaction fee collected for use of the online procurement  
1014 system, authorized in ss. 287.042(1)(h)1. and 287.057(22)(c),  
1015 Florida Statutes, is seven-tenths of 1 percent for the 2020-2021  
1016 fiscal year only. This section expires July 1, 2021.

1017 Section 29. In order to implement appropriations  
1018 authorized in the 2020-2021 General Appropriations Act for data  
1019 center services, and notwithstanding s. 216.292(2)(a), Florida  
1020 Statutes, an agency may not transfer funds from a data  
1021 processing category to a category other than another data  
1022 processing category. This section expires July 1, 2021.

1023 Section 30. In order to implement the appropriation of  
1024 funds in the appropriation category "Data Processing Assessment-  
1025 Department of Management Services" in the 2020-2021 General

1026 Appropriations Act, and pursuant to the notice, review, and  
1027 objection procedures of s. 216.177, Florida Statutes, the  
1028 Executive Office of the Governor may transfer funds appropriated  
1029 in that category between departments in order to align the  
1030 budget authority granted based on the estimated billing cycle  
1031 and methodology used by the Department of Management Services  
1032 for data processing services provided. This section expires July  
1033 1, 2021.

1034       Section 31. In order to implement the appropriation of  
1035 funds in the appropriation category "Special Categories-Risk  
1036 Management Insurance" in the 2020-2021 General Appropriations  
1037 Act, and pursuant to the notice, review, and objection  
1038 procedures of s. 216.177, Florida Statutes, the Executive Office  
1039 of the Governor may transfer funds appropriated in that category  
1040 between departments in order to align the budget authority  
1041 granted with the premiums paid by each department for risk  
1042 management insurance. This section expires July 1, 2021.

1043       Section 32. In order to implement the appropriation of  
1044 funds in the appropriation category "Special Categories-Transfer  
1045 to Department of Management Services-Human Resources Services  
1046 Purchased per Statewide Contract" in the 2020-2021 General  
1047 Appropriations Act, and pursuant to the notice, review, and  
1048 objection procedures of s. 216.177, Florida Statutes, the  
1049 Executive Office of the Governor may transfer funds appropriated  
1050 in that category between departments in order to align the

1051 budget authority granted with the assessments that must be paid  
1052 by each agency to the Department of Management Services for  
1053 human resource management services. This section expires July 1,  
1054 2021.

1055 Section 33. In order to implement Specific Appropriations  
1056 2388 through 2391 of the 2020-2021 General Appropriations Act:

1057 (1) The Department of Financial Services shall replace the  
1058 four main components of the Florida Accounting Information  
1059 Resource Subsystem (FLAIR), which include central FLAIR,  
1060 departmental FLAIR, payroll, and information warehouse, and  
1061 shall replace the cash management and accounting management  
1062 components of the Cash Management Subsystem (CMS) with an  
1063 integrated enterprise system that allows the state to organize,  
1064 define, and standardize its financial management business  
1065 processes and that complies with ss. 215.90-215.96, Florida  
1066 Statutes. The department may not include in the replacement of  
1067 FLAIR and CMS:

1068 (a) Functionality that duplicates any of the other  
1069 information subsystems of the Florida Financial Management  
1070 Information System; or

1071 (b) Agency business processes related to any of the  
1072 functions included in the Personnel Information System, the  
1073 Purchasing Subsystem, or the Legislative Appropriations  
1074 System/Planning and Budgeting Subsystem.

1075 (2) For purposes of replacing FLAIR and CMS, the

1076 Department of Financial Services shall:

1077 (a) Take into consideration the cost and implementation  
1078 data identified for Option 3 as recommended in the March 31,  
1079 2014, Florida Department of Financial Services FLAIR Study,  
1080 version 031.

1081 (b) Ensure that all business requirements and technical  
1082 specifications have been provided to all state agencies for  
1083 their review and input and approved by the executive steering  
1084 committee established in paragraph (c).

1085 (c) Implement a project governance structure that includes  
1086 an executive steering committee composed of:

1087 1. The Chief Financial Officer or the executive sponsor of  
1088 the project.

1089 2. A representative of the Division of Treasury of the  
1090 Department of Financial Services, appointed by the Chief  
1091 Financial Officer.

1092 3. A representative of the Division of Information Systems  
1093 of the Department of Financial Services, appointed by the Chief  
1094 Financial Officer.

1095 4. Four employees from the Division of Accounting and  
1096 Auditing of the Department of Financial Services, appointed by  
1097 the Chief Financial Officer. Each employee must have experience  
1098 relating to at least one of the four main components that  
1099 compose FLAIR.

1100 5. Two employees from the Executive Office of the

1101 Governor, appointed by the Governor. One employee must have  
1102 experience relating to the Legislative Appropriations  
1103 System/Planning and Budgeting Subsystem.

1104 6. One employee from the Department of Revenue, appointed  
1105 by the executive director, who has experience relating to the  
1106 department's SUNTAX system.

1107 7. Two employees from the Department of Management  
1108 Services, appointed by the Secretary of Management Services. One  
1109 employee must have experience relating to the department's  
1110 personnel information subsystem, and one employee must have  
1111 experience relating to the department's purchasing subsystem.

1112 8. Three state agency administrative services directors,  
1113 appointed by the Governor. One director must represent a  
1114 regulatory and licensing state agency, and one director must  
1115 represent a health care-related state agency.

1116 (3) The Chief Financial Officer or the executive sponsor  
1117 of the project shall serve as chair of the executive steering  
1118 committee, and the committee shall take action by a vote of at  
1119 least eight affirmative votes with the Chief Financial Officer  
1120 or the executive sponsor of the project voting on the prevailing  
1121 side. A quorum of the executive steering committee consists of  
1122 at least 10 members.

1123 (4) The executive steering committee has the overall  
1124 responsibility for ensuring that the project to replace FLAIR  
1125 and CMS meets its primary business objectives and shall:

1126        (a) Identify and recommend to the Executive Office of the  
1127 Governor, the President of the Senate, and the Speaker of the  
1128 House of Representatives any statutory changes needed to  
1129 implement the replacement subsystem that will standardize, to  
1130 the fullest extent possible, the state's financial management  
1131 business processes.

1132        (b) Review and approve any changes to the project's scope,  
1133 schedule, and budget which do not conflict with the requirements  
1134 of subsection (1).

1135        (c) Ensure that adequate resources are provided throughout  
1136 all phases of the project.

1137        (d) Approve all major project deliverables.

1138        (e) Approve all solicitation-related documents associated  
1139 with the replacement of FLAIR and CMS.

1140        (5) This section expires July 1, 2021.

1141        Section 34. In order to implement Specific Appropriations  
1142 2900 through 2946 of the 2020-2021 General Appropriations Act,  
1143 section 29 of chapter 2019-118, Laws of Florida, is amended to  
1144 read:

1145        Section 29. Florida Cybersecurity Task Force.—

1146        (1) The Florida Cybersecurity Task Force, a task force as  
1147 defined in s. 20.03(8), Florida Statutes, is created adjunct to  
1148 the Department of Management Services to review and conduct an  
1149 assessment of the state's cybersecurity infrastructure,  
1150 governance, and operations. Except as otherwise provided in this

1151 section, the task force shall operate in a manner consistent  
 1152 with s. 20.052, Florida Statutes.

1153 (2) The task force consists of the following members:

1154 (a) The Lieutenant Governor, or his or her designee, who  
 1155 shall serve as chair of the task force.

1156 (b) A representative of the computer crime center of the  
 1157 Department of Law Enforcement, appointed by the executive  
 1158 director of the department.

1159 (c) A representative of the fusion center of the  
 1160 Department of Law Enforcement, appointed by the executive  
 1161 director of the department.

1162 (d) The state chief information officer.

1163 (e) The state chief information security officer.

1164 (f) A representative of the Division of Emergency  
 1165 Management within the Executive Office of the Governor,  
 1166 appointed by the director of the division.

1167 (g) A representative of the Office of the Chief Inspector  
 1168 General in the Executive Office of the Governor, appointed by  
 1169 the Chief Inspector General.

1170 (h) An individual appointed by the President of the  
 1171 Senate.

1172 (i) An individual appointed by the Speaker of the House of  
 1173 Representatives.

1174 (j) Members of the private sector appointed by the  
 1175 Governor.

1176 (3) The task force shall convene by October 1, 2019, and  
1177 shall meet as necessary, but at least quarterly, at the call of  
1178 the chair. The Division of State Technology within the  
1179 Department of Management Services shall provide staffing and  
1180 administrative support to the task force.

1181 (4) The task force shall:

1182 (a) Recommend methods to secure the state's network  
1183 systems and data, including standardized plans and procedures to  
1184 identify developing threats and to prevent unauthorized access  
1185 and destruction of data.

1186 (b) Identify and recommend remediation, if necessary, of  
1187 high-risk cybersecurity issues facing state government.

1188 (c) Recommend a process to regularly assess cybersecurity  
1189 infrastructure and activities of executive branch agencies.

1190 (d) Identify gaps in the state's overall cybersecurity  
1191 infrastructure, governance, and current operations. Based on any  
1192 findings of gaps or deficiencies, the task force shall make  
1193 recommendations for improvement.

1194 (e) Recommend cybersecurity improvements for the state's  
1195 emergency management and disaster response systems.

1196 (f) Recommend cybersecurity improvements of the state data  
1197 center.

1198 (g) Review and recommend improvements relating to the  
1199 state's current operational plans for the response,  
1200 coordination, and recovery from a cybersecurity attack.



1201 (5) All executive branch departments and agencies shall  
 1202 cooperate fully with requests for information made by the task  
 1203 force.

1204 (6) On or before February 1, 2021 ~~November 1, 2020~~, the  
 1205 task force shall submit a final report of its findings and  
 1206 recommendations to the Governor, the President of the Senate,  
 1207 and the Speaker of the House of Representatives.

1208 (7) This section expires May ~~January~~ 1, 2021.

1209 Section 35. In order to implement Specific Appropriation  
 1210 1633 of the 2020-2021 General Appropriations Act, paragraph (d)  
 1211 of subsection (11) of section 216.181, Florida Statutes, is  
 1212 amended to read:

1213 216.181 Approved budgets for operations and fixed capital  
 1214 outlay.—

1215 (11)

1216 (d) Notwithstanding paragraph (b) and paragraph (2) (b),  
 1217 and for the 2020-2021 ~~2019-2020~~ fiscal year only, the  
 1218 Legislative Budget Commission may increase the amounts  
 1219 appropriated to the Fish and Wildlife Conservation Commission or  
 1220 the Department of Environmental Protection for fixed capital  
 1221 outlay projects, including additional fixed capital outlay  
 1222 projects, using funds provided to the state from the Gulf  
 1223 Environmental Benefit Fund administered by the National Fish and  
 1224 Wildlife Foundation; funds provided to the state from the Gulf  
 1225 Coast Restoration Trust Fund related to the Resources and

1226 Ecosystems Sustainability, Tourist Opportunities, and Revived  
1227 Economies of the Gulf Coast Act of 2012 (RESTORE Act); or funds  
1228 provided by the British Petroleum Corporation (BP) for natural  
1229 resource damage assessment restoration projects. Concurrent with  
1230 submission of an amendment to the Legislative Budget Commission  
1231 pursuant to this paragraph, any project that carries a  
1232 continuing commitment for future appropriations by the  
1233 Legislature must be specifically identified, together with the  
1234 projected amount of the future commitment associated with the  
1235 project and the fiscal years in which the commitment is expected  
1236 to commence. This paragraph expires July 1, 2021 ~~2020~~.

1237  
1238 The provisions of this subsection are subject to the notice and  
1239 objection procedures set forth in s. 216.177.

1240 Section 36. In order to implement specific appropriations  
1241 from the land acquisition trust funds within the Department of  
1242 Agriculture and Consumer Services, the Department of  
1243 Environmental Protection, the Department of State, and the Fish  
1244 and Wildlife Conservation Commission, which are contained in the  
1245 2020-2021 General Appropriations Act, subsection (3) of section  
1246 215.18, Florida Statutes, is amended to read:

1247 215.18 Transfers between funds; limitation.—

1248 (3) Notwithstanding subsection (1) and only with respect  
1249 to a land acquisition trust fund in the Department of  
1250 Agriculture and Consumer Services, the Department of

1251 Environmental Protection, the Department of State, or the Fish  
1252 and Wildlife Conservation Commission, whenever there is a  
1253 deficiency in a land acquisition trust fund which would render  
1254 that trust fund temporarily insufficient to meet its just  
1255 requirements, including the timely payment of appropriations  
1256 from that trust fund, and other trust funds in the State  
1257 Treasury have moneys that are for the time being or otherwise in  
1258 excess of the amounts necessary to meet the just requirements,  
1259 including appropriated obligations, of those other trust funds,  
1260 the Governor may order a temporary transfer of moneys from one  
1261 or more of the other trust funds to a land acquisition trust  
1262 fund in the Department of Agriculture and Consumer Services, the  
1263 Department of Environmental Protection, the Department of State,  
1264 or the Fish and Wildlife Conservation Commission. Any action  
1265 proposed pursuant to this subsection is subject to the notice,  
1266 review, and objection procedures of s. 216.177, and the Governor  
1267 shall provide notice of such action at least 7 days before the  
1268 effective date of the transfer of trust funds, except that  
1269 during July 2020 ~~2019~~, notice of such action shall be provided  
1270 at least 3 days before the effective date of a transfer unless  
1271 such 3-day notice is waived by the chair and vice-chair of the  
1272 Legislative Budget Commission. Any transfer of trust funds to a  
1273 land acquisition trust fund in the Department of Agriculture and  
1274 Consumer Services, the Department of Environmental Protection,  
1275 the Department of State, or the Fish and Wildlife Conservation

1276 Commission must be repaid to the trust funds from which the  
 1277 moneys were loaned by the end of the 2020-2021 ~~2019-2020~~ fiscal  
 1278 year. The Legislature has determined that the repayment of the  
 1279 other trust fund moneys temporarily loaned to a land acquisition  
 1280 trust fund in the Department of Agriculture and Consumer  
 1281 Services, the Department of Environmental Protection, the  
 1282 Department of State, or the Fish and Wildlife Conservation  
 1283 Commission pursuant to this subsection is an allowable use of  
 1284 the moneys in a land acquisition trust fund because the moneys  
 1285 from other trust funds temporarily loaned to a land acquisition  
 1286 trust fund shall be expended solely and exclusively in  
 1287 accordance with s. 28, Art. X of the State Constitution. This  
 1288 subsection expires July 1, 2021 ~~2020~~.

1289 Section 37. (1) In order to implement specific  
 1290 appropriations from the land acquisition trust funds within the  
 1291 Department of Agriculture and Consumer Services, the Department  
 1292 of Environmental Protection, the Department of State, and the  
 1293 Fish and Wildlife Conservation Commission, which are contained  
 1294 in the 2020-2021 General Appropriations Act, the Department of  
 1295 Environmental Protection shall transfer revenues from the Land  
 1296 Acquisition Trust Fund within the department to the land  
 1297 acquisition trust funds within the Department of Agriculture and  
 1298 Consumer Services, the Department of State, and the Fish and  
 1299 Wildlife Conservation Commission, as provided in this section.  
 1300 As used in this section, the term "department" means the

1301 Department of Environmental Protection.

1302 (2) After subtracting any required debt service payments,  
1303 the proportionate share of revenues to be transferred to each  
1304 land acquisition trust fund shall be calculated by dividing the  
1305 appropriations from each of the land acquisition trust funds for  
1306 the fiscal year by the total appropriations from the Land  
1307 Acquisition Trust Fund within the department and the land  
1308 acquisition trust funds within the Department of Agriculture and  
1309 Consumer Services, the Department of State, and the Fish and  
1310 Wildlife Conservation Commission for the fiscal year. The  
1311 department shall transfer the proportionate share of the  
1312 revenues in the Land Acquisition Trust Fund within the  
1313 department on a monthly basis to the appropriate land  
1314 acquisition trust funds within the Department of Agriculture and  
1315 Consumer Services, the Department of State, and the Fish and  
1316 Wildlife Conservation Commission and shall retain its  
1317 proportionate share of the revenues in the Land Acquisition  
1318 Trust Fund within the department. Total distributions to a land  
1319 acquisition trust fund within the Department of Agriculture and  
1320 Consumer Services, the Department of State, and the Fish and  
1321 Wildlife Conservation Commission may not exceed the total  
1322 appropriations from such trust fund for the fiscal year.

1323 (3) In addition, the department shall transfer from the  
1324 Land Acquisition Trust Fund to land acquisition trust funds  
1325 within the Department of Agriculture and Consumer Services, the

1326 Department of State, and the Fish and Wildlife Conservation  
 1327 Commission amounts equal to the difference between the amounts  
 1328 appropriated in chapter 2019-115, Laws of Florida, to the  
 1329 department's Land Acquisition Trust Fund and the other land  
 1330 acquisition trust funds, and the amounts actually transferred  
 1331 between those trust funds during the 2019-2020 fiscal year.

1332 (4) The department may advance funds from the beginning  
 1333 unobligated fund balance in the Land Acquisition Trust Fund to  
 1334 the Land Acquisition Trust Fund within the Fish and Wildlife  
 1335 Conservation Commission needed for cash flow purposes based on a  
 1336 detailed expenditure plan. The department shall prorate amounts  
 1337 transferred quarterly to the Fish and Wildlife Conservation  
 1338 Commission to recoup the amount of funds advanced by June 30,  
 1339 2021.

1340 (5) This section expires July 1, 2021.

1341 Section 38. In order to implement appropriations from the  
 1342 Land Acquisition Trust Fund within the Department of  
 1343 Environmental Protection in the 2020-2021 General Appropriations  
 1344 Act, paragraph (b) of subsection (3) of section 375.041, Florida  
 1345 Statutes, is amended to read:

1346 375.041 Land Acquisition Trust Fund.—

1347 (3) Funds distributed into the Land Acquisition Trust Fund  
 1348 pursuant to s. 201.15 shall be applied:

1349 (b) Of the funds remaining after the payments required  
 1350 under paragraph (a), but before funds may be appropriated,

1351 pledged, or dedicated for other uses:

1352       1. A minimum of the lesser of 25 percent or \$200 million  
1353 shall be appropriated annually for Everglades projects that  
1354 implement the Comprehensive Everglades Restoration Plan as set  
1355 forth in s. 373.470, including the Central Everglades Planning  
1356 Project subject to Congressional authorization; the Long-Term  
1357 Plan as defined in s. 373.4592(2); and the Northern Everglades  
1358 and Estuaries Protection Program as set forth in s. 373.4595.  
1359 From these funds, \$32 million shall be distributed each fiscal  
1360 year through the 2023-2024 fiscal year to the South Florida  
1361 Water Management District for the Long-Term Plan as defined in  
1362 s. 373.4592(2). After deducting the \$32 million distributed  
1363 under this subparagraph, from the funds remaining, a minimum of  
1364 the lesser of 76.5 percent or \$100 million shall be appropriated  
1365 each fiscal year through the 2025-2026 fiscal year for the  
1366 planning, design, engineering, and construction of the  
1367 Comprehensive Everglades Restoration Plan as set forth in s.  
1368 373.470, including the Central Everglades Planning Project, the  
1369 Everglades Agricultural Area Storage Reservoir Project, the Lake  
1370 Okeechobee Watershed Project, the C-43 West Basin Storage  
1371 Reservoir Project, the Indian River Lagoon-South Project, the  
1372 Western Everglades Restoration Project, and the Picayune Strand  
1373 Restoration Project. The Department of Environmental Protection  
1374 and the South Florida Water Management District shall give  
1375 preference to those Everglades restoration projects that reduce

1376 harmful discharges of water from Lake Okeechobee to the St.  
1377 Lucie or Caloosahatchee estuaries in a timely manner. For the  
1378 purpose of performing the calculation provided in this  
1379 subparagraph, the amount of debt service paid pursuant to  
1380 paragraph (a) for bonds issued after July 1, 2016, for the  
1381 purposes set forth under paragraph (b) shall be added to the  
1382 amount remaining after the payments required under paragraph  
1383 (a). The amount of the distribution calculated shall then be  
1384 reduced by an amount equal to the debt service paid pursuant to  
1385 paragraph (a) on bonds issued after July 1, 2016, for the  
1386 purposes set forth under this subparagraph.

1387       2. A minimum of the lesser of 7.6 percent or \$50 million  
1388 shall be appropriated annually for spring restoration,  
1389 protection, and management projects. For the purpose of  
1390 performing the calculation provided in this subparagraph, the  
1391 amount of debt service paid pursuant to paragraph (a) for bonds  
1392 issued after July 1, 2016, for the purposes set forth under  
1393 paragraph (b) shall be added to the amount remaining after the  
1394 payments required under paragraph (a). The amount of the  
1395 distribution calculated shall then be reduced by an amount equal  
1396 to the debt service paid pursuant to paragraph (a) on bonds  
1397 issued after July 1, 2016, for the purposes set forth under this  
1398 subparagraph.

1399       3. The sum of \$5 million shall be appropriated annually  
1400 each fiscal year through the 2025-2026 fiscal year to the St.



1401 Johns River Water Management District for projects dedicated to  
1402 the restoration of Lake Apopka. This distribution shall be  
1403 reduced by an amount equal to the debt service paid pursuant to  
1404 paragraph (a) on bonds issued after July 1, 2016, for the  
1405 purposes set forth in this subparagraph.

1406 4. The sum of \$64 million is appropriated and shall be  
1407 transferred to the Everglades Trust Fund for the 2018-2019  
1408 fiscal year, and each fiscal year thereafter, for the EAA  
1409 reservoir project pursuant to s. 373.4598. Any funds remaining  
1410 in any fiscal year shall be made available only for Phase II of  
1411 the C-51 reservoir project or projects identified in  
1412 subparagraph 1. and must be used in accordance with laws  
1413 relating to such projects. Any funds made available for such  
1414 purposes in a fiscal year are in addition to the amount  
1415 appropriated under subparagraph 1. This distribution shall be  
1416 reduced by an amount equal to the debt service paid pursuant to  
1417 paragraph (a) on bonds issued after July 1, 2017, for the  
1418 purposes set forth in this subparagraph.

1419 5. Notwithstanding subparagraph 3., for the 2020-2021  
1420 ~~2019-2020~~ fiscal year, funds shall be appropriated as provided  
1421 in the General Appropriations Act. This subparagraph expires  
1422 July 1, 2021 ~~2020~~.

1423 Section 39. In order to implement Specific Appropriations  
1424 1443 through 1452 of the 2020-2021 General Appropriations Act,  
1425 subsection (4) of section 570.441, Florida Statutes, is amended

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1426 to read:

1427 570.441 Pest Control Trust Fund.—

1428 (4) In addition to the uses authorized under subsection  
1429 (2), moneys collected or received by the department under  
1430 chapter 482 may be used to carry out the provisions of s.  
1431 570.44. This subsection expires July 1, 2021 ~~June 30, 2020~~.

1432 Section 40. In order to implement Specific Appropriations  
1433 1453 through 1459 of the 2020-2021 General Appropriations Act,  
1434 upon the expiration and reversion of the amendment made to  
1435 section 525.07, Florida Statutes, pursuant to section 93 of  
1436 chapter 2019-116, Laws of Florida, subsection (1) of section  
1437 525.07, Florida Statutes, is amended to read:

1438 525.07 Powers and duties of department; inspections;  
1439 unlawful acts.—

1440 (1) (a) The department shall inspect all measuring devices  
1441 used in selling or distributing petroleum fuel at wholesale and  
1442 retail.

1443 (b) The department may affix a sticker to each petroleum  
1444 measuring device. Using only a combination of lettering,  
1445 numbering, words, or the department logo, the sticker must  
1446 signify that the device has been inspected by the department and  
1447 that the device owner is responsible for its proper use and  
1448 maintenance. Any sticker which has been affixed to a petroleum  
1449 measuring device by the department which does not meet the  
1450 specifications of this paragraph must be removed by September

1451 15, 2020. This paragraph expires July 1, 2021.

1452 Section 41. In order to implement Specific Appropriation  
 1453 2659 of the 2020-2021 General Appropriations Act, paragraph (b)  
 1454 of subsection (3) and subsection (5) of section 321.04, Florida  
 1455 Statutes, are amended to read:

1456 321.04 Personnel of the highway patrol; rank  
 1457 classifications; probationary status of new patrol officers;  
 1458 subsistence; special assignments.—

1459 (3) (b) For the 2020-2021 ~~2019-2020~~ fiscal year only, upon  
 1460 the request of the Governor, the Department of Highway Safety  
 1461 and Motor Vehicles shall assign one or more patrol officers to  
 1462 the office of the Lieutenant Governor for security services.  
 1463 This paragraph expires July 1, 2021 ~~2020~~.

1464 (5) For the 2020-2021 ~~2019-2020~~ fiscal year only, the  
 1465 assignment of a patrol officer by the department shall include a  
 1466 Cabinet member specified in s. 4, Art. IV of the State  
 1467 Constitution if deemed appropriate by the department or in  
 1468 response to a threat and upon written request of such Cabinet  
 1469 member. This subsection expires July 1, 2021 ~~2020~~.

1470 Section 42. In order to implement Specific Appropriations  
 1471 2281 and 2282A of the 2020-2021 General Appropriations Act,  
 1472 subsection (3) of section 420.9079, Florida Statutes, is amended  
 1473 to read:

1474 420.9079 Local Government Housing Trust Fund.—

1475 (3) For the 2020-2021 ~~2019-2020~~ fiscal year, funds may be

1476 used as provided in the General Appropriations Act. This  
 1477 subsection expires July 1, 2021 ~~2020~~.

1478 Section 43. In order to implement Specific Appropriation  
 1479 2281 of the 2020-2021 General Appropriations Act, subsection (2)  
 1480 of section 420.0005, Florida Statutes, is amended to read:

1481 420.0005 State Housing Trust Fund; State Housing Fund.—

1482 (2) For the 2020-2021 ~~2019-2020~~ fiscal year, funds may be  
 1483 used as provided in the General Appropriations Act. This  
 1484 subsection expires July 1, 2021 ~~2020~~.

1485 Section 44. In order to implement Specific Appropriation  
 1486 2280 of the 2020-2021 General Appropriations Act, subsection (6)  
 1487 of section 288.0655, Florida Statutes, is amended to read:

1488 288.0655 Rural Infrastructure Fund.—

1489 (6) For the 2020-2021 ~~2019-2020~~ fiscal year, the funds  
 1490 appropriated for the grant program for Florida Panhandle  
 1491 counties shall be distributed pursuant to and for the purposes  
 1492 described in the proviso language associated with Specific  
 1493 Appropriation 2280 ~~2314~~ of the 2020-2021 ~~2019-2020~~ General  
 1494 Appropriations Act. This subsection expires July 1, 2021 ~~2020~~.

1495 Section 45. In order to implement Specific Appropriation  
 1496 2267 of the 2020-2021 General Appropriations Act, subsection (4)  
 1497 is added to section 288.80125, Florida Statutes, to read:

1498 288.80125 Triumph Gulf Coast Trust Fund.—

1499 (4) For the 2020-2021 fiscal year, funds shall be used for  
 1500 the Rebuild Florida Revolving Loan Fund program to provide

1501 assistance to businesses impacted by Hurricane Michael as  
 1502 provided in the General Appropriations Act. This subsection  
 1503 expires July 1, 2021.

1504 Section 46. In order to implement Specific Appropriations  
 1505 1916 through 1929, 1929F through 1929J, 1943 through 1951, 1953  
 1506 through 1962, and 1999A through 2011 of the 2020-2021 General  
 1507 Appropriations Act, paragraph (g) of subsection (7) of section  
 1508 339.135, Florida Statutes, is amended to read:

1509 339.135 Work program; legislative budget request;  
 1510 definitions; preparation, adoption, execution, and amendment.—

1511 (7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

1512 (g)1. Any work program amendment which also requires the  
 1513 transfer of fixed capital outlay appropriations between  
 1514 categories within the department or the increase of an  
 1515 appropriation category is subject to the approval of the  
 1516 Legislative Budget Commission.

1517 2. If a meeting of the Legislative Budget Commission  
 1518 cannot be held within 30 days after the department submits an  
 1519 amendment to the Legislative Budget Commission, the chair and  
 1520 vice chair of the Legislative Budget Commission may authorize  
 1521 such amendment to be approved pursuant to s. 216.177. This  
 1522 subparagraph expires July 1, 2021 ~~2020~~.

1523 Section 47. In order to implement Specific Appropriations  
 1524 2599 of the 2020-2021 General Appropriations Act, paragraph (d)  
 1525 of subsection (4) of section 112.061, Florida Statutes, is

1526 amended to read:

1527 112.061 Per diem and travel expenses of public officers,  
1528 employees, and authorized persons; statewide travel management  
1529 system.—

1530 (4) OFFICIAL HEADQUARTERS.—The official headquarters of an  
1531 officer or employee assigned to an office shall be the city or  
1532 town in which the office is located except that:

1533 (d) A Lieutenant Governor who permanently resides outside  
1534 of Leon County, may, if he or she so requests, have an  
1535 appropriate facility in his or her county designated as his or  
1536 her official headquarters for purposes of this section. This  
1537 official headquarters may only serve as the Lieutenant  
1538 Governor's personal office. The Lieutenant Governor may not use  
1539 state funds to lease space in any facility for his or her  
1540 official headquarters.

1541 1. A Lieutenant Governor for whom an official headquarters  
1542 is established in his or her county of residence pursuant to  
1543 this paragraph is eligible for subsistence at a rate to be  
1544 established by the Governor for each day or partial day that the  
1545 Lieutenant Governor is at the State Capitol to conduct official  
1546 state business. In addition to the subsistence allowance, a  
1547 Lieutenant Governor is eligible for reimbursement for  
1548 transportation expenses as provided in subsection (7) for travel  
1549 between the Lieutenant Governor's official headquarters and the  
1550 State Capitol to conduct state business.

1551           2. Payment of subsistence and reimbursement for  
 1552 transportation between a Lieutenant Governor's official  
 1553 headquarters and the State Capitol shall be made to the extent  
 1554 appropriated funds are available, as determined by the Governor.

1555           3. This paragraph expires July 1, 2021 ~~2020~~.

1556           Section 48. In order to implement the salaries and  
 1557 benefits, expenses, other personal services, contracted  
 1558 services, special categories, and operating capital outlay  
 1559 categories of the 2020-2021 General Appropriations Act,  
 1560 paragraph (a) of subsection (2) of section 216.292, Florida  
 1561 Statutes, is amended to read:

1562           216.292 Appropriations nontransferable; exceptions.—

1563           (2) The following transfers are authorized to be made by  
 1564 the head of each department or the Chief Justice of the Supreme  
 1565 Court whenever it is deemed necessary by reason of changed  
 1566 conditions:

1567           (a) The transfer of appropriations funded from identical  
 1568 funding sources, except appropriations for fixed capital outlay,  
 1569 and the transfer of amounts included within the total original  
 1570 approved budget and plans of releases of appropriations as  
 1571 furnished pursuant to ss. 216.181 and 216.192, as follows:

1572           1. Between categories of appropriations within a budget  
 1573 entity, if no category of appropriation is increased or  
 1574 decreased by more than 5 percent of the original approved budget  
 1575 or \$250,000, whichever is greater, by all action taken under

1576 | this subsection.

1577 |         2. Between budget entities within identical categories of  
 1578 | appropriations, if no category of appropriation is increased or  
 1579 | decreased by more than 5 percent of the original approved budget  
 1580 | or \$250,000, whichever is greater, by all action taken under  
 1581 | this subsection.

1582 |         3. Any agency exceeding salary rate established pursuant  
 1583 | to s. 216.181(8) on June 30th of any fiscal year shall not be  
 1584 | authorized to make transfers pursuant to subparagraphs 1. and 2.  
 1585 | in the subsequent fiscal year.

1586 |         4. Notice of proposed transfers under subparagraphs 1. and  
 1587 | 2. shall be provided to the Executive Office of the Governor and  
 1588 | the chairs of the legislative appropriations committees at least  
 1589 | 3 days prior to agency implementation in order to provide an  
 1590 | opportunity for review. The review shall be limited to ensuring  
 1591 | that the transfer is in compliance with the requirements of this  
 1592 | paragraph.

1593 |         5. For the 2020-2021 ~~2019-2020~~ fiscal year, the review  
 1594 | shall ensure that transfers proposed pursuant to this paragraph  
 1595 | comply with this chapter, maximize the use of available and  
 1596 | appropriate trust funds, and are not contrary to legislative  
 1597 | policy and intent. This subparagraph expires July 1, 2021 ~~2020~~.

1598 |         Section 49. In order to implement section 8 of the 2020-  
 1599 | 2021 General Appropriations Act, notwithstanding s.  
 1600 | 110.123(3)(f) and (j), Florida Statutes, the Department of



1601 Management Services shall maintain and offer the same PPO and  
1602 HMO health plan alternatives to the participants of the State  
1603 Group Health Insurance Program during the 2020-2021 fiscal year  
1604 which were in effect for the 2019-2020 fiscal year. This section  
1605 expires July 1, 2021.

1606 Section 50. In order to implement the appropriation of  
1607 funds in the special categories, contracted services, and  
1608 expenses categories of the 2020-2021 General Appropriations Act,  
1609 a state agency may not initiate a competitive solicitation for a  
1610 product or service if the completion of such competitive  
1611 solicitation would:

1612 (1) Require a change in law; or  
1613 (2) Require a change to the agency's budget other than a  
1614 transfer authorized in s. 216.292(2) or (3), Florida Statutes,  
1615 unless the initiation of such competitive solicitation is  
1616 specifically authorized in law, in the General Appropriations  
1617 Act, or by the Legislative Budget Commission.

1618  
1619 This section does not apply to a competitive solicitation for  
1620 which the agency head certifies that a valid emergency exists.  
1621 This section expires July 1, 2021.

1622 Section 51. In order to implement appropriations for  
1623 salaries and benefits of the 2020-2021 General Appropriations  
1624 Act, subsection (6) of section 112.24, Florida Statutes, is  
1625 amended to read:

1626           112.24 Intergovernmental interchange of public employees.—  
1627 To encourage economical and effective utilization of public  
1628 employees in this state, the temporary assignment of employees  
1629 among agencies of government, both state and local, and  
1630 including school districts and public institutions of higher  
1631 education is authorized under terms and conditions set forth in  
1632 this section. State agencies, municipalities, and political  
1633 subdivisions are authorized to enter into employee interchange  
1634 agreements with other state agencies, the Federal Government,  
1635 another state, a municipality, or a political subdivision  
1636 including a school district, or with a public institution of  
1637 higher education. State agencies are also authorized to enter  
1638 into employee interchange agreements with private institutions  
1639 of higher education and other nonprofit organizations under the  
1640 terms and conditions provided in this section. In addition, the  
1641 Governor or the Governor and Cabinet may enter into employee  
1642 interchange agreements with a state agency, the Federal  
1643 Government, another state, a municipality, or a political  
1644 subdivision including a school district, or with a public  
1645 institution of higher learning to fill, subject to the  
1646 requirements of chapter 20, appointive offices which are within  
1647 the executive branch of government and which are filled by  
1648 appointment by the Governor or the Governor and Cabinet. Under  
1649 no circumstances shall employee interchange agreements be  
1650 utilized for the purpose of assigning individuals to participate

1651 in political campaigns. Duties and responsibilities of  
1652 interchange employees shall be limited to the mission and goals  
1653 of the agencies of government.

1654 (6) For the 2020-2021 ~~2019-2020~~ fiscal year only, the  
1655 assignment of an employee of a state agency as provided in this  
1656 section may be made if recommended by the Governor or Chief  
1657 Justice, as appropriate, and approved by the chairs of the  
1658 legislative appropriations committees. Such actions shall be  
1659 deemed approved if neither chair provides written notice of  
1660 objection within 14 days after receiving notice of the action  
1661 pursuant to s. 216.177. This subsection expires July 1, 2021  
1662 ~~2020~~.

1663 Section 52. In order to implement Specific Appropriations  
1664 2727 and 2728 of the 2020-2021 General Appropriations Act, and  
1665 notwithstanding s. 11.13(1), Florida Statutes, the authorized  
1666 salaries for members of the Legislature for the 2020-2021 fiscal  
1667 year shall be set at the same level in effect on July 1, 2010.  
1668 This section expires July 1, 2021.

1669 Section 53. In order to implement appropriations in the  
1670 2020-2021 General Appropriations Act for state employee travel,  
1671 the funds appropriated to each state agency which may be used  
1672 for travel by state employees are limited during the 2020-2021  
1673 fiscal year to travel for activities that are critical to each  
1674 state agency's mission. Funds may not be used for travel by  
1675 state employees to foreign countries, other states, conferences,

1676 staff training activities, or other administrative functions  
1677 unless the agency head has approved, in writing, that such  
1678 activities are critical to the agency's mission. The agency head  
1679 shall consider using teleconferencing and other forms of  
1680 electronic communication to meet the needs of the proposed  
1681 activity before approving mission-critical travel. This section  
1682 does not apply to travel for law enforcement purposes, military  
1683 purposes, emergency management activities, or public health  
1684 activities. This section expires July 1, 2021.

1685       Section 54. In order to implement appropriations in the  
1686 2020-2021 General Appropriations Act for state employee travel  
1687 and notwithstanding s. 112.061, Florida Statutes, costs for  
1688 lodging associated with a meeting, conference, or convention  
1689 organized or sponsored in whole or in part by a state agency or  
1690 the judicial branch may not exceed \$150 per day. An employee may  
1691 expend his or her own funds for any lodging expenses in excess  
1692 of \$150 per day. For purposes of this section, a meeting does  
1693 not include travel activities for conducting an audit,  
1694 examination, inspection, or investigation or travel activities  
1695 related to a litigation or emergency response. This section  
1696 expires July 1, 2021.

1697       Section 55. In order to implement the appropriation of  
1698 funds in the special categories, contracted services, and  
1699 expenses categories of the 2020-2021 General Appropriations Act,  
1700 a state agency may not enter into a contract containing a

1701 nondisclosure clause that prohibits the contractor from  
1702 disclosing information relevant to the performance of the  
1703 contract to members or staff of the Senate or the House of  
1704 Representatives. This section expires July 1, 2021.

1705 Section 56. Any section of this act which implements a  
1706 specific appropriation or specifically identified proviso  
1707 language in the 2020-2021 General Appropriations Act is void if  
1708 the specific appropriation or specifically identified proviso  
1709 language is vetoed. Any section of this act which implements  
1710 more than one specific appropriation or more than one portion of  
1711 specifically identified proviso language in the 2020-2021  
1712 General Appropriations Act is void if all the specific  
1713 appropriations or portions of specifically identified proviso  
1714 language are vetoed.

1715 Section 57. If any other act passed during the 2020  
1716 Regular Session of the Legislature contains a provision that is  
1717 substantively the same as a provision in this act, but that  
1718 removes or is otherwise not subject to the future repeal applied  
1719 to such provision by this act, the Legislature intends that the  
1720 provision in the other act takes precedence and continues to  
1721 operate, notwithstanding the future repeal provided by this act.

1722 Section 58. Except as otherwise expressly provided in this  
1723 act and except for this section, which shall take effect upon  
1724 this act becoming a law, this act shall take effect July 1,  
1725 2020; or, if this act fails to become a law until after that

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1726 | date, it shall take effect upon becoming a law and shall operate  
1727 | retroactively to July 1, 2020.