

By the Committee on Appropriations

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1                                   A bill to be entitled  
2       An act implementing the 2021-2022 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 the General Appropriations  
8       Act; amending s. 1011.62, F.S.; extending for 1 fiscal  
9       year a provision suspending an allocation related to  
10      declines in full-time equivalent students; extending  
11      for 1 fiscal year authorization for the Legislature to  
12      provide a funding compression and hold harmless  
13      allocation; modifying the manner of prorating  
14      appropriations made under the funding compression and  
15      hold harmless allocation; reenacting s. 1001.26(1),  
16      F.S., relating to the public broadcasting program  
17      system; extending for 1 fiscal year authorization for  
18      the Department of Education to provide certain  
19      appropriated funds to certain education television  
20      stations and public colleges and universities for  
21      public broadcasting; providing for the expiration and  
22      reversion of specified statutory text; amending s.  
23      1004.6495, F.S.; specifying the manner of funding for  
24      Florida Postsecondary Comprehensive Transition Program  
25      grants for the 2021-2022 fiscal year; amending chapter  
26      2020-28, Laws of Florida; delaying the effective date  
27      of provisions governing intercollegiate athlete  
28      compensation and rights; amending s. 1006.73, F.S.;  
29      requiring that the Florida Postsecondary Academic

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30 Library Network be overseen by a host entity  
31 determined by the Board of Governors and the  
32 Department of Education; specifying services that the  
33 network must provide to public postsecondary  
34 educational institutions; amending s. 1013.40, F.S.;  
35 removing the requirement of prior legislative approval  
36 for the acquisition or construction of certain Florida  
37 College System institution facilities; requiring such  
38 institutions to report information related to certain  
39 facilities; incorporating by reference certain  
40 calculations for the Medicaid Hospital Funding  
41 programs; authorizing the Agency for Health Care  
42 Administration, in consultation with the Department of  
43 Health, to submit a budget amendment to realign  
44 funding for a component of the Children's Medical  
45 Services program to reflect actual enrollment changes;  
46 specifying requirements for such realignment;  
47 authorizing the agency to request nonoperating budget  
48 authority for transferring certain federal funds to  
49 the Department of Health; authorizing the Agency for  
50 Health Care Administration to submit a budget  
51 amendment to realign Medicaid funding for specified  
52 purposes, subject to certain limitations; authorizing  
53 the Agency for Health Care Administration and the  
54 Department of Health to each submit a budget amendment  
55 to realign funding within the Florida Kidcare program  
56 appropriation categories or increase budget authority  
57 for certain purposes; specifying the time period  
58 within each such budget amendment must be submitted;

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59 amending ss. 381.986 and 381.988, F.S.; extending for  
60 1 year the exemption of certain rules pertaining to  
61 the medical use of marijuana from certain rulemaking  
62 requirements; amending s. 14(1), chapter 2017-232,  
63 Laws of Florida; exempting certain rules pertaining to  
64 medical marijuana adopted to replace emergency rules  
65 from specified rulemaking requirements; providing for  
66 the expiration and reversion of specified law;  
67 authorizing the Department of Children and Families to  
68 submit a budget amendment to realign funding for  
69 implementation of the Guardianship Assistance Program;  
70 authorizing the Department of Health to submit a  
71 budget amendment to increase budget authority for the  
72 HIV/AIDS Prevention and Treatment Program if a certain  
73 condition is met; requiring the Agency for Health Care  
74 Administration to replace the Florida Medicaid  
75 Management Information System (FMMIS) and fiscal agent  
76 operations with a specified new system; specifying  
77 items that may not be included in the new system;  
78 providing directives to the agency related to the new  
79 system, the Florida Health Care Connection system;  
80 requiring the agency to meet certain requirements in  
81 replacing FMMIS and the current Medicaid fiscal agent;  
82 requiring the agency to implement a project governance  
83 structure that includes an executive steering  
84 committee; providing procedures for use by the  
85 executive steering committee; providing  
86 responsibilities of the executive steering committee;  
87 amending s. 216.262, F.S.; extending for 1 fiscal year

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88 the authority of the Department of Corrections to  
89 submit a budget amendment for additional positions and  
90 appropriations under certain circumstances; requiring  
91 review and approval by the Legislative Budget  
92 Commission; amending s. 1011.80, F.S.; specifying the  
93 manner by which state funds for postsecondary  
94 workforce programs may be used for inmate education;  
95 providing for the expiration and reversion of  
96 specified statutory text; amending s. 215.18, F.S.;  
97 extending for 1 fiscal year the authority and related  
98 repayment requirements for temporary trust fund loans  
99 to the state court system which are sufficient to meet  
100 the system's appropriation; requiring the Department  
101 of Juvenile Justice to review county juvenile  
102 detention payments to determine whether a county has  
103 met specified financial responsibilities; requiring  
104 amounts owed by the county for such financial  
105 responsibilities to be deducted from certain county  
106 funds; requiring the Department of Revenue to transfer  
107 withheld funds to a specified trust fund; requiring  
108 the Department of Revenue to ensure that such  
109 reductions in amounts distributed do not reduce  
110 distributions below amounts necessary for certain  
111 payments due on bonds and to comply with bond  
112 covenants; requiring the Department of Revenue to  
113 notify the Department of Juvenile Justice if bond  
114 payment requirements mandate a reduction in deductions  
115 for amounts owed by a county; reenacting s. 27.40(1),  
116 (2) (a), (3) (a), (5), (6), and (7), F.S., relating to

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117 court-appointed counsel; extending for 1 fiscal year  
118 provisions governing the appointment of court-  
119 appointed counsel; amending s. 27.5304, F.S., and  
120 reenacting subsections (1), (3), (7), and (11), and  
121 paragraphs (12) (a)-(e), relating to private court-  
122 appointed counsel; extending for 1 fiscal year  
123 limitations on compensation for representation in  
124 criminal proceedings; providing for the expiration and  
125 reversion of specified statutory text; creating s.  
126 27.403, F.S.; establishing the Cross-Jurisdictional  
127 Death Penalty Pilot Program within the office of  
128 criminal conflict and civil regional counsel for the  
129 Second Appellate District; providing for the  
130 appointment of alternate counsel in the event of a  
131 conflict; providing for the continuation of an  
132 appointment of representation, notwithstanding  
133 expiration of the pilot program; specifying that  
134 clerks of the circuit court are responsible for  
135 certain costs related to juries which exceed a certain  
136 funding level; reenacting s. 20.316(2) and (3), F.S.,  
137 relating to the Department of Juvenile Justice;  
138 extending for 1 fiscal year provisions creating the  
139 Accountability and Program Support program within the  
140 department; providing for the expiration and reversion  
141 of specified statutory text; requiring the Department  
142 of Management Services to use tenant broker services  
143 to renegotiate or reprocure certain private lease  
144 agreements for office or storage space; requiring the  
145 Department of Management Services to provide a report

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146 to the Governor and the Legislature by a specified  
147 date; prohibiting an agency from transferring funds  
148 from a data processing category to another category  
149 that is not a data processing category; authorizing  
150 the Executive Office of the Governor to transfer funds  
151 appropriated for data processing assessment between  
152 departments for a specified purpose; authorizing the  
153 Executive Office of the Governor to transfer funds  
154 between departments for purposes of aligning amounts  
155 paid for risk management insurance and for human  
156 resources services purchased per statewide contract;  
157 requiring the Department of Financial Services to  
158 replace specified components of the Florida Accounting  
159 Information Resource Subsystem (FLAIR) and the Cash  
160 Management Subsystem (CMS), subject to specified  
161 limitations; requiring the Department of Financial  
162 Services to take certain actions regarding such  
163 replacement; providing for the composition of an  
164 executive steering committee to oversee FLAIR and CMS  
165 replacement; prescribing duties and responsibilities  
166 of the executive steering committee; amending s.  
167 216.181, F.S.; extending for 1 fiscal year the  
168 authority for the Legislative Budget Commission to  
169 increase amounts appropriated to the Fish and Wildlife  
170 Conservation Commission or the Department of  
171 Environmental Protection for certain fixed capital  
172 outlay projects from specified sources; amending s.  
173 215.18, F.S.; extending for 1 fiscal year the  
174 authority of the Governor, if there is a specified

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175 temporary deficiency in a land acquisition trust fund  
176 in the Department of Agriculture and Consumer  
177 Services, the Department of Environmental Protection,  
178 the Department of State, or the Fish and Wildlife  
179 Conservation Commission, to transfer funds from other  
180 trust funds in the State Treasury as a temporary loan  
181 to such trust fund; providing a deadline for the  
182 repayment of a temporary loan; requiring the  
183 Department of Environmental Protection to transfer  
184 designated proportions of the revenues deposited in  
185 the Land Acquisition Trust Fund within the department  
186 to land acquisition trust funds in the Department of  
187 Agriculture and Consumer Services, the Department of  
188 State, and the Fish and Wildlife Conservation  
189 Commission according to specified parameters and  
190 calculations; defining the term "department";  
191 requiring the Department of Environmental Protection  
192 to make transfers to land acquisition trust funds  
193 monthly; specifying the method of determining transfer  
194 amounts; authorizing the Department of Environmental  
195 Protection to advance funds from its land acquisition  
196 trust fund to the Fish and Wildlife Conservation  
197 Commission's land acquisition trust fund for specified  
198 purposes; amending s. 375.041, F.S.; specifying that  
199 certain funds for projects dedicated to restoring Lake  
200 Apopka shall be appropriated as provided in the  
201 General Appropriations Act; reenacting s.  
202 570.93(1)(a), F.S., relating to the agricultural water  
203 conservation program of the Department of Agriculture

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204 and Consumer Services; extending for 1 fiscal year  
205 provisions governing administration of a cost-share  
206 program; providing for the expiration and reversion of  
207 specified statutory text; amending s. 259.105, F.S.;  
208 providing for the distribution of proceeds from the  
209 Florida Forever Trust Fund for the 2021-2022 fiscal  
210 year; amending s. 161.101, F.S.; specifying that beach  
211 and inlet management projects be funded as provided in  
212 the General Appropriations Act; reenacting s.  
213 376.3071(15)(g), F.S., relating to the Inland  
214 Protection Trust Fund; exempting specified costs  
215 incurred by certain petroleum storage system owners or  
216 operators during a specified period from the  
217 prohibition against making payments in excess of  
218 amounts approved by the Department of Environmental  
219 Protection; providing for the expiration and reversion  
220 of specified statutory text; amending s. 321.04, F.S.;  
221 extending for 1 fiscal year the requirement that the  
222 Department of Highway Safety and Motor Vehicles assign  
223 one or more patrol officers to the office of  
224 Lieutenant Governor for security purposes, upon  
225 request of the Governor; extending for 1 fiscal year  
226 the requirement that the Department of Highway Safety  
227 and Motor Vehicles assign a patrol officer to a  
228 Cabinet member under certain circumstances; amending  
229 s. 215.559, F.S.; delaying the repeal of provisions  
230 governing the Division of Emergency Management's  
231 Hurricane Loss Mitigation Program; amending s.  
232 288.80125, F.S.; extending for 1 fiscal year a



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233 requirement that funds in the Triumph Gulf Coast Trust  
234 Fund be used for the Rebuild Florida Revolving Loan  
235 Fund program for purposes related to Hurricane Michael  
236 recovery; amending s. 337.11, F.S.; prohibiting the  
237 Department of Transportation from entering into a  
238 contract exceeding a specified amount with a  
239 consultant for certain services; authorizing the  
240 department to share construction cost savings with  
241 certain consultants, subject to specified limitations;  
242 amending s. 339.08, F.S.; authorizing the transfer of  
243 funds from the State Transportation Trust Fund to the  
244 General Revenue Fund as provided in the General  
245 Appropriations Act; specifying that any amount  
246 transferred be reduced from the total state revenue  
247 deposited into the State Transportation Trust Fund;  
248 amending s. 339.135, F.S.; authorizing the chair and  
249 vice chair of the Legislative Budget Commission to  
250 approve certain work program amendments under  
251 specified circumstances; amending s. 341.052, F.S.;

252 waiving the limitation on local participation for  
253 certain public transit grants; amending s. 112.061,  
254 F.S.; extending for 1 fiscal year the authorization  
255 for the Lieutenant Governor to designate an  
256 alternative official headquarters under certain  
257 conditions; specifying restrictions, limitations,  
258 eligibility for the subsistence allowance,  
259 reimbursement of transportation expenses, and payment  
260 thereof; amending s. 216.292, F.S.; extending for 1  
261 fiscal year a provision prescribing requirements for

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262 the review of certain transfers of appropriations;  
263 requiring the Department of Management Services to  
264 maintain and offer the same health insurance options  
265 for participants of the State Group Health Insurance  
266 Program for the 2021-2022 fiscal year as applied in  
267 the preceding fiscal year; prohibiting a state agency  
268 from initiating a competitive solicitation for a  
269 product or service under certain circumstances;  
270 providing an exception; amending s. 112.24, F.S.;  
271 extending for 1 fiscal year the authorization, subject  
272 to specified requirements, for the assignment of an  
273 employee of a state agency under an employee  
274 interchange agreement; providing that the annual  
275 salaries of the members of the Legislature be  
276 maintained at a specified level; reenacting s.  
277 215.32(2)(b), F.S., relating to the source and use of  
278 certain trust funds; providing for the future  
279 expiration and reversion of statutory text; specifying  
280 the types of travel which may be used with state  
281 employee travel funds; providing exceptions; providing  
282 a monetary cap on lodging costs for state employee  
283 travel to certain meetings organized or sponsored by a  
284 state agency or the judicial branch; authorizing  
285 employees to expend their own funds for lodging  
286 expenses that exceed the monetary caps; prohibiting a  
287 state agency from entering into a contract containing  
288 certain nondisclosure agreements; reenacting and  
289 amending s. 216.1366, F.S., relating to contract  
290 terms; extending for 1 fiscal year provisions

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291 requiring each public agency contract for services  
292 after a certain date to authorize public agencies to  
293 inspect specified information related to such  
294 contract; incorporating by reference certain  
295 calculations of reversions; authorizing state agencies  
296 to submit budget amendments to implement any necessary  
297 salary increases to address pay plan compression  
298 resulting from the increase in the state minimum wage;  
299 providing conditions under which the veto of certain  
300 appropriations or proviso language in the General  
301 Appropriations Act voids language that implements such  
302 appropriation; providing for the continued operation  
303 of certain provisions notwithstanding a future repeal  
304 or expiration provided by the act; providing  
305 severability; providing effective dates.

306  
307 Be It Enacted by the Legislature of the State of Florida:

308  
309 Section 1. It is the intent of the Legislature that the  
310 implementing and administering provisions of this act apply to  
311 the General Appropriations Act for the 2021-2022 fiscal year.

312 Section 2. In order to implement Specific Appropriations 7,  
313 8, 90, and 91 of the 2021-2022 General Appropriations Act, the  
314 calculations of the Florida Education Finance Program for the  
315 2021-2022 fiscal year included in the document titled "Public  
316 School Funding: The Florida Education Finance Program," dated  
317 March 26, 2021, and filed with the Secretary of the Senate, are  
318 incorporated by reference for the purpose of displaying the  
319 calculations used by the Legislature, consistent with the

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320 requirements of state law, in making appropriations for the  
321 Florida Education Finance Program. This section expires July 1,  
322 2022.

323 Section 3. In order to implement Specific Appropriations 7  
324 and 90 of the 2021-2022 General Appropriations Act, and  
325 notwithstanding ss. 1002.20, 1003.02, 1006.28-1006.42,  
326 1011.62(6)(b)3., and 1011.67, Florida Statutes, relating to the  
327 expenditure of funds provided for instructional materials, for  
328 the 2021-2022 fiscal year, funds provided for instructional  
329 materials shall be released and expended as required in the  
330 proviso language for Specific Appropriation 90 of the 2021-2022  
331 General Appropriations Act. This section expires July 1, 2022.

332 Section 4. In order to implement Specific Appropriations 7  
333 and 90 of the 2021-2022 General Appropriations Act, subsections  
334 (8) and (17) of section 1011.62, Florida Statutes, are amended  
335 to read:

336 1011.62 Funds for operation of schools.—If the annual  
337 allocation from the Florida Education Finance Program to each  
338 district for operation of schools is not determined in the  
339 annual appropriations act or the substantive bill implementing  
340 the annual appropriations act, it shall be determined as  
341 follows:

342 (8) DECLINE IN FULL-TIME EQUIVALENT STUDENTS.—

343 (a) In those districts where there is a decline between  
344 prior year and current year unweighted FTE students, a  
345 percentage of the decline in the unweighted FTE students as  
346 determined by the Legislature shall be multiplied by the prior  
347 year calculated FEFP per unweighted FTE student and shall be  
348 added to the allocation for that district. For this purpose, the

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349 calculated FEFP shall be computed by multiplying the weighted  
350 FTE students by the base student allocation and then by the  
351 district cost differential. If a district transfers a program to  
352 another institution not under the authority of the district's  
353 school board, including a charter technical career center, the  
354 decline is to be multiplied by a factor of 0.15. However, if the  
355 funds provided for the Florida Education Finance Program in the  
356 General Appropriations Act for any fiscal year are reduced by a  
357 subsequent appropriation for that fiscal year, the percent of  
358 the decline in the unweighted FTE students to be funded shall be  
359 determined by the Legislature and designated in the subsequent  
360 appropriation.

361 (b) The allocation authorized in paragraph (a) is suspended  
362 for the 2021-2022 ~~2020-2021~~ fiscal year and does not apply  
363 during such fiscal year. This paragraph expires July 1, 2022  
364 ~~2021~~.

365 (17) FUNDING COMPRESSION AND HOLD HARMLESS ALLOCATION.—The  
366 Legislature may provide an annual funding compression and hold  
367 harmless allocation in the General Appropriations Act. The  
368 allocation is created to provide additional funding to school  
369 districts if the school district's total funds per FTE in the  
370 prior year were less than the statewide average or if the school  
371 district's district cost differential in the current year is  
372 less than the prior year. The total allocation shall be  
373 distributed to eligible school districts as follows:

374 (a) Using the most recent prior year FEFP calculation for  
375 each eligible school district, subtract the total school  
376 district funds per FTE from the state average funds per FTE, not  
377 including any adjustments made pursuant to paragraph (19) (b).

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378 The resulting funds per FTE difference, or a portion thereof, as  
379 designated in the General Appropriations Act, shall then be  
380 multiplied by the school district's total unweighted FTE.

381 (b) Multiply the absolute value of the difference between  
382 the eligible school district's current year district cost  
383 differential and the prior year district cost differential by a  
384 hold harmless factor as designated in the General Appropriations  
385 Act. The result is the district cost differential hold harmless  
386 index. Multiply the index by the eligible school district's  
387 weighted FTE and by the base student allocation as designated in  
388 the General Appropriations Act.

389 (c) For each district, select the greater of ~~Add~~ the  
390 amounts calculated in paragraphs (a) and (b) and upon summation,  
391 if the total amount is greater than the amount included in the  
392 General Appropriations Act, the allocation shall be prorated to  
393 the appropriation amount based on each participating school  
394 district's share.

395

396 This subsection expires July 1, 2022 ~~2021~~.

397 Section 5. In order to implement Specific Appropriation 119  
398 of the 2021-2022 General Appropriations Act, and notwithstanding  
399 the expiration date in section 8 of chapter 2020-114, Laws of  
400 Florida, subsection (1) of section 1001.26, Florida Statutes, is  
401 reenacted to read:

402 1001.26 Public broadcasting program system.—

403 (1) There is created a public broadcasting program system  
404 for the state. The department shall provide funds, as  
405 specifically appropriated in the General Appropriations Act, to  
406 educational television stations qualified by the Corporation for

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407 Public Broadcasting or public colleges and universities that are  
408 part of the public broadcasting program system. The program  
409 system must include:

410 (a) Support for existing Corporation for Public  
411 Broadcasting qualified program system educational television  
412 stations.

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

415 (c) Interconnection of all educational stations that are  
416 part of the program system for simultaneous broadcast and of  
417 such stations with all universities and other institutions as  
418 necessary for sharing of resources and delivery of programming.

419 (d) Establishment and maintenance of a capability for  
420 statewide program distribution with facilities and staff,  
421 provided such facilities and staff complement and strengthen  
422 existing educational television stations.

423 (e) Provision of both statewide programming funds and  
424 station programming support for educational television to meet  
425 statewide priorities. Priorities for station programming need  
426 not be the same as priorities for programming to be used  
427 statewide. Station programming may include, but shall not be  
428 limited to, citizens' participation programs, music and fine  
429 arts programs, coverage of public hearings and governmental  
430 meetings, equal air time for political candidates, and other  
431 public interest programming.

432 Section 6. The text of s. 1001.26(1), Florida Statutes, as  
433 carried forward from chapter 2018-10, Laws of Florida, by this  
434 act, expires July 1, 2022, and the text of that subsection shall  
435 revert to that in existence on June 30, 2018, except that any

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436 amendment enacted other than by this act shall be preserved and  
437 continue to operate to the extent that such amendments are not  
438 dependent upon the portions of text which expire pursuant to  
439 this section.

440 Section 7. In order to implement Specific Appropriation 155  
441 of the 2021-2022 General Appropriations Act, subsection (10) is  
442 added to section 1004.6495, Florida Statutes, to read:

443 1004.6495 Florida Postsecondary Comprehensive Transition  
444 Program and Florida Center for Students with Unique Abilities.—

445 (10) FUNDING.—Notwithstanding subparagraph (5)(b)5., and  
446 for the 2021-2022 fiscal year only, FPCTP grants are authorized  
447 as specifically provided in the General Appropriations Act. This  
448 subsection expires July 1, 2022.

449 Section 8. Effective upon this act becoming a law and in  
450 order to implement Specific Appropriation 145 of the 2021-2022  
451 General Appropriations Act, section 3 of chapter 2020-28, Laws  
452 of Florida, is amended to read:

453 Section 3. This act shall take effect July 1, 2022 ~~2021~~.

454 Section 9. In order to implement Specific Appropriations  
455 129A and 145A of the 2021-2022 General Appropriations Act,  
456 subsection (5) is added to section 1006.73, Florida Statutes, to  
457 read:

458 1006.73 Florida Academic Library Services Cooperative.—

459 (5) Notwithstanding any provision of this section and s.  
460 1006.735, the Florida Postsecondary Academic Library Network  
461 shall be overseen by a host entity as determined by the Board of  
462 Governors and the Department of Education.

463 (a) The network shall include delivery of the following  
464 services to public postsecondary educational institutions in



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465 this state, including all Florida College System institutions  
466 and state universities:

467 1. Providing information regarding access to distance  
468 learning and degree programs.

469 2. Identifying and providing online academic support  
470 services and resources when the multi-institutional provision of  
471 such services and resources is more cost-effective and  
472 operationally effective.

473 3. Administering a single library automation system.

474 4. Coordinating the negotiation of statewide licensing of  
475 electronic library resources and preferred pricing agreements,  
476 issuing purchase orders, and entering into contracts.

477 5. Promoting and providing recommendations concerning the  
478 use and distribution of open-access textbooks and education  
479 resources as a method for reducing costs.

480 (b) The Board of Governors and the Department of Education  
481 shall share in the receipt and administration of the program as  
482 provided in the General Appropriations Act.

483 (c) This subsection expires July 1, 2022.

484 Section 10. In order to implement Specific Appropriation  
485 129 of the 2021-2022 General Appropriations Act, subsection (5)  
486 is added to section 1013.40, Florida Statutes, to read:

487 1013.40 Planning and construction of Florida College System  
488 institution facilities; property acquisition.—

489 (5) Notwithstanding subsection (3), prior legislative  
490 approval is not required before a facility may be acquired or  
491 constructed by a Florida College System institution or its  
492 direct support organization even if such facility may require  
493 general revenue funds for operation and maintenance upon project

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494 completion or in subsequent years. However, an institution must  
495 report all of the following information for each facility  
496 acquired or constructed to the Legislature by June 30 of each  
497 year: a description of the facility; the estimated annual  
498 operation and maintenance costs; the source of funds to be used  
499 to cover such costs; the estimated date of completion and total  
500 project cost; and any expenditures to date by fund source. This  
501 subsection expires July 1, 2022.

502 Section 11. In order to implement Specific Appropriations  
503 202, 203, 206, and 210 of the 2021-2022 General Appropriations  
504 Act, the calculations for the Medicaid Hospital Funding programs  
505 for the 2021-2022 fiscal year contained in the document titled  
506 "Medicaid Hospital Funding Programs, Fiscal Year 2021-2022,"  
507 dated March 26, 2021, and filed with the Secretary of the  
508 Senate, are incorporated by reference for the purpose of  
509 displaying the calculations used by the Legislature, consistent  
510 with the requirements of state law, in making appropriations for  
511 the Medicaid Hospital Funding programs. This section expires  
512 July 1, 2022.

513 Section 12. In order to implement Specific Appropriations  
514 196 through 223 and 515 of the 2021-2022 General Appropriations  
515 Act, and notwithstanding ss. 216.181 and 216.292, Florida  
516 Statutes, the Agency for Health Care Administration, in  
517 consultation with the Department of Health, may submit a budget  
518 amendment, subject to the notice, review, and objection  
519 procedures of s. 216.177, Florida Statutes, to realign funding  
520 within and between agencies based on implementation of the  
521 managed medical assistance component of the Statewide Medicaid  
522 Managed Care program for the Children's Medical Services program

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523 of the Department of Health. The funding realignment shall  
524 reflect the actual enrollment changes due to the transfer of  
525 beneficiaries from fee-for-service to the capitated Children's  
526 Medical Services network. The Agency for Health Care  
527 Administration may submit a request for nonoperating budget  
528 authority to transfer the federal funds to the Department of  
529 Health pursuant to s. 216.181(12), Florida Statutes. This  
530 section expires July 1, 2022.

531 Section 13. In order to implement Specific Appropriations  
532 196 through 223 of the 2021-2022 General Appropriations Act, and  
533 notwithstanding ss. 216.181 and 216.292, Florida Statutes, the  
534 Agency for Health Care Administration may submit a budget  
535 amendment, subject to the notice, review, and objection  
536 procedures of s. 216.177, Florida Statutes, to realign funding  
537 within the Medicaid program appropriation categories to address  
538 projected surpluses and deficits within the program and to  
539 maximize the use of state trust funds. A single budget amendment  
540 shall be submitted in the last quarter of the 2021-2022 fiscal  
541 year only. This section expires July 1, 2022.

542 Section 14. In order to implement Specific Appropriations  
543 175 through 180 and 515 of the 2021-2022 General Appropriations  
544 Act, and notwithstanding ss. 216.181 and 216.292, Florida  
545 Statutes, the Agency for Health Care Administration and the  
546 Department of Health may each submit a budget amendment, subject  
547 to the notice, review, and objection procedures of s. 216.177,  
548 Florida Statutes, to realign funding within the Florida Kidcare  
549 program appropriation categories, or to increase budget  
550 authority in the Children's Medical Services network category,  
551 to address projected surpluses and deficits within the program

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552 or to maximize the use of state trust funds. A single budget  
553 amendment must be submitted by each agency in the last quarter  
554 of the 2021-2022 fiscal year only. This section expires July 1,  
555 2022.

556 Section 15. In order to implement Specific Appropriations  
557 460 through 462, 466, 467, and 474 of the 2021-2022 General  
558 Appropriations Act, subsection (17) of section 381.986, Florida  
559 Statutes, is amended to read:

560 381.986 Medical use of marijuana.—

561 (17) Rules adopted pursuant to this section before July 1,  
562 2022 ~~2021~~, are not subject to ss. 120.54(3)(b) and 120.541. This  
563 subsection expires July 1, 2022 ~~2021~~.

564 Section 16. In order to implement Specific Appropriations  
565 460 through 462, 466, 467, and 474 of the 2021-2022 General  
566 Appropriations Act, subsection (11) of section 381.988, Florida  
567 Statutes, is amended to read:

568 381.988 Medical marijuana testing laboratories; marijuana  
569 tests conducted by a certified laboratory.—

570 (11) Rules adopted under subsection (9) before July 1, 2022  
571 ~~2021~~, are not subject to ss. 120.54(3)(b) and 120.541. This  
572 subsection expires July 1, 2022 ~~2021~~.

573 Section 17. Effective July 1, 2021, upon the expiration and  
574 reversion of the amendments made to subsection (1) of section 14  
575 of chapter 2017-232, Laws of Florida, pursuant to section 34 of  
576 chapter 2020-114, Laws of Florida, and in order to implement  
577 Specific Appropriations 460 through 462, 466, 467, and 474 of  
578 the 2021-2022 General Appropriations Act, subsection (1) of  
579 section 14 of chapter 2017-232, Laws of Florida, is amended to  
580 read:

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581 Section 14. Department of Health; authority to adopt rules;  
582 cause of action.—

583 (1) EMERGENCY RULEMAKING.—

584 (a) The Department of Health and the applicable boards  
585 shall adopt emergency rules pursuant to s. 120.54(4), Florida  
586 Statutes, and this section necessary to implement ss. 381.986  
587 and 381.988, Florida Statutes. If an emergency rule adopted  
588 under this section is held to be unconstitutional or an invalid  
589 exercise of delegated legislative authority, and becomes void,  
590 the department or the applicable boards may adopt an emergency  
591 rule pursuant to this section to replace the rule that has  
592 become void. If the emergency rule adopted to replace the void  
593 emergency rule is also held to be unconstitutional or an invalid  
594 exercise of delegated legislative authority and becomes void,  
595 the department and the applicable boards must follow the  
596 nonemergency rulemaking procedures of the Administrative  
597 Procedures Act to replace the rule that has become void.

598 (b) For emergency rules adopted under this section, the  
599 department and the applicable boards need not make the findings  
600 required by s. 120.54(4)(a), Florida Statutes. Emergency rules  
601 adopted under this section are exempt from ss. 120.54(3)(b) and  
602 120.541, Florida Statutes. The department and the applicable  
603 boards shall meet the procedural requirements in s. 120.54(4)(a)  
604 ~~s. 120.54(a)~~, Florida Statutes, if the department or the  
605 applicable boards have, before July 1, 2019 ~~the effective date~~  
606 ~~of this act~~, held any public workshops or hearings on the  
607 subject matter of the emergency rules adopted under this  
608 subsection. Challenges to emergency rules adopted under this  
609 subsection are subject to the time schedules provided in s.

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610 120.56(5), Florida Statutes.

611 (c) Emergency rules adopted under this section are exempt  
612 from s. 120.54(4)(c), Florida Statutes, and shall remain in  
613 effect until replaced by rules adopted under the nonemergency  
614 rulemaking procedures of the Administrative Procedures Act.  
615 Rules adopted under the nonemergency rulemaking procedures of  
616 the Administrative Procedures Act to replace emergency rules  
617 adopted under this section are exempt from ss. 120.54(3)(b) and  
618 120.541, Florida Statutes. By July 1, 2022 ~~January 1, 2018~~, the  
619 department and the applicable boards shall initiate nonemergency  
620 rulemaking pursuant to the Administrative Procedures Act to  
621 replace all emergency rules adopted under this section by  
622 publishing a notice of rule development in the Florida  
623 Administrative Register. Except as provided in paragraph (a),  
624 after July 1, 2022 ~~January 1, 2018~~, the department and  
625 applicable boards may not adopt rules pursuant to the emergency  
626 rulemaking procedures provided in this section.

627 Section 18. The amendments to s. 14(1) of chapter 2017-232,  
628 Laws of Florida, made by this act expire July 1, 2022, and the  
629 text of that subsection shall revert to that in existence on  
630 June 30, 2019, except that any amendments to such text enacted  
631 other than by this act shall be preserved and continue to  
632 operate to the extent that such amendments are not dependent  
633 upon the portions of text which expire pursuant to this section.

634 Section 19. In order to implement Specific Appropriations  
635 321, 323, 352, and 353 of the 2021-2022 General Appropriations  
636 Act, and notwithstanding ss. 216.181 and 216.292, Florida  
637 Statutes, the Department of Children and Families may submit a  
638 budget amendment, subject to the notice, review, and objection

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639 procedures of s. 216.177, Florida Statutes, to realign funding  
640 within the department based on the implementation of the  
641 Guardianship Assistance Program, between and among the specific  
642 appropriations for guardianship assistance payments, foster care  
643 Level 1 room and board payments, relative caregiver payments,  
644 and nonrelative caregiver payments. This section expires July 1,  
645 2022.

646 Section 20. In order to implement Specific Appropriations  
647 463 and 500 of the 2021-2022 General Appropriations Act, and  
648 notwithstanding ss. 216.181 and 216.292, Florida Statutes, the  
649 Department of Health may submit a budget amendment, subject to  
650 the notice, review, and objection procedures of s. 216.177,  
651 Florida Statutes, to increase budget authority for the HIV/AIDS  
652 Prevention and Treatment Program if additional federal revenues  
653 specific to HIV/AIDS prevention and treatment become available  
654 in the 2021-2022 fiscal year. This section expires July 1, 2022.

655 Section 21. In order to implement Specific Appropriation  
656 190 of the 2021-2022 General Appropriations Act:

657 (1) The Agency for Health Care Administration shall replace  
658 the current Florida Medicaid Management Information System  
659 (FMMIS) and fiscal agent operations with a system that is  
660 modular, interoperable, and scalable for the Florida Medicaid  
661 program which complies with all applicable federal and state  
662 laws and requirements. The agency may not include in the project  
663 to replace the current FMMIS and fiscal agent contract:

664 (a) Functionality that duplicates any of the information  
665 systems of the other health and human services state agencies;

666 or

667 (b) Procurement for agency requirements external to

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668 Medicaid programs with the intent to leverage the Medicaid  
669 technology infrastructure for other purposes without legislative  
670 appropriation or legislative authorization to procure these  
671 requirements.

672

673 The new system, the Florida Health Care Connection (FX) system,  
674 must provide better integration with subsystems supporting  
675 Florida's Medicaid program; uniformity, consistency, and  
676 improved access to data; and compatibility with the Centers for  
677 Medicare and Medicaid Services' Medicaid Information Technology  
678 Architecture (MITA) as the system matures and expands its  
679 functionality.

680 (2) For purposes of replacing FMMIS and the current  
681 Medicaid fiscal agent, the Agency for Health Care Administration  
682 shall:

683 (a) Prioritize procurements for the replacement of the  
684 current functions of FMMIS and the responsibilities of the  
685 current Medicaid fiscal agent to minimize the need to extend all  
686 or portions of the current fiscal agent contract.

687 (b) Comply with and not exceed the Centers for Medicare and  
688 Medicaid Services funding authorizations for the FX system.

689 (c) Ensure compliance and uniformity with published MITA  
690 framework and guidelines.

691 (d) Ensure that all business requirements and technical  
692 specifications have been provided to all affected state agencies  
693 for their review and input and approved by the executive  
694 steering committee established in paragraph (g).

695 (e) Consult with the Executive Office of the Governor's  
696 working group for interagency information technology integration



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697 for the development of competitive solicitations that provide  
698 for data interoperability and shared information technology  
699 services across the state's health and human services agencies.

700 (f) Implement a data governance structure for the project  
701 to coordinate data sharing and interoperability across state  
702 health care entities.

703 (g) Implement a project governance structure that includes  
704 an executive steering committee composed of:

705 1. The Secretary of Health Care Administration, or the  
706 executive sponsor of the project.

707 2. The Assistant Secretary for Child Welfare of the  
708 Department of Children and Families, or his or her designee.

709 3. The Assistant Secretary for Economic Self-Sufficiency of  
710 the Department of Children and Families, or his or her designee.

711 4. Two employees from the Division of Medicaid of the  
712 Agency for Health Care Administration, appointed by the  
713 Secretary of Health Care Administration.

714 5. A representative of the Division of Health Quality  
715 Assurance of the Agency for Health Care Administration,  
716 appointed by the Secretary of Health Care Administration.

717 6. A representative of the Florida Center for Health  
718 Information and Transparency of the Agency for Health Care  
719 Administration, appointed by the Secretary of Health Care  
720 Administration.

721 7. A representative of the Division of Operations of the  
722 Agency for Health Care Administration, appointed by the  
723 Secretary of Health Care Administration.

724 8. The chief information officer of the Agency for Health  
725 Care Administration, or his or her designee.

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726 9. The state chief information officer or designee.

727 10. The Deputy Secretary for Children's Medical Services of  
728 the Department of Health, or his or her designee.

729 11. A representative of the Agency for Persons with  
730 Disabilities who has experience with the preparation and  
731 submission of waivers to the Centers for Medicare and Medicaid  
732 Services, appointed by the director of the Agency for Persons  
733 with Disabilities.

734 12. A representative from the Florida Healthy Kids  
735 Corporation.

736 13. A representative from the Department of Elderly Affairs  
737 who has experience with the Medicaid Program within that  
738 department, appointed by the Secretary of Elderly Affairs.

739 14. A representative of the Department of Financial  
740 Services who has experience with the state's financial processes  
741 including development of the PALM system, appointed by the Chief  
742 Financial Officer.

743 (3) The Secretary of Health Care Administration or the  
744 executive sponsor of the project shall serve as chair of the  
745 executive steering committee, and the committee shall take  
746 action by a vote of at least 10 affirmative votes with the chair  
747 voting on the prevailing side. A quorum of the executive  
748 steering committee consists of at least 11 members.

749 (4) The executive steering committee has the overall  
750 responsibility for ensuring that the project to replace FMMIS  
751 and the Medicaid fiscal agent meets its primary business  
752 objectives and shall:

753 (a) Identify and recommend to the Executive Office of the  
754 Governor, the President of the Senate, and the Speaker of the

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755 House of Representatives any statutory changes needed to  
756 implement the modular replacement to standardize, to the fullest  
757 extent possible, the state's health care data and business  
758 processes.

759 (b) Review and approve any changes to the project's scope,  
760 schedule, and budget which do not conflict with the requirements  
761 of subsections (1) and (2).

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

764 (d) Approve all major project deliverables.

765 (e) Approve all solicitation-related documents associated  
766 with the replacement of the current FMMIS and Medicaid fiscal  
767 agent.

768 (5) This section expires July 1, 2022.

769 Section 22. In order to implement Specific Appropriations  
770 572 through 676 and 692 through 726 of the 2021-2022 General  
771 Appropriations Act, subsection (4) of section 216.262, Florida  
772 Statutes, is amended to read:

773 216.262 Authorized positions.—

774 (4) Notwithstanding the provisions of this chapter relating  
775 to increasing the number of authorized positions, and for the  
776 2021-2022 ~~2020-2021~~ fiscal year only, if the actual inmate  
777 population of the Department of Corrections exceeds the inmate  
778 population projections of the March 17, 2021 ~~December 17, 2019~~,  
779 Criminal Justice Estimating Conference by 1 percent for 2  
780 consecutive months or 2 percent for any month, the Executive  
781 Office of the Governor, with the approval of the Legislative  
782 Budget Commission, shall immediately notify the Criminal Justice  
783 Estimating Conference, which shall convene as soon as possible

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784 to revise the estimates. The Department of Corrections may then  
785 submit a budget amendment requesting the establishment of  
786 positions in excess of the number authorized by the Legislature  
787 and additional appropriations from unallocated general revenue  
788 sufficient to provide for essential staff, fixed capital  
789 improvements, and other resources to provide classification,  
790 security, food services, health services, and other variable  
791 expenses within the institutions to accommodate the estimated  
792 increase in the inmate population. All actions taken pursuant to  
793 this subsection are subject to review and approval by the  
794 Legislative Budget Commission. This subsection expires July 1,  
795 2022 ~~2021~~.

796 Section 23. In order to implement Specific Appropriation  
797 714 of the 2021-2022 General Appropriations Act, and upon the  
798 expiration and reversion of the amendments made by section 54 of  
799 chapter 2020-114, Laws of Florida, paragraph (b) of subsection  
800 (8) of section 1011.80, Florida Statutes, is amended to read:

801 1011.80 Funds for operation of workforce education  
802 programs.—

803 (8)

804 (b) State funds provided for the operation of postsecondary  
805 workforce programs may not be expended for the education of  
806 state or federal inmates, except to the extent that such funds  
807 are specifically appropriated for such purpose in the 2021-2022  
808 General Appropriations Act ~~with more than 24 months of time~~  
809 ~~remaining to serve on their sentences or federal inmates.~~

810 Section 24. The amendment to s. 1011.80(8)(b), Florida  
811 Statutes, made by this act expires July 1, 2022, and the text of  
812 that paragraph shall revert to that in existence on July 1,

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813 2019, but not including any amendments made by this act or  
814 chapters 2020-114, 2019-116, and 2018-10, Laws of Florida, and  
815 any amendments to such text enacted other than by this act shall  
816 be preserved and continue to operate to the extent that such  
817 amendments are not dependent upon the portions of text which  
818 expire pursuant to this section.

819 Section 25. In order to implement Specific Appropriations  
820 3113 through 3179 of the 2021-2022 General Appropriations Act,  
821 subsection (2) of section 215.18, Florida Statutes, is amended  
822 to read:

823 215.18 Transfers between funds; limitation.—

824 (2) The Chief Justice of the Supreme Court may receive one  
825 or more trust fund loans to ensure that the state court system  
826 has funds sufficient to meet its appropriations in the 2021-2022  
827 ~~2020-2021~~ General Appropriations Act. If the Chief Justice  
828 accesses the loan, he or she must notify the Governor and the  
829 chairs of the legislative appropriations committees in writing.  
830 The loan must come from other funds in the State Treasury which  
831 are for the time being or otherwise in excess of the amounts  
832 necessary to meet the just requirements of such last-mentioned  
833 funds. The Governor shall order the transfer of funds within 5  
834 days after the written notification from the Chief Justice. If  
835 the Governor does not order the transfer, the Chief Financial  
836 Officer shall transfer the requested funds. The loan of funds  
837 from which any money is temporarily transferred must be repaid  
838 by the end of the 2021-2022 ~~2020-2021~~ fiscal year. This  
839 subsection expires July 1, 2022 ~~2021~~.

840 Section 26. In order to implement Specific Appropriations  
841 1105 through 1116 of the 2021-2022 General Appropriations Act:

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842       (1) The Department of Juvenile Justice is required to  
843 review county juvenile detention payments to ensure that  
844 counties fulfill their financial responsibilities required in s.  
845 985.6865, Florida Statutes. If the Department of Juvenile  
846 Justice determines that a county has not met its obligations,  
847 the department shall direct the Department of Revenue to deduct  
848 the amount owed to the Department of Juvenile Justice from the  
849 funds provided to the county under s. 218.23, Florida Statutes.  
850 The Department of Revenue shall transfer the funds withheld to  
851 the Shared County/State Juvenile Detention Trust Fund.

852       (2) As an assurance to holders of bonds issued by counties  
853 before July 1, 2021, for which distributions made pursuant to s.  
854 218.23, Florida Statutes, are pledged, or bonds issued to refund  
855 such bonds which mature no later than the bonds they refunded  
856 and which result in a reduction of debt service payable in each  
857 fiscal year, the amount available for distribution to a county  
858 shall remain as provided by law and continue to be subject to  
859 any lien or claim on behalf of the bondholders. The Department  
860 of Revenue must ensure, based on information provided by an  
861 affected county, that any reduction in amounts distributed  
862 pursuant to subsection (1) does not reduce the amount of  
863 distribution to a county below the amount necessary for the  
864 timely payment of principal and interest when due on the bonds  
865 and the amount necessary to comply with any covenant under the  
866 bond resolution or other documents relating to the issuance of  
867 the bonds. If a reduction to a county's monthly distribution  
868 must be decreased in order to comply with this section, the  
869 Department of Revenue must notify the Department of Juvenile  
870 Justice of the amount of the decrease, and the Department of

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871 Juvenile Justice must send a bill for payment of such amount to  
872 the affected county.

873 (3) This section expires July 1, 2022.

874 Section 27. In order to implement Specific Appropriations  
875 736 through 757, 905 through 1048, and 1069 through 1104 of the  
876 2021-2022 General Appropriations Act, and notwithstanding the  
877 expiration date in section 59 of chapter 2020-114, Laws of  
878 Florida, subsection (1), paragraph (a) of subsection (2),  
879 paragraph (a) of subsection (3), and subsections (5), (6), and  
880 (7) of section 27.40, Florida Statutes, are reenacted to read:

881 27.40 Court-appointed counsel; circuit registries; minimum  
882 requirements; appointment by court.—

883 (1) Counsel shall be appointed to represent any individual  
884 in a criminal or civil proceeding entitled to court-appointed  
885 counsel under the Federal or State Constitution or as authorized  
886 by general law. The court shall appoint a public defender to  
887 represent indigent persons as authorized in s. 27.51. The office  
888 of criminal conflict and civil regional counsel shall be  
889 appointed to represent persons in those cases in which provision  
890 is made for court-appointed counsel, but only after the public  
891 defender has certified to the court in writing that the public  
892 defender is unable to provide representation due to a conflict  
893 of interest or is not authorized to provide representation. The  
894 public defender shall report, in the aggregate, the specific  
895 basis of all conflicts of interest certified to the court. On a  
896 quarterly basis, the public defender shall submit this  
897 information to the Justice Administrative Commission.

898 (2) (a) Private counsel shall be appointed to represent  
899 persons in those cases in which provision is made for court-

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900 appointed counsel but only after the office of criminal conflict  
901 and civil regional counsel has been appointed and has certified  
902 to the court in writing that the criminal conflict and civil  
903 regional counsel is unable to provide representation due to a  
904 conflict of interest. The criminal conflict and civil regional  
905 counsel shall report, in the aggregate, the specific basis of  
906 all conflicts of interest certified to the court. On a quarterly  
907 basis, the criminal conflict and civil regional counsel shall  
908 submit this information to the Justice Administrative  
909 Commission.

910 (3) In using a registry:

911 (a) The chief judge of the circuit shall compile a list of  
912 attorneys in private practice, by county and by category of  
913 cases, and provide the list to the clerk of court in each  
914 county. The chief judge of the circuit may restrict the number  
915 of attorneys on the general registry list. To be included on a  
916 registry, an attorney must certify that he or she:

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

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

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

923

924 To be included on a registry, an attorney must enter into a  
925 contract for services with the Justice Administrative  
926 Commission. Failure to comply with the terms of the contract for  
927 services may result in termination of the contract and removal  
928 from the registry. Each attorney on the registry is responsible



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929 for notifying the clerk of the court and the Justice  
930 Administrative Commission of any change in his or her status.  
931 Failure to comply with this requirement is cause for termination  
932 of the contract for services and removal from the registry until  
933 the requirement is fulfilled.

934 (5) The Justice Administrative Commission shall approve  
935 uniform contract forms for use in procuring the services of  
936 private court-appointed counsel and uniform procedures and forms  
937 for use by a court-appointed attorney in support of billing for  
938 attorney's fees, costs, and related expenses to demonstrate the  
939 attorney's completion of specified duties. Such uniform  
940 contracts and forms for use in billing must be consistent with  
941 s. 27.5304, s. 216.311, and the General Appropriations Act and  
942 must contain the following statement: "The State of Florida's  
943 performance and obligation to pay under this contract is  
944 contingent upon an annual appropriation by the Legislature."

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

949 (7) (a) A private attorney appointed by the court from the  
950 registry to represent a client is entitled to payment as  
951 provided in s. 27.5304 so long as the requirements of subsection  
952 (1) and paragraph (2) (a) are met. An attorney appointed by the  
953 court who is not on the registry list may be compensated under  
954 s. 27.5304 only if the court finds in the order of appointment  
955 that there were no registry attorneys available for  
956 representation for that case and only if the requirements of  
957 subsection (1) and paragraph (2) (a) are met.

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958 (b)1. The flat fee established in s. 27.5304 and the  
959 General Appropriations Act shall be presumed by the court to be  
960 sufficient compensation. The attorney shall maintain appropriate  
961 documentation, including contemporaneous and detailed hourly  
962 accounting of time spent representing the client. If the  
963 attorney fails to maintain such contemporaneous and detailed  
964 hourly records, the attorney waives the right to seek  
965 compensation in excess of the flat fee established in s. 27.5304  
966 and the General Appropriations Act. These records and documents  
967 are subject to review by the Justice Administrative Commission  
968 and audit by the Auditor General, subject to the attorney-client  
969 privilege and work-product privilege. The attorney shall  
970 maintain the records and documents in a manner that enables the  
971 attorney to redact any information subject to a privilege in  
972 order to facilitate the commission's review of the records and  
973 documents and not to impede such review. The attorney may redact  
974 information from the records and documents only to the extent  
975 necessary to comply with the privilege. The Justice  
976 Administrative Commission shall review such records and shall  
977 contemporaneously document such review before authorizing  
978 payment to an attorney. Objections by or on behalf of the  
979 Justice Administrative Commission to records or documents or to  
980 claims for payment by the attorney shall be presumed correct by  
981 the court unless the court determines, in writing, that  
982 competent and substantial evidence exists to justify overcoming  
983 the presumption.

984 2. If an attorney fails, refuses, or declines to permit the  
985 commission or the Auditor General to review documentation for a  
986 case as provided in this paragraph, the attorney waives the

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987 right to seek, and the commission may not pay, compensation in  
988 excess of the flat fee established in s. 27.5304 and the General  
989 Appropriations Act for that case.

990 3. A finding by the commission that an attorney has waived  
991 the right to seek compensation in excess of the flat fee  
992 established in s. 27.5304 and the General Appropriations Act, as  
993 provided in this paragraph, shall be presumed to be correct,  
994 unless the court determines, in writing, that competent and  
995 substantial evidence exists to justify overcoming the  
996 presumption.

997 Section 28. In order to implement Specific Appropriations  
998 736 through 757, 905 through 1048, and 1069 through 1104 of the  
999 2021-2022 General Appropriations Act, and notwithstanding the  
1000 expiration date in section 59 of chapter 2020-114, Laws of  
1001 Florida, subsection (13) of section 27.5304, Florida Statutes,  
1002 is amended, and subsections (1), (3), (7), and (11), and  
1003 paragraphs (a) through (e) of subsection (12) of that section  
1004 are reenacted, to read:

1005 27.5304 Private court-appointed counsel; compensation;  
1006 notice.—

1007 (1) Private court-appointed counsel appointed in the manner  
1008 prescribed in s. 27.40(1) and (2)(a) shall be compensated by the  
1009 Justice Administrative Commission only as provided in this  
1010 section and the General Appropriations Act. The flat fees  
1011 prescribed in this section are limitations on compensation. The  
1012 specific flat fee amounts for compensation shall be established  
1013 annually in the General Appropriations Act. The attorney also  
1014 shall be reimbursed for reasonable and necessary expenses in  
1015 accordance with s. 29.007. If the attorney is representing a

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1016 defendant charged with more than one offense in the same case,  
1017 the attorney shall be compensated at the rate provided for the  
1018 most serious offense for which he or she represented the  
1019 defendant. This section does not allow stacking of the fee  
1020 limits established by this section.

1021 (3) The court retains primary authority and responsibility  
1022 for determining the reasonableness of all billings for attorney  
1023 fees, costs, and related expenses, subject to statutory  
1024 limitations and the requirements of s. 27.40(7). Private court-  
1025 appointed counsel is entitled to compensation upon final  
1026 disposition of a case.

1027 (7) Counsel eligible to receive compensation from the state  
1028 for representation pursuant to court appointment made in  
1029 accordance with the requirements of s. 27.40(1) and (2)(a) in a  
1030 proceeding under chapter 384, chapter 390, chapter 392, chapter  
1031 393, chapter 394, chapter 397, chapter 415, chapter 743, chapter  
1032 744, or chapter 984 shall receive compensation not to exceed the  
1033 limits prescribed in the General Appropriations Act. Any such  
1034 compensation must be determined as provided in s. 27.40(7).

1035 (11) It is the intent of the Legislature that the flat fees  
1036 prescribed under this section and the General Appropriations Act  
1037 comprise the full and complete compensation for private court-  
1038 appointed counsel. It is further the intent of the Legislature  
1039 that the fees in this section are prescribed for the purpose of  
1040 providing counsel with notice of the limit on the amount of  
1041 compensation for representation in particular proceedings and  
1042 the sole procedure and requirements for obtaining payment for  
1043 the same.

1044 (a) If court-appointed counsel moves to withdraw prior to

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1045 the full performance of his or her duties through the completion  
1046 of the case, the court shall presume that the attorney is not  
1047 entitled to the payment of the full flat fee established under  
1048 this section and the General Appropriations Act.

1049 (b) If court-appointed counsel is allowed to withdraw from  
1050 representation prior to the full performance of his or her  
1051 duties through the completion of the case and the court appoints  
1052 a subsequent attorney, the total compensation for the initial  
1053 and any and all subsequent attorneys may not exceed the flat fee  
1054 established under this section and the General Appropriations  
1055 Act, except as provided in subsection (12).

1056  
1057 This subsection constitutes notice to any subsequently appointed  
1058 attorney that he or she will not be compensated the full flat  
1059 fee.

1060 (12) The Legislature recognizes that on rare occasions an  
1061 attorney may receive a case that requires extraordinary and  
1062 unusual effort.

1063 (a) If counsel seeks compensation that exceeds the limits  
1064 prescribed by law, he or she must file a motion with the chief  
1065 judge for an order approving payment of attorney fees in excess  
1066 of these limits.

1067 1. Before filing the motion, the counsel shall deliver a  
1068 copy of the intended billing, together with supporting  
1069 affidavits and all other necessary documentation, to the Justice  
1070 Administrative Commission.

1071 2. The Justice Administrative Commission shall review the  
1072 billings, affidavit, and documentation for completeness and  
1073 compliance with contractual and statutory requirements and shall

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1074 contemporaneously document such review before authorizing  
1075 payment to an attorney. If the Justice Administrative Commission  
1076 objects to any portion of the proposed billing, the objection  
1077 and supporting reasons must be communicated in writing to the  
1078 private court-appointed counsel. The counsel may thereafter file  
1079 his or her motion, which must specify whether the commission  
1080 objects to any portion of the billing or the sufficiency of  
1081 documentation, and shall attach the commission's letter stating  
1082 its objection.

1083 (b) Following receipt of the motion to exceed the fee  
1084 limits, the chief judge or a single designee shall hold an  
1085 evidentiary hearing. The chief judge may select only one judge  
1086 per circuit to hear and determine motions pursuant to this  
1087 subsection, except multicounty circuits and the eleventh circuit  
1088 may have up to two designees.

1089 1. At the hearing, the attorney seeking compensation must  
1090 prove by competent and substantial evidence that the case  
1091 required extraordinary and unusual efforts. The chief judge or  
1092 single designee shall consider criteria such as the number of  
1093 witnesses, the complexity of the factual and legal issues, and  
1094 the length of trial. The fact that a trial was conducted in a  
1095 case does not, by itself, constitute competent substantial  
1096 evidence of an extraordinary and unusual effort. In a criminal  
1097 case, relief under this section may not be granted if the number  
1098 of work hours does not exceed 75 or the number of the state's  
1099 witnesses deposed does not exceed 20.

1100 2. Objections by or on behalf of the Justice Administrative  
1101 Commission to records or documents or to claims for payment by  
1102 the attorney shall be presumed correct by the court unless the

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1103 court determines, in writing, that competent and substantial  
1104 evidence exists to justify overcoming the presumption. The chief  
1105 judge or single designee shall enter a written order detailing  
1106 his or her findings and identifying the extraordinary nature of  
1107 the time and efforts of the attorney in the case which warrant  
1108 exceeding the flat fee established by this section and the  
1109 General Appropriations Act.

1110 (c) A copy of the motion and attachments shall be served on  
1111 the Justice Administrative Commission at least 20 business days  
1112 before the date of a hearing. The Justice Administrative  
1113 Commission has standing to appear before the court, and may  
1114 appear in person or telephonically, including at the hearing  
1115 under paragraph (b), to contest any motion for an order  
1116 approving payment of attorney fees, costs, or related expenses  
1117 and may participate in a hearing on the motion by use of  
1118 telephonic or other communication equipment. The Justice  
1119 Administrative Commission may contract with other public or  
1120 private entities or individuals to appear before the court for  
1121 the purpose of contesting any motion for an order approving  
1122 payment of attorney fees, costs, or related expenses. The fact  
1123 that the Justice Administrative Commission has not objected to  
1124 any portion of the billing or to the sufficiency of the  
1125 documentation is not binding on the court.

1126 (d) If the chief judge or a single designee finds that  
1127 counsel has proved by competent and substantial evidence that  
1128 the case required extraordinary and unusual efforts, the chief  
1129 judge or single designee shall order the compensation to be paid  
1130 to the attorney at a percentage above the flat fee rate,  
1131 depending on the extent of the unusual and extraordinary effort

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1132 required. The percentage must be only the rate necessary to  
1133 ensure that the fees paid are not confiscatory under common law.  
1134 The percentage may not exceed 200 percent of the established  
1135 flat fee, absent a specific finding that 200 percent of the flat  
1136 fee in the case would be confiscatory. If the chief judge or  
1137 single designee determines that 200 percent of the flat fee  
1138 would be confiscatory, he or she shall order the amount of  
1139 compensation using an hourly rate not to exceed \$75 per hour for  
1140 a noncapital case and \$100 per hour for a capital case. However,  
1141 the compensation calculated by using the hourly rate shall be  
1142 only that amount necessary to ensure that the total fees paid  
1143 are not confiscatory, subject to the requirements of s.  
1144 27.40(7).

1145 (e) Any order granting relief under this subsection must be  
1146 attached to the final request for a payment submitted to the  
1147 Justice Administrative Commission and must satisfy the  
1148 requirements of subparagraph (b)2.

1149 (13) Notwithstanding the limitation set forth in subsection  
1150 (5) and for the 2021-2022 ~~2020-2021~~ fiscal year only, the  
1151 compensation for representation in a criminal proceeding may not  
1152 exceed the following:

1153 (a) For misdemeanors and juveniles represented at the trial  
1154 level: \$1,000.

1155 (b) For noncapital, nonlife felonies represented at the  
1156 trial level: \$15,000.

1157 (c) For life felonies represented at the trial level:  
1158 \$15,000.

1159 (d) For capital cases represented at the trial level:  
1160 \$25,000. For purposes of this paragraph, a "capital case" is any



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1161 offense for which the potential sentence is death and the state  
1162 has not waived seeking the death penalty.

1163 (e) For representation on appeal: \$9,000.

1164 (f) This subsection expires July 1, 2022 ~~2021~~.

1165 Section 29. The amendments to s. 27.40(1), (2)(a), (3)(a),  
1166 (5), (6), and (7), Florida Statutes, and s. 27.5304(1), (3),  
1167 (7), (11), and (12)(a)-(e), Florida Statutes, as carried forward  
1168 from chapter 2019-116, Laws of Florida, by this act, expire July  
1169 1, 2022, and the text of those subsections and paragraphs, as  
1170 applicable, shall revert to that in existence on June 30, 2019,  
1171 except that any amendments to such text enacted other than by  
1172 this act shall be preserved and continue to operate to the  
1173 extent that such amendments are not dependent upon the portions  
1174 of text which expire pursuant to this section.

1175 Section 30. In order to implement Specific Appropriations  
1176 1076, 1078, 1080, and 1082 of the 2021-2022 General  
1177 Appropriations Act, section 27.403, Florida Statutes, is created  
1178 to read:

1179 27.403 Cross-Jurisdictional Death Penalty Pilot Program.-

1180 (1) The Cross-Jurisdictional Death Penalty Pilot Program is  
1181 established within the office of criminal conflict and civil  
1182 regional counsel for the region comprising the Second Appellate  
1183 District.

1184 (2) Notwithstanding ss. 27.40 and 27.5305, if the public  
1185 defender in the Fifth Judicial Circuit or the Ninth Judicial  
1186 Circuit is unable to provide representation to an indigent  
1187 defendant charged with a crime under s. 782.04(1), s.  
1188 790.161(4), or s. 921.141 due to a conflict of interest and the  
1189 criminal conflict and civil regional counsel for the region

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1190 comprising the Fifth Appellate District is also unable to  
1191 provide representation to such defendant due to a conflict of  
1192 interest, the criminal conflict and civil regional counsel for  
1193 the region comprising the Second Appellate District shall be  
1194 appointed. If the criminal conflict and civil regional counsel  
1195 for the region comprising the Second Appellate District is  
1196 unable to provide representation due to a conflict of interest,  
1197 then private counsel shall be appointed.

1198 (3) The Cross-Jurisdictional Death Penalty Pilot Program  
1199 expires June 30, 2022. However, appointments made pursuant to  
1200 this section before June 30, 2022, shall continue until  
1201 completion of the case.

1202 (4) This section expires July 1, 2022.

1203 Section 31. In order to implement Specific Appropriation  
1204 741 of the 2021-2022 General Appropriations Act, and  
1205 notwithstanding s. 28.35, Florida Statutes, the clerks of the  
1206 circuit court are responsible for any costs of compensation to  
1207 jurors, for meals or lodging provided to jurors, and for jury-  
1208 related personnel costs that exceed the funding provided in the  
1209 General Appropriations Act for these purposes. This section  
1210 expires July 1, 2022.

1211 Section 32. In order to implement Specific Appropriations  
1212 1105 through 1187A of the 2021-2022 General Appropriations Act,  
1213 and notwithstanding the expiration date in section 65 of chapter  
1214 2020-114, Laws of Florida, subsections (2) and (3) of section  
1215 20.316, Florida Statutes, are reenacted to read:

1216 20.316 Department of Juvenile Justice.—There is created a  
1217 Department of Juvenile Justice.

1218 (2) DEPARTMENT PROGRAMS.—The following programs are

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1219 established within the Department of Juvenile Justice:

- 1220 (a) Accountability and Program Support.  
1221 (b) Administration.  
1222 (c) Intake and Detention.  
1223 (d) Prevention.  
1224 (e) Probation and Community Corrections.  
1225 (f) Residential and Correctional Facilities.

1226

1227 The secretary may establish assistant secretary positions and a  
1228 chief of staff position as necessary to administer the  
1229 requirements of this section.

1230 (3) JUVENILE JUSTICE OPERATING CIRCUITS.—The department  
1231 shall plan and administer its programs through a substate  
1232 structure that conforms to the boundaries of the judicial  
1233 circuits prescribed in s. 26.021. A county may seek placement in  
1234 a juvenile justice operating circuit other than as prescribed in  
1235 s. 26.021 for participation in the Prevention Program and the  
1236 Probation and Community Corrections Program by making a request  
1237 of the chief circuit judge in each judicial circuit affected by  
1238 such request. Upon a showing that geographic proximity,  
1239 community identity, or other legitimate concern for efficiency  
1240 of operations merits alternative placement, each affected chief  
1241 circuit judge may authorize the execution of an interagency  
1242 agreement specifying the alternative juvenile justice operating  
1243 circuit in which the county is to be placed and the basis for  
1244 the alternative placement. Upon the execution of said  
1245 interagency agreement by each affected chief circuit judge, the  
1246 secretary may administratively place a county in an alternative  
1247 juvenile justice operating circuit pursuant to the agreement.

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1248           Section 33. The amendments to s. 20.316(2) and (3), Florida  
1249 Statutes, as carried forward from chapter 2020-114, Laws of  
1250 Florida, by this act, expire July 1, 2022, and the text of those  
1251 subsections shall revert to that in existence on June 30, 2020,  
1252 except that any amendments to such text enacted other than this  
1253 act shall be preserved and continue to operate to the extent  
1254 that such amendments are not dependent upon the portions of text  
1255 which expire pursuant to this section.

1256           Section 34. In order to implement appropriations used to  
1257 pay existing lease contracts for private lease space in excess  
1258 of 2,000 square feet in the 2021-2022 General Appropriations  
1259 Act, the Department of Management Services, with the cooperation  
1260 of the agencies having the existing lease contracts for office  
1261 or storage space, shall use tenant broker services to  
1262 renegotiate or reprocure all private lease agreements for office  
1263 or storage space expiring between July 1, 2022, and June 30,  
1264 2024, in order to reduce costs in future years. The department  
1265 shall incorporate this initiative into its 2021 master leasing  
1266 report required under s. 255.249(7), Florida Statutes, and may  
1267 use tenant broker services to explore the possibilities of  
1268 collocating office or storage space, to review the space needs  
1269 of each agency, and to review the length and terms of potential  
1270 renewals or renegotiations. The department shall provide a  
1271 report to the Executive Office of the Governor, the President of  
1272 the Senate, and the Speaker of the House of Representatives by  
1273 November 1, 2021, which lists each lease contract for private  
1274 office or storage space, the status of renegotiations, and the  
1275 savings achieved. This section expires July 1, 2022.

1276           Section 35. In order to implement appropriations authorized

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1277 in the 2021-2022 General Appropriations Act for data center  
1278 services, and notwithstanding s. 216.292(2)(a), Florida  
1279 Statutes, an agency may not transfer funds from a data  
1280 processing category to a category other than another data  
1281 processing category. This section expires July 1, 2022.

1282 Section 36. In order to implement the appropriation of  
1283 funds in the appropriation category "Data Processing Assessment-  
1284 Department of Management Services" in the 2021-2022 General  
1285 Appropriations Act, and pursuant to the notice, review, and  
1286 objection procedures of s. 216.177, Florida Statutes, the  
1287 Executive Office of the Governor may transfer funds appropriated  
1288 in that category between departments in order to align the  
1289 budget authority granted based on the estimated billing cycle  
1290 and methodology used by the Department of Management Services  
1291 for data processing services provided. This section expires July  
1292 1, 2022.

1293 Section 37. In order to implement the appropriation of  
1294 funds in the appropriation category "Special Categories-Risk  
1295 Management Insurance" in the 2021-2022 General Appropriations  
1296 Act, and pursuant to the notice, review, and objection  
1297 procedures of s. 216.177, Florida Statutes, the Executive Office  
1298 of the Governor may transfer funds appropriated in that category  
1299 between departments in order to align the budget authority  
1300 granted with the premiums paid by each department for risk  
1301 management insurance. This section expires July 1, 2022.

1302 Section 38. In order to implement the appropriation of  
1303 funds in the appropriation category "Special Categories-Transfer  
1304 to Department of Management Services-Human Resources Services  
1305 Purchased per Statewide Contract" in the 2021-2022 General

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1306 Appropriations Act, and pursuant to the notice, review, and  
1307 objection procedures of s. 216.177, Florida Statutes, the  
1308 Executive Office of the Governor may transfer funds appropriated  
1309 in that category between departments in order to align the  
1310 budget authority granted with the assessments that must be paid  
1311 by each agency to the Department of Management Services for  
1312 human resource management services. This section expires July 1,  
1313 2022.

1314 Section 39. In order to implement Specific Appropriations  
1315 2343 through 2346 of the 2021-2022 General Appropriations Act:

1316 (1) The Department of Financial Services shall replace the  
1317 four main components of the Florida Accounting Information  
1318 Resource Subsystem (FLAIR), which include central FLAIR,  
1319 departmental FLAIR, payroll, and information warehouse, and  
1320 shall replace the cash management and accounting management  
1321 components of the Cash Management Subsystem (CMS) with an  
1322 integrated enterprise system that allows the state to organize,  
1323 define, and standardize its financial management business  
1324 processes and that complies with ss. 215.90-215.96, Florida  
1325 Statutes. The department may not include in the replacement of  
1326 FLAIR and CMS:

1327 (a) Functionality that duplicates any of the other  
1328 information subsystems of the Florida Financial Management  
1329 Information System; or

1330 (b) Agency business processes related to any of the  
1331 functions included in the Personnel Information System, the  
1332 Purchasing Subsystem, or the Legislative Appropriations  
1333 System/Planning and Budgeting Subsystem.

1334 (2) For purposes of replacing FLAIR and CMS, the Department

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1335 of Financial Services shall:

1336 (a) Take into consideration the cost and implementation  
1337 data identified for Option 3 as recommended in the March 31,  
1338 2014, Florida Department of Financial Services FLAIR Study,  
1339 version 031.

1340 (b) Ensure that all business requirements and technical  
1341 specifications have been provided to all state agencies for  
1342 their review and input and approved by the executive steering  
1343 committee established in paragraph (c).

1344 (c) Implement a project governance structure that includes  
1345 an executive steering committee composed of:

1346 1. The Chief Financial Officer or the executive sponsor of  
1347 the project.

1348 2. A representative of the Division of Treasury of the  
1349 Department of Financial Services, appointed by the Chief  
1350 Financial Officer.

1351 3. A representative of the Division of Information Systems  
1352 of the Department of Financial Services, appointed by the Chief  
1353 Financial Officer.

1354 4. Four employees from the Division of Accounting and  
1355 Auditing of the Department of Financial Services, appointed by  
1356 the Chief Financial Officer. Each employee must have experience  
1357 relating to at least one of the four main components that  
1358 compose FLAIR.

1359 5. Two employees from the Executive Office of the Governor,  
1360 appointed by the Governor. One employee must have experience  
1361 relating to the Legislative Appropriations System/Planning and  
1362 Budgeting Subsystem.

1363 6. One employee from the Department of Revenue, appointed

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1364 by the executive director, who has experience relating to the  
1365 department's SUNTAX system.

1366 7. Two employees from the Department of Management  
1367 Services, appointed by the Secretary of Management Services. One  
1368 employee must have experience relating to the department's  
1369 personnel information subsystem and one employee must have  
1370 experience relating to the department's purchasing subsystem.

1371 8. Three state agency administrative services directors,  
1372 appointed by the Governor. One director must represent a  
1373 regulatory and licensing state agency and one director must  
1374 represent a health care-related state agency.

1375 (3) The Chief Financial Officer or the executive sponsor of  
1376 the project shall serve as chair of the executive steering  
1377 committee, and the committee shall take action by a vote of at  
1378 least eight affirmative votes with the Chief Financial Officer  
1379 or the executive sponsor of the project voting on the prevailing  
1380 side. A quorum of the executive steering committee consists of  
1381 at least 10 members.

1382 (4) The executive steering committee has the overall  
1383 responsibility for ensuring that the project to replace FLAIR  
1384 and CMS meets its primary business objectives and shall:

1385 (a) Identify and recommend to the Executive Office of the  
1386 Governor, the President of the Senate, and the Speaker of the  
1387 House of Representatives any statutory changes needed to  
1388 implement the replacement subsystem that will standardize, to  
1389 the fullest extent possible, the state's financial management  
1390 business processes.

1391 (b) Review and approve any changes to the project's scope,  
1392 schedule, and budget which do not conflict with the requirements



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1393 of subsection (1).

1394 (c) Ensure that adequate resources are provided throughout  
1395 all phases of the project.

1396 (d) Approve all major project deliverables.

1397 (e) Approve all solicitation-related documents associated  
1398 with the replacement of FLAIR and CMS.

1399 (5) This section expires July 1, 2022.

1400 Section 40. In order to implement Specific Appropriation  
1401 1603 of the 2021-2022 General Appropriations Act, paragraph (d)  
1402 of subsection (11) of section 216.181, Florida Statutes, is  
1403 amended to read:

1404 216.181 Approved budgets for operations and fixed capital  
1405 outlay.—

1406 (11)

1407 (d) Notwithstanding paragraph (b) and paragraph (2)(b), and  
1408 for the 2021-2022 ~~2020-2021~~ fiscal year only, the Legislative  
1409 Budget Commission may increase the amounts appropriated to the  
1410 Fish and Wildlife Conservation Commission or the Department of  
1411 Environmental Protection for fixed capital outlay projects,  
1412 including additional fixed capital outlay projects, using funds  
1413 provided to the state from the Gulf Environmental Benefit Fund  
1414 administered by the National Fish and Wildlife Foundation; funds  
1415 provided to the state from the Gulf Coast Restoration Trust Fund  
1416 related to the Resources and Ecosystems Sustainability, Tourist  
1417 Opportunities, and Revived Economies of the Gulf Coast Act of  
1418 2012 (RESTORE Act); or funds provided by the British Petroleum  
1419 Corporation (BP) for natural resource damage assessment  
1420 restoration projects. Concurrent with submission of an amendment  
1421 to the Legislative Budget Commission pursuant to this paragraph,

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1422 any project that carries a continuing commitment for future  
1423 appropriations by the Legislature must be specifically  
1424 identified, together with the projected amount of the future  
1425 commitment associated with the project and the fiscal years in  
1426 which the commitment is expected to commence. This paragraph  
1427 expires July 1, 2022 ~~2021~~.

1428  
1429 The provisions of this subsection are subject to the notice and  
1430 objection procedures set forth in s. 216.177.

1431 Section 41. In order to implement specific appropriations  
1432 from the land acquisition trust funds within the Department of  
1433 Agriculture and Consumer Services, the Department of  
1434 Environmental Protection, the Department of State, and the Fish  
1435 and Wildlife Conservation Commission, which are contained in the  
1436 2021-2022 General Appropriations Act, subsection (3) of section  
1437 215.18, Florida Statutes, is amended to read:

1438 215.18 Transfers between funds; limitation.—

1439 (3) Notwithstanding subsection (1) and only with respect to  
1440 a land acquisition trust fund in the Department of Agriculture  
1441 and Consumer Services, the Department of Environmental  
1442 Protection, the Department of State, or the Fish and Wildlife  
1443 Conservation Commission, whenever there is a deficiency in a  
1444 land acquisition trust fund which would render that trust fund  
1445 temporarily insufficient to meet its just requirements,  
1446 including the timely payment of appropriations from that trust  
1447 fund, and other trust funds in the State Treasury have moneys  
1448 that are for the time being or otherwise in excess of the  
1449 amounts necessary to meet the just requirements, including  
1450 appropriated obligations, of those other trust funds, the

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1451 Governor may order a temporary transfer of moneys from one or  
1452 more of the other trust funds to a land acquisition trust fund  
1453 in the Department of Agriculture and Consumer Services, the  
1454 Department of Environmental Protection, the Department of State,  
1455 or the Fish and Wildlife Conservation Commission. Any action  
1456 proposed pursuant to this subsection is subject to the notice,  
1457 review, and objection procedures of s. 216.177, and the Governor  
1458 shall provide notice of such action at least 7 days before the  
1459 effective date of the transfer of trust funds, except that  
1460 during July 2021 ~~2020~~, notice of such action shall be provided  
1461 at least 3 days before the effective date of a transfer unless  
1462 such 3-day notice is waived by the chair and vice-chair of the  
1463 Legislative Budget Commission. Any transfer of trust funds to a  
1464 land acquisition trust fund in the Department of Agriculture and  
1465 Consumer Services, the Department of Environmental Protection,  
1466 the Department of State, or the Fish and Wildlife Conservation  
1467 Commission must be repaid to the trust funds from which the  
1468 moneys were loaned by the end of the 2021-2022 ~~2020-2021~~ fiscal  
1469 year. The Legislature has determined that the repayment of the  
1470 other trust fund moneys temporarily loaned to a land acquisition  
1471 trust fund in the Department of Agriculture and Consumer  
1472 Services, the Department of Environmental Protection, the  
1473 Department of State, or the Fish and Wildlife Conservation  
1474 Commission pursuant to this subsection is an allowable use of  
1475 the moneys in a land acquisition trust fund because the moneys  
1476 from other trust funds temporarily loaned to a land acquisition  
1477 trust fund shall be expended solely and exclusively in  
1478 accordance with s. 28, Art. X of the State Constitution. This  
1479 subsection expires July 1, 2022 ~~2021~~.

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1480           Section 42. (1) In order to implement specific  
1481 appropriations from the land acquisition trust funds within the  
1482 Department of Agriculture and Consumer Services, the Department  
1483 of Environmental Protection, the Department of State, and the  
1484 Fish and Wildlife Conservation Commission, which are contained  
1485 in the 2021-2022 General Appropriations Act, the Department of  
1486 Environmental Protection shall transfer revenues from the Land  
1487 Acquisition Trust Fund within the department to the land  
1488 acquisition trust funds within the Department of Agriculture and  
1489 Consumer Services, the Department of State, and the Fish and  
1490 Wildlife Conservation Commission, as provided in this section.  
1491 As used in this section, the term "department" means the  
1492 Department of Environmental Protection.

1493           (2) After subtracting any required debt service payments,  
1494 the proportionate share of revenues to be transferred to each  
1495 land acquisition trust fund shall be calculated by dividing the  
1496 appropriations from each of the land acquisition trust funds for  
1497 the fiscal year by the total appropriations from the Land  
1498 Acquisition Trust Fund within the department and the land  
1499 acquisition trust funds within the Department of Agriculture and  
1500 Consumer Services, the Department of State, and the Fish and  
1501 Wildlife Conservation Commission for the fiscal year. The  
1502 department shall transfer the proportionate share of the  
1503 revenues in the Land Acquisition Trust Fund within the  
1504 department on a monthly basis to the appropriate land  
1505 acquisition trust funds within the Department of Agriculture and  
1506 Consumer Services, the Department of State, and the Fish and  
1507 Wildlife Conservation Commission and shall retain its  
1508 proportionate share of the revenues in the Land Acquisition

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1509 Trust Fund within the department. Total distributions to a land  
1510 acquisition trust fund within the Department of Agriculture and  
1511 Consumer Services, the Department of State, and the Fish and  
1512 Wildlife Conservation Commission may not exceed the total  
1513 appropriations from such trust fund for the fiscal year.

1514 (3) In addition, the department shall transfer from the  
1515 Land Acquisition Trust Fund to land acquisition trust funds  
1516 within the Department of Agriculture and Consumer Services, the  
1517 Department of State, and the Fish and Wildlife Conservation  
1518 Commission amounts equal to the difference between the amounts  
1519 appropriated in chapter 2020-111, Laws of Florida, to the  
1520 department's Land Acquisition Trust Fund and the other land  
1521 acquisition trust funds, and the amounts actually transferred  
1522 between those trust funds during the 2020-2021 fiscal year.

1523 (4) The department may advance funds from the beginning  
1524 unobligated fund balance in the Land Acquisition Trust Fund to  
1525 the Land Acquisition Trust Fund within the Fish and Wildlife  
1526 Conservation Commission needed for cash flow purposes based on a  
1527 detailed expenditure plan. The department shall prorate amounts  
1528 transferred quarterly to the Fish and Wildlife Conservation  
1529 Commission to recoup the amount of funds advanced by June 30,  
1530 2022.

1531 (5) This section expires July 1, 2022.

1532 Section 43. In order to implement appropriations from the  
1533 Land Acquisition Trust Fund within the Department of  
1534 Environmental Protection in the 2021-2022 General Appropriations  
1535 Act, paragraph (b) of subsection (3) of section 375.041, Florida  
1536 Statutes, is amended to read:

1537 375.041 Land Acquisition Trust Fund.—

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1538 (3) Funds distributed into the Land Acquisition Trust Fund  
1539 pursuant to s. 201.15 shall be applied:

1540 (b) Of the funds remaining after the payments required  
1541 under paragraph (a), but before funds may be appropriated,  
1542 pledged, or dedicated for other uses:

1543 1. A minimum of the lesser of 25 percent or \$200 million  
1544 shall be appropriated annually for Everglades projects that  
1545 implement the Comprehensive Everglades Restoration Plan as set  
1546 forth in s. 373.470, including the Central Everglades Planning  
1547 Project subject to Congressional authorization; the Long-Term  
1548 Plan as defined in s. 373.4592(2); and the Northern Everglades  
1549 and Estuaries Protection Program as set forth in s. 373.4595.  
1550 From these funds, \$32 million shall be distributed each fiscal  
1551 year through the 2023-2024 fiscal year to the South Florida  
1552 Water Management District for the Long-Term Plan as defined in  
1553 s. 373.4592(2). After deducting the \$32 million distributed  
1554 under this subparagraph, from the funds remaining, a minimum of  
1555 the lesser of 76.5 percent or \$100 million shall be appropriated  
1556 each fiscal year through the 2025-2026 fiscal year for the  
1557 planning, design, engineering, and construction of the  
1558 Comprehensive Everglades Restoration Plan as set forth in s.  
1559 373.470, including the Central Everglades Planning Project, the  
1560 Everglades Agricultural Area Storage Reservoir Project, the Lake  
1561 Okeechobee Watershed Project, the C-43 West Basin Storage  
1562 Reservoir Project, the Indian River Lagoon-South Project, the  
1563 Western Everglades Restoration Project, and the Picayune Strand  
1564 Restoration Project. The Department of Environmental Protection  
1565 and the South Florida Water Management District shall give  
1566 preference to those Everglades restoration projects that reduce

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1567 harmful discharges of water from Lake Okeechobee to the St.  
1568 Lucie or Caloosahatchee estuaries in a timely manner. For the  
1569 purpose of performing the calculation provided in this  
1570 subparagraph, the amount of debt service paid pursuant to  
1571 paragraph (a) for bonds issued after July 1, 2016, for the  
1572 purposes set forth under paragraph (b) shall be added to the  
1573 amount remaining after the payments required under paragraph  
1574 (a). The amount of the distribution calculated shall then be  
1575 reduced by an amount equal to the debt service paid pursuant to  
1576 paragraph (a) on bonds issued after July 1, 2016, for the  
1577 purposes set forth under this subparagraph.

1578 2. A minimum of the lesser of 7.6 percent or \$50 million  
1579 shall be appropriated annually for spring restoration,  
1580 protection, and management projects. For the purpose of  
1581 performing the calculation provided in this subparagraph, the  
1582 amount of debt service paid pursuant to paragraph (a) for bonds  
1583 issued after July 1, 2016, for the purposes set forth under  
1584 paragraph (b) shall be added to the amount remaining after the  
1585 payments required under paragraph (a). The amount of the  
1586 distribution calculated shall then be reduced by an amount equal  
1587 to the debt service paid pursuant to paragraph (a) on bonds  
1588 issued after July 1, 2016, for the purposes set forth under this  
1589 subparagraph.

1590 3. The sum of \$5 million shall be appropriated annually  
1591 each fiscal year through the 2025-2026 fiscal year to the St.  
1592 Johns River Water Management District for projects dedicated to  
1593 the restoration of Lake Apopka. This distribution shall be  
1594 reduced by an amount equal to the debt service paid pursuant to  
1595 paragraph (a) on bonds issued after July 1, 2016, for the

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1596 purposes set forth in this subparagraph.

1597 4. The sum of \$64 million is appropriated and shall be  
1598 transferred to the Everglades Trust Fund for the 2018-2019  
1599 fiscal year, and each fiscal year thereafter, for the EAA  
1600 reservoir project pursuant to s. 373.4598. Any funds remaining  
1601 in any fiscal year shall be made available only for Phase II of  
1602 the C-51 reservoir project or projects identified in  
1603 subparagraph 1. and must be used in accordance with laws  
1604 relating to such projects. Any funds made available for such  
1605 purposes in a fiscal year are in addition to the amount  
1606 appropriated under subparagraph 1. This distribution shall be  
1607 reduced by an amount equal to the debt service paid pursuant to  
1608 paragraph (a) on bonds issued after July 1, 2017, for the  
1609 purposes set forth in this subparagraph.

1610 5. Notwithstanding subparagraph 3., for the 2021-2022 ~~2020-~~  
1611 ~~2021~~ fiscal year, funds shall be appropriated as provided in the  
1612 General Appropriations Act. This subparagraph expires July 1,  
1613 2022 ~~2021~~.

1614 Section 44. In order to implement Specific Appropriation  
1615 1363 of the 2021-2022 General Appropriations Act, and  
1616 notwithstanding the expiration date in section 80 of chapter  
1617 2020-114, Laws of Florida, paragraph (a) of subsection (1) of  
1618 section 570.93, Florida Statutes, is reenacted to read:

1619 570.93 Department of Agriculture and Consumer Services;  
1620 agricultural water conservation and agricultural water supply  
1621 planning.—

1622 (1) The department shall establish an agricultural water  
1623 conservation program that includes the following:

1624 (a) A cost-share program, coordinated with the United



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1625 States Department of Agriculture and other federal, state,  
1626 regional, and local agencies when appropriate, for irrigation  
1627 system retrofit and application of mobile irrigation laboratory  
1628 evaluations, and for water conservation and water quality  
1629 improvement pursuant to s. 403.067(7) (c).

1630 Section 45. The amendment to s. 570.93(1) (a), Florida  
1631 Statutes, as carried forward from chapter 2019-116, Laws of  
1632 Florida, by this act, expires July 1, 2022, and the text of that  
1633 paragraph shall revert to that in existence on June 30, 2019,  
1634 except that any amendments to such text enacted other than by  
1635 this act shall be preserved and continue to operate to the  
1636 extent that such amendments are not dependent upon the portions  
1637 of text which expire pursuant to this section.

1638 Section 46. In order to implement Specific Appropriation  
1639 1692A of the 2021-2022 General Appropriations Act, paragraph (m)  
1640 of subsection (3) of section 259.105, Florida Statutes, is  
1641 amended to read:

1642 259.105 The Florida Forever Act.—

1643 (3) Less the costs of issuing and the costs of funding  
1644 reserve accounts and other costs associated with bonds, the  
1645 proceeds of cash payments or bonds issued pursuant to this  
1646 section shall be deposited into the Florida Forever Trust Fund  
1647 created by s. 259.1051. The proceeds shall be distributed by the  
1648 Department of Environmental Protection in the following manner:

1649 (m) Notwithstanding paragraphs (a)-(j) and for the 2021-  
1650 2022 ~~2020-2021~~ fiscal year, the amount of \$1,998,100 ~~\$6 million~~  
1651 to only the Department of Environmental Protection for grants  
1652 pursuant to s. 375.075. This paragraph expires July 1, 2022  
1653 ~~2021~~.

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1654 Section 47. In order to implement Specific Appropriation  
1655 1647 of the 2021-2022 General Appropriations Act, subsection  
1656 (22) is added to section 161.101, Florida Statutes, to read:  
1657 161.101 State and local participation in authorized  
1658 projects and studies relating to beach management and erosion  
1659 control.—

1660 (22) Notwithstanding this section and ss. 161.143 and  
1661 161.161, and for the 2021-2022 fiscal year only, the department  
1662 shall fund beach and inlet management projects as specified in  
1663 the General Appropriations Act. This subsection expires July 1,  
1664 2022.

1665 Section 48. In order to implement Specific Appropriation  
1666 1670 of the 2021-2022 General Appropriations Act, and  
1667 notwithstanding the expiration date in section 84 of chapter  
1668 2020-114, Laws of Florida, paragraph (g) of subsection (15) of  
1669 section 376.3071, Florida Statutes, is reenacted to read:

1670 376.3071 Inland Protection Trust Fund; creation; purposes;  
1671 funding.—

1672 (15) ETHANOL OR BIODIESEL DAMAGE; PREVENTIVE MEASURES.—The  
1673 department shall pay, pursuant to this subsection, up to \$10  
1674 million each fiscal year from the fund for the costs of labor  
1675 and equipment to repair or replace petroleum storage systems  
1676 that may have been damaged due to the storage of fuels blended  
1677 with ethanol or biodiesel, or for preventive measures to reduce  
1678 the potential for such damage.

1679 (g) Payments may not be made for the following:

- 1680 1. Proposal costs or costs related to preparation of the  
1681 application and required documentation;
- 1682 2. Certified public accountant costs;

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1683           3. Except as provided in paragraph (j), any costs in excess  
1684 of the amount approved by the department under paragraph (b) or  
1685 which are not in substantial compliance with the purchase order;

1686           4. Costs associated with storage tanks, piping, or  
1687 ancillary equipment that has previously been repaired or  
1688 replaced for which costs have been paid under this section;

1689           5. Facilities that are not in compliance with department  
1690 storage tank rules, until the noncompliance issues have been  
1691 resolved; or

1692           6. Costs associated with damage to petroleum storage  
1693 systems caused in whole or in part by causes other than the  
1694 storage of fuels blended with ethanol or biodiesel.

1695           Section 49. The amendment to s. 376.3071(15)(g), Florida  
1696 Statutes, as carried forward from chapter 2020-114, Laws of  
1697 Florida, by this act, expires July 1, 2022, and the text of that  
1698 paragraph shall revert to that in existence on July 1, 2020, not  
1699 including any amendments made by this act or chapter 2020-114,  
1700 Laws of Florida, except that any amendments to such text enacted  
1701 other than by this act shall be preserved and continue to  
1702 operate to the extent that such amendments are not dependent  
1703 upon the portion of text which expires pursuant to this section.

1704           Section 50. In order to implement Specific Appropriation  
1705 2604 of the 2021-2022 General Appropriations Act, paragraph (b)  
1706 of subsection (3) and subsection (5) of section 321.04, Florida  
1707 Statutes, are amended to read:

1708           321.04 Personnel of the highway patrol; rank  
1709 classifications; probationary status of new patrol officers;  
1710 subsistence; special assignments.—

1711           (3)

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1712 (b) For the 2021-2022 ~~2020-2021~~ fiscal year only, upon the  
1713 request of the Governor, the Department of Highway Safety and  
1714 Motor Vehicles shall assign one or more patrol officers to the  
1715 office of the Lieutenant Governor for security services. This  
1716 paragraph expires July 1, 2022 ~~2021~~.

1717 (5) For the 2021-2022 ~~2020-2021~~ fiscal year only, the  
1718 assignment of a patrol officer by the department shall include a  
1719 Cabinet member specified in s. 4, Art. IV of the State  
1720 Constitution if deemed appropriate by the department or in  
1721 response to a threat and upon written request of such Cabinet  
1722 member. This subsection expires July 1, 2022 ~~2021~~.

1723 Section 51. Effective upon this act becoming a law and in  
1724 order to implement Specific Appropriations 2583 and 2592 of the  
1725 2021-2022 General Appropriations Act, subsection (7) of section  
1726 215.559, Florida Statutes, is amended to read:

1727 215.559 Hurricane Loss Mitigation Program.—A Hurricane Loss  
1728 Mitigation Program is established in the Division of Emergency  
1729 Management.

1730 (7) This section is repealed June 30, 2022 ~~2021~~.

1731 Section 52. In order to implement section 94 of the 2021-  
1732 2022 General Appropriations Act, subsection (4) of section  
1733 288.80125, Florida Statutes, is amended to read:

1734 288.80125 Triumph Gulf Coast Trust Fund.—

1735 (4) For the 2021-2022 ~~2020-2021~~ fiscal year, funds shall be  
1736 used for the Rebuild Florida Revolving Loan Fund program to  
1737 provide assistance to businesses impacted by Hurricane Michael  
1738 as provided in the General Appropriations Act. This subsection  
1739 expires July 1, 2022 ~~2021~~.

1740 Section 53. In order to implement Specific Appropriations

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1741 1865 through 1878, 1884 through 1887, 1900 through 1908, 1910  
1742 through 1919, and 1954 through 1966 of the 2021-2022 General  
1743 Appropriations Act, present subsections (15) and (16) of section  
1744 337.11, Florida Statutes, are redesignated as subsections (16)  
1745 and (17), respectively, and a new subsection (15) is added to  
1746 that section, to read:

1747       337.11 Contracting authority of department; bids; emergency  
1748 repairs, supplemental agreements, and change orders; combined  
1749 design and construction contracts; progress payments; records;  
1750 requirements of vehicle registration.—

1751       (15) (a) The department may not enter into a contract with a  
1752 consultant for design services or construction engineering and  
1753 inspection services related to a construction project which  
1754 exceeds 5 percent of the estimated cost of such construction  
1755 project without the approval of the secretary.

1756       (b) The department may share a portion of the construction  
1757 cost savings realized due to a change in the construction  
1758 contract design and scope, initiated after execution of the  
1759 contract, with a design services consultant or a construction  
1760 engineering and inspection services consultant to the extent  
1761 that the consultant's input and involvement contributed to such  
1762 savings. The amount paid to a consultant pursuant to this  
1763 paragraph may not exceed 5 percent of the construction cost  
1764 savings realized.

1765       (c) This subsection expires July 1, 2022.

1766       Section 54. In order to implement section 116 of the 2021-  
1767 2022 General Appropriations Act, subsection (4) is added to  
1768 section 339.08, Florida Statutes, to read:

1769       339.08 Use of moneys in State Transportation Trust Fund.—

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1770       (4) Notwithstanding the provisions of this section and ss.  
1771 215.32(2)(b)4. and 339.09(1), and for the 2021-2022 fiscal year  
1772 only, funds may be transferred from the State Transportation  
1773 Trust Fund to the General Revenue Fund as specified in the  
1774 General Appropriations Act. Notwithstanding ss. 206.46(3) and  
1775 206.606(2), the total amount transferred shall be reduced from  
1776 total state revenues deposited into the State Transportation  
1777 Trust Fund for the calculation requirements of ss. 206.46(3) and  
1778 206.606(2). This subsection expires July 1, 2022.

1779       Section 55. In order to implement Specific Appropriations  
1780 1865 through 1878, 1884 through 1887, 1900 through 1908, 1910  
1781 through 1919, and 1954 through 1966 of the 2021-2022 General  
1782 Appropriations Act, paragraphs (g) and (h) of subsection (7) of  
1783 section 339.135, Florida Statutes, are amended to read:

1784       339.135 Work program; legislative budget request;  
1785 definitions; preparation, adoption, execution, and amendment.—

1786       (7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

1787       (g)1. Any work program amendment which also requires the  
1788 transfer of fixed capital outlay appropriations between  
1789 categories within the department or the increase of an  
1790 appropriation category is subject to the approval of the  
1791 Legislative Budget Commission.

1792       2. If the department submits an amendment to a meeting of  
1793 the Legislative Budget Commission and the commission does not  
1794 meet or consider the amendment cannot be held within 30 days  
1795 after its submittal ~~the department submits an amendment to the~~  
1796 ~~Legislative Budget Commission~~, the chair and vice chair of the  
1797 Legislative Budget Commission may authorize such amendment to be  
1798 approved pursuant to s. 216.177. This subparagraph expires July

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1799 1, 2022 ~~2021~~.

1800 (h)1. Any work program amendment that also adds a new  
1801 project, or phase thereof, to the adopted work program in excess  
1802 of \$3 million is subject to approval by the Legislative Budget  
1803 Commission. Any work program amendment submitted under this  
1804 paragraph must include, as supplemental information, a list of  
1805 projects, or phases thereof, in the current 5-year adopted work  
1806 program which are eligible for the funds within the  
1807 appropriation category being used for the proposed amendment.  
1808 The department shall provide a narrative with the rationale for  
1809 not advancing an existing project, or phase thereof, in lieu of  
1810 the proposed amendment.

1811 2. If the department submits an amendment to ~~a meeting of~~  
1812 the Legislative Budget Commission and the commission does not  
1813 meet or consider the amendment ~~cannot be held~~ within 30 days  
1814 after its submittal ~~the department submits an amendment to the~~  
1815 ~~commission~~, the chair and vice chair of the commission may  
1816 authorize the amendment to be approved pursuant to s. 216.177.  
1817 This subparagraph expires July 1, 2022 ~~2021~~.

1818 Section 56. In order to implement Specific Appropriation  
1819 1867 of the 2021-2022 General Appropriations Act, paragraphs (a)  
1820 and (b) of subsection (3) of section 341.052, Florida Statutes,  
1821 are amended to read:

1822 341.052 Public transit block grant program; administration;  
1823 eligible projects; limitation.—

1824 (3) The following limitations shall apply to the use of  
1825 public transit block grant program funds:

1826 (a)1. State participation in eligible capital projects  
1827 shall be limited to 50 percent of the nonfederal share of such

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1828 project costs.

1829 2. For the 2021-2022 fiscal year only, local participation  
1830 in eligible capital projects may be less than 50 percent of the  
1831 nonfederal share of such project costs. This subparagraph  
1832 expires July 1, 2022.

1833 (b)1. State participation in eligible public transit  
1834 operating costs may not exceed 50 percent of such costs or an  
1835 amount equal to the total revenue, excluding farebox, charter,  
1836 and advertising revenue and federal funds, received by the  
1837 provider for operating costs, whichever amount is less.

1838 2. For the 2021-2022 fiscal year only, local participation  
1839 in eligible public transit operating costs may be less than 50  
1840 percent of such operating costs. This subparagraph expires July  
1841 1, 2022.

1842 Section 57. In order to implement Specific Appropriations  
1843 2544 of the 2021-2022 General Appropriations Act, paragraph (d)  
1844 of subsection (4) of section 112.061, Florida Statutes, is  
1845 amended to read:

1846 112.061 Per diem and travel expenses of public officers,  
1847 employees, and authorized persons; statewide travel management  
1848 system.—

1849 (4) OFFICIAL HEADQUARTERS.—The official headquarters of an  
1850 officer or employee assigned to an office shall be the city or  
1851 town in which the office is located except that:

1852 (d) A Lieutenant Governor who permanently resides outside  
1853 of Leon County, may, if he or she so requests, have an  
1854 appropriate facility in his or her county designated as his or  
1855 her official headquarters for purposes of this section. This  
1856 official headquarters may only serve as the Lieutenant



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1857 Governor's personal office. The Lieutenant Governor may not use  
1858 state funds to lease space in any facility for his or her  
1859 official headquarters.

1860 1. A Lieutenant Governor for whom an official headquarters  
1861 is established in his or her county of residence pursuant to  
1862 this paragraph is eligible for subsistence at a rate to be  
1863 established by the Governor for each day or partial day that the  
1864 Lieutenant Governor is at the State Capitol to conduct official  
1865 state business. In addition to the subsistence allowance, a  
1866 Lieutenant Governor is eligible for reimbursement for  
1867 transportation expenses as provided in subsection (7) for travel  
1868 between the Lieutenant Governor's official headquarters and the  
1869 State Capitol to conduct state business.

1870 2. Payment of subsistence and reimbursement for  
1871 transportation between a Lieutenant Governor's official  
1872 headquarters and the State Capitol shall be made to the extent  
1873 appropriated funds are available, as determined by the Governor.

1874 3. This paragraph expires July 1, 2022 ~~2021~~.

1875 Section 58. In order to implement the salaries and  
1876 benefits, expenses, other personal services, contracted  
1877 services, special categories, and operating capital outlay  
1878 categories of the 2021-2022 General Appropriations Act,  
1879 paragraph (a) of subsection (2) of section 216.292, Florida  
1880 Statutes, is amended to read:

1881 216.292 Appropriations nontransferable; exceptions.—

1882 (2) The following transfers are authorized to be made by  
1883 the head of each department or the Chief Justice of the Supreme  
1884 Court whenever it is deemed necessary by reason of changed  
1885 conditions:

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1886 (a) The transfer of appropriations funded from identical  
1887 funding sources, except appropriations for fixed capital outlay,  
1888 and the transfer of amounts included within the total original  
1889 approved budget and plans of releases of appropriations as  
1890 furnished pursuant to ss. 216.181 and 216.192, as follows:

1891 1. Between categories of appropriations within a budget  
1892 entity, if no category of appropriation is increased or  
1893 decreased by more than 5 percent of the original approved budget  
1894 or \$250,000, whichever is greater, by all action taken under  
1895 this subsection.

1896 2. Between budget entities within identical categories of  
1897 appropriations, if no category of appropriation is increased or  
1898 decreased by more than 5 percent of the original approved budget  
1899 or \$250,000, whichever is greater, by all action taken under  
1900 this subsection.

1901 3. Any agency exceeding salary rate established pursuant to  
1902 s. 216.181(8) on June 30th of any fiscal year shall not be  
1903 authorized to make transfers pursuant to subparagraphs 1. and 2.  
1904 in the subsequent fiscal year.

1905 4. Notice of proposed transfers under subparagraphs 1. and  
1906 2. shall be provided to the Executive Office of the Governor and  
1907 the chairs of the legislative appropriations committees at least  
1908 3 days prior to agency implementation in order to provide an  
1909 opportunity for review. The review shall be limited to ensuring  
1910 that the transfer is in compliance with the requirements of this  
1911 paragraph.

1912 5. For the 2021-2022 ~~2020-2021~~ fiscal year, the review  
1913 shall ensure that transfers proposed pursuant to this paragraph  
1914 comply with this chapter, maximize the use of available and

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1915 appropriate trust funds, and are not contrary to legislative  
1916 policy and intent. This subparagraph expires July 1, 2022 ~~2021~~.

1917 Section 59. In order to implement section 8 of the 2021-  
1918 2022 General Appropriations Act, notwithstanding s.  
1919 110.123(3)(f) and (j), Florida Statutes, the Department of  
1920 Management Services shall maintain and offer the same PPO and  
1921 HMO health plan alternatives to the participants of the State  
1922 Group Health Insurance Program during the 2021-2022 fiscal year  
1923 which were in effect for the 2020-2021 fiscal year. This section  
1924 expires July 1, 2022.

1925 Section 60. In order to implement the appropriation of  
1926 funds in the special categories, contracted services, and  
1927 expenses categories of the 2021-2022 General Appropriations Act,  
1928 a state agency may not initiate a competitive solicitation for a  
1929 product or service if the completion of such competitive  
1930 solicitation would:

1931 (1) Require a change in law; or

1932 (2) Require a change to the agency's budget other than a  
1933 transfer authorized in s. 216.292(2) or (3), Florida Statutes,  
1934 unless the initiation of such competitive solicitation is  
1935 specifically authorized in law, in the General Appropriations  
1936 Act, or by the Legislative Budget Commission.

1937  
1938 This section does not apply to a competitive solicitation for  
1939 which the agency head certifies that a valid emergency exists.  
1940 This section expires July 1, 2022.

1941 Section 61. In order to implement appropriations for  
1942 salaries and benefits of the 2021-2022 General Appropriations  
1943 Act, subsection (6) of section 112.24, Florida Statutes, is

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1944 amended to read:

1945       112.24 Intergovernmental interchange of public employees.-  
1946 To encourage economical and effective utilization of public  
1947 employees in this state, the temporary assignment of employees  
1948 among agencies of government, both state and local, and  
1949 including school districts and public institutions of higher  
1950 education is authorized under terms and conditions set forth in  
1951 this section. State agencies, municipalities, and political  
1952 subdivisions are authorized to enter into employee interchange  
1953 agreements with other state agencies, the Federal Government,  
1954 another state, a municipality, or a political subdivision  
1955 including a school district, or with a public institution of  
1956 higher education. State agencies are also authorized to enter  
1957 into employee interchange agreements with private institutions  
1958 of higher education and other nonprofit organizations under the  
1959 terms and conditions provided in this section. In addition, the  
1960 Governor or the Governor and Cabinet may enter into employee  
1961 interchange agreements with a state agency, the Federal  
1962 Government, another state, a municipality, or a political  
1963 subdivision including a school district, or with a public  
1964 institution of higher learning to fill, subject to the  
1965 requirements of chapter 20, appointive offices which are within  
1966 the executive branch of government and which are filled by  
1967 appointment by the Governor or the Governor and Cabinet. Under  
1968 no circumstances shall employee interchange agreements be  
1969 utilized for the purpose of assigning individuals to participate  
1970 in political campaigns. Duties and responsibilities of  
1971 interchange employees shall be limited to the mission and goals  
1972 of the agencies of government.

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1973 (6) For the 2021-2022 ~~2020-2021~~ fiscal year only, the  
1974 assignment of an employee of a state agency as provided in this  
1975 section may be made if recommended by the Governor or Chief  
1976 Justice, as appropriate, and approved by the chairs of the  
1977 legislative appropriations committees. Such actions shall be  
1978 deemed approved if neither chair provides written notice of  
1979 objection within 14 days after receiving notice of the action  
1980 pursuant to s. 216.177. This subsection expires July 1, 2022  
1981 ~~2021~~.

1982 Section 62. In order to implement Specific Appropriations  
1983 2670 and 2671 of the 2021-2022 General Appropriations Act, and  
1984 notwithstanding s. 11.13(1), Florida Statutes, the authorized  
1985 salaries for members of the Legislature for the 2021-2022 fiscal  
1986 year shall be set at the same level in effect on July 1, 2010.  
1987 This section expires July 1, 2022.

1988 Section 63. In order to implement the transfer of funds  
1989 from the General Revenue Fund from trust funds for the 2021-2022  
1990 General Appropriations Act, and notwithstanding the expiration  
1991 date in section 102 of chapter 2020-114, Laws of Florida,  
1992 paragraph (b) of subsection (2) of section 215.32, Florida  
1993 Statutes, is reenacted to read:

1994 215.32 State funds; segregation.-

1995 (2) The source and use of each of these funds shall be as  
1996 follows:

1997 (b)1. The trust funds shall consist of moneys received by  
1998 the state which under law or under trust agreement are  
1999 segregated for a purpose authorized by law. The state agency or  
2000 branch of state government receiving or collecting such moneys  
2001 is responsible for their proper expenditure as provided by law.

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2002 Upon the request of the state agency or branch of state  
2003 government responsible for the administration of the trust fund,  
2004 the Chief Financial Officer may establish accounts within the  
2005 trust fund at a level considered necessary for proper  
2006 accountability. Once an account is established, the Chief  
2007 Financial Officer may authorize payment from that account only  
2008 upon determining that there is sufficient cash and releases at  
2009 the level of the account.

2010 2. In addition to other trust funds created by law, to the  
2011 extent possible, each agency shall use the following trust funds  
2012 as described in this subparagraph for day-to-day operations:

2013 a. Operations or operating trust fund, for use as a  
2014 depository for funds to be used for program operations funded by  
2015 program revenues, with the exception of administrative  
2016 activities when the operations or operating trust fund is a  
2017 proprietary fund.

2018 b. Operations and maintenance trust fund, for use as a  
2019 depository for client services funded by third-party payors.

2020 c. Administrative trust fund, for use as a depository for  
2021 funds to be used for management activities that are departmental  
2022 in nature and funded by indirect cost earnings and assessments  
2023 against trust funds. Proprietary funds are excluded from the  
2024 requirement of using an administrative trust fund.

2025 d. Grants and donations trust fund, for use as a depository  
2026 for funds to be used for allowable grant or donor agreement  
2027 activities funded by restricted contractual revenue from private  
2028 and public nonfederal sources.

2029 e. Agency working capital trust fund, for use as a  
2030 depository for funds to be used pursuant to s. 216.272.

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2031 f. Clearing funds trust fund, for use as a depository for  
2032 funds to account for collections pending distribution to lawful  
2033 recipients.

2034 g. Federal grant trust fund, for use as a depository for  
2035 funds to be used for allowable grant activities funded by  
2036 restricted program revenues from federal sources.

2037  
2038 To the extent possible, each agency must adjust its internal  
2039 accounting to use existing trust funds consistent with the  
2040 requirements of this subparagraph. If an agency does not have  
2041 trust funds listed in this subparagraph and cannot make such  
2042 adjustment, the agency must recommend the creation of the  
2043 necessary trust funds to the Legislature no later than the next  
2044 scheduled review of the agency's trust funds pursuant to s.  
2045 215.3206.

2046 3. All such moneys are hereby appropriated to be expended  
2047 in accordance with the law or trust agreement under which they  
2048 were received, subject always to the provisions of chapter 216  
2049 relating to the appropriation of funds and to the applicable  
2050 laws relating to the deposit or expenditure of moneys in the  
2051 State Treasury.

2052 4.a. Notwithstanding any provision of law restricting the  
2053 use of trust funds to specific purposes, unappropriated cash  
2054 balances from selected trust funds may be authorized by the  
2055 Legislature for transfer to the Budget Stabilization Fund and  
2056 General Revenue Fund in the General Appropriations Act.

2057 b. This subparagraph does not apply to trust funds required  
2058 by federal programs or mandates; trust funds established for  
2059 bond covenants, indentures, or resolutions whose revenues are

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2060 legally pledged by the state or public body to meet debt service  
2061 or other financial requirements of any debt obligations of the  
2062 state or any public body; the Division of Licensing Trust Fund  
2063 in the Department of Agriculture and Consumer Services; the  
2064 State Transportation Trust Fund; the trust fund containing the  
2065 net annual proceeds from the Florida Education Lotteries; the  
2066 Florida Retirement System Trust Fund; trust funds under the  
2067 management of the State Board of Education or the Board of  
2068 Governors of the State University System, where such trust funds  
2069 are for auxiliary enterprises, self-insurance, and contracts,  
2070 grants, and donations, as those terms are defined by general  
2071 law; trust funds that serve as clearing funds or accounts for  
2072 the Chief Financial Officer or state agencies; trust funds that  
2073 account for assets held by the state in a trustee capacity as an  
2074 agent or fiduciary for individuals, private organizations, or  
2075 other governmental units; and other trust funds authorized by  
2076 the State Constitution.

2077       Section 64. The text of s. 215.32(2)(b), Florida Statutes,  
2078 as carried forward from chapter 2011-47, Laws of Florida, by  
2079 this act, expires July 1, 2022, and the text of that paragraph  
2080 shall revert to that in existence on June 30, 2011, except that  
2081 any amendments to such text enacted other than by this act shall  
2082 be preserved and continue to operate to the extent that such  
2083 amendments are not dependent upon the portions of text which  
2084 expire pursuant to this section.

2085       Section 65. In order to implement appropriations in the  
2086 2021-2022 General Appropriations Act for state employee travel,  
2087 the funds appropriated to each state agency which may be used  
2088 for travel by state employees are limited during the 2021-2022



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2089 fiscal year to travel for activities that are critical to each  
2090 state agency's mission. Funds may not be used for travel by  
2091 state employees to foreign countries, other states, conferences,  
2092 staff training activities, or other administrative functions  
2093 unless the agency head has approved, in writing, that such  
2094 activities are critical to the agency's mission. The agency head  
2095 shall consider using teleconferencing and other forms of  
2096 electronic communication to meet the needs of the proposed  
2097 activity before approving mission-critical travel. This section  
2098 does not apply to travel for law enforcement purposes, military  
2099 purposes, emergency management activities, or public health  
2100 activities. This section expires July 1, 2022.

2101 Section 66. In order to implement appropriations in the  
2102 2021-2022 General Appropriations Act for state employee travel  
2103 and notwithstanding s. 112.061, Florida Statutes, costs for  
2104 lodging associated with a meeting, conference, or convention  
2105 organized or sponsored in whole or in part by a state agency or  
2106 the judicial branch may not exceed \$175 per day. An employee may  
2107 expend his or her own funds for any lodging expenses in excess  
2108 of \$175 per day. For purposes of this section, a meeting does  
2109 not include travel activities for conducting an audit,  
2110 examination, inspection, or investigation or travel activities  
2111 related to a litigation or emergency response. This section  
2112 expires July 1, 2022.

2113 Section 67. In order to implement the appropriation of  
2114 funds in the special categories, contracted services, and  
2115 expenses categories of the 2021-2022 General Appropriations Act,  
2116 a state agency may not enter into a contract containing a  
2117 nondisclosure clause that prohibits the contractor from

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2118 disclosing information relevant to the performance of the  
 2119 contract to members or staff of the Senate or the House of  
 2120 Representatives. This section expires July 1, 2022.

2121 Section 68. In order to implement the appropriation of  
 2122 funds in the special categories, contracted services, and  
 2123 expenses categories of the 2021-2022 General Appropriations Act,  
 2124 section 216.1366, Florida Statutes, is reenacted and amended to  
 2125 read:

2126 216.1366 Contract terms.—

2127 (1) In order to preserve the interest of the state in the  
 2128 prudent expenditure of state funds, each public agency contract  
 2129 for services entered into or amended on or after July 1, 2020,  
 2130 shall authorize the public agency to inspect the:

2131 (a) Financial records, papers, and documents of the  
 2132 contractor that are directly related to the performance of the  
 2133 contract or the expenditure of state funds.

2134 (b) Programmatic records, papers, and documents of the  
 2135 contractor which the public agency determines are necessary to  
 2136 monitor the performance of the contract or to ensure that the  
 2137 terms of the contract are being met.

2138 (2) The contract shall require the contractor to provide  
 2139 such records, papers, and documents requested by the public  
 2140 agency within 10 business days after the request is made.

2141 (3) This section expires July 1, 2022 ~~2021~~.

2142 Section 69. In order to implement sections 10 through 17 of  
 2143 the 2021-2022 General Appropriations Act, the detailed  
 2144 reversions by state agency, budget entity, appropriation  
 2145 category, and fund included in the document titled "Fiscal Year  
 2146 2020-2021 Immediate Reversions" dated March 26, 2021, and filed

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2147 with the Secretary of the Senate, are incorporated by reference  
2148 for the purpose of displaying calculations used by the  
2149 Legislature, consistent with the requirements of state law, in  
2150 making appropriations for the 2020-2021 fiscal year. This  
2151 section expires July 1, 2022.

2152 Section 70. In order to implement section 8 of the 2021-  
2153 2022 General Appropriations Act, and notwithstanding s.  
2154 216.181(2)(h), Florida Statutes, state agencies may submit  
2155 budget amendments, subject to the notice, review, and objection  
2156 procedures of s. 216.177, Florida Statutes, to implement salary  
2157 increases necessary to address pay plan compression issues as a  
2158 result of the increase of the minimum wage to \$13 per hour. This  
2159 section expires July 1, 2022.

2160 Section 71. Any section of this act which implements a  
2161 specific appropriation or specifically identified proviso  
2162 language in the 2021-2022 General Appropriations Act is void if  
2163 the specific appropriation or specifically identified proviso  
2164 language is vetoed. Any section of this act which implements  
2165 more than one specific appropriation or more than one portion of  
2166 specifically identified proviso language in the 2021-2022  
2167 General Appropriations Act is void if all the specific  
2168 appropriations or portions of specifically identified proviso  
2169 language are vetoed.

2170 Section 72. If any other act passed during the 2021 Regular  
2171 Session of the Legislature contains a provision that is  
2172 substantively the same as a provision in this act, but that  
2173 removes or is otherwise not subject to the future repeal applied  
2174 to such provision by this act, the Legislature intends that the  
2175 provision in the other act takes precedence and continues to

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2176 operate, notwithstanding the future repeal provided by this act.

2177       Section 73. If any provision of this act or its application  
2178 to any person or circumstance is held invalid, the invalidity  
2179 does not affect other provisions or applications of the act  
2180 which can be given effect without the invalid provision or  
2181 application, and to this end the provisions of this act are  
2182 severable.

2183       Section 74. Except as otherwise expressly provided in this  
2184 act and except for this section, which shall take effect upon  
2185 this act becoming a law, this act shall take effect July 1,  
2186 2021, or, if this act fails to become a law until after that  
2187 date, it shall take effect upon becoming a law and shall operate  
2188 retroactively to July 1, 2021.