

By the Committee on Appropriations

576-03187-23

20232502__

1 A bill to be entitled
2 An act implementing the 2023-2024 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. 1013.62, F.S.; extending for 1 fiscal
9 year specified charter school capital outlay funding
10 provisions; providing for the future expiration and
11 reversion of specified statutory text; amending s.
12 1011.62, F.S.; extending for 1 fiscal year
13 authorization for the Legislature to provide a funding
14 compression and hold harmless allocation; modifying
15 the manner of prorating appropriations made under the
16 funding compression and hold harmless allocation;
17 revising district school board authorizations relating
18 to categorical funds; providing for the future
19 expiration and reversion of specified statutory text;
20 reenacting s. 1001.26(1), F.S., relating to the public
21 broadcasting program system; providing for the future
22 expiration and reversion of specified statutory text;
23 amending s. 1002.45, F.S.; revising the limitation on
24 enrollment of full-time equivalent virtual students
25 residing outside of school districts; providing for
26 the future expiration and reversion of specified
27 statutory text; amending s. 1011.62, F.S.; revising
28 the cost factor for secondary career education
29 programs; providing for the future expiration and

576-03187-23

20232502__

30 reversion of specified statutory text; amending s.
31 1002.995, F.S.; requiring the Department of Education
32 to provide incentives to school readiness personnel in
33 a specified fiscal year who meet certain requirements;
34 amending s. 1001.42, F.S.; authorizing school
35 districts to adopt specified salary incentives and
36 other strategies under certain circumstances;
37 specifying that certain salary incentives and
38 strategies are not subject to collective bargaining
39 requirements; providing for the future expiration and
40 reversion of specified statutory text; amending s.
41 1009.895, F.S.; deleting definitions; requiring the
42 Open Door Grant Program to be administered by
43 specified entities; providing eligibility
44 requirements; providing what the grant award may
45 cover; providing requirements for the distribution of
46 funds; requiring institutions to make specified
47 reports to the Department of Education; deleting the
48 requirement to distribute a specified grant in certain
49 ratios; providing for the future expiration and
50 reversion of specified statutory text; amending s.
51 1011.62, F.S.; authorizing certain funding in a
52 specified fiscal year to be used to provide salary
53 increases to specified personnel; creating s.
54 1011.687, F.S.; requiring the Education Estimating
55 Conference to include specified forecasts relating to
56 the K-12 scholarship programs; requiring the
57 Department of Education to report certain students in
58 support of the conference; specifying that a school

576-03187-23

20232502__

59 district is not required to report students who are
60 receiving a scholarship under the scholarship
61 programs; providing for the calculation of scholarship
62 awards; establishing the K-12 Education Scholarship
63 Program Allocation; providing requirements relating to
64 funds for the allocation; authorizing the Agency for
65 Health Care Administration, in consultation with the
66 Department of Health, to submit a budget amendment to
67 realign funding for specified purposes; specifying
68 requirements for such realignment; authorizing the
69 agency to request nonoperating budget authority for
70 transferring certain federal funds to the Department
71 of Health; authorizing the Agency for Health Care
72 Administration to submit a budget amendment to realign
73 Medicaid funding for specified purposes, subject to
74 certain limitations; authorizing the Agency for Health
75 Care Administration and the Department of Health to
76 each submit a budget amendment to realign funding
77 within the Florida Kidcare program appropriation
78 categories or increase budget authority for certain
79 purposes; specifying the time period within which each
80 budget amendment must be submitted; amending s.
81 381.986, F.S.; extending for 1 fiscal year the
82 exemption of certain rules pertaining to the medical
83 use of marijuana from certain rulemaking requirements;
84 amending s. 14, chapter 2017-232, Laws of Florida;
85 exempting certain rules pertaining to medical
86 marijuana adopted to replace emergency rules from
87 specified rulemaking requirements; providing for the

576-03187-23

20232502__

88 future expiration and reversion of specified law;
89 authorizing the Agency for Health Care Administration
90 to submit budget amendments seeking additional
91 spending authority to implement specified programs;
92 requiring institutions participating in a specified
93 workforce expansion and education program to provide
94 quarterly reports to the agency; authorizing the
95 agency to submit a budget amendment seeking additional
96 spending authority to implement the Low Income Pool
97 component of the Florida Managed Medical Assistance
98 Demonstration; requiring a signed attestation and
99 acknowledgment for entities relating to the Low Income
100 Pool; authorizing the Department of Children and
101 Families to submit a budget amendment to realign
102 funding within the specified areas of the department
103 based on implementation for the Guardianship
104 Assistance Program; authorizing the Department of
105 Children and Families to submit a budget amendment to
106 realign funding within the Family Safety Program for
107 specified purposes; authorizing the Department of
108 Children and Families, Department of Health, and
109 Agency for Health Care Administration to submit budget
110 amendments to increase budget authority to support
111 certain refugee programs; requiring the Department of
112 Children and Families to submit quarterly reports to
113 the Executive Office of the Governor and the
114 Legislature; requiring certain sheriffs' offices to
115 transfer child protective investigation services to
116 the Department of Children and Families; authorizing

576-03187-23

20232502__

117 the Department of Children and Families to submit
118 budget amendments to realign funding within the Family
119 Safety program for specified purposes; authorizing the
120 Department of Children and Families to submit budget
121 amendments to increase budget authority to support
122 specified federal grant programs; authorizing the
123 Department of Health to submit a budget amendment to
124 increase budget authority for the Supplemental
125 Nutrition Program for Women, Infants, and Children
126 (WIC) and the Child Care Food Program if a certain
127 condition is met; authorizing the Department of Health
128 to submit a budget amendment to increase budget
129 authority for the HIV/AIDS Prevention and Treatment
130 Program if a certain condition is met; authorizing the
131 Department of Health to submit a budget amendment to
132 increase budget authority for the department if
133 additional federal revenues specific to COVID-19
134 relief funds become available; requiring the Agency
135 for Health Care Administration to replace the Florida
136 Medicaid Management Information System (FMMIS) and
137 fiscal agent operations with a specified new system;
138 specifying items that may not be included in the new
139 system; providing directives to the agency related to
140 the new system, the Florida Health Care Connection
141 (FX) system; requiring the agency to meet certain
142 requirements in replacing FMMIS and the current
143 Medicaid fiscal agent; requiring the agency to
144 implement a project governance structure that includes
145 an executive steering committee; providing procedures

576-03187-23

20232502__

146 for use by the executive steering committee; providing
147 responsibilities of the executive steering committee;
148 requiring the agency, in consultation with the
149 Department of Health, the Agency for Persons with
150 Disabilities, the Department of Children and Families,
151 and the Department of Corrections, to competitively
152 procure a contract with a vendor to negotiate prices
153 for certain prescribed drugs and biological products;
154 providing requirements for such contract; authorizing
155 the Agency for Persons with Disabilities to submit
156 budget amendments to transfer funding from the
157 Salaries and Benefits appropriation categories for a
158 specified purpose; requiring the Department of Health
159 to exclude a specific amount of money from the General
160 Revenue Fund when calculating the allocation of funds
161 to certain cancer centers under a specified law;
162 requiring the department to distribute the excluded
163 funds to certain cancer centers using a specified
164 methodology; amending s. 216.262, F.S.; extending for
165 1 fiscal year the authority of the Department of
166 Corrections to submit a budget amendment for
167 additional positions and appropriations under certain
168 circumstances; requiring review and approval by the
169 Legislative Budget Commission; amending s. 215.18,
170 F.S.; extending for 1 fiscal year the authority and
171 related repayment requirements for temporary trust
172 fund loans to the state court system which are
173 sufficient to meet the system's appropriation;
174 requiring the Department of Juvenile Justice to review

576-03187-23

20232502__

175 county juvenile detention payments to determine
176 whether a county has met specified financial
177 responsibilities; requiring amounts owed by the county
178 for such financial responsibilities to be deducted
179 from certain county funds; requiring the Department of
180 Revenue to transfer withheld funds to a specified
181 trust fund; requiring the Department of Revenue to
182 ensure that such reductions in amounts distributed do
183 not reduce distributions below amounts necessary for
184 certain payments due on bonds and to comply with bond
185 covenants; requiring the Department of Revenue to
186 notify the Department of Juvenile Justice if bond
187 payment requirements mandate a reduction in deductions
188 for amounts owed by a county; reenacting s. 27.40(1),
189 (2)(a), (3)(a), (5), (6), and (7), F.S., relating to
190 court-appointed counsel; extending for 1 fiscal year
191 provisions governing the appointment of court-
192 appointed counsel; providing for the future expiration
193 and reversion of specified statutory text; reenacting
194 and amending s. 27.5304, F.S.; revising compensation
195 limits for representation pursuant to a court
196 appointment for specified proceedings; extending for 1
197 fiscal year limitations on compensation for
198 representation in criminal proceedings; providing for
199 the future expiration and reversion of specified
200 statutory text; requiring the Department of Management
201 Services to use tenant broker services to renegotiate
202 or reprocure certain private lease agreements for
203 office or storage space; requiring the Department of

576-03187-23

20232502__

204 Management Services to provide a report to the
205 Governor and the Legislature by a specified date;
206 prohibiting an agency from transferring funds from a
207 data processing category to another category that is
208 not a data processing category; authorizing the
209 Executive Office of the Governor to transfer funds
210 between departments for purposes of aligning amounts
211 paid for risk management insurance and for human
212 resources services purchased per statewide contract;
213 authorizing the Department of Management Services to
214 use a specified percentage of facility disposition
215 funds to offset relocation expenses; authorizing the
216 Department of Management Services to use certain
217 facility disposition funds from the Architects
218 Incidental Trust Fund to pay for certain relocation
219 expenses; authorizing the Department of Management
220 Services to submit budget amendments for certain
221 purposes related to the relocation; requiring the
222 Department of Financial Services to replace specified
223 components of the Florida Accounting Information
224 Resource Subsystem (FLAIR) and the Cash Management
225 Subsystem (CMS); specifying certain actions to be
226 taken by the Department of Financial Services
227 regarding FLAIR and CMS replacement; providing for the
228 composition of an executive steering committee to
229 oversee FLAIR and CMS replacement; prescribing duties
230 and responsibilities of the executive steering
231 committee; reenacting s. 282.709(3), F.S., relating to
232 the state agency law enforcement radio system and

576-03187-23

20232502__

233 interoperability network; providing for future
234 expiration and reversion of specified statutory text;
235 authorizing state agencies and other eligible users of
236 the Statewide Law Enforcement Radio System to use the
237 Department of Management Services contract to purchase
238 equipment and services; requiring a specified
239 transaction fee percentage for use of the online
240 procurement system; amending s. 24.105, F.S.;

241 specifying how Department of the Lottery rules are to
242 be adopted, except certain rules for 1 fiscal year
243 regarding the commission for lottery ticket sales;
244 limiting additional retailer compensation in a
245 specified manner; providing for the future expiration
246 and reversion of specified statutory text; amending s.
247 717.123, F.S.; requiring the Department of Financial
248 Services to retain certain funds relating to unclaimed
249 property and make specified payments; authorizing the
250 Department of Revenue to use the unexpended balance of
251 specified funds as provided in the General
252 Appropriations Act; specifying that taxpayers filing a
253 claim for a specified refund are not entitled to
254 interest on the amount refunded; amending s. 627.351,
255 F.S.; authorizing the Citizens Property Insurance
256 Corporation to adopt certain policy forms; authorizing
257 the corporation to contract with the Division of
258 Administrative Hearings to conduct certain proceedings
259 and resolve specified disputes; amending s. 215.18,
260 F.S.; extending for 1 fiscal year the authority of the
261 Governor, if there is a specified temporary deficiency

576-03187-23

20232502__

262 in a land acquisition trust fund in the Department of
263 Agriculture and Consumer Services, the Department of
264 Environmental Protection, the Department of State, or
265 the Fish and Wildlife Conservation Commission, to
266 transfer funds from other trust funds in the State
267 Treasury as a temporary loan to such trust fund;
268 providing a deadline for the repayment of a temporary
269 loan; requiring the Department of Environmental
270 Protection to transfer designated proportions of the
271 revenues deposited in the Land Acquisition Trust Fund
272 within the department to land acquisition trust funds
273 in the Department of Agriculture and Consumer
274 Services, the Department of State, and the Fish and
275 Wildlife Conservation Commission according to
276 specified parameters and calculations; defining the
277 term "department"; requiring the Department of
278 Environmental Protection to make transfers to land
279 acquisition trust funds monthly; specifying the method
280 of determining transfer amounts; authorizing the
281 Department of Environmental Protection to advance
282 funds from its land acquisition trust fund to the Fish
283 and Wildlife Conservation Commission's land
284 acquisition trust fund for specified purposes;
285 amending s. 259.105, F.S.; providing for the
286 distribution of proceeds from the Florida Forever
287 Trust Fund for the 2023-2024 fiscal year; reenacting
288 s. 570.93(1)(a), F.S., relating to the agricultural
289 water conservation program of the Department of
290 Agriculture and Consumer Services; extending for 1

576-03187-23

20232502__

291 fiscal year provisions governing administration of a
292 cost-share program; providing for the future
293 expiration and reversion of specified statutory text;
294 reenacting s. 376.3071(15)(g), F.S., relating to the
295 Inland Protection Trust Fund; exempting specified
296 costs incurred by certain petroleum storage system
297 owners or operators during a specified period from the
298 prohibition against making payments in excess of
299 amounts approved by the Department of Environmental
300 Protection; providing for the future expiration and
301 reversion of specified statutory text; exempting the
302 Department of Environmental Protection from the
303 competitive procurement requirements for certain
304 commodities or contractual services in order to
305 expedite the closure of the Piney Point facility
306 located in Manatee County; authorizing the Department
307 of Agriculture and Consumer Services to reorganize
308 departmental units without specified approval;
309 requiring the Department of Citrus to enter into
310 agreements to expedite the increased production of
311 disease free citrus trees and commercialize certain
312 technologies; specifying a timeframe for entering into
313 such agreements; requiring a specified certification;
314 amending s. 321.04, F.S.; extending for 1 fiscal year
315 the requirement that the Department of Highway Safety
316 and Motor Vehicles assign one or more patrol officers
317 to the office of Lieutenant Governor for security
318 purposes, upon request of the Governor; extending for
319 1 fiscal year the requirement that the Department of

576-03187-23

20232502__

320 Highway Safety and Motor Vehicles assign a patrol
321 officer to a Cabinet member under certain
322 circumstances; amending s. 288.80125, F.S.; extending
323 for 1 fiscal year a requirement that funds in the
324 Triumph Gulf Coast Trust Fund be related to Hurricane
325 Michael recovery; amending s. 288.8013, F.S.;

326 authorizing earnings and interest generated by the
327 Triumph Gulf Coast Trust Fund to be retained and used
328 to make specified awards; providing for the future
329 expiration and reversion of specified statutory text;
330 amending s. 339.08, F.S.; appropriating funds to the
331 State Transportation Trust Fund from the General
332 Revenue Fund or the Discretionary Sales Surtax
333 Clearing Trust Fund as appropriated in the General
334 Appropriations Act; requiring the Department of
335 Transportation to track and account for such funds in
336 a specified manner; amending s. 339.135, F.S.;

337 extending by 1 fiscal year the authority for the chair
338 and vice chair of the Legislative Budget Commission to
339 approve certain work program amendments under
340 specified circumstances; amending s. 338.165, F.S.;

341 extending for 1 fiscal year a prohibition on adjusting
342 toll rates for inflation; creating s. 250.245, F.S.;

343 establishing the Florida National Guard Joint
344 Enlistment Enhancement Program within the Department
345 of Military Affairs; providing the purpose of the
346 program; defining the term "recruiting assistant";
347 providing eligibility requirements for participation
348 in the program; requiring the Adjutant General to

576-03187-23

20232502__

349 provide specified compensation to recruiting
350 assistants; requiring the Department of Military
351 Affairs, in cooperation with the Florida National
352 Guard, to adopt rules; authorizing the Division of
353 Emergency Management to submit budget amendments to
354 increase budget authority for certain project
355 expenditures; amending s. 112.061, F.S.; extending for
356 1 fiscal year the authorization for the Lieutenant
357 Governor to designate an alternative official
358 headquarters under certain conditions; specifying
359 restrictions, limitations, eligibility for the
360 subsistence allowance, reimbursement of transportation
361 expenses, and payment thereof; requiring the
362 Department of Management Services to release certain
363 competitive procurements by a specified date;
364 providing requirements for such procurements;
365 providing legislative intent; authorizing the
366 department to enter into contracts that may require
367 the payment of administrative fees under a specified
368 amount; requiring the department to maintain and offer
369 the same health insurance options for participants of
370 the State Group Health Insurance Program for the 2023-
371 2024 fiscal year as applied in the preceding fiscal
372 year; prohibiting a state agency from initiating a
373 competitive solicitation for a product or service
374 under certain circumstances; providing an exception;
375 providing that the annual salaries of the members of
376 the Legislature be maintained at a specified level;
377 reenacting s. 215.32(2)(b), F.S., relating to the

576-03187-23

20232502__

378 authorization for transferring unappropriated cash
379 balances from selected trust funds to the Budget
380 Stabilization Fund and General Revenue Fund; providing
381 for future expiration and reversion of specific
382 statutory text; specifying the type of travel which
383 may be used with state employee travel funds;
384 providing exceptions; providing a monetary cap on
385 lodging costs for state employee travel to certain
386 meetings organized or sponsored by a state agency or
387 the judicial branch; authorizing employees to expend
388 their own funds for lodging expenses that exceed the
389 monetary caps; authorizing state agencies to purchase
390 vehicles from nonstate term contract vendors without
391 prior approval from the Department of Management
392 Services under certain circumstances; reenacting and
393 amending s. 112.3144, F.S.; requiring the Commission
394 on Ethics to accept federal income tax returns,
395 financial statements, and other forms or attachments
396 showing sources of income for a specified purpose;
397 requiring a filer to include certain attachments and
398 schedules with a filing under certain circumstances;
399 deleting the prohibition on including a federal income
400 tax return or a copy thereof for certain filings;
401 requiring the commission to allow a filer to include
402 attachments and other supporting documentation with
403 his or her disclosure; revising the notice the
404 commission sends to specified persons; requiring that
405 disclosure statements be filed using the commission's
406 electronic filing system; deleting provisions relating

576-03187-23

20232502__

407 to financial statements filed by mail; revising a
408 provision requiring the commission to adopt a
409 specified rule; providing for the future expiration
410 and reversion of specified statutory text; reenacting
411 and amending s. 112.3145, F.S.; deleting the
412 prohibition on including a federal income tax return
413 or a copy thereof for certain filings; requiring the
414 commission to allow a filer to include attachments and
415 other supporting documentation with his or her
416 disclosure; revising the notice the commission sends
417 to specified persons; providing for the future
418 expiration and reversion of specified statutory text;
419 providing conditions under which the veto of certain
420 appropriations or proviso language in the General
421 Appropriations Act voids language that implements such
422 appropriation; providing for the continued operation
423 of certain provisions notwithstanding a future repeal
424 or expiration provided by the act; providing
425 severability; providing for contingent retroactivity;
426 providing effective dates.

427

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

429

430 Section 1. It is the intent of the Legislature that the
431 implementing and administering provisions of this act apply to
432 the General Appropriations Act for the 2023-2024 fiscal year.

433 Section 2. In order to implement Specific Appropriations 5,
434 6, 80, 81, and 81A of the 2023-2024 General Appropriations Act,
435 the calculations of the Florida Education Finance Program for

576-03187-23

20232502__

436 the 2023-2024 fiscal year included in the document titled
437 "Public School Funding: The Florida Education Finance Program
438 (FEFP) Fiscal Year 2023-2024," dated March 30, 2023, and filed
439 with the Secretary of the Senate, are incorporated by reference
440 for the purpose of displaying the calculations used by the
441 Legislature, consistent with the requirements of state law, in
442 making appropriations for the Florida Education Finance Program.
443 This section expires July 1, 2024.

444 Section 3. In order to implement Specific Appropriations 5
445 and 80 of the 2023-2024 General Appropriations Act, and
446 notwithstanding ss. 1002.20, 1003.02, 1006.28-1006.42,
447 1011.62(6)(b)3., and 1011.67, Florida Statutes, relating to the
448 expenditure of funds provided for instructional materials, for
449 the 2023-2024 fiscal year, funds provided for instructional
450 materials shall be released and expended as required in the
451 proviso language for Specific Appropriation 80 of the 2023-2024
452 General Appropriations Act. This section expires July 1, 2024.

453 Section 4. In order to implement Specific Appropriation 15
454 of the 2023-2024 General Appropriations Act, and notwithstanding
455 the expiration date in section 5 of chapter 2022-157, Laws of
456 Florida, subsection (1) of section 1013.62, Florida Statutes, is
457 amended to read:

458 1013.62 Charter schools capital outlay funding.-

459 (1) For the 2023-2024 ~~2022-2023~~ fiscal year, charter school
460 capital outlay funding shall consist of state funds appropriated
461 in the 2023-2024 ~~2022-2023~~ General Appropriations Act. Beginning
462 in fiscal year ~~2023-2024~~ 2024-2025, charter school capital
463 outlay funding shall consist of state funds when such funds are
464 appropriated in the General Appropriations Act and revenue

576-03187-23

20232502__

465 resulting from the discretionary millage authorized in s.
466 1011.71(2) if the amount of state funds appropriated for charter
467 school capital outlay in any fiscal year is less than the
468 average charter school capital outlay funds per unweighted full-
469 time equivalent student for the 2018-2019 fiscal year,
470 multiplied by the estimated number of charter school students
471 for the applicable fiscal year, and adjusted by changes in the
472 Consumer Price Index issued by the United States Department of
473 Labor from the previous fiscal year. Nothing in this subsection
474 prohibits a school district from distributing to charter schools
475 funds resulting from the discretionary millage authorized in s.
476 1011.71(2).

477 (a) To be eligible to receive capital outlay funds, a
478 charter school must:

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

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

483 c. Be an expanded feeder chain of a charter school within
484 the same school district that is currently receiving charter
485 school capital outlay funds;

486 d. Have been accredited by a regional accrediting
487 association as defined by State Board of Education rule;

488 e. Serve students in facilities that are provided by a
489 business partner for a charter school-in-the-workplace pursuant
490 to s. 1002.33(15) (b); or

491 f. Be operated by a hope operator pursuant to s. 1002.333.

492 2. Have an annual audit that does not reveal any of the
493 financial emergency conditions provided in s. 218.503(1) for the

576-03187-23

20232502__

494 most recent fiscal year for which such audit results are
495 available.

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

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

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

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

507 Section 5. The amendments to s. 1013.62(1), Florida
508 Statutes, made by this act expire July 1, 2024, and the text of
509 that subsection shall revert to that in existence on June 30,
510 2020, except that any amendments to such text enacted other than
511 by this act shall be preserved and continue to operate to the
512 extent that such amendments are not dependent upon the portions
513 of text which expire pursuant to this section.

514 Section 6. In order to implement Specific Appropriations 5
515 and 80 of the 2023-2024 General Appropriations Act, subsection
516 (18) is added to section 1011.62, Florida Statutes, to read:

517 1011.62 Funds for operation of schools.—If the annual
518 allocation from the Florida Education Finance Program to each
519 district for operation of schools is not determined in the
520 annual appropriations act or the substantive bill implementing
521 the annual appropriations act, it shall be determined as
522 follows:

576-03187-23

20232502__

523 (18) FUNDING COMPRESSION AND HOLD HARMLESS ALLOCATION.—The
524 Legislature may provide an annual funding compression and hold
525 harmless allocation in the General Appropriations Act. The
526 allocation is created to provide additional funding to a school
527 district if the school district's total funds per FTE in the
528 prior year were less than the statewide average or if the school
529 district's district cost differential in the current year is
530 less than the prior year. The total allocation shall be
531 distributed to eligible school districts as follows:

532 (a) Using the most recent prior year FEFP calculation for
533 each eligible school district, subtract the total school
534 district funds per FTE from the state average funds per FTE, not
535 including any adjustments made pursuant to paragraph (15) (b).
536 The resulting funds per FTE difference, or a portion thereof, as
537 designated in the General Appropriations Act, shall then be
538 multiplied by the school district's total unweighted FTE.

539 (b) Multiply the absolute value of the difference between
540 the eligible school district's current year district cost
541 differential and the prior year district cost differential by a
542 hold harmless factor as designated in the General Appropriations
543 Act. The result is the district cost differential hold harmless
544 index. Multiply the index by the eligible school district's
545 weighted FTE and by the base student allocation as designated in
546 the General Appropriations Act.

547 (c) For each district, select the greater of the amounts
548 calculated in paragraphs (a) and (b) and upon summation, if the
549 total amount is greater than the amount included in the General
550 Appropriations Act, the allocation shall be prorated to the
551 appropriation amount based on each participating school

576-03187-23

20232502__

552 district's share.

553

554 This subsection expires July 1, 2024.

555 Section 7. In order to implement Specific Appropriations 5
556 and 80 of the 2023-2024 General Appropriations Act, subsection
557 (6) of section 1011.62, Florida Statutes, is amended to read:

558 1011.62 Funds for operation of schools.—If the annual
559 allocation from the Florida Education Finance Program to each
560 district for operation of schools is not determined in the
561 annual appropriations act or the substantive bill implementing
562 the annual appropriations act, it shall be determined as
563 follows:

564 (6) CATEGORICAL FUNDS.—

565 (a) In addition to the basic amount for current operations
566 for the FEFP as determined in subsection (1), the Legislature
567 may appropriate categorical funding for specified programs,
568 activities, or purposes.

569 (b) If a district school board determines ~~finds and~~
570 ~~declares in a resolution adopted at a regular meeting of the~~
571 ~~school board that~~ some or all of the funds received for any of
572 the following categorical appropriations are ~~urgently~~ needed to
573 maintain or enhance school board specified academic classroom
574 instruction, maintain or expand career and technical education
575 instruction, or improve school safety, the school board may
576 consider and approve an amendment to the school district
577 operating budget transferring the identified amount of the
578 categorical funds to the appropriate account for expenditure:

579 1. Funds for student transportation.

580 2. Funds for instructional materials if all instructional

576-03187-23

20232502__

581 material purchases necessary to provide updated materials that
582 are aligned with applicable state standards and course
583 descriptions and that meet statutory requirements of content and
584 learning have been completed for that fiscal year, but no sooner
585 than March 1. Funds available after March 1 may be used to
586 purchase computers and device hardware for student instruction
587 that comply with the requirements of s. 1001.20(4)(a)1.b.

588 3. Funds for the guaranteed allocation as provided in
589 subparagraph (1)(e)2.

590 4. Funds for the supplemental academic instruction
591 allocation as provided in paragraph (1)(f).

592 5. Funds for the evidence-based reading instruction
593 allocation as provided in subsection (8).

594 6. Funds for the federally connected student supplement as
595 provided in subsection (10).

596 ~~7.6.~~ Funds for class size reduction as provided in s.
597 1011.685.

598 (c) Each district school board shall include in its annual
599 financial report to the Department of Education the amount of
600 funds the school board transferred from each of the categorical
601 funds identified in this subsection and the specific academic
602 classroom instruction, career and technical education
603 instruction, or school safety need for which the transferred
604 funds were expended. The Department of Education shall provide
605 instructions and specify the format to be used in submitting
606 this required information as a part of the district annual
607 financial report. The Department of Education shall submit a
608 report to the Legislature that identifies by district and by
609 categorical fund the amount transferred and the specific

576-03187-23

20232502__

610 academic classroom activity, career and technical education
611 activity, or school safety need for which the funds were
612 expended.

613 Section 8. The amendments to s. 1011.62(6), Florida
614 Statutes, made by this act expire July 1, 2024, and the text of
615 that subsection shall revert to that in existence on June 30,
616 2023, except that any amendments to such text enacted other than
617 by this act shall be preserved and continue to operate to the
618 extent that such amendments are not dependent upon the portions
619 of text which expire pursuant to this section.

620 Section 9. In order to implement Specific Appropriation 110
621 of the 2023-2024 General Appropriations Act, and notwithstanding
622 the expiration date in section 8 of chapter 2022-157, Laws of
623 Florida, subsection (1) of section 1001.26, Florida Statutes, is
624 reenacted to read:

625 1001.26 Public broadcasting program system.—

626 (1) There is created a public broadcasting program system
627 for the state. The department shall provide funds, as
628 specifically appropriated in the General Appropriations Act, to
629 educational television stations qualified by the Corporation for
630 Public Broadcasting or public colleges and universities that are
631 part of the public broadcasting program system. The program
632 system must include:

633 (a) Support for existing Corporation for Public
634 Broadcasting qualified program system educational television
635 stations.

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

638 (c) Interconnection of all educational stations that are

576-03187-23

20232502__

639 part of the program system for simultaneous broadcast and of
640 such stations with all universities and other institutions as
641 necessary for sharing of resources and delivery of programming.

642 (d) Establishment and maintenance of a capability for
643 statewide program distribution with facilities and staff,
644 provided such facilities and staff complement and strengthen
645 existing educational television stations.

646 (e) Provision of both statewide programming funds and
647 station programming support for educational television to meet
648 statewide priorities. Priorities for station programming need
649 not be the same as priorities for programming to be used
650 statewide. Station programming may include, but shall not be
651 limited to, citizens' participation programs, music and fine
652 arts programs, coverage of public hearings and governmental
653 meetings, equal air time for political candidates, and other
654 public interest programming.

655 Section 10. The text of s. 1001.26(1), Florida Statutes, as
656 carried forward from chapter 2018-18, Laws of Florida, by this
657 act, expires July 1, 2024, and the text of that subsection shall
658 revert to that in existence on June 30, 2018, except that any
659 amendment enacted other than by this act shall be preserved and
660 continue to operate to the extent that such amendments are not
661 dependent upon the portions of text which expire pursuant to
662 this section.

663 Section 11. In order to implement Specific Appropriation 80
664 of the 2023-2024 General Appropriations Act, paragraph (e) of
665 subsection (1) of section 1002.45, Florida Statutes, is amended
666 to read:

667 1002.45 Virtual instruction programs.-

576-03187-23

20232502__

668 (1) PROGRAM.—

669 (e) Each school district shall:

670 1. Provide to the department by each October 1, a copy of
671 each contract and the amount paid per unweighted full-time
672 equivalent virtual student for services procured pursuant to
673 subparagraphs (c)1. and 2.

674 2. Expend any difference in the amount of funds per
675 unweighted full-time equivalent virtual student allocated to the
676 school district pursuant to subsection (6) and the amount paid
677 per unweighted full-time equivalent virtual student by the
678 school district for a contract executed pursuant to subparagraph
679 (c)1. or subparagraph (c)2. on acquiring computer and device
680 hardware and associated operating system software that comply
681 with the requirements of s. 1001.20(4)(a)1.b.

682 3. Provide to the department by September 1 of each year an
683 itemized list of items acquired in subparagraph 2.

684 4. Limit the enrollment of full-time equivalent virtual
685 students residing outside of the school district providing the
686 virtual instruction pursuant to paragraph (c) to no more than
687 those that can be funded from state funds ~~50 percent of the~~
688 ~~total enrolled full-time equivalent virtual students residing~~
689 ~~inside the school district providing the virtual instruction.~~
690 ~~This subparagraph applies to any virtual instruction contract or~~
691 ~~agreement that is entered into for the first time after June 30,~~
692 ~~2021. However, a school district may not enroll more full-time~~
693 ~~equivalent virtual students residing outside of the school~~
694 ~~district than the total number of reported full-time equivalent~~
695 ~~students residing inside the school district.~~

696 Section 12. The amendments to s. 1002.45(1)(e), Florida

576-03187-23

20232502__

697 Statutes, made by this act expire July 1, 2024, and the text of
698 that paragraph shall revert to that in existence on June 30,
699 2023, except that any amendments to such text enacted other than
700 by this act shall be preserved and continue to operate to the
701 extent that such amendments are not dependent upon the portions
702 of text which expire pursuant to this section.

703 Section 13. In order to implement Specific Appropriation 80
704 of the 2023-2024 General Appropriations Act, paragraph (c) of
705 subsection (1) of section 1011.62, Florida Statutes, is amended
706 to read:

707 1011.62 Funds for operation of schools.—If the annual
708 allocation from the Florida Education Finance Program to each
709 district for operation of schools is not determined in the
710 annual appropriations act or the substantive bill implementing
711 the annual appropriations act, it shall be determined as
712 follows:

713 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
714 OPERATION.—The following procedure shall be followed in
715 determining the annual allocation to each district for
716 operation:

717 (c) *Determination of programs.*—Cost factors based on
718 desired relative cost differences between the following programs
719 shall be established in the annual General Appropriations Act.
720 The cost factor for secondary career education programs must be
721 greater than the cost factor for ~~and~~ basic programs grade 9
722 through 12 ~~shall be equal~~. The Commissioner of Education shall
723 specify a matrix of services and intensity levels to be used by
724 districts in the determination of the two weighted cost factors
725 for exceptional students with the highest levels of need. For

576-03187-23

20232502__

726 these students, the funding support level shall fund the
727 exceptional students' education program, with the exception of
728 extended school year services for students with disabilities.

- 729 1. Basic programs.—
730 a. Kindergarten and grades 1, 2, and 3.
731 b. Grades 4, 5, 6, 7, and 8.
732 c. Grades 9, 10, 11, and 12.
733 2. Programs for exceptional students.—
734 a. Support Level IV.
735 b. Support Level V.
736 3. Secondary career education programs.
737 4. English for Speakers of Other Languages.

738 Section 14. The amendments to s. 1011.62(1)(c), Florida
739 Statutes, made by this act expire July 1, 2024, and the text of
740 that paragraph shall revert to that in existence on June 30,
741 2023, except that any amendments to such text enacted other than
742 by this act shall be preserved and continue to operate to the
743 extent that such amendments are not dependent upon the portions
744 of text which expire pursuant to this section.

745 Section 15. In order to implement Specific Appropriations
746 76 and 96 of the 2023-2024 General Appropriations Act, paragraph
747 (c) of subsection (1) of section 1002.995, Florida Statutes, is
748 amended to read:

749 1002.995 Early learning professional development standards
750 and career pathways.—

751 (1) The department shall:

752 (c) Subject to the appropriation of funds by the
753 Legislature, provide incentives to school readiness personnel
754 who meet the requirements of:

576-03187-23

20232502__

755 1. Section 1002.88(1)(e) ~~s. 1002.88(1)(e)~~ and
756 prekindergarten instructors who meet the requirements specified
757 in s. 1002.55, s. 1002.61, or s. 1002.63 and who possess a
758 reading certification or endorsement or a literacy micro-
759 credential as specified in s. 1003.485 and teach students in the
760 school readiness program or the voluntary prekindergarten
761 education program; or

762 2. For the 2023-2024 fiscal year, s. 1002.88(1)(e) and
763 prekindergarten instructors who meet the requirements specified
764 in s. 1002.55, s. 1002.61, or s. 1002.63 and who possess a
765 reading certification or endorsement or a literacy micro-
766 credential as specified in s. 1003.485 and work in the child
767 care or early learning setting. This subparagraph expires July
768 1, 2024.

769 Section 16. In order to implement Specific Appropriations 5
770 and 80 of the 2023-2024 General Appropriations Act, subsection
771 (21) of section 1001.42, Florida Statutes, is amended to read:

772 1001.42 Powers and duties of district school board.—The
773 district school board, acting as a board, shall exercise all
774 powers and perform all duties listed below:

775 (21) EDUCATIONAL EMERGENCY. ~~Negotiate special provisions of~~
776 ~~its contract with the appropriate bargaining units~~ To free
777 schools with a school grade of "D" or "F" from contract
778 restrictions that limit the school's ability to implement
779 programs and strategies needed to improve student performance, a
780 district school board may adopt salary incentives or other
781 strategies that address. ~~The negotiations shall result in a~~
782 ~~memorandum of understanding that addresses~~ the selection,
783 placement, compensation, and expectations of instructional

576-03187-23

20232502__

784 personnel and provides principals with the autonomy described in
785 s. 1012.28(8). For purposes of this subsection, an educational
786 emergency exists in a school district if one or more schools in
787 the district have a school grade of "D" or "F." Notwithstanding
788 chapter 447, relating to collective bargaining, a district
789 school board may:

790 (a) Provide salary incentives that differentiate based on a
791 teacher's certification, subject area taught, or grade level
792 taught. Such incentives are not subject to collective bargaining
793 requirements.

794 (b) Notwithstanding s. 1012.2315 relating to assignment of
795 teachers, adopt strategies to assign high-quality teachers more
796 equitably across schools in the district to low-performing
797 schools as a management right. Such strategies are not subject
798 to collective bargaining requirements.

799 Section 17. The amendments to s. 1001.42(21), Florida
800 Statutes, made by this act expire July 1, 2024, and the text of
801 that subsection shall revert to that in existence on June 30,
802 2023, except that any amendments to such text enacted other than
803 by this act shall be preserved and continue to operate to the
804 extent that such amendments are not dependent upon the portions
805 of text which expire pursuant to this section.

806 Section 18. In order to implement Specific Appropriation
807 59B of the 2023-2024 General Appropriations Act, section
808 1009.895, Florida Statutes, is amended to read:

809 1009.895 Open Door Grant Program.—

810 (1) ESTABLISHMENT; PURPOSE. ~~As used in this section, the~~
811 ~~term:~~

812 ~~(a) "Cost of the program" means the cost of tuition, fees,~~

576-03187-23

20232502__

813 ~~examination, books, and materials to a student enrolled in an~~
814 ~~eligible program.~~

815 ~~(b) "Department" means the Department of Education.~~

816 ~~(c) "Institution" means school district postsecondary~~
817 ~~technical career centers under s. 1001.44, Florida College~~
818 ~~System institutions under s. 1000.21(3), charter technical~~
819 ~~career centers under s. 1002.34, and school districts with~~
820 ~~eligible integrated education and training programs.~~

821 ~~(d) "Program" means a noncredit industry certification~~
822 ~~preparation, clock hour career certificate programs, or for-~~
823 ~~credit short-term career and technical education programs that~~
824 ~~result in the award of credentials identified under s.~~
825 ~~445.004(4).~~

826 ~~(e) "Student" means a person who is a resident of this~~
827 ~~state as determined under s. 1009.21 and is unemployed,~~
828 ~~underemployed, or furloughed.~~

829 ~~(2) The Open Door Grant Program is established and shall be~~
830 ~~administered by participating institutions in accordance with~~
831 ~~rules of the State Board of Education. The program is created to~~
832 ~~incentivize for the purpose of:~~

833 ~~(a) Creating and sustaining a demand-driven supply of~~
834 ~~credentialed workers for high-demand occupations by addressing~~
835 ~~and closing the gap between the skills needed by workers in the~~
836 ~~state and the skills of the available workforce in the state.~~

837 ~~(b) Expanding the affordability of workforce training and~~
838 ~~credentialing.~~

839 ~~(c) Increasing the interest of current and future workers~~
840 ~~to enroll in short-term, high-demand career and technical~~
841 ~~education that leads to a credential, credentialing and~~

576-03187-23

20232502__

842 certificate, or degree ~~programs~~.

843 (2) ELIGIBILITY.—In order to be eligible for the program, a
844 student must:

845 (a) Meet the requirements under s. 1009.40(1)(a)2. and 3.;

846 (b) Be enrolled in a workforce education program as defined
847 under s. 1011.80(1); and

848 (c) Be enrolled at a school district postsecondary
849 technical career center under s. 1001.44, a Florida College
850 System institution under s. 1000.21(3), or a charter technical
851 career center under s. 1002.34.

852
853 An institution may not impose additional criteria to determine a
854 student's eligibility to receive a grant under this section.

855 (3) GRANT AWARD.—A student is eligible to receive an award
856 equal to the amount needed to cover 100 percent of the cost for
857 the eligible program after all other federal and state financial
858 aid is applied. These costs may include, but are not limited to,
859 tuition and fees, exam or assessment costs, books, materials, or
860 other college-related expenses such as personal computers,
861 housing, or transportation. The institution shall make awards
862 subject to availability of funding. Returning students must be
863 given priority over new students.

864 (4) DISTRIBUTION OF FUNDS.—

865 (a) For the 2023-2024 fiscal year, funding for eligible
866 institutions must consist of a base amount provided for in the
867 General Appropriations Act plus each institution's proportionate
868 share of full-time equivalent students enrolled in workforce
869 education programs. Beginning in the 2024-2025 fiscal year, the
870 funds appropriated for the Open Door Grant Program must be

576-03187-23

20232502__

871 distributed to eligible institutions in accordance with a
872 formula approved by the State Board of Education. The formula
873 must consider at least the prior year's distribution of funds
874 and the number of eligible applicants who did not receive
875 awards.

876 (b) Subject to the appropriation of funds by the
877 Legislature, the Department of Education shall transmit payment
878 of grants to the institution in advance of the registration
879 period. Institutions shall notify students of the amount of
880 their awards.

881 (c) The eligibility status of each student to receive a
882 disbursement must be determined by each institution as of the
883 end of its regular registration period, inclusive of a drop-add
884 period. Institutions may not be required to reevaluate a
885 student's eligibility status after this date for purposes of
886 changing eligibility determinations previously made.

887 (d) Each term, institutions shall certify to the department
888 within 30 days after the end of the regular registration period
889 the amount of funds disbursed to each student. Institutions
890 shall remit to the department any undisbursed advances for the
891 fall, spring, and summer terms within 30 days after the end of
892 the summer term.

893 (5) INSTITUTIONAL REPORTING.—Each institution shall report
894 to the department by the established date:

895 (a) The number of students eligible for the program for
896 each academic term. Each institution shall also report to the
897 department any necessary demographic and eligibility data for
898 students; and

899 ~~(3) The department shall provide grants to institutions on~~

576-03187-23

20232502__

900 ~~a first-come, first-serve basis for students who enroll in an~~
901 ~~eligible program. The department shall prioritize funding for~~
902 ~~integrated education and training programs in which institutions~~
903 ~~establish partnerships with local workforce development boards~~
904 ~~to provide basic skills instruction, contextually and~~
905 ~~concurrently, with workforce training that results in the award~~
906 ~~of credentials under s. 445.004(4). One-quarter of the~~
907 ~~appropriated funds must be prioritized to serve students~~
908 ~~attending rural institutions. No more than one-quarter of the~~
909 ~~appropriated funds may be disbursed annually to any eligible~~
910 ~~institution.~~

911 ~~(4) Subject to the availability of funds:~~

912 ~~(a) A student who enrolls in an eligible program offered by~~
913 ~~an institution and who does not receive state or federal~~
914 ~~financial aid may apply for and be awarded a grant to cover two-~~
915 ~~thirds of the cost of the program, if at the time of enrollment~~
916 ~~the student pays one-third of the cost of the program and signs~~
917 ~~an agreement to either complete the program or pay an additional~~
918 ~~one-third of the cost of the program in the event of~~
919 ~~noncompletion. The department shall reimburse the institution in~~
920 ~~an amount equal to one-third of the cost of the program upon a~~
921 ~~student's completion of the program. An additional one-third~~
922 ~~shall be provided upon attainment of a workforce credential or~~
923 ~~certificate by the student. Grant funds may be used to cover the~~
924 ~~student's one-third of the cost of the program for students in~~
925 ~~integrated education and training programs and students who do~~
926 ~~not have a high school diploma and meet the requirements~~
927 ~~established by the department. An institution may cover the~~
928 ~~student's one-third of the cost of the program based on student~~

576-03187-23

20232502__

929 ~~need, as determined by the institution.~~

930 ~~(b) A student receiving state or federal financial aid who~~
931 ~~enrolls in an eligible program offered by an institution may~~
932 ~~apply for and be awarded a grant to cover the unmet need of the~~
933 ~~cost of the program after the application of all eligible~~
934 ~~financial aid. Financial aid and grants received by the student~~
935 ~~shall be credited first to the student's costs before the award~~
936 ~~of an open door grant. After a student is enrolled in an~~
937 ~~eligible program, the department shall award the grant to the~~
938 ~~institution for the amount of unmet need for the eligible~~
939 ~~student.~~

940 ~~(5) The department may not reimburse any institution more~~
941 ~~than \$3,000 per completed workforce training program by an~~
942 ~~eligible student.~~

943 ~~(6) The department shall administer the grant and shall~~
944 ~~carry out the goals and purposes of the grant set forth in~~
945 ~~subsection (2). In administering the grant, the department~~
946 ~~shall:~~

947 ~~(a) Require eligible institutions to provide student-~~
948 ~~specific data.~~

949 ~~(b) Undertake periodic assessments of the overall success~~
950 ~~of the grant program and recommend modifications, interventions,~~
951 ~~and other actions based on such assessments.~~

952 ~~(c) Establish the procedure by which eligible institutions~~
953 ~~shall notify the department when eligible students enroll in~~
954 ~~eligible programs.~~

955 ~~(d) Require each eligible institution to~~ Submit a report
956 with data from the previous fiscal year on program completion
957 and credential attainment by students participating in the grant

576-03187-23

20232502__

958 program that, at a minimum, includes:

- 959 1. A list of the programs offered.
- 960 2. The number of students who enrolled in the programs.
- 961 3. The number of students who completed the programs.
- 962 4. The number of students who attained workforce
- 963 credentials, categorized by credential name and relevant
- 964 occupation, after completing training programs.

965 ~~5. The average cost per workforce credential attained,~~

966 ~~categorized by credential name and relevant occupation.~~

967 ~~(6)-(7) REPORTING.—The department shall compile the data~~

968 ~~provided under paragraph (5)(b) (6)(d) and annually report such~~

969 ~~aggregate data, in the aggregate and categorize such information~~

970 ~~by eligible institution, to the State Board of Education. The~~

971 ~~report shall also include information on the average wage, age,~~

972 ~~gender, race, ethnicity, veteran status, and other relevant~~

973 ~~information, of students who have completed workforce training~~

974 ~~programs categorized by credential name and relevant occupation.~~

975 ~~(7)-(8) RULES.—The State Board of Education shall adopt~~

976 ~~rules to implement this section.~~

977 Section 19. The amendments to s. 1009.895, Florida

978 Statutes, made by this act expire July 1, 2024, and the text of

979 that section shall revert to that in existence on June 30, 2023,

980 except that any amendments to such text enacted other than by

981 this act shall be preserved and continue to operate to the

982 extent that such amendments are not dependent upon the portions

983 of text which expire pursuant to this section.

984 Section 20. In order to implement Specific Appropriations 5

985 and 80 of the 2023-2024 General Appropriations Act, paragraph

986 (f) is added to subsection (14) of section 1011.62, Florida

576-03187-23

20232502__

987 Statutes, to read:

988 1011.62 Funds for operation of schools.—If the annual
989 allocation from the Florida Education Finance Program to each
990 district for operation of schools is not determined in the
991 annual appropriations act or the substantive bill implementing
992 the annual appropriations act, it shall be determined as
993 follows:

994 (14) TEACHER SALARY INCREASE ALLOCATION.—The Legislature
995 may annually provide in the Florida Education Finance Program a
996 teacher salary increase allocation to assist school districts in
997 their recruitment and retention of classroom teachers and other
998 instructional personnel. The amount of the allocation shall be
999 specified in the General Appropriations Act.

1000 (f) For fiscal year 2023-2024, any additional funding
1001 appropriated for the teacher salary increase allocation above
1002 the amount provided in fiscal year 2022-2023 may be used to
1003 provide salary increases for the following personnel in a manner
1004 that best meets the needs of the school district or charter
1005 school:

1006 1. Full-time classroom teachers, as defined in s.
1007 1012.01(2)(a), plus certified prekindergarten teachers funded in
1008 the Florida Education Finance Program. This subparagraph does
1009 not apply to substitute teachers.

1010 2. Other full-time instructional personnel as defined in s.
1011 1012.01(2)(b), (c), and (d).

1012
1013 This paragraph expires July 1, 2024.

1014 Section 21. In order to implement Specific Appropriation
1015 81A of the 2023-2024 General Appropriations Act, section

576-03187-23

20232502__

1016 1011.687, Florida Statutes, is created to read:

1017 1011.687 K-12 Education Scholarship Program Funding.-

1018 (1) ESTIMATING CONFERENCE.-The Education Estimating
1019 Conference shall include forecasts for the number of K-12
1020 scholarship eligible students and the appropriations required to
1021 fund the full award amounts for the K-12 scholarship programs.

1022 (a) The department shall report all students who are
1023 receiving a scholarship under the Family Empowerment Scholarship
1024 Program or the Florida Tax Credit Scholarship Program separately
1025 by district, grade, program, and scholarship award type to
1026 support the estimating conference. An eligible nonprofit
1027 scholarship-funding organization must provide the department
1028 with all the documentation necessary to verify a student's
1029 participation.

1030 (b) Notwithstanding s. 1002.394(7), a school district is
1031 not required to report students who are receiving a scholarship
1032 under the scholarship programs.

1033 (2) SCHOLARSHIP AWARD CALCULATIONS.-Notwithstanding s.
1034 1002.394 or s. 1002.395, a student FTE scholarship amount for a
1035 Family Empowerment Scholarship awarded pursuant to s. 1002.394
1036 or a Florida Tax Credit Scholarship awarded pursuant to s.
1037 1002.395 shall be calculated as follows:

1038 (a) The calculated scholarship amount for a participating
1039 student must be based upon the grade level and school district
1040 in which the student was assigned.

1041 (b) For the 2023-2024 school year, the student award
1042 amounts are the award amounts established for the 2022-2023
1043 school year plus the percentage change increase as provided in
1044 the General Appropriations Act.

576-03187-23

20232502__

1045 (c) Beginning in the 2024-2025 school year, and every
1046 school year thereafter, award amounts may be adjusted based on
1047 the percentage change increase as provided in the General
1048 Appropriations Act.

1049 (d) For purposes of this calculation, one student FTE is
1050 equivalent to four quarterly scholarship payments. A student who
1051 receives funding for the program for less than a full year shall
1052 be a fraction of an FTE.

1053 (3) SCHOLARSHIP FUNDING ALLOCATION.—The K-12 Education
1054 Scholarship Program Allocation is established to provide funds
1055 to implement the Family Empowerment Scholarship Program provided
1056 in s. 1002.394.

1057 (a) Funds for the scholarship allocation shall be provided
1058 for student FTE in each county in the amount prescribed in the
1059 General Appropriations Act, from state funds only.

1060 (b) If the amount of funds provided in the allocation is
1061 less than the amount of funds necessary to cover the awards for
1062 all eligible students with approved applications, the department
1063 may submit budget amendments pursuant to chapter 216 to request
1064 release of additional funds if such funds are appropriated to
1065 the department pursuant to the General Appropriations Act, and
1066 which are held in reserve. Such funds shall be provided to the
1067 eligible nonprofit scholarship-funding organization to fund the
1068 awards for such students.

1069 (4) EXPIRATION.—This section expires July 1, 2024.

1070 Section 22. In order to implement Specific Appropriations
1071 197 through 223 and 539 of the 2023-2024 General Appropriations
1072 Act, and notwithstanding ss. 216.181 and 216.292, Florida
1073 Statutes, the Agency for Health Care Administration, in

576-03187-23

20232502__

1074 consultation with the Department of Health, may submit a budget
1075 amendment, subject to the notice, review, and objection
1076 procedures of s. 216.177, Florida Statutes, to realign funding
1077 within and between agencies based on implementation of the
1078 managed medical assistance component of the Statewide Medicaid
1079 Managed Care program for the Children's Medical Services program
1080 of the Department of Health. The funding realignment shall
1081 reflect the actual enrollment changes due to the transfer of
1082 beneficiaries from fee-for-service to the capitated Children's
1083 Medical Services network. The Agency for Health Care
1084 Administration may submit a request for nonoperating budget
1085 authority to transfer the federal funds to the Department of
1086 Health pursuant to s. 216.181(12), Florida Statutes. This
1087 section expires July 1, 2024.

1088 Section 23. In order to implement Specific Appropriations
1089 197 through 223 of the 2023-2024 General Appropriations Act, and
1090 notwithstanding ss. 216.181 and 216.292, Florida Statutes, the
1091 Agency for Health Care Administration may submit a budget
1092 amendment, subject to the notice, review, and objection
1093 procedures of s. 216.177, Florida Statutes, to realign funding
1094 within the Medicaid program appropriation categories to address
1095 projected surpluses and deficits within the program and to
1096 maximize the use of state trust funds. A single budget amendment
1097 shall be submitted in the last quarter of the 2023-2024 fiscal
1098 year only. This section expires July 1, 2024.

1099 Section 24. In order to implement Specific Appropriations
1100 176 through 181 and 539 of the 2023-2024 General Appropriations
1101 Act, and notwithstanding ss. 216.181 and 216.292, Florida
1102 Statutes, the Agency for Health Care Administration and the

576-03187-23

20232502__

1103 Department of Health may each submit a budget amendment, subject
1104 to the notice, review, and objection procedures of s. 216.177,
1105 Florida Statutes, to realign funding within the Florida Kidcare
1106 program appropriation categories, or to increase budget
1107 authority in the Children's Medical Services network category,
1108 to address projected surpluses and deficits within the program
1109 or to maximize the use of state trust funds. A single budget
1110 amendment must be submitted by each agency in the last quarter
1111 of the 2023-2024 fiscal year only. This section expires July 1,
1112 2024.

1113 Section 25. In order to implement Specific Appropriations
1114 490 through 494 of the 2023-2024 General Appropriations Act,
1115 subsection (17) of section 381.986, Florida Statutes, is amended
1116 to read:

1117 381.986 Medical use of marijuana.—

1118 (17) Rules adopted pursuant to this section before July 1,
1119 2024 ~~2023~~, are not subject to ss. 120.54(3)(b) and 120.541. This
1120 subsection expires July 1, 2024 ~~2023~~.

1121 Section 26. Effective July 1, 2023, upon the expiration and
1122 reversion of the amendments made to subsection (1) of section 14
1123 of chapter 2017-232, Laws of Florida, pursuant to section 18 of
1124 chapter 2022-157, Laws of Florida, and in order to implement
1125 Specific Appropriations 490 through 494 of the 2023-2024 General
1126 Appropriations Act, subsection (1) of section 14 of chapter
1127 2017-232, Laws of Florida, is amended to read:

1128 Section 14. Department of Health; authority to adopt rules;
1129 cause of action.—

1130 (1) EMERGENCY RULEMAKING.—

1131 (a) The Department of Health and the applicable boards

576-03187-23

20232502__

1132 shall adopt emergency rules pursuant to s. 120.54(4), Florida
1133 Statutes, and this section necessary to implement s. 381.986 ~~ss.~~
1134 ~~381.986 and 381.988~~, Florida Statutes. If an emergency rule
1135 adopted under this section is held to be unconstitutional or an
1136 invalid exercise of delegated legislative authority, and becomes
1137 void, the department or the applicable boards may adopt an
1138 emergency rule pursuant to this section to replace the rule that
1139 has become void. If the emergency rule adopted to replace the
1140 void emergency rule is also held to be unconstitutional or an
1141 invalid exercise of delegated legislative authority and becomes
1142 void, the department and the applicable boards must follow the
1143 nonemergency rulemaking procedures of the Administrative
1144 Procedures Act to replace the rule that has become void.

1145 (b) For emergency rules adopted under this section, the
1146 department and the applicable boards need not make the findings
1147 required by s. 120.54(4)(a), Florida Statutes. Emergency rules
1148 adopted under this section are exempt from ss. 120.54(3)(b) and
1149 120.541, Florida Statutes. The department and the applicable
1150 boards shall meet the procedural requirements in s. 120.54(4)(a)
1151 ~~s. 120.54(a)~~, Florida Statutes, if the department or the
1152 applicable boards have, before July 1, 2019 ~~the effective date~~
1153 ~~of this act~~, held any public workshops or hearings on the
1154 subject matter of the emergency rules adopted under this
1155 subsection. Challenges to emergency rules adopted under this
1156 subsection are subject to the time schedules provided in s.
1157 120.56(5), Florida Statutes.

1158 (c) Emergency rules adopted under this section are exempt
1159 from s. 120.54(4)(c), Florida Statutes, and shall remain in
1160 effect until replaced by rules adopted under the nonemergency

576-03187-23

20232502__

1161 rulemaking procedures of the Administrative Procedures Act.
1162 Rules adopted under the nonemergency rulemaking procedures of
1163 the Administrative Procedures Act to replace emergency rules
1164 adopted under this section are exempt from ss. 120.54(3)(b) and
1165 120.541, Florida Statutes. By July 1, 2024 ~~January 1, 2018~~, the
1166 department and the applicable boards shall initiate nonemergency
1167 rulemaking pursuant to the Administrative Procedures Act to
1168 replace all emergency rules adopted under this section by
1169 publishing a notice of rule development in the Florida
1170 Administrative Register. Except as provided in paragraph (a),
1171 after July 1, 2024 ~~January 1, 2018~~, the department and
1172 applicable boards may not adopt rules pursuant to the emergency
1173 rulemaking procedures provided in this section.

1174 Section 27. The amendments to s. 14(1) of chapter 2017-232,
1175 Laws of Florida, made by this act expire July 1, 2024, and the
1176 text of that subsection shall revert to that in existence on
1177 June 30, 2019, except that any amendments to such text enacted
1178 other than by this act shall be preserved and continue to
1179 operate to the extent that such amendments are not dependent
1180 upon the portions of text which expire pursuant to this section.

1181 Section 28. In order to implement Specific Appropriations
1182 203, 206, and 210 of the 2023-2024 General Appropriations Act,
1183 the Agency for Health Care Administration may submit a budget
1184 amendment pursuant to chapter 216, Florida Statutes, requesting
1185 additional spending authority to implement the federally
1186 approved Directed Payment Program for hospitals statewide
1187 providing inpatient and outpatient services to Medicaid managed
1188 care enrollees. This section expires July 1, 2024.

1189 Section 29. In order to implement Specific Appropriations

576-03187-23

20232502__

1190 203, 206, and 210 of the 2023-2024 General Appropriations Act,
1191 the Agency for Health Care Administration may submit a budget
1192 amendment pursuant to chapter 216, Florida Statutes, requesting
1193 additional spending authority to implement the federally
1194 approved Directed Payment Program for cancer hospitals that meet
1195 the criteria in 42 U.S.C. s. 1395ww(d) (1) (B) (v). This section
1196 expires July 1, 2024.

1197 Section 30. In order to implement Specific Appropriation
1198 202 of the 2023-2024 General Appropriations Act, the Agency for
1199 Health Care Administration may submit a budget amendment
1200 pursuant to chapter 216, Florida Statutes, requesting additional
1201 spending authority to implement the federally approved Indirect
1202 Medical Education (IME) Program and a nursing workforce
1203 expansion and education program for certain institutions
1204 participating in a graduate medical education or nursing
1205 education program. For institutions participating in the nursing
1206 workforce expansion and education program, the budget amendment
1207 must identify the educational institutions partnering with the
1208 teaching hospital. Institutions participating in the nursing
1209 workforce expansion and education program shall provide
1210 quarterly reports to the agency detailing the number of nurses
1211 participating in the program. This section expires July 1, 2024.

1212 Section 31. In order to implement Specific Appropriations
1213 197 through 223 of the 2023-2024 General Appropriations Act, the
1214 Agency for Health Care Administration may submit a budget
1215 amendment, subject to the notice, review, and objection
1216 procedures of s. 216.177, Florida Statutes, to provide spending
1217 authority to implement the Low Income Pool component of the
1218 Florida Managed Medical Assistance Demonstration up to the total

576-03187-23

20232502__

1219 computable funds authorized by the federal Centers for Medicare
1220 and Medicaid Services. The budget amendment must include the
1221 final terms and conditions of the Low Income Pool, a proposed
1222 distribution model by entity, and a listing of entities
1223 contributing intergovernmental transfers to support the state
1224 match required. In addition, for each entity included in the
1225 distribution model, a signed attestation must be provided that
1226 includes the charity care cost upon which the Low Income Pool
1227 payment is based and an acknowledgment that should the
1228 distribution result in an overpayment based on the Low Income
1229 Pool cost limit audit, the entity is responsible for returning
1230 that overpayment to the agency for return to the federal Centers
1231 for Medicare and Medicaid Services. This section expires July 1,
1232 2024.

1233 Section 32. In order to implement Specific Appropriations
1234 328, 330, 361, and 362 of the 2023-2024 General Appropriations
1235 Act, and notwithstanding ss. 216.181 and 216.292, Florida
1236 Statutes, the Department of Children and Families may submit a
1237 budget amendment, subject to the notice, review, and objection
1238 procedures of s. 216.177, Florida Statutes, to realign funding
1239 within the department based on the implementation of the
1240 Guardianship Assistance Program, between the specific
1241 appropriations for guardianship assistance payments, foster care
1242 Level 1 room and board payments, relative caregiver payments,
1243 and nonrelative caregiver payments. This section expires July 1,
1244 2024.

1245 Section 33. In order to implement Specific Appropriations
1246 306 through 309, 314, 316, 317, 319, 320, and 327 through 330 of
1247 the 2023-2024 General Appropriations Act, and notwithstanding

576-03187-23

20232502__

1248 ss. 216.181 and 216.292, Florida Statutes, the Department of
1249 Children and Families may submit a budget amendment, subject to
1250 the notice, review, and objection procedures of s. 216.177,
1251 Florida Statutes, to realign funding within the Family Safety
1252 Program to maximize the use of Title IV-E and other federal
1253 funds. This section expires July 1, 2024.

1254 Section 34. In order to implement Specific Appropriations
1255 197 through 199, 203, 206, 207, 209 through 211, 355, 365, 482,
1256 499 through 501, 507, and 511 of the 2023-2024 General
1257 Appropriations Act, and notwithstanding ss. 216.181 and 216.292,
1258 Florida Statutes, the Department of Children and Families,
1259 Department of Health, and Agency for Health Care Administration
1260 may submit budget amendments, subject to the notice, review, and
1261 objection procedures of s. 216.177, Florida Statutes, to
1262 increase budget authority to support refugee programs
1263 administered by the federal Office of Refugee Resettlement due
1264 to the ongoing instability of federal immigration policy and the
1265 resulting inability of the state to reasonably predict, with
1266 certainty, the budgetary need of this state with respect to the
1267 number of refugees relocated to the state as part of those
1268 federal programs. The Department of Children and Families shall
1269 submit quarterly reports to the Executive Office of the
1270 Governor, the President of the Senate, and the Speaker of the
1271 House of Representatives on the number of refugees entering the
1272 state, the nations of origin of such refugees, and current
1273 expenditure projections. This section expires July 1, 2024.

1274 Section 35. In order to implement Specific Appropriations
1275 293, 306 through 309, 314 through 316, 327, and 327A of the
1276 2023-2024 General Appropriations Act, and notwithstanding ss.

576-03187-23

20232502__

1277 39.3065, 216.181, and 216.292, Florida Statutes, no later than
1278 December 31, 2023, the Broward, Hillsborough, Manatee, Pasco,
1279 Pinellas, Seminole, and Walton County sheriffs' offices that
1280 have entered into grant agreements with the Department of
1281 Children and Families shall transfer child protective
1282 investigative services to the department. Each sheriff's office
1283 and the department shall designate a mutually agreed upon date
1284 by which the transfer is to be finalized. The department may
1285 submit budget amendments, subject to the notice, review, and
1286 objection procedures of s. 216.177, Florida Statutes, to realign
1287 funding within the Family Safety Program to transition child
1288 protective investigations from the Broward, Hillsborough,
1289 Manatee, Pasco, Pinellas, Seminole, and Walton County sheriffs'
1290 offices to the department. This section expires July 1, 2024.

1291 Section 36. In order to implement Specific Appropriations
1292 358 through 360, 372 through 378, and 383 through 387 of the
1293 2023-2024 General Appropriations Act, and notwithstanding ss.
1294 216.181 and 216.292, Florida Statutes, the Department of
1295 Children and Families, may submit budget amendments, subject to
1296 the notice, review, and objection procedures of s. 216.177,
1297 Florida Statutes, to increase budget authority to support the
1298 following federal grant programs: the Supplemental Nutrition
1299 Assistance Grant Program, the American Rescue Plan Grant, the
1300 State Opioid Response Grant, the Substance Abuse Prevention and
1301 Treatment Block Grant, and the Mental Health Block Grant. This
1302 section expires July 1, 2024.

1303 Section 37. In order to implement Specific Appropriations
1304 469 and 471 of the 2023-2024 General Appropriations Act, and
1305 notwithstanding ss. 216.181 and 216.292, Florida Statutes, the

576-03187-23

20232502__

1306 Department of Health may submit a budget amendment, subject to
1307 the notice, review, and objection procedures of s. 216.177,
1308 Florida Statutes, to increase budget authority for the
1309 Supplemental Nutrition Program for Women, Infants, and Children
1310 (WIC) and the Child Care Food Program if additional federal
1311 revenues will be expended in the 2023-2024 fiscal year. This
1312 section expires July 1, 2024.

1313 Section 38. In order to implement Specific Appropriations
1314 478 and 523 of the 2023-2024 General Appropriations Act, and
1315 notwithstanding ss. 216.181 and 216.292, Florida Statutes, the
1316 Department of Health may submit a budget amendment, subject to
1317 the notice, review, and objection procedures of s. 216.177,
1318 Florida Statutes, to increase budget authority for the HIV/AIDS
1319 Prevention and Treatment Program if additional federal revenues
1320 specific to HIV/AIDS prevention and treatment become available
1321 in the 2023-2024 fiscal year. This section expires July 1, 2024.

1322 Section 39. In order to implement Specific Appropriations
1323 432 through 567 of the 2023-2024 General Appropriations Act, and
1324 notwithstanding ss. 216.181 and 216.292, Florida Statutes, the
1325 Department of Health may submit a budget amendment, subject to
1326 the notice, review, and objection procedures of s. 216.177,
1327 Florida Statutes, to increase budget authority for the
1328 department if additional federal revenues specific to COVID-19
1329 relief funds become available in the 2023-2024 fiscal year. This
1330 section expires July 1, 2024.

1331 Section 40. In order to implement Specific Appropriations
1332 191 and 192A through 192E of the 2023-2024 General
1333 Appropriations Act:

1334 (1) The Agency for Health Care Administration shall replace

576-03187-23

20232502__

1335 the current Florida Medicaid Management Information System
1336 (FMMIS) and fiscal agent operations with a system that is
1337 modular, interoperable, and scalable for the Florida Medicaid
1338 program that complies with all applicable federal and state laws
1339 and requirements. The agency may not include in the project to
1340 replace the current FMMIS and fiscal agent contract:

1341 (a) Functionality that duplicates any of the information
1342 systems of the other health and human services state agencies;

1343 (b) Procurement for agency requirements external to
1344 Medicaid programs with the intent to leverage the Medicaid
1345 technology infrastructure for other purposes without legislative
1346 appropriation or legislative authorization to procure these
1347 requirements. The new system, the Florida Health Care Connection
1348 (FX) system, must provide better integration with subsystems
1349 supporting Florida's Medicaid program; uniformity, consistency,
1350 and improved access to data; and compatibility with the Centers
1351 for Medicare and Medicaid Services' Medicaid Information
1352 Technology Architecture (MITA) as the system matures and expands
1353 its functionality; or

1354 (c) Any contract executed after July 1, 2022, not including
1355 staff augmentation services purchased off the Department of
1356 Management Services Information Technology staff augmentation
1357 state term contract that are not deliverables based fixed price
1358 contracts.

1359 (2) For purposes of replacing FMMIS and the current
1360 Medicaid fiscal agent, the Agency for Health Care Administration
1361 shall:

1362 (a) Prioritize procurements for the replacement of the
1363 current functions of FMMIS and the responsibilities of the

576-03187-23

20232502__

1364 current Medicaid fiscal agent, to minimize the need to extend
1365 all or portions of the current fiscal agent contract.

1366 (b) Comply with and not exceed the Centers for Medicare and
1367 Medicaid Services funding authorizations for the FX system.

1368 (c) Ensure compliance and uniformity with the published
1369 MITA framework and guidelines.

1370 (d) Ensure that all business requirements and technical
1371 specifications have been provided to all affected state agencies
1372 for their review and input and approved by the executive
1373 steering committee established in paragraph (g).

1374 (e) Consult with the Executive Office of the Governor's
1375 working group for interagency information technology integration
1376 for the development of competitive solicitations that provide
1377 for data interoperability and shared information technology
1378 services across the state's health and human services agencies.

1379 (f) Implement a data governance structure for the project
1380 to coordinate data sharing and interoperability across state
1381 health care entities.

1382 (g) Implement a project governance structure that includes
1383 an executive steering committee composed of:

1384 1. The Secretary of Health Care Administration, or the
1385 executive sponsor of the project.

1386 2. A representative of the Division of Operations of the
1387 Agency for Health Care Administration, appointed by the
1388 Secretary of Health Care Administration.

1389 3. Two representatives from the Division of Medicaid of the
1390 Agency for Health Care Administration, appointed by the
1391 Secretary of Health Care Administration.

1392 4. A representative of the Division of Health Quality

576-03187-23

20232502__

1393 Assurance of the Agency for Health Care Administration,
1394 appointed by the Secretary of Health Care Administration.

1395 5. A representative of the Florida Center for Health
1396 Information and Transparency of the Agency for Health Care
1397 Administration, appointed by the Secretary of Health Care
1398 Administration.

1399 6. The Chief Information Officer of the Agency for Health
1400 Care Administration, or his or her designee.

1401 7. The state chief information officer, or his or her
1402 designee.

1403 8. Two representatives of the Department of Children and
1404 Families, appointed by the Secretary of Children and Families.

1405 9. A representative of the Department of Health, appointed
1406 by the State Surgeon General.

1407 10. A representative of the Agency for Persons with
1408 Disabilities, appointed by the director of the Agency for
1409 Persons with Disabilities.

1410 11. A representative from the Florida Healthy Kids
1411 Corporation.

1412 12. A representative from the Department of Elderly
1413 Affairs, appointed by the Secretary of Elderly Affairs.

1414 13. A representative of the Department of Financial
1415 Services who has experience with the state's financial
1416 processes, including development of the PALM system, appointed
1417 by the Chief Financial Officer.

1418 (3) The Secretary of Health Care Administration or the
1419 executive sponsor of the project shall serve as chair of the
1420 executive steering committee, and the committee shall take
1421 action by a vote of at least 10 affirmative votes with the chair

576-03187-23

20232502__

1422 voting on the prevailing side. A quorum of the executive
1423 steering committee consists of at least 11 members.

1424 (4) The executive steering committee has the overall
1425 responsibility for ensuring that the project to replace FMMIS
1426 and the Medicaid fiscal agent meets its primary business
1427 objectives and shall:

1428 (a) Identify and recommend to the Executive Office of the
1429 Governor, the President of the Senate, and the Speaker of the
1430 House of Representatives any statutory changes needed to
1431 implement the modular replacement to standardize, to the fullest
1432 extent possible, the state's health care data and business
1433 processes.

1434 (b) Review and approve any changes to the project's scope,
1435 schedule, and budget which do not conflict with the requirements
1436 of subsections (1) and (2).

1437 (c) Ensure that adequate resources are provided throughout
1438 all phases of the project.

1439 (d) Approve all major project deliverables.

1440 (e) Review and verify that all procurement and contractual
1441 documents associated with the replacement of the current FMMIS
1442 and Medicaid fiscal agent align with the scope, schedule, and
1443 anticipated budget for the project.

1444 (5) This section expires July 1, 2024.

1445 Section 41. In order to implement Specific Appropriations
1446 210, 211, 265, 277, 340, 501, and 523 of the 2023-2024 General
1447 Appropriations Act, the Agency for Health Care Administration,
1448 in consultation with the Department of Health, the Agency for
1449 Persons with Disabilities, the Department of Children and
1450 Families, and the Department of Corrections, shall competitively

576-03187-23

20232502__

1451 procure a contract with a vendor to negotiate, for these
1452 agencies, prices for prescribed drugs and biological products
1453 excluded from the programs established under s. 381.02035,
1454 Florida Statutes, and ineligible under 21 U.S.C. s. 384,
1455 including, but not limited to, insulin and epinephrine. The
1456 contract may allow the vendor to directly purchase these
1457 products for participating agencies when feasible and
1458 advantageous. The contracted vendor will be compensated on a
1459 contingency basis, paid from a portion of the savings achieved
1460 by its price negotiation or purchase of the prescription drugs
1461 and products. This section expires July 1, 2024.

1462 Section 42. In order to implement Specific Appropriations
1463 256, 263, 264, 275, and 276 of the 2023-2024 General
1464 Appropriations Act, and notwithstanding ss. 216.181 and 216.292,
1465 Florida Statutes, the Agency for Persons with Disabilities may
1466 submit budget amendments, subject to the notice, review, and
1467 objection procedures of s. 216.177, Florida Statutes, to
1468 transfer funding from the Salaries and Benefits appropriation
1469 categories to categories used for contractual services in order
1470 to support additional staff augmentation resources needed at the
1471 Developmental Disability Centers. This section expires July 1,
1472 2024.

1473 Section 43. In order to implement Specific Appropriation
1474 464 of the 2023-2024 General Appropriations Act, and
1475 notwithstanding the allocation calculation under s. 381.915,
1476 Florida Statutes, from funds appropriated in the General Revenue
1477 Fund to the Department of Health, the department shall exclude
1478 \$37,771,257 from the calculation for the distribution of funds
1479 pursuant to s. 381.915, Florida Statutes. The funds remaining in

576-03187-23

20232502__

1480 the General Revenue Fund shall first be distributed pursuant to
1481 the allocation formula in s. 381.915, Florida Statutes, and the
1482 excluded funds shall then be distributed to the cancer centers
1483 participating in the Casey DeSantis Cancer Research Program in
1484 the same proportion as is required to be allocated to each
1485 cancer center in s. 381.915, Florida Statutes. This section
1486 expires July 1, 2024.

1487 Section 44. In order to implement Specific Appropriations
1488 598 through 705 and 718 through 753 of the 2023-2024 General
1489 Appropriations Act, subsection (4) of section 216.262, Florida
1490 Statutes, is amended to read:

1491 216.262 Authorized positions.—

1492 (4) Notwithstanding the provisions of this chapter relating
1493 to increasing the number of authorized positions, and for the
1494 2023-2024 ~~2022-2023~~ fiscal year only, if the actual inmate
1495 population of the Department of Corrections exceeds the inmate
1496 population projections of the February 13, 2023 ~~January 13,~~
1497 ~~2022~~, Criminal Justice Estimating Conference by 1 percent for 2
1498 consecutive months or 2 percent for any month, the Executive
1499 Office of the Governor, with the approval of the Legislative
1500 Budget Commission, shall immediately notify the Criminal Justice
1501 Estimating Conference, which shall convene as soon as possible
1502 to revise the estimates. The Department of Corrections may then
1503 submit a budget amendment requesting the establishment of
1504 positions in excess of the number authorized by the Legislature
1505 and additional appropriations from unallocated general revenue
1506 sufficient to provide for essential staff, fixed capital
1507 improvements, and other resources to provide classification,
1508 security, food services, health services, and other variable

576-03187-23

20232502__

1509 expenses within the institutions to accommodate the estimated
1510 increase in the inmate population. All actions taken pursuant to
1511 this subsection are subject to review and approval by the
1512 Legislative Budget Commission. This subsection expires July 1,
1513 2024 ~~2023~~.

1514 Section 45. In order to implement Specific Appropriations
1515 3271 through 3337 of the 2023-2024 General Appropriations Act,
1516 subsection (2) of section 215.18, Florida Statutes, is amended
1517 to read:

1518 215.18 Transfers between funds; limitation.—

1519 (2) The Chief Justice of the Supreme Court may receive one
1520 or more trust fund loans to ensure that the state court system
1521 has funds sufficient to meet its appropriations in the 2023-2024
1522 ~~2022-2023~~ General Appropriations Act. If the Chief Justice
1523 accesses the loan, he or she must notify the Governor and the
1524 chairs of the legislative appropriations committees in writing.
1525 The loan must come from other funds in the State Treasury which
1526 are for the time being or otherwise in excess of the amounts
1527 necessary to meet the just requirements of such last-mentioned
1528 funds. The Governor shall order the transfer of funds within 5
1529 days after the written notification from the Chief Justice. If
1530 the Governor does not order the transfer, the Chief Financial
1531 Officer shall transfer the requested funds. The loan of funds
1532 from which any money is temporarily transferred must be repaid
1533 by the end of the 2023-2024 ~~2022-2023~~ fiscal year. This
1534 subsection expires July 1, 2024 ~~2023~~.

1535 Section 46. In order to implement Specific Appropriations
1536 1132 through 1143 of the 2023-2024 General Appropriations Act:

1537 (1) The Department of Juvenile Justice is required to

576-03187-23

20232502__

1538 review county juvenile detention payments to ensure that
1539 counties fulfill their financial responsibilities required in s.
1540 985.6865, Florida Statutes. If the Department of Juvenile
1541 Justice determines that a county has not met its obligations,
1542 the department shall direct the Department of Revenue to deduct
1543 the amount owed to the Department of Juvenile Justice from the
1544 funds provided to the county under s. 218.23, Florida Statutes.
1545 The Department of Revenue shall transfer the funds withheld to
1546 the Shared County/State Juvenile Detention Trust Fund.

1547 (2) As an assurance to holders of bonds issued by counties
1548 before July 1, 2023, for which distributions made pursuant to s.
1549 218.23, Florida Statutes, are pledged, or bonds issued to refund
1550 such bonds which mature no later than the bonds they refunded
1551 and which result in a reduction of debt service payable in each
1552 fiscal year, the amount available for distribution to a county
1553 shall remain as provided by law and continue to be subject to
1554 any lien or claim on behalf of the bondholders. The Department
1555 of Revenue must ensure, based on information provided by an
1556 affected county, that any reduction in amounts distributed
1557 pursuant to subsection (1) does not reduce the amount of
1558 distribution to a county below the amount necessary for the
1559 timely payment of principal and interest when due on the bonds
1560 and the amount necessary to comply with any covenant under the
1561 bond resolution or other documents relating to the issuance of
1562 the bonds. If a reduction to a county's monthly distribution
1563 must be decreased in order to comply with this section, the
1564 Department of Revenue must notify the Department of Juvenile
1565 Justice of the amount of the decrease, and the Department of
1566 Juvenile Justice must send a bill for payment of such amount to

576-03187-23

20232502__

1567 the affected county.

1568
1569 This section expires July 1, 2024.

1570 Section 47. In order to implement Specific Appropriations
1571 763 through 784, 932 through 1075, and 1096 through 1131 of the
1572 2023-2024 General Appropriations Act, and notwithstanding the
1573 expiration date in section 36 of chapter 2022-157, Laws of
1574 Florida, subsection (1), paragraph (a) of subsection (2),
1575 paragraph (a) of subsection (3), and subsections (5), (6), and
1576 (7) of section 27.40, Florida Statutes, are reenacted to read:

1577 27.40 Court-appointed counsel; circuit registries; minimum
1578 requirements; appointment by court.—

1579 (1) Counsel shall be appointed to represent any individual
1580 in a criminal or civil proceeding entitled to court-appointed
1581 counsel under the Federal or State Constitution or as authorized
1582 by general law. The court shall appoint a public defender to
1583 represent indigent persons as authorized in s. 27.51. The office
1584 of criminal conflict and civil regional counsel shall be
1585 appointed to represent persons in those cases in which provision
1586 is made for court-appointed counsel, but only after the public
1587 defender has certified to the court in writing that the public
1588 defender is unable to provide representation due to a conflict
1589 of interest or is not authorized to provide representation. The
1590 public defender shall report, in the aggregate, the specific
1591 basis of all conflicts of interest certified to the court. On a
1592 quarterly basis, the public defender shall submit this
1593 information to the Justice Administrative Commission.

1594 (2) (a) Private counsel shall be appointed to represent
1595 persons in those cases in which provision is made for court-

576-03187-23

20232502__

1596 appointed counsel but only after the office of criminal conflict
1597 and civil regional counsel has been appointed and has certified
1598 to the court in writing that the criminal conflict and civil
1599 regional counsel is unable to provide representation due to a
1600 conflict of interest. The criminal conflict and civil regional
1601 counsel shall report, in the aggregate, the specific basis of
1602 all conflicts of interest certified to the court. On a quarterly
1603 basis, the criminal conflict and civil regional counsel shall
1604 submit this information to the Justice Administrative
1605 Commission.

1606 (3) In using a registry:

1607 (a) The chief judge of the circuit shall compile a list of
1608 attorneys in private practice, by county and by category of
1609 cases, and provide the list to the clerk of court in each
1610 county. The chief judge of the circuit may restrict the number
1611 of attorneys on the general registry list. To be included on a
1612 registry, an attorney must certify that he or she:

1613 1. Meets any minimum requirements established by the chief
1614 judge and by general law for court appointment;

1615 2. Is available to represent indigent defendants in cases
1616 requiring court appointment of private counsel; and

1617 3. Is willing to abide by the terms of the contract for
1618 services, s. 27.5304, and this section.

1619

1620 To be included on a registry, an attorney must enter into a
1621 contract for services with the Justice Administrative
1622 Commission. Failure to comply with the terms of the contract for
1623 services may result in termination of the contract and removal
1624 from the registry. Each attorney on the registry is responsible

576-03187-23

20232502__

1625 for notifying the clerk of the court and the Justice
1626 Administrative Commission of any change in his or her status.
1627 Failure to comply with this requirement is cause for termination
1628 of the contract for services and removal from the registry until
1629 the requirement is fulfilled.

1630 (5) The Justice Administrative Commission shall approve
1631 uniform contract forms for use in procuring the services of
1632 private court-appointed counsel and uniform procedures and forms
1633 for use by a court-appointed attorney in support of billing for
1634 attorney's fees, costs, and related expenses to demonstrate the
1635 attorney's completion of specified duties. Such uniform
1636 contracts and forms for use in billing must be consistent with
1637 s. 27.5304, s. 216.311, and the General Appropriations Act and
1638 must contain the following statement: "The State of Florida's
1639 performance and obligation to pay under this contract is
1640 contingent upon an annual appropriation by the Legislature."

1641 (6) After court appointment, the attorney must immediately
1642 file a notice of appearance with the court indicating acceptance
1643 of the appointment to represent the defendant and of the terms
1644 of the uniform contract as specified in subsection (5).

1645 (7) (a) A private attorney appointed by the court from the
1646 registry to represent a client is entitled to payment as
1647 provided in s. 27.5304 so long as the requirements of subsection
1648 (1) and paragraph (2) (a) are met. An attorney appointed by the
1649 court who is not on the registry list may be compensated under
1650 s. 27.5304 only if the court finds in the order of appointment
1651 that there were no registry attorneys available for
1652 representation for that case and only if the requirements of
1653 subsection (1) and paragraph (2) (a) are met.

576-03187-23

20232502__

1654 (b)1. The flat fee established in s. 27.5304 and the
1655 General Appropriations Act shall be presumed by the court to be
1656 sufficient compensation. The attorney shall maintain appropriate
1657 documentation, including contemporaneous and detailed hourly
1658 accounting of time spent representing the client. If the
1659 attorney fails to maintain such contemporaneous and detailed
1660 hourly records, the attorney waives the right to seek
1661 compensation in excess of the flat fee established in s. 27.5304
1662 and the General Appropriations Act. These records and documents
1663 are subject to review by the Justice Administrative Commission
1664 and audit by the Auditor General, subject to the attorney-client
1665 privilege and work-product privilege. The attorney shall
1666 maintain the records and documents in a manner that enables the
1667 attorney to redact any information subject to a privilege in
1668 order to facilitate the commission's review of the records and
1669 documents and not to impede such review. The attorney may redact
1670 information from the records and documents only to the extent
1671 necessary to comply with the privilege. The Justice
1672 Administrative Commission shall review such records and shall
1673 contemporaneously document such review before authorizing
1674 payment to an attorney. Objections by or on behalf of the
1675 Justice Administrative Commission to records or documents or to
1676 claims for payment by the attorney shall be presumed correct by
1677 the court unless the court determines, in writing, that
1678 competent and substantial evidence exists to justify overcoming
1679 the presumption.

1680 2. If an attorney fails, refuses, or declines to permit the
1681 commission or the Auditor General to review documentation for a
1682 case as provided in this paragraph, the attorney waives the

576-03187-23

20232502__

1683 right to seek, and the commission may not pay, compensation in
1684 excess of the flat fee established in s. 27.5304 and the General
1685 Appropriations Act for that case.

1686 3. A finding by the commission that an attorney has waived
1687 the right to seek compensation in excess of the flat fee
1688 established in s. 27.5304 and the General Appropriations Act, as
1689 provided in this paragraph, shall be presumed to be correct,
1690 unless the court determines, in writing, that competent and
1691 substantial evidence exists to justify overcoming the
1692 presumption.

1693 Section 48. The text of s. 27.40(1), (2)(a), (3)(a), (5),
1694 (6), and (7), Florida Statutes, as carried forward from chapter
1695 2019-116, Laws of Florida, by this act, expires July 1, 2024,
1696 and the text of those subsections and paragraphs, as applicable,
1697 shall revert to that in existence on June 30, 2019, except that
1698 any amendments to such text enacted other than by this act shall
1699 be preserved and continue to operate to the extent that such
1700 amendments are not dependent upon the portions of text which
1701 expire pursuant to this section.

1702 Section 49. In order to implement Specific Appropriations
1703 763 through 784, 932 through 1075, and 1096 through 1131 of the
1704 2023-2024 General Appropriations Act, and notwithstanding the
1705 expiration date in section 38 of chapter 2022-157, Laws of
1706 Florida, subsections (6) and (13) of section 27.5304, Florida
1707 Statutes, are reenacted and amended, and subsections (1), (3),
1708 (7), and (11), and paragraphs (a) through (e) of subsection (12)
1709 of that section are reenacted, to read:

1710 27.5304 Private court-appointed counsel; compensation;
1711 notice.-

576-03187-23

20232502__

1712 (1) Private court-appointed counsel appointed in the manner
1713 prescribed in s. 27.40(1) and (2)(a) shall be compensated by the
1714 Justice Administrative Commission only as provided in this
1715 section and the General Appropriations Act. The flat fees
1716 prescribed in this section are limitations on compensation. The
1717 specific flat fee amounts for compensation shall be established
1718 annually in the General Appropriations Act. The attorney also
1719 shall be reimbursed for reasonable and necessary expenses in
1720 accordance with s. 29.007. If the attorney is representing a
1721 defendant charged with more than one offense in the same case,
1722 the attorney shall be compensated at the rate provided for the
1723 most serious offense for which he or she represented the
1724 defendant. This section does not allow stacking of the fee
1725 limits established by this section.

1726 (3) The court retains primary authority and responsibility
1727 for determining the reasonableness of all billings for attorney
1728 fees, costs, and related expenses, subject to statutory
1729 limitations and the requirements of s. 27.40(7). Private court-
1730 appointed counsel is entitled to compensation upon final
1731 disposition of a case.

1732 (6) For compensation for representation pursuant to a court
1733 appointment in a proceeding under chapter 39:

1734 (a) At the trial level, compensation for representation for
1735 dependency proceedings shall not exceed \$1,450 ~~\$1,000~~ for the
1736 first year following the date of appointment and shall not
1737 exceed \$350 ~~\$200~~ each year thereafter. Compensation shall be
1738 paid based upon representation of a parent irrespective of the
1739 number of case numbers that may be assigned or the number of
1740 children involved, including any children born during the

576-03187-23

20232502__

1741 pendency of the proceeding. Any appeal, except for an appeal
1742 from an adjudication of dependency, shall be completed by the
1743 trial attorney and is considered compensated by the flat fee for
1744 dependency proceedings.

1745 1. Counsel may bill the flat fee not exceeding \$1,450
1746 ~~\$1,000~~ following disposition or upon dismissal of the petition.

1747 2. Counsel may bill the annual flat fee not exceeding \$350
1748 ~~\$200~~ following the first judicial review in the second year
1749 following the date of appointment and each year thereafter as
1750 long as the case remains under protective supervision.

1751 3. If the court grants a motion to reactivate protective
1752 supervision, the attorney shall receive the annual flat fee not
1753 exceeding \$350 ~~\$200~~ following the first judicial review and up
1754 to an additional \$350 ~~\$200~~ each year thereafter.

1755 4. If, during the course of dependency proceedings, a
1756 proceeding to terminate parental rights is initiated,
1757 compensation shall be as set forth in paragraph (b). If counsel
1758 handling the dependency proceeding is not authorized to handle
1759 proceedings to terminate parental rights, the counsel must
1760 withdraw and new counsel must be appointed.

1761 (b) At the trial level, compensation for representation in
1762 termination of parental rights proceedings shall not exceed
1763 \$1,800 ~~\$1,000~~ for the first year following the date of
1764 appointment and shall not exceed \$350 ~~\$200~~ each year thereafter.
1765 Compensation shall be paid based upon representation of a parent
1766 irrespective of the number of case numbers that may be assigned
1767 or the number of children involved, including any children born
1768 during the pendency of the proceeding. Any appeal, except for an
1769 appeal from an order granting or denying termination of parental

576-03187-23

20232502__

1770 rights, shall be completed by trial counsel and is considered
1771 compensated by the flat fee for termination of parental rights
1772 proceedings. If the individual has dependency proceedings
1773 ongoing as to other children, those proceedings are considered
1774 part of the termination of parental rights proceedings as long
1775 as that termination of parental rights proceeding is ongoing.

1776 1. Counsel may bill the flat fee not exceeding \$1,800
1777 ~~\$1,000~~ 30 days after rendition of the final order. Each request
1778 for payment submitted to the Justice Administrative Commission
1779 must include the trial counsel's certification that:

1780 a. Counsel discussed grounds for appeal with the parent or
1781 that counsel attempted and was unable to contact the parent; and

1782 b. No appeal will be filed or that a notice of appeal and a
1783 motion for appointment of appellate counsel, containing the
1784 signature of the parent, have been filed.

1785 2. Counsel may bill the annual flat fee not exceeding \$350
1786 ~~\$200~~ following the first judicial review in the second year
1787 after the date of appointment and each year thereafter as long
1788 as the termination of parental rights proceedings are still
1789 ongoing.

1790 (c) For appeals from an adjudication of dependency,
1791 compensation may not exceed \$1,800 ~~\$1,000~~.

1792 1. Counsel may bill a flat fee not exceeding \$1,200 ~~\$750~~
1793 upon filing the initial brief or the granting of a motion to
1794 withdraw.

1795 2. If a brief is filed, counsel may bill an additional flat
1796 fee not exceeding \$600 ~~\$250~~ upon rendition of the mandate.

1797 (d) For an appeal from an adjudication of termination of
1798 parental rights, compensation may not exceed \$3,500 ~~\$2,000~~.

576-03187-23

20232502__

1799 1. Counsel may bill a flat fee not exceeding \$1,750 ~~\$1,000~~
1800 upon filing the initial brief or the granting of a motion to
1801 withdraw.

1802 2. If a brief is filed, counsel may bill an additional flat
1803 fee not exceeding \$1,750 ~~\$1,000~~ upon rendition of the mandate.

1804 (7) Counsel eligible to receive compensation from the state
1805 for representation pursuant to court appointment made in
1806 accordance with the requirements of s. 27.40(1) and (2) (a) in a
1807 proceeding under chapter 384, chapter 390, chapter 392, chapter
1808 393, chapter 394, chapter 397, chapter 415, chapter 743, chapter
1809 744, or chapter 984 shall receive compensation not to exceed the
1810 limits prescribed in the General Appropriations Act. Any such
1811 compensation must be determined as provided in s. 27.40(7).

1812 (11) It is the intent of the Legislature that the flat fees
1813 prescribed under this section and the General Appropriations Act
1814 comprise the full and complete compensation for private court-
1815 appointed counsel. It is further the intent of the Legislature
1816 that the fees in this section are prescribed for the purpose of
1817 providing counsel with notice of the limit on the amount of
1818 compensation for representation in particular proceedings and
1819 the sole procedure and requirements for obtaining payment for
1820 the same.

1821 (a) If court-appointed counsel moves to withdraw prior to
1822 the full performance of his or her duties through the completion
1823 of the case, the court shall presume that the attorney is not
1824 entitled to the payment of the full flat fee established under
1825 this section and the General Appropriations Act.

1826 (b) If court-appointed counsel is allowed to withdraw from
1827 representation prior to the full performance of his or her

576-03187-23

20232502__

1828 duties through the completion of the case and the court appoints
1829 a subsequent attorney, the total compensation for the initial
1830 and any and all subsequent attorneys may not exceed the flat fee
1831 established under this section and the General Appropriations
1832 Act, except as provided in subsection (12).

1833
1834 This subsection constitutes notice to any subsequently appointed
1835 attorney that he or she will not be compensated the full flat
1836 fee.

1837 (12) The Legislature recognizes that on rare occasions an
1838 attorney may receive a case that requires extraordinary and
1839 unusual effort.

1840 (a) If counsel seeks compensation that exceeds the limits
1841 prescribed by law, he or she must file a motion with the chief
1842 judge for an order approving payment of attorney fees in excess
1843 of these limits.

1844 1. Before filing the motion, the counsel shall deliver a
1845 copy of the intended billing, together with supporting
1846 affidavits and all other necessary documentation, to the Justice
1847 Administrative Commission.

1848 2. The Justice Administrative Commission shall review the
1849 billings, affidavit, and documentation for completeness and
1850 compliance with contractual and statutory requirements and shall
1851 contemporaneously document such review before authorizing
1852 payment to an attorney. If the Justice Administrative Commission
1853 objects to any portion of the proposed billing, the objection
1854 and supporting reasons must be communicated in writing to the
1855 private court-appointed counsel. The counsel may thereafter file
1856 his or her motion, which must specify whether the commission

576-03187-23

20232502__

1857 objects to any portion of the billing or the sufficiency of
1858 documentation, and shall attach the commission's letter stating
1859 its objection.

1860 (b) Following receipt of the motion to exceed the fee
1861 limits, the chief judge or a single designee shall hold an
1862 evidentiary hearing. The chief judge may select only one judge
1863 per circuit to hear and determine motions pursuant to this
1864 subsection, except multicounty circuits and the eleventh circuit
1865 may have up to two designees.

1866 1. At the hearing, the attorney seeking compensation must
1867 prove by competent and substantial evidence that the case
1868 required extraordinary and unusual efforts. The chief judge or
1869 single designee shall consider criteria such as the number of
1870 witnesses, the complexity of the factual and legal issues, and
1871 the length of trial. The fact that a trial was conducted in a
1872 case does not, by itself, constitute competent substantial
1873 evidence of an extraordinary and unusual effort. In a criminal
1874 case, relief under this section may not be granted if the number
1875 of work hours does not exceed 75 or the number of the state's
1876 witnesses deposed does not exceed 20.

1877 2. Objections by or on behalf of the Justice Administrative
1878 Commission to records or documents or to claims for payment by
1879 the attorney shall be presumed correct by the court unless the
1880 court determines, in writing, that competent and substantial
1881 evidence exists to justify overcoming the presumption. The chief
1882 judge or single designee shall enter a written order detailing
1883 his or her findings and identifying the extraordinary nature of
1884 the time and efforts of the attorney in the case which warrant
1885 exceeding the flat fee established by this section and the

576-03187-23

20232502__

1886 General Appropriations Act.

1887 (c) A copy of the motion and attachments shall be served on
1888 the Justice Administrative Commission at least 20 business days
1889 before the date of a hearing. The Justice Administrative
1890 Commission has standing to appear before the court, and may
1891 appear in person or telephonically, including at the hearing
1892 under paragraph (b), to contest any motion for an order
1893 approving payment of attorney fees, costs, or related expenses
1894 and may participate in a hearing on the motion by use of
1895 telephonic or other communication equipment. The Justice
1896 Administrative Commission may contract with other public or
1897 private entities or individuals to appear before the court for
1898 the purpose of contesting any motion for an order approving
1899 payment of attorney fees, costs, or related expenses. The fact
1900 that the Justice Administrative Commission has not objected to
1901 any portion of the billing or to the sufficiency of the
1902 documentation is not binding on the court.

1903 (d) If the chief judge or a single designee finds that
1904 counsel has proved by competent and substantial evidence that
1905 the case required extraordinary and unusual efforts, the chief
1906 judge or single designee shall order the compensation to be paid
1907 to the attorney at a percentage above the flat fee rate,
1908 depending on the extent of the unusual and extraordinary effort
1909 required. The percentage must be only the rate necessary to
1910 ensure that the fees paid are not confiscatory under common law.
1911 The percentage may not exceed 200 percent of the established
1912 flat fee, absent a specific finding that 200 percent of the flat
1913 fee in the case would be confiscatory. If the chief judge or
1914 single designee determines that 200 percent of the flat fee

576-03187-23

20232502__

1915 would be confiscatory, he or she shall order the amount of
 1916 compensation using an hourly rate not to exceed \$75 per hour for
 1917 a noncapital case and \$100 per hour for a capital case. However,
 1918 the compensation calculated by using the hourly rate shall be
 1919 only that amount necessary to ensure that the total fees paid
 1920 are not confiscatory, subject to the requirements of s.
 1921 27.40(7).

1922 (e) Any order granting relief under this subsection must be
 1923 attached to the final request for a payment submitted to the
 1924 Justice Administrative Commission and must satisfy the
 1925 requirements of subparagraph (b)2.

1926 (13) Notwithstanding the limitation set forth in subsection
 1927 (5) and for the 2023-2024 ~~2022-2023~~ fiscal year only, the
 1928 compensation for representation in a criminal proceeding may not
 1929 exceed the following:

1930 (a) For misdemeanors and juveniles represented at the trial
 1931 level: \$1,000.

1932 (b) For noncapital, nonlife felonies represented at the
 1933 trial level: \$15,000.

1934 (c) For life felonies represented at the trial level:
 1935 \$15,000.

1936 (d) For capital cases represented at the trial level:
 1937 \$25,000. For purposes of this paragraph, a "capital case" is any
 1938 offense for which the potential sentence is death and the state
 1939 has not waived seeking the death penalty.

1940 (e) For representation on appeal: \$9,000.

1941 (f) This subsection expires July 1, 2024 ~~2023~~.

1942 Section 50. The amendments made to s. 27.5304(6), Florida
 1943 Statutes, by this act, and the text of s. 27.5304(1), (3), (7),

576-03187-23

20232502__

1944 (11), and (12) (a)-(e), Florida Statutes, as carried forward from
1945 chapter 2019-116, Laws of Florida, by this act, expire July 1,
1946 2024, and the text of those subsections and paragraphs, as
1947 applicable, shall revert to that in existence on June 30, 2019,
1948 except that any amendments to such text enacted other than by
1949 this act shall be preserved and continue to operate to the
1950 extent that such amendments are not dependent upon the portions
1951 of text which expire pursuant to this section.

1952 Section 51. In order to implement appropriations used to
1953 pay existing lease contracts for private lease space in excess
1954 of 2,000 square feet in the 2023-2024 General Appropriations
1955 Act, the Department of Management Services, with the cooperation
1956 of the agencies having the existing lease contracts for office
1957 or storage space, shall use tenant broker services to
1958 renegotiate or reprocure all private lease agreements for office
1959 or storage space expiring between July 1, 2024, and June 30,
1960 2026, in order to reduce costs in future years. The department
1961 shall incorporate this initiative into its 2023 master leasing
1962 report required under s. 255.249(7), Florida Statutes, and may
1963 use tenant broker services to explore the possibilities of
1964 collocating office or storage space, to review the space needs
1965 of each agency, and to review the length and terms of potential
1966 renewals or renegotiations. The department shall provide a
1967 report to the Executive Office of the Governor, the President of
1968 the Senate, and the Speaker of the House of Representatives by
1969 November 1, 2023, which lists each lease contract for private
1970 office or storage space, the status of renegotiations, and the
1971 savings achieved. This section expires July 1, 2024.

1972 Section 52. In order to implement appropriations authorized

576-03187-23

20232502__

1973 in the 2023-2024 General Appropriations Act for data center
1974 services, and notwithstanding s. 216.292(2)(a), Florida
1975 Statutes, an agency may not transfer funds from a data
1976 processing category to a category other than another data
1977 processing category. This section expires July 1, 2024.

1978 Section 53. In order to implement the appropriation of
1979 funds in the appropriation category "Special Categories-Risk
1980 Management Insurance" in the 2023-2024 General Appropriations
1981 Act, and pursuant to the notice, review, and objection
1982 procedures of s. 216.177, Florida Statutes, the Executive Office
1983 of the Governor may transfer funds appropriated in that category
1984 between departments in order to align the budget authority
1985 granted with the premiums paid by each department for risk
1986 management insurance. This section expires July 1, 2024.

1987 Section 54. In order to implement the appropriation of
1988 funds in the appropriation category "Special Categories-Transfer
1989 to Department of Management Services-Human Resources Services
1990 Purchased per Statewide Contract" in the 2023-2024 General
1991 Appropriations Act, and pursuant to the notice, review, and
1992 objection procedures of s. 216.177, Florida Statutes, the
1993 Executive Office of the Governor may transfer funds appropriated
1994 in that category between departments in order to align the
1995 budget authority granted with the assessments that must be paid
1996 by each agency to the Department of Management Services for
1997 human resource management services. This section expires July 1,
1998 2024.

1999 Section 55. In order to implement Specific Appropriation
2000 2871 in the 2023-2024 General Appropriations Act in the Building
2001 Relocation appropriation category from the Architects Incidental

576-03187-23

20232502__

2002 Trust Fund of the Department of Management Services, and in
2003 accordance with s. 215.196, Florida Statutes:

2004 (1) Upon the final disposition of a state-owned building,
2005 the Department of Management Services may use up to 5 percent of
2006 facility disposition funds from the Architects Incidental Trust
2007 Fund to defer, offset, or otherwise pay for all or a portion of
2008 relocation expenses including furniture, fixtures, and equipment
2009 for state agencies impacted by the disposition of the
2010 department's managed facilities in the Florida Facilities Pool.
2011 The extent of the financial assistance provided to impacted
2012 state agencies shall be determined by the department.

2013 (2) The Department of Management Services may submit budget
2014 amendments for an increase in appropriation if necessary for the
2015 implementation of this section pursuant to the provisions of
2016 chapter 216, Florida Statutes. Budget amendments for an increase
2017 in appropriation shall include a detailed plan providing all
2018 estimated costs and relocation proposals.

2019 (3) This section expires July 1, 2024.

2020 Section 56. In order to implement Specific Appropriations
2021 2449 through 2452 of the 2023-2024 General Appropriations Act:

2022 (1) The Department of Financial Services shall replace the
2023 four main components of the Florida Accounting Information
2024 Resource Subsystem (FLAIR), which include central FLAIR,
2025 departmental FLAIR, payroll, and information warehouse, and
2026 shall replace the cash management and accounting management
2027 components of the Cash Management Subsystem (CMS) with an
2028 integrated enterprise system that allows the state to organize,
2029 define, and standardize its financial management business
2030 processes and that complies with ss. 215.90-215.96, Florida

576-03187-23

20232502__

2031 Statutes. The department may not include in the replacement of
2032 FLAIR and CMS:

2033 (a) Functionality that duplicates any of the other
2034 information subsystems of the Florida Financial Management
2035 Information System; or

2036 (b) Agency business processes related to any of the
2037 functions included in the Personnel Information System, the
2038 Purchasing Subsystem, or the Legislative Appropriations
2039 System/Planning and Budgeting Subsystem.

2040 (2) For purposes of replacing FLAIR and CMS, the Department
2041 of Financial Services shall:

2042 (a) Take into consideration the cost and implementation
2043 data identified for Option 3 as recommended in the March 31,
2044 2014, Florida Department of Financial Services FLAIR Study,
2045 version 031.

2046 (b) Ensure that all business requirements and technical
2047 specifications have been provided to all state agencies for
2048 their review and input and approved by the executive steering
2049 committee established in paragraph (c), including any updates to
2050 these documents.

2051 (c) Implement a project governance structure that includes
2052 an executive steering committee composed of:

2053 1. The Chief Financial Officer or the executive sponsor of
2054 the project.

2055 2. A representative of the Division of Treasury of the
2056 Department of Financial Services, appointed by the Chief
2057 Financial Officer.

2058 3. The Chief Information Officers of the Department of
2059 Financial Services and the Department of Environmental

576-03187-23

20232502__

2060 Protection.

2061 4. Two employees from the Division of Accounting and
2062 Auditing of the Department of Financial Services, appointed by
2063 the Chief Financial Officer. Each employee must have experience
2064 relating to at least one of the four main components that
2065 compose FLAIR.

2066 5. Two employees from the Executive Office of the Governor,
2067 appointed by the Governor. One employee must have experience
2068 relating to the Legislative Appropriations System/Planning and
2069 Budgeting Subsystem.

2070 6. One employee from the Department of Revenue, appointed
2071 by the executive director, who has experience using or
2072 maintaining the department's finance and accounting systems.

2073 7. Two employees from the Department of Management
2074 Services, appointed by the Secretary of Management Services. One
2075 employee must have experience relating to the department's
2076 personnel information subsystem and one employee must have
2077 experience relating to the department's purchasing subsystem.

2078 8. A state agency administrative services director,
2079 appointed by the Governor.

2080 9. The executive sponsor of the Florida Health Care
2081 Connection (FX) System or his or her designee, appointed by the
2082 Secretary of Health Care Administration.

2083 10. The State Chief Information Officer, or his or her
2084 designee, as a nonvoting member. The State Chief Information
2085 Officer, or his or her designee, shall provide monthly status
2086 reports to the executive steering committee pursuant to the
2087 oversight responsibilities in s. 282.0051, Florida Statutes.

2088 11. One employee from the Department of Business and

576-03187-23

20232502__

2089 Professional Regulation who has experience in finance and
2090 accounting and FLAIR, appointed by the Secretary of Business and
2091 Professional Regulation.

2092 12. One employee from the Florida Fish and Wildlife
2093 Conservation Commission who has experience using or maintaining
2094 the commission's finance and accounting systems, appointed by
2095 the Chair of the Florida Fish and Wildlife Conservation
2096 Commission.

2097 13. The budget director of the Department of Education, or
2098 his or her designee.

2099 (3) (a) The Chief Financial Officer or the executive sponsor
2100 of the project shall serve as chair of the executive steering
2101 committee, and the committee shall take action by a vote of at
2102 least eight affirmative votes with the Chief Financial Officer
2103 or the executive sponsor of the project voting on the prevailing
2104 side. A quorum of the executive steering committee consists of
2105 at least 10 members.

2106 (b) No later than 14 days before a meeting of the executive
2107 steering committee, the chair shall request input from committee
2108 members on agenda items for the next scheduled meeting.

2109 (c) The chair shall establish a working group consisting of
2110 FLAIR users, state agency technical staff who maintain
2111 applications that integrate with FLAIR, and no less than four
2112 state agency finance and accounting or budget directors. The
2113 working group shall meet at least monthly to review PALM
2114 functionality, assess project impacts to state financial
2115 business processes and agency staff, and develop recommendations
2116 to the executive steering committee for improvements. The chair
2117 shall request input from the working group on agenda items for

576-03187-23

20232502__

2118 each scheduled meeting. The PALM project team shall dedicate a
2119 staff member to the group and provide system demonstrations and
2120 any project documentation, as needed, for the group to fulfill
2121 its duties.

2122 (4) The executive steering committee has the overall
2123 responsibility for ensuring that the project to replace FLAIR
2124 and CMS meets its primary business objectives and shall:

2125 (a) Identify and recommend to the Executive Office of the
2126 Governor, the President of the Senate, and the Speaker of the
2127 House of Representatives any statutory changes needed to
2128 implement the replacement subsystem that will standardize, to
2129 the fullest extent possible, the state's financial management
2130 business processes.

2131 (b) Review and approve any changes to the project's scope,
2132 schedule, and budget which do not conflict with the requirements
2133 of subsection (1).

2134 (c) Ensure that adequate resources are provided throughout
2135 all phases of the project.

2136 (d) Approve all major project deliverables and any cost
2137 changes to each deliverable over \$250,000.

2138 (e) Approve contract amendments and changes to all
2139 contract-related documents associated with the replacement of
2140 FLAIR and CMS.

2141 (f) Ensure compliance with ss. 216.181(16), 216.311,
2142 216.313, 282.318(4)(h), and 287.058, Florida Statutes.

2143 (5) This section expires July 1, 2024.

2144 Section 57. In order to implement Specific Appropriation
2145 2995 of the 2023-2024 General Appropriations Act, and
2146 notwithstanding the expiration date in section 54 of chapter

576-03187-23

20232502__

2147 2022-157, Laws of Florida, subsection (3) of section 282.709,
2148 Florida Statutes, is reenacted to read:

2149 282.709 State agency law enforcement radio system and
2150 interoperability network.—

2151 (3) In recognition of the critical nature of the statewide
2152 law enforcement radio communications system, the Legislature
2153 finds that there is an immediate danger to the public health,
2154 safety, and welfare, and that it is in the best interest of the
2155 state to continue partnering with the system's current operator.
2156 The Legislature finds that continuity of coverage is critical to
2157 supporting law enforcement, first responders, and other public
2158 safety users. The potential for a loss in coverage or a lack of
2159 interoperability between users requires emergency action and is
2160 a serious concern for officers' safety and their ability to
2161 communicate and respond to various disasters and events.

2162 (a) The department, pursuant to s. 287.057(10), shall enter
2163 into a 15-year contract with the entity that was operating the
2164 statewide radio communications system on January 1, 2021. The
2165 contract must include:

- 2166 1. The purchase of radios;
- 2167 2. The upgrade to the Project 25 communications standard;
- 2168 3. Increased system capacity and enhanced coverage for
2169 system users;
- 2170 4. Operations, maintenance, and support at a fixed annual
2171 rate;
- 2172 5. The conveyance of communications towers to the
2173 department; and
- 2174 6. The assignment of communications tower leases to the
2175 department.

576-03187-23

20232502__

2176 (b) The State Agency Law Enforcement Radio System Trust
2177 Fund is established in the department and funded from surcharges
2178 collected under ss. 318.18, 320.0802, and 328.72. Upon
2179 appropriation, moneys in the trust fund may be used by the
2180 department to acquire the equipment, software, and engineering,
2181 administrative, and maintenance services it needs to construct,
2182 operate, and maintain the statewide radio system. Moneys in the
2183 trust fund from surcharges shall be used to help fund the costs
2184 of the system. Upon completion of the system, moneys in the
2185 trust fund may also be used by the department for payment of the
2186 recurring maintenance costs of the system.

2187 Section 58. The text of s. 282.709(3), Florida Statutes, as
2188 carried forward from chapter 2021-37, Laws of Florida, by this
2189 act, expires July 1, 2024, and the text of that subsection shall
2190 revert to that in existence on June 1, 2021, except that any
2191 amendments to such text enacted other than by this act shall be
2192 preserved and continue to operate to the extent that such
2193 amendments are not dependent upon the portions of text which
2194 expire pursuant to this section.

2195 Section 59. In order to implement appropriations relating
2196 to the purchase of equipment and services related to the
2197 Statewide Law Enforcement Radio System (SLERS) as authorized in
2198 the 2023-2024 General Appropriations Act, and notwithstanding s.
2199 287.057, Florida Statutes, state agencies and other eligible
2200 users of the SLERS network may use the Department of Management
2201 Services SLERS contract for purchase of equipment and services.
2202 This section expires July 1, 2024.

2203 Section 60. In order to implement Specific Appropriations
2204 2889 through 2900 of the 2023-2024 General Appropriations Act,

576-03187-23

20232502__

2205 and notwithstanding rule 60A-1.031, Florida Administrative Code,
2206 the transaction fee as identified in s. 287.057(24)(c), Florida
2207 Statutes, shall be collected for use of the online procurement
2208 system and is 0.7 percent for the 2023-2024 fiscal year only.
2209 This section expires July 1, 2024.

2210 Section 61. In order to implement Specific Appropriations
2211 2800 through 2824 of the 2023-2024 General Appropriations Act,
2212 and upon the expiration and reversion of the amendments made by
2213 section 57 of chapter 2022-157, Laws of Florida, paragraph (i)
2214 of subsection (9) of section 24.105, Florida Statutes, is
2215 amended to read:

2216 24.105 Powers and duties of department.—The department
2217 shall:

2218 (9) Adopt rules governing the establishment and operation
2219 of the state lottery, including:

2220 (i) The manner and amount of compensation of retailers,
2221 except for the 2023-2024 fiscal year only, effective July 1,
2222 2023, the commission for lottery ticket sales shall be 5.75
2223 percent of the purchase price of each ticket sold or issued as a
2224 prize by a retailer. Any additional retailer compensation is
2225 limited to the Florida Lottery Retailer Bonus Commission program
2226 appropriated in Specific Appropriation 2820 of the 2023-2024
2227 General Appropriations Act.

2228 Section 62. The amendment to s. 24.105(9)(i), Florida
2229 Statutes, made by this act expires July 1, 2024, and the text of
2230 that paragraph shall revert to that in existence on June 30,
2231 2022, except that any amendments to such text enacted other than
2232 by this act shall be preserved and continue to operate to the
2233 extent that such amendments are not dependent upon the portions

576-03187-23

20232502__

2234 of text which expire pursuant to this section.

2235 Section 63. In order to implement Specific Appropriations
2236 2441 through 2448 of the 2023-2024 General Appropriations Act,
2237 subsection (3) is added to section 717.123, Florida Statutes, to
2238 read:

2239 717.123 Deposit of funds.—

2240 (3) Notwithstanding subsection (1), and for the 2023-2024
2241 fiscal year, the department shall retain, from funds received
2242 under this chapter, an amount not exceeding \$60 million from
2243 which the department shall make prompt payment of claims allowed
2244 by the department and shall pay the costs incurred by the
2245 department in administering and enforcing this chapter. This
2246 subsection expires July 1, 2024.

2247 Section 64. In order to implement section 163 of the 2023-
2248 2024 General Appropriations Act, and notwithstanding chapter 212
2249 or chapter 215, Florida Statutes, the Department of Revenue may
2250 use the unexpended balance of funds provided to the department
2251 in section 155 of chapter 2022-156, Laws of Florida, from the
2252 Hillsborough County Transportation Discretionary Sales Surtax as
2253 provided in the 2023-2024 General Appropriations Act.

2254 Notwithstanding any other law, a taxpayer who files a claim for
2255 a refund pursuant to section 163 of the General Appropriations
2256 Act is not entitled to interest on any amount refunded. This
2257 section expires July 1, 2024.

2258 Section 65. In order to implement Specific Appropriations
2259 3033 through 3041 of the 2023-2024 General Appropriations Act,
2260 paragraph (11) is added to subsection (6) of section 627.351,
2261 Florida Statutes, to read:

2262 627.351 Insurance risk apportionment plans.—

576-03187-23

20232502__

2263 (6) CITIZENS PROPERTY INSURANCE CORPORATION.—

2264 (11)1. In addition to any other method of alternative

2265 dispute resolution authorized by Florida law, the corporation

2266 may adopt policy forms which provide for the resolution of

2267 disputes regarding its claim determinations, including disputes

2268 regarding coverage for, or the scope and value of, a claim, in a

2269 proceeding before the Division of Administrative Hearings. Any

2270 such policy forms are not subject to s. 627.70154.

2271 2. The corporation may contract with the division to

2272 conduct proceedings to resolve disputes regarding its claim

2273 determinations as may be provided for in the applicable policies

2274 of insurance.

2275 3. This paragraph expires July 1, 2024.

2276 Section 66. In order to implement specific appropriations

2277 from the land acquisition trust funds within the Department of

2278 Agriculture and Consumer Services, the Department of

2279 Environmental Protection, the Department of State, and the Fish

2280 and Wildlife Conservation Commission, which are contained in the

2281 2023-2024 General Appropriations Act, subsection (3) of section

2282 215.18, Florida Statutes, is amended to read:

2283 215.18 Transfers between funds; limitation.—

2284 (3) Notwithstanding subsection (1) and only with respect to

2285 a land acquisition trust fund in the Department of Agriculture

2286 and Consumer Services, the Department of Environmental

2287 Protection, the Department of State, or the Fish and Wildlife

2288 Conservation Commission, whenever there is a deficiency in a

2289 land acquisition trust fund which would render that trust fund

2290 temporarily insufficient to meet its just requirements,

2291 including the timely payment of appropriations from that trust

576-03187-23

20232502__

2292 fund, and other trust funds in the State Treasury have moneys
 2293 that are for the time being or otherwise in excess of the
 2294 amounts necessary to meet the just requirements, including
 2295 appropriated obligations, of those other trust funds, the
 2296 Governor may order a temporary transfer of moneys from one or
 2297 more of the other trust funds to a land acquisition trust fund
 2298 in the Department of Agriculture and Consumer Services, the
 2299 Department of Environmental Protection, the Department of State,
 2300 or the Fish and Wildlife Conservation Commission. Any action
 2301 proposed pursuant to this subsection is subject to the notice,
 2302 review, and objection procedures of s. 216.177, and the Governor
 2303 shall provide notice of such action at least 7 days before the
 2304 effective date of the transfer of trust funds, except that
 2305 during July 2023 ~~2022~~, notice of such action shall be provided
 2306 at least 3 days before the effective date of a transfer unless
 2307 such 3-day notice is waived by the chair and vice chair of the
 2308 Legislative Budget Commission. Any transfer of trust funds to a
 2309 land acquisition trust fund in the Department of Agriculture and
 2310 Consumer Services, the Department of Environmental Protection,
 2311 the Department of State, or the Fish and Wildlife Conservation
 2312 Commission must be repaid to the trust funds from which the
 2313 moneys were loaned by the end of the 2023-2024 ~~2022-2023~~ fiscal
 2314 year. The Legislature has determined that the repayment of the
 2315 other trust fund moneys temporarily loaned to a land acquisition
 2316 trust fund in the Department of Agriculture and Consumer
 2317 Services, the Department of Environmental Protection, the
 2318 Department of State, or the Fish and Wildlife Conservation
 2319 Commission pursuant to this subsection is an allowable use of
 2320 the moneys in a land acquisition trust fund because the moneys

576-03187-23

20232502__

2321 from other trust funds temporarily loaned to a land acquisition
2322 trust fund shall be expended solely and exclusively in
2323 accordance with s. 28, Art. X of the State Constitution. This
2324 subsection expires July 1, 2024 ~~2023~~.

2325 Section 67. (1) In order to implement specific
2326 appropriations from the land acquisition trust funds within the
2327 Department of Agriculture and Consumer Services, the Department
2328 of Environmental Protection, the Department of State, and the
2329 Fish and Wildlife Conservation Commission, which are contained
2330 in the 2023-2024 General Appropriations Act, the Department of
2331 Environmental Protection shall transfer revenues from the Land
2332 Acquisition Trust Fund within the department to the land
2333 acquisition trust funds within the Department of Agriculture and
2334 Consumer Services, the Department of State, and the Fish and
2335 Wildlife Conservation Commission, as provided in this section.
2336 As used in this section, the term "department" means the
2337 Department of Environmental Protection.

2338 (2) After subtracting any required debt service payments,
2339 the proportionate share of revenues to be transferred to each
2340 land acquisition trust fund shall be calculated by dividing the
2341 appropriations from each of the land acquisition trust funds for
2342 the fiscal year by the total appropriations from the Land
2343 Acquisition Trust Fund within the department and the land
2344 acquisition trust funds within the Department of Agriculture and
2345 Consumer Services, the Department of State, and the Fish and
2346 Wildlife Conservation Commission for the fiscal year. The
2347 department shall transfer the proportionate share of the
2348 revenues in the Land Acquisition Trust Fund within the
2349 department on a monthly basis to the appropriate land

576-03187-23

20232502__

2350 acquisition trust funds within the Department of Agriculture and
2351 Consumer Services, the Department of State, and the Fish and
2352 Wildlife Conservation Commission and shall retain its
2353 proportionate share of the revenues in the Land Acquisition
2354 Trust Fund within the department. Total distributions to a land
2355 acquisition trust fund within the Department of Agriculture and
2356 Consumer Services, the Department of State, and the Fish and
2357 Wildlife Conservation Commission may not exceed the total
2358 appropriations from such trust fund for the fiscal year.

2359 (3) In addition, the department shall transfer from the
2360 Land Acquisition Trust Fund to land acquisition trust funds
2361 within the Department of Agriculture and Consumer Services, the
2362 Department of State, and the Fish and Wildlife Conservation
2363 Commission amounts equal to the difference between the amounts
2364 appropriated in chapter 2022-156, Laws of Florida, to the
2365 department's Land Acquisition Trust Fund and the other land
2366 acquisition trust funds, and the amounts actually transferred
2367 between those trust funds during the 2022-2023 fiscal year.

2368 (4) The department may advance funds from the beginning
2369 unobligated fund balance in the Land Acquisition Trust Fund to
2370 the Land Acquisition Trust Fund within the Fish and Wildlife
2371 Conservation Commission needed for cash flow purposes based on a
2372 detailed expenditure plan. The department shall prorate amounts
2373 transferred quarterly to the Fish and Wildlife Conservation
2374 Commission to recoup the amount of funds advanced by June 30,
2375 2024.

2376 (5) This section expires July 1, 2024.

2377 Section 68. In order to implement Specific Appropriation
2378 1641 of the 2023-2024 General Appropriations Act, paragraph (m)

576-03187-23

20232502__

2379 of subsection (3) of section 259.105, Florida Statutes, is
2380 amended to read:

2381 259.105 The Florida Forever Act.—

2382 (3) Less the costs of issuing and the costs of funding
2383 reserve accounts and other costs associated with bonds, the
2384 proceeds of cash payments or bonds issued pursuant to this
2385 section shall be deposited into the Florida Forever Trust Fund
2386 created by s. 259.1051. The proceeds shall be distributed by the
2387 Department of Environmental Protection in the following manner:

2388 (m) Notwithstanding paragraphs (a)-(j) and for the 2023-
2389 2024 fiscal year, the proceeds shall be distributed as provided
2390 in the General Appropriations Act. This paragraph expires July
2391 1, 2024 ~~Notwithstanding paragraphs (a)-(j) and for the 2021-2022~~
2392 ~~fiscal year, the amount of \$1,998,100 to only the Department of~~
2393 ~~Environmental Protection for grants pursuant to s. 375.075. This~~
2394 ~~paragraph expires July 1, 2022.~~

2395 Section 69. In order to implement Specific Appropriation
2396 1438 of the 2023-2024 General Appropriations Act, and
2397 notwithstanding the expiration date in section 64 of chapter
2398 2022-157, Laws of Florida, paragraph (a) of subsection (1) of
2399 section 570.93, Florida Statutes, is reenacted to read:

2400 570.93 Department of Agriculture and Consumer Services;
2401 agricultural water conservation and agricultural water supply
2402 planning.—

2403 (1) The department shall establish an agricultural water
2404 conservation program that includes the following:

2405 (a) A cost-share program, coordinated with the United
2406 States Department of Agriculture and other federal, state,
2407 regional, and local agencies when appropriate, for irrigation

576-03187-23

20232502__

2408 system retrofit and application of mobile irrigation laboratory
2409 evaluations, and for water conservation and water quality
2410 improvement pursuant to s. 403.067(7)(c).

2411 Section 70. The text of s. 570.93(1)(a), Florida Statutes,
2412 as carried forward from chapter 2019-116, Laws of Florida, by
2413 this act expires July 1, 2024, and the text of that paragraph
2414 shall revert to that in existence on June 30, 2019, except that
2415 any amendments to such text enacted other than by this act shall
2416 be preserved and continue to operate to the extent that such
2417 amendments are not dependent upon the portions of text which
2418 expire pursuant to this section.

2419 Section 71. In order to implement Specific Appropriation
2420 1757 of the 2023-2024 General Appropriations Act, and
2421 notwithstanding the expiration date in section 66 of chapter
2422 2022-157, Laws of Florida, paragraph (g) of subsection (15) of
2423 section 376.3071, Florida Statutes, is reenacted to read:

2424 376.3071 Inland Protection Trust Fund; creation; purposes;
2425 funding.—

2426 (15) ETHANOL OR BIODIESEL DAMAGE; PREVENTIVE MEASURES.—The
2427 department shall pay, pursuant to this subsection, up to \$10
2428 million each fiscal year from the fund for the costs of labor
2429 and equipment to repair or replace petroleum storage systems
2430 that may have been damaged due to the storage of fuels blended
2431 with ethanol or biodiesel, or for preventive measures to reduce
2432 the potential for such damage.

2433 (g) Payments may not be made for the following:

- 2434 1. Proposal costs or costs related to preparation of the
2435 application and required documentation;
2436 2. Certified public accountant costs;

576-03187-23

20232502__

2437 3. Except as provided in paragraph (j), any costs in excess
2438 of the amount approved by the department under paragraph (b) or
2439 which are not in substantial compliance with the purchase order;

2440 4. Costs associated with storage tanks, piping, or
2441 ancillary equipment that has previously been repaired or
2442 replaced for which costs have been paid under this section;

2443 5. Facilities that are not in compliance with department
2444 storage tank rules, until the noncompliance issues have been
2445 resolved; or

2446 6. Costs associated with damage to petroleum storage
2447 systems caused in whole or in part by causes other than the
2448 storage of fuels blended with ethanol or biodiesel.

2449 Section 72. The text of s. 376.3071(15)(g), Florida
2450 Statutes, as carried forward from chapter 2020-114, Laws of
2451 Florida, by this act, expires July 1, 2024, and the text of that
2452 paragraph shall revert to that in existence on July 1, 2020, but
2453 not including any amendments made by this act or chapter 2020-
2454 114, Laws of Florida, and any amendments to such text enacted
2455 other than by this act shall be preserved and continue to
2456 operate to the extent that such amendments are not dependent
2457 upon the portion of text which expires pursuant to this section.

2458 Section 73. In order to implement Specific Appropriation
2459 1740 of the 2023-2024 General Appropriations Act, and in order
2460 to expedite the closure of the Piney Point facility located in
2461 Manatee County, the Department of Environmental Protection is
2462 exempt from the competitive procurement requirements of s.
2463 287.057, Florida Statutes, for any procurement of commodities or
2464 contractual services in support of the site closure or to
2465 address environmental impacts associated with the system

576-03187-23

20232502__

2466 failure. This section expires July 1, 2024.

2467 Section 74. In order to implement Specific Appropriations
2468 1423 through 1595A of the 2023-2024 General Appropriations Act,
2469 and notwithstanding s. 20.04(7), Florida Statutes, the
2470 Department of Agriculture and Consumer Services may reorganize
2471 departmental units without a recommendation by the Department of
2472 Management Services or approval by the Executive Office of the
2473 Governor. This section expires July 1, 2024.

2474 Section 75. In order to implement Specific Appropriation
2475 2267 of the 2023-2024 General Appropriations Act, and
2476 notwithstanding chapter 287, Florida Statutes, the Department of
2477 Citrus shall enter into agreements for the purpose of increasing
2478 production of trees that show tolerance or resistance to citrus
2479 greening and to commercialize technologies that produce
2480 tolerance or resistance to citrus greening in trees. The
2481 department shall enter into these agreements no later than
2482 August 31, 2023, and shall file with the department's Inspector
2483 General a certification of conditions and circumstances
2484 justifying each agreement entered into without competitive
2485 solicitation. This section expires July 1, 2024.

2486 Section 76. In order to implement Specific Appropriation
2487 2722 of the 2023-2024 General Appropriations Act, paragraph (b)
2488 of subsection (3) and subsection (5) of section 321.04, Florida
2489 Statutes, are amended to read:

2490 321.04 Personnel of the highway patrol; rank
2491 classifications; probationary status of new patrol officers;
2492 subsistence; special assignments.-

2493 (3)

2494 (b) For the 2023-2024 ~~2022-2023~~ fiscal year only, upon the

576-03187-23

20232502__

2495 request of the Governor, the Department of Highway Safety and
2496 Motor Vehicles shall assign one or more patrol officers to the
2497 office of the Lieutenant Governor for security services. This
2498 paragraph expires July 1, 2024 ~~2023~~.

2499 (5) For the 2023-2024 ~~2022-2023~~ fiscal year only, the
2500 assignment of a patrol officer by the department shall include a
2501 Cabinet member specified in s. 4, Art. IV of the State
2502 Constitution if deemed appropriate by the department or in
2503 response to a threat and upon written request of such Cabinet
2504 member. This subsection expires July 1, 2024 ~~2023~~.

2505 Section 77. In order to implement section 165 of the 2023-
2506 2024 General Appropriations Act, subsection (3) of section
2507 288.80125, Florida Statutes, is amended to read:

2508 288.80125 Triumph Gulf Coast Trust Fund.—

2509 (3) For the 2023-2024 ~~2022-2023~~ fiscal year, funds shall be
2510 used for the Rebuild Florida Revolving Loan Fund program to
2511 provide assistance to businesses impacted by Hurricane Michael
2512 as provided in the General Appropriations Act. This subsection
2513 expires July 1, 2024 ~~2023~~.

2514 Section 78. In order to implement Specific Appropriation
2515 2277 of the 2023-2024 General Appropriations Act, subsection (3)
2516 of section 288.8013, Florida Statutes, is amended to read:

2517 288.8013 Triumph Gulf Coast, Inc.; creation; funding;
2518 investment.—

2519 (3) Triumph Gulf Coast, Inc., shall establish a trust
2520 account at a federally insured financial institution to hold
2521 funds received from the Triumph Gulf Coast Trust Fund and make
2522 deposits and payments. ~~Interest earned in the trust account~~
2523 ~~shall be deposited monthly into the Triumph Gulf Coast Trust~~

576-03187-23

20232502__

2524 ~~Fund.~~ Triumph Gulf Coast, Inc., may invest surplus funds in the
 2525 Local Government Surplus Funds Trust Fund, pursuant to s.
 2526 218.407. Earnings generated by investments and interest of the
 2527 fund may be retained and used to make awards pursuant to this
 2528 act, and interest earned, net of fees, shall be transferred
 2529 ~~monthly into the Triumph Gulf Coast Trust Fund.~~ Administrative
 2530 costs may include payment of travel and per diem expenses of
 2531 board members, audits, salary or other costs for employed or
 2532 contracted staff, including required staff under s. 288.8014(9),
 2533 and other allowable costs. The annual salary for any employee or
 2534 contracted staff may not exceed \$130,000, and associated
 2535 benefits may not exceed 35 percent of salary.

2536 Section 79. The amendments to s. 288.8013(3), Florida
 2537 Statutes, made by this act expire July 1, 2024, and the text of
 2538 that subsection shall revert to that in existence on June 30,
 2539 2023, except that any amendments to such text enacted other than
 2540 by this act shall be preserved and continue to operate to the
 2541 extent that such amendments are not dependent upon the portions
 2542 of text which expire pursuant to this section.

2543 Section 80. In order to implement sections 163 and 193 of
 2544 the 2023-2024 General Appropriations Act, subsection (4) of
 2545 section 339.08, Florida Statutes, is amended to read:

2546 339.08 Use of moneys in State Transportation Trust Fund.—

2547 (4) Notwithstanding any other law, and for the 2023-2024
 2548 ~~2022-2023~~ fiscal year only, funds are appropriated to the State
 2549 Transportation Trust Fund from the General Revenue Fund or the
 2550 Discretionary Sales Surtax Clearing Trust Fund as provided in
 2551 the General Appropriations Act. The department is not required
 2552 to deplete the resources transferred from the General Revenue

576-03187-23

20232502__

2553 Fund for the fiscal year as required in s. 339.135(3)(b), and
 2554 the funds may not be used in calculating the required quarterly
 2555 cash balance of the trust fund as required in s. 339.135(6)(b).
 2556 The department shall track and account for ~~such~~ appropriated
 2557 funds from the General Revenue Fund as a separate funding source
 2558 for eligible projects on the State Highway System and from the
 2559 Discretionary Sales Surtax Clearing Trust Fund for eligible
 2560 projects pursuant to the General Appropriations Act ~~grants to~~
 2561 ~~Florida ports~~. This subsection expires July 1, 2024 ~~2023~~.

2562 Section 81. In order to implement Specific Appropriations
 2563 1992 through 2005, 2015, 2016, 2024 through 2035, 2037 through
 2564 2045, and 2080 through 2093 of the 2023-2024 General
 2565 Appropriations Act, paragraph (h) of subsection (7) of section
 2566 339.135, Florida Statutes, is amended to read:

2567 339.135 Work program; legislative budget request;
 2568 definitions; preparation, adoption, execution, and amendment.-

2569 (7) AMENDMENT OF THE ADOPTED WORK PROGRAM.-

2570 (h)1. Any work program amendment that also adds a new
 2571 project, or phase thereof, to the adopted work program in excess
 2572 of \$3 million is subject to approval by the Legislative Budget
 2573 Commission. Any work program amendment submitted under this
 2574 paragraph must include, as supplemental information, a list of
 2575 projects, or phases thereof, in the current 5-year adopted work
 2576 program which are eligible for the funds within the
 2577 appropriation category being used for the proposed amendment.
 2578 The department shall provide a narrative with the rationale for
 2579 not advancing an existing project, or phase thereof, in lieu of
 2580 the proposed amendment.

2581 2. If the department submits an amendment to the

576-03187-23

20232502__

2582 Legislative Budget Commission and the commission does not meet
2583 or consider the amendment within 30 days after its submittal,
2584 the chair and vice chair of the commission may authorize the
2585 amendment to be approved pursuant to s. 216.177. This
2586 subparagraph expires July 1, 2024 ~~2023~~.

2587 Section 82. In order to implement Specific Appropriations
2588 1992 through 2005, 2015, 2016, 2024 through 2035, 2037 through
2589 2045, and 2080 through 2093 of the 2023-2024 General
2590 Appropriations Act, subsection (3) of section 338.165, Florida
2591 Statutes, is amended to read:

2592 338.165 Continuation of tolls.—

2593 (3) (a) Notwithstanding any other provision of law, the
2594 department, including the turnpike enterprise, shall index toll
2595 rates on existing toll facilities to the annual Consumer Price
2596 Index or similar inflation indicators. Toll rate adjustments for
2597 inflation under this subsection may be made no more frequently
2598 than once a year and must be made no less frequently than once
2599 every 5 years as necessary to accommodate cash toll rate
2600 schedules. Toll rates may be increased beyond these limits as
2601 directed by bond documents, covenants, or governing body
2602 authorization or pursuant to department administrative rule.

2603 (b) No toll rate adjustment for inflation may be made under
2604 this subsection for the 2023-2024 ~~2022-2023~~ fiscal year. This
2605 paragraph expires July 1, 2024 ~~2023~~.

2606 Section 83. In order to implement Specific Appropriation
2607 3067 of the 2023-2024 General Appropriations Act, section
2608 250.245, Florida Statutes, is created to read:

2609 250.245 Florida National Guard Joint Enlistment Enhancement
2610 Program.—

576-03187-23

20232502__

2611 (1) The Florida National Guard Joint Enlistment Enhancement
2612 Program (JEEP) is established within the Department of Military
2613 Affairs. The purpose of the program is to motivate soldiers,
2614 airmen, and retirees of the Florida National Guard to bolster
2615 recruitment efforts and increase the force structure of the
2616 Florida National Guard.

2617 (2) As used in this section, the term "recruiting
2618 assistant" means a member of the Florida National Guard or a
2619 retiree of the Florida National Guard who assists in the
2620 recruitment of a new member and who provides motivation,
2621 encouragement, and moral support until the enlistment of such
2622 new member.

2623 (3) A current member in pay grade E-1 to O-3 or a retiree
2624 in any pay grade is eligible for participation in JEEP as a
2625 recruiting assistant.

2626 (4) The Adjutant General shall provide compensation to
2627 recruiting assistants participating in JEEP. A recruiting
2628 assistant shall receive \$250 for each new member referred by
2629 them to the Florida National Guard upon the enlistment of such
2630 referred member.

2631 (5) The Department of Military Affairs, in cooperation with
2632 the Florida National Guard, shall adopt rules to administer the
2633 program.

2634 (6) This section expires July 1, 2024.

2635 Section 84. In order to implement Specific Appropriations
2636 2687 through 2696 of the 2023-2024 General Appropriations Act,
2637 and notwithstanding ss. 216.181 and 216.292, Florida Statutes,
2638 the Division of Emergency Management may submit budget
2639 amendments, subject to the notice, review, and objection

576-03187-23

20232502__

2640 procedures of s. 216.177, Florida Statutes, to increase budget
2641 authority for projected expenditures due to reimbursements from
2642 federally declared disasters. This section expires July 1, 2024.

2643 Section 85. In order to implement Specific Appropriation
2644 2654 of the 2023-2024 General Appropriations Act, paragraph (d)
2645 of subsection (4) of section 112.061, Florida Statutes, is
2646 amended to read:

2647 112.061 Per diem and travel expenses of public officers,
2648 employees, and authorized persons; statewide travel management
2649 system.—

2650 (4) OFFICIAL HEADQUARTERS.—The official headquarters of an
2651 officer or employee assigned to an office shall be the city or
2652 town in which the office is located except that:

2653 (d) A Lieutenant Governor who permanently resides outside
2654 of Leon County, may, if he or she so requests, have an
2655 appropriate facility in his or her county designated as his or
2656 her official headquarters for purposes of this section. This
2657 official headquarters may only serve as the Lieutenant
2658 Governor's personal office. The Lieutenant Governor may not use
2659 state funds to lease space in any facility for his or her
2660 official headquarters.

2661 1. A Lieutenant Governor for whom an official headquarters
2662 is established in his or her county of residence pursuant to
2663 this paragraph is eligible for subsistence at a rate to be
2664 established by the Governor for each day or partial day that the
2665 Lieutenant Governor is at the State Capitol to conduct official
2666 state business. In addition to the subsistence allowance, a
2667 Lieutenant Governor is eligible for reimbursement for
2668 transportation expenses as provided in subsection (7) for travel

576-03187-23

20232502__

2669 between the Lieutenant Governor's official headquarters and the
2670 State Capitol to conduct state business.

2671 2. Payment of subsistence and reimbursement for
2672 transportation between a Lieutenant Governor's official
2673 headquarters and the State Capitol shall be made to the extent
2674 appropriated funds are available, as determined by the Governor.

2675 3. This paragraph expires July 1, 2024 ~~2023~~.

2676 Section 86. Effective upon this act becoming a law, in
2677 order to implement section 8 of the 2023-2024 General
2678 Appropriations Act:

2679 (1) The Department of Management Services, pursuant to s.
2680 110.123(3), Florida Statutes, shall release, during the 2021-
2681 2022 fiscal year or 2022-2023 fiscal year, competitive
2682 procurements for third-party administrative services for
2683 preferred provider organization plans, health maintenance
2684 organization services, and pharmacy benefits manager services to
2685 become effective January 1, 2024.

2686 (2) Such competitive procurements and resultant contracts
2687 shall continue the State Group Health Insurance Standard Plans,
2688 State Group Health Insurance High Deductible Plans, State Group
2689 Health Maintenance Organization Standard Plans, and State Group
2690 Health Maintenance Organization High Deductible Plans within the
2691 State Group Insurance Program. The benefits provided under each
2692 of the plans shall be those benefits as provided in the Plan
2693 Year 2023 State Employees' PPO Plan Group Health Insurance Plan
2694 Booklet and Benefit Document and the Plan Year 2023 Health
2695 Maintenance Organization contracts and benefit documents,
2696 modified only by revisions approved by the Legislature.

2697 (3) It is the intent of the Legislature that state agencies

576-03187-23

20232502__

2698 operate in an efficient manner and contract for necessary
2699 services in the best interests of the state and its residents.
2700 In recognition of the limitations otherwise placed on state
2701 agencies pursuant to s. 216.311, Florida Statutes, when
2702 contracting for services, the Department of Management Services,
2703 when contracting for administrative services relating to the
2704 administration of the health plans beginning in plan year 2024,
2705 may enter into contracts that may require the payment of
2706 administrative fees not to exceed 110 percent of the amount
2707 appropriated in the 2023-2024 General Appropriations Act to the
2708 Division of State Group Insurance for such services.

2709 (4) Notwithstanding s. 110.123(3)(f), Florida Statutes, the
2710 Department of Management Services shall maintain and offer the
2711 same PPO and HMO health plan alternatives to the participants of
2712 the State Group Health Insurance Program during the 2023-2024
2713 fiscal year which were in effect for the 2022-2023 fiscal year.

2714
2715 This section expires July 1, 2024.

2716 Section 87. In order to implement Specific Appropriations
2717 2787 and 2788 of the 2023-2024 General Appropriations Act, and
2718 notwithstanding s. 11.13(1), Florida Statutes, the authorized
2719 salaries for members of the Legislature for the 2023-2024 fiscal
2720 year shall be set at the same level in effect on July 1, 2010.

2721 This section expires July 1, 2024.

2722 Section 88. In order to implement the transfer of funds
2723 from the General Revenue Fund from trust funds for the 2023-2024
2724 General Appropriations Act, and notwithstanding the expiration
2725 date in section 86 of chapter 2022-157, Laws of Florida,
2726 paragraph (b) of subsection (2) of section 215.32, Florida

576-03187-23

20232502__

2727 Statutes, is reenacted to read:

2728 215.32 State funds; segregation.—

2729 (2) The source and use of each of these funds shall be as
2730 follows:

2731 (b)1. The trust funds shall consist of moneys received by
2732 the state which under law or under trust agreement are
2733 segregated for a purpose authorized by law. The state agency or
2734 branch of state government receiving or collecting such moneys
2735 is responsible for their proper expenditure as provided by law.
2736 Upon the request of the state agency or branch of state
2737 government responsible for the administration of the trust fund,
2738 the Chief Financial Officer may establish accounts within the
2739 trust fund at a level considered necessary for proper
2740 accountability. Once an account is established, the Chief
2741 Financial Officer may authorize payment from that account only
2742 upon determining that there is sufficient cash and releases at
2743 the level of the account.

2744 2. In addition to other trust funds created by law, to the
2745 extent possible, each agency shall use the following trust funds
2746 as described in this subparagraph for day-to-day operations:

2747 a. Operations or operating trust fund, for use as a
2748 depository for funds to be used for program operations funded by
2749 program revenues, with the exception of administrative
2750 activities when the operations or operating trust fund is a
2751 proprietary fund.

2752 b. Operations and maintenance trust fund, for use as a
2753 depository for client services funded by third-party payors.

2754 c. Administrative trust fund, for use as a depository for
2755 funds to be used for management activities that are departmental

576-03187-23

20232502__

2756 in nature and funded by indirect cost earnings and assessments
2757 against trust funds. Proprietary funds are excluded from the
2758 requirement of using an administrative trust fund.

2759 d. Grants and donations trust fund, for use as a depository
2760 for funds to be used for allowable grant or donor agreement
2761 activities funded by restricted contractual revenue from private
2762 and public nonfederal sources.

2763 e. Agency working capital trust fund, for use as a
2764 depository for funds to be used pursuant to s. 216.272.

2765 f. Clearing funds trust fund, for use as a depository for
2766 funds to account for collections pending distribution to lawful
2767 recipients.

2768 g. Federal grant trust fund, for use as a depository for
2769 funds to be used for allowable grant activities funded by
2770 restricted program revenues from federal sources.

2771
2772 To the extent possible, each agency must adjust its internal
2773 accounting to use existing trust funds consistent with the
2774 requirements of this subparagraph. If an agency does not have
2775 trust funds listed in this subparagraph and cannot make such
2776 adjustment, the agency must recommend the creation of the
2777 necessary trust funds to the Legislature no later than the next
2778 scheduled review of the agency's trust funds pursuant to s.
2779 215.3206.

2780 3. All such moneys are hereby appropriated to be expended
2781 in accordance with the law or trust agreement under which they
2782 were received, subject always to the provisions of chapter 216
2783 relating to the appropriation of funds and to the applicable
2784 laws relating to the deposit or expenditure of moneys in the

576-03187-23

20232502__

2785 State Treasury.

2786 4.a. Notwithstanding any provision of law restricting the
2787 use of trust funds to specific purposes, unappropriated cash
2788 balances from selected trust funds may be authorized by the
2789 Legislature for transfer to the Budget Stabilization Fund and
2790 General Revenue Fund in the General Appropriations Act.

2791 b. This subparagraph does not apply to trust funds required
2792 by federal programs or mandates; trust funds established for
2793 bond covenants, indentures, or resolutions whose revenues are
2794 legally pledged by the state or public body to meet debt service
2795 or other financial requirements of any debt obligations of the
2796 state or any public body; the Division of Licensing Trust Fund
2797 in the Department of Agriculture and Consumer Services; the
2798 State Transportation Trust Fund; the trust fund containing the
2799 net annual proceeds from the Florida Education Lotteries; the
2800 Florida Retirement System Trust Fund; trust funds under the
2801 management of the State Board of Education or the Board of
2802 Governors of the State University System, where such trust funds
2803 are for auxiliary enterprises, self-insurance, and contracts,
2804 grants, and donations, as those terms are defined by general
2805 law; trust funds that serve as clearing funds or accounts for
2806 the Chief Financial Officer or state agencies; trust funds that
2807 account for assets held by the state in a trustee capacity as an
2808 agent or fiduciary for individuals, private organizations, or
2809 other governmental units; and other trust funds authorized by
2810 the State Constitution.

2811 Section 89. The text of s. 215.32(2)(b), Florida Statutes,
2812 as carried forward from chapter 2011-47, Laws of Florida, by
2813 this act, expires July 1, 2024, and the text of that paragraph

576-03187-23

20232502__

2814 shall revert to that in existence on June 30, 2011, except that
2815 any amendments to such text enacted other than by this act shall
2816 be preserved and continue to operate to the extent that such
2817 amendments are not dependent upon the portions of text which
2818 expire pursuant to this section.

2819 Section 90. In order to implement appropriations in the
2820 2023-2024 General Appropriations Act for state employee travel,
2821 the funds appropriated to each state agency which may be used
2822 for travel by state employees are limited during the 2023-2024
2823 fiscal year to travel for activities that are critical to each
2824 state agency's mission. Funds may not be used for travel by
2825 state employees to foreign countries, other states, conferences,
2826 staff training activities, or other administrative functions
2827 unless the agency head has approved, in writing, that such
2828 activities are critical to the agency's mission. The agency head
2829 shall consider using teleconferencing and other forms of
2830 electronic communication to meet the needs of the proposed
2831 activity before approving mission-critical travel. This section
2832 does not apply to travel for law enforcement purposes, military
2833 purposes, emergency management activities, or public health
2834 activities. This section expires July 1, 2024.

2835 Section 91. In order to implement appropriations in the
2836 2023-2024 General Appropriations Act for state employee travel
2837 and notwithstanding s. 112.061, Florida Statutes, costs for
2838 lodging associated with a meeting, conference, or convention
2839 organized or sponsored in whole or in part by a state agency or
2840 the judicial branch may not exceed \$175 per day. An employee may
2841 expend his or her own funds for any lodging expenses in excess
2842 of \$175 per day. For purposes of this section, a meeting does

576-03187-23

20232502__

2843 not include travel activities for conducting an audit,
2844 examination, inspection, or investigation or travel activities
2845 related to a litigation or emergency response. This section
2846 expires July 1, 2024.

2847 Section 92. In order to implement appropriations in the
2848 2023-2024 General Appropriations Act for the acquisitions of
2849 motor vehicles, and notwithstanding chapter 287, Florida
2850 Statutes, relating to the purchase of motor vehicles from a
2851 state term contract, state agencies may purchase vehicles from
2852 nonstate term contract vendors without prior approval from the
2853 Department of Management Services, provided the cost of the
2854 motor vehicle is equal to or less than the cost of a similar
2855 class of vehicle found on a state term contract and provided the
2856 funds for the purchase have been specifically appropriated. This
2857 section expires July 1, 2024.

2858 Section 93. Effective upon this act becoming a law, in
2859 order to implement appropriations in the 2023-2024 General
2860 Appropriations Act for the development and implementation of the
2861 electronic filing system provided in section 112.3144, Florida
2862 Statutes, and notwithstanding the expiration date in section 92
2863 of chapter 2022-157, Laws of Florida, subsection (2), paragraph
2864 (c) of subsection (6), paragraphs (a) and (c) of subsection (7),
2865 and subsection (8) of section 112.3144, Florida Statutes, are
2866 reenacted and amended to read:

2867 112.3144 Full and public disclosure of financial
2868 interests.—

2869 (2) Beginning January 1, 2023, all disclosures filed with
2870 the commission must be filed electronically through an
2871 electronic filing system that is created and maintained by the

576-03187-23

20232502__

2872 commission as provided in s. 112.31446.

2873 (6)

2874 (c) Each separate source and amount of income which exceeds
2875 \$1,000 must be identified. For the purpose of a filer reporting
2876 income, the commission shall accept federal income tax returns,
2877 financial statements, and other forms or attachments showing
2878 sources of income. If a filer submits a federal income tax
2879 return as a substitute for reporting income, he or she must also
2880 include all attachments and schedules associated with the
2881 federal income tax return ~~Beginning January 1, 2023, a federal~~
2882 ~~income tax return may not be used for purposes of reporting~~
2883 ~~income, and the commission may not accept a federal income tax~~
2884 ~~return or a copy thereof.~~

2885 (7) (a) Beginning January 1, 2023, a filer may not include
2886 in a filing to the commission ~~a federal income tax return or a~~
2887 ~~copy thereof;~~ a social security number; a bank, mortgage, or
2888 brokerage account number; a debit, charge, or credit card
2889 number; a personal identification number; or a taxpayer
2890 identification number. If a filer includes such information in
2891 his or her filing, the information may be made available as part
2892 of the official records of the commission available for public
2893 inspection and copying unless redaction is requested by the
2894 filer. The commission is not liable for the release of social
2895 security numbers or bank account, debit, charge, or credit card
2896 numbers included in a filing to the commission if the filer has
2897 not requested redaction of such information.

2898 (c) The commission must conspicuously post a notice, in
2899 substantially the following form, in the instructions for the
2900 electronic filing system specifying that:

576-03187-23

20232502__

2901 1. Any filer submitting information through the electronic
2902 filing system may not include ~~a federal income tax return or a~~
2903 ~~copy thereof~~; a social security number; a bank, mortgage, or
2904 brokerage account number; a debit, charge, or credit card
2905 number; a personal identification number; or a taxpayer
2906 identification number in any filing unless required by law.

2907 2. Information submitted through the electronic filing
2908 system may be open to public inspection and copying.

2909 3. Any filer has a right to request that the commission
2910 redact from his or her filing any social security number, bank
2911 account number, or debit, charge, or credit card number
2912 contained in the filing. Such request must be made in writing
2913 and delivered to the commission. The request must specify the
2914 information to be redacted and the specific section or sections
2915 of the disclosure in which it was included.

2916 (8) Forms or fields of information for compliance with the
2917 full and public disclosure requirements of s. 8, Art. II of the
2918 State Constitution must ~~shall~~ be prescribed by the commission.
2919 The commission shall allow a filer to include attachments or
2920 other supporting documentation when filing a disclosure. The
2921 commission shall give notice of disclosure deadlines and
2922 delinquencies and distribute forms in the following manner:

2923 (a) Not later than May 1 of each year, the commission shall
2924 prepare a current list of the names, e-mail addresses, and
2925 physical addresses of and the offices held by every person
2926 required to file full and public disclosure annually by s. 8,
2927 Art. II of the State Constitution, or other state law. Each unit
2928 of government shall assist the commission in compiling the list
2929 by providing to the commission not later than February 1 of each

576-03187-23

20232502__

2930 year the name, e-mail address, physical address, and name of the
2931 office held by such person within the respective unit of
2932 government as of December 31 of the preceding year.

2933 (b) Not later than June 1 of each year, the commission
2934 shall distribute a copy of the form prescribed for compliance
2935 with full and public disclosure and a notice of the filing
2936 deadline to each person on the list. Beginning January 1, 2023
2937 ~~2022~~, ~~no~~ paper forms will not be provided ~~by mail~~. The notice
2938 required under this paragraph and instructions for electronic
2939 submission of the form and any accompanying attachments must be
2940 delivered by e-mail.

2941 (c) Not later than August 1 of each year, the commission
2942 shall determine which persons on the list have failed to file
2943 full and public disclosure and shall send delinquency notices to
2944 such persons. Each notice must state that a grace period is in
2945 effect until September 1 of the current year. Beginning January
2946 1, 2023 ~~2022~~, the notice required under this paragraph must be
2947 delivered by e-mail and must be redelivered on a weekly basis by
2948 e-mail as long as a person remains delinquent.

2949 (d) Disclosure statements required to be filed with the
2950 commission must be filed on the commission's electronic filing
2951 system as provided in s. 112.31446 ~~Disclosures must be received~~
2952 ~~by the commission~~ not later than 5 p.m. of the due date.
2953 ~~However, any disclosure that is postmarked by the United States~~
2954 ~~Postal Service by midnight of the due date is deemed to have~~
2955 ~~been filed in a timely manner, and a certificate of mailing~~
2956 ~~obtained from and dated by the United States Postal Service at~~
2957 ~~the time of the mailing, or a receipt from an established~~
2958 ~~courier company which bears a date on or before the due date,~~

576-03187-23

20232502__

2959 ~~constitutes proof of mailing in a timely manner.~~ Beginning
2960 January 1, 2023, upon request of the filer, the commission must
2961 provide verification to the filer that the commission has
2962 received the filed disclosure.

2963 (e) Beginning January 1, 2023, a written declaration, as
2964 provided for under s. 92.525(2), accompanied by an electronic
2965 signature satisfies the requirement that the disclosure be
2966 sworn.

2967 (f) Any person who is required to file full and public
2968 disclosure of financial interests and whose name is on the
2969 commission's list, and to whom notice has been sent, but who
2970 fails to timely file is assessed a fine of \$25 per day for each
2971 day late up to a maximum of \$1,500; however this \$1,500
2972 limitation on automatic fines does not limit the civil penalty
2973 that may be imposed if the statement is filed more than 60 days
2974 after the deadline and a complaint is filed, as provided in s.
2975 112.324. The commission must provide by rule the grounds for
2976 waiving the fine and the procedures by which each person whose
2977 name is on the list and who is determined to have not filed in a
2978 timely manner will be notified of assessed fines and may appeal.
2979 The rule must provide for and make specific that the amount of
2980 the fine due is based upon when the disclosure is filed on the
2981 commission's electronic filing system that is created and
2982 maintained by the commission as provided in s. 112.31446. ~~the~~
2983 ~~following:~~

2984 1. ~~The amount of the fine due is based upon the earliest of~~
2985 ~~the following:~~

2986 a. ~~When a statement is actually received by the office.~~

2987 b. ~~When the statement is postmarked.~~

576-03187-23

20232502__

2988 ~~e. When the certificate of mailing is dated.~~

2989 ~~d. When the receipt from an established courier company is~~
2990 ~~dated.~~

2991 ~~2.~~ Upon receipt of the disclosure statement or upon accrual
2992 of the maximum penalty, whichever occurs first, the commission
2993 shall determine the amount of the fine which is due and shall
2994 notify the delinquent person. The notice must include an
2995 explanation of the appeal procedure under subparagraph 2. ~~3.~~
2996 Such fine must be paid within 30 days after the notice of
2997 payment due is transmitted, unless appeal is made to the
2998 commission pursuant to subparagraph 2. ~~3.~~ The moneys shall be
2999 deposited into the General Revenue Fund.

3000 2.3. Any reporting person may appeal or dispute a fine,
3001 based upon unusual circumstances surrounding the failure to file
3002 on the designated due date, and may request and is entitled to a
3003 hearing before the commission, which may waive the fine in whole
3004 or in part for good cause shown. Any such request must be in
3005 writing and received by the commission within 30 days after the
3006 notice of payment due is transmitted. In such a case, the
3007 reporting person must, within the 30-day period, notify the
3008 person designated to review the timeliness of reports in writing
3009 of his or her intention to bring the matter before the
3010 commission. For purposes of this subparagraph, "unusual
3011 circumstances" does not include the failure to monitor an e-mail
3012 account or failure to receive notice if the person has not
3013 notified the commission of a change in his or her e-mail
3014 address.

3015 (g) Any person subject to the annual filing of full and
3016 public disclosure under s. 8, Art. II of the State Constitution,

576-03187-23

20232502__

3017 or other state law, whose name is not on the commission's list
3018 of persons required to file full and public disclosure is not
3019 subject to the fines or penalties provided in this part for
3020 failure to file full and public disclosure in any year in which
3021 the omission occurred, but nevertheless is required to file the
3022 disclosure statement.

3023 (h) The notification requirements and fines of this
3024 subsection do not apply to candidates or to the first filing
3025 required of any person appointed to elective constitutional
3026 office or other position required to file full and public
3027 disclosure, unless the person's name is on the commission's
3028 notification list and the person received notification from the
3029 commission. The appointing official shall notify such newly
3030 appointed person of the obligation to file full and public
3031 disclosure by July 1. The notification requirements and fines of
3032 this subsection do not apply to the final filing provided for in
3033 subsection (10).

3034 (i) Notwithstanding any provision of chapter 120, any fine
3035 imposed under this subsection which is not waived by final order
3036 of the commission and which remains unpaid more than 60 days
3037 after the notice of payment due or more than 60 days after the
3038 commission renders a final order on the appeal must be submitted
3039 to the Department of Financial Services as a claim, debt, or
3040 other obligation owed to the state, and the department shall
3041 assign the collection of such fine to a collection agent as
3042 provided in s. 17.20.

3043 Section 94. The amendments to s. 112.3144(6)(c), (7)(a) and
3044 (c), and (8), Florida Statutes, made by this act, and the text
3045 of s. 112.3144(2), Florida Statutes, as carried forward from

576-03187-23

20232502__

3046 chapter 2022-157, Laws of Florida, by this act, expire July 1,
3047 2024, and the text of those subsections and paragraphs, as
3048 applicable, shall revert to that in existence on June 1, 2022,
3049 except that any amendments to such text enacted other than by
3050 this act shall be preserved and continue to operate to the
3051 extent that such amendments are not dependent upon the portions
3052 of text which expire pursuant to this section.

3053 Section 95. Effective upon this act becoming a law, in
3054 order to implement appropriations in the 2023-2024 General
3055 Appropriations Act for the development and implementation of the
3056 electronic filing system provided in s. 112.31446, Florida
3057 Statutes, and notwithstanding the expiration date in section 95
3058 of chapter 2022-157, Laws of Florida, paragraphs (d) and (e) of
3059 subsection (2), paragraphs (a) and (c) of subsection (4), and
3060 subsection (8) of section 112.3145, Florida Statutes, are
3061 reenacted and amended to read:

3062 112.3145 Disclosure of financial interests and clients
3063 represented before agencies.—

3064 (2)

3065 (d) State officers and specified state employees shall file
3066 their statements of financial interests with the commission.
3067 Through December 31, 2023, local officers shall file their
3068 statements of financial interests with the supervisor of
3069 elections of the county in which they permanently reside.
3070 Through December 31, 2023, local officers who do not permanently
3071 reside in any county in this state shall file their statements
3072 of financial interests with the supervisor of elections of the
3073 county in which their agency maintains its headquarters. Persons
3074 seeking to qualify as candidates for local public office shall

576-03187-23

20232502__

3075 file their statements of financial interests with the officer
3076 before whom they qualify.

3077 (e) Beginning January 1, 2024, a statement of financial
3078 interests and a final statement of financial interests and any
3079 amendments thereto or any other form required by this section,
3080 except any statement of a candidate who is not subject to an
3081 annual filing requirement, must be filed electronically through
3082 an electronic filing system created and maintained by the
3083 commission as provided in s. 112.31446.

3084 (4) (a) Beginning January 1, 2024, a filer may not include
3085 in a filing to the commission ~~a federal income tax return or a~~
3086 ~~copy of thereof~~; a social security number; a bank, mortgage, or
3087 brokerage account number; a debit, charge, or credit card
3088 number; a personal identification number; or a taxpayer
3089 identification number. If a filer includes such information in
3090 his or her filing, the information may be made available as part
3091 of the official records of the commission available for public
3092 inspection and copying unless redaction is requested by the
3093 filer. The commission is not liable for the release of social
3094 security numbers, bank account numbers, or debit, charge, or
3095 credit card numbers included in a filing to the commission if
3096 the filer has not requested redaction of the information.

3097 (c) The commission must conspicuously post a notice, in
3098 substantially the following form, in the instructions for the
3099 electronic filing system specifying that:

3100 1. Any filer submitting information through the electronic
3101 filing system may not include ~~a federal income tax return or a~~
3102 ~~copy thereof~~; a social security number; a bank, mortgage, or
3103 brokerage account number; a debit, charge, or credit card

576-03187-23

20232502__

3104 number; a personal identification number; or a taxpayer
3105 identification number in any filing unless required by law.

3106 2. Information submitted through the electronic filing
3107 system may be open to public inspection and copying.

3108 3. Any filer has a right to request that the commission
3109 redact from his or her filing any social security number, bank
3110 account number, or debit, charge, or credit card number
3111 contained in the filing. Such request must be made in writing
3112 and delivered to the commission. The request must specify the
3113 information to be redacted and the specific section or sections
3114 of the disclosure in which it was included.

3115 (8) Forms for compliance with the disclosure requirements
3116 of this section and a current list of persons subject to
3117 disclosure must ~~shall~~ be created by the commission and provided
3118 to each supervisor of elections. The commission shall allow a
3119 filer to include attachments or other supporting documentation
3120 when filing a disclosure. The commission and each supervisor of
3121 elections shall give notice of disclosure deadlines and
3122 delinquencies and distribute forms in the following manner:

3123 (a)1. Not later than May 1 of each year, the commission
3124 shall prepare a current list of the names, e-mail addresses, and
3125 physical addresses of, and the offices or positions held by,
3126 every state officer, local officer, and specified employee. Each
3127 unit of government shall assist the commission in compiling the
3128 list by providing to the commission not later than February 1 of
3129 each year the name, e-mail address, physical address, and name
3130 of agency of, and the office or position held by, each state
3131 officer, local officer, or specified state employee within the
3132 respective unit of government as of December 31 of the preceding

576-03187-23

20232502__

3133 year.

3134 2. Not later than May 15 of each year, the commission shall
3135 provide each supervisor of elections with a current list of all
3136 local officers required to file with such supervisor of
3137 elections.

3138 (b) Not later than June 1 of each year, the commission and
3139 each supervisor of elections, as appropriate, shall distribute a
3140 copy of the form prescribed for compliance with subsection (3)
3141 and a notice of all applicable disclosure forms and filing
3142 deadlines to each person required to file a statement of
3143 financial interests. Beginning January 1, 2024, ~~no~~ paper forms
3144 will not be provided. The notice required under this paragraph
3145 and instructions for electronic submission of the form and any
3146 accompanying attachments must be delivered by e-mail.

3147 (c) Not later than August 1 of each year, the commission
3148 and each supervisor of elections shall determine which persons
3149 required to file a statement of financial interests in their
3150 respective offices have failed to do so and shall send
3151 delinquency notices to these persons. Through December 31, 2023,
3152 delinquency notices must be sent by certified mail, return
3153 receipt requested. Each notice must state that a grace period is
3154 in effect until September 1 of the current year; that no
3155 investigative or disciplinary action based upon the delinquency
3156 will be taken by the agency head or commission if the statement
3157 is filed by September 1 of the current year; that, if the
3158 statement is not filed by September 1 of the current year, a
3159 fine of \$25 for each day late will be imposed, up to a maximum
3160 penalty of \$1,500; for notices distributed by a supervisor of
3161 elections, that he or she is required by law to notify the

576-03187-23

20232502__

3162 commission of the delinquency; and that, if upon the filing of a
3163 sworn complaint the commission finds that the person has failed
3164 to timely file the statement within 60 days after September 1 of
3165 the current year, such person will also be subject to the
3166 penalties provided in s. 112.317. Beginning January 1, 2024,
3167 notice required under this paragraph must be delivered by e-mail
3168 and must be redelivered on a weekly basis by e-mail as long as
3169 the person remains delinquent.

3170 (d) No later than November 15 of each year, the supervisor
3171 of elections in each county shall certify to the commission a
3172 list of the names and addresses of, and the offices or positions
3173 held by, all persons who have failed to timely file the required
3174 statements of financial interests. The certification must
3175 include the earliest of the dates described in subparagraph
3176 (g)1. The certification shall be on a form prescribed by the
3177 commission and shall indicate whether the supervisor of
3178 elections has provided the disclosure forms and notice as
3179 required by this subsection to all persons named on the
3180 delinquency list.

3181 (e) Statements must be received by the commission not later
3182 than 5 p.m. of the due date. However, any statement that is
3183 postmarked by the United States Postal Service by midnight of
3184 the due date is deemed to have been filed in a timely manner,
3185 and a certificate of mailing obtained from and dated by the
3186 United States Postal Service at the time of the mailing, or a
3187 receipt from an established courier company which bears a date
3188 on or before the due date, constitutes proof of mailing in a
3189 timely manner. Beginning January 1, 2023, upon request of the
3190 filer, the commission must provide verification to the filer

576-03187-23

20232502__

3191 that the commission has received the filed statement.

3192 (f) Beginning January 1, 2023, the statement must be
3193 accompanied by a declaration as provided in s. 92.525(2) and an
3194 electronic acknowledgment thereof.

3195 (g) Any person who is required to file a statement of
3196 financial interests and whose name is on the commission's list,
3197 and to whom notice has been sent, but who fails to timely file
3198 is assessed a fine of \$25 per day for each day late up to a
3199 maximum of \$1,500; however, this \$1,500 limitation on automatic
3200 fines does not limit the civil penalty that may be imposed if
3201 the statement is filed more than 60 days after the deadline and
3202 a complaint is filed, as provided in s. 112.324. The commission
3203 must provide by rule the grounds for waiving the fine and
3204 procedures by which each person whose name is on the list and
3205 who is determined to have not filed in a timely manner will be
3206 notified of assessed fines and may appeal. The rule must provide
3207 for and make specific the following:

3208 1. The amount of the fine due is based upon the earliest of
3209 the following:

- 3210 a. When a statement is actually received by the office.
3211 b. When the statement is postmarked.
3212 c. When the certificate of mailing is dated.
3213 d. When the receipt from an established courier company is
3214 dated.

3215 2. For a specified state employee or a state officer, upon
3216 receipt of the disclosure statement by the commission or upon
3217 accrual of the maximum penalty, whichever occurs first, and for
3218 a local officer upon receipt by the commission of the
3219 certification from the local officer's supervisor of elections

576-03187-23

20232502__

3220 pursuant to paragraph (d), the commission shall determine the
3221 amount of the fine which is due and shall notify the delinquent
3222 person. The notice must include an explanation of the appeal
3223 procedure under subparagraph 3. The fine must be paid within 30
3224 days after the notice of payment due is transmitted, unless
3225 appeal is made to the commission pursuant to subparagraph 3. The
3226 moneys are to be deposited into the General Revenue Fund.

3227 3. Any reporting person may appeal or dispute a fine, based
3228 upon unusual circumstances surrounding the failure to file on
3229 the designated due date, and may request and is entitled to a
3230 hearing before the commission, which may waive the fine in whole
3231 or in part for good cause shown. Any such request must be in
3232 writing and received by the commission within 30 days after the
3233 notice of payment due is transmitted. In such a case, the
3234 reporting person must, within the 30-day period, notify the
3235 person designated to review the timeliness of reports in writing
3236 of his or her intention to bring the matter before the
3237 commission. For purposes of this subparagraph, the term "unusual
3238 circumstances" does not include the failure to monitor an e-mail
3239 account or failure to receive notice if the person has not
3240 notified the commission of a change in his or her e-mail
3241 address.

3242 (h) Any state officer, local officer, or specified employee
3243 whose name is not on the list of persons required to file an
3244 annual statement of financial interests is not subject to the
3245 penalties provided in s. 112.317 or the fine provided in this
3246 section for failure to timely file a statement of financial
3247 interests in any year in which the omission occurred, but
3248 nevertheless is required to file the disclosure statement.

576-03187-23

20232502__

3249 (i) The notification requirements and fines of this
3250 subsection do not apply to candidates or to the first or final
3251 filing required of any state officer, specified employee, or
3252 local officer as provided in paragraph (2)(b).

3253 (j) Notwithstanding any provision of chapter 120, any fine
3254 imposed under this subsection which is not waived by final order
3255 of the commission and which remains unpaid more than 60 days
3256 after the notice of payment due or more than 60 days after the
3257 commission renders a final order on the appeal must be submitted
3258 to the Department of Financial Services as a claim, debt, or
3259 other obligation owed to the state, and the department shall
3260 assign the collection of such a fine to a collection agent as
3261 provided in s. 17.20.

3262 Section 96. The amendments to s. 112.3145(4)(a) and (c) and
3263 (8), Florida Statutes, made by this act, and the text of s.
3264 112.3145(2)(d) and (e), Florida Statutes, as carried forward
3265 from chapter 2022-157, Laws of Florida, by this act, expire July
3266 1, 2024, and the text of those subsections and paragraphs, as
3267 applicable, shall revert to that in existence on June 1, 2022,
3268 except that any amendments to such text enacted other than by
3269 this act shall be preserved and continue to operate to the
3270 extent that such amendments are not dependent upon the portions
3271 of text which expire pursuant to this section.

3272 Section 97. Any section of this act which implements a
3273 specific appropriation or specifically identified proviso
3274 language in the 2023-2024 General Appropriations Act is void if
3275 the specific appropriation or specifically identified proviso
3276 language is vetoed. Any section of this act which implements
3277 more than one specific appropriation or more than one portion of

576-03187-23

20232502__

3278 specifically identified proviso language in the 2023-2024
3279 General Appropriations Act is void if all the specific
3280 appropriations or portions of specifically identified proviso
3281 language are vetoed.

3282 Section 98. If any other act passed during the 2023 Regular
3283 Session of the Legislature contains a provision that is
3284 substantively the same as a provision in this act, but that
3285 removes or is otherwise not subject to the future repeal applied
3286 to such provision by this act, the Legislature intends that the
3287 provision in the other act takes precedence and continues to
3288 operate, notwithstanding the future repeal provided by this act.

3289 Section 99. If any provision of this act or its application
3290 to any person or circumstance is held invalid, the invalidity
3291 does not affect other provisions or applications of the act
3292 which can be given effect without the invalid provision or
3293 application, and to this end the provisions of this act are
3294 severable.

3295 Section 100. Except as otherwise expressly provided in this
3296 act and except for this section, which shall take effect upon
3297 this act becoming a law, this act shall take effect July 1,
3298 2023, or, if this act fails to become a law until after that
3299 date, it shall take effect upon becoming a law and shall operate
3300 retroactively to July 1, 2023.