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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/07/2021	.	
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The Committee on Rules (Burgess) recommended the following:

Senate Amendment (with title amendment)

Delete lines 681 - 787

and insert:

declared state of emergency, the Executive Office of the Governor or the appropriate agency shall submit a copy of such contract to the Legislature. For contracts executed during the first 90 days of the emergency, the Executive Office of the Governor or the appropriate agency shall submit a copy to the Legislature within the first 120 days of the declared emergency.



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11 (b) The Executive Office of the Governor or the appropriate
12 agency shall submit monthly reports to the Legislature of all
13 state expenditures, revenues received, and funds transferred by
14 an agency during the previous month to support the declared
15 state of emergency.

16 (3) Once an emergency exceeds 1 year, the Auditor General
17 shall conduct a financial audit of all associated expenditures
18 and a compliance audit of all associated contracts entered into
19 during the declared emergency. The Auditor General must update
20 the audit annually until the emergency is declared to be ended.

21 (4) Following the expiration or termination of a state of
22 emergency, the Auditor General shall conduct a financial audit
23 of all associated expenditures and a compliance audit of all
24 associated contracts entered into during the state of emergency.

25 Section 10. Subsection (3) of section 252.365, Florida
26 Statutes, is amended to read:

27 252.365 Emergency coordination officers; disaster-
28 preparedness plans.—

29 (3) Emergency coordination officers shall ensure ~~These~~
30 ~~individuals shall be responsible for ensuring~~ that each state
31 agency and facility, such as a prison, office building, or
32 university, has a disaster preparedness plan that is coordinated
33 with the applicable local emergency-management agency and
34 approved by the division.

35 (a) The disaster-preparedness plan must outline a
36 comprehensive and effective program to ensure continuity of
37 essential state functions under all circumstances, including,
38 but not limited to, a pandemic or other public health emergency.
39 The plan must identify a baseline of preparedness for a full



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40 range of potential emergencies to establish a viable capability
41 to perform essential functions during any emergency or other
42 situation that disrupts normal operations. This baseline must
43 consider and include preparedness for rapid and large-scale
44 increases in the public's need to access government services
45 through technology or other means during an emergency,
46 including, but not limited to, a public health emergency.

47 (b) The plan must include, at a minimum, the following
48 elements: identification of essential functions, programs, and
49 personnel; procedures to implement the plan and personnel
50 notification and accountability; delegations of authority and
51 lines of succession; identification of alternative facilities
52 and related infrastructure, including those for communications;
53 identification and protection of vital records and databases;
54 provisions regarding the availability of, and distribution plans
55 for, personal protective equipment; and schedules and procedures
56 for periodic tests, training, and exercises.

57 (c) The division shall develop and distribute guidelines
58 for developing and implementing the plan. By December 31, 2022,
59 each agency must update its plan to include provisions related
60 to preparation for pandemics and other public health emergencies
61 consistent with the plan developed pursuant to s. 381.00315.
62 Each agency plan must be updated as needed to remain consistent
63 with the state public health emergency management plan.

64 Section 11. Subsection (3) of section 252.37, Florida
65 Statutes, is amended, subsection (7) is added to that section,
66 and subsection (2) of that section is amended contingent upon SB
67 1892 or similar legislation creating the Emergency Preparedness
68 and Response Fund taking effect, to read:



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69 252.37 Financing.—

70 (2) (a) It is the legislative intent that the first recourse
71 be made to funds specifically ~~regularly~~ appropriated to state
72 and local agencies for disaster relief or response.

73 (b) If the Governor finds that the demands placed upon
74 these funds in coping with a particular disaster declared by the
75 Governor as a state of emergency are unreasonably great, she or
76 he may make funds available by transferring and expending moneys
77 ~~appropriated for other purposes, by transferring and expending~~
78 ~~moneys out of any unappropriated surplus funds, or from the~~
79 Emergency Preparedness and Response Budget Stabilization Fund.

80 The Governor may request additional funds to be appropriated to
81 the Emergency Preparedness and Response Fund by a budget
82 amendment, subject to approval of the Legislative Budget
83 Commission.

84 (c) Following the expiration or termination of the state of
85 emergency, the Governor may transfer moneys with a budget
86 amendment, subject to approval by the Legislative Budget
87 Commission, to satisfy the budget authority granted for such
88 emergency. The transfers and expenditures supporting the
89 amendment must be directly related to the declared disaster or
90 emergency.

91 (3) Nothing contained in this section shall be construed to
92 limit the authority of the Governor to apply for, ~~administer,~~
93 ~~and expend~~ any grants, gifts, or payments in aid of emergency
94 prevention, mitigation, preparedness, response, or recovery.

95 (7) A state agency must submit a detailed spending plan for
96 any grants, gifts, loans, funds, payments, services, equipment,
97 supplies, or materials received under this section in aid of or



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98 for the purpose of emergency prevention, response, recovery,
99 mitigation, and preparedness to the President of the Senate, the
100 Speaker of the House of Representatives, and the chairs of the
101 legislative appropriations committees. The information must be
102 submitted as soon as practicable, but not later than 30 days
103 after initiation of any expenditures and continuing every 30
104 days for the duration of the emergency and thereafter while
105 funds continue to be disbursed in response to the emergency.

106 (8) The division must submit quarterly reports to the
107 President of the Senate, the Speaker of the House of
108 Representatives, and the chairs of the legislative
109 appropriations committees detailing the status of public
110 assistance requests submitted under the federal Public
111 Assistance Program. The report must include information for each
112 agency and local government, including information on requests
113 by event and the status of reimbursement

114
115 ===== T I T L E A M E N D M E N T =====

116 And the title is amended as follows:

117 Delete lines 74 - 99

118 and insert:

119 specified entities to submit specified contracts to
120 the Legislature; directing specified entities to
121 submit reports to the Legislature; directing the
122 Auditor General to conduct specified financial audits;
123 amending s. 252.365, F.S.; requiring that disaster
124 preparedness plans of specified agencies address
125 pandemics and public health emergencies and include
126 certain increases in public access of government



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127 services and availability and distribution of personal
128 protective equipment during an emergency; directing
129 agencies to update disaster preparedness plans by a
130 specified date; amending s. 252.37, F.S.; revising
131 legislative intent; authorizing the Governor to
132 transfer and expend moneys in the Emergency
133 Preparedness and Response Fund; authorizing the
134 Governor to request additional funds from the
135 Emergency Preparedness and Response Fund, subject to
136 approval by the Legislative Budget Commission;
137 providing construction; requiring state agencies to
138 submit to the Legislature a spending plan for certain
139 emergency funds; requiring the Division of Emergency
140 Management to submit to the Legislature a report
141 detailing public assistance requests; amending s.
142 252.385, F.S.; requiring