

By the Committee on Appropriations

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1                                   A bill to be entitled  
2       An act relating to state planning and budgeting;  
3       reenacting and amending s. 216.011, F.S.; deleting the  
4       definitions of the terms "disincentive" and  
5       "incentive"; revising the definition of the term  
6       "fixed capital outlay"; amending s. 216.013, F.S.;  
7       revising the purpose of long-range program plans;  
8       requiring that such plans be based on statutorily  
9       established policies and driven by priorities and  
10      outcomes to achieve certain goals, objectives, and  
11      policies; requiring that such plans provide the  
12      framework for development of legislative budget  
13      requests; requiring that such plans identify specified  
14      performance measures, trends and conditions relevant  
15      to the performance measures and state goals, and  
16      agency and judicial programs that implement  
17      statutorily established policy; requiring that such  
18      plans include certain information regarding the  
19      implementation status of enacted laws; requiring that  
20      such information also include laws enacted in  
21      specified years; requiring that the implementation  
22      status include specified information; requiring that  
23      long-range program plans cover a specified timeframe  
24      and remain in effect until replaced or adjusted as  
25      provided by specified provisions; deleting a  
26      requirement that written notice be provided to the  
27      Governor and Legislature upon the publishing of such  
28      plans on the agency or judicial branch website;  
29      requiring state agencies and the judicial branch

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30 annually, by a specified date, to submit their long-  
31 range program plans to the Legislative Budget  
32 Commission for approval; providing that if a state  
33 agency or the judicial branch receives a certain  
34 notification of failure to comply, such agency or the  
35 judicial branch is prohibited from submitting  
36 amendments to or otherwise making changes to its  
37 approved budget for certain expenditures until  
38 compliance is achieved; deleting obsolete language;  
39 amending s. 216.023, F.S.; requiring state agencies,  
40 the judicial branch, and the Division of  
41 Administrative Hearings to submit legislative budget  
42 requests before a specified date in each odd-numbered  
43 year and by a specified date in each even-numbered  
44 year; deleting provisions relating to total  
45 accountability measures and reductions in allocations;  
46 making a technical change; amending ss. 216.163,  
47 216.177, and 216.181, F.S.; conforming provisions to  
48 changes made by the act; repealing ss. 216.1815 and  
49 216.1826, F.S., relating to the agency incentive and  
50 savings program and activity-based planning and  
51 budgeting, respectively; amending s. 216.1827, F.S.;  
52 requiring state agencies and the judicial branch to  
53 maintain performance measures, outcomes, and  
54 standards; requiring state agencies and the judicial  
55 branch to adopt specified and applicable performance  
56 measures, outcomes, and standards; requiring state  
57 agencies and the judicial branch to develop and adopt  
58 a certain number of specified performance measures,

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59 outcomes, and standards; requiring state agencies and  
60 the judicial branch to consider specified factors when  
61 developing such additional performance measures,  
62 outcomes, and standards; requiring state agencies to  
63 maintain justifications for and sources of data to be  
64 used for each performance measure adopted; requiring  
65 that the long-range program plans contain performance  
66 measures in specified forms, manner, and timeframes;  
67 requiring that such plans provide specified  
68 information and data; requiring state agencies and the  
69 judicial branch to submit performance measures,  
70 outcomes, standards, and certain information to the  
71 Office of Program Policy Analysis and Government  
72 Accountability upon request; requiring that certain  
73 performance measures be adopted by the Legislative  
74 Budget Commission; authorizing the submission of  
75 requests to delete or amend performance measures,  
76 outcomes, and standards to the Legislative Budget  
77 Commission; requiring that such request include the  
78 justification for the deletion, amendment, or  
79 addition; providing that such deletions, amendments,  
80 or additions are subject to review and approval by the  
81 Legislative Budget Commission; requiring state  
82 agencies and the judicial branch to make appropriate  
83 adjustments to their performance measures, outcomes,  
84 and standards to be consistent with certain enacted  
85 legislation; providing that state agencies and the  
86 judicial branch have a specified timeframe to make  
87 such adjustments; deleting obsolete language;

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88 requiring new state agencies created by the  
89 Legislature to establish initial performance measures,  
90 outcomes, and standards that are subject to review and  
91 approval by the Legislative Budget Commission;  
92 requiring state agencies and the judicial branch to  
93 submit to the Legislative Budget Commission new  
94 performance measures and specified information by a  
95 specified date; providing for the scheduled repeal of  
96 such provision; amending s. 216.262, F.S.; providing  
97 that if the actual inmate population of the Department  
98 of Corrections exceeds inmate population projections  
99 of the most recently adopted forecast published by the  
100 Criminal Justice Estimating Conference for the current  
101 fiscal year by specified percentages, the Executive  
102 Office of the Governor shall immediately notify such  
103 estimating conference to convene and revise the  
104 estimates; abrogating the scheduled repeal of such  
105 provisions; amending s. 216.292, F.S.; prohibiting  
106 appropriations from being transferred between state  
107 agencies unless specifically authorized by the General  
108 Appropriations Act or as otherwise provided by law;  
109 authorizing the Executive Office of the Governor to  
110 transfer funds within and between state agencies for a  
111 specified purpose; providing that such transfers and  
112 adjustments are subject to certain notice, review, and  
113 objections; deleting obsolete language; abrogating the  
114 scheduled repeal of a provision; amending s. 20.055,  
115 F.S.; conforming provisions to changes made by the  
116 act; amending ss. 121.021 and 121.051, F.S.;

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117 conforming cross-references; amending s. 186.021,  
118 F.S.; conforming provisions to changes made by the  
119 act; amending s. 420.0003, F.S.; revising that a  
120 certain long-range plan is from the Florida Housing  
121 Finance Corporation and not from the Department of  
122 Commerce; conforming provisions to changes made by the  
123 act; amending s. 420.511, F.S.; revising references to  
124 "long-range program plan" as "long-range plan";  
125 deleting a requirement that such plan be developed in  
126 coordination with the Department of Commerce; deleting  
127 a provision relating to the Secretary of Commerce, or  
128 his or her designee, serving as the Florida Housing  
129 Finance Corporation's liaison for a specified purpose;  
130 amending ss. 489.145, 985.619 and 1002.37, F.S.;  
131 conforming cross-references; reenacting s.  
132 402.56(5)(d), F.S., relating to the duty of the  
133 Children and Youth Cabinet to design and implement a  
134 long-range program plan, to incorporate the amendment  
135 made to s. 216.013, F.S., in a reference thereto;  
136 providing an effective date.

137  
138 Be It Enacted by the Legislature of the State of Florida:

139  
140 Section 1. Paragraphs (n), (r), and (v) of subsection (1)  
141 of section 216.011, Florida Statutes, are amended, and paragraph  
142 (ee) of that subsection is reenacted, to read:

143 216.011 Definitions.—

144 (1) For the purpose of fiscal affairs of the state,  
145 appropriations acts, legislative budgets, and approved budgets,

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146 each of the following terms has the meaning indicated:

147 ~~(n) "Disincentive" means a sanction as described in s.~~  
148 ~~216.163.~~

149 (q)~~(r)~~ "Fixed capital outlay" means the appropriation  
150 category used to fund real property (land, buildings, including  
151 appurtenances, fixtures and fixed equipment, structures, etc.),  
152 including additions, replacements, major repairs, and  
153 renovations to real property which materially extend its useful  
154 life or materially improve or change its functional use and  
155 including furniture and equipment necessary to furnish and  
156 operate a new or improved facility, when appropriated by the  
157 Legislature in the fixed capital outlay appropriation category.  
158 The term does not include a minor repair or maintenance that  
159 does not materially extend the useful life or materially improve  
160 or change the functional use of a facility, which may be  
161 appropriated in an expense, contracted services, or special  
162 appropriation category.

163 ~~(v) "Incentive" means a mechanism, as described in s.~~  
164 ~~216.163, for recognizing the achievement of performance~~  
165 ~~standards or for motivating performance that exceeds performance~~  
166 ~~standards.~~

167 (cc)~~(ee)~~ "Long-range program plan" means a plan developed  
168 pursuant to s. 216.013.

169 Section 2. Section 216.013, Florida Statutes, is amended to  
170 read:

171 216.013 Long-range program plans ~~plan~~.—State agencies and  
172 the judicial branch shall develop long-range program plans to  
173 achieve state goals and objectives using an interagency planning  
174 process ~~that includes the development of integrated agency~~

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175 ~~program service outcomes.~~ The plans must ~~shall~~ be ~~policy~~ based  
176 on statutorily established policies; ~~priority driven by~~  
177 priorities and outcomes to achieve state goals, objectives, and  
178 policies; ~~accountable;~~ and developed through careful  
179 examination and justification of all agency and judicial branch  
180 programs and activities.

181 (1) Long-range program plans must ~~shall~~ provide the  
182 framework for the development of legislative budget requests.

183 (2) Long-range program plans must ~~and shall~~ identify ~~or~~  
184 update:

185 (a) The mission of the agency or judicial branch.

186 (b) The performance measures required pursuant to s.  
187 216.1827 ~~goals established to accomplish the mission.~~

188 (c) ~~The objectives developed to achieve state goals.~~

189 ~~(d)~~ The trends and conditions relevant to the mission, the  
190 performance measures, and the state goals, ~~and objectives.~~

191 ~~(d)(e)~~ The state agency or judicial branch programs that  
192 will be used to implement statutorily established ~~state~~ policy  
193 and achieve state goals and objectives.

194 ~~(f)~~ ~~The program outcomes and standards to measure progress~~  
195 ~~toward program objectives.~~

196 ~~(g)~~ ~~Information regarding performance measurement, which~~  
197 ~~includes, but is not limited to, how data is collected, the~~  
198 ~~methodology used to measure a performance indicator, the~~  
199 ~~validity and reliability of a measure, the appropriateness of a~~  
200 ~~measure, and whether, in the case of agencies, the agency~~  
201 ~~inspector general has assessed the reliability and validity of~~  
202 ~~agency performance measures, pursuant to s. 20.055(2).~~

203 ~~(h)~~ ~~Legislatively approved output and outcome performance~~

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204 ~~measures. Each performance measure must identify the associated~~  
205 ~~activity contributing to the measure from those identified in~~  
206 ~~accordance with s. 216.023(4) (b).~~

207 ~~(i) Performance standards for each performance measure and~~  
208 ~~justification for the standards and the sources of data to be~~  
209 ~~used for measurement. Performance standards must include~~  
210 ~~standards for each affected activity and be expressed in terms~~  
211 ~~of the associated unit of activity.~~

212 ~~(j) Prior year performance data on approved performance~~  
213 ~~measures and an explanation of deviation from expected~~  
214 ~~performance. Performance data must be assessed for reliability~~  
215 ~~in accordance with s. 20.055.~~

216 ~~(k) Proposed performance incentives and disincentives.~~

217 (3) (a) 1. Long-range program plans must include information  
218 about the implementation status of any law enacted in the  
219 previous legislative session. The implementation status must be  
220 provided until all provisions of the law related to the agency  
221 have been fully implemented.

222 2. For purposes of initial implementation of this  
223 subsection, in addition to laws enacted pursuant to the 2025  
224 Regular Session, an agency must also provide information on  
225 recently enacted laws for the 2023 and 2024 Regular Sessions  
226 that have provisions not fully implemented. This subparagraph  
227 expires on June 30, 2026.

228 (b) Implementation status information must include, at a  
229 minimum, all of the following:

230 1. Actions or steps taken to implement the law, and actions  
231 or steps planned for implementation, including, but not limited  
232 to, all of the following, as applicable:



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- 233       a. Administrative rules proposed for implementation.
- 234       b. Procurements required.
- 235       c. Contracts executed to assist the agency in  
236 implementation.
- 237       d. Contracts executed to implement or administer the law.
- 238       e. Programs started, offices established, or other  
239 organizational administrative changes made, including personnel  
240 changes.
- 241       f. Federal waivers requested.
- 242       2. The status of any required appointments and all  
243 scheduled board, commission, or related public meetings.
- 244       3. A description of the agency programs, outputs, and  
245 activities implemented or changed related to the law.
- 246       4. All expenditures made that were directly related to the  
247 implementation.
- 248       5. Any provisions remaining to be implemented.
- 249       6. A description of any impediment or delay in the  
250 implementation, including, but not limited to, challenges of  
251 administrative rules or identification of any policy issue that  
252 needs to be resolved by the Legislature to ensure timely and  
253 effective implementation.
- 254       7. Information related to any litigation related to the law  
255 which is not provided under subparagraph 6.
- 256       8. Any performance measure developed and the specific data  
257 identified, including data regarding enrollments, participants,  
258 loans, and other data elements of programs, outputs, and  
259 activities.
- 260       (4)-(2) Each Long-range program plans must plan shall cover  
261 a period of 5 fiscal years, ~~be revised annually,~~ and remain in

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262 effect until replaced or adjusted as provided in this section  
263 ~~revised.~~

264 ~~(5)(3)~~ Long-range program plans or revisions must ~~shall~~ be  
265 presented by state agencies and the judicial branch in a form,  
266 manner, and timeframe prescribed in written instructions  
267 prepared by the Executive Office of the Governor in consultation  
268 with the chairs of the legislative appropriations committees.

269 ~~(6)(4)~~ Each state executive agency and the judicial branch  
270 shall post their long-range program plans on their Internet  
271 websites not later than September 30 ~~30th~~ of each year, ~~and~~  
272 ~~provide written notice to the Governor and the Legislature that~~  
273 ~~the plans have been posted.~~

274 ~~(7)(5)~~ Each state agency ~~The state agencies~~ and the  
275 judicial branch shall make appropriate adjustments to their  
276 long-range program plans, excluding adjustments to performance  
277 measures, outcomes, and standards, to be consistent with the  
278 appropriations in the General Appropriations Act, ~~and~~  
279 legislation implementing the General Appropriations Act, or  
280 other enacted legislation. Agencies and the judicial branch have  
281 30 days subsequent to the effective date of the General  
282 Appropriations Act and implementing legislation to make  
283 adjustments to their plans as posted on their Internet websites.

284 (8) Annually, no later than September 15, each state agency  
285 and the judicial branch shall submit their long-range program  
286 plans to the Legislative Budget Commission for approval,  
287 including any update on meeting their plans' approved  
288 performance measures and any deviation from expected performance  
289 measures.

290 (9) If the chairs of the legislative appropriations

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291 committees notify a state agency or the judicial branch that the  
292 agency or the judicial branch has failed to comply with this  
293 section or s. 216.1827, the agency or the judicial branch may  
294 not submit amendments or otherwise make changes to its approved  
295 budget for operations and fixed capital outlay pursuant to s.  
296 216.181 until the agency or the judicial branch has corrected  
297 its deficiency.

298 (10)(6) Long-range program plans developed pursuant to this  
299 chapter are not rules and, therefore, are not subject to the  
300 provisions of chapter 120.

301 ~~(7) Notwithstanding the provisions of this section, each~~  
302 ~~state executive agency and the judicial branch are not required~~  
303 ~~to develop or post a long-range program plan by September 30,~~  
304 ~~2024, for the 2025-2026 fiscal year, except in circumstances~~  
305 ~~outlined in any updated written instructions prepared by the~~  
306 ~~Executive Office of the Governor in consultation with the chairs~~  
307 ~~of the legislative appropriations committees. This subsection~~  
308 ~~expires July 1, 2025.~~

309 Section 3. Subsections (1), (2), (4), and (10) of section  
310 216.023, Florida Statutes, are amended to read:

311 216.023 Legislative budget requests to be furnished to  
312 Legislature by agencies.—

313 (1) The head of each state agency, except as provided in  
314 subsection (2), shall submit a final legislative budget request  
315 to the Legislature and to the Governor, as chief budget officer  
316 of the state, in the form and manner prescribed in the budget  
317 instructions and at such time as specified by the Executive  
318 Office of the Governor, based on the agency's independent  
319 judgment of its needs. However, a state agency must ~~may not~~

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320 submit its complete legislative budget request, including all  
321 supporting forms and schedules required by this chapter, no  
322 later than September 15 of each odd-numbered year and no later  
323 than October 15 of each even-numbered year unless an alternative  
324 date is agreed to be in the best interest of the state by the  
325 Governor and the chairs of the legislative appropriations  
326 committees.

327 (2) The judicial branch and the Division of Administrative  
328 Hearings shall submit their complete legislative budget requests  
329 directly to the Legislature with a copy to the Governor, as  
330 chief budget officer of the state, in the form and manner as  
331 prescribed in the budget instructions. However, the complete  
332 legislative budget requests, including all supporting forms and  
333 schedules required by this chapter, must ~~shall~~ be submitted no  
334 later than September 15 of each odd-numbered year and no later  
335 than October 15 of each even-numbered year unless an alternative  
336 date is agreed to be in the best interest of the state by the  
337 Governor and the chairs of the legislative appropriations  
338 committees.

339 (4)~~(a)~~ The legislative budget request for each program must  
340 contain:

341 (a)~~1.~~ The constitutional or statutory authority for a  
342 program, a brief purpose statement, and approved program  
343 components.

344 (b)~~2.~~ Information on expenditures for 3 fiscal years  
345 (actual prior-year expenditures, current-year estimated  
346 expenditures, and agency budget requested expenditures for the  
347 next fiscal year) by appropriation category.

348 (c)~~3.~~ Details on trust funds and fees.

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349        (d)~~4~~. The total number of positions (authorized, fixed, and  
350 requested).

351        (e)~~5~~. An issue narrative describing and justifying changes  
352 in amounts and positions requested for current and proposed  
353 programs for the next fiscal year.

354        (f)~~6~~. Information resource requests.

355        (g)~~7~~. Supporting information, including applicable cost-  
356 benefit analyses, business case analyses, performance  
357 contracting procedures, service comparisons, and impacts on  
358 performance standards for any request to outsource or privatize  
359 agency functions. The cost-benefit and business case analyses  
360 must include an assessment of the impact on each affected  
361 activity ~~from those identified in accordance with paragraph (b)~~.  
362 ~~Performance standards must include standards for each affected~~  
363 ~~activity and be expressed in terms of the associated unit of~~  
364 ~~activity.~~

365        (h)~~8~~. An evaluation of major outsourcing and privatization  
366 initiatives undertaken during the last 5 fiscal years having  
367 aggregate expenditures exceeding \$10 million during the term of  
368 the contract. The evaluation must include an assessment of  
369 contractor performance, a comparison of anticipated service  
370 levels to actual service levels, and a comparison of estimated  
371 savings to actual savings achieved. Consolidated reports issued  
372 by the Department of Management Services may be used to satisfy  
373 this requirement.

374        (i)~~9~~. Supporting information for any proposed consolidated  
375 financing of deferred-payment commodity contracts including  
376 guaranteed energy performance savings contracts. Supporting  
377 information must also include narrative describing and

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378 justifying the need, baseline for current costs, estimated cost  
379 savings, projected equipment purchases, estimated contract  
380 costs, and return on investment calculation.

381 (j)~~10~~. For projects that exceed \$10 million in total cost,  
382 the statutory reference of the existing policy or the proposed  
383 substantive policy that establishes and defines the project's  
384 governance structure, planned scope, main business objectives  
385 that must be achieved, and estimated completion timeframes. The  
386 governance structure for information technology-related projects  
387 must incorporate the applicable project management and oversight  
388 standards established pursuant to s. 282.0051. Information  
389 technology budget requests for the continuance of existing  
390 hardware and software maintenance agreements, renewal of  
391 existing software licensing agreements, or the replacement of  
392 desktop units with new technology that is similar to the  
393 technology currently in use are exempt from this requirement.

394 ~~(b) It is the intent of the Legislature that total~~  
395 ~~accountability measures, including unit cost data, serve not~~  
396 ~~only as a budgeting tool but also as a policymaking tool and an~~  
397 ~~accountability tool. Therefore, each state agency and the~~  
398 ~~judicial branch must submit a summary of information for the~~  
399 ~~preceding year in accordance with the legislative budget~~  
400 ~~instructions. Each summary must provide a one page overview and~~  
401 ~~must contain:~~

- 402 ~~1. The final budget for the agency and the judicial branch.~~
- 403 ~~2. Total funds from the General Appropriations Act.~~
- 404 ~~3. Adjustments to the General Appropriations Act.~~
- 405 ~~4. The line-item listings of all activities.~~
- 406 ~~5. The number of activity units performed or accomplished.~~

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407 ~~6. Total expenditures for each activity, including amounts~~  
408 ~~paid to contractors and subordinate entities. Expenditures~~  
409 ~~related to administrative activities not aligned with output~~  
410 ~~measures must consistently be allocated to activities with~~  
411 ~~output measures prior to computing unit costs.~~

412 ~~7. The cost per unit for each activity, including the costs~~  
413 ~~allocated to contractors and subordinate entities.~~

414 ~~8. The total amount of reversions and pass-through~~  
415 ~~expenditures omitted from unit cost calculations.~~

416

417 ~~At the regular session immediately following the submission of~~  
418 ~~the agency unit cost summary, the Legislature shall reduce in~~  
419 ~~the General Appropriations Act for the ensuing fiscal year, by~~  
420 ~~an amount equal to at least 10 percent of the allocation for the~~  
421 ~~fiscal year preceding the current fiscal year, the funding of~~  
422 ~~each state agency that fails to submit the report required under~~  
423 ~~this paragraph.~~

424 (10) The legislative budget request from each agency and  
425 from the judicial branch shall be reviewed by the Legislature.  
426 The review may allow for the opportunity to have information or  
427 testimony by the agency, the judicial branch, the Auditor  
428 General, the Office of Program Policy Analysis and Government  
429 Accountability, the Governor's Office of Policy and Budget  
430 ~~Planning and Budgeting~~, and the public regarding the proper  
431 level of funding for the agency in order to carry out its  
432 mission.

433 Section 4. Subsection (4) of section 216.163, Florida  
434 Statutes, is amended to read:

435 216.163 Governor's recommended budget; form and content;

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436 declaration of collective bargaining impasses.-

437 ~~(4) The Executive Office of the Governor shall review the~~  
438 ~~findings of the Office of Program Policy Analysis and Government~~  
439 ~~Accountability, to the extent they are available, request any~~  
440 ~~reports or additional analyses as necessary, and submit a~~  
441 ~~recommendation for executive agencies, which may include a~~  
442 ~~recommendation regarding incentives or disincentives for agency~~  
443 ~~performance. Incentives or disincentives may apply to all or~~  
444 ~~part of a state agency. The Chief Justice shall review the~~  
445 ~~findings of the Office of Program Policy Analysis and Government~~  
446 ~~Accountability regarding judicial branch performance and make~~  
447 ~~appropriate recommendations for the judicial branch.~~

448 ~~(a) Incentives may include, but are not limited to:~~

449 ~~1. Additional flexibility in budget management, such as,~~  
450 ~~but not limited to, the use of lump sums or special categories;~~  
451 ~~consolidation of budget entities or program components;~~  
452 ~~consolidation of appropriation categories; and increased agency~~  
453 ~~transfer authority between appropriation categories or budget~~  
454 ~~entities.~~

455 ~~2. Additional flexibility in salary rate and position~~  
456 ~~management.~~

457 ~~3. Retention of up to 50 percent of all unencumbered~~  
458 ~~balances of appropriations as of June 30, or undisbursed~~  
459 ~~balances as of December 31, excluding special categories and~~  
460 ~~grants and aids, which may be used for nonrecurring purposes~~  
461 ~~including, but not limited to, lump sum bonuses, employee~~  
462 ~~training, or productivity enhancements, including technology and~~  
463 ~~other improvements.~~

464 ~~4. Additional funds to be used for, but not limited to,~~



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465 ~~lump sum bonuses, employee training, or productivity~~  
466 ~~enhancements, including technology and other improvements.~~

467 ~~5. Additional funds provided pursuant to law to be released~~  
468 ~~to an agency quarterly or incrementally contingent upon the~~  
469 ~~accomplishment of units of output or outcome specified in the~~  
470 ~~General Appropriations Act.~~

471 ~~(b) Disincentives may include, but are not limited to:~~

472 ~~1. Mandatory quarterly reports to the Executive Office of~~  
473 ~~the Governor and the Legislature on the agency's progress in~~  
474 ~~meeting performance standards.~~

475 ~~2. Mandatory quarterly appearances before the Legislature,~~  
476 ~~the Governor, or the Governor and Cabinet to report on the~~  
477 ~~agency's progress in meeting performance standards.~~

478 ~~3. Elimination or restructuring of the program, which may~~  
479 ~~include, but not be limited to, transfer of the program or~~  
480 ~~outsourcing all or a portion of the program.~~

481 ~~4. Reduction of total positions for a program.~~

482 ~~5. Restriction on or reduction of the spending authority~~  
483 ~~provided in s. 216.292(2)(b).~~

484 ~~6. Reduction of managerial salaries.~~

485 Section 5. Subsection (3) of section 216.177, Florida  
486 Statutes, is amended to read:

487 216.177 Appropriations acts, statement of intent,  
488 violation, notice, review and objection procedures.—

489 ~~(3) The Legislature may annually specify any incentives and~~  
490 ~~disincentives for agencies operating programs under performance-~~  
491 ~~based budgets pursuant to this chapter in the General~~  
492 ~~Appropriations Act or legislation implementing the General~~  
493 ~~Appropriations Act.~~

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494 Section 6. Paragraph (b) of subsection (10) of section  
 495 216.181, Florida Statutes, is amended to read:

496 216.181 Approved budgets for operations and fixed capital  
 497 outlay.—

498 (10)

499 (b) Lump-sum salary bonuses may be provided only if  
 500 specifically appropriated or provided pursuant to s. 110.1245 ~~or~~  
 501 ~~s. 216.1815.~~

502 Section 7. Section 216.1815, Florida Statutes, is repealed.

503 Section 8. Section 216.1826, Florida Statutes, is repealed.

504 Section 9. Section 216.1827, Florida Statutes, is amended  
 505 to read:

506 216.1827 Requirements for performance measures, outcomes,  
 507 and standards.—

508 (1) Each state agency ~~Agencies~~ and the judicial branch  
 509 shall maintain ~~a comprehensive performance accountability system~~  
 510 ~~containing, at a minimum, a list of~~ performance measures,  
 511 outcomes, and standards as required by ~~that are adopted by the~~  
 512 ~~Legislature and subsequently amended pursuant to~~ this section.

513 (2) Each state agency and the judicial branch shall adopt  
 514 the following performance measures, outcomes, and standards:

515 (a) Administrative costs as a percentage of total agency  
 516 costs, including salaries and benefits and excluding fixed  
 517 capital outlay.

518 (b) Percentage of vacant positions filled within 180 days  
 519 after becoming vacant.

520 (c) Total dollar amount of salary increases awarded,  
 521 delineated by the subtotal dollar amount of the increases  
 522 specifically authorized in the General Appropriations Act or

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523 other law and the subtotal dollar amount of the increases  
524 awarded without specific legislative authorization.

525 (d) Percentage of corrective actions taken within 6 months  
526 after receipt of audit findings and management letters issued to  
527 resolve such findings or letters from financial and operational  
528 audits conducted pursuant to s. 11.45.

529 (e) Private attorney service costs dollar amounts by case  
530 and as a percentage of total agency legal costs, legal costs  
531 paid to the Attorney General's office by case and as a  
532 percentage of total agency legal costs, and total agency legal  
533 costs as a percentage of total agency budget.

534 (f) Total dollar amount of expenditures by state term  
535 contract as defined in s. 287.012, contracts procured using  
536 alternative purchasing methods as authorized pursuant to s.  
537 287.042(16), and agency procurements through request for  
538 proposal, invitation to negotiate, invitation to bid, single  
539 source, and emergency purchases.

540 (g) If applicable, the number of complete applications  
541 received and the average number of days to complete a permit, a  
542 licensure, a registration, or a certification process, from the  
543 date of the receipt of initial application to final agency  
544 action, for each permit, license, registration, or certification  
545 issued by the agency or judicial branch.

546 (h) If applicable, the total number of required  
547 inspections, total number of inspections completed, and  
548 percentage of required inspections completed.

549 (i) If applicable, average number of calendar days to award  
550 and contract for noncompetitive projects or grant programs for  
551 state or federal funds from the date of receipt of funds by the

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552 agency or receipt of budget authority, whichever is later.

553 (3) In addition to the performance measures, outcomes, and  
554 standards required by subsection (2), each agency and the  
555 judicial branch shall develop and adopt at least five additional  
556 performance measures, outcomes, and standards. Additional  
557 performance measures, outcomes, and standards must include key  
558 state agency or judicial branch functions. When developing the  
559 additional performance measures, outcomes, and standards, each  
560 state agency and the judicial branch shall take all of the  
561 following into consideration:

562 (a) The mission of the agency or judicial branch, state  
563 goals and objectives, and statutory policy.

564 (b) Programs, outputs, and activities that are key agency  
565 or judicial branch functions.

566 (c) Selection of data elements that best and most  
567 accurately measure progress toward state goals and objectives,  
568 including facilitating analysis of any deviation from expected  
569 performance.

570 (4) Each state agency and the judicial branch shall  
571 maintain the justification for each performance measure,  
572 outcome, or standard, and the sources of data to be used.

573 (5)-(2)-(a) Each state agency ~~Agencies~~ and the judicial  
574 branch shall submit long-range program plans with performance  
575 measures in the form, manner, and timeframe ~~output and outcome~~  
576 ~~measures and standards, as well as historical baseline and~~  
577 ~~performance data~~ pursuant to s. 216.013. The long-range program  
578 plan must provide:

579 (a) Information regarding measurement of the performance  
580 measures, including how the data is collected, baseline data,

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581 the methodology used for measurement, the reason for the  
 582 measurement, and the validity and reliability of the  
 583 measurement.

584 (b) Data for the previous 5 years related to the  
 585 performance measures, outcomes, and standards and an explanation  
 586 of deviation from expected performance.

587 (6) Each state agency ~~Agencies~~ and the judicial branch  
 588 shall ~~also~~ submit performance ~~data,~~ measures, outcomes, and  
 589 standards, including any information required by this section,  
 590 to the Office of Program Policy Analysis and Government  
 591 Accountability upon request ~~for review of the adequacy of the~~  
 592 ~~legislatively approved measures and standards.~~

593 (7) For each state agency and the judicial branch,  
 594 performance measures, outcomes, and standards, including any  
 595 amendments thereto, must be adopted by the Legislative Budget  
 596 Commission.

597 ~~(3)~~ (a) At least 30 days before the scheduled annual  
 598 legislative session, a state an agency or the Chief Justice of  
 599 the Supreme Court may submit requests to delete or amend ~~its~~  
 600 ~~existing approved performance measures,~~ outcomes, and standards  
 601 ~~or activities, including alignment of activities to performance~~  
 602 ~~measures,~~ or submit requests to create additional performance  
 603 measures, outcomes, and standards or activities to the  
 604 Legislature ~~Executive Office of the Governor for review and~~  
 605 ~~approval.~~ The request must ~~shall~~ document the justification for  
 606 the change and ensure that the ~~revision,~~ deletion, amendment, or  
 607 addition is consistent with legislative intent. Such deletion,  
 608 amendment, or addition is subject to review and approval by the  
 609 Legislative Budget Commission ~~Revisions or deletions to or~~

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610 ~~additions of performance measures and standards approved by the~~  
611 ~~Executive Office of the Governor are subject to the review and~~  
612 ~~objection procedure set forth in s. 216.177.~~

613 (b) Each state agency and the judicial branch shall make  
614 appropriate adjustments to their performance measures, outcomes,  
615 and standards to be consistent with the appropriations in the  
616 General Appropriations Act, legislation implementing the General  
617 Appropriations Act, or other enacted legislation. State agencies  
618 and the judicial branch have 30 days after the effective date of  
619 the General Appropriations Act or other enacted legislation to  
620 propose adjustments to their plans for review and approval by  
621 the Legislative Budget Commission ~~The Chief Justice of the~~  
622 ~~Supreme Court may submit deletions or amendments of the judicial~~  
623 ~~branch's existing approved performance measures and standards or~~  
624 ~~may submit additional performance measures and standards to the~~  
625 ~~Legislature accompanied with justification for the change and~~  
626 ~~ensure that the revision, deletion, or addition is consistent~~  
627 ~~with legislative intent. Revisions or deletions to, or additions~~  
628 ~~of performance measures and standards submitted by the Chief~~  
629 ~~Justice of the Supreme Court are subject to the review and~~  
630 ~~objection procedure set forth in s. 216.177.~~

631 ~~(4) (a) The Legislature may create, amend, and delete~~  
632 ~~performance measures and standards. The Legislature may confer~~  
633 ~~with the Executive Office of the Governor for state agencies and~~  
634 ~~the Chief Justice of the Supreme Court for the judicial branch~~  
635 ~~prior to any such action.~~

636 ~~(b) The Legislature may require state agencies to submit~~  
637 ~~requests for revisions, additions, or deletions to approved~~  
638 ~~performance measures and standards to the Executive Office of~~

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639 ~~the Governor for review and approval, subject to the review and~~  
640 ~~objection procedure set forth in s. 216.177.~~

641 ~~(c) The Legislature may require the judicial branch to~~  
642 ~~submit revisions, additions, or deletions to approved~~  
643 ~~performance measures and standards to the Legislature, subject~~  
644 ~~to the review and objection procedure set forth in s. 216.177.~~

645 ~~(d) Any new state agency created by the Legislature shall~~  
646 ~~establish is subject to the initial performance measures,~~  
647 ~~outcomes, and standards thereof, subject to review and approval~~  
648 ~~by the Legislative Budget Commission established by the~~  
649 ~~Legislature. The Legislature may require state agencies and the~~  
650 ~~judicial branch to provide any information necessary to create~~  
651 ~~initial performance measures and standards.~~

652 ~~(d) Each state agency and the judicial branch shall submit~~  
653 ~~new performance measures, outcomes, and standards, including the~~  
654 ~~information required by this section, to the Legislative Budget~~  
655 ~~Commission by December 1, 2025. This paragraph expires on~~  
656 ~~December 31, 2026.~~

657 Section 10. Subsection (4) of section 216.262, Florida  
658 Statutes, is amended to read:

659 216.262 Authorized positions.-

660 (4) Notwithstanding the provisions of this chapter relating  
661 to increasing the number of authorized positions, ~~and for the~~  
662 ~~2024-2025 fiscal year only~~, if the actual inmate population of  
663 the Department of Corrections in the current fiscal year exceeds  
664 the inmate population projections of the most recently adopted  
665 forecast published by the ~~December 15, 2023~~, Criminal Justice  
666 Estimating Conference for the current fiscal year by 1 percent  
667 for 2 consecutive months or 2 percent for any month, the

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668 Executive Office of the Governor, with the approval of the  
669 Legislative Budget Commission, shall immediately notify the  
670 Criminal Justice Estimating Conference, which shall convene as  
671 soon as possible to revise the estimates. The Department of  
672 Corrections may then submit a budget amendment requesting the  
673 establishment of positions in excess of the number authorized by  
674 the Legislature and additional appropriations from unallocated  
675 general revenue sufficient to provide for essential staff, fixed  
676 capital improvements, and other resources to provide  
677 classification, security, food services, health services, and  
678 other variable expenses within the institutions to accommodate  
679 the estimated increase in the inmate population. All actions  
680 taken pursuant to this subsection are subject to review and  
681 approval by the Legislative Budget Commission. ~~This subsection~~  
682 ~~expires July 1, 2025.~~

683 Section 11. Present paragraph (b) of subsection (1) of  
684 section 216.292, Florida Statutes, is redesignated as paragraph  
685 (c), a new paragraph (b) is added to that subsection, and  
686 paragraph (a) of subsection (1) and subsection (2) of that  
687 section are amended, to read:

688 216.292 Appropriations nontransferable; exceptions.—

689 (1) (a) Funds provided in the General Appropriations Act or  
690 as otherwise expressly provided by law shall be expended only  
691 for the purpose for which appropriated, except that such moneys  
692 may be transferred as provided in this section when it is  
693 determined to be in the best interest of the state.

694 Appropriations for fixed capital outlay may not be expended for  
695 any other purpose. Appropriations may not be transferred between  
696 state agencies, or between a state agency and the judicial



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697 branch, unless specifically authorized by law or specifically  
698 authorized in the General Appropriations Act.

699 (b) The Executive Office of the Governor may transfer funds  
700 within and between state agencies for the sole purpose of  
701 implementing statewide distributions for risk management  
702 insurance, human resource services, and data processing  
703 services. Transfers and adjustments are subject to the notice,  
704 review, and objection procedures of s. 216.177.

705 (2) The following transfers are authorized to be made by  
706 the head of each department or the Chief Justice of the Supreme  
707 Court whenever it is deemed necessary by reason of changed  
708 conditions:

709 (a) The transfer of appropriations funded from identical  
710 funding sources, except appropriations for fixed capital outlay,  
711 and the transfer of amounts included within the total original  
712 approved budget and plans of releases of appropriations as  
713 furnished pursuant to ss. 216.181 and 216.192, as follows:

714 1. Between categories of appropriations within a budget  
715 entity, if no category of appropriation is increased or  
716 decreased by more than 5 percent of the original approved budget  
717 or \$250,000, whichever is greater, by all action taken under  
718 this subsection.

719 2. Between budget entities within identical categories of  
720 appropriations, if no category of appropriation is increased or  
721 decreased by more than 5 percent of the original approved budget  
722 or \$250,000, whichever is greater, by all action taken under  
723 this subsection.

724 3. Any agency exceeding salary rate established pursuant to  
725 s. 216.181(8) on June 30th of any fiscal year may ~~shall~~ not ~~be~~

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726 ~~authorized to~~ make transfers pursuant to subparagraphs 1. and 2.  
727 in the subsequent fiscal year.

728 4. Notice of proposed transfers under subparagraphs 1. and  
729 2. shall be provided to the Executive Office of the Governor and  
730 the chairs of the legislative appropriations committees at least  
731 3 days prior to agency implementation in order to provide an  
732 opportunity for review. The review shall be limited to ensuring  
733 that the transfer is in compliance with the requirements of this  
734 paragraph.

735 5. ~~For the 2024-2025 fiscal year,~~ The review shall ensure  
736 that transfers proposed pursuant to this paragraph comply with  
737 this chapter, maximize the use of available and appropriate  
738 trust funds, and are not contrary to legislative policy and  
739 intent. ~~This subparagraph expires July 1, 2025.~~

740 (b) After providing notice at least 5 working days prior to  
741 implementation:

742 1. The transfer of funds within programs identified in the  
743 General Appropriations Act from identical funding sources  
744 between the following appropriation categories without  
745 limitation so long as such a transfer does not result in an  
746 increase, to the total recurring general revenue or trust fund  
747 cost of the agency or entity of the judicial branch in the  
748 subsequent fiscal year: other personal services, expenses,  
749 operating capital outlay, food products, state attorney and  
750 public defender operations, data processing services, operating  
751 and maintenance of patrol vehicles, overtime payments, salary  
752 incentive payments, compensation to retired judges, law  
753 libraries, and juror and witness payments.

754 2. The transfer of funds and positions from identical

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755 funding sources between salaries and benefits appropriation  
756 categories within programs identified in the General  
757 Appropriations Act. Such transfers must be consistent with  
758 legislative policy and intent and may not adversely affect  
759 achievement of approved performance outcomes or outputs in any  
760 program.

761 (c) The transfer of funds appropriated to accounts  
762 established for disbursement purposes upon release of such  
763 appropriation upon request of a department and approval by the  
764 Chief Financial Officer. Such transfer may only be made to the  
765 same appropriation category and the same funding source from  
766 which the funds are transferred.

767 Section 12. Paragraphs (a) and (b) of subsection (2) of  
768 section 20.055, Florida Statutes, are amended to read:

769 20.055 Agency inspectors general.—

770 (2) An office of inspector general is established in each  
771 state agency to provide a central point for coordination of and  
772 responsibility for activities that promote accountability,  
773 integrity, and efficiency in government. It is the duty and  
774 responsibility of each inspector general, with respect to the  
775 state agency in which the office is established, to:

776 (a) Advise in the development of performance measures,  
777 outcomes, standards, and procedures for the evaluation of state  
778 agency programs.

779 ~~(b) Assess the reliability and validity of the information~~  
780 ~~provided by the state agency on performance measures and~~  
781 ~~standards, and make recommendations for improvement, if~~  
782 ~~necessary, before submission of such information pursuant to s.~~  
783 ~~216.1827.~~

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784 Section 13. Paragraph (a) of subsection (52) and paragraph  
785 (a) of subsection (53) of section 121.021, Florida Statutes, are  
786 amended to read:

787 121.021 Definitions.—The following words and phrases as  
788 used in this chapter have the respective meanings set forth  
789 unless a different meaning is plainly required by the context:

790 (52) "Regularly established position" means:

791 (a) With respect to a state employer, a position that is  
792 authorized and established pursuant to law and is compensated  
793 from a salaries and benefits appropriation pursuant to s.  
794 216.011(1)(pp) ~~s. 216.011(1)(rr)~~, or an established position  
795 that is authorized pursuant to s. 216.262(1)(a) and (b) and is  
796 compensated from a salaries account as provided in s.  
797 216.011(qq) ~~s. 216.011(1)(ss)~~.

798 (53) "Temporary position" means:

799 (a) With respect to a state employer, a position that is  
800 compensated from an other personal services (OPS) account as  
801 provided in s. 216.011(1)(hh) ~~s. 216.011(1)(jj)~~.

802 Section 14. Subsection (8) of section 121.051, Florida  
803 Statutes, is amended to read:

804 121.051 Participation in the system.—

805 (8) DIVISION OF REHABILITATION AND LIQUIDATION EMPLOYEES  
806 MEMBERSHIP.—Effective July 1, 1994, the regular receivership  
807 employees of the Division of Rehabilitation and Liquidation of  
808 the Department of Financial Services who are assigned to  
809 established positions and are subject to established rules and  
810 regulations regarding discipline, pay, classification, and time  
811 and attendance are hereby declared to be state employees within  
812 the meaning of this chapter and shall be compulsory members in

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813 compliance with this chapter, the provisions of s.  
814 216.011(1)(hh)2. ~~s. 216.011(1)(jj)2.~~, notwithstanding.  
815 Employment performed before July 1, 1994, as such a receivership  
816 employee may be claimed as creditable retirement service upon  
817 payment by the employee or employer of contributions required in  
818 s. 121.081(1), as applicable for the period claimed.

819 Section 15. Section 186.021, Florida Statutes, is amended  
820 to read:

821 186.021 Long-range program plans.—Pursuant to s. 216.013,  
822 each state agency shall develop a long-range program plan ~~on an~~  
823 ~~annual basis~~. The plan must ~~shall~~ provide the framework and  
824 context for designing and interpreting the agency budget  
825 request. The plan must ~~will~~ be developed through careful  
826 examination and justification of agency functions ~~and their~~  
827 ~~associated costs~~. An agency shall use the long-range program  
828 plan ~~It shall be used by the agency~~ to implement the state's  
829 goals and objectives. The agency shall also develop performance  
830 measures, outcomes, and standards to measure programs, outputs,  
831 ~~Indicators shall be developed to measure service and activity~~  
832 performance.

833 Section 16. Paragraph (b) of subsection (3) of section  
834 420.0003, Florida Statutes, is amended to read:

835 420.0003 State housing strategy.—

836 (3) IMPLEMENTATION.—The state, in carrying out the strategy  
837 articulated in this section, shall have the following duties:

838 (b) The long-range ~~program~~ plan of the corporation  
839 ~~department~~ must include specific performance measures, goals,  
840 and objectives, ~~and strategies~~ that implement the housing  
841 policies in this section.

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842 Section 17. Section 420.511, Florida Statutes, is amended  
843 to read:

844 420.511 Strategic business plan; long-range ~~program~~ plan;  
845 annual report; audited financial statements.—

846 (1) The corporation shall develop a strategic business plan  
847 for the provision of affordable housing for the state. The plan  
848 must be consistent with the long-range ~~program~~ plan prepared  
849 pursuant to subsection (2) and must ~~shall~~ contain performance  
850 measures and specific performance targets for the following:

851 (a) The ability of low-income and moderate-income  
852 Floridians to access housing that is decent and affordable.

853 (b) The continued availability and affordability of housing  
854 financed by the corporation to target populations.

855 (c) The availability of affordable financing programs,  
856 including equity and debt products, and programs that reduce  
857 gaps in conventional financing in order to increase individual  
858 access to housing and stimulate private production of affordable  
859 housing.

860 (d) The establishment and maintenance of efficiencies in  
861 the delivery of affordable housing.

862 (e) Such other measures as directed by the corporation's  
863 board of directors.

864 (2) The corporation, ~~in coordination with the department,~~  
865 shall annually develop a long-range ~~program~~ plan for the  
866 provision of affordable housing in this state as required  
867 pursuant to chapter 186. In part, the plan must include  
868 provisions that maximize the abilities of the corporation to  
869 implement the state housing strategy established under s.  
870 420.0003, to respond to federal housing initiatives, and to

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871 develop programs in a manner that is more responsive to the  
872 needs of public and private partners. The plan must ~~shall~~ be  
873 developed on a schedule consistent with that established by s.  
874 186.021. ~~For purposes of this section, the Secretary of Commerce~~  
875 ~~or his or her designee shall serve as the corporation's~~  
876 ~~representative to achieve a coordinated and integrated planning~~  
877 ~~relationship with the department.~~

878 (3) The corporation shall submit to the Governor and the  
879 presiding officers of each house of the Legislature, within 6  
880 months after the end of its fiscal year, a complete and detailed  
881 report setting forth the corporation's state and federal program  
882 accomplishments using the most recent available data. The report  
883 must include, but is not limited to:

884 (a) The following tenant characteristics in the existing  
885 rental units financed through corporation-administered programs:

886 1. The number of households served, delineated by income,  
887 race, ethnicity, and age of the head of household.

888 2. The number of households served in large, medium, and  
889 small counties as described in s. 420.5087(1) and the extent to  
890 which geographic distribution has been achieved in accordance  
891 with s. 420.5087.

892 3. The number of farmworker and commercial fishing worker  
893 households served.

894 4. The number of homeless households served.

895 5. The number of special needs households served.

896 6. By county, the average rent charged based on unit size.

897 (b) The number of rental units to which resources have been  
898 allocated in the last fiscal year, including income and  
899 demographic restrictions.

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900 (c) The estimated average cost of producing units under  
901 each rental or homeownership unit financed under each program in  
902 the last fiscal year.

903 (d) By county, the average sales price of homeownership  
904 units financed in the last fiscal year.

905 (e) The number of households served by homeownership  
906 programs in the last fiscal year, including the income, race,  
907 ethnicity, and age of the homeowner of each household.

908 (f) The percentage of homeownership loans that are in  
909 foreclosure.

910 (g) The percentage of properties in the corporation's  
911 rental portfolio which have an occupancy rate below 90 percent.

912 (h) The amount of economic stimulus created by the  
913 affordable housing finance programs administered by the  
914 corporation for the most recent year available.

915 (i) For the State Apartment Incentive Loan Program (SAIL),  
916 a comprehensive list of all closed loans outstanding at the end  
917 of the most recent fiscal year, including, but not limited to,  
918 development name, city, county, developer, set-aside type, set-  
919 aside percentage, affordability term, total number of units,  
920 number of set-aside units, lien position, original loan amount,  
921 loan maturity date, loan balance at close of year, status of  
922 loan, rate of interest, and interest paid.

923 (j) For the Florida Affordable Housing Guarantee Program, a  
924 list of all guaranteed loans through the close of the most  
925 recent fiscal year, including, but not limited to, development  
926 name, city, county, developer, total number of units, issuer of  
927 the bonds, loan maturity date, participation in the United  
928 States Department of Housing and Urban Development Risk-Sharing



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929 Program, original guarantee amount, guarantee amount at the  
930 close of the fiscal year, status of guaranteed loans, and total  
931 outstanding Florida Housing Finance Corporation Affordable  
932 Housing Guarantee Program revenue bonds at the close of the most  
933 recent fiscal year.

934 (k) Any other information the corporation deems  
935 appropriate.

936 (4) Within 6 months after the end of its fiscal year, the  
937 corporation shall submit audited financial statements, prepared  
938 in accordance with generally accepted accounting principles,  
939 which include all assets, liabilities, revenues, and expenses of  
940 the corporation, and a list of all bonds outstanding at the end  
941 of its fiscal year. The audit must be conducted by an  
942 independent certified public accountant, performed in accordance  
943 with generally accepted auditing standards and government  
944 auditing standards, and incorporate all reports, including  
945 compliance reports, as required by such auditing standards.

946 (5) The Auditor General shall conduct an operational audit  
947 of the accounts and records of the corporation and provide a  
948 written report on the audit to the President of the Senate and  
949 the Speaker of the House of Representatives by December 1, 2016.

950 Section 18. Paragraph (a) of subsection (6) of section  
951 489.145, Florida Statutes, is amended to read:

952 489.145 Guaranteed energy, water, and wastewater  
953 performance savings contracting.—

954 (6) PROGRAM ADMINISTRATION AND CONTRACT REVIEW.—The  
955 Department of Management Services, with the assistance of the  
956 Office of the Chief Financial Officer, shall, within available  
957 resources, provide technical content assistance to state

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958 agencies contracting for energy, water, and wastewater  
959 efficiency and conservation measures and engage in other  
960 activities considered appropriate by the department for  
961 promoting and facilitating guaranteed energy, water, and  
962 wastewater performance contracting by state agencies. The  
963 Department of Management Services shall review the investment-  
964 grade audit for each proposed project and certify that the cost  
965 savings are appropriate and sufficient for the term of the  
966 contract. The Office of the Chief Financial Officer, with the  
967 assistance of the Department of Management Services, shall,  
968 within available resources, develop model contractual and  
969 related documents for use by state agencies. Before entering  
970 into a guaranteed energy, water, and wastewater performance  
971 savings contract, a contract or lease for third-party financing,  
972 or any combination of such contracts, a state agency shall  
973 submit such proposed contract or lease to the Office of the  
974 Chief Financial Officer for review and approval. The Office of  
975 the Chief Financial Officer shall complete its review and  
976 approval within 10 business days after receiving the proposed  
977 contract or lease. A proposed contract or lease with a state  
978 agency must include the following:

979 (a) Supporting information required by s. 216.023(4)(i) ~~s.~~  
980 ~~216.023(4)(a)9.~~ in ss. 287.063(5) and 287.064(11). For contracts  
981 approved under this section, the criteria may, at a minimum,  
982 include the specification of a benchmark cost of capital and  
983 minimum real rate of return on energy, water, or wastewater  
984 savings against which proposals shall be evaluated.

985  
986 The Office of the Chief Financial Officer shall not approve any

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987 contract submitted under this section from a state agency that  
988 does not meet the requirements of this section.

989 Section 19. Paragraph (c) of subsection (5) of section  
990 985.619, Florida Statutes, is amended to read:

991 985.619 Florida Scholars Academy.—

992 (5) FUNDING.—

993 (c) The fiscal year for the Florida Scholars Academy is the  
994 fiscal year of the state as defined in s. 216.011(1)(n) ~~s.~~  
995 ~~216.011(1)(e)~~.

996 Section 20. Paragraph (a) of subsection (2) of section  
997 1002.37, Florida Statutes, is amended to read:

998 1002.37 The Florida Virtual School.—

999 (2) The Florida Virtual School shall be governed by a board  
1000 of trustees comprised of seven members appointed by the Governor  
1001 to 4-year staggered terms. The board of trustees shall be a  
1002 public agency entitled to sovereign immunity pursuant to s.  
1003 768.28, and board members shall be public officers who shall  
1004 bear fiduciary responsibility for the Florida Virtual School.  
1005 The board of trustees shall have the following powers and  
1006 duties:

1007 (a)1. The board of trustees shall meet at least 4 times  
1008 each year, upon the call of the chair, or at the request of a  
1009 majority of the membership.

1010 2. The fiscal year for the Florida Virtual School shall be  
1011 the state fiscal year as provided in s. 216.011(1)(p) ~~s.~~  
1012 ~~216.011(1)(q)~~.

1013

1014 The Governor shall designate the initial chair of the board of  
1015 trustees to serve a term of 4 years. Members of the board of

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1016 trustees shall serve without compensation, but may be reimbursed  
1017 for per diem and travel expenses pursuant to s. 112.061. The  
1018 board of trustees shall be a body corporate with all the powers  
1019 of a body corporate and such authority as is needed for the  
1020 proper operation and improvement of the Florida Virtual School.  
1021 The board of trustees is specifically authorized to adopt rules,  
1022 policies, and procedures, consistent with law and rules of the  
1023 State Board of Education related to governance, personnel,  
1024 budget and finance, administration, programs, curriculum and  
1025 instruction, travel and purchasing, technology, students,  
1026 contracts and grants, and property as necessary for optimal,  
1027 efficient operation of the Florida Virtual School. Tangible  
1028 personal property owned by the board of trustees shall be  
1029 subject to the provisions of chapter 273.

1030 Section 21. For the purpose of incorporating the amendment  
1031 made by this act to section 216.013, Florida Statutes, in a  
1032 reference thereto, paragraph (d) of subsection (5) of section  
1033 402.56, Florida Statutes, is reenacted to read:

1034 402.56 Children's cabinet; organization; responsibilities;  
1035 annual report.—

1036 (5) DUTIES AND RESPONSIBILITIES.—The Children and Youth  
1037 Cabinet shall:

1038 (d) Design and implement actions that will promote  
1039 collaboration, creativity, increased efficiency, information  
1040 sharing, and improved service delivery between and within state  
1041 governmental organizations that provide services for children  
1042 and youth and their families. In particular, the efforts shall  
1043 include the long-range planning process mandated by s. 216.013.

1044 Section 22. This act shall take effect July 1, 2025.