

FOR CONSIDERATION 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; incorporating by reference
35 certain calculations for the Medicaid Hospital Funding
36 programs; authorizing the Agency for Health Care
37 Administration, in consultation with the Department of
38 Health, to submit a budget amendment to realign
39 funding for a component of the Children's Medical
40 Services program to reflect actual enrollment changes;
41 specifying requirements for such realignment;
42 authorizing the agency to request nonoperating budget
43 authority for transferring certain federal funds to
44 the Department of Health; authorizing the Agency for
45 Health Care Administration to submit a budget
46 amendment to realign Medicaid funding for specified
47 purposes, subject to certain limitations; authorizing
48 the Agency for Health Care Administration and the
49 Department of Health to each submit a budget amendment
50 to realign funding within the Florida Kidcare program
51 appropriation categories or increase budget authority
52 for certain purposes; specifying the time period
53 within each such budget amendment must be submitted;
54 amending ss. 381.986 and 381.988, F.S.; extending for
55 1 year the exemption of certain rules pertaining to
56 the medical use of marijuana from certain rulemaking
57 requirements; amending s. 14(1), chapter 2017-232,
58 Laws of Florida; exempting certain rules pertaining to

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59 medical marijuana adopted to replace emergency rules
60 from specified rulemaking requirements; providing for
61 the expiration and reversion of specified law;
62 authorizing the Department of Children and Families to
63 submit a budget amendment to realign funding for
64 implementation of the Guardianship Assistance Program;
65 authorizing the Department of Health to submit a
66 budget amendment to increase budget authority for the
67 HIV/AIDS Prevention and Treatment Program if a certain
68 condition is met; requiring the Agency for Health Care
69 Administration to replace the Florida Medicaid
70 Management Information System (FMMIS) and fiscal agent
71 operations with a specified new system; specifying
72 items that may not be included in the new system;
73 providing directives to the agency related to the new
74 system, the Florida Health Care Connection system;
75 requiring the agency to meet certain requirements in
76 replacing FMMIS and the current Medicaid fiscal agent;
77 requiring the agency to implement a project governance
78 structure that includes an executive steering
79 committee; providing procedures for use by the
80 executive steering committee; providing
81 responsibilities of the executive steering committee;
82 amending s. 216.262, F.S.; extending for 1 fiscal year
83 the authority of the Department of Corrections to
84 submit a budget amendment for additional positions and
85 appropriations under certain circumstances; requiring
86 review and approval by the Legislative Budget
87 Commission; amending s. 1011.80, F.S.; specifying the

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88 manner by which state funds for postsecondary
89 workforce programs may be used for inmate education;
90 providing for the expiration and reversion of
91 specified statutory text; amending s. 215.18, F.S.;
92 extending for 1 fiscal year the authority and related
93 repayment requirements for temporary trust fund loans
94 to the state court system which are sufficient to meet
95 the system's appropriation; requiring the Department
96 of Juvenile Justice to review county juvenile
97 detention payments to determine whether a county has
98 met specified financial responsibilities; requiring
99 amounts owed by the county for such financial
100 responsibilities to be deducted from certain county
101 funds; requiring the Department of Revenue to transfer
102 withheld funds to a specified trust fund; requiring
103 the Department of Revenue to ensure that such
104 reductions in amounts distributed do not reduce
105 distributions below amounts necessary for certain
106 payments due on bonds and to comply with bond
107 covenants; requiring the Department of Revenue to
108 notify the Department of Juvenile Justice if bond
109 payment requirements mandate a reduction in deductions
110 for amounts owed by a county; reenacting s. 27.40(1),
111 (2)(a), (3)(a), (5), (6), and (7), F.S., relating to
112 court-appointed counsel; extending for 1 fiscal year
113 provisions governing the appointment of court-
114 appointed counsel; amending s. 27.5304, F.S., and
115 reenacting subsections (1), (3), (7), and (11), and
116 paragraphs (12)(a)-(e), relating to private court-

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117 appointed counsel; extending for 1 fiscal year
118 limitations on compensation for representation in
119 criminal proceedings; providing for the expiration and
120 reversion of specified statutory text; creating s.
121 27.403, F.S.; establishing the Cross-Jurisdictional
122 Death Penalty Pilot Program within the office of
123 criminal conflict and civil regional counsel for the
124 Second Appellate District; providing for the
125 appointment of alternate counsel in the event of a
126 conflict; providing for the continuation of an
127 appointment of representation, notwithstanding
128 expiration of the pilot program; specifying that
129 clerks of the circuit court are responsible for
130 certain costs related to juries which exceed a certain
131 funding level; reenacting s. 20.316(2) and (3), F.S.,
132 relating to the Department of Juvenile Justice;
133 extending for 1 fiscal year provisions creating the
134 Accountability and Program Support program within the
135 department; providing for the expiration and reversion
136 of specified statutory text; requiring the Department
137 of Management Services to use tenant broker services
138 to renegotiate or reprocur certain private lease
139 agreements for office or storage space; requiring the
140 Department of Management Services to provide a report
141 to the Governor and the Legislature by a specified
142 date; prohibiting an agency from transferring funds
143 from a data processing category to another category
144 that is not a data processing category; authorizing
145 the Executive Office of the Governor to transfer funds

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146 appropriated for data processing assessment between
147 departments for a specified purpose; authorizing the
148 Executive Office of the Governor to transfer funds
149 between departments for purposes of aligning amounts
150 paid for risk management insurance and for human
151 resources services purchased per statewide contract;
152 requiring the Department of Financial Services to
153 replace specified components of the Florida Accounting
154 Information Resource Subsystem (FLAIR) and the Cash
155 Management Subsystem (CMS), subject to specified
156 limitations; requiring the Department of Financial
157 Services to take certain actions regarding such
158 replacement; providing for the composition of an
159 executive steering committee to oversee FLAIR and CMS
160 replacement; prescribing duties and responsibilities
161 of the executive steering committee; amending s.
162 216.181, F.S.; extending for 1 fiscal year the
163 authority for the Legislative Budget Commission to
164 increase amounts appropriated to the Fish and Wildlife
165 Conservation Commission or the Department of
166 Environmental Protection for certain fixed capital
167 outlay projects from specified sources; amending s.
168 215.18, F.S.; extending for 1 fiscal year the
169 authority of the Governor, if there is a specified
170 temporary deficiency in a land acquisition trust fund
171 in the Department of Agriculture and Consumer
172 Services, the Department of Environmental Protection,
173 the Department of State, or the Fish and Wildlife
174 Conservation Commission, to transfer funds from other

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175 trust funds in the State Treasury as a temporary loan
176 to such trust fund; providing a deadline for the
177 repayment of a temporary loan; requiring the
178 Department of Environmental Protection to transfer
179 designated proportions of the revenues deposited in
180 the Land Acquisition Trust Fund within the department
181 to land acquisition trust funds in the Department of
182 Agriculture and Consumer Services, the Department of
183 State, and the Fish and Wildlife Conservation
184 Commission according to specified parameters and
185 calculations; defining the term "department";
186 requiring the Department of Environmental Protection
187 to make transfers to land acquisition trust funds
188 monthly; specifying the method of determining transfer
189 amounts; authorizing the Department of Environmental
190 Protection to advance funds from its land acquisition
191 trust fund to the Fish and Wildlife Conservation
192 Commission's land acquisition trust fund for specified
193 purposes; amending s. 375.041, F.S.; specifying that
194 certain funds for projects dedicated to restoring Lake
195 Apopka shall be appropriated as provided in the
196 General Appropriations Act; reenacting s.
197 570.93(1)(a), F.S., relating to the agricultural water
198 conservation program of the Department of Agriculture
199 and Consumer Services; extending for 1 fiscal year
200 provisions governing administration of a cost-share
201 program; providing for the expiration and reversion of
202 specified statutory text; amending s. 259.105, F.S.;
203 providing for the distribution of proceeds from the

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204 Florida Forever Trust Fund for the 2021-2022 fiscal
205 year; amending s. 161.101, F.S.; specifying that beach
206 and inlet management projects be funded as provided in
207 the General Appropriations Act; reenacting s.
208 376.3071(15)(g), F.S., relating to the Inland
209 Protection Trust Fund; exempting specified costs
210 incurred by certain petroleum storage system owners or
211 operators during a specified period from the
212 prohibition against making payments in excess of
213 amounts approved by the Department of Environmental
214 Protection; providing for the expiration and reversion
215 of specified statutory text; amending s. 321.04, F.S.;
216 extending for 1 fiscal year the requirement that the
217 Department of Highway Safety and Motor Vehicles assign
218 one or more patrol officers to the office of
219 Lieutenant Governor for security purposes, upon
220 request of the Governor; extending for 1 fiscal year
221 the requirement that the Department of Highway Safety
222 and Motor Vehicles assign a patrol officer to a
223 Cabinet member under certain circumstances; amending
224 s. 215.559, F.S.; delaying the repeal of provisions
225 governing the Division of Emergency Management's
226 Hurricane Loss Mitigation Program; amending s.
227 288.80125, F.S.; extending for 1 fiscal year a
228 requirement that funds in the Triumph Gulf Coast Trust
229 Fund be used for the Rebuild Florida Revolving Loan
230 Fund program for purposes related to Hurricane Michael
231 recovery; amending s. 337.11, F.S.; prohibiting the
232 Department of Transportation from entering into a

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233 contract exceeding a specified amount with a
234 consultant for certain services; authorizing the
235 department to share construction cost savings with
236 certain consultants, subject to specified limitations;
237 amending s. 339.08, F.S.; authorizing the transfer of
238 funds from the State Transportation Trust Fund to the
239 General Revenue Fund as provided in the General
240 Appropriations Act; specifying that any amount
241 transferred be reduced from the total state revenue
242 deposited into the State Transportation Trust Fund;
243 amending s. 339.135, F.S.; authorizing the chair and
244 vice chair of the Legislative Budget Commission to
245 approve certain work program amendments under
246 specified circumstances; amending s. 112.061, F.S.;
247 extending for 1 fiscal year the authorization for the
248 Lieutenant Governor to designate an alternative
249 official headquarters under certain conditions;
250 specifying restrictions, limitations, eligibility for
251 the subsistence allowance, reimbursement of
252 transportation expenses, and payment thereof; amending
253 s. 216.292, F.S.; extending for 1 fiscal year a
254 provision prescribing requirements for the review of
255 certain transfers of appropriations; requiring the
256 Department of Management Services to maintain and
257 offer the same health insurance options for
258 participants of the State Group Health Insurance
259 Program for the 2021-2022 fiscal year as applied in
260 the preceding fiscal year; prohibiting a state agency
261 from initiating a competitive solicitation for a

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262 product or service under certain circumstances;
263 providing an exception; amending s. 112.24, F.S.;
264 extending for 1 fiscal year the authorization, subject
265 to specified requirements, for the assignment of an
266 employee of a state agency under an employee
267 interchange agreement; providing that the annual
268 salaries of the members of the Legislature be
269 maintained at a specified level; reenacting s.
270 215.32(2)(b), F.S., relating to the source and use of
271 certain trust funds; providing for the future
272 expiration and reversion of statutory text; specifying
273 the types of travel which may be used with state
274 employee travel funds; providing exceptions; providing
275 a monetary cap on lodging costs for state employee
276 travel to certain meetings organized or sponsored by a
277 state agency or the judicial branch; authorizing
278 employees to expend their own funds for lodging
279 expenses that exceed the monetary caps; prohibiting a
280 state agency from entering into a contract containing
281 certain nondisclosure agreements; reenacting and
282 amending s. 216.1366, F.S., relating to contract
283 terms; extending for 1 fiscal year provisions
284 requiring each public agency contract for services
285 after a certain date to authorize public agencies to
286 inspect specified information related to such
287 contract; incorporating by reference certain
288 calculations of reversions; authorizing state agencies
289 to submit budget amendments to implement any necessary
290 salary increases to address pay plan compression

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291 resulting from the increase in the state minimum wage;
292 providing conditions under which the veto of certain
293 appropriations or proviso language in the General
294 Appropriations Act voids language that implements such
295 appropriation; providing for the continued operation
296 of certain provisions notwithstanding a future repeal
297 or expiration provided by the act; providing
298 severability; providing effective dates.
299

300 Be It Enacted by the Legislature of the State of Florida:
301

302 Section 1. It is the intent of the Legislature that the
303 implementing and administering provisions of this act apply to
304 the General Appropriations Act for the 2021-2022 fiscal year.

305 Section 2. In order to implement Specific Appropriations 7,
306 8, 90, and 91 of the 2021-2022 General Appropriations Act, the
307 calculations of the Florida Education Finance Program for the
308 2021-2022 fiscal year included in the document titled "Public
309 School Funding: The Florida Education Finance Program," dated
310 March 26, 2021, and filed with the Secretary of the Senate, are
311 incorporated by reference for the purpose of displaying the
312 calculations used by the Legislature, consistent with the
313 requirements of state law, in making appropriations for the
314 Florida Education Finance Program. This section expires July 1,
315 2022.

316 Section 3. In order to implement Specific Appropriations 7
317 and 90 of the 2021-2022 General Appropriations Act, and
318 notwithstanding ss. 1002.20, 1003.02, 1006.28-1006.42,
319 1011.62 (6) (b) 3., and 1011.67, Florida Statutes, relating to the

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320 expenditure of funds provided for instructional materials, for
321 the 2021-2022 fiscal year, funds provided for instructional
322 materials shall be released and expended as required in the
323 proviso language for Specific Appropriation 90 of the 2021-2022
324 General Appropriations Act. This section expires July 1, 2022.

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

329 1011.62 Funds for operation of schools.—If the annual
330 allocation from the Florida Education Finance Program to each
331 district for operation of schools is not determined in the
332 annual appropriations act or the substantive bill implementing
333 the annual appropriations act, it shall be determined as
334 follows:

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

336 (a) In those districts where there is a decline between
337 prior year and current year unweighted FTE students, a
338 percentage of the decline in the unweighted FTE students as
339 determined by the Legislature shall be multiplied by the prior
340 year calculated FEFP per unweighted FTE student and shall be
341 added to the allocation for that district. For this purpose, the
342 calculated FEFP shall be computed by multiplying the weighted
343 FTE students by the base student allocation and then by the
344 district cost differential. If a district transfers a program to
345 another institution not under the authority of the district's
346 school board, including a charter technical career center, the
347 decline is to be multiplied by a factor of 0.15. However, if the
348 funds provided for the Florida Education Finance Program in the

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349 General Appropriations Act for any fiscal year are reduced by a
350 subsequent appropriation for that fiscal year, the percent of
351 the decline in the unweighted FTE students to be funded shall be
352 determined by the Legislature and designated in the subsequent
353 appropriation.

354 (b) The allocation authorized in paragraph (a) is suspended
355 for the 2021-2022 ~~2020-2021~~ fiscal year and does not apply
356 during such fiscal year. This paragraph expires July 1, 2022
357 ~~2021~~.

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

367 (a) Using the most recent prior year FEFP calculation for
368 each eligible school district, subtract the total school
369 district funds per FTE from the state average funds per FTE, not
370 including any adjustments made pursuant to paragraph (19) (b).
371 The resulting funds per FTE difference, or a portion thereof, as
372 designated in the General Appropriations Act, shall then be
373 multiplied by the school district's total unweighted FTE.

374 (b) Multiply the absolute value of the difference between
375 the eligible school district's current year district cost
376 differential and the prior year district cost differential by a
377 hold harmless factor as designated in the General Appropriations

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378 Act. The result is the district cost differential hold harmless
379 index. Multiply the index by the eligible school district's
380 weighted FTE and by the base student allocation as designated in
381 the General Appropriations Act.

382 (c) For each district, select the greater of ~~Add~~ the
383 amounts calculated in paragraphs (a) and (b) and upon summation,
384 if the total amount is greater than the amount included in the
385 General Appropriations Act, the allocation shall be prorated to
386 the appropriation amount based on each participating school
387 district's share.

388
389 This subsection expires July 1, 2022 ~~2021~~.

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

395 1001.26 Public broadcasting program system.—

396 (1) There is created a public broadcasting program system
397 for the state. The department shall provide funds, as
398 specifically appropriated in the General Appropriations Act, to
399 educational television stations qualified by the Corporation for
400 Public Broadcasting or public colleges and universities that are
401 part of the public broadcasting program system. The program
402 system must include:

403 (a) Support for existing Corporation for Public
404 Broadcasting qualified program system educational television
405 stations.

406 (b) Maintenance of quality broadcast capability for

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407 educational stations that are part of the program system.

408 (c) Interconnection of all educational stations that are
409 part of the program system for simultaneous broadcast and of
410 such stations with all universities and other institutions as
411 necessary for sharing of resources and delivery of programming.

412 (d) Establishment and maintenance of a capability for
413 statewide program distribution with facilities and staff,
414 provided such facilities and staff complement and strengthen
415 existing educational television stations.

416 (e) Provision of both statewide programming funds and
417 station programming support for educational television to meet
418 statewide priorities. Priorities for station programming need
419 not be the same as priorities for programming to be used
420 statewide. Station programming may include, but shall not be
421 limited to, citizens' participation programs, music and fine
422 arts programs, coverage of public hearings and governmental
423 meetings, equal air time for political candidates, and other
424 public interest programming.

425 Section 6. The text of s. 1001.26(1), Florida Statutes, as
426 carried forward from chapter 2018-10, Laws of Florida, by this
427 act, expires July 1, 2022, and the text of that subsection shall
428 revert to that in existence on June 30, 2018, except that any
429 amendment enacted other than by this act shall be preserved and
430 continue to operate to the extent that such amendments are not
431 dependent upon the portions of text which expire pursuant to
432 this section.

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

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436 1004.6495 Florida Postsecondary Comprehensive Transition
437 Program and Florida Center for Students with Unique Abilities.—

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

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

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

447 Section 9. In order to implement Specific Appropriations
448 129A and 145A of the 2021-2022 General Appropriations Act,
449 subsection (5) is added to section 1006.73, Florida Statutes, to
450 read:

451 1006.73 Florida Academic Library Services Cooperative.—

452 (5) Notwithstanding any provision of this section and s.
453 1006.735, the Florida Postsecondary Academic Library Network
454 shall be overseen by a host entity as determined by the Board of
455 Governors and the Department of Education.

456 (a) The network shall include delivery of the following
457 services to public postsecondary educational institutions in
458 this state, including all Florida College System institutions
459 and state universities:

460 1. Providing information regarding access to distance
461 learning and degree programs.

462 2. Identifying and providing online academic support
463 services and resources when the multi-institutional provision of
464 such services and resources is more cost-effective and

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465 operationally effective.

466 3. Administering a single library automation system.

467 4. Coordinating the negotiation of statewide licensing of
468 electronic library resources and preferred pricing agreements,
469 issuing purchase orders, and entering into contracts.

470 5. Promoting and providing recommendations concerning the
471 use and distribution of open-access textbooks and education
472 resources as a method for reducing costs.

473 (b) The Board of Governors and the Department of Education
474 shall share in the receipt and administration of the program as
475 provided in the General Appropriations Act.

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

477 Section 10. In order to implement Specific Appropriations
478 202, 203, 206, and 210 of the 2021-2022 General Appropriations
479 Act, the calculations for the Medicaid Hospital Funding programs
480 for the 2021-2022 fiscal year contained in the document titled
481 "Medicaid Hospital Funding Programs, Fiscal Year 2021-2022,"
482 dated March 26, 2021, and filed with the Secretary of the
483 Senate, are incorporated by reference for the purpose of
484 displaying the calculations used by the Legislature, consistent
485 with the requirements of state law, in making appropriations for
486 the Medicaid Hospital Funding programs. This section expires
487 July 1, 2022.

488 Section 11. In order to implement Specific Appropriations
489 196 through 223 and 515 of the 2021-2022 General Appropriations
490 Act, and notwithstanding ss. 216.181 and 216.292, Florida
491 Statutes, the Agency for Health Care Administration, in
492 consultation with the Department of Health, may submit a budget
493 amendment, subject to the notice, review, and objection

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494 procedures of s. 216.177, Florida Statutes, to realign funding
495 within and between agencies based on implementation of the
496 managed medical assistance component of the Statewide Medicaid
497 Managed Care program for the Children's Medical Services program
498 of the Department of Health. The funding realignment shall
499 reflect the actual enrollment changes due to the transfer of
500 beneficiaries from fee-for-service to the capitated Children's
501 Medical Services network. The Agency for Health Care
502 Administration may submit a request for nonoperating budget
503 authority to transfer the federal funds to the Department of
504 Health pursuant to s. 216.181(12), Florida Statutes. This
505 section expires July 1, 2022.

506 Section 12. In order to implement Specific Appropriations
507 196 through 223 of the 2021-2022 General Appropriations Act, and
508 notwithstanding ss. 216.181 and 216.292, Florida Statutes, the
509 Agency for Health Care Administration may submit a budget
510 amendment, subject to the notice, review, and objection
511 procedures of s. 216.177, Florida Statutes, to realign funding
512 within the Medicaid program appropriation categories to address
513 projected surpluses and deficits within the program and to
514 maximize the use of state trust funds. A single budget amendment
515 shall be submitted in the last quarter of the 2021-2022 fiscal
516 year only. This section expires July 1, 2022.

517 Section 13. In order to implement Specific Appropriations
518 175 through 180 and 515 of the 2021-2022 General Appropriations
519 Act, and notwithstanding ss. 216.181 and 216.292, Florida
520 Statutes, the Agency for Health Care Administration and the
521 Department of Health may each submit a budget amendment, subject
522 to the notice, review, and objection procedures of s. 216.177,

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523 Florida Statutes, to realign funding within the Florida Kidcare
524 program appropriation categories, or to increase budget
525 authority in the Children's Medical Services network category,
526 to address projected surpluses and deficits within the program
527 or to maximize the use of state trust funds. A single budget
528 amendment must be submitted by each agency in the last quarter
529 of the 2021-2022 fiscal year only. This section expires July 1,
530 2022.

531 Section 14. In order to implement Specific Appropriations
532 460 through 462, 466, 467, and 474 of the 2021-2022 General
533 Appropriations Act, subsection (17) of section 381.986, Florida
534 Statutes, is amended to read:

535 381.986 Medical use of marijuana.—

536 (17) Rules adopted pursuant to this section before July 1,
537 2022 ~~2021~~, are not subject to ss. 120.54(3)(b) and 120.541. This
538 subsection expires July 1, 2022 ~~2021~~.

539 Section 15. In order to implement Specific Appropriations
540 460 through 462, 466, 467, and 474 of the 2021-2022 General
541 Appropriations Act, subsection (11) of section 381.988, Florida
542 Statutes, is amended to read:

543 381.988 Medical marijuana testing laboratories; marijuana
544 tests conducted by a certified laboratory.—

545 (11) Rules adopted under subsection (9) before July 1, 2022
546 ~~2021~~, are not subject to ss. 120.54(3)(b) and 120.541. This
547 subsection expires July 1, 2022 ~~2021~~.

548 Section 16. Effective July 1, 2021, upon the expiration and
549 reversion of the amendments made to subsection (1) of section 14
550 of chapter 2017-232, Laws of Florida, pursuant to section 34 of
551 chapter 2020-114, Laws of Florida, and in order to implement

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552 Specific Appropriations 460 through 462, 466, 467, and 474 of
553 the 2021-2022 General Appropriations Act, subsection (1) of
554 section 14 of chapter 2017-232, Laws of Florida, is amended to
555 read:

556 Section 14. Department of Health; authority to adopt rules;
557 cause of action.—

558 (1) EMERGENCY RULEMAKING.—

559 (a) The Department of Health and the applicable boards
560 shall adopt emergency rules pursuant to s. 120.54(4), Florida
561 Statutes, and this section necessary to implement ss. 381.986
562 and 381.988, Florida Statutes. If an emergency rule adopted
563 under this section is held to be unconstitutional or an invalid
564 exercise of delegated legislative authority, and becomes void,
565 the department or the applicable boards may adopt an emergency
566 rule pursuant to this section to replace the rule that has
567 become void. If the emergency rule adopted to replace the void
568 emergency rule is also held to be unconstitutional or an invalid
569 exercise of delegated legislative authority and becomes void,
570 the department and the applicable boards must follow the
571 nonemergency rulemaking procedures of the Administrative
572 Procedures Act to replace the rule that has become void.

573 (b) For emergency rules adopted under this section, the
574 department and the applicable boards need not make the findings
575 required by s. 120.54(4)(a), Florida Statutes. Emergency rules
576 adopted under this section are exempt from ss. 120.54(3)(b) and
577 120.541, Florida Statutes. The department and the applicable
578 boards shall meet the procedural requirements in s. 120.54(4)(a)
579 ~~s. 120.54(a)~~, Florida Statutes, if the department or the
580 applicable boards have, before July 1, 2019 ~~the effective date~~

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581 ~~of this act~~, held any public workshops or hearings on the
582 subject matter of the emergency rules adopted under this
583 subsection. Challenges to emergency rules adopted under this
584 subsection are subject to the time schedules provided in s.
585 120.56(5), Florida Statutes.

586 (c) Emergency rules adopted under this section are exempt
587 from s. 120.54(4)(c), Florida Statutes, and shall remain in
588 effect until replaced by rules adopted under the nonemergency
589 rulemaking procedures of the Administrative Procedures Act.
590 Rules adopted under the nonemergency rulemaking procedures of
591 the Administrative Procedures Act to replace emergency rules
592 adopted under this section are exempt from ss. 120.54(3)(b) and
593 120.541, Florida Statutes. By July 1, 2022 ~~January 1, 2018~~, the
594 department and the applicable boards shall initiate nonemergency
595 rulemaking pursuant to the Administrative Procedures Act to
596 replace all emergency rules adopted under this section by
597 publishing a notice of rule development in the Florida
598 Administrative Register. Except as provided in paragraph (a),
599 after July 1, 2022 ~~January 1, 2018~~, the department and
600 applicable boards may not adopt rules pursuant to the emergency
601 rulemaking procedures provided in this section.

602 Section 17. The amendments to s. 14(1) of chapter 2017-232,
603 Laws of Florida, made by this act expire July 1, 2022, and the
604 text of that subsection shall revert to that in existence on
605 June 30, 2019, except that any amendments to such text enacted
606 other than by this act shall be preserved and continue to
607 operate to the extent that such amendments are not dependent
608 upon the portions of text which expire pursuant to this section.

609 Section 18. In order to implement Specific Appropriations

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610 321, 323, 352, and 353 of the 2021-2022 General Appropriations
611 Act, and notwithstanding ss. 216.181 and 216.292, Florida
612 Statutes, the Department of Children and Families may submit a
613 budget amendment, subject to the notice, review, and objection
614 procedures of s. 216.177, Florida Statutes, to realign funding
615 within the department based on the implementation of the
616 Guardianship Assistance Program, between and among the specific
617 appropriations for guardianship assistance payments, foster care
618 Level 1 room and board payments, relative caregiver payments,
619 and nonrelative caregiver payments. This section expires July 1,
620 2022.

621 Section 19. In order to implement Specific Appropriations
622 463 and 500 of the 2021-2022 General Appropriations Act, and
623 notwithstanding ss. 216.181 and 216.292, Florida Statutes, the
624 Department of Health may submit a budget amendment, subject to
625 the notice, review, and objection procedures of s. 216.177,
626 Florida Statutes, to increase budget authority for the HIV/AIDS
627 Prevention and Treatment Program if additional federal revenues
628 specific to HIV/AIDS prevention and treatment become available
629 in the 2021-2022 fiscal year. This section expires July 1, 2022.

630 Section 20. In order to implement Specific Appropriation
631 190 of the 2021-2022 General Appropriations Act:

632 (1) The Agency for Health Care Administration shall replace
633 the current Florida Medicaid Management Information System
634 (FMMIS) and fiscal agent operations with a system that is
635 modular, interoperable, and scalable for the Florida Medicaid
636 program which complies with all applicable federal and state
637 laws and requirements. The agency may not include in the project
638 to replace the current FMMIS and fiscal agent contract:

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639 (a) Functionality that duplicates any of the information
640 systems of the other health and human services state agencies;
641 or

642 (b) Procurement for agency requirements external to
643 Medicaid programs with the intent to leverage the Medicaid
644 technology infrastructure for other purposes without legislative
645 appropriation or legislative authorization to procure these
646 requirements.

647
648 The new system, the Florida Health Care Connection (FX) system,
649 must provide better integration with subsystems supporting
650 Florida's Medicaid program; uniformity, consistency, and
651 improved access to data; and compatibility with the Centers for
652 Medicare and Medicaid Services' Medicaid Information Technology
653 Architecture (MITA) as the system matures and expands its
654 functionality.

655 (2) For purposes of replacing FMMIS and the current
656 Medicaid fiscal agent, the Agency for Health Care Administration
657 shall:

658 (a) Prioritize procurements for the replacement of the
659 current functions of FMMIS and the responsibilities of the
660 current Medicaid fiscal agent to minimize the need to extend all
661 or portions of the current fiscal agent contract.

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

664 (c) Ensure compliance and uniformity with published MITA
665 framework and guidelines.

666 (d) Ensure that all business requirements and technical
667 specifications have been provided to all affected state agencies

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668 for their review and input and approved by the executive
669 steering committee established in paragraph (g).

670 (e) Consult with the Executive Office of the Governor's
671 working group for interagency information technology integration
672 for the development of competitive solicitations that provide
673 for data interoperability and shared information technology
674 services across the state's health and human services agencies.

675 (f) Implement a data governance structure for the project
676 to coordinate data sharing and interoperability across state
677 health care entities.

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

680 1. The Secretary of Health Care Administration, or the
681 executive sponsor of the project.

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

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

686 4. Two employees from the Division of Medicaid of the
687 Agency for Health Care Administration, appointed by the
688 Secretary of Health Care Administration.

689 5. A representative of the Division of Health Quality
690 Assurance of the Agency for Health Care Administration,
691 appointed by the Secretary of Health Care Administration.

692 6. A representative of the Florida Center for Health
693 Information and Transparency of the Agency for Health Care
694 Administration, appointed by the Secretary of Health Care
695 Administration.

696 7. A representative of the Division of Operations of the

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697 Agency for Health Care Administration, appointed by the
698 Secretary of Health Care Administration.

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

701 9. The state chief information officer or designee.

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

704 11. A representative of the Agency for Persons with
705 Disabilities who has experience with the preparation and
706 submission of waivers to the Centers for Medicare and Medicaid
707 Services, appointed by the director of the Agency for Persons
708 with Disabilities.

709 12. A representative from the Florida Healthy Kids
710 Corporation.

711 13. A representative from the Department of Elderly Affairs
712 who has experience with the Medicaid Program within that
713 department, appointed by the Secretary of Elderly Affairs.

714 14. A representative of the Department of Financial
715 Services who has experience with the state's financial processes
716 including development of the PALM system, appointed by the Chief
717 Financial Officer.

718 (3) The Secretary of Health Care Administration or the
719 executive sponsor of the project shall serve as chair of the
720 executive steering committee, and the committee shall take
721 action by a vote of at least 10 affirmative votes with the chair
722 voting on the prevailing side. A quorum of the executive
723 steering committee consists of at least 11 members.

724 (4) The executive steering committee has the overall
725 responsibility for ensuring that the project to replace FMMIS

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726 and the Medicaid fiscal agent meets its primary business
727 objectives and shall:

728 (a) Identify and recommend to the Executive Office of the
729 Governor, the President of the Senate, and the Speaker of the
730 House of Representatives any statutory changes needed to
731 implement the modular replacement to standardize, to the fullest
732 extent possible, the state's health care data and business
733 processes.

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

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

739 (d) Approve all major project deliverables.

740 (e) Approve all solicitation-related documents associated
741 with the replacement of the current FMMIS and Medicaid fiscal
742 agent.

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

744 Section 21. In order to implement Specific Appropriations
745 572 through 676 and 692 through 726 of the 2021-2022 General
746 Appropriations Act, subsection (4) of section 216.262, Florida
747 Statutes, is amended to read:

748 216.262 Authorized positions.—

749 (4) Notwithstanding the provisions of this chapter relating
750 to increasing the number of authorized positions, and for the
751 2021-2022 ~~2020-2021~~ fiscal year only, if the actual inmate
752 population of the Department of Corrections exceeds the inmate
753 population projections of the March 17, 2021 ~~December 17, 2019~~,
754 Criminal Justice Estimating Conference by 1 percent for 2

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755 consecutive months or 2 percent for any month, the Executive
756 Office of the Governor, with the approval of the Legislative
757 Budget Commission, shall immediately notify the Criminal Justice
758 Estimating Conference, which shall convene as soon as possible
759 to revise the estimates. The Department of Corrections may then
760 submit a budget amendment requesting the establishment of
761 positions in excess of the number authorized by the Legislature
762 and additional appropriations from unallocated general revenue
763 sufficient to provide for essential staff, fixed capital
764 improvements, and other resources to provide classification,
765 security, food services, health services, and other variable
766 expenses within the institutions to accommodate the estimated
767 increase in the inmate population. All actions taken pursuant to
768 this subsection are subject to review and approval by the
769 Legislative Budget Commission. This subsection expires July 1,
770 2022 ~~2021~~.

771 Section 22. In order to implement Specific Appropriation
772 714 of the 2021-2022 General Appropriations Act, and upon the
773 expiration and reversion of the amendments made by section 54 of
774 chapter 2020-114, Laws of Florida, paragraph (b) of subsection
775 (8) of section 1011.80, Florida Statutes, is amended to read:

776 1011.80 Funds for operation of workforce education
777 programs.—

778 (8)

779 (b) State funds provided for the operation of postsecondary
780 workforce programs may not be expended for the education of
781 state or federal inmates, except to the extent that such funds
782 are specifically appropriated for such purpose in the 2021-2022
783 General Appropriations Act ~~with more than 24 months of time~~

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

785 Section 23. The amendment to s. 1011.80(8)(b), Florida
786 Statutes, made by this act expires July 1, 2022, and the text of
787 that paragraph shall revert to that in existence on July 1,
788 2019, but not including any amendments made by this act or
789 chapters 2020-114, 2019-116, and 2018-10, Laws of Florida, and
790 any amendments to such text enacted other than by this act shall
791 be preserved and continue to operate to the extent that such
792 amendments are not dependent upon the portions of text which
793 expire pursuant to this section.

794 Section 24. In order to implement Specific Appropriations
795 3113 through 3179 of the 2021-2022 General Appropriations Act,
796 subsection (2) of section 215.18, Florida Statutes, is amended
797 to read:

798 215.18 Transfers between funds; limitation.—

799 (2) The Chief Justice of the Supreme Court may receive one
800 or more trust fund loans to ensure that the state court system
801 has funds sufficient to meet its appropriations in the 2021-2022
802 ~~2020-2021~~ General Appropriations Act. If the Chief Justice
803 accesses the loan, he or she must notify the Governor and the
804 chairs of the legislative appropriations committees in writing.
805 The loan must come from other funds in the State Treasury which
806 are for the time being or otherwise in excess of the amounts
807 necessary to meet the just requirements of such last-mentioned
808 funds. The Governor shall order the transfer of funds within 5
809 days after the written notification from the Chief Justice. If
810 the Governor does not order the transfer, the Chief Financial
811 Officer shall transfer the requested funds. The loan of funds
812 from which any money is temporarily transferred must be repaid

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813 by the end of the 2021-2022 ~~2020-2021~~ fiscal year. This
814 subsection expires July 1, 2022 ~~2021~~.

815 Section 25. In order to implement Specific Appropriations
816 1105 through 1116 of the 2021-2022 General Appropriations Act:

817 (1) The Department of Juvenile Justice is required to
818 review county juvenile detention payments to ensure that
819 counties fulfill their financial responsibilities required in s.
820 985.6865, Florida Statutes. If the Department of Juvenile
821 Justice determines that a county has not met its obligations,
822 the department shall direct the Department of Revenue to deduct
823 the amount owed to the Department of Juvenile Justice from the
824 funds provided to the county under s. 218.23, Florida Statutes.
825 The Department of Revenue shall transfer the funds withheld to
826 the Shared County/State Juvenile Detention Trust Fund.

827 (2) As an assurance to holders of bonds issued by counties
828 before July 1, 2021, for which distributions made pursuant to s.
829 218.23, Florida Statutes, are pledged, or bonds issued to refund
830 such bonds which mature no later than the bonds they refunded
831 and which result in a reduction of debt service payable in each
832 fiscal year, the amount available for distribution to a county
833 shall remain as provided by law and continue to be subject to
834 any lien or claim on behalf of the bondholders. The Department
835 of Revenue must ensure, based on information provided by an
836 affected county, that any reduction in amounts distributed
837 pursuant to subsection (1) does not reduce the amount of
838 distribution to a county below the amount necessary for the
839 timely payment of principal and interest when due on the bonds
840 and the amount necessary to comply with any covenant under the
841 bond resolution or other documents relating to the issuance of

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842 the bonds. If a reduction to a county's monthly distribution
843 must be decreased in order to comply with this section, the
844 Department of Revenue must notify the Department of Juvenile
845 Justice of the amount of the decrease, and the Department of
846 Juvenile Justice must send a bill for payment of such amount to
847 the affected county.

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

849 Section 26. In order to implement Specific Appropriations
850 736 through 757, 905 through 1048, and 1069 through 1104 of the
851 2021-2022 General Appropriations Act, and notwithstanding the
852 expiration date in section 59 of chapter 2020-114, Laws of
853 Florida, subsection (1), paragraph (a) of subsection (2),
854 paragraph (a) of subsection (3), and subsections (5), (6), and
855 (7) of section 27.40, Florida Statutes, are reenacted to read:

856 27.40 Court-appointed counsel; circuit registries; minimum
857 requirements; appointment by court.—

858 (1) Counsel shall be appointed to represent any individual
859 in a criminal or civil proceeding entitled to court-appointed
860 counsel under the Federal or State Constitution or as authorized
861 by general law. The court shall appoint a public defender to
862 represent indigent persons as authorized in s. 27.51. The office
863 of criminal conflict and civil regional counsel shall be
864 appointed to represent persons in those cases in which provision
865 is made for court-appointed counsel, but only after the public
866 defender has certified to the court in writing that the public
867 defender is unable to provide representation due to a conflict
868 of interest or is not authorized to provide representation. The
869 public defender shall report, in the aggregate, the specific
870 basis of all conflicts of interest certified to the court. On a

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871 quarterly basis, the public defender shall submit this
872 information to the Justice Administrative Commission.

873 (2) (a) Private counsel shall be appointed to represent
874 persons in those cases in which provision is made for court-
875 appointed counsel but only after the office of criminal conflict
876 and civil regional counsel has been appointed and has certified
877 to the court in writing that the criminal conflict and civil
878 regional counsel is unable to provide representation due to a
879 conflict of interest. The criminal conflict and civil regional
880 counsel shall report, in the aggregate, the specific basis of
881 all conflicts of interest certified to the court. On a quarterly
882 basis, the criminal conflict and civil regional counsel shall
883 submit this information to the Justice Administrative
884 Commission.

885 (3) In using a registry:

886 (a) The chief judge of the circuit shall compile a list of
887 attorneys in private practice, by county and by category of
888 cases, and provide the list to the clerk of court in each
889 county. The chief judge of the circuit may restrict the number
890 of attorneys on the general registry list. To be included on a
891 registry, an attorney must certify that he or she:

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

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

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

898

899 To be included on a registry, an attorney must enter into a

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900 contract for services with the Justice Administrative
901 Commission. Failure to comply with the terms of the contract for
902 services may result in termination of the contract and removal
903 from the registry. Each attorney on the registry is responsible
904 for notifying the clerk of the court and the Justice
905 Administrative Commission of any change in his or her status.
906 Failure to comply with this requirement is cause for termination
907 of the contract for services and removal from the registry until
908 the requirement is fulfilled.

909 (5) The Justice Administrative Commission shall approve
910 uniform contract forms for use in procuring the services of
911 private court-appointed counsel and uniform procedures and forms
912 for use by a court-appointed attorney in support of billing for
913 attorney's fees, costs, and related expenses to demonstrate the
914 attorney's completion of specified duties. Such uniform
915 contracts and forms for use in billing must be consistent with
916 s. 27.5304, s. 216.311, and the General Appropriations Act and
917 must contain the following statement: "The State of Florida's
918 performance and obligation to pay under this contract is
919 contingent upon an annual appropriation by the Legislature."

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

924 (7) (a) A private attorney appointed by the court from the
925 registry to represent a client is entitled to payment as
926 provided in s. 27.5304 so long as the requirements of subsection
927 (1) and paragraph (2) (a) are met. An attorney appointed by the
928 court who is not on the registry list may be compensated under

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929 s. 27.5304 only if the court finds in the order of appointment
930 that there were no registry attorneys available for
931 representation for that case and only if the requirements of
932 subsection (1) and paragraph (2)(a) are met.

933 (b)1. The flat fee established in s. 27.5304 and the
934 General Appropriations Act shall be presumed by the court to be
935 sufficient compensation. The attorney shall maintain appropriate
936 documentation, including contemporaneous and detailed hourly
937 accounting of time spent representing the client. If the
938 attorney fails to maintain such contemporaneous and detailed
939 hourly records, the attorney waives the right to seek
940 compensation in excess of the flat fee established in s. 27.5304
941 and the General Appropriations Act. These records and documents
942 are subject to review by the Justice Administrative Commission
943 and audit by the Auditor General, subject to the attorney-client
944 privilege and work-product privilege. The attorney shall
945 maintain the records and documents in a manner that enables the
946 attorney to redact any information subject to a privilege in
947 order to facilitate the commission's review of the records and
948 documents and not to impede such review. The attorney may redact
949 information from the records and documents only to the extent
950 necessary to comply with the privilege. The Justice
951 Administrative Commission shall review such records and shall
952 contemporaneously document such review before authorizing
953 payment to an attorney. Objections by or on behalf of the
954 Justice Administrative Commission to records or documents or to
955 claims for payment by the attorney shall be presumed correct by
956 the court unless the court determines, in writing, that
957 competent and substantial evidence exists to justify overcoming

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958 the presumption.

959 2. If an attorney fails, refuses, or declines to permit the
960 commission or the Auditor General to review documentation for a
961 case as provided in this paragraph, the attorney waives the
962 right to seek, and the commission may not pay, compensation in
963 excess of the flat fee established in s. 27.5304 and the General
964 Appropriations Act for that case.

965 3. A finding by the commission that an attorney has waived
966 the right to seek compensation in excess of the flat fee
967 established in s. 27.5304 and the General Appropriations Act, as
968 provided in this paragraph, shall be presumed to be correct,
969 unless the court determines, in writing, that competent and
970 substantial evidence exists to justify overcoming the
971 presumption.

972 Section 27. In order to implement Specific Appropriations
973 736 through 757, 905 through 1048, and 1069 through 1104 of the
974 2021-2022 General Appropriations Act, and notwithstanding the
975 expiration date in section 59 of chapter 2020-114, Laws of
976 Florida, subsection (13) of section 27.5304, Florida Statutes,
977 is amended, and subsections (1), (3), (7), and (11), and
978 paragraphs (a) through (e) of subsection (12) of that section
979 are reenacted, to read:

980 27.5304 Private court-appointed counsel; compensation;
981 notice.—

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

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987 specific flat fee amounts for compensation shall be established
988 annually in the General Appropriations Act. The attorney also
989 shall be reimbursed for reasonable and necessary expenses in
990 accordance with s. 29.007. If the attorney is representing a
991 defendant charged with more than one offense in the same case,
992 the attorney shall be compensated at the rate provided for the
993 most serious offense for which he or she represented the
994 defendant. This section does not allow stacking of the fee
995 limits established by this section.

996 (3) The court retains primary authority and responsibility
997 for determining the reasonableness of all billings for attorney
998 fees, costs, and related expenses, subject to statutory
999 limitations and the requirements of s. 27.40(7). Private court-
1000 appointed counsel is entitled to compensation upon final
1001 disposition of a case.

1002 (7) Counsel eligible to receive compensation from the state
1003 for representation pursuant to court appointment made in
1004 accordance with the requirements of s. 27.40(1) and (2)(a) in a
1005 proceeding under chapter 384, chapter 390, chapter 392, chapter
1006 393, chapter 394, chapter 397, chapter 415, chapter 743, chapter
1007 744, or chapter 984 shall receive compensation not to exceed the
1008 limits prescribed in the General Appropriations Act. Any such
1009 compensation must be determined as provided in s. 27.40(7).

1010 (11) It is the intent of the Legislature that the flat fees
1011 prescribed under this section and the General Appropriations Act
1012 comprise the full and complete compensation for private court-
1013 appointed counsel. It is further the intent of the Legislature
1014 that the fees in this section are prescribed for the purpose of
1015 providing counsel with notice of the limit on the amount of

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1016 compensation for representation in particular proceedings and
1017 the sole procedure and requirements for obtaining payment for
1018 the same.

1019 (a) If court-appointed counsel moves to withdraw prior to
1020 the full performance of his or her duties through the completion
1021 of the case, the court shall presume that the attorney is not
1022 entitled to the payment of the full flat fee established under
1023 this section and the General Appropriations Act.

1024 (b) If court-appointed counsel is allowed to withdraw from
1025 representation prior to the full performance of his or her
1026 duties through the completion of the case and the court appoints
1027 a subsequent attorney, the total compensation for the initial
1028 and any and all subsequent attorneys may not exceed the flat fee
1029 established under this section and the General Appropriations
1030 Act, except as provided in subsection (12).

1031
1032 This subsection constitutes notice to any subsequently appointed
1033 attorney that he or she will not be compensated the full flat
1034 fee.

1035 (12) The Legislature recognizes that on rare occasions an
1036 attorney may receive a case that requires extraordinary and
1037 unusual effort.

1038 (a) If counsel seeks compensation that exceeds the limits
1039 prescribed by law, he or she must file a motion with the chief
1040 judge for an order approving payment of attorney fees in excess
1041 of these limits.

1042 1. Before filing the motion, the counsel shall deliver a
1043 copy of the intended billing, together with supporting
1044 affidavits and all other necessary documentation, to the Justice

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1045 Administrative Commission.

1046 2. The Justice Administrative Commission shall review the
1047 billings, affidavit, and documentation for completeness and
1048 compliance with contractual and statutory requirements and shall
1049 contemporaneously document such review before authorizing
1050 payment to an attorney. If the Justice Administrative Commission
1051 objects to any portion of the proposed billing, the objection
1052 and supporting reasons must be communicated in writing to the
1053 private court-appointed counsel. The counsel may thereafter file
1054 his or her motion, which must specify whether the commission
1055 objects to any portion of the billing or the sufficiency of
1056 documentation, and shall attach the commission's letter stating
1057 its objection.

1058 (b) Following receipt of the motion to exceed the fee
1059 limits, the chief judge or a single designee shall hold an
1060 evidentiary hearing. The chief judge may select only one judge
1061 per circuit to hear and determine motions pursuant to this
1062 subsection, except multicounty circuits and the eleventh circuit
1063 may have up to two designees.

1064 1. At the hearing, the attorney seeking compensation must
1065 prove by competent and substantial evidence that the case
1066 required extraordinary and unusual efforts. The chief judge or
1067 single designee shall consider criteria such as the number of
1068 witnesses, the complexity of the factual and legal issues, and
1069 the length of trial. The fact that a trial was conducted in a
1070 case does not, by itself, constitute competent substantial
1071 evidence of an extraordinary and unusual effort. In a criminal
1072 case, relief under this section may not be granted if the number
1073 of work hours does not exceed 75 or the number of the state's

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1074 witnesses deposed does not exceed 20.

1075 2. Objections by or on behalf of the Justice Administrative
1076 Commission to records or documents or to claims for payment by
1077 the attorney shall be presumed correct by the court unless the
1078 court determines, in writing, that competent and substantial
1079 evidence exists to justify overcoming the presumption. The chief
1080 judge or single designee shall enter a written order detailing
1081 his or her findings and identifying the extraordinary nature of
1082 the time and efforts of the attorney in the case which warrant
1083 exceeding the flat fee established by this section and the
1084 General Appropriations Act.

1085 (c) A copy of the motion and attachments shall be served on
1086 the Justice Administrative Commission at least 20 business days
1087 before the date of a hearing. The Justice Administrative
1088 Commission has standing to appear before the court, and may
1089 appear in person or telephonically, including at the hearing
1090 under paragraph (b), to contest any motion for an order
1091 approving payment of attorney fees, costs, or related expenses
1092 and may participate in a hearing on the motion by use of
1093 telephonic or other communication equipment. The Justice
1094 Administrative Commission may contract with other public or
1095 private entities or individuals to appear before the court for
1096 the purpose of contesting any motion for an order approving
1097 payment of attorney fees, costs, or related expenses. The fact
1098 that the Justice Administrative Commission has not objected to
1099 any portion of the billing or to the sufficiency of the
1100 documentation is not binding on the court.

1101 (d) If the chief judge or a single designee finds that
1102 counsel has proved by competent and substantial evidence that

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1103 the case required extraordinary and unusual efforts, the chief
1104 judge or single designee shall order the compensation to be paid
1105 to the attorney at a percentage above the flat fee rate,
1106 depending on the extent of the unusual and extraordinary effort
1107 required. The percentage must be only the rate necessary to
1108 ensure that the fees paid are not confiscatory under common law.
1109 The percentage may not exceed 200 percent of the established
1110 flat fee, absent a specific finding that 200 percent of the flat
1111 fee in the case would be confiscatory. If the chief judge or
1112 single designee determines that 200 percent of the flat fee
1113 would be confiscatory, he or she shall order the amount of
1114 compensation using an hourly rate not to exceed \$75 per hour for
1115 a noncapital case and \$100 per hour for a capital case. However,
1116 the compensation calculated by using the hourly rate shall be
1117 only that amount necessary to ensure that the total fees paid
1118 are not confiscatory, subject to the requirements of s.
1119 27.40(7).

1120 (e) Any order granting relief under this subsection must be
1121 attached to the final request for a payment submitted to the
1122 Justice Administrative Commission and must satisfy the
1123 requirements of subparagraph (b)2.

1124 (13) Notwithstanding the limitation set forth in subsection
1125 (5) and for the 2021-2022 ~~2020-2021~~ fiscal year only, the
1126 compensation for representation in a criminal proceeding may not
1127 exceed the following:

1128 (a) For misdemeanors and juveniles represented at the trial
1129 level: \$1,000.

1130 (b) For noncapital, nonlife felonies represented at the
1131 trial level: \$15,000.

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1132 (c) For life felonies represented at the trial level:
1133 \$15,000.

1134 (d) For capital cases represented at the trial level:
1135 \$25,000. For purposes of this paragraph, a "capital case" is any
1136 offense for which the potential sentence is death and the state
1137 has not waived seeking the death penalty.

1138 (e) For representation on appeal: \$9,000.

1139 (f) This subsection expires July 1, 2022 ~~2021~~.

1140 Section 28. The amendments to s. 27.40(1), (2)(a), (3)(a),
1141 (5), (6), and (7), Florida Statutes, and s. 27.5304(1), (3),
1142 (7), (11), and (12)(a)-(e), Florida Statutes, as carried forward
1143 from chapter 2019-116, Laws of Florida, by this act, expire July
1144 1, 2022, and the text of those subsections and paragraphs, as
1145 applicable, shall revert to that in existence on June 30, 2019,
1146 except that any amendments to such text enacted other than by
1147 this act shall be preserved and continue to operate to the
1148 extent that such amendments are not dependent upon the portions
1149 of text which expire pursuant to this section.

1150 Section 29. In order to implement Specific Appropriations
1151 1076, 1078, 1080, and 1082 of the 2021-2022 General
1152 Appropriations Act, section 27.403, Florida Statutes, is created
1153 to read:

1154 27.403 Cross-Jurisdictional Death Penalty Pilot Program.—

1155 (1) The Cross-Jurisdictional Death Penalty Pilot Program is
1156 established within the office of criminal conflict and civil
1157 regional counsel for the region comprising the Second Appellate
1158 District.

1159 (2) Notwithstanding ss. 27.40 and 27.5305, if the public
1160 defender in the Fifth Judicial Circuit or the Ninth Judicial

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1161 Circuit is unable to provide representation to an indigent
1162 defendant charged with a crime under s. 782.04(1), s.
1163 790.161(4), or s. 921.141 due to a conflict of interest and the
1164 criminal conflict and civil regional counsel for the region
1165 comprising the Fifth Appellate District is also unable to
1166 provide representation to such defendant due to a conflict of
1167 interest, the criminal conflict and civil regional counsel for
1168 the region comprising the Second Appellate District shall be
1169 appointed. If the criminal conflict and civil regional counsel
1170 for the region comprising the Second Appellate District is
1171 unable to provide representation due to a conflict of interest,
1172 then private counsel shall be appointed.

1173 (3) The Cross-Jurisdictional Death Penalty Pilot Program
1174 expires June 30, 2022. However, appointments made pursuant to
1175 this section before June 30, 2022, shall continue until
1176 completion of the case.

1177 (4) This section expires July 1, 2022.

1178 Section 30. In order to implement Specific Appropriation
1179 741 of the 2021-2022 General Appropriations Act, and
1180 notwithstanding s. 28.35, Florida Statutes, the clerks of the
1181 circuit court are responsible for any costs of compensation to
1182 jurors, for meals or lodging provided to jurors, and for jury-
1183 related personnel costs that exceed the funding provided in the
1184 General Appropriations Act for these purposes. This section
1185 expires July 1, 2022.

1186 Section 31. In order to implement Specific Appropriations
1187 1105 through 1187A of the 2021-2022 General Appropriations Act,
1188 and notwithstanding the expiration date in section 65 of chapter
1189 2020-114, Laws of Florida, subsections (2) and (3) of section

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1190 20.316, Florida Statutes, are reenacted to read:

1191 20.316 Department of Juvenile Justice.—There is created a
1192 Department of Juvenile Justice.

1193 (2) DEPARTMENT PROGRAMS.—The following programs are
1194 established within the Department of Juvenile Justice:

1195 (a) Accountability and Program Support.

1196 (b) Administration.

1197 (c) Intake and Detention.

1198 (d) Prevention.

1199 (e) Probation and Community Corrections.

1200 (f) Residential and Correctional Facilities.

1201

1202 The secretary may establish assistant secretary positions and a
1203 chief of staff position as necessary to administer the
1204 requirements of this section.

1205 (3) JUVENILE JUSTICE OPERATING CIRCUITS.—The department
1206 shall plan and administer its programs through a substate
1207 structure that conforms to the boundaries of the judicial
1208 circuits prescribed in s. 26.021. A county may seek placement in
1209 a juvenile justice operating circuit other than as prescribed in
1210 s. 26.021 for participation in the Prevention Program and the
1211 Probation and Community Corrections Program by making a request
1212 of the chief circuit judge in each judicial circuit affected by
1213 such request. Upon a showing that geographic proximity,
1214 community identity, or other legitimate concern for efficiency
1215 of operations merits alternative placement, each affected chief
1216 circuit judge may authorize the execution of an interagency
1217 agreement specifying the alternative juvenile justice operating
1218 circuit in which the county is to be placed and the basis for

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1219 the alternative placement. Upon the execution of said
1220 interagency agreement by each affected chief circuit judge, the
1221 secretary may administratively place a county in an alternative
1222 juvenile justice operating circuit pursuant to the agreement.

1223 Section 32. The amendments to s. 20.316(2) and (3), Florida
1224 Statutes, as carried forward from chapter 2020-114, Laws of
1225 Florida, by this act, expire July 1, 2022, and the text of those
1226 subsections shall revert to that in existence on June 30, 2020,
1227 except that any amendments to such text enacted other than this
1228 act shall be preserved and continue to operate to the extent
1229 that such amendments are not dependent upon the portions of text
1230 which expire pursuant to this section.

1231 Section 33. In order to implement appropriations used to
1232 pay existing lease contracts for private lease space in excess
1233 of 2,000 square feet in the 2021-2022 General Appropriations
1234 Act, the Department of Management Services, with the cooperation
1235 of the agencies having the existing lease contracts for office
1236 or storage space, shall use tenant broker services to
1237 renegotiate or reprocure all private lease agreements for office
1238 or storage space expiring between July 1, 2022, and June 30,
1239 2024, in order to reduce costs in future years. The department
1240 shall incorporate this initiative into its 2021 master leasing
1241 report required under s. 255.249(7), Florida Statutes, and may
1242 use tenant broker services to explore the possibilities of
1243 collocating office or storage space, to review the space needs
1244 of each agency, and to review the length and terms of potential
1245 renewals or renegotiations. The department shall provide a
1246 report to the Executive Office of the Governor, the President of
1247 the Senate, and the Speaker of the House of Representatives by

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1248 November 1, 2021, which lists each lease contract for private
1249 office or storage space, the status of renegotiations, and the
1250 savings achieved. This section expires July 1, 2022.

1251 Section 34. In order to implement appropriations authorized
1252 in the 2021-2022 General Appropriations Act for data center
1253 services, and notwithstanding s. 216.292(2)(a), Florida
1254 Statutes, an agency may not transfer funds from a data
1255 processing category to a category other than another data
1256 processing category. This section expires July 1, 2022.

1257 Section 35. In order to implement the appropriation of
1258 funds in the appropriation category "Data Processing Assessment-
1259 Department of Management Services" in the 2021-2022 General
1260 Appropriations Act, and pursuant to the notice, review, and
1261 objection procedures of s. 216.177, Florida Statutes, the
1262 Executive Office of the Governor may transfer funds appropriated
1263 in that category between departments in order to align the
1264 budget authority granted based on the estimated billing cycle
1265 and methodology used by the Department of Management Services
1266 for data processing services provided. This section expires July
1267 1, 2022.

1268 Section 36. In order to implement the appropriation of
1269 funds in the appropriation category "Special Categories-Risk
1270 Management Insurance" in the 2021-2022 General Appropriations
1271 Act, and pursuant to the notice, review, and objection
1272 procedures of s. 216.177, Florida Statutes, the Executive Office
1273 of the Governor may transfer funds appropriated in that category
1274 between departments in order to align the budget authority
1275 granted with the premiums paid by each department for risk
1276 management insurance. This section expires July 1, 2022.

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1277 Section 37. In order to implement the appropriation of
1278 funds in the appropriation category "Special Categories-Transfer
1279 to Department of Management Services-Human Resources Services
1280 Purchased per Statewide Contract" in the 2021-2022 General
1281 Appropriations Act, and pursuant to the notice, review, and
1282 objection procedures of s. 216.177, Florida Statutes, the
1283 Executive Office of the Governor may transfer funds appropriated
1284 in that category between departments in order to align the
1285 budget authority granted with the assessments that must be paid
1286 by each agency to the Department of Management Services for
1287 human resource management services. This section expires July 1,
1288 2022.

1289 Section 38. In order to implement Specific Appropriations
1290 2343 through 2346 of the 2021-2022 General Appropriations Act:

1291 (1) The Department of Financial Services shall replace the
1292 four main components of the Florida Accounting Information
1293 Resource Subsystem (FLAIR), which include central FLAIR,
1294 departmental FLAIR, payroll, and information warehouse, and
1295 shall replace the cash management and accounting management
1296 components of the Cash Management Subsystem (CMS) with an
1297 integrated enterprise system that allows the state to organize,
1298 define, and standardize its financial management business
1299 processes and that complies with ss. 215.90-215.96, Florida
1300 Statutes. The department may not include in the replacement of
1301 FLAIR and CMS:

1302 (a) Functionality that duplicates any of the other
1303 information subsystems of the Florida Financial Management
1304 Information System; or

1305 (b) Agency business processes related to any of the

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1306 functions included in the Personnel Information System, the
1307 Purchasing Subsystem, or the Legislative Appropriations
1308 System/Planning and Budgeting Subsystem.

1309 (2) For purposes of replacing FLAIR and CMS, the Department
1310 of Financial Services shall:

1311 (a) Take into consideration the cost and implementation
1312 data identified for Option 3 as recommended in the March 31,
1313 2014, Florida Department of Financial Services FLAIR Study,
1314 version 031.

1315 (b) Ensure that all business requirements and technical
1316 specifications have been provided to all state agencies for
1317 their review and input and approved by the executive steering
1318 committee established in paragraph (c).

1319 (c) Implement a project governance structure that includes
1320 an executive steering committee composed of:

1321 1. The Chief Financial Officer or the executive sponsor of
1322 the project.

1323 2. A representative of the Division of Treasury of the
1324 Department of Financial Services, appointed by the Chief
1325 Financial Officer.

1326 3. A representative of the Division of Information Systems
1327 of the Department of Financial Services, appointed by the Chief
1328 Financial Officer.

1329 4. Four employees from the Division of Accounting and
1330 Auditing of the Department of Financial Services, appointed by
1331 the Chief Financial Officer. Each employee must have experience
1332 relating to at least one of the four main components that
1333 compose FLAIR.

1334 5. Two employees from the Executive Office of the Governor,

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1335 appointed by the Governor. One employee must have experience
1336 relating to the Legislative Appropriations System/Planning and
1337 Budgeting Subsystem.

1338 6. One employee from the Department of Revenue, appointed
1339 by the executive director, who has experience relating to the
1340 department's SUNTAX system.

1341 7. Two employees from the Department of Management
1342 Services, appointed by the Secretary of Management Services. One
1343 employee must have experience relating to the department's
1344 personnel information subsystem and one employee must have
1345 experience relating to the department's purchasing subsystem.

1346 8. Three state agency administrative services directors,
1347 appointed by the Governor. One director must represent a
1348 regulatory and licensing state agency and one director must
1349 represent a health care-related state agency.

1350 (3) The Chief Financial Officer or the executive sponsor of
1351 the project shall serve as chair of the executive steering
1352 committee, and the committee shall take action by a vote of at
1353 least eight affirmative votes with the Chief Financial Officer
1354 or the executive sponsor of the project voting on the prevailing
1355 side. A quorum of the executive steering committee consists of
1356 at least 10 members.

1357 (4) The executive steering committee has the overall
1358 responsibility for ensuring that the project to replace FLAIR
1359 and CMS meets its primary business objectives and shall:

1360 (a) Identify and recommend to the Executive Office of the
1361 Governor, the President of the Senate, and the Speaker of the
1362 House of Representatives any statutory changes needed to
1363 implement the replacement subsystem that will standardize, to

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1364 the fullest extent possible, the state's financial management
1365 business processes.

1366 (b) Review and approve any changes to the project's scope,
1367 schedule, and budget which do not conflict with the requirements
1368 of subsection (1).

1369 (c) Ensure that adequate resources are provided throughout
1370 all phases of the project.

1371 (d) Approve all major project deliverables.

1372 (e) Approve all solicitation-related documents associated
1373 with the replacement of FLAIR and CMS.

1374 (5) This section expires July 1, 2022.

1375 Section 39. In order to implement Specific Appropriation
1376 1603 of the 2021-2022 General Appropriations Act, paragraph (d)
1377 of subsection (11) of section 216.181, Florida Statutes, is
1378 amended to read:

1379 216.181 Approved budgets for operations and fixed capital
1380 outlay.—

1381 (11)

1382 (d) Notwithstanding paragraph (b) and paragraph (2)(b), and
1383 for the 2021-2022 ~~2020-2021~~ fiscal year only, the Legislative
1384 Budget Commission may increase the amounts appropriated to the
1385 Fish and Wildlife Conservation Commission or the Department of
1386 Environmental Protection for fixed capital outlay projects,
1387 including additional fixed capital outlay projects, using funds
1388 provided to the state from the Gulf Environmental Benefit Fund
1389 administered by the National Fish and Wildlife Foundation; funds
1390 provided to the state from the Gulf Coast Restoration Trust Fund
1391 related to the Resources and Ecosystems Sustainability, Tourist
1392 Opportunities, and Revived Economies of the Gulf Coast Act of

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1393 2012 (RESTORE Act); or funds provided by the British Petroleum
1394 Corporation (BP) for natural resource damage assessment
1395 restoration projects. Concurrent with submission of an amendment
1396 to the Legislative Budget Commission pursuant to this paragraph,
1397 any project that carries a continuing commitment for future
1398 appropriations by the Legislature must be specifically
1399 identified, together with the projected amount of the future
1400 commitment associated with the project and the fiscal years in
1401 which the commitment is expected to commence. This paragraph
1402 expires July 1, 2022 ~~2021~~.

1403
1404 The provisions of this subsection are subject to the notice and
1405 objection procedures set forth in s. 216.177.

1406 Section 40. In order to implement specific appropriations
1407 from the land acquisition trust funds within the Department of
1408 Agriculture and Consumer Services, the Department of
1409 Environmental Protection, the Department of State, and the Fish
1410 and Wildlife Conservation Commission, which are contained in the
1411 2021-2022 General Appropriations Act, subsection (3) of section
1412 215.18, Florida Statutes, is amended to read:

1413 215.18 Transfers between funds; limitation.—

1414 (3) Notwithstanding subsection (1) and only with respect to
1415 a land acquisition trust fund in the Department of Agriculture
1416 and Consumer Services, the Department of Environmental
1417 Protection, the Department of State, or the Fish and Wildlife
1418 Conservation Commission, whenever there is a deficiency in a
1419 land acquisition trust fund which would render that trust fund
1420 temporarily insufficient to meet its just requirements,
1421 including the timely payment of appropriations from that trust

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1422 fund, and other trust funds in the State Treasury have moneys
1423 that are for the time being or otherwise in excess of the
1424 amounts necessary to meet the just requirements, including
1425 appropriated obligations, of those other trust funds, the
1426 Governor may order a temporary transfer of moneys from one or
1427 more of the other trust funds to a land acquisition trust fund
1428 in the Department of Agriculture and Consumer Services, the
1429 Department of Environmental Protection, the Department of State,
1430 or the Fish and Wildlife Conservation Commission. Any action
1431 proposed pursuant to this subsection is subject to the notice,
1432 review, and objection procedures of s. 216.177, and the Governor
1433 shall provide notice of such action at least 7 days before the
1434 effective date of the transfer of trust funds, except that
1435 during July 2021 ~~2020~~, notice of such action shall be provided
1436 at least 3 days before the effective date of a transfer unless
1437 such 3-day notice is waived by the chair and vice-chair of the
1438 Legislative Budget Commission. Any transfer of trust funds to a
1439 land acquisition trust fund in the Department of Agriculture and
1440 Consumer Services, the Department of Environmental Protection,
1441 the Department of State, or the Fish and Wildlife Conservation
1442 Commission must be repaid to the trust funds from which the
1443 moneys were loaned by the end of the 2021-2022 ~~2020-2021~~ fiscal
1444 year. The Legislature has determined that the repayment of the
1445 other trust fund moneys temporarily loaned to a land acquisition
1446 trust fund in the Department of Agriculture and Consumer
1447 Services, the Department of Environmental Protection, the
1448 Department of State, or the Fish and Wildlife Conservation
1449 Commission pursuant to this subsection is an allowable use of
1450 the moneys in a land acquisition trust fund because the moneys

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1451 from other trust funds temporarily loaned to a land acquisition
1452 trust fund shall be expended solely and exclusively in
1453 accordance with s. 28, Art. X of the State Constitution. This
1454 subsection expires July 1, 2022 ~~2021~~.

1455 Section 41. (1) In order to implement specific
1456 appropriations from the land acquisition trust funds within the
1457 Department of Agriculture and Consumer Services, the Department
1458 of Environmental Protection, the Department of State, and the
1459 Fish and Wildlife Conservation Commission, which are contained
1460 in the 2021-2022 General Appropriations Act, the Department of
1461 Environmental Protection shall transfer revenues from the Land
1462 Acquisition Trust Fund within the department to the land
1463 acquisition trust funds within the Department of Agriculture and
1464 Consumer Services, the Department of State, and the Fish and
1465 Wildlife Conservation Commission, as provided in this section.
1466 As used in this section, the term "department" means the
1467 Department of Environmental Protection.

1468 (2) After subtracting any required debt service payments,
1469 the proportionate share of revenues to be transferred to each
1470 land acquisition trust fund shall be calculated by dividing the
1471 appropriations from each of the land acquisition trust funds for
1472 the fiscal year by the total appropriations from the Land
1473 Acquisition Trust Fund within the department and the land
1474 acquisition trust funds within the Department of Agriculture and
1475 Consumer Services, the Department of State, and the Fish and
1476 Wildlife Conservation Commission for the fiscal year. The
1477 department shall transfer the proportionate share of the
1478 revenues in the Land Acquisition Trust Fund within the
1479 department on a monthly basis to the appropriate land

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1480 acquisition trust funds within the Department of Agriculture and
1481 Consumer Services, the Department of State, and the Fish and
1482 Wildlife Conservation Commission and shall retain its
1483 proportionate share of the revenues in the Land Acquisition
1484 Trust Fund within the department. Total distributions to a land
1485 acquisition trust fund within the Department of Agriculture and
1486 Consumer Services, the Department of State, and the Fish and
1487 Wildlife Conservation Commission may not exceed the total
1488 appropriations from such trust fund for the fiscal year.

1489 (3) In addition, the department shall transfer from the
1490 Land Acquisition Trust Fund to land acquisition trust funds
1491 within the Department of Agriculture and Consumer Services, the
1492 Department of State, and the Fish and Wildlife Conservation
1493 Commission amounts equal to the difference between the amounts
1494 appropriated in chapter 2020-111, Laws of Florida, to the
1495 department's Land Acquisition Trust Fund and the other land
1496 acquisition trust funds, and the amounts actually transferred
1497 between those trust funds during the 2020-2021 fiscal year.

1498 (4) The department may advance funds from the beginning
1499 unobligated fund balance in the Land Acquisition Trust Fund to
1500 the Land Acquisition Trust Fund within the Fish and Wildlife
1501 Conservation Commission needed for cash flow purposes based on a
1502 detailed expenditure plan. The department shall prorate amounts
1503 transferred quarterly to the Fish and Wildlife Conservation
1504 Commission to recoup the amount of funds advanced by June 30,
1505 2022.

1506 (5) This section expires July 1, 2022.

1507 Section 42. In order to implement appropriations from the
1508 Land Acquisition Trust Fund within the Department of

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1509 Environmental Protection in the 2021-2022 General Appropriations
1510 Act, paragraph (b) of subsection (3) of section 375.041, Florida
1511 Statutes, is amended to read:

1512 375.041 Land Acquisition Trust Fund.—

1513 (3) Funds distributed into the Land Acquisition Trust Fund
1514 pursuant to s. 201.15 shall be applied:

1515 (b) Of the funds remaining after the payments required
1516 under paragraph (a), but before funds may be appropriated,
1517 pledged, or dedicated for other uses:

1518 1. A minimum of the lesser of 25 percent or \$200 million
1519 shall be appropriated annually for Everglades projects that
1520 implement the Comprehensive Everglades Restoration Plan as set
1521 forth in s. 373.470, including the Central Everglades Planning
1522 Project subject to Congressional authorization; the Long-Term
1523 Plan as defined in s. 373.4592(2); and the Northern Everglades
1524 and Estuaries Protection Program as set forth in s. 373.4595.
1525 From these funds, \$32 million shall be distributed each fiscal
1526 year through the 2023-2024 fiscal year to the South Florida
1527 Water Management District for the Long-Term Plan as defined in
1528 s. 373.4592(2). After deducting the \$32 million distributed
1529 under this subparagraph, from the funds remaining, a minimum of
1530 the lesser of 76.5 percent or \$100 million shall be appropriated
1531 each fiscal year through the 2025-2026 fiscal year for the
1532 planning, design, engineering, and construction of the
1533 Comprehensive Everglades Restoration Plan as set forth in s.
1534 373.470, including the Central Everglades Planning Project, the
1535 Everglades Agricultural Area Storage Reservoir Project, the Lake
1536 Okeechobee Watershed Project, the C-43 West Basin Storage
1537 Reservoir Project, the Indian River Lagoon-South Project, the

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1538 Western Everglades Restoration Project, and the Picayune Strand
1539 Restoration Project. The Department of Environmental Protection
1540 and the South Florida Water Management District shall give
1541 preference to those Everglades restoration projects that reduce
1542 harmful discharges of water from Lake Okeechobee to the St.
1543 Lucie or Caloosahatchee estuaries in a timely manner. For the
1544 purpose of performing the calculation provided in this
1545 subparagraph, the amount of debt service paid pursuant to
1546 paragraph (a) for bonds issued after July 1, 2016, for the
1547 purposes set forth under paragraph (b) shall be added to the
1548 amount remaining after the payments required under paragraph
1549 (a). The amount of the distribution calculated shall then be
1550 reduced by an amount equal to the debt service paid pursuant to
1551 paragraph (a) on bonds issued after July 1, 2016, for the
1552 purposes set forth under this subparagraph.

1553 2. A minimum of the lesser of 7.6 percent or \$50 million
1554 shall be appropriated annually for spring restoration,
1555 protection, and management projects. For the purpose of
1556 performing the calculation provided in this subparagraph, the
1557 amount of debt service paid pursuant to paragraph (a) for bonds
1558 issued after July 1, 2016, for the purposes set forth under
1559 paragraph (b) shall be added to the amount remaining after the
1560 payments required under paragraph (a). The amount of the
1561 distribution calculated shall then be reduced by an amount equal
1562 to the debt service paid pursuant to paragraph (a) on bonds
1563 issued after July 1, 2016, for the purposes set forth under this
1564 subparagraph.

1565 3. The sum of \$5 million shall be appropriated annually
1566 each fiscal year through the 2025-2026 fiscal year to the St.

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1567 Johns River Water Management District for projects dedicated to
1568 the restoration of Lake Apopka. This distribution shall be
1569 reduced by an amount equal to the debt service paid pursuant to
1570 paragraph (a) on bonds issued after July 1, 2016, for the
1571 purposes set forth in this subparagraph.

1572 4. The sum of \$64 million is appropriated and shall be
1573 transferred to the Everglades Trust Fund for the 2018-2019
1574 fiscal year, and each fiscal year thereafter, for the EAA
1575 reservoir project pursuant to s. 373.4598. Any funds remaining
1576 in any fiscal year shall be made available only for Phase II of
1577 the C-51 reservoir project or projects identified in
1578 subparagraph 1. and must be used in accordance with laws
1579 relating to such projects. Any funds made available for such
1580 purposes in a fiscal year are in addition to the amount
1581 appropriated under subparagraph 1. This distribution shall be
1582 reduced by an amount equal to the debt service paid pursuant to
1583 paragraph (a) on bonds issued after July 1, 2017, for the
1584 purposes set forth in this subparagraph.

1585 5. Notwithstanding subparagraph 3., for the 2021-2022 ~~2020-~~
1586 ~~2021~~ fiscal year, funds shall be appropriated as provided in the
1587 General Appropriations Act. This subparagraph expires July 1,
1588 2022 ~~2021~~.

1589 Section 43. In order to implement Specific Appropriation
1590 1363 of the 2021-2022 General Appropriations Act, and
1591 notwithstanding the expiration date in section 80 of chapter
1592 2020-114, Laws of Florida, paragraph (a) of subsection (1) of
1593 section 570.93, Florida Statutes, is reenacted to read:

1594 570.93 Department of Agriculture and Consumer Services;
1595 agricultural water conservation and agricultural water supply

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1596 planning.—

1597 (1) The department shall establish an agricultural water
1598 conservation program that includes the following:

1599 (a) A cost-share program, coordinated with the United
1600 States Department of Agriculture and other federal, state,
1601 regional, and local agencies when appropriate, for irrigation
1602 system retrofit and application of mobile irrigation laboratory
1603 evaluations, and for water conservation and water quality
1604 improvement pursuant to s. 403.067(7)(c).

1605 Section 44. The amendment to s. 570.93(1)(a), Florida
1606 Statutes, as carried forward from chapter 2019-116, Laws of
1607 Florida, by this act, expires July 1, 2022, and the text of that
1608 paragraph shall revert to that in existence on June 30, 2019,
1609 except that any amendments to such text enacted other than by
1610 this act shall be preserved and continue to operate to the
1611 extent that such amendments are not dependent upon the portions
1612 of text which expire pursuant to this section.

1613 Section 45. In order to implement Specific Appropriation
1614 1692A of the 2021-2022 General Appropriations Act, paragraph (m)
1615 of subsection (3) of section 259.105, Florida Statutes, is
1616 amended to read:

1617 259.105 The Florida Forever Act.—

1618 (3) Less the costs of issuing and the costs of funding
1619 reserve accounts and other costs associated with bonds, the
1620 proceeds of cash payments or bonds issued pursuant to this
1621 section shall be deposited into the Florida Forever Trust Fund
1622 created by s. 259.1051. The proceeds shall be distributed by the
1623 Department of Environmental Protection in the following manner:

1624 (m) Notwithstanding paragraphs (a)-(j) and for the 2021-

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1625 2022 ~~2020-2021~~ fiscal year, the amount of \$1,998,100 ~~\$6 million~~
1626 to only the Department of Environmental Protection for grants
1627 pursuant to s. 375.075. This paragraph expires July 1, 2022
1628 ~~2021~~.

1629 Section 46. In order to implement Specific Appropriation
1630 1647 of the 2021-2022 General Appropriations Act, subsection
1631 (22) is added to section 161.101, Florida Statutes, to read:

1632 161.101 State and local participation in authorized
1633 projects and studies relating to beach management and erosion
1634 control.—

1635 (22) Notwithstanding this section and ss. 161.143 and
1636 161.161, and for the 2021-2022 fiscal year only, the department
1637 shall fund beach and inlet management projects as specified in
1638 the General Appropriations Act. This subsection expires July 1,
1639 2022.

1640 Section 47. In order to implement Specific Appropriation
1641 1670 of the 2021-2022 General Appropriations Act, and
1642 notwithstanding the expiration date in section 84 of chapter
1643 2020-114, Laws of Florida, paragraph (g) of subsection (15) of
1644 section 376.3071, Florida Statutes, is reenacted to read:

1645 376.3071 Inland Protection Trust Fund; creation; purposes;
1646 funding.—

1647 (15) ETHANOL OR BIODIESEL DAMAGE; PREVENTIVE MEASURES.—The
1648 department shall pay, pursuant to this subsection, up to \$10
1649 million each fiscal year from the fund for the costs of labor
1650 and equipment to repair or replace petroleum storage systems
1651 that may have been damaged due to the storage of fuels blended
1652 with ethanol or biodiesel, or for preventive measures to reduce
1653 the potential for such damage.

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1654 (g) Payments may not be made for the following:

- 1655 1. Proposal costs or costs related to preparation of the
1656 application and required documentation;
- 1657 2. Certified public accountant costs;
- 1658 3. Except as provided in paragraph (j), any costs in excess
1659 of the amount approved by the department under paragraph (b) or
1660 which are not in substantial compliance with the purchase order;
- 1661 4. Costs associated with storage tanks, piping, or
1662 ancillary equipment that has previously been repaired or
1663 replaced for which costs have been paid under this section;
- 1664 5. Facilities that are not in compliance with department
1665 storage tank rules, until the noncompliance issues have been
1666 resolved; or
- 1667 6. Costs associated with damage to petroleum storage
1668 systems caused in whole or in part by causes other than the
1669 storage of fuels blended with ethanol or biodiesel.

1670 Section 48. The amendment to s. 376.3071(15)(g), Florida
1671 Statutes, as carried forward from chapter 2020-114, Laws of
1672 Florida, by this act, expires July 1, 2022, and the text of that
1673 paragraph shall revert to that in existence on July 1, 2020, not
1674 including any amendments made by this act or chapter 2020-114,
1675 Laws of Florida, except that any amendments to such text enacted
1676 other than by this act shall be preserved and continue to
1677 operate to the extent that such amendments are not dependent
1678 upon the portion of text which expires pursuant to this section.

1679 Section 49. In order to implement Specific Appropriation
1680 2604 of the 2021-2022 General Appropriations Act, paragraph (b)
1681 of subsection (3) and subsection (5) of section 321.04, Florida
1682 Statutes, are amended to read:

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1683 321.04 Personnel of the highway patrol; rank
1684 classifications; probationary status of new patrol officers;
1685 subsistence; special assignments.—

1686 (3)

1687 (b) For the 2021-2022 ~~2020-2021~~ fiscal year only, upon the
1688 request of the Governor, the Department of Highway Safety and
1689 Motor Vehicles shall assign one or more patrol officers to the
1690 office of the Lieutenant Governor for security services. This
1691 paragraph expires July 1, 2022 ~~2021~~.

1692 (5) For the 2021-2022 ~~2020-2021~~ fiscal year only, the
1693 assignment of a patrol officer by the department shall include a
1694 Cabinet member specified in s. 4, Art. IV of the State
1695 Constitution if deemed appropriate by the department or in
1696 response to a threat and upon written request of such Cabinet
1697 member. This subsection expires July 1, 2022 ~~2021~~.

1698 Section 50. Effective upon this act becoming a law and in
1699 order to implement Specific Appropriations 2583 and 2592 of the
1700 2021-2022 General Appropriations Act, subsection (7) of section
1701 215.559, Florida Statutes, is amended to read:

1702 215.559 Hurricane Loss Mitigation Program.—A Hurricane Loss
1703 Mitigation Program is established in the Division of Emergency
1704 Management.

1705 (7) This section is repealed June 30, 2022 ~~2021~~.

1706 Section 51. In order to implement section 94 of the 2021-
1707 2022 General Appropriations Act, subsection (4) of section
1708 288.80125, Florida Statutes, is amended to read:

1709 288.80125 Triumph Gulf Coast Trust Fund.—

1710 (4) For the 2021-2022 ~~2020-2021~~ fiscal year, funds shall be
1711 used for the Rebuild Florida Revolving Loan Fund program to

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1712 provide assistance to businesses impacted by Hurricane Michael
1713 as provided in the General Appropriations Act. This subsection
1714 expires July 1, 2022 ~~2021~~.

1715 Section 52. In order to implement Specific Appropriations
1716 1865 through 1878, 1884 through 1887, 1900 through 1908, 1910
1717 through 1919, and 1954 through 1966 of the 2021-2022 General
1718 Appropriations Act, present subsections (15) and (16) of section
1719 337.11, Florida Statutes, are redesignated as subsections (16)
1720 and (17), respectively, and a new subsection (15) is added to
1721 that section, to read:

1722 337.11 Contracting authority of department; bids; emergency
1723 repairs, supplemental agreements, and change orders; combined
1724 design and construction contracts; progress payments; records;
1725 requirements of vehicle registration.-

1726 (15) (a) The department may not enter into a contract with a
1727 consultant for design services or construction engineering and
1728 inspection services related to a construction project which
1729 exceeds 5 percent of the estimated cost of such construction
1730 project without the approval of the secretary.

1731 (b) The department may share a portion of the construction
1732 cost savings realized due to a change in the construction
1733 contract design and scope, initiated after execution of the
1734 contract, with a design services consultant or a construction
1735 engineering and inspection services consultant to the extent
1736 that the consultant's input and involvement contributed to such
1737 savings. The amount paid to a consultant pursuant to this
1738 paragraph may not exceed 5 percent of the construction cost
1739 savings realized.

1740 (c) This subsection expires July 1, 2022.

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1741 Section 53. In order to implement section 116 of the 2021-
 1742 2022 General Appropriations Act, subsection (4) is added to
 1743 section 339.08, Florida Statutes, to read:

1744 339.08 Use of moneys in State Transportation Trust Fund.—

1745 (4) Notwithstanding the provisions of this section and ss.
 1746 215.32(2)(b)4. and 339.09(1), and for the 2021-2022 fiscal year
 1747 only, funds may be transferred from the State Transportation
 1748 Trust Fund to the General Revenue Fund as specified in the
 1749 General Appropriations Act. Notwithstanding ss. 206.46(3) and
 1750 206.606(2), the total amount transferred shall be reduced from
 1751 total state revenues deposited into the State Transportation
 1752 Trust Fund for the calculation requirements of ss. 206.46(3) and
 1753 206.606(2). This subsection expires July 1, 2022.

1754 Section 54. In order to implement Specific Appropriations
 1755 1865 through 1878, 1884 through 1887, 1900 through 1908, 1910
 1756 through 1919, and 1954 through 1966 of the 2021-2022 General
 1757 Appropriations Act, paragraphs (g) and (h) of subsection (7) of
 1758 section 339.135, Florida Statutes, are amended to read:

1759 339.135 Work program; legislative budget request;
 1760 definitions; preparation, adoption, execution, and amendment.—

1761 (7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

1762 (g)1. Any work program amendment which also requires the
 1763 transfer of fixed capital outlay appropriations between
 1764 categories within the department or the increase of an
 1765 appropriation category is subject to the approval of the
 1766 Legislative Budget Commission.

1767 2. If the department submits an amendment to a meeting of
 1768 the Legislative Budget Commission and the commission does not
 1769 meet or consider the amendment ~~cannot be held~~ within 30 days

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1770 after its submittal ~~the department submits an amendment to the~~
1771 ~~Legislative Budget Commission~~, the chair and vice chair of the
1772 Legislative Budget Commission may authorize such amendment to be
1773 approved pursuant to s. 216.177. This subparagraph expires July
1774 1, 2022 ~~2021~~.

1775 (h)1. Any work program amendment that also adds a new
1776 project, or phase thereof, to the adopted work program in excess
1777 of \$3 million is subject to approval by the Legislative Budget
1778 Commission. Any work program amendment submitted under this
1779 paragraph must include, as supplemental information, a list of
1780 projects, or phases thereof, in the current 5-year adopted work
1781 program which are eligible for the funds within the
1782 appropriation category being used for the proposed amendment.
1783 The department shall provide a narrative with the rationale for
1784 not advancing an existing project, or phase thereof, in lieu of
1785 the proposed amendment.

1786 2. If the department submits an amendment to a meeting of
1787 the Legislative Budget Commission and the commission does not
1788 meet or consider the amendment ~~cannot be held~~ within 30 days
1789 after its submittal ~~the department submits an amendment to the~~
1790 ~~commission~~, the chair and vice chair of the commission may
1791 authorize the amendment to be approved pursuant to s. 216.177.
1792 This subparagraph expires July 1, 2022 ~~2021~~.

1793 Section 55. In order to implement Specific Appropriations
1794 2544 of the 2021-2022 General Appropriations Act, paragraph (d)
1795 of subsection (4) of section 112.061, Florida Statutes, is
1796 amended to read:

1797 112.061 Per diem and travel expenses of public officers,
1798 employees, and authorized persons; statewide travel management

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1799 system.—

1800 (4) OFFICIAL HEADQUARTERS.—The official headquarters of an
1801 officer or employee assigned to an office shall be the city or
1802 town in which the office is located except that:

1803 (d) A Lieutenant Governor who permanently resides outside
1804 of Leon County, may, if he or she so requests, have an
1805 appropriate facility in his or her county designated as his or
1806 her official headquarters for purposes of this section. This
1807 official headquarters may only serve as the Lieutenant
1808 Governor's personal office. The Lieutenant Governor may not use
1809 state funds to lease space in any facility for his or her
1810 official headquarters.

1811 1. A Lieutenant Governor for whom an official headquarters
1812 is established in his or her county of residence pursuant to
1813 this paragraph is eligible for subsistence at a rate to be
1814 established by the Governor for each day or partial day that the
1815 Lieutenant Governor is at the State Capitol to conduct official
1816 state business. In addition to the subsistence allowance, a
1817 Lieutenant Governor is eligible for reimbursement for
1818 transportation expenses as provided in subsection (7) for travel
1819 between the Lieutenant Governor's official headquarters and the
1820 State Capitol to conduct state business.

1821 2. Payment of subsistence and reimbursement for
1822 transportation between a Lieutenant Governor's official
1823 headquarters and the State Capitol shall be made to the extent
1824 appropriated funds are available, as determined by the Governor.

1825 3. This paragraph expires July 1, 2022 ~~2021~~.

1826 Section 56. In order to implement the salaries and
1827 benefits, expenses, other personal services, contracted

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1828 services, special categories, and operating capital outlay
1829 categories of the 2021-2022 General Appropriations Act,
1830 paragraph (a) of subsection (2) of section 216.292, Florida
1831 Statutes, is amended to read:

1832 216.292 Appropriations nontransferable; exceptions.—

1833 (2) The following transfers are authorized to be made by
1834 the head of each department or the Chief Justice of the Supreme
1835 Court whenever it is deemed necessary by reason of changed
1836 conditions:

1837 (a) The transfer of appropriations funded from identical
1838 funding sources, except appropriations for fixed capital outlay,
1839 and the transfer of amounts included within the total original
1840 approved budget and plans of releases of appropriations as
1841 furnished pursuant to ss. 216.181 and 216.192, as follows:

1842 1. Between categories of appropriations within a budget
1843 entity, if no category of appropriation is increased or
1844 decreased by more than 5 percent of the original approved budget
1845 or \$250,000, whichever is greater, by all action taken under
1846 this subsection.

1847 2. Between budget entities within identical categories of
1848 appropriations, if no category of appropriation is increased or
1849 decreased by more than 5 percent of the original approved budget
1850 or \$250,000, whichever is greater, by all action taken under
1851 this subsection.

1852 3. Any agency exceeding salary rate established pursuant to
1853 s. 216.181(8) on June 30th of any fiscal year shall not be
1854 authorized to make transfers pursuant to subparagraphs 1. and 2.
1855 in the subsequent fiscal year.

1856 4. Notice of proposed transfers under subparagraphs 1. and

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1857 2. shall be provided to the Executive Office of the Governor and
1858 the chairs of the legislative appropriations committees at least
1859 3 days prior to agency implementation in order to provide an
1860 opportunity for review. The review shall be limited to ensuring
1861 that the transfer is in compliance with the requirements of this
1862 paragraph.

1863 5. For the 2021-2022 ~~2020-2021~~ fiscal year, the review
1864 shall ensure that transfers proposed pursuant to this paragraph
1865 comply with this chapter, maximize the use of available and
1866 appropriate trust funds, and are not contrary to legislative
1867 policy and intent. This subparagraph expires July 1, 2022 ~~2021~~.

1868 Section 57. In order to implement section 8 of the 2021-
1869 2022 General Appropriations Act, notwithstanding s.
1870 110.123(3)(f) and (j), Florida Statutes, the Department of
1871 Management Services shall maintain and offer the same PPO and
1872 HMO health plan alternatives to the participants of the State
1873 Group Health Insurance Program during the 2021-2022 fiscal year
1874 which were in effect for the 2020-2021 fiscal year. This section
1875 expires July 1, 2022.

1876 Section 58. In order to implement the appropriation of
1877 funds in the special categories, contracted services, and
1878 expenses categories of the 2021-2022 General Appropriations Act,
1879 a state agency may not initiate a competitive solicitation for a
1880 product or service if the completion of such competitive
1881 solicitation would:

1882 (1) Require a change in law; or

1883 (2) Require a change to the agency's budget other than a
1884 transfer authorized in s. 216.292(2) or (3), Florida Statutes,
1885 unless the initiation of such competitive solicitation is

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1886 specifically authorized in law, in the General Appropriations
1887 Act, or by the Legislative Budget Commission.

1888
1889 This section does not apply to a competitive solicitation for
1890 which the agency head certifies that a valid emergency exists.

1891 This section expires July 1, 2022.

1892 Section 59. In order to implement appropriations for
1893 salaries and benefits of the 2021-2022 General Appropriations
1894 Act, subsection (6) of section 112.24, Florida Statutes, is
1895 amended to read:

1896 112.24 Intergovernmental interchange of public employees.-
1897 To encourage economical and effective utilization of public
1898 employees in this state, the temporary assignment of employees
1899 among agencies of government, both state and local, and
1900 including school districts and public institutions of higher
1901 education is authorized under terms and conditions set forth in
1902 this section. State agencies, municipalities, and political
1903 subdivisions are authorized to enter into employee interchange
1904 agreements with other state agencies, the Federal Government,
1905 another state, a municipality, or a political subdivision
1906 including a school district, or with a public institution of
1907 higher education. State agencies are also authorized to enter
1908 into employee interchange agreements with private institutions
1909 of higher education and other nonprofit organizations under the
1910 terms and conditions provided in this section. In addition, the
1911 Governor or the Governor and Cabinet may enter into employee
1912 interchange agreements with a state agency, the Federal
1913 Government, another state, a municipality, or a political
1914 subdivision including a school district, or with a public

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1915 institution of higher learning to fill, subject to the
1916 requirements of chapter 20, appointive offices which are within
1917 the executive branch of government and which are filled by
1918 appointment by the Governor or the Governor and Cabinet. Under
1919 no circumstances shall employee interchange agreements be
1920 utilized for the purpose of assigning individuals to participate
1921 in political campaigns. Duties and responsibilities of
1922 interchange employees shall be limited to the mission and goals
1923 of the agencies of government.

1924 (6) For the 2021-2022 ~~2020-2021~~ fiscal year only, the
1925 assignment of an employee of a state agency as provided in this
1926 section may be made if recommended by the Governor or Chief
1927 Justice, as appropriate, and approved by the chairs of the
1928 legislative appropriations committees. Such actions shall be
1929 deemed approved if neither chair provides written notice of
1930 objection within 14 days after receiving notice of the action
1931 pursuant to s. 216.177. This subsection expires July 1, 2022
1932 ~~2021~~.

1933 Section 60. In order to implement Specific Appropriations
1934 2670 and 2671 of the 2021-2022 General Appropriations Act, and
1935 notwithstanding s. 11.13(1), Florida Statutes, the authorized
1936 salaries for members of the Legislature for the 2021-2022 fiscal
1937 year shall be set at the same level in effect on July 1, 2010.
1938 This section expires July 1, 2022.

1939 Section 61. In order to implement the transfer of funds
1940 from the General Revenue Fund from trust funds for the 2021-2022
1941 General Appropriations Act, and notwithstanding the expiration
1942 date in section 102 of chapter 2020-114, Laws of Florida,
1943 paragraph (b) of subsection (2) of section 215.32, Florida

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1944 Statutes, is reenacted to read:

1945 215.32 State funds; segregation.—

1946 (2) The source and use of each of these funds shall be as
1947 follows:

1948 (b)1. The trust funds shall consist of moneys received by
1949 the state which under law or under trust agreement are
1950 segregated for a purpose authorized by law. The state agency or
1951 branch of state government receiving or collecting such moneys
1952 is responsible for their proper expenditure as provided by law.
1953 Upon the request of the state agency or branch of state
1954 government responsible for the administration of the trust fund,
1955 the Chief Financial Officer may establish accounts within the
1956 trust fund at a level considered necessary for proper
1957 accountability. Once an account is established, the Chief
1958 Financial Officer may authorize payment from that account only
1959 upon determining that there is sufficient cash and releases at
1960 the level of the account.

1961 2. In addition to other trust funds created by law, to the
1962 extent possible, each agency shall use the following trust funds
1963 as described in this subparagraph for day-to-day operations:

1964 a. Operations or operating trust fund, for use as a
1965 depository for funds to be used for program operations funded by
1966 program revenues, with the exception of administrative
1967 activities when the operations or operating trust fund is a
1968 proprietary fund.

1969 b. Operations and maintenance trust fund, for use as a
1970 depository for client services funded by third-party payors.

1971 c. Administrative trust fund, for use as a depository for
1972 funds to be used for management activities that are departmental

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1973 in nature and funded by indirect cost earnings and assessments
1974 against trust funds. Proprietary funds are excluded from the
1975 requirement of using an administrative trust fund.

1976 d. Grants and donations trust fund, for use as a depository
1977 for funds to be used for allowable grant or donor agreement
1978 activities funded by restricted contractual revenue from private
1979 and public nonfederal sources.

1980 e. Agency working capital trust fund, for use as a
1981 depository for funds to be used pursuant to s. 216.272.

1982 f. Clearing funds trust fund, for use as a depository for
1983 funds to account for collections pending distribution to lawful
1984 recipients.

1985 g. Federal grant trust fund, for use as a depository for
1986 funds to be used for allowable grant activities funded by
1987 restricted program revenues from federal sources.

1988
1989 To the extent possible, each agency must adjust its internal
1990 accounting to use existing trust funds consistent with the
1991 requirements of this subparagraph. If an agency does not have
1992 trust funds listed in this subparagraph and cannot make such
1993 adjustment, the agency must recommend the creation of the
1994 necessary trust funds to the Legislature no later than the next
1995 scheduled review of the agency's trust funds pursuant to s.
1996 215.3206.

1997 3. All such moneys are hereby appropriated to be expended
1998 in accordance with the law or trust agreement under which they
1999 were received, subject always to the provisions of chapter 216
2000 relating to the appropriation of funds and to the applicable
2001 laws relating to the deposit or expenditure of moneys in the

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2002 State Treasury.

2003 4.a. Notwithstanding any provision of law restricting the
2004 use of trust funds to specific purposes, unappropriated cash
2005 balances from selected trust funds may be authorized by the
2006 Legislature for transfer to the Budget Stabilization Fund and
2007 General Revenue Fund in the General Appropriations Act.

2008 b. This subparagraph does not apply to trust funds required
2009 by federal programs or mandates; trust funds established for
2010 bond covenants, indentures, or resolutions whose revenues are
2011 legally pledged by the state or public body to meet debt service
2012 or other financial requirements of any debt obligations of the
2013 state or any public body; the Division of Licensing Trust Fund
2014 in the Department of Agriculture and Consumer Services; the
2015 State Transportation Trust Fund; the trust fund containing the
2016 net annual proceeds from the Florida Education Lotteries; the
2017 Florida Retirement System Trust Fund; trust funds under the
2018 management of the State Board of Education or the Board of
2019 Governors of the State University System, where such trust funds
2020 are for auxiliary enterprises, self-insurance, and contracts,
2021 grants, and donations, as those terms are defined by general
2022 law; trust funds that serve as clearing funds or accounts for
2023 the Chief Financial Officer or state agencies; trust funds that
2024 account for assets held by the state in a trustee capacity as an
2025 agent or fiduciary for individuals, private organizations, or
2026 other governmental units; and other trust funds authorized by
2027 the State Constitution.

2028 Section 62. The text of s. 215.32(2)(b), Florida Statutes,
2029 as carried forward from chapter 2011-47, Laws of Florida, by
2030 this act, expires July 1, 2022, and the text of that paragraph

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2031 shall revert to that in existence on June 30, 2011, except that
2032 any amendments to such text enacted other than by this act shall
2033 be preserved and continue to operate to the extent that such
2034 amendments are not dependent upon the portions of text which
2035 expire pursuant to this section.

2036 Section 63. In order to implement appropriations in the
2037 2021-2022 General Appropriations Act for state employee travel,
2038 the funds appropriated to each state agency which may be used
2039 for travel by state employees are limited during the 2021-2022
2040 fiscal year to travel for activities that are critical to each
2041 state agency's mission. Funds may not be used for travel by
2042 state employees to foreign countries, other states, conferences,
2043 staff training activities, or other administrative functions
2044 unless the agency head has approved, in writing, that such
2045 activities are critical to the agency's mission. The agency head
2046 shall consider using teleconferencing and other forms of
2047 electronic communication to meet the needs of the proposed
2048 activity before approving mission-critical travel. This section
2049 does not apply to travel for law enforcement purposes, military
2050 purposes, emergency management activities, or public health
2051 activities. This section expires July 1, 2022.

2052 Section 64. In order to implement appropriations in the
2053 2021-2022 General Appropriations Act for state employee travel
2054 and notwithstanding s. 112.061, Florida Statutes, costs for
2055 lodging associated with a meeting, conference, or convention
2056 organized or sponsored in whole or in part by a state agency or
2057 the judicial branch may not exceed \$175 per day. An employee may
2058 expend his or her own funds for any lodging expenses in excess
2059 of \$175 per day. For purposes of this section, a meeting does

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2060 not include travel activities for conducting an audit,
2061 examination, inspection, or investigation or travel activities
2062 related to a litigation or emergency response. This section
2063 expires July 1, 2022.

2064 Section 65. In order to implement the appropriation of
2065 funds in the special categories, contracted services, and
2066 expenses categories of the 2021-2022 General Appropriations Act,
2067 a state agency may not enter into a contract containing a
2068 nondisclosure clause that prohibits the contractor from
2069 disclosing information relevant to the performance of the
2070 contract to members or staff of the Senate or the House of
2071 Representatives. This section expires July 1, 2022.

2072 Section 66. In order to implement the appropriation of
2073 funds in the special categories, contracted services, and
2074 expenses categories of the 2021-2022 General Appropriations Act,
2075 section 216.1366, Florida Statutes, is reenacted and amended to
2076 read:

2077 216.1366 Contract terms.—

2078 (1) In order to preserve the interest of the state in the
2079 prudent expenditure of state funds, each public agency contract
2080 for services entered into or amended on or after July 1, 2020,
2081 shall authorize the public agency to inspect the:

2082 (a) Financial records, papers, and documents of the
2083 contractor that are directly related to the performance of the
2084 contract or the expenditure of state funds.

2085 (b) Programmatic records, papers, and documents of the
2086 contractor which the public agency determines are necessary to
2087 monitor the performance of the contract or to ensure that the
2088 terms of the contract are being met.

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2089 (2) The contract shall require the contractor to provide
2090 such records, papers, and documents requested by the public
2091 agency within 10 business days after the request is made.

2092 (3) This section expires July 1, 2022 ~~2021~~.

2093 Section 67. In order to implement sections 10 through 17 of
2094 the 2021-2022 General Appropriations Act, the detailed
2095 reversions by state agency, budget entity, appropriation
2096 category, and fund included in the document titled "Fiscal Year
2097 2020-2021 Immediate Reversions" dated March 26, 2021, and filed
2098 with the Secretary of the Senate, are incorporated by reference
2099 for the purpose of displaying calculations used by the
2100 Legislature, consistent with the requirements of state law, in
2101 making appropriations for the 2020-2021 fiscal year. This
2102 section expires July 1, 2022.

2103 Section 68. In order to implement section 8 of the 2021-
2104 2022 General Appropriations Act, and notwithstanding s.
2105 216.181(2)(h), Florida Statutes, state agencies may submit
2106 budget amendments, subject to the notice, review, and objection
2107 procedures of s. 216.177, Florida Statutes, to implement salary
2108 increases necessary to address pay plan compression issues as a
2109 result of the increase of the minimum wage to \$13 per hour. This
2110 section expires July 1, 2022.

2111 Section 69. Any section of this act which implements a
2112 specific appropriation or specifically identified proviso
2113 language in the 2021-2022 General Appropriations Act is void if
2114 the specific appropriation or specifically identified proviso
2115 language is vetoed. Any section of this act which implements
2116 more than one specific appropriation or more than one portion of
2117 specifically identified proviso language in the 2021-2022

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2118 General Appropriations Act is void if all the specific
2119 appropriations or portions of specifically identified proviso
2120 language are vetoed.

2121 Section 70. If any other act passed during the 2021 Regular
2122 Session of the Legislature contains a provision that is
2123 substantively the same as a provision in this act, but that
2124 removes or is otherwise not subject to the future repeal applied
2125 to such provision by this act, the Legislature intends that the
2126 provision in the other act takes precedence and continues to
2127 operate, notwithstanding the future repeal provided by this act.

2128 Section 71. If any provision of this act or its application
2129 to any person or circumstance is held invalid, the invalidity
2130 does not affect other provisions or applications of the act
2131 which can be given effect without the invalid provision or
2132 application, and to this end the provisions of this act are
2133 severable.

2134 Section 72. Except as otherwise expressly provided in this
2135 act and except for this section, which shall take effect upon
2136 this act becoming a law, this act shall take effect July 1,
2137 2021, or, if this act fails to become a law until after that
2138 date, it shall take effect upon becoming a law and shall operate
2139 retroactively to July 1, 2021.