



Journal of the Senate

Number 12—Regular Session

Thursday, February 11, 2016

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CALL TO ORDER

The Senate was called to order by President Gardiner at 1:18 p.m. A quorum present—39:

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Hutson	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson

PRAYER

The following prayer was offered by Tony B. McCoy, Senior Pastor of Hope International Church, Groveland:

Father of all creation, you are Elohim, creator of heaven and earth. We thank you for being love, for your word states, not that you loved, but rather that you are love.

Thank you for the invitation to love you with all our heart, soul, mind, and strength, and thank you for the commandment to love our fellow man likewise.

Father, we thank you for the lessons of love that we are receiving through your word, for your word states that, "Love is patient, love is kind. It does not envy, it does not boast, it is not proud. Love is not rude, it is not self-seeking, it is not easily angered, it keeps no record of wrongs. Love does not delight in evil, but rejoices with the truth. It always protects, always trusts, always hopes, and always perseveres."

Love assembles, love directs, and love speaks for those that have no voice. Let us not be hearers of love only, but let us be men and women who dare to apply your love, and by doing so, we will be faithful to reflect your beauty, power, and faithfulness throughout this great State of Florida and our blessed country. These blessings and declarations we ask in your son Jesus' name. Amen.

PLEDGE

Senate Pages, Dominique Pierre of North Miami; Cristian Mendez of Pembroke Pines; Nicolas Mendez of Pembroke Pines; Kalee Wilkins of Orlando; and Cayla Hollander of Weston, led the Senate in the Pledge of Allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Christina Cavanagh of Fort Myers, sponsored by Senator Benacquisto, as the doctor of the day. Dr. Cavanagh specializes in family medicine.

ADOPTION OF RESOLUTIONS

At the request of Senator Richter—

By Senators Richter and Benacquisto—

SR 1730—A resolution recognizing October 3, 2016, as the Centennial Anniversary of Lee Memorial Health System and commending the board of directors, nurses, doctors, employees, auxiliaries, and volunteers of, and donors to, Lee Memorial Health System for their support and dedication to the delivery of quality health care services to area residents.

WHEREAS, Lee County Hospital began serving area residents on October 3, 1916, as a 15-bed hospital, and

WHEREAS, Lee County Hospital grew to become one of the largest public, not-for-profit health systems in the country, and is now known as Lee Memorial Health System, and

WHEREAS, the overall quality of life enjoyed by residents of a community is reflective of the health and well-being of the residents and the availability of quality health care services to those residents, and

WHEREAS, Lee Memorial Health System is working to achieve its vision to be the best patient-centered and family-centered health care system in the nation by working to deliver excellence in quality, safety, efficiency, and compassion, and

WHEREAS, for the past century, Lee Memorial Health System has maintained its commitment to provide fully accessible health care services for residents of Southwest Florida without regard to their ability to pay and without direct taxpayer support, and

WHEREAS, Lee Memorial Health System is a fully accredited, comprehensive health system providing a continuum of health care services through its hospitals, physician practices, outpatient facilities, wellness programs, home health services, and skilled nursing facilities, and

WHEREAS, Lee Memorial Health System provides services unique to the region, such as the Golisano Children's Hospital of Southwest Florida, a regional trauma center, a regional cancer center, a regional perinatal intensive care center, a Level III neonatal intensive care unit, and a kidney transplant clinic, and

WHEREAS, Lee Memorial Health System is one of the region's largest employers, with a staff of more than 11,000, including 300 primary and specialty care physicians and advanced practitioners, a medical staff of more than 1,400, and three auxiliaries that include 4,500 volunteers, all in support of more than a million patient encounters each year, and

WHEREAS, Lee Memorial Health System collaborates with community and social service agencies through Healthy Lee, Lee Community Health Care, and multiple outreach programs aimed at identifying the health needs of the community and constructing a strategic plan for improving residents' health and quality of life, and

WHEREAS, as a result of its unique combination of facilities, capabilities, and people, including the people of Southwest Florida, whose support and generosity over the past 100 years have played a major role in its success, Lee Memorial Health System has been recognized with numerous quality and safety awards at the national, state, and local levels, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That October 3, 2016, is recognized as the Centennial Anniversary of Lee Memorial Health System, and the board of directors, nurses, doctors, employees, auxiliaries, and volunteers of, and donors to, Lee Memorial Health System are commended for their support and dedication to the delivery of quality health care services to area residents.

—was introduced, read, and adopted by publication.

At the request of Senator Richter—

By Senator Richter—

SR 1740—A resolution recognizing February 4, 2016, as “Golf Day at the Capitol” in Florida.

WHEREAS, the golf industry has become an integral part of the economy, identity, and quality of life in this state, with a direct economic impact of \$8.2 billion and an indirect economic impact of \$11 billion in 2013, and

WHEREAS, in 2013, the golf industry employed 132,000 Floridians and had an annual payroll of \$3.6 billion, and

WHEREAS, Florida is home to the PGA TOUR in Ponte Vedra Beach; the LPGA International in Daytona Beach; the PGA of America in Palm Beach Gardens; and The First Tee, the World Golf Hall of Fame, and the World Golf Foundation in St. Augustine, and

WHEREAS, Florida has more than 1,500 public and private golf course facilities, more than any other state, which generate annual revenues of \$4.1 billion, a sum greater than that of all other spectator sports in the state combined, and

WHEREAS, Florida will host 20 professional golf championships in 2016, including six PGA TOUR events, four Champions Tour events, two Web.com Tour events, and two LPGA Tour events, and

WHEREAS, two of golf's most prestigious events are played in Florida, THE PLAYERS Championship at TPC Sawgrass in Ponte Vedra Beach and the World Golf Championships—Cadillac Championship, played since 2007 at Trump National Doral in Miami, and

WHEREAS, Florida's golf industry is a top contributor to charitable organizations, with donations totaling more than \$383.4 million annually from numerous golf outings and events, as well as the charitable giving associated with professional golf tournaments, and

WHEREAS, beneficiaries of these charity events include the Nicklaus Children's Hospital, The First Tee Miami, the Make-A-Wish Foundation, the Baptist Children's Hospital, the Children's Miracle Network Hospitals, the Nicklaus Children's Health Care Foundation, The First Tee National School Program, the Boy Scouts of America, the American Red Cross, the Alzheimer's Support Network, the Big Brothers Big Sisters of the Sun Coast, and many others, and

WHEREAS, Florida's golf course owners and superintendents have continued to be stewards of the environment by using best practices in hazardous waste management, wetland and stormwater protection, and wastewater minimization, and

WHEREAS, the game of golf assists in the development of Florida's youth through the introduction of life skills and experiences, manage-

ment of emotions, goal setting, conflict resolution, and improving relationships with family and community, and

WHEREAS, the concentration of golf activity in Florida in 2016 will bring an unprecedented level of worldwide exposure to this state, and

WHEREAS, golf is a tremendous asset to this state, affecting its quality of life and tourism and strengthening the state's position as a great place to live and do business, and

WHEREAS, the golf industry has a significant impact on the state's economy, provides recreation and wellness opportunities for residents of all ages, fosters strong character development for Florida's youth, contributes significantly to charitable organizations, and is intrinsic to the brand of the Sunshine State, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That February 4, 2016, is recognized as “Golf Day at the Capitol.”

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the affiliated organizations of the Golf Florida Alliance as a tangible token of the sentiments of the Florida Senate.

—was introduced, read, and adopted by publication.

At the request of Senator Richter—

By Senators Richter and Benacquisto—

SR 1750—A resolution recognizing January 26, 2016, as “Florida Gulf Coast University Day” in Florida.

WHEREAS, in May 1991, the State of Florida authorized the creation of Florida's tenth public university to provide higher education opportunities and workforce development in the previously underserved region of Southwest Florida, and

WHEREAS, on August 25, 1997, Florida Gulf Coast University (FGCU) opened its doors to students, holding its first graduation in May 1998 with 81 graduates, and

WHEREAS, FGCU has grown into a regional university of nearly 15,000 students and now offers more than 53 undergraduate degree programs, 24 graduate degree programs, 9 certificate programs, and 3 doctoral degree programs, and

WHEREAS, FGCU's top priority is student success, with five colleges providing relevant programs with an accomplished faculty, small classes, and extensive individualized attention to help students prepare for successful careers and meet regional and statewide workforce needs, and

WHEREAS, FGCU has achieved national prominence in academics, environmental sustainability, and student service learning, with 1.5 million student service learning hours provided to the Southwest Florida community since 1997, and

WHEREAS, FGCU plays a critical role in stimulating the Southwest Florida economy, creating 3,723 jobs and infusing \$422 million into the region annually, and

WHEREAS, half of the FGCU campus, some 400 acres, is designated as restored and preserved wetlands, and the university operates a 15-acre solar field that generates 85 percent of the power for three academic buildings, saving \$700,000 in energy costs annually, and

WHEREAS, the Emergent Technologies Institute will open this year, providing research and learning opportunities that enhance the university's STEM and sustainability initiatives, and

WHEREAS, FGCU is focused on college affordability for all students by maintaining its commitment to cost containment, holding tuition at the same level for 3 years, and

WHEREAS, FGCU emphasizes innovative and interdisciplinary learning, using the region as a living laboratory and offering students

diverse opportunities to participate in meaningful research led by their professors, who have conducted more than \$194 million in research and sponsored programs since 1997, and

WHEREAS, FGCU has established the Institute of Entrepreneurship, which brings together engineering and business students to develop products and business plans in a real-world setting with the help of community mentors, and

WHEREAS, FGCU's golf-management program is one of only 19 PGA-certified programs in the nation and the largest in this state, and

WHEREAS, FGCU is a leader in the State University System, with 74 percent of graduates employed within a year after graduation, and

WHEREAS, FGCU serves as a cultural hub for the region, offering a wealth of enrichment opportunities that include the visual arts, music, theater, and public radio and television, and

WHEREAS, FGCU's athletics program is a growing source of pride, with the women's basketball team winning the Atlantic Sun Conference title for five straight seasons and ranking 20th in the nation in the AP Top-25 poll in March 2015, progressing to the second round of the National Collegiate Athletic Association (NCAA) Championship, and

WHEREAS, the FGCU swimming and diving team claimed the Coastal Collegiate Swimming Association Championship for the sixth time in 7 years and was ranked 19th in the nation on www.collegeswimming.com in November 2015, and

WHEREAS, the FGCU men's soccer team captured its sixth consecutive regular season title in the Atlantic Sun Conference, and the women's soccer team has won six consecutive conference titles and, for the first time, reached the second round of NCAA competition in 2015, and

WHEREAS, the FGCU collegiate experience continues to enrich the lives of students through the university's long-standing commitment to promote racial, ethnic, and cultural diversity on campus, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That January 26, 2016, is recognized as "Florida Gulf Coast University Day" in Florida in recognition of the university's contributions as an outstanding institution of higher education focused on student success.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Florida Gulf Coast University President Wilson G. Bradshaw, Ph.D., as a tangible token of the sentiments of the Florida Senate.

—was introduced, read, and adopted by publication.

At the request of Senator Bullard—

By Senator Bullard—

SR 1766—A resolution expressing appreciation for the sister-state relationship and bilateral economic and cultural ties between Florida and Taiwan and reaffirming the commitment of the State of Florida to the strong and deepening relationship with Taiwan, as the two embrace the fundamental values of freedom, democracy, and the protection of human rights.

WHEREAS, the people of Taiwan, officially known as the Republic of China, elected their new president, Dr. Tsai Ing-wen, on January 16, 2016, by popular vote, further enhancing the roots of democracy within the island, which strengthen the common values it shares with the United States, and

WHEREAS, April 10, 2016, marks the 37th anniversary of the enactment of the Taiwan Relations Act, which maintains peace, security, and stability in the Western Pacific and promotes the foreign policy of the United States by authorizing the continuation of commercial, cultural, and other relations between the people of the United States and the people of Taiwan, and

WHEREAS, Taiwan is one of the allies in the East Asian region which the United States continues to provide with defensive weaponry, including naval vessels, equipment, and munitions, creating job opportunities in this country and helping Taiwan maintain its defensive capabilities in the region, and

WHEREAS, President Ma Yin-jeou's East China Sea Initiative and South China Sea Peace Initiative and the Taiwanese code of conduct, each of which recognizes the conflicting territorial viewpoints of the interested parties, call upon all parties to resolve their regional disputes peacefully and share resources in accordance with international law, which is consistent with the security and economic interests of the United States in East and Southeast Asia, and

WHEREAS, the United States supports Taiwan's meaningful participation in and cooperation with more than 50 international organizations, including its bid for attendance in the International Criminal Police Organization, specifically, Taiwan's recent active participation in the International Civil Aviation Organization Assembly and its membership in both the Asia-Pacific Economic Cooperation and the World Trade Organization, and

WHEREAS, support for Taiwan's continued economic growth and prosperity is important to the interests of the United States, especially with regard to Taiwan's bid to join the Trans-Pacific Partnership and the Regional Comprehensive Economic Partnership, which will further expand Taiwan's participation in the global market, increase equal competition with member states, and prevent economic marginalization, and

WHEREAS, Taiwan was the United States' 10th largest two-way trade partner in 2014, and

WHEREAS, with respect to Taiwan's contributions in the global market by both its traditional and innovative industries, support for continued bilateral talks under the Trade and Investment Framework Agreement and the establishment of a Bilateral Investment Agreement with the United States will further globalize Taiwan's economy and eliminate trade barriers, thus solidifying Taiwan as a robust and trustworthy partner to the United States for trade and security in the East Asian region, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the significance of the relationship and shared interests between the people of Taiwan and the United States is recognized, as is the importance of supporting future opportunities for international trade developments with Taiwan to further strengthen the substantive relationship between Florida and Taiwan.

BE IT FURTHER RESOLVED that the Florida Senate welcomes the initiatives of the Taiwanese government to maintain peace in the East China Sea and the South China Sea and to promote trade with the United States and this state.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the Taipei Economic and Cultural Office in Miami and to the Executive Office of the Governor of this state as a tangible token of the sentiments of the Florida Senate.

—was introduced, read, and adopted by publication.

BILLS ON THIRD READING

CS for CS for SB 196—A bill to be entitled An act relating to public records; amending s. 339.55, F.S.; providing an exemption from public records requirements for financial information of a private entity applicant which the Department of Transportation requires as part of an application process for loans or credit enhancements from the state-funded infrastructure bank; providing an exception to the exemption; defining the term "financial information"; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

On motion by Senator Hutson, **CS for CS for SB 196** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—31

Mr. President	Diaz de la Portilla	Montford
Abruzzo	Evers	Negron
Altman	Flores	Richter
Bean	Gaetz	Ring
Benacquisto	Galvano	Simmons
Bradley	Garcia	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Soto
Bullard	Hutson	Stargel
Dean	Latvala	
Detert	Legg	

Nays—7

Clemens	Margolis	Thompson
Gibson	Sachs	
Joyner	Sobel	

Vote after roll call:

Yea—Grimsley

CS for CS for SB 202—A bill to be entitled An act relating to the Florida Association of Centers for Independent Living; amending s. 413.402, F.S.; requiring that a specified agreement be maintained between the Florida Endowment Foundation for Vocational Rehabilitation and the Florida Association of Centers for Independent Living; renaming the James Patrick Memorial Work Incentive Personal Attendant Services Program as the James Patrick Memorial Work Incentive Personal Attendant Services and Employment Assistance Program; defining a term; requiring the program to provide additional support and services; revising eligibility requirements; expanding the kinds of training required; requiring the association, in cooperation with the oversight council for the James Patrick Memorial Work Incentive Personal Attendant Services and Employment Assistance Program, to adopt and revise certain policies and procedures and to provide technical assistance and support under certain circumstances; requiring that the oversight council recommend the maximum monthly reimbursement provided to program participants; requiring the program to reimburse the Florida Association of Centers for Independent Living for certain costs approved by the center’s board of directors, taking into consideration certain recommendations; prohibiting the program’s operation, administration, and oversight from exceeding a certain percentage of the annual operating budget; creating the James Patrick Memorial Work Incentive Personal Attendant Services and Employment Assistance Program Oversight Council adjunct to the Department of Education; providing the council’s purpose; providing for council membership; amending s. 413.4021, F.S.; revising the maximum amount of specified funds for each state attorney which may be used to administer the personal attendant and employment assistance program and to contract with the state attorneys participating in the tax collection enforcement diversion program; amending s. 320.08068, F.S.; making a technical change; conforming a provision to changes made by the act; providing an effective date.

—was read the third time by title.

On motion by Senator Bean, **CS for CS for SB 202** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Brandes	Diaz de la Portilla
Abruzzo	Braynon	Evers
Altman	Bullard	Flores
Bean	Clemens	Gaetz
Benacquisto	Dean	Galvano
Bradley	Detert	Garcia

Gibson	Legg	Simpson
Grimsley	Margolis	Smith
Hays	Montford	Sobel
Hukill	Negron	Soto
Hutson	Richter	Stargel
Joyner	Ring	Thompson
Latvala	Sachs	
Lee	Simmons	

Nays—None

MOTION

On motion by Senator Simmons, by two-thirds vote, **CS for CS for SB 202** was ordered immediately certified to the House.

CS for SB 334—A bill to be entitled An act relating to severe injuries caused by dogs; providing a directive to the Division of Law Revision and Information; amending s. 767.12, F.S.; providing for discretionary quarantine or impoundment of dogs that cause severe injuries to humans; specifying responsibility for payment of boarding and other costs; revising the hearing and final order procedures, and related confinement requirements, for dangerous dog actions; specifying circumstances under which a dangerous dog that has caused severe injury to a human may be euthanized; deleting an exception; transferring, renumbering, and amending s. 767.13(2), F.S.; revising a requirement for automatic euthanasia for certain dogs that cause severe injury to humans; deleting a criminal penalty related to severe injury or death caused by a dog; creating s. 767.136, F.S.; re-creating an existing criminal penalty related to severe injury or death caused by a dog in a new statutory section; amending s. 767.14, F.S.; authorizing local governments to adopt certain ordinances pertaining to dogs that have bitten or attacked persons or domestic animals; amending s. 767.16, F.S.; exempting law enforcement dogs from regulation under Part II of ch. 767, F.S.; providing an effective date.

—as amended February 2, was read the third time by title.

Pending further consideration of **CS for SB 334**, as amended, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 91** was withdrawn from the Committees on Judiciary; Community Affairs; and Rules.

On motion by Senator Montford, by two-thirds vote—

CS for CS for CS for HB 91—A bill to be entitled An act relating to severe injuries caused by dogs; providing a directive to the Division of Law Revision and Information; amending s. 767.12, F.S.; providing for discretionary, rather than mandatory, quarantine or impoundment of dogs that cause severe injuries to humans; revising the hearing and final order procedures, and related confinement requirements, for dangerous dog actions; specifying circumstances under which a dog that has caused severe injury to a human may be euthanized; transferring, renumbering, and amending s. 767.13(2), F.S.; repealing automatic euthanasia requirement for dogs that cause severe injury to humans; deleting a criminal penalty related to severe injury or death caused by a dog; creating s. 767.136, F.S.; re-creating an existing criminal penalty related to severe injury or death caused by a dog in a new statutory section; amending s. 767.14, F.S.; authorizing local governments to adopt certain ordinances pertaining to dogs that have bitten or attacked persons or domestic animals; amending s. 767.16, F.S.; exempting law enforcement dogs from regulation under Part II of chapter 767, F.S.; providing an effective date.

—a companion measure, was substituted for **CS for SB 334** and read the second time by title.

On motion by Senator Montford, by two-thirds vote, **CS for CS for CS for HB 91** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bean	Brandes
Abruzzo	Benacquisto	Braynon
Altman	Bradley	Bullard

Clemens	Hays	Ring
Dean	Hukill	Sachs
Detert	Hutson	Simmons
Diaz de la Portilla	Joyner	Simpson
Evers	Latvala	Smith
Flores	Lee	Sobel
Gaetz	Legg	Soto
Galvano	Margolis	Stargel
Garcia	Montford	Thompson
Gibson	Negron	
Grimsley	Richter	

Nays—None

CS for SB 380—A bill to be entitled An act relating to violation of an injunction for protection; amending ss. 741.31, 784.047, and 784.0487, F.S.; providing enhanced criminal penalties for a third or subsequent violation of an injunction for protection against specified acts of violence or a foreign protection order issued for the same victim under specified provisions; defining the term “conviction”; reenacting s. 741.30(9), F.S., relating to injunctions for protection against domestic violence, to incorporate the amendment made by the act to s. 741.31, F.S., in a reference thereto; reenacting s. 741.315(2), F.S., relating to recognition of foreign protection orders, to incorporate the amendments made by the act to ss. 741.31, 784.047, and 784.0487, F.S., in references thereto; reenacting s. 784.0485(9), F.S., relating to injunctions for protection against stalking, to incorporate the amendment made by the act to s. 784.0487, F.S., in a reference thereto; reenacting s. 901.15(6) and (7), F.S., relating to when arrest by an officer without warrant is lawful, to incorporate the amendment made by the act to ss. 741.31 and 784.047, F.S., in references thereto; providing an effective date.

—was read the third time by title.

On motion by Senator Abruzzo, **CS for SB 380** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

SB 500—A bill to be entitled An act relating to the Children and Youth Cabinet; amending s. 402.56, F.S.; revising the membership of the cabinet; providing an effective date.

—was read the third time by title.

Pending further consideration of **SB 500**, pursuant to Rule 3.11(3), there being no objection, **HB 241** was withdrawn from the Committees on Children, Families, and Elder Affairs; Education Pre-K - 12; and Rules.

On motion by Senator Montford, by two-thirds vote—

HB 241—A bill to be entitled An act relating to the Children and Youth Cabinet; amending s. 402.56, F.S.; revising the membership of the cabinet; providing an effective date.

—a companion measure, was substituted for **SB 500** and read the second time by title.

On motion by Senator Montford, by two-thirds vote, **HB 241** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

CS for SB 542—A bill to be entitled An act relating to continuing care facilities; amending s. 400.235, F.S.; providing financial requirements for certain nursing homes to be recognized as a Gold Seal Program facility; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for SB 542**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 127** was withdrawn from the Committees on Health Policy; Children, Families, and Elder Affairs; and Fiscal Policy.

On motion by Senator Stargel, by two-thirds vote—

CS for HB 127—A bill to be entitled An act relating to continuing care facilities; amending s. 400.235, F.S.; providing financial requirements for certain nursing homes to be designated as a Gold Seal Program facility; providing an effective date.

—a companion measure, was substituted for **CS for SB 542** and read the second time by title.

On motion by Senator Stargel, by two-thirds vote, **CS for HB 127** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

CS for CS for CS for SB 618—A bill to be entitled An act relating to prearrest diversion programs; creating s. 901.40, F.S.; encouraging local

communities and public or private educational institutions to implement prearrest diversion programs for certain offenders; requiring that a prearrest diversion program share information with other prearrest diversion programs under certain circumstances; authorizing law enforcement officers of participating law enforcement agencies, at their sole discretion, to issue civil citations to adults under specified circumstances; requiring an adult who is issued a civil citation by a participating law enforcement agency to report for intake as required by the prearrest diversion program; requiring the provision of appropriate behavioral health care services; requiring that an adult who is issued a civil citation fulfill a community service requirement; requiring the adult to pay restitution to a victim; providing for criminal prosecution of adults who fail to complete the prearrest diversion program; prohibiting an arrest record from being associated with a certain offense for adults who successfully complete the program; establishing a steering committee for the prearrest diversion program; providing duties and membership of the committee; specifying the nonviolent misdemeanor offenses that are eligible for the prearrest diversion program; providing applicability; providing an effective date.

—was read the third time by title.

Senator Evers moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (108126)—Delete line 95 and insert:
of age in violation of s. 562.111.

On motion by Senator Evers, **CS for CS for CS for SB 618**, as amended, was passed, ordered engrossed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

SB 628—A bill to be entitled An act relating to fees for records; amending s. 943.053, F.S.; adding the Agency for Persons with Disabilities to the list of specified state entities and vendors that pay a reduced fee per record for criminal history information for each name submitted; reenacting ss. 110.1127(4), 435.04(1)(e), 496.4101(3)(b), and 943.0542(2)(c), F.S., relating to employee background screenings and investigations, level 2 screening standards, licensure of professional solicitors and certain employees thereof, and access to criminal history information provided by the Department of Law Enforcement to qualified entities, respectively, to incorporate the amendment made to s. 943.053, F.S., in references thereto; providing an effective date.

—was read the third time by title.

On motion by Senator Richter, **SB 628** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bradley	Dean
Abruzzo	Brandes	Detert
Altman	Braynon	Diaz de la Portilla
Bean	Bullard	Evers
Benacquisto	Clemens	Flores

Gaetz	Latvala	Simmons
Galvano	Lee	Simpson
Garcia	Legg	Smith
Gibson	Margolis	Sobel
Grimsley	Montford	Soto
Hays	Negron	Stargel
Hukill	Richter	Thompson
Hutson	Ring	
Joyner	Sachs	

Nays—None

SB 716—A bill to be entitled An act relating to the Florida Holocaust Memorial; creating s. 265.005, F.S.; providing legislative intent; establishing the Florida Holocaust Memorial; providing for administration by the Department of Management Services; prohibiting the department from constructing and placing the memorial until certain conditions are met; providing an effective date.

—was read the third time by title.

On motion by Senator Sobel, **SB 716** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

CS for CS for SB 854—A bill to be entitled An act relating to funeral, cemetery, and consumer services; amending s. 497.005, F.S.; defining terms; amending s. 497.141, F.S.; revising required information for licensure to include e-mail addresses; requiring the Department of Financial Services to include e-mail notification as a means to administer the licensing process; amending s. 497.146, F.S.; revising required information for current licensees to include an address for e-mail notification; providing for rulemaking relating to electronic reporting; amending s. 497.152, F.S.; conforming provisions to changes made by the act; requiring, rather than authorizing, the Board of Funeral, Cemetery, and Consumer Services to provide certain criteria; prohibiting the board from requiring a fine when certain deficiencies are fully corrected within a specified period; amending s. 497.161, F.S.; revising requirements for rules of the licensing authority; amending s. 497.266, F.S.; revising the prohibition against withdrawal or transfer of assets within the care and maintenance trust fund to include an exception; amending s. 497.267, F.S.; revising provisions relating to the disposition of withdrawals from the care and maintenance trust fund; creating s. 497.2675, F.S.; requiring the board to adopt certain rules; requiring a licensed cemetery company to request a method for withdrawal from the cemetery company's care and maintenance trust fund; providing requirements for such methods; requiring that taxes on capital gains be paid from the trust principal; amending s. 497.268, F.S.; conforming provisions to changes made by the act; deleting a required deposit in a cemetery company's care and maintenance trust fund for mausoleums or columbaria; deleting the requirement that taxes on capital gain be paid from the trust corpus; amending s. 497.269, F.S.; requiring a trustee to annually furnish financial reports that record the fair market value of the care and maintenance trust fund; amending ss. 497.273 and 497.274, F.S.; conforming provisions to changes made by the act;

amending ss. 497.283 and 497.286, F.S.; conforming provisions to changes made by the act; amending s. 497.371, F.S.; providing that an applicant for the embalmer apprentice program may not be licensed without a determination of character by the licensing authority; amending ss. 497.372 and 497.381, F.S.; conforming provisions to changes made by the act; amending s. 497.452, F.S.; deleting an exception that prohibits a person from receiving specified funds without holding a valid preneed license; amending ss. 497.454 and 497.456, F.S.; conforming provisions to changes made by the act; amending s. 497.458, F.S.; revising requirements relating to the disposition of proceeds on a preneed contract; authorizing the board to specify criteria for the classification of items sold in a preneed contract; requiring the trustee to furnish the department with an annual report regarding preneed licensee trust accounts beginning on a specified date; providing requirements for the annual report; revising which investments a trustee of a trust has the power to invest in; deleting provisions relating to the preneed licensee; amending s. 497.459, F.S.; prohibiting certain preneed contracts from being canceled during the life or after the death of the contract purchaser or beneficiary; requiring unexpended moneys on an irrevocable contract to be deposited into the Medical Care Trust Fund under certain circumstances; amending s. 497.460, F.S.; conforming provisions to changes made by the act; repealing s. 497.461, F.S., relating to the authorization for a preneed licensee to elect surety bonding as an alternative to depositing funds into a trust; amending s. 497.462, F.S.; deleting obsolete references to surety bonds; amending s. 497.464, F.S.; conforming provisions to changes made by the act; amending s. 497.465, F.S.; requiring an inactive preneed licensee to deposit a specified amount of funds received on certain preneed contracts into the trust upon a specified time; amending ss. 497.601 and 497.607, F.S.; specifying that cremated remains are not property; requiring a division of cremated remains to be consented to by certain persons; providing that a dispute shall be resolved by a court of competent jurisdiction; conforming provisions to changes made by the act; providing an effective date.

—was read the third time by title.

On motion by Senator Hukill, **CS for CS for SB 854** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

SB 962—A bill to be entitled An act relating to vocational rehabilitation; amending s. 413.207, F.S.; requiring the Division of Vocational Rehabilitation to initiate, by a specified date, a performance improvement plan designed to achieve specified goals; requiring the division to submit a performance report annually, by a specified date, to the Governor and the Legislature which includes specified information; providing an effective date.

—was read the third time by title.

On motion by Senator Gaetz, **SB 962** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Abruzzo	Altman
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Bean	Galvano	Negron
Benacquisto	Garcia	Richter
Bradley	Gibson	Ring
Brandes	Grimsley	Sachs
Braynon	Hays	Simmons
Bullard	Hukill	Simpson
Clemens	Hutson	Smith
Dean	Joyner	Sobel
Detert	Latvala	Soto
Diaz de la Portilla	Lee	Stargel
Evers	Legg	Thompson
Flores	Margolis	
Gaetz	Montford	

Nays—None

SB 7016—A bill to be entitled An act relating to the Interstate Compact on Educational Opportunity for Military Children; creating s. 1000.361, F.S.; providing for payment of annual dues for the compact; creating s. 1000.40, F.S.; providing for future review and repeal of ss. 1000.36, 1000.361, 1000.38, and 1000.39, F.S., relating to the compact; repealing s. 2 of chapter 2013-20, Laws of Florida; abrogating the future repeal of ss. 1000.36, 1000.38, and 1000.39, F.S., relating to the compact; providing for contingent retroactive operation; providing effective dates.

—as amended February 2, was read the third time by title.

On motion by Senator Altman, **SB 7016**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

MOTION

On motion by Senator Simmons, by two-thirds vote, **SB 7016** was ordered immediately certified to the House.

SB 606—A bill to be entitled An act relating to state symbols; creating s. 15.053, F.S.; designating the Big Orange as the official state symbol for New Year’s Eve celebrations; providing an effective date.

—was read the third time by title.

On motion by Senator Margolis, **SB 606** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Brandes	Diaz de la Portilla
Abruzzo	Braynon	Evers
Altman	Bullard	Flores
Bean	Clemens	Gaetz
Benacquisto	Dean	Galvano
Bradley	Detert	Garcia

Gibson	Legg	Simpson
Grimsley	Margolis	Smith
Hays	Montford	Sobel
Hukill	Negron	Soto
Hutson	Richter	Stargel
Joyner	Ring	Thompson
Latvala	Sachs	
Lee	Simmons	

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

Nays—None

SB 2500—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2016, and ending June 30, 2017, and supplemental appropriations for the period ending June 30, 2016, to pay salaries and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing effective dates.

—as amended February 10, was read the third time by title.

Pending further consideration of **SB 2500**, as amended—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed **HB 5001** and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Bob Ward, Clerk

By Appropriations Committee and Representative(s) Corcoran—

HB 5001—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2016, and ending June 30, 2017, and supplemental appropriations for the period ending June 30, 2016, to pay salaries, and other expenses, capital outlay—buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing effective dates.

—was referred to the Committee on Appropriations.

Pursuant to Rule 3.11(3), there being no objection, **HB 5001** was withdrawn from the Committee on Appropriations.

On motion by Senator Lee, by two-thirds vote—

HB 5001—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2016, and ending June 30, 2017, and supplemental appropriations for the period ending June 30, 2016, to pay salaries, and other expenses, capital outlay—buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing effective dates.

—a companion measure, was substituted for **SB 2500**, as amended, and by two-thirds vote, read the second time by title.

On motion by Senator Lee, the engrossed version of **SB 2500** was adopted as an amendment to **HB 5001** to make the bills identical.

Senator Lee moved the following amendment which was adopted:

Amendment 1 (953700)—Delete everything after the enacting clause and insert:

Pursuant to Rule 7.6, **Amendment 1 (953700)** constituted an entirely new bill and was not published in the Journal.

On motion by Senator Lee, by two-thirds vote, **HB 5001**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

DISCLOSURE

I have an ownership interest in Caregivers Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **SB 2500/HB 5001**, **SB 2502/HB 5003**, and **SB 2508/HB 5101** which come before the Senate for a vote on February 11, 2016.

Therefore, I believe that, because Caregivers Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

Senator Don Gaetz, 1st District

MOTION

On motion by Senator Lee, the Senate having refused to pass **HB 5001** as passed by the House, acceded to the request for a conference committee.

On motion by Senator Lee, by two-thirds vote, **HB 5001** was ordered immediately certified to the House.

SB 2502—A bill to be entitled An act implementing the 2016-2017 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program; providing that funds for instructional materials must be released and expended as required in specified proviso language; specifying the required ad valorem tax millage contribution by certain district school boards for certain funded construction projects; amending s. 1011.62, F.S.; revising the method for allocating funds for exceptional student education programs; extending by 1 fiscal year the requirement that specified school districts use certain funds toward additional intensive reading instruction; specifying the method for determining the 300 lowest-performing elementary schools; requiring categorical funds for supplemental academic instruction to be provided for in the Florida Education Finance Program; specifying the method of determining the allocation of categorical funding; providing for the recalculation of categorical funding; requiring an allocation to be prorated if certain conditions exist; revising the computation of the district sparsity index for districts that meet certain criteria; deleting obsolete language; creating a federally connected student supplement for school districts; specifying eligibility requirements and calculations for allocations of the supplement; conforming cross-references; amending s. 1011.71, F.S.; conforming a cross-reference; providing for the future expiration and reversion of specified statutory text; amending s. 1004.935, F.S.; extending the date by which the Adults with Disabilities Workforce Education Pilot Program may operate; providing for the future expiration and reversion of specified statutory text; amending s. 1013.74, F.S.; authorizing a university board of trustees to expend certain reserve or carry forward balances from a prior year for specified capital outlay projects if certain conditions are met; amending s. 1001.92, F.S.; re-

vising requirements for the performance-based metrics adopted by the Board of Governors of the State University System for purposes of the State University System Performance-Based Incentive; requiring the Board of Governors to establish eligibility thresholds to determine a state university's eligibility to receive performance funding; creating s. 1001.66, F.S.; requiring a Florida College System Performance-Based Incentive to be awarded to Florida College System institutions using certain performance-based metrics and benchmarks adopted by the State Board of Education; specifying allocation of the funds; requiring the State Board of Education to establish eligibility thresholds to determine an institution's eligibility to receive performance funding; requiring certain funds to be withheld from, and certain improvement plans to be submitted to the State Board of Education by, institutions based on specified performance; specifying monitoring and reporting requirements for improvement plans; requiring the Commissioner of Education to withhold disbursement of specified funds until certain conditions are met; specifying requirements regarding the distribution of funds; requiring the State Board of Education to report to the Governor and the Legislature regarding the performance funding allocation; amending s. 1012.75, F.S.; extending by 1 fiscal year provisions authorizing the Department of Education to administer an educator liability insurance program; creating s. 1001.67, F.S.; establishing the Distinguished Florida College System institution program; specifying the excellence standards for purposes of the program; prescribing minimum criteria for an institution to receive a distinguished college designation; specifying that designated institutions are eligible for funding as provided in the General Appropriations Act; amending s. 1001.7065, F.S., and reenacting subsection (1), relating to the preeminent state research universities program; revising academic and research excellence standards for the preeminent state research universities program; requiring the Board of Governors to designate a state university that meets certain criteria as an "emerging preeminent state research university"; revising provisions governing the award of funds to a designated preeminent state research university; requiring an emerging preeminent state research university to submit a benchmark plan to the board; specifying the method of determining funding amounts; deleting a provision establishing the Preeminent State Research University Enhancement Initiative; removing authority for a state research university to establish special course requirements; providing for the future expiration and reversion of specified statutory text; authorizing the Agency for Health Care Administration to submit a budget amendment to realign funding based upon a specified model, methodology, and framework; specifying requirements for such realignment; requiring the Agency for Persons with Disabilities to offer enrollment in the Medicaid home and community-based waiver to certain individuals; specifying criteria for enrollment prioritization; requiring an individual to be allowed to receive home and community-based services if his or her parent or legal guardian is an active-duty servicemember transferred to this state under certain circumstances; providing that individuals remaining on the wait list are not entitled to a hearing in accordance with federal law or an administrative proceeding under state law; specifying the requirements that apply to the iBudgets of clients on the home and community-based services waiver until the Agency for Persons with Disabilities adopts a new allocation algorithm and methodology by final rule; providing for application of the new allocation algorithm and methodology after adoption of the final rule; providing requirements for an increase in iBudget funding allocations; amending s. 296.37, F.S.; extending for 1 fiscal year the requirement that certain residents of a veterans' nursing home contribute to their maintenance and support; requiring the Agency for Health Care Administration to ensure that nursing facility residents who are eligible for funds to transition to home and community-based services waivers have resided in a skilled nursing facility residency for a specified period; requiring the Agency for Health Care Administration and the Department of Elderly Affairs to prioritize individuals for enrollment in the Medicaid Long-Term Care Waiver program using a certain frailty-based screening; authorizing the Agency for Health Care Administration to adopt rules and enter into certain interagency agreements with respect to program enrollment; authorizing the delegation of certain responsibilities with respect to program enrollment; authorizing the Agency for Health Care Administration, in consultation with the Department of Health, to submit a budget amendment to reflect certain enrollment changes within the Children's Medical Services Network; authorizing the agency to submit a request for nonoperating budget authority to transfer federal funds to the Department of Health under certain circumstances; incorporating by reference certain calculations of the Medicaid Low-Income Pool, Disproportionate Share Hospital, and hos-

pital reimbursement programs for the 2016-2017 fiscal year; amending s. 893.055, F.S.; extending for 1 fiscal year the authority of the Department of Health to use certain funds to administer the prescription drug monitoring program; prohibiting the use of funds received from a settlement agreement to administer the program; amending s. 216.262, F.S.; extending for 1 fiscal year the authority of the Department of Corrections to submit a budget amendment for additional positions and appropriations under certain circumstances; authorizing the Department of Legal Affairs to expend certain appropriated funds on programs that were funded by the department from specific appropriations in general appropriations acts in previous years; amending s. 932.7055, F.S.; extending for 1 fiscal year the authority for a municipality to expend funds from its special law enforcement trust fund to reimburse its general fund for certain moneys; amending s. 215.18, F.S.; extending for 1 fiscal year the authority and related repayment requirements for trust fund loans to the state court system which are sufficient to meet the system's appropriation; prohibiting the Department of Corrections from transferring funds from a salaries and benefits category to another category unless approved by the Legislative Budget Commission; requiring the Department of Juvenile Justice to review county juvenile detention payments to determine if the county has met specified financial responsibilities; requiring amounts owed by the county for such financial responsibilities to be deducted from certain county funds; requiring the Department of Revenue to ensure that such deductions do not reduce distributions below amounts necessary for certain payments relating to bonds; requiring the Department of Revenue to notify the Department of Juvenile Justice if bond payment requirements require a reduction in deductions for amounts owed by a county; amending s. 27.5304, F.S.; revising certain limitations on compensation for private court-appointed counsel; providing for the future expiration and reversion of specified statutory text; amending s. 28.36, F.S.; prescribing procedures regarding the distribution of funds appropriated in the General Appropriations Act for the clerks of the court for the 2015-2016 and the 2016-2017 county fiscal years; specifying the manner in which funds must be released; requiring the Department of Management Services to use tenant broker services to renegotiate or procure private lease agreements for office or storage space; requiring the Department of Management Services to provide a report to the Governor and the Legislature by a specified date; reenacting s. 624.502, F.S., relating to the deposit of fees for service of process made upon the Chief Financial Officer or the Director of the Office of Insurance Regulation into the Administrative Trust Fund; providing for the future expiration and reversion of specified statutory text; reenacting s. 282.709(2)(a), F.S., relating to the creation and membership of the Joint Task Force on State Agency Law Enforcement Communications; providing for the future expiration and reversion of specified statutory text; specifying the amount of the transaction fee to be collected for use of the online procurement system; amending s. 259.105, F.S.; revising the distribution of certain proceeds from cash payments or bonds issued pursuant to the Florida Forever Act for the 2016-2017 fiscal year; requiring that a minimum allocation of funds for the Florida Communities Trust be applied towards projects acquiring conservation or recreation lands to enhance recreational opportunities for individuals with unique abilities; authorizing such funds to be used toward redevelopment and renewal projects if certain conditions are met; amending s. 375.075, F.S.; requiring that a minimum amount of funds for the Florida Recreation Development Assistance Program be used towards projects providing recreational enhancements and opportunities for individuals with unique abilities; requiring the Department of Environmental Protection to award grants by a specified date; revising the limitation on the number of grant applications a local government may submit; requiring the department to prioritize certain projects; amending s. 380.507, F.S.; revising the powers of the Florida Communities Trust to authorize the undertaking, coordination, and funding of projects that provide accessibility, availability, or adaptability of conservation or recreation lands for individuals with unique abilities; amending s. 216.181, F.S.; extending by 1 fiscal year the authority for the Legislative Budget Commission to increase amounts appropriated to the Fish and Wildlife Conservation Commission or the Department of Environmental Protection for certain fixed capital outlay projects; amending s. 206.9935, F.S.; exempting specified revenues from the calculation of the unobligated balance of the Water Quality Assurance Trust Fund; providing for the future expiration and reversion of specified statutory text; amending s. 403.709, F.S.; extending by 1 fiscal year provisions governing the establishment of a solid waste landfill closure account within the Solid Waste Management Trust Fund; reviving, reenacting, and amending s. 403.7095(5), F.S.; requiring the Department of Environ-

mental Protection to award a certain sum of grant funds for specified solid waste management programs to counties that meet certain criteria; amending s. 215.18, F.S.; extending by 1 fiscal year the authority for the Governor to transfer funds from other trust funds in the State Treasury as a temporary loan to certain land acquisition trust funds with a deficit; requiring the Department of Environmental Protection to transfer revenues deposited in the Land Acquisition Trust Fund within the department to land acquisition trust funds in the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission according to specified parameters and calculations; defining the term "department"; requiring the department to retain a proportionate share of revenues; specifying a limit on distributions; amending s. 376.3071, F.S.; specifying that earned interest may be transferred between the Inland Protection Trust Fund and the Water Quality Assurance Trust Fund as authorized by the General Appropriations Act; providing for the future expiration and reversion of specified statutory text; amending s. 288.047, F.S.; specifying requirements and limitations with respect to the approval of applications, the execution of agreements, and reimbursement amounts under the Quick-Response Training Program; requiring the Department of Economic Opportunity to transfer funds to CareerSource Florida, Inc., if certain conditions exist; authorizing CareerSource Florida, Inc., to request an advance of the appropriation for the program; requiring CareerSource Florida, Inc., to set aside a specified percent of a certain appropriation to fund instructional programs for businesses located in a rural area of opportunity under certain circumstances; authorizing, rather than requiring, an educational institution receiving program funding to be included in the grant agreement prepared by CareerSource Florida, Inc.; authorizing certain matching contributions to be counted toward the private sector support of Enterprise Florida, Inc.; providing for the future expiration and reversion of specified statutory text; amending s. 339.135, F.S., and revising, reenacting, and amending paragraphs (4)(j) and (5)(c); extending by 1 fiscal year provisions requiring the Department of Transportation to use appropriated funds for purposes related to the establishment of a multiuse trail system; authorizing the department to use up to a certain amount of appropriated funds for strategic and regionally significant transportation projects; amending s. 339.2818, F.S.; redefining the term "small county" for purposes of the Small County Outreach Program; reenacting s. 341.302(10), F.S., relating to the Department of Transportation's duties and responsibilities for the rail program; providing for the future expiration and reversion of specified statutory text; amending s. 339.2816, F.S.; specifying the amount of funding from the State Transportation Trust Fund that may be used for the Small County Road Assistance Program for the 2016-2017 fiscal year; providing for the future expiration and reversion of specified statutory text; amending s. 420.9072, F.S.; extending by 1 fiscal year provisions authorizing each county and eligible municipality to use its portion of the local housing distribution for certain purposes; amending s. 420.5087, F.S.; extending by 1 fiscal year provisions specifying the reservation of funds for the tenant groups within each notice of fund availability with respect to the State Apartment Incentive Loan Program; requiring the Florida Housing Finance Corporation to issue a notice of fund availability for loans to be used for certain purposes; amending s. 427.013, F.S.; requiring the Commission for the Transportation Disadvantaged to allocate and award appropriated funds for specified purposes; reenacting s. 216.292(2)(a), F.S., relating to exceptions for nontransferable appropriations; providing for the future expiration and reversion of specified statutory text; prohibiting a state agency from initiating a competitive solicitation for a product or service under certain circumstances; providing an exception; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management premiums and for human resource management services; amending s. 112.24, F.S.; extending by 1 fiscal year the authorization, subject to specified requirements, for the assignment of an employee of a state agency under an employee interchange agreement; providing that the annual salaries of the members of the Legislature shall be maintained at a specified level; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds; providing for the future expiration and reversion of specified statutory text; providing a legislative determination that the issuance of new debt is in the best interests of the state; limiting the use of travel funds to activities that are critical to an agency's mission; providing exceptions; authorizing the Executive Office of the Governor to transfer funds appropriated for data processing between agencies for a specified purpose; authorizing the Executive Office of the Governor to transfer funds appropriated for certain data processing services between departments for

a specified purpose; prohibiting an agency from transferring funds from a data processing category to another category that is not a data processing category; authorizing the Executive Office of the Governor to transfer certain funds between agencies in order to allocate a reduction relating to SUNCOM Network services; reenacting s. 110.12315, F.S., relating to the state employees' prescription drug program; providing for the future expiration and reversion of specified statutory text; providing for the effect of a veto of one or more specific appropriations or proviso to which implementing language refers; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing for severability; providing effective dates.

—as amended February 10, was read the third time by title.

Pending further consideration of **SB 2502**, as amended—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 5003 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Bob Ward, Clerk

By Appropriations Committee and Representative(s) Corcoran—

HB 5003—A bill to be entitled An act implementing the 2016-2017 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program; providing that funds for instructional materials must be released and expended as required in specified proviso language; specifying the required ad valorem tax millage contribution by certain district school boards for certain funded construction projects; amending s. 11.45, F.S.; requiring the Auditor General to conduct audits of the Florida School for the Deaf and Blind; creating s. 1001.66, F.S.; creating a Florida College System Performance-Based Incentive for Florida College System institutions; requiring the State Board of Education to adopt certain metrics and benchmarks; providing for funding and allocation of the incentives; authorizing the state board to withhold an institution's incentive under certain circumstances; providing for reporting and rulemaking; amending s. 1001.7065, F.S.; deleting obsolete provisions; revising the academic and research excellence standards for the preeminent state research universities program; creating the "emerging preeminent state research university" designation; requiring an emerging preeminent state research university to submit a certain plan to the board and meet certain expectations to receive certain funds; providing for the distribution of certain funding increases; deleting the preeminent state research university enhancement initiative; authorizing a preeminent state research university to consider certain courses as a part of the general education requirements; providing that such courses are in addition to certain required courses; authorizing a preeminent state research university to require that such courses be earned at the university; authorizing the board to identify and grant certain authority and flexibility to emerging preeminent state research universities; amending s. 1001.92, F.S.; requiring performance-based metrics to include thresholds for added value of certain degrees; requiring the Board of Governors to develop an implementation plan for specified metrics relating to the employment of students with specified degrees by a specified fiscal year and provide the plan to the Governor and Legislature by a specified date; requiring the board to establish minimum performance funding eligibility thresholds; prohibiting a state university that fails to meet a certain threshold from eligibility for a share of the state's investment performance funding; requiring the board to adopt regulations; amending s. 1002.39, F.S.; providing that a John M. McKay Scholarship is not subject to the maximum value for funding a student under the Florida Education Finance Program; amending s. 1008.46, F.S.; revising the date by which the Board of Governors must submit a specific report; amending s. 1009.23, F.S.; revising provisions relating to the Florida College System institution distance learning course user fee; providing that the fee may not exceed a specified amount per credit hour; requiring that an increase in the

current fee be approved by the State Board of Education; amending s. 1009.24, F.S.; revising provisions relating to the state university distance learning course fee; providing that the fee may not exceed a specified amount per credit hour; requiring each state university board of trustees to report specified information relating to the fee to the Board of Governors by a specified date; amending s. 1009.40, F.S.; revising provisions relating to student eligibility for state financial aid awards and tuition assistance grants; providing that a student may only be granted one probationary funding award; revising requirements for the award of probationary funding to a student who fails to earn the minimum number of credits; amending ss. 1009.50, 1009.505, 1009.51, and 1009.52, F.S., relating to the Florida Public Student Assistance Grant Program, the Florida Public Postsecondary Career Education Student Assistance Grant Program, the Florida Private Student Assistance Grant Program, and the Florida Postsecondary Student Assistance Grant Program; requiring the expected family contribution and all other aid available to a student be accounted and considered when determining a student's unmet need; requiring participating institutions to conduct an assessment of the available financial resources for each student; requiring certain funding mechanisms to be included in the assessment; revising the priority in the distribution of grant moneys; revising reporting requirements for participating institutions; amending s. 1009.701, F.S.; including Florida College System institutions in the First Generation Matching Grant Program; revising the state fund matching ratio for the grant program; amending s. 1011.61, F.S.; providing that a John M. 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category, other than a salaries and benefits category, unless approved by the Legislative Budget Commission; requiring the Department of Juvenile Justice to review county juvenile detention payments to determine if the county has met specified financial responsibilities; requiring amounts owed by the county for such financial responsibilities to be deducted from certain county funds; requiring the Department of Revenue to transfer funds withheld to specified trust funds; requiring the Department of Revenue to ensure that such reductions in amounts distributed do not reduce distributions below amounts necessary for certain payments due on bonds and comply with bond covenants; requiring the Department of Revenue to notify the Department of Juvenile Justice if bond payment requirements require a reduction in deductions for amounts owed by a county; directing the Department of Management Services to use tenant broker services to renegotiate or reprocure certain private lease agreements for office or storage space; requiring the Department of Management Services to provide a report to the Governor and Legislature by a specified date; reenacting s. 624.502, F.S., relating to the deposit of fees for service of process made upon the Chief Financial Officer or the Director of the Office of Insurance Regulation into the Administrative Trust Fund; providing for the future expiration and reversion of statutory text requiring the deposit of certain fees into the Administrative Trust Fund; specifying the amount of the transaction fee to be collected for use of the online procurement system; authorizing the Executive Office of the Governor to transfer funds appropriated for data processing between agencies for a specified purpose; authorizing the Executive Office of the Governor to transfer funds appropriated for certain data processing services between departments for a specified purpose; prohibiting an agency from transferring funds from a data processing category to another category that is not a data processing category; authorizing the Executive Office of the Governor to transfer certain funds between agencies in order to allocate a reduction relating to SUNCOM Network services; authorizing agencies to transfer certain data processing funds to contract with a private sector cloud service under certain circumstances; specifying that such transfers are subject to certain notice, review, and objection procedures; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management insurance and for human resource management services; providing for replacement of Florida Accounting Information Resource Subsystem; providing for project governance structure; amending s. 161.143, F.S.; extending by 1 fiscal year the directive that the amount allocated for inlet management funding is provided in the General Appropriations Act; amending s. 259.105, F.S.; revising the distribution of certain proceeds from cash payments or bonds issued pursuant to the Florida Forever Act; amending s. 216.181, F.S.; extending by 1 fiscal year the authority for the Legislative Budget Commission to increase amounts appropriated to the Fish and Wildlife Conservation Commission or the Department of Environmental Protection for certain fixed capital outlay projects from specified sources; amending s. 403.709, F.S.; revising the conditions under which the Department of Environmental Protection may use the solid waste landfill closure account within the Solid Waste Management Trust Fund to contract with a third party to close and provide long-term care of certain solid waste management facilities; authorizing the Department of Environmental Protection to use the Solid Waste Management Trust Fund under specified circumstances if amounts paid under an insurance policy or alternative financial assurance do not cover the cost of the closing or providing long-term care of a facility; amending s. 215.18, F.S.; authorizing the Governor, if there is a specified deficiency in a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission, to transfer funds from other trust funds in the State Treasury as a temporary loan to such trust fund; providing procedures for the transfer and repayment of the loan; providing a legislative determination that the repayment of the temporary loan is a constitutionally allowable use of such moneys; requiring the Department of Environmental Protection to transfer designated proportions of the revenues deposited in the Land Acquisition Trust Fund within the department to land acquisition trust funds in the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission according to specified parameters and calculations; defining the term "department"; requiring the department to retain a proportionate share of revenues; specifying a limit on distributions; amending s. 403.890, F.S.; providing for use of funds deposited into or appropriated to the Water Protection and Sustainability Trust Fund; requiring the Department of Highway Safety and Motor Vehicles to contract with a

specified corporation to manufacture current or newly redesigned license plates; providing price specifications for such contract; specifying requirements to be met by the corporation in manufacturing such license plates; prohibiting the name of a county from appearing on redesigned license plates; amending s. 339.2818, F.S.; revising the definition of the term "small county" for purposes of the Small County Outreach Program; reenacting s. 216.292(2)(a), F.S., relating to exceptions for nontransferable appropriations; providing for the future expiration and reversion of statutory text related to nontransferable appropriations; prohibiting a state agency from initiating a competitive solicitation for a product or service under certain circumstances; providing an exception; amending s. 112.24, F.S.; extending by 1 fiscal year the authorization, subject to specified requirements, for the assignment of an employee of a state agency under an employee interchange agreement; providing that the annual salaries of the members of the Legislature shall be maintained at a specified level; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds; providing for the future expiration and reversion of statutory text related to the source and use of specified trust funds; providing a legislative determination that the issuance of new debt is in the best interests of the state; limiting the use of travel funds to activities that are critical to an agency's mission; providing exceptions; reenacting s. 110.12315, F.S., relating to the state employees' prescription drug program; providing for the future expiration and reversion of statutory text related to the state employees' prescription drug program; prohibiting agencies from entering into contracts containing certain nondisclosure agreements; providing conditions under which the veto of certain appropriations or proviso language in the General Appropriations Act voids language that implements such appropriation; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing severability; providing an effective date.

—was referred to the Committee on Appropriations.

Pursuant to Rule 3.11(3), there being no objection, **HB 5003** was withdrawn from the Committee on Appropriations.

On motion by Senator Lee, the rules were waived and—

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requiring the Department of Revenue to notify the Department of Juvenile Justice if bond payment requirements require a reduction in deductions for amounts owed by a county; directing the Department of Management Services to use tenant broker services to renegotiate or reprocure certain private lease agreements for office or storage space; requiring the Department of Management Services to provide a report to the Governor and Legislature by a specified date; reenacting s. 624.502, F.S., relating to the deposit of fees for service of process made upon the Chief Financial Officer or the Director of the Office of Insurance Regulation into the Administrative Trust Fund; providing for the future expiration and reversion of statutory text requiring the deposit of certain fees into the Administrative Trust Fund; specifying the amount of the transaction fee to be collected for use of the online procurement system; authorizing the Executive Office of the Governor to transfer funds appropriated for data processing between agencies for a specified purpose; authorizing the Executive Office of the Governor to transfer funds appropriated for certain data processing services between departments for a specified purpose; prohibiting an agency from transferring funds from a data processing category to another category that is not a data processing category; authorizing the Executive Office of the Governor to transfer certain funds between agencies in order to allocate a reduction relating to SUNCOM Network services; authorizing agencies to transfer certain data processing funds to contract with a private sector cloud service under certain circumstances; specifying that such transfers are subject to certain notice, review, and objection procedures; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management insurance and for human resource management services; providing for replacement of Florida Accounting Information Resource Subsystem; providing for project governance structure; amending s. 161.143, F.S.; extending by 1 fiscal year the directive that the amount allocated for inlet management funding is provided in the General Appropriations Act; amending s. 259.105, F.S.; revising the distribution of certain proceeds from cash payments or bonds issued pursuant to the Florida Forever Act; amending s. 216.181, F.S.; extending by 1 fiscal year the authority for the Legislative Budget Commission to increase amounts appropriated to the Fish and Wildlife Conservation Commission or the Department of Environmental Protection for certain fixed capital outlay projects from specified sources; amending s. 403.709, F.S.; revising the conditions under which the Department of Environmental Protection may use the solid waste landfill closure account within the Solid Waste Management Trust Fund to contract with a third party to close and provide long-term care of certain solid waste management facilities; authorizing the Department of Environmental Protection to use the Solid Waste Management Trust Fund under specified circumstances if amounts paid under an insurance policy or alternative financial assurance do not cover the cost of the closing or providing long-term care of a facility; amending s. 215.18, F.S.; authorizing the Governor, if there is a specified deficiency in a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission, to transfer funds from other trust funds in the State Treasury as a temporary loan to such trust fund; providing procedures for the transfer and repayment of the loan; providing a legislative determination that the repayment of the temporary loan is a constitutionally allowable use of such moneys; requiring the Department of Environmental Protection to transfer designated proportions of the revenues deposited in the Land Acquisition Trust Fund within the department to land acquisition trust funds in the Department of Agriculture and Consumer Services, the

Department of State, and the Fish and Wildlife Conservation Commission according to specified parameters and calculations; defining the term "department"; requiring the department to retain a proportionate share of revenues; specifying a limit on distributions; amending s. 403.890, F.S.; providing for use of funds deposited into or appropriated to the Water Protection and Sustainability Trust Fund; requiring the Department of Highway Safety and Motor Vehicles to contract with a specified corporation to manufacture current or newly redesigned license plates; providing price specifications for such contract; specifying requirements to be met by the corporation in manufacturing such license plates; prohibiting the name of a county from appearing on redesigned license plates; amending s. 339.2818, F.S.; revising the definition of the term "small county" for purposes of the Small County Outreach Program; reenacting s. 216.292(2)(a), F.S., relating to exceptions for nontransferable appropriations; providing for the future expiration and reversion of statutory text related to nontransferable appropriations; prohibiting a state agency from initiating a competitive solicitation for a product or service under certain circumstances; providing an exception; amending s. 112.24, F.S.; extending by 1 fiscal year the authorization, subject to specified requirements, for the assignment of an employee of a state agency under an employee interchange agreement; providing that the annual salaries of the members of the Legislature shall be maintained at a specified level; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds; providing for the future expiration and reversion of statutory text related to the source and use of specified trust funds; providing a legislative determination that the issuance of new debt is in the best interests of the state; limiting the use of travel funds to activities that are critical to an agency's mission; providing exceptions; reenacting s. 110.12315, F.S., relating to the state employees' prescription drug program; providing for the future expiration and reversion of statutory text related to the state employees' prescription drug program; prohibiting agencies from entering into contracts containing certain nondisclosure agreements; providing conditions under which the veto of certain appropriations or proviso language in the General Appropriations Act voids language that implements such appropriation; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing severability; providing an effective date.

—a companion measure, was substituted for **SB 2502**, as amended, and by two-thirds vote, read the second time by title.

Senator Lee moved the following amendment which was adopted:

Amendment 1 (951174) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *It is the intent of the Legislature that the implementing and administering provisions of this act apply to the General Appropriations Act for the 2016-2017 fiscal year.*

Section 2. *In order to implement Specific Appropriations 7, 8, 9, 94, and 95 of the 2016-2017 General Appropriations Act, the calculations of the Florida Education Finance Program for the 2016-2017 fiscal year in the document titled "Public School Funding: The Florida Education Finance Program," dated XX, 2016, and filed with the Secretary of the Senate, are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with the requirements of state law, in making appropriations for the Florida Education Finance Program. This section expires July 1, 2017.*

Section 3. *In order to implement Specific Appropriations 7 and 94 of the 2016-2017 General Appropriations Act and notwithstanding ss. 1002.20, 1003.02, 1006.28-1006.42, 1011.62(6)(b)5., and 1011.67, Florida Statutes, relating to the expenditure of funds provided for instructional materials, for the 2016-2017 fiscal year, funds provided for instructional materials shall be released and expended as required in the proviso language for Specific Appropriation 94 of the 2016-2017 General Appropriations Act. This section expires July 1, 2017.*

Section 4. *In order to implement Specific Appropriation 23 of the 2016-2017 General Appropriations Act and notwithstanding s. 1013.64(2), Florida Statutes, any district school board that generates less than \$2 million in revenue from a 1-mill levy of ad valorem tax shall contribute 0.75 mill for the 2016-2017 fiscal year toward the cost of funded special facilities construction projects. This section expires July 1, 2017.*

Section 5. In order to implement Specific Appropriations 7 and 94 of the 2016-2017 General Appropriations Act, paragraphs (e) and (f) of subsection (1), paragraph (a) of subsection (4), paragraph (b) of subsection (7), paragraph (a) of subsection (9), and present subsection (13) of section 1011.62, Florida Statutes, are amended, present subsections (13), (14), and (15) of that section are renumbered as subsections (14), (15), and (16), respectively, and a new subsection (13) is added to that section, to read:

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

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

(e) Funding model for exceptional student education programs.—

1.a. The funding model uses basic, at-risk, support levels IV and V for exceptional students and career Florida Education Finance Program cost factors, and a guaranteed allocation for exceptional student education programs. Exceptional education cost factors are determined by using a matrix of services to document the services that each exceptional student will receive. The nature and intensity of the services indicated on the matrix shall be consistent with the services described in each exceptional student's individual educational plan. The Department of Education shall review and revise the descriptions of the services and supports included in the matrix of services for exceptional students and shall implement those revisions before the beginning of the 2012-2013 school year.

b. In order to generate funds using one of the two weighted cost factors, a matrix of services must be completed at the time of the student's initial placement into an exceptional student education program and at least once every 3 years by personnel who have received approved training. Nothing listed in the matrix shall be construed as limiting the services a school district must provide in order to ensure that exceptional students are provided a free, appropriate public education.

c. Students identified as exceptional, in accordance with chapter 6A-6, Florida Administrative Code, who do not have a matrix of services as specified in sub-subparagraph b. shall generate funds on the basis of full-time-equivalent student membership in the Florida Education Finance Program at the same funding level per student as provided for basic students. Additional funds for these exceptional students will be provided through the guaranteed allocation designated in subparagraph 2.

2. For students identified as exceptional who do not have a matrix of services and students who are gifted in grades K through 8, there is created a guaranteed allocation to provide these students with a free appropriate public education, in accordance with s. 1001.42(4)(l) and rules of the State Board of Education, which shall be allocated ~~initially annually~~ to each school district in the amount provided in the General Appropriations Act. These funds shall be ~~supplemental in addition~~ to the funds appropriated ~~for the basic funding level on the basis of FTE student membership in the Florida Education Finance Program~~, and the amount allocated for each school district shall ~~not~~ be recalculated ~~once~~ during the year, ~~based on actual student membership from the October FTE survey. Upon recalculation, if the generated allocation is greater than the amount provided in the General Appropriations Act, the total shall be prorated to the level of the appropriation based on each district's share of the total recalculated amount.~~ These funds shall be used to provide special education and related services for exceptional students and students who are gifted in grades K through 8. ~~Beginning with the 2007-2008 fiscal year, A district's expenditure of funds from the guaranteed allocation for students in grades 9 through 12 who are gifted may not be greater than the amount expended during the 2006-2007 fiscal year for gifted students in grades 9 through 12.~~

(f) Supplemental academic instruction; categorical fund.—

1. There is created a categorical fund to provide supplemental academic instruction to students in kindergarten through grade 12. This paragraph may be cited as the "Supplemental Academic Instruction Categorical Fund."

2. ~~The categorical fund funds for supplemental academic instruction shall be allocated annually to each school district in the amount provided in the General Appropriations Act. These funds~~ shall be in addition to the funds appropriated on the basis of FTE student membership in the Florida Education Finance Program and shall be included in the total potential funds of each district. These funds shall be used to provide supplemental academic instruction to students enrolled in the K-12 program. For the ~~2016-2017~~ ~~2014-2015~~ fiscal year, each school district that has one or more of the 300 lowest-performing elementary schools based on the state reading assessment shall use these funds, together with the funds provided in the district's research-based reading instruction allocation and other available funds, to provide an additional hour of instruction beyond the normal school day for each day of the entire school year for intensive reading instruction for the students in each of these schools. This additional hour of instruction must be provided by teachers or reading specialists who are effective in teaching reading or by a K-5 mentoring reading program that is supervised by a teacher who is effective ~~in at~~ teaching reading. Students enrolled in these schools who have level 5 assessment scores may participate in the additional hour of instruction on an optional basis. Exceptional student education centers ~~may shall~~ not be included in the 300 schools. ~~For the 2016-2017 fiscal year, the 300 lowest-performing elementary schools shall be based on the 2015-2016 state reading assessment.~~ After this requirement has been met, supplemental instruction strategies may include, but are not limited to: ~~use of a modified curriculum, reading instruction, after-school instruction, tutoring, mentoring, a reduction in class size reduction, an extended school year, intensive skills development in summer school, and other methods of for~~ improving student achievement. Supplemental instruction may be provided to a student in any manner and at any time during or beyond the regular 180-day term identified by the school as being the most effective and efficient way to best help that student progress from grade to grade and to graduate.

3. ~~Categorical funds for supplemental academic instruction shall be provided annually in the Florida Education Finance Program as specified in the General Appropriations Act. These funds shall be provided as a supplement to the funds appropriated for the basic funding level and shall be included in the total funds of each district. The allocation shall consist of a base amount that shall have a workload adjustment based on changes in unweighted FTE. In addition, districts that have elementary schools included in the 300 lowest-performing schools designation shall be allocated additional funds to assist those districts in providing intensive reading instruction to students in those schools. The amount provided shall be based on each district's level of per-student funding in the reading instruction allocation and the supplemental academic instruction categorical fund and on the total FTE for each of the schools. The categorical funding shall be recalculated once during the fiscal year following an updated designation of the 300 lowest-performing elementary schools and shall be based on actual student membership from the October FTE survey. Upon recalculation of funding for the supplemental academic instruction categorical fund, if the total allocation is greater than the amount provided in the General Appropriations Act, the allocation shall be prorated to the level provided to support the appropriation, based on each district's share of the total.~~

4. ~~Effective with the 1999-2000 fiscal year, funding on the basis of FTE membership beyond the 180-day regular term shall be provided in the FEFP only for students enrolled in juvenile justice education programs or in education programs for juveniles placed in secure facilities or programs under s. 985.19. Funding for instruction beyond the regular 180-day school year for all other K-12 students shall be provided through the supplemental academic instruction categorical fund and other state, federal, and local fund sources with ample flexibility for schools to provide supplemental instruction to assist students in progressing from grade to grade and graduating.~~

5. ~~The Florida State University School, as a lab school, is authorized to expend from its FEFP or Lottery Enhancement Trust Fund allocation the cost to the student of remediation in reading, writing, or mathematics for any graduate who requires remediation at a postsecondary educational institution.~~

~~6.5.~~ Beginning in the 1999-2000 school year, dropout prevention programs as defined in ss. 1003.52, 1003.53(1)(a), (b), and (c), and 1003.54 shall be included in group 1 programs under subparagraph (d) 3.

(4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The Legislature shall prescribe the aggregate required local effort for all school districts collectively as an item in the General Appropriations Act for each fiscal year. The amount that each district shall provide annually toward the cost of the Florida Education Finance Program for kindergarten through grade 12 programs shall be calculated as follows:

(a) Estimated taxable value calculations.—

1.a. Not later than 2 working days prior to July 19, the Department of Revenue shall certify to the Commissioner of Education its most recent estimate of the taxable value for school purposes in each school district and the total for all school districts in the state for the current calendar year based on the latest available data obtained from the local property appraisers. The value certified shall be the taxable value for school purposes for that year, and no further adjustments shall be made, except those made pursuant to paragraphs (c) and (d), or an assessment roll change required by final judicial decisions as specified in paragraph ~~(15)(b)~~ ~~(14)(b)~~. Not later than July 19, the Commissioner of Education shall compute a millage rate, rounded to the next highest one thousandth of a mill, which, when applied to 96 percent of the estimated state total taxable value for school purposes, would generate the prescribed aggregate required local effort for that year for all districts. The Commissioner of Education shall certify to each district school board the millage rate, computed as prescribed in this subparagraph, as the minimum millage rate necessary to provide the district required local effort for that year.

b. The General Appropriations Act shall direct the computation of the statewide adjusted aggregate amount for required local effort for all school districts collectively from ad valorem taxes to ensure that no school district's revenue from required local effort millage will produce more than 90 percent of the district's total Florida Education Finance Program calculation as calculated and adopted by the Legislature, and the adjustment of the required local effort millage rate of each district that produces more than 90 percent of its total Florida Education Finance Program entitlement to a level that will produce only 90 percent of its total Florida Education Finance Program entitlement in the July calculation.

2. On the same date as the certification in sub-subparagraph 1.a., the Department of Revenue shall certify to the Commissioner of Education for each district:

a. Each year for which the property appraiser has certified the taxable value pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a.

b. For each year identified in sub-subparagraph a., the taxable value certified by the appraiser pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a. This is the certification that reflects all final administrative actions of the value adjustment board.

(7) DETERMINATION OF SPARSITY SUPPLEMENT.—

(b) The district sparsity index shall be computed by dividing the total number of full-time equivalent students in all programs in the district by the number of senior high school centers in the district, not in excess of three, which centers are approved as permanent centers by a survey made by the Department of Education. *For districts with a full-time equivalent student membership of at least 20,000, but no more than 24,000, the index shall be computed by dividing the total number of full-time equivalent students in all programs by the number of permanent senior high school centers in the district, not in excess of four.*

(9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

(a) The research-based reading instruction allocation is created to provide comprehensive reading instruction to students in kindergarten through grade 12. ~~For the 2016-2017 2014-2015~~ fiscal year, in each

school district that has one or more of the 300 lowest-performing elementary schools based on the state reading assessment, priority shall be given to providing an additional hour per day of intensive reading instruction beyond the normal school day for each day of the entire school year for the students in each school. *For the 2016-2017 fiscal year, the 300 lowest-performing elementary schools shall be based on the 2015-2016 state reading assessment.* Students enrolled in these schools who have level 5 assessment scores may participate in the additional hour of instruction on an optional basis. Exceptional student education centers ~~may shall~~ not be included in the 300 schools. The intensive reading instruction delivered in this additional hour and for other students shall include: research-based reading instruction that has been proven to accelerate progress of students exhibiting a reading deficiency; differentiated instruction based on student assessment data to meet students' specific reading needs; explicit and systematic reading development in phonemic awareness, phonics, fluency, vocabulary, and comprehension, with more extensive opportunities for guided practice, error correction, and feedback; and the integration of social studies, science, and mathematics-text reading, text discussion, and writing in response to reading. ~~For the 2012-2013 and 2013-2014 fiscal years, a school district may not hire more reading coaches than were hired during the 2011-2012 fiscal year unless all students in kindergarten through grade 5 who demonstrate a reading deficiency, as determined by district and state assessments, including students scoring Level 1 or Level 2 on the statewide, standardized reading assessment or, upon implementation, the English Language Arts assessment, are provided an additional hour per day of intensive reading instruction beyond the normal school day for each day of the entire school year.~~

(13) *FEDERALLY CONNECTED STUDENT SUPPLEMENT.—The federally connected student supplement is created to provide supplemental funding for school districts to support the education of students connected with federally owned military installations, National Aeronautics and Space Administration (NASA) real property, and Indian lands. To be eligible for this supplement, the district must be eligible for federal Impact Aid Program funds under s. 8003 of Title VIII of the Elementary and Secondary Education Act of 1965. The supplement shall be allocated annually to each eligible school district in the amount provided in the General Appropriations Act. The supplement shall be the sum of the student allocation and an exempt property allocation.*

(a) *The student allocation shall be calculated based on the number of students reported for federal Impact Aid Program funds, including students with disabilities, who meet one of the following criteria:*

1. *The student has a parent who is on active duty in the uniformed services or is an accredited foreign government official and military officer. Students with disabilities shall also be reported separately for this category.*

2. *The student resides on eligible federally owned Indian lands. Students with disabilities shall also be reported separately for this category.*

3. *The student resides with a civilian parent who lives or works on eligible federal property connected with a military installation or NASA. The number of these students shall be multiplied by a factor of 0.5.*

(b) *The total number of federally connected students calculated under paragraph (a) shall be multiplied by a percentage of the base student allocation as provided in the General Appropriations Act. The total of the number of students with disabilities as reported separately under subparagraphs (a)1. and (a)2. shall be multiplied by an additional percentage of the base student allocation as provided in the General Appropriations Act. The base amount and the amount for students with disabilities shall be summed to provide the student allocation.*

(c) *The exempt property allocation shall be equal to the tax-exempt value of federal impact aid lands reserved as military installations, real property owned by NASA, or eligible federally owned Indian lands located in the district, as of January 1 of the previous year, multiplied by the millage authorized and levied under s. 1011.71(2).*

~~(14)(13)~~ *QUALITY ASSURANCE GUARANTEE.—The Legislature may annually in the General Appropriations Act determine a percentage increase in funds per K-12 unweighted FTE as a minimum guarantee to each school district. The guarantee shall be calculated from*

prior year base funding per unweighted FTE student which shall include the adjusted FTE dollars as provided in subsection (15) (14), quality guarantee funds, and actual nonvoted discretionary local effort from taxes. From the base funding per unweighted FTE, the increase shall be calculated for the current year. The current year funds from which the guarantee shall be determined shall include the adjusted FTE dollars as provided in subsection (15) (14) and potential nonvoted discretionary local effort from taxes. A comparison of current year funds per unweighted FTE to prior year funds per unweighted FTE shall be computed. For those school districts which have less than the legislatively assigned percentage increase, funds shall be provided to guarantee the assigned percentage increase in funds per unweighted FTE student. Should appropriated funds be less than the sum of this calculated amount for all districts, the commissioner shall prorate each district's allocation. This provision shall be implemented to the extent specifically funded.

Section 6. In order to implement Specific Appropriations 7 and 94 of the 2016-2017 General Appropriations Act, subsection (1) of section 1011.71, Florida Statutes, is amended to read:

1011.71 District school tax.—

(1) If the district school tax is not provided in the General Appropriations Act or the substantive bill implementing the General Appropriations Act, each district school board desiring to participate in the state allocation of funds for current operation as prescribed by s. 1011.62(15) ~~s. 1011.62(14)~~ shall levy on the taxable value for school purposes of the district, exclusive of millage voted under the provisions of s. 9(b) or s. 12, Art. VII of the State Constitution, a millage rate not to exceed the amount certified by the commissioner as the minimum millage rate necessary to provide the district required local effort for the current year, pursuant to s. 1011.62(4)(a)1. In addition to the required local effort millage levy, each district school board may levy a nonvoted current operating discretionary millage. The Legislature shall prescribe annually in the appropriations act the maximum amount of millage a district may levy.

Section 7. *The amendments made by this act to ss. 1011.62 and 1011.71, Florida Statutes, expire July 1, 2017, and the text of those sections shall revert to that in existence on June 30, 2015, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 8. In order to implement Specific Appropriations 10 and 122 of the 2016-2017 General Appropriations Act, subsection (1) of section 1004.935, Florida Statutes, is amended to read:

1004.935 Adults with Disabilities Workforce Education Pilot Program.—

(1) The Adults with Disabilities Workforce Education Pilot Program is established in the Department of Education through June 30, 2017 ~~2016~~, in Hardee, DeSoto, Manatee, and Sarasota Counties to provide the option of receiving a scholarship for instruction at private schools for up to 30 students who:

- (a) Have a disability;
- (b) Are 22 years of age;
- (c) Are receiving instruction from an instructor in a private school to meet the high school graduation requirements in s. 1002.3105(5) or s. 1003.4282;
- (d) Do not have a standard high school diploma or a special high school diploma; and
- (e) Receive “supported employment services,” which means employment that is located or provided in an integrated work setting with earnings paid on a commensurate wage basis and for which continued support is needed for job maintenance.

As used in this section, the term “student with a disability” includes a student who is documented as having an intellectual disability; a speech impairment; a language impairment; a hearing impairment, including deafness; a visual impairment, including blindness; a dual sensory

impairment; an orthopedic impairment; another health impairment; an emotional or behavioral disability; a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia; a traumatic brain injury; a developmental delay; or autism spectrum disorder.

Section 9. *The amendment made by this act to s. 1004.935(1), Florida Statutes, expires July 1, 2017, and the text of that subsection shall revert to that in existence on June 30, 2016, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 10. In order to implement Specific Appropriations 13 and 142 through 150 of the 2016-2017 General Appropriations Act, subsection (7) is added to section 1013.74, Florida Statutes, to read:

1013.74 University authorization for fixed capital outlay projects.—

(7) *For the 2016-2017 fiscal year, a university board of trustees may expend reserve or carry forward balances from prior year operational and programmatic appropriations for fixed capital outlay projects approved by the Board of Governors which include significant academic instructional space or critical deferred maintenance needs in this area. This subsection expires July 1, 2017.*

Section 11. In order to implement Specific Appropriation 142 of the 2016-2017 General Appropriations Act, section 1001.92, Florida Statutes, is amended to read:

1001.92 State University System Performance-Based Incentive.—

(1) A State University System Performance-Based Incentive shall be awarded to state universities using performance-based metrics adopted by the Board of Governors of the State University System. The performance-based metrics must include graduation rates; retention rates; postgraduation education rates; degree production; affordability; postgraduation employment and salaries, *including wage thresholds that reflect the added value of a baccalaureate degree*; access; and other metrics approved by the board in a formally noticed meeting. The board shall adopt benchmarks to evaluate each state university's performance on the metrics to measure the state university's achievement of institutional excellence or need for improvement and minimum requirements for eligibility to receive performance funding.

(2) Each fiscal year, the amount of funds available for allocation to the state universities based on the performance-based *funding model metrics* shall consist of the state's *investment in appropriation for performance funding, including increases in base funding* plus institutional investments consisting of funds deducted from the base funding of each state university in the State University System; in an amount provided in the General Appropriations Act. *The Board of Governors shall establish minimum performance funding eligibility thresholds for the state's investment and the institutional investments. A state university that fails to meet the minimum state investment performance funding eligibility threshold is ineligible for a share of the state's investment in performance funding.* The institutional investment shall be restored for each institution eligible for the state's investment under the performance-based *funding model metrics*.

(3)(a) A state university that fails to meet the Board of Governors' minimum *institutional investment performance funding eligibility threshold* shall have a ~~portion of~~ its institutional investment withheld by the board and must submit an improvement plan to the board *which that* specifies the activities and strategies for improving the state university's performance. The board must review and approve the improvement plan and, if the plan is approved, must monitor the state university's progress in implementing the activities and strategies specified in the improvement plan. The state university shall submit monitoring reports to the board by December 31 and May 31 of each year in which an improvement plan is in place. The ability of a state university to submit an improvement plan to the board is limited to 1 fiscal year.

(b) The Chancellor of the State University System shall withhold disbursement of the institutional investment until the monitoring report is approved by the Board of Governors. A state university ~~that is~~ determined by the board to be making satisfactory progress on im-

plementing the improvement plan ~~may not shall receive no~~ more than one-half of the withheld institutional investment in January and the balance of the withheld institutional investment in June. A state university that fails to make satisfactory progress may not have its full institutional investment restored. Any institutional investment funds that are not restored shall be redistributed in accordance with the board's performance-based metrics.

(4) Distributions of performance funding, as provided in this section, shall be made to each of the state universities listed in the Education and General Activities category in the General Appropriations Act.

(5) By October 1 of each year, the Board of Governors shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report on the previous fiscal year's performance funding allocation, which must reflect the rankings and award distributions.

(6) This section expires July 1, 2017 ~~2016~~.

Section 12. In order to implement Specific Appropriation 126 of the 2016-2017 General Appropriations Act, section 1001.66, Florida Statutes, is created to read:

1001.66 Florida College System Performance-Based Incentive.—

(1) *A Florida College System Performance-Based Incentive shall be awarded to Florida College System institutions using performance-based metrics adopted by the State Board of Education. The performance-based metrics must include retention rates; program completion and graduation rates; postgraduation employment, salaries, and continuing education for workforce education and baccalaureate programs, with wage thresholds that reflect the added value of the certificate or degree; and outcome measures appropriate for associate of arts degree recipients. The State Board of Education shall adopt benchmarks to evaluate each institution's performance on the metrics to measure the institution's achievement of institutional excellence or need for improvement and minimum requirements for eligibility to receive performance funding.*

(2) *Each fiscal year, the amount of funds available for allocation to the Florida College System institutions based on the performance-based funding model shall consist of the state's investment in performance funding plus institutional investments consisting of funds to be redistributed from the base funding of the Florida College System Program Fund as determined in the General Appropriations Act. The State Board of Education shall establish minimum performance funding eligibility thresholds for the state's investment and the institutional investments. An institution that fails to meet the minimum state investment performance funding eligibility threshold is ineligible for a share of the state's investment in performance funding. The institutional investment shall be restored for all institutions eligible for the state's investment under the performance-based funding model.*

(3)(a) *Each Florida College System institution's share of the performance funding shall be calculated based on its relative performance on the established metrics in conjunction with the institutional size and scope.*

(b) *A Florida College System institution that fails to meet the State Board of Education's minimum institutional investment performance funding eligibility threshold shall have its institutional investment withheld by the state board and must submit an improvement plan to the state board which specifies the activities and strategies for improving the institution's performance. The state board must review and approve the improvement plan and, if the plan is approved, must monitor the institution's progress in implementing the activities and strategies specified in the improvement plan. The institution shall submit monitoring reports to the state board by December 31 and May 31 of each year in which an improvement plan is in place. The ability of an institution to submit an improvement plan to the state board is limited to 1 fiscal year.*

(c) *The Commissioner of Education shall withhold disbursement of the institutional investment until the monitoring report is approved by the State Board of Education. A Florida College System institution determined by the state board to be making satisfactory progress on implementing the improvement plan may not receive more than one-half of the withheld institutional investment in January and the balance of the*

withheld institutional investment in June. An institution that fails to make satisfactory progress may not have its full institutional investment restored. Any institutional investment funds that are not restored shall be redistributed in accordance with the state board's performance-based metrics.

(4) *Distributions of performance funding, as provided in this section, shall be made to each of the Florida College System institutions listed in the Florida Colleges category in the General Appropriations Act.*

(5) *By October 1 of each year, the State Board of Education shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report on the previous fiscal year's performance funding allocation, which must reflect the rankings and award distributions.*

(6) *This section expires July 1, 2017.*

Section 13. In order to implement Specific Appropriation 104 of the 2016-2017 General Appropriations Act, subsection (3) of section 1012.75, Florida Statutes, is amended to read:

1012.75 Liability of teacher or principal; excessive force.—

(3) The Department of Education shall administer an educator liability insurance program, as provided in the General Appropriations Act, to protect full-time instructional personnel from liability for monetary damages and the costs of defending actions resulting from claims made against the instructional personnel arising out of occurrences in the course of activities within the instructional personnel's professional capacity. For purposes of this subsection, the terms "full-time," "part-time," and "administrative personnel" shall be defined by the individual district school board. For purposes of this subsection, the term "instructional personnel" has the same meaning as provided in s. 1012.01(2).

(a) Liability coverage of at least \$2 million shall be provided to all full-time instructional personnel. Liability coverage may be provided to the following individuals who choose to participate in the program, at cost: part-time instructional personnel, administrative personnel, and students enrolled in a state-approved teacher preparation program pursuant to s. 1012.39(3).

(b) By August 1, the department shall notify the personnel specified in paragraph (a) of the pending procurement for liability coverage. By September 1, each district school board shall notify the personnel specified in paragraph (a) of the liability coverage provided pursuant to this subsection. The department shall develop the form of the notice which shall be used by each district school board. The notice must be on an 8 1/2-inch by 5 1/2-inch postcard and include the amount of coverage, a general description of the nature of the coverage, and the contact information for coverage and claims questions. The notification shall be provided separately from any other correspondence. Each district school board shall certify to the department, by September 15, that the notification required by this paragraph has been provided.

(c) The department shall consult with the Department of Financial Services to select the most economically prudent and cost-effective means of implementing the program through self-insurance, a risk management program, or competitive procurement.

(d) This subsection expires July 1, 2017 ~~2016~~.

Section 14. In order to implement Specific Appropriation 126 of the 2016-2017 General Appropriations Act, section 1001.67, Florida Statutes, is created to read:

1001.67 Distinguished Florida College System institution program.—A collaborative partnership is established between the State Board of Education and the Legislature to recognize the excellence of Florida's highest-performing Florida College System institutions.

(1) *EXCELLENCE STANDARDS.—The following excellence standards are established for the program:*

(a) *A 150 percent-of-normal-time completion rate of 50 percent or higher, as calculated by the Division of Florida Colleges.*

(b) A 150 percent-of-normal-time completion rate for Pell Grant recipients of 40 percent or higher, as calculated by the Division of Florida Colleges.

(c) A retention rate of 70 percent or higher, as calculated by the Division of Florida Colleges.

(d) A continuing education, or transfer, rate of 72 percent or higher for students graduating with an associate of arts degree, as reported by the Florida Education and Training Placement Information Program (FETPIP).

(e) A licensure passage rate on the National Council Licensure Examination for Registered Nurses (NCLEX-RN) of 90 percent or higher for first-time exam takers, as reported by the Board of Nursing.

(f) A job placement or continuing education rate of 88 percent or higher for workforce programs, as reported by FETPIP.

(g) A time-to-degree for students graduating with an associate of arts degree of 2.25 years or less for first-time-in-college students with accelerated college credits, as reported by the Southern Regional Education Board.

(2) **DISTINGUISHED COLLEGE DESIGNATION.**—The State Board of Education shall designate each Florida College System institution that meets five of the seven standards identified in subsection (1) as a distinguished college.

(3) **DISTINGUISHED COLLEGE SUPPORT.**—A Florida College System institution designated as a distinguished college by the State Board of Education is eligible for funding as specified in the General Appropriations Act.

(4) **EXPIRATION.**—This section expires July 1, 2017.

Section 15. In order to implement Specific Appropriation 142 of the 2016-2017 General Appropriations Act, subsection (1) of section 1001.7065, Florida Statutes, is reenacted, and subsections (2), (3), and (5) through (9) of that section are amended, to read:

1001.7065 Preeminent state research universities program.—

(1) **STATE UNIVERSITY SYSTEM SHARED GOVERNANCE COLLABORATION.**—A collaborative partnership is established between the Board of Governors and the Legislature to elevate the academic and research preeminence of Florida's highest-performing state research universities in accordance with this section. The partnership stems from the State University System Governance Agreement executed on March 24, 2010, wherein the Board of Governors and leaders of the Legislature agreed to a framework for the collaborative exercise of their joint authority and shared responsibility for the State University System. The governance agreement confirmed the commitment of the Board of Governors and the Legislature to continue collaboration on accountability measures, the use of data, and recommendations derived from such data.

(2) **ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.**—Effective July 1, 2013, The following academic and research excellence standards are established for the preeminent state research universities program:

(a) An average weighted grade point average of 4.0 or higher on a 4.0 scale and an average SAT score of 1800 or higher on a 2400-point scale or 1200 or higher on a 1600-point scale for fall semester incoming freshmen, as reported annually.

(b) A top-50 ranking on at least two well-known and highly respected national public university rankings, reflecting national preeminence, which includes, but is not limited to, the *U.S. News and World Report* rankings, using most recent rankings.

(c) A freshman retention rate of 90 percent or higher for full-time, first-time-in-college students, as reported annually to the Integrated Postsecondary Education Data System (IPEDS).

(d) A 6-year graduation rate of 70 percent or higher for full-time, first-time-in-college students, as reported annually to the IPEDS.

(e) Six or more faculty members at the state university who are members of a national academy, as reported by the Center for Measuring University Performance in the Top American Research Universities (TARU) annual report or the official membership directories maintained by each national academy.

(f) Total annual research expenditures, including federal research expenditures, of \$200 million or more, as reported annually by the National Science Foundation (NSF).

(g) Total annual research expenditures in diversified nonmedical sciences of \$150 million or more, based on data reported annually by the NSF.

(h) A top-100 university national ranking for research expenditures in five or more science, technology, engineering, or mathematics fields of study, as reported annually by the NSF.

(i) One hundred or more total patents awarded by the United States Patent and Trademark Office for the most recent 3-year period.

(j) Four hundred or more doctoral degrees awarded annually, including professional doctoral degrees awarded in medical and health care disciplines, as reported in the Board of Governors Annual Accountability Report.

(k) Two hundred or more postdoctoral appointees annually, as reported in the TARU annual report.

(l) An endowment of \$500 million or more, as reported in the Board of Governors Annual Accountability Report.

(3) ~~PREEMINENT STATE RESEARCH UNIVERSITY DESIGNATION.~~—The Board of Governors shall designate each state ~~research~~ university that annually meets:

(a) At least 11 of the 12 academic and research excellence standards identified in subsection (2) as a “preeminent state research university.”

(b) At least 6 of the 12 academic and research excellence standards identified in subsection (2) as an “emerging preeminent state research university.”

(5) ~~PROGRAM PREEMINENT STATE RESEARCH UNIVERSITY SUPPORT.~~—

(a) A state ~~research~~ university designated as a preeminent state research university that, as of July 1, 2013, meets all 12 of the academic and research excellence standards identified in subsection (2), as verified by the Board of Governors, shall submit to the Board of Governors a 5-year benchmark plan with target rankings on key performance metrics for national excellence. Upon approval by the Board of Governors, and upon the university's meeting the benchmark plan goals annually, the Board of Governors shall award the university its proportionate share of any funds provided annually to support the program created under this section an amount specified in the General Appropriations Act to be provided annually throughout the 5-year period. Funding for this purpose is contingent upon specific appropriation in the General Appropriations Act.

(b) A state university designated as an emerging preeminent state research university shall submit to the Board of Governors a 5-year benchmark plan with target rankings on key performance metrics for national excellence. Upon approval by the Board of Governors, and upon the university's meeting the benchmark plan goals annually, the Board of Governors shall award the university its proportionate share of any funds provided annually to support the program created under this section.

(c) The award of funds under this subsection is contingent upon funding provided in the General Appropriations Act to support the preeminent state research universities program created under this section. Funding increases appropriated beyond the amounts funded in the previous fiscal year shall be distributed as follows:

1. Each designated preeminent state research university that meets the criteria in paragraph (a) shall receive an equal amount of funding.

2. Each designated emerging preeminent state research university that meets the criteria in paragraph (b) shall receive an amount of funding that is equal to one-half of the total increased amount awarded to each designated preeminent state research university.

~~(6) PREEMINENT STATE RESEARCH UNIVERSITY ENHANCEMENT INITIATIVE.~~ A state research university that, as of July 1, 2013, meets 11 of the 12 academic and research excellence standards identified in subsection (2), as verified by the Board of Governors, shall submit to the Board of Governors a 5 year benchmark plan with target rankings on key performance metrics for national excellence. Upon the university's meeting the benchmark plan goals annually, the Board of Governors shall award the university an amount specified in the General Appropriations Act to be provided annually throughout the 5 year period for the purpose of recruiting National Academy Members, expediting the provision of a master's degree in cloud virtualization, and instituting an entrepreneurs in residence program throughout its campus. Funding for this purpose is contingent upon specific appropriation in the General Appropriations Act.

~~(7) PREEMINENT STATE RESEARCH UNIVERSITY SPECIAL COURSE REQUIREMENT AUTHORITY.~~ In order to provide a jointly shared educational experience, a university that is designated a preeminent state research university may require its incoming first-time-in-college students to take a 9 to 12 credit set of unique courses specifically determined by the university and published on the university's website. The university may stipulate that credit for such courses may not be earned through any acceleration mechanism pursuant to s. 1007.27 or s. 1007.271 or any other transfer credit. All accelerated credits earned up to the limits specified in ss. 1007.27 and 1007.271 shall be applied toward graduation at the student's request.

~~(6)(8) PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY AUTHORITY.~~—The Board of Governors is encouraged to identify and grant all reasonable, feasible authority and flexibility to ensure that a designated preeminent state research university is free from unnecessary restrictions.

~~(7)(9) PROGRAMS OF EXCELLENCE THROUGHOUT THE STATE UNIVERSITY SYSTEM.~~—The Board of Governors is encouraged to establish standards and measures whereby individual programs in state universities that objectively reflect national excellence can be identified and make recommendations to the Legislature as to how any such programs could be enhanced and promoted.

Section 16. *The amendment made by this act to s. 1001.7065, Florida Statutes, expires July 1, 2017, and the text of that section shall revert to that in existence on June 30, 2016, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 17. *In order to implement Specific Appropriations 199, 206, 207, 208, 211, and 218 of the 2016-2017 General Appropriations Act, the Agency for Health Care Administration is authorized to submit a budget amendment pursuant to chapter 216, Florida Statutes, to realign funding based on the model, methodology, and framework in the "Medicaid Hospital Funding Programs" document incorporated by reference in Senate Proposed Bill 2502. Funding changes shall be consistent with the intent of the model, methodology, and framework displayed, demonstrated, and explained in the "Medicaid Hospital Funding Programs" document, while allowing for the appropriate realignment to appropriation categories related to Medicaid Low-Income Pool, Disproportionate Share Hospital, Graduate Medical Education, Inpatient Hospital and Outpatient Hospital programs, Prepaid Health Plans, and the diagnosis related groups (DRG) methodology for hospital reimbursement for the 2016-2017 fiscal year, including requests for additional trust fund budget authority. Notwithstanding s. 216.177, Florida Statutes, if the chair or vice chair of the Legislative Budget Commission or the President of the Senate or the Speaker of the House of Representatives timely advises the Executive Office of the Governor, in writing, that the budget amendment exceeds the delegated authority of the Executive Office of the Governor or is contrary to legislative policy or intent, the Executive Office of the Governor shall void the action. This section expires July 1, 2017.*

Section 18. (1) *In order to implement Specific Appropriation 259 of the 2016-2017 General Appropriations Act, and notwithstanding s.*

393.065(5), Florida Statutes, the Agency for Persons with Disabilities shall offer enrollment in the Medicaid home and community-based waiver program in the following order of priority:

(a) *Individuals in category 1, which includes clients deemed to be in crisis as described in rule.*

(b) *Individuals in category 2, which includes:*

1. *Individuals on the wait list who are from the child welfare system with an open case in the Department of Children and Families' statewide automated child welfare information system and who are:*

a. *Transitioning out of the child welfare system at the finalization of an adoption, a reunification with family members, a permanent placement with a relative, or a guardianship with a nonrelative; or*

b. *At least 18 years old but not yet 22 years old and need both waiver services and extended foster care services.*

2. *Individuals on the wait list who are at least 18 years old but not yet 22 years old and who withdrew consent pursuant to s. 39.6251(5)(c), Florida Statutes, to remain in the extended foster care system.*

For individuals who are at least 18 years old but not yet 22 years old and who are eligible under sub-subparagraph 1.b., the Agency for Persons with Disabilities shall provide waiver services, including residential habilitation; and the community-based care lead agency shall fund room and board at the rate established in s. 409.145(4), Florida Statutes, and provide case management and related services as defined in s. 409.986(3)(e), Florida Statutes. Individuals may receive both waiver services and services under s. 39.6251, Florida Statutes. Services may not duplicate services available through the Medicaid state plan.

(c) *Individuals in categories 3 and 4 in an order based on the Agency for Persons with Disabilities Waitlist Prioritization Tool, dated March 15, 2013. Using the tool, the agency shall move those individuals whose needs score highest to the waiver during the 2016-2017 fiscal year, to the extent funds are available.*

(d) *Individuals in category 6 shall be moved to the waiver during the 2016-2017 fiscal year, to the extent funds are available, based on meeting the following criteria:*

1. *The individual is 30 years of age or older;*

2. *The individual resides in the family home;*

3. *The individual has been on the wait list for waiver services for at least 10 continuous years; and*

4. *The individual is classified at a level of need equal to Level 3, Level 4, or Level 5 based on the Questionnaire for Situational Information.*

(2) *The agency shall allow an individual who meets the eligibility requirements under s. 393.065(1), Florida Statutes, to receive home and community-based services in this state if the individual's parent or legal guardian is an active-duty military servicemember and, at the time of the servicemember's transfer to this state, the individual was receiving home and community-based services in another state.*

(3) *Upon the placement of individuals on the waiver pursuant to subsection (1), individuals remaining on the wait list are deemed not to have been substantially affected by agency action and are, therefore, not entitled to a hearing under s. 393.125, Florida Statutes, or an administrative proceeding under chapter 120, Florida Statutes.*

(4) *This section expires July 1, 2017.*

Section 19. *In order to implement Specific Appropriation 259 of the 2016-2017 General Appropriations Act:*

(1) *Until the Agency for Persons with Disabilities adopts a new allocation algorithm and methodology by final rule pursuant to s. 393.0662, Florida Statutes:*

(a) *Each client's iBudget in effect as of July 1, 2016, shall remain at its July 1, 2016, funding level.*

(b) *The Agency for Persons with Disabilities shall determine the iBudget for a client newly enrolled on the home and community-based services waiver on or after July 1, 2016, using the same allocation algorithm and methodology used for the iBudgets in effect as of July 1, 2016.*

(2) *After a new algorithm and methodology is adopted by final rule, a client's new iBudget shall be determined based on the new allocation algorithm and methodology and shall take effect as of the client's next support plan update.*

(3) *Funding allocated under subsections (1) and (2) may be increased pursuant to s. 393.0662(1)(b), Florida Statutes. A client's funding allocation may also be increased if the client has a significant need for transportation services to a waiver-funded adult day training program or to a waiver-funded supported employment where such need cannot be accommodated within the funding authorized by the client's iBudget amount without affecting the health and safety of the client, where public transportation is not an option due to the unique needs of the client, and where no other transportation resources are reasonably available. However, such increases may not result in the total of all clients' projected annual iBudget expenditures exceeding the agency's appropriation for waiver services.*

(4) *This section expires July 1, 2017.*

Section 20. In order to implement Specific Appropriations 569 through 578 of the 2016-2017 General Appropriations Act, subsection (3) of section 296.37, Florida Statutes, is amended to read:

296.37 Residents; contribution to support.—

(3) Notwithstanding subsection (1), each resident of the home who receives a pension, compensation, or gratuity from the United States Government, or income from any other source, of more than \$105 per month shall contribute to his or her maintenance and support while a resident of the home in accordance with a payment schedule determined by the administrator and approved by the director. The total amount of such contributions shall be to the fullest extent possible, but, in no case, shall exceed the actual cost of operating and maintaining the home. This subsection expires July 1, 2017 ~~2016~~.

Section 21. *In order to implement Specific Appropriation 231 of the 2016-2017 General Appropriations Act, the Agency for Health Care Administration shall ensure that nursing facility residents who are eligible for funds to transition to home and community-based services waivers must first have resided in a skilled nursing facility for at least 60 consecutive days. This section expires July 1, 2017.*

Section 22. *In order to implement Specific Appropriation 232 of the 2016-2017 General Appropriations Act, the Agency for Health Care Administration and the Department of Elderly Affairs shall prioritize individuals for enrollment in the Medicaid Long-Term Care Waiver program using a frailty-based screening that provides a priority score (the "scoring process") and shall enroll individuals in the program according to the assigned priority score as funds are available. The agency may adopt rules, pursuant to s. 409.919, Florida Statutes, and enter into interagency agreements necessary to administer s. 409.979(3), Florida Statutes. Such rules or interagency agreements adopted by the agency relating to the scoring process may delegate to the Department of Elderly Affairs, pursuant to s. 409.978, Florida Statutes, the responsibility for implementing and administering the scoring process, providing notice of Medicaid fair hearing rights, and the responsibility for defending, as needed, the scores assigned to persons on the program wait list in any resulting Medicaid fair hearings. The Department of Elderly Affairs may delegate the provision of notice of Medicaid fair hearing rights to its contractors. This section expires July 1, 2017.*

Section 23. *In order to implement Specific Appropriations 192A through 226 and 541 of the 2016-2017 General Appropriations Act and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the Agency for Health Care Administration, in consultation with the Department of Health, may submit a budget amendment, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes, to realign funding within and between agencies based on implementation of the Managed Medical Assistance component of the Statewide Medicaid Managed Care program for the Children's Medical Services program of the Department of Health. The funding realignment shall reflect the*

actual enrollment changes due to the transfer of beneficiaries from fee-for-service to the capitated Children's Medical Services Network. The Agency for Health Care Administration may submit a request for non-operating budget authority to transfer the federal funds to the Department of Health, pursuant to s. 216.181(12), Florida Statutes. This section expires July 1, 2017.

Section 24. *In order to implement Specific Appropriations 199, 206, 207, 208, 211, and 218 of the 2016-2017 General Appropriations Act, the calculations of the Medicaid Low-Income Pool, Disproportionate Share Hospital, and hospital reimbursement programs for the 2016-2017 fiscal year contained in the document titled "Medicaid Hospital Funding Programs," dated XX, 2016, and filed with the Secretary of the Senate, are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with the requirements of state law, in making appropriations for the Medicaid Low-Income Pool, Disproportionate Share Hospital, and hospital reimbursement programs. This section expires July 1, 2017.*

Section 25. In order to implement Specific Appropriation 524 of the 2016-2017 General Appropriations Act, subsection (17) of section 893.055, Florida Statutes, is amended to read:

893.055 Prescription drug monitoring program.—

(17) Notwithstanding subsection (10), and for the 2016-2017 ~~2015-2016~~ fiscal year only, the department may use state funds appropriated in the 2016-2017 ~~2015-2016~~ General Appropriations Act to administer the prescription drug monitoring program. Neither the Attorney General nor the department may use funds received as part of a settlement agreement to administer the prescription drug monitoring program. This subsection expires July 1, 2017 ~~2016~~.

Section 26. In order to implement Specific Appropriations 599 through 706 and 721 through 755 of the 2016-2017 General Appropriations Act, subsection (4) of section 216.262, Florida Statutes, is amended to read:

216.262 Authorized positions.—

(4) Notwithstanding the provisions of this chapter relating to increasing the number of authorized positions, and for the 2016-2017 ~~2015-2016~~ fiscal year only, if the actual inmate population of the Department of Corrections exceeds the inmate population projections of the December 17, 2015 ~~February 27, 2015~~, Criminal Justice Estimating Conference by 1 percent for 2 consecutive months or 2 percent for any month, the Executive Office of the Governor, with the approval of the Legislative Budget Commission, shall immediately notify the Criminal Justice Estimating Conference, which shall convene as soon as possible to revise the estimates. The Department of Corrections may then submit a budget amendment requesting the establishment of positions in excess of the number authorized by the Legislature and additional appropriations from unallocated general revenue sufficient to provide for essential staff, fixed capital improvements, and other resources to provide classification, security, food services, health services, and other variable expenses within the institutions to accommodate the estimated increase in the inmate population. All actions taken pursuant to this subsection are subject to review and approval by the Legislative Budget Commission. This subsection expires July 1, 2017 ~~2016~~.

Section 27. *In order to implement Specific Appropriations 1283 and 1284 of the 2016-2017 General Appropriations Act, the Department of Legal Affairs may expend appropriated funds in those specific appropriations on the same programs that were funded by the department pursuant to specific appropriations made in general appropriations acts in previous years. This section expires July 1, 2017.*

Section 28. In order to implement Specific Appropriations 1219 and 1224 of the 2016-2017 General Appropriations Act, paragraph (d) of subsection (4) of section 932.7055, Florida Statutes, is amended to read:

932.7055 Disposition of liens and forfeited property.—

(4) The proceeds from the sale of forfeited property shall be disbursed in the following priority:

(d) Notwithstanding any other provision of this subsection, and for the 2016-2017 ~~2015-2016~~ fiscal year only, the funds in a special law enforcement trust fund established by the governing body of a municipi-

pality may be expended to reimburse the general fund of the municipality for moneys advanced from the general fund to the special law enforcement trust fund before October 1, 2001. This paragraph expires July 1, 2017 ~~2016~~.

Section 29. In order to implement section 7 of the 2016-2017 General Appropriations Act, subsection (2) of section 215.18, Florida Statutes, is amended to read:

215.18 Transfers between funds; limitation.—

(2) The Chief Justice of the Supreme Court may receive one or more trust fund loans to ensure that the state court system has funds sufficient to meet its appropriations in the 2016-2017 ~~2015-2016~~ General Appropriations Act. If the Chief Justice accesses the loan, he or she must notify the Governor and the chairs of the legislative appropriations committees in writing. The loan must come from other funds in the State Treasury which are for the time being or otherwise in excess of the amounts necessary to meet the just requirements of such last-mentioned funds. The Governor shall order the transfer of funds within 5 days after the written notification from the Chief Justice. If the Governor does not order the transfer, the Chief Financial Officer shall transfer the requested funds. The loan of funds from which any money is temporarily transferred must be repaid by the end of the 2016-2017 ~~2015-2016~~ fiscal year. This subsection expires July 1, 2017 ~~2016~~.

Section 30. *In order to implement appropriations for salaries and benefits in the 2016-2017 General Appropriations Act for the Department of Corrections and notwithstanding s. 216.292, Florida Statutes, the Department of Corrections may not transfer funds from a salaries and benefits category to any other category within the department other than a salaries and benefits category without approval of the Legislative Budget Commission. This section expires July 1, 2017.*

Section 31. (1) *In order to implement Specific Appropriations 1093 through 1105 of the 2016-2017 General Appropriations Act, the Department of Juvenile Justice shall review county juvenile detention payments for the purpose of ensuring that counties fulfill their financial responsibilities required in s. 985.686, Florida Statutes. If the Department of Juvenile Justice determines that a county has not met its obligations, the department shall direct the Department of Revenue to deduct the amount owed to the Department of Juvenile Justice from the funds provided to the county under s. 218.23, Florida Statutes. The Department of Revenue shall transfer the funds withheld to the Shared County/State Juvenile Detention Trust Fund.*

(2) *As an assurance to holders of bonds issued by counties before July 1, 2015, for which distributions made pursuant to s. 218.23, Florida Statutes, are pledged, or bonds issued to refund such bonds which mature no later than the bonds they refunded and which result in a reduction of debt service payable in each fiscal year, the amount available for distribution to a county shall remain as provided by law and continue to be subject to any lien or claim on behalf of the bondholders. The Department of Revenue must ensure, based on information provided by an affected county, that any reduction in amounts distributed pursuant to subsection (1) does not reduce the amount of distribution to a county below the amount necessary for the timely payment of principal and interest when due on the bonds and the amount necessary to comply with any covenant under the bond resolution or other documents relating to the issuance of the bonds. If a reduction to a county's monthly distribution must be decreased in order to comply with this subsection, the Department of Revenue must notify the Department of Juvenile Justice of the amount of the decrease, and the Department of Juvenile Justice must send a bill for payment of such amount to the affected county.*

(3) *This section expires July 1, 2017.*

Section 32. In order to implement Specific Appropriation 780 of the 2016-2017 General Appropriations Act, subsection (5) of section 27.5304, Florida Statutes, is amended to read:

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

(5) The compensation for representation in a criminal proceeding may ~~shall~~ not exceed the following:

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

(b) For noncapital, nonlife felonies represented at the trial level: ~~\$15,000~~ ~~\$6,000~~.

(c) For life felonies represented at the trial level: ~~\$15,000~~ ~~\$9,000~~.

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

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

Section 33. *The amendment made by this act to s. 27.5304(5), Florida Statutes, expires July 1, 2017, and the text of that subsection shall revert to that in existence on June 30, 2016, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 34. Effective upon becoming a law and in order to implement Specific Appropriation 3023 and sections 35 and 36 of the 2016-2017 General Appropriations Act, subsections (5) and (6) are added to section 28.36, Florida Statutes, to read:

28.36 Budget procedure.—There is established a budget procedure for the court-related functions of the clerks of the court.

(5) *Funds appropriated in the General Appropriations Act to augment the revenues received from fines, fees, service charges, and costs for court-related functions by the clerks of the court during the 2015-2016 county fiscal year shall be distributed by the Department of Revenue to clerks of the court in accordance with this subsection. The Florida Clerks of Court Operations Corporation shall certify to the Department of Revenue a proposed distribution of a portion of the appropriated funds for each clerk with a deficit after retaining all of the projected collections from the court-related fines, fees, service charges, and costs and for which a distribution under subsection (3) is not available to relieve that deficit; however, each clerk's expenditures may not exceed the amount approved for the 2015-2016 county fiscal year by the Legislative Budget Commission. The Department of Revenue shall certify the amount needed for each individual clerk to the Executive Office of the Governor and request release authority for such amounts from the Clerks of Court Trust Fund. Notwithstanding s. 216.192, the Executive Office of the Governor may approve the release of funds in accordance with the notice, review, and objection procedures set forth in s. 216.177 and provide notice to the Department of Revenue and the Chief Financial Officer. The Department of Revenue and the Chief Financial Officer shall release the funds to each clerk in accordance with the release approved by the Governor. This subsection expires July 1, 2017.*

(6) *Funds appropriated in the General Appropriations Act for the clerks of the court for the 2016-2017 county fiscal year shall augment the amount of revenues projected to be received from fines, fees, service charges, and costs for court-related functions by the clerks of the court when each clerk of the court prepares, summarizes, and submits their budget to the Florida Clerks of Court Operations Corporation pursuant to subsection (2). The Florida Clerks of Court Operations Corporation shall determine the portion of the appropriated funds which shall be included in each individual clerk's proposed budget submitted pursuant to subsection (2). The proposed budgets for each clerk of court submitted to the Legislative Budget Commission pursuant to s. 28.35(2)(h) shall separately identify the amount of the appropriated funds proposed to be distributed to each clerk of the court. During consideration of the clerks' of the court budget pursuant to s. 28.35(2)(h), the Legislative Budget Commission shall consider the proposed distribution of the appropriated funds and shall approve, disapprove, or amend and approve the distribution of appropriated funds as a part of the clerks' combined budgets or any individual clerk's budget. If the Legislative Budget Commission fails to approve or amend and approve the clerks' combined budgets or amend and approve each individual clerk's budget, including the appropriated funds, before October 1, 2016, the corporation shall certify to the Department of Revenue a proposed distribution of a portion of the appropriated funds for each clerk with a deficit after retaining all of the projected collections from the court-related fines, fees, service charges, and costs and for which a distribution under subsection (3) is not available to relieve that deficit; however, each clerk's expenditures may not exceed the amount approved by the Legislative Budget Commission for the 2015-2016 county fiscal year. The Department of Revenue shall*

certify the amount needed for each individual clerk to the Executive Office of the Governor and request release authority for such amounts from the Clerks of Court Trust Fund. Notwithstanding s. 216.192, the Executive Office of the Governor may approve the release of funds in accordance with the notice, review, and objection procedures set forth in s. 216.177 and provide notice to the Department of Revenue and the Chief Financial Officer. The Department of Revenue and the Chief Financial Officer shall release the funds to each clerk in accordance with the release approved by the Governor. This subsection expires July 1, 2017.

Section 35. In order to implement appropriations used for the payments of existing lease contracts for private lease space in excess of 2,000 square feet in the 2016-2017 General Appropriations Act, the Department of Management Services, with the cooperation of the agencies having the existing lease contracts for office or storage space, shall use tenant broker services to renegotiate or reprocur all private lease agreements for office or storage space expiring between July 1, 2017, and June 30, 2019, in order to reduce costs in future years. The department shall incorporate this initiative into its 2016 master leasing report required under s. 255.249(7), Florida Statutes, and may use tenant broker services to explore the possibilities of collocating office or storage space, to review the space needs of each agency, and to review the length and terms of potential renewals or renegotiations. The department shall provide a report to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives by November 1, 2016, which lists each lease contract for private office or storage space, the status of renegotiations, and the savings achieved. This section expires July 1, 2017.

Section 36. In order to implement Specific Appropriations 2257 through 2265 of the 2016-2017 General Appropriations Act, section 624.502, Florida Statutes, is reenacted to read:

624.502 Service of process fee.—In all instances as provided in any section of the insurance code and s. 48.151(3) in which service of process is authorized to be made upon the Chief Financial Officer or the director of the office, the plaintiff shall pay to the department or office a fee of \$15 for such service of process, which fee shall be deposited into the Administrative Trust Fund.

Section 37. The amendment to s. 624.502, Florida Statutes, as carried forward by this act from chapter 2013-41, Laws of Florida, expires July 1, 2017, and the text of that section shall revert to that in existence on June 30, 2013, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 38. In order to implement Specific Appropriations 2834 through 2845 of the 2016-2017 General Appropriations Act, paragraph (a) of subsection (2) of section 282.709, Florida Statutes, is reenacted to read:

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

(2) The Joint Task Force on State Agency Law Enforcement Communications is created adjunct to the department to advise the department of member-agency needs relating to the planning, designing, and establishment of the statewide communication system.

(a) The Joint Task Force on State Agency Law Enforcement Communications shall consist of the following members:

1. A representative of the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation who shall be appointed by the secretary of the department.

2. A representative of the Division of Florida Highway Patrol of the Department of Highway Safety and Motor Vehicles who shall be appointed by the executive director of the department.

3. A representative of the Department of Law Enforcement who shall be appointed by the executive director of the department.

4. A representative of the Fish and Wildlife Conservation Commission who shall be appointed by the executive director of the commission.

5. A representative of the Department of Corrections who shall be appointed by the secretary of the department.

6. A representative of the Division of State Fire Marshal of the Department of Financial Services who shall be appointed by the State Fire Marshal.

7. A representative of the Department of Agriculture and Consumer Services who shall be appointed by the Commissioner of Agriculture.

Section 39. The amendment to s. 282.709(2)(a), Florida Statutes, as carried forward by this act from chapter 2014-53, Laws of Florida, expires July 1, 2017, and the text of that paragraph shall revert to that in existence on June 30, 2014, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 40. In order to implement Specific Appropriations 2740 through 2752 of the 2016-2017 General Appropriations Act, and notwithstanding rule 60A-1.031, Florida Administrative Code, the transaction fee collected for use of the online procurement system, authorized in ss. 287.042(1)(h)1. and 287.057(22)(c), Florida Statutes, shall be seven-tenths of 1 percent for the 2016-2017 fiscal year only. This section expires July 1, 2017.

Section 41. In order to implement Specific Appropriations 1533 and 1534 of the 2016-2017 General Appropriations Act, paragraph (m) of subsection (3) of section 259.105, Florida Statutes, is amended, and paragraph (n) is added to that subsection, to read:

259.105 The Florida Forever Act.—

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

(m) Notwithstanding paragraphs (a)-(j) and for the 2016-2017 ~~2015-2016~~ fiscal year only, \$22,256,206 ~~\$17.4 million~~ to only the Division of State Lands within the Department of Environmental Protection for the Board of Trustees Florida Forever Priority List land acquisition projects and \$30 million to the Florida Communities Trust. This paragraph expires July 1, 2017 ~~2016~~.

(n)1. For the 2016-2017 fiscal year:

a. Notwithstanding any allocation required pursuant to paragraph (c), 66.67 percent of the funds available to the Florida Communities Trust shall be allocated for projects acquiring conservation or recreation lands to enhance recreational opportunities for individuals with unique abilities.

b. The Department of Environmental Protection may waive the local government matching fund requirement in paragraph (c) for projects acquiring conservation or recreation lands to enhance recreational opportunities for individuals with unique abilities.

c. Notwithstanding sub-subparagraphs a. and b., any funds required to be used to acquire conservation or recreation lands to enhance recreational opportunities for individuals with unique abilities which have not been awarded for those purposes by May 1, 2017, may be awarded to redevelop or renew outdoor recreational facilities on public lands, including recreational trails, parks, and urban open spaces, together with improvements required to enhance recreational enjoyment and public access to public lands, if such redevelopment and renewal is primarily geared toward enhancing recreational opportunities for individuals with unique abilities. The department may waive the local matching requirement in paragraph (c) for such redevelopment and renewal projects.

2. This paragraph expires July 1, 2017.

Section 42. In order to implement Specific Appropriation 1698A of the 2016-2017 General Appropriations Act, subsection (4) is added to section 375.075, Florida Statutes, to read:

375.075 Outdoor recreation; financial assistance to local governments.—

(4)(a) For the 2016-2017 fiscal year:

1. Notwithstanding any other provision of this section, at least 30 percent of the program funds for projects must be used exclusively for projects that provide recreational enhancements and opportunities for individuals with unique abilities. The department shall conduct a separate grant application process exclusively for such projects. The department shall make the schedule for the grant application process for projects that provide recreational enhancements and opportunities for individuals with unique abilities publicly available and shall award the grants for such projects by December 31, 2016.

2. Notwithstanding subsection (3), a local government may submit up to three grant applications for projects, if at least one of those projects provides recreational enhancements and opportunities for individuals with unique abilities. The maximum project grant for each project application that provides recreational enhancements and opportunities for individuals with unique abilities may not exceed \$500,000 in state funds.

(b) The selection criteria used by the department for grant applications submitted pursuant to this subsection shall prioritize projects that allocate the greatest share of state funds to provide recreational enhancements and opportunities for individuals with unique abilities.

(c) This subsection expires July 1, 2017.

Section 43. In order to implement Specific Appropriation 1534 of the 2016-2017 General Appropriations Act, paragraph (h) is added to subsection (2) of section 380.507, Florida Statutes, to read:

380.507 Powers of the trust.—The trust shall have all the powers necessary or convenient to carry out the purposes and provisions of this part, including:

(2) To undertake, coordinate, or fund activities and projects which will help bring local comprehensive plans into compliance and help implement the goals, objectives, and policies of the conservation, recreation and open space, and coastal elements of local comprehensive plans, or which will otherwise serve to conserve natural resources and resolve land use conflicts, including, but not limited to:

(h) Projects that provide accessibility, availability, or adaptability of conservation or recreation lands for individuals with unique abilities. This paragraph expires July 1, 2017.

Section 44. In order to implement Specific Appropriations 1599, 1599A, 1599B, and 1748 of the 2016-2017 General Appropriations Act, paragraph (d) of subsection (11) of section 216.181, Florida Statutes, is amended to read:

216.181 Approved budgets for operations and fixed capital outlay.—

(11)

(d) Notwithstanding paragraph (b) and paragraph (2)(b), and for the 2016-2017 ~~2015-2016~~ fiscal year only, the Legislative Budget Commission may increase the amounts appropriated to the Fish and Wildlife Conservation Commission or the Department of Environmental Protection for fixed capital outlay projects, including additional fixed capital outlay projects, using funds provided to the state from the Gulf Environmental Benefit Fund administered by the National Fish and Wildlife Foundation; funds provided to the state from the Gulf Coast Restoration Trust Fund related to the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast Act of 2012 (RESTORE Act); or funds provided by the British Petroleum Corporation (BP) for natural resource damage assessment early restoration projects. Concurrent with submission of an amendment to the Legislative Budget Commission pursuant to this paragraph, any project that carries a continuing commitment for future appropriations by the Legislature must be specifically identified, together with the projected amount of the future commitment associated with the project and the fiscal years in which the commitment is expected to commence. This paragraph expires July 1, 2017 ~~2016~~.

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

Section 45. In order to implement specific appropriations from the Water Quality Assurance Trust Fund within the Department of Environmental Protection contained in the 2016-2017 General Appropriations Act, paragraph (b) of subsection (2) of section 206.9935, Florida Statutes, is amended to read:

206.9935 Taxes imposed.—

(2) TAX FOR WATER QUALITY.—

(b) The excise tax shall be the applicable rate as specified in subparagraph 1. per barrel or per unit of pollutant, or equivalent measure as established by the department, produced in or imported into the state. If the unobligated balance of the Water Quality Assurance Trust Fund is or falls below \$3 million, the tax shall be increased to the applicable rates specified in subparagraph 2. and shall remain at said rates until the unobligated balance in the fund exceeds \$5 million, at which time the tax shall be imposed at the rates specified in subparagraph 1. If the unobligated balance of the fund exceeds \$12 million, the levy of the tax shall be discontinued until the unobligated balance of the fund falls below \$5 million, at which time the tax shall be imposed at the rates specified in subparagraph 1. Changes in the tax rates pursuant to this paragraph shall take effect on the first day of the month after 30 days' notification to the Department of Revenue when the unobligated balance of the fund falls below or exceeds a limit set pursuant to this paragraph. The unobligated balance of the Water Quality Assurance Trust Fund as it relates to determination of the applicable excise tax rate shall exclude the unobligated balances of funds of the Dry Cleaning, Operator Certification, and nonagricultural nonpoint source programs, and other required reservations of fund balance. The unobligated balance in the Water Quality Assurance Trust Fund is based upon the current unreserved fund balance, projected revenues, authorized legislative appropriations, and funding for the department's base budget for the subsequent fiscal year. *Revenues for penalties collected pursuant to s. 403.121(11) and all moneys recovered under s. 373.430(7) are exempt from the calculation of the unobligated balance of the Water Quality Assurance Trust Fund.* Determination of the unobligated balance of the Water Quality Assurance Trust Fund shall be performed annually subsequent to the annual legislative appropriations becoming law.

1. As provided in this paragraph, the tax shall be 2.36 cents per gallon of solvents, 1 cent per gallon of motor oil or other lubricants, and 2 cents per barrel of petroleum products, pesticides, ammonia, and chlorine.

2. As provided in this paragraph, the tax shall be 5.9 cents per gallon of solvents, 2.5 cents per gallon of motor oil or other lubricants, 2 cents per barrel of ammonia, and 5 cents per barrel of petroleum products, pesticides, and chlorine.

Section 46. *The amendment made by this act to s. 206.9935(2)(b), Florida Statutes, expires July 1, 2017, and the text of that paragraph shall revert to that in existence on June 30, 2016, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 47. In order to implement Specific Appropriation 1670 of the 2016-2017 General Appropriations Act, subsection (5) of section 403.709, Florida Statutes, is amended to read:

403.709 Solid Waste Management Trust Fund; use of waste tire fees.—There is created the Solid Waste Management Trust Fund, to be administered by the department.

(5)(a) Notwithstanding subsection (1), a solid waste landfill closure account is established within the Solid Waste Management Trust Fund to provide funding for the closing and long-term care of solid waste management facilities. The department may use funds from the account to contract with a third party for the closing and long-term care of a solid waste management facility if:

1. The facility has or had a department permit to operate the facility;
 2. The permittee provided proof of financial assurance for closure in the form of an insurance certificate;
 3. The facility is deemed to be abandoned or was ordered to close by the department;
 4. Closure is accomplished in substantial accordance with a closure plan approved by the department; and
 5. The department has written documentation that the insurance company issuing the closure insurance policy will provide or reimburse the funds required to complete closing and long-term care of the facility.
- (b) The department shall deposit the funds received from the insurance company as reimbursement for the costs of closing or long-term care of the facility into the solid waste landfill closure account.
- (c) This subsection expires July 1, 2017 ~~2016~~.

Section 48. Effective upon becoming a law and in order to implement Specific Appropriation 1674 and section 49 of the 2016-2017 General Appropriations Act, and notwithstanding the expiration of subsection (5) of section 403.7095, Florida Statutes, which occurred on July 1, 2015, that subsection is revived, reenacted, and amended to read:

403.7095 Solid waste management grant program.—

(5) Notwithstanding any other provision of this section, and for the 2015-2016 and 2016-2017 ~~2014-2015~~ fiscal years ~~year~~ only, the Department of Environmental Protection shall award the sum of \$1,500,000 in grants in the 2015-2016 fiscal year and the sum of \$3,750,000 ~~\$3 million~~ in grants in the 2016-2017 fiscal year equally to counties having populations of fewer than 100,000 for waste tire and litter prevention, recycling education, and general solid waste programs. This subsection expires July 1, 2017 ~~2015~~.

Section 49. In order to implement specific appropriations from the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, and the Fish and Wildlife Conservation Commission which are contained in the 2016-2017 General Appropriations Act, subsection (3) of section 215.18, Florida Statutes, is amended to read:

215.18 Transfers between funds; limitation.—

(3) Notwithstanding subsection (1) and only with respect to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission, whenever there is a deficiency in a land acquisition trust fund which would render that trust fund temporarily insufficient to meet its just requirements, including the timely payment of appropriations from that trust fund, and other trust funds in the State Treasury have moneys that are for the time being or otherwise in excess of the amounts necessary to meet the just requirements, including appropriated obligations, of those other trust funds, the Governor may order a temporary transfer of moneys from one or more of the other trust funds to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission. Any action proposed pursuant to this subsection is subject to the notice, review, and objection procedures of s. 216.177, and the Governor shall provide notice of such action at least 7 days before the effective date of the transfer of trust funds, except that during July 2016 ~~2015~~, notice of such action shall be provided at least 3 days before the effective date of a transfer unless such 3-day notice is waived by the chair and vice-chair of the Legislative Budget Commission. Any transfer of trust funds to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission must be repaid to the trust funds from which the moneys were loaned by the end of the 2016-2017 ~~2015-2016~~ fiscal year. The Legislature has determined that the repayment of the other trust fund moneys temporarily loaned to a land acquisition trust fund in the Department of Agriculture and Consumer

Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission pursuant to this subsection is an allowable use of the moneys in a land acquisition trust fund because the moneys from other trust funds temporarily loaned to a land acquisition trust fund shall be expended solely and exclusively in accordance with s. 28, Art. X of the State Constitution. This subsection expires July 1, 2017 ~~2016~~.

Section 50. (1) *In order to implement specific appropriations from the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, and the Fish and Wildlife Conservation Commission which are contained in the 2016-2017 General Appropriations Act, the Department of Environmental Protection shall transfer revenues in the Land Acquisition Trust Fund within the department to the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission, as provided in this section. As used in this section, the term "department" means the Department of Environmental Protection.*

(2) *After subtracting any required debt service payments, the proportionate share of revenues to be transferred to a land acquisition trust fund shall be calculated by dividing the appropriations from each of the land acquisition trust funds for the fiscal year by the total appropriations from the Land Acquisition Trust Fund within the department and the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission for the fiscal year. The department shall transfer a proportionate share of the revenues deposited into the Land Acquisition Trust Fund within the department on a monthly basis to the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission and shall retain a proportionate share of the revenues in the Land Acquisition Trust Fund within the department. Total distributions to a land acquisition trust fund within the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission may not exceed the total appropriations from such trust fund for the fiscal year.*

(3) *This section expires July 1, 2017.*

Section 51. In order to implement Specific Appropriation 1623B of the 2016-2017 General Appropriations Act, subsection (9) of section 376.3071, Florida Statutes, is amended to read:

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

(9) INVESTMENTS; INTEREST.—Moneys in the fund which are not needed currently to meet the obligations of the department in the exercise of its responsibilities under this section and s. 376.3073 shall be deposited with the Chief Financial Officer to the credit of the fund and may be invested in such manner as provided by law. The interest received on such investment shall be credited to the fund. Any provisions of law to the contrary notwithstanding, such interest may be freely transferred between the trust fund and the Water Quality Assurance Trust Fund in the discretion of the department or as authorized in the General Appropriations Act.

Section 52. *The amendment made by this act to s. 376.3071(9), Florida Statutes, expires July 1, 2017, and the text of that subsection shall revert to that in existence on June 30, 2016, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 53. In order to implement Specific Appropriation 2198 of the 2016-2017 General Appropriations Act, subsections (4), (5), and (9) of section 288.047, Florida Statutes, are amended to read:

288.047 Quick-response training for economic development.—

(4)(a)1. *CareerSource Florida, Inc., may approve applications and execute agreements with terms not to exceed 24 months under the Quick-Response Training Program as provided in this section. However, the*

total amount of contractual obligations at any given time may not exceed \$30 million.

2. The total amount of reimbursements approved for payment by CareerSource Florida, Inc., based on actual performance under the grant agreement, may not exceed the amount appropriated to CareerSource Florida, Inc., for such purposes in fiscal year 2016-2017. The department shall transfer funds to CareerSource Florida, Inc., as needed to make reimbursement payments. CareerSource Florida, Inc., may request an advance of the appropriation for the Quick-Response Training Program in an amount sufficient to reimburse estimated claims for the first quarter of fiscal year 2016-2017.

(b) For the first 6 months of each fiscal year, CareerSource Florida, Inc., shall set aside 30 percent of the amount appropriated by the Legislature for the Quick-Response Training Program to fund instructional programs for businesses located in a rural area of opportunity ~~an enterprise zone~~ or brownfield area. Any unencumbered funds remaining ~~undisbursed~~ from this set-aside at the end of the 6-month period may be used to provide funding for a program that qualifies for funding pursuant to this section.

(5) ~~Prior to the allocation of funds for a request made pursuant to this section,~~ CareerSource Florida, Inc., shall prepare a grant agreement ~~with between~~ the business or industry requesting funds, ~~the educational institution receiving funding through the program, and CareerSource Florida, Inc.~~ Such agreement may include an educational institution receiving funding through the program and must include, but is not limited to:

(a) An identification of the personnel necessary to conduct the instructional program, the qualifications of such personnel, and the respective responsibilities of the parties for paying costs associated with the employment of such personnel.

(b) An identification of the estimated length of the instructional program.

(c) An identification of all direct, training-related costs, including tuition and fees, curriculum development, books and classroom materials, and overhead or indirect costs, not to exceed 5 percent of the grant amount.

(d) An identification of special program requirements that are not addressed otherwise in the agreement.

(e) Permission to access information specific to the wages and performance of participants upon the completion of instruction for evaluation purposes. Information which, if released, would disclose the identity of the person to whom the information pertains or disclose the identity of the person's employer is confidential and exempt from ~~the provisions of~~ s. 119.07(1). The agreement must specify that any evaluations published subsequent to the instruction may not identify the employer or any individual participant.

(9) Notwithstanding any other provision of law, ~~eligible~~ matching contributions received ~~during the fiscal year from a business or an industry participating in~~ ~~under this section from~~ the Quick-Response Training Program may be counted toward the private sector support of Enterprise Florida, Inc., under s. 288.904.

Section 54. *The amendments made by this act to s. 288.047(4), (5), and (9), Florida Statutes, expire July 1, 2017, and the text of those subsections shall revert to that in existence on June 30, 2016, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 55. In order to implement Specific Appropriation 1895 of the 2016-2017 General Appropriations Act, paragraph (i) of subsection (4) and paragraph (b) of subsection (5) of section 339.135, Florida Statutes, are amended, and notwithstanding the expiration of paragraph (j) of subsection (4) and paragraph (c) of subsection (5) of that section, which occurred on July 1, 2015, those paragraphs are revived, reenacted, and amended, to read:

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

(4) FUNDING AND DEVELOPING A TENTATIVE WORK PROGRAM.—

(i) Notwithstanding paragraph (a), and for the 2016-2017 ~~2015-2016~~ fiscal year only, the Department of Transportation shall use appropriated funds to support the establishment of a statewide system of interconnected multiuse trails and to pay the costs of planning, land acquisition, design, and construction of such trails and related facilities. Funds specifically appropriated for this purpose may not reduce, delete, or defer any existing projects funded as of July 1, 2016 ~~2015~~, in the department's 5-year work program. This paragraph expires July 1, 2017 ~~2016~~.

(j) Notwithstanding paragraph (a) and for the 2016-2017 ~~2014-2015~~ fiscal year only, the department may use up to \$15 million of appropriated funds to pay the costs of strategic and regionally significant transportation projects. Funds may be used to provide up to 75 percent of project costs for production-ready eligible projects. Preference shall be given to projects that support the state's economic regions, or that have been identified as regionally significant in accordance with s. 339.155(4)(c), (d), and (e), and that have an increased level of nonstate match. This paragraph expires July 1, 2017 ~~2015~~.

(5) ADOPTION OF THE WORK PROGRAM.—

(b) Notwithstanding paragraph (a), and for the 2016-2017 ~~2015-2016~~ fiscal year only, the department shall use appropriated funds to support the establishment of a statewide system of interconnected multiuse trails and to pay the costs of planning, land acquisition, design, and construction of such trails and related facilities. Funds specifically appropriated for this purpose may not reduce, delete, or defer any existing projects funded as of July 1, 2016 ~~2015~~, in the department's 5-year work program. This paragraph expires July 1, 2017 ~~2016~~.

(c) Notwithstanding paragraph (a), and for the 2016-2017 ~~2014-2015~~ fiscal year only, the department may use appropriated funds to pay the costs of strategic and regionally significant transportation projects as provided in paragraph (4)(j). Funds specifically appropriated for this purpose may not reduce, delete, or defer any existing projects funded as of July 1, 2016 ~~2014~~, in the department's 5-year work program. This paragraph expires July 1, 2017 ~~2015~~.

Section 56. In order to implement Specific Appropriation 1890 of the 2016-2017 General Appropriations Act, subsection (2) of section 339.2818, Florida Statutes, is amended to read:

339.2818 Small County Outreach Program.—

(2)(a) For the purposes of this section, the term "small county" means any county that has a population of 150,000 or less as determined by the most recent official estimate pursuant to s. 186.901.

(b) Notwithstanding paragraph (a), for the 2016-2017 ~~2015-2016~~ fiscal year, for purposes of this section, the term "small county" means any county that has a population of 170,000 ~~165,000~~ or less as determined by the most recent official estimate pursuant to s. 186.901. This paragraph expires July 1, 2017 ~~2016~~.

Section 57. In order to implement Specific Appropriation 1874 of the 2016-2017 General Appropriations Act, subsection (10) of section 341.302, Florida Statutes, is reenacted to read:

341.302 Rail program; duties and responsibilities of the department.—The department, in conjunction with other governmental entities, including the rail enterprise and the private sector, shall develop and implement a rail program of statewide application designed to ensure the proper maintenance, safety, revitalization, and expansion of the rail system to assure its continued and increased availability to respond to statewide mobility needs. Within the resources provided pursuant to chapter 216, and as authorized under federal law, the department shall:

(10)(a) Administer rail operating and construction programs, which programs shall include the regulation of maximum train operating speeds, the opening and closing of public grade crossings, the construction and rehabilitation of public grade crossings, the installation of traffic control devices at public grade crossings, the approval and implementation of quiet zones, and administration of the programs by the department, including participation in the cost of the programs.

(b) Provide grant funding to assist with the implementation of quiet zones that have been approved by the department, which funding may not exceed 50 percent of the nonfederal and nonprivate share of the total costs of any quiet zone capital improvement project.

(c) Coordinate and work closely with local, state, and federal agencies to provide technical support to local agencies for the development of quiet zone plans.

(d) Monitor crossing incidents at approved quiet zone locations and suspend the operation of a quiet zone at any time the department determines that a significant deterioration in safety is resulting from quiet zone implementation.

Section 58. *The amendment to s. 341.302(10), Florida Statutes, as carried forward by this act from chapter 2014-53, Laws of Florida, expires July 1, 2017, and the text of that subsection shall revert to that in existence on June 30, 2014, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 59. In order to implement Specific Appropriation 1889 of the 2016-2017 General Appropriations Act, subsection (3) of section 339.2816, Florida Statutes, is amended to read:

339.2816 Small County Road Assistance Program.—

(3) *In the 2016-2017 fiscal year ~~Beginning with fiscal year 1999-2000 until fiscal year 2009-2010, and beginning again with fiscal year 2012-2013,~~ up to \$50 ~~\$25~~ million annually from the State Transportation Trust Fund may be used for the purposes of funding the Small County Road Assistance Program as described in this section.*

Section 60. *The amendment made by this act to s. 339.2816(3), Florida Statutes, expires July 1, 2017, and the text of that subsection shall revert to that in existence on June 30, 2015, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 61. In order to implement Specific Appropriation 2224 of the 2016-2017 General Appropriations Act, subsection (10) of section 420.9072, Florida Statutes, is amended to read:

420.9072 State Housing Initiatives Partnership Program.—The State Housing Initiatives Partnership Program is created for the purpose of providing funds to counties and eligible municipalities as an incentive for the creation of local housing partnerships, to expand production of and preserve affordable housing, to further the housing element of the local government comprehensive plan specific to affordable housing, and to increase housing-related employment.

(10) Notwithstanding ss. 420.9071(26) and 420.9075(5) and subsection (7), for the 2016-2017 ~~2015-2016~~ fiscal year:

(a) The term “rent subsidies” means ongoing monthly rental assistance.

(b) Up to 25 percent of the funds made available in each county and each eligible municipality from the local housing distribution may be used for rental assistance and rent subsidies as provided in paragraph (c).

(c) A county or an eligible municipality may expend its portion of the local housing distribution to provide the following types of rental assistance and rent subsidies:

1. Security and utility deposit assistance.
2. Eviction prevention subsidies not to exceed 6 months’ rent.
3. Rent subsidies for very-low-income households with at least one adult who is a person with special needs as defined in s. 420.0004 or a person who is homeless as defined in s. 420.621 when the person initially qualified for a rent subsidy. The period of rental subsidy may not exceed 12 months for any eligible household or person.

(d) This subsection expires July 1, 2017 ~~2016~~.

Section 62. In order to implement Specific Appropriation 2223 of the 2016-2017 General Appropriations Act, subsection (10) of section 420.5087, Florida Statutes, is amended to read:

420.5087 State Apartment Incentive Loan Program.—There is hereby created the State Apartment Incentive Loan Program for the purpose of providing first, second, or other subordinated mortgage loans or loan guarantees to sponsors, including for-profit, nonprofit, and public entities, to provide housing affordable to very-low-income persons.

(10)(a) Notwithstanding subsection (3), for the 2016-2017 ~~2015-2016~~ fiscal year, the reservation of funds for the tenant groups within each notice of fund availability shall be:

1. Not less than 10 percent of the funds available at that time for the following tenant groups:

- a. Families;
- b. Persons who are homeless;
- c. Persons with special needs; and
- d. Elderly persons.

2. Not less than 5 percent of the funds available at that time for the commercial fishing workers and farmworkers tenant group.

(b) *Notwithstanding the provisions of this section which require program funds be used for housing for very-low-income persons and the provisions of subparagraph (6)(c)4. which require that specified percentages of the units in a project be reserved for persons or families of specified income levels, for the 2016-2017 fiscal year, the corporation shall issue a notice of fund availability for \$20 million for loans for the construction of workforce housing to serve primarily low-income persons, as defined in s. 420.0004.*

(c) This subsection expires July 1, 2017 ~~2016~~.

Section 63. In order to implement Specific Appropriation 1856 of the 2016-2017 General Appropriations Act, subsection (30) is added to section 427.013, Florida Statutes, to read:

427.013 The Commission for the Transportation Disadvantaged; purpose and responsibilities.—The purpose of the commission is to accomplish the coordination of transportation services provided to the transportation disadvantaged. The goal of this coordination is to assure the cost-effective provision of transportation by qualified community transportation coordinators or transportation operators for the transportation disadvantaged without any bias or presumption in favor of multioperator systems or not-for-profit transportation operators over single operator systems or for-profit transportation operators. In carrying out this purpose, the commission shall:

(30) *For the 2016-2017 fiscal year and notwithstanding any other provision of this section:*

(a) *Allocate, from funds provided in the General Appropriations Act, to community transportation coordinators who do not receive Urbanized Area Formula funds pursuant to 49 U.S.C. s. 5307 to provide transportation services for persons with disabilities, older adults, and low-income persons so they may access health care, employment, education, and other life-sustaining activities. Funds allocated for this purpose shall be distributed among community transportation coordinators based upon the Transportation Disadvantaged Trip and Equipment allocation methodology established by the commission.*

(b) *Award, from funds provided in the General Appropriations Act, competitive grants to community transportation coordinators to address unique transportation challenges of persons with disabilities, older adults, and low-income persons seeking to obtain or maintain employment; to allow residents of inner-city, urban, or rural neighborhoods to access jobs; and to provide transportation services for persons who work late at night or on weekends when conventional transit services are reduced or unavailable.*

(c) Award, from funds provided in the General Appropriations Act, competitive grants to community transportation coordinators to support transportation projects to:

1. Enhance access to health care, shopping, education, employment, public services, and recreation;
2. Assist in the development, improvement, and use of transportation systems in nonurbanized areas;
3. Promote the efficient coordination of services;
4. Support inner-city bus transportation; and
5. Encourage private transportation providers to participate.

(d) This subsection expires July 1, 2017.

Section 64. In order to implement the salaries and benefits, expenses, other personal services, contracted services, special categories, and operating capital outlay categories of the 2016-2017 General Appropriations Act, paragraph (a) of subsection (2) of section 216.292, Florida Statutes, is reenacted to read:

216.292 Appropriations nontransferable; exceptions.—

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

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

1. Between categories of appropriations within a budget entity, if no category of appropriation is increased or decreased by more than 5 percent of the original approved budget or \$250,000, whichever is greater, by all action taken under this subsection.
2. Between budget entities within identical categories of appropriations, if no category of appropriation is increased or decreased by more than 5 percent of the original approved budget or \$250,000, whichever is greater, by all action taken under this subsection.
3. Any agency exceeding salary rate established pursuant to s. 216.181(8) on June 30th of any fiscal year shall not be authorized to make transfers pursuant to subparagraphs 1. and 2. in the subsequent fiscal year.
4. Notice of proposed transfers under subparagraphs 1. and 2. shall be provided to the Executive Office of the Governor and the chairs of the legislative appropriations committees at least 3 days prior to agency implementation in order to provide an opportunity for review.

Section 65. *The amendment to s. 216.292(2)(a), Florida Statutes, as carried forward by this act from chapter 2014-53, Laws of Florida, expires July 1, 2017, and the text of that paragraph shall revert to that in existence on June 30, 2014, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 66. *In order to implement the appropriation of funds in the contracted services and expenses categories of the 2016-2017 General Appropriations Act, a state agency may not initiate a competitive solicitation for a product or service if the completion of such competitive solicitation would:*

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

This section does not apply to a competitive solicitation for which the agency head certifies that a valid emergency exists. This section expires July 1, 2017.

Section 67. *In order to implement the appropriation of funds in the appropriation category "Special Categories-Risk Management Insurance" in the 2016-2017 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in that category between departments in order to align the budget authority granted with the premiums paid by each department for risk management insurance. This section expires July 1, 2017.*

Section 68. *In order to implement the appropriation of funds in the appropriation category "Special Categories-Transfer to Department of Management Services-Human Resources Services Purchased per State-wide Contract" in the 2016-2017 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in that category between departments in order to align the budget authority granted with the assessments that must be paid by each agency to the Department of Management Services for human resource management services. This section expires July 1, 2017.*

Section 69. In order to implement appropriations for salaries and benefits in the 2016-2017 General Appropriations Act, subsection (6) of section 112.24, Florida Statutes, is amended to read:

112.24 Intergovernmental interchange of public employees.—To encourage economical and effective utilization of public employees in this state, the temporary assignment of employees among agencies of government, both state and local, and including school districts and public institutions of higher education is authorized under terms and conditions set forth in this section. State agencies, municipalities, and political subdivisions are authorized to enter into employee interchange agreements with other state agencies, the Federal Government, another state, a municipality, or a political subdivision including a school district, or with a public institution of higher education. State agencies are also authorized to enter into employee interchange agreements with private institutions of higher education and other nonprofit organizations under the terms and conditions provided in this section. In addition, the Governor or the Governor and Cabinet may enter into employee interchange agreements with a state agency, the Federal Government, another state, a municipality, or a political subdivision including a school district, or with a public institution of higher learning to fill, subject to the requirements of chapter 20, appointive offices which are within the executive branch of government and which are filled by appointment by the Governor or the Governor and Cabinet. Under no circumstances shall employee interchange agreements be utilized for the purpose of assigning individuals to participate in political campaigns. Duties and responsibilities of interchange employees shall be limited to the mission and goals of the agencies of government.

(6) For the 2016-2017 ~~2015-2016~~ fiscal year only, the assignment of an employee of a state agency as provided in this section may be made if recommended by the Governor or Chief Justice, as appropriate, and approved by the chairs of the legislative appropriations committees. Such actions shall be deemed approved if neither chair provides written notice of objection within 14 days after receiving notice of the action pursuant to s. 216.177. This subsection expires July 1, 2017 ~~2016~~.

Section 70. *In order to implement Specific Appropriations 2652 and 2653 of the 2016-2017 General Appropriations Act and notwithstanding s. 11.13(1), Florida Statutes, the authorized salaries for members of the Legislature for the 2016-2017 fiscal year shall be set at the same level in effect on July 1, 2010. This section expires July 1, 2017.*

Section 71. In order to implement the transfer of funds to the General Revenue Fund from trust funds in the 2016-2017 General Appropriations Act, paragraph (b) of subsection (2) of section 215.32, Florida Statutes, is reenacted to read:

215.32 State funds; segregation.—

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

(b)1. The trust funds shall consist of moneys received by the state which under law or under trust agreement are segregated for a purpose

authorized by law. The state agency or branch of state government receiving or collecting such moneys is responsible for their proper expenditure as provided by law. Upon the request of the state agency or branch of state government responsible for the administration of the trust fund, the Chief Financial Officer may establish accounts within the trust fund at a level considered necessary for proper accountability. Once an account is established, the Chief Financial Officer may authorize payment from that account only upon determining that there is sufficient cash and releases at the level of the account.

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

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

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

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

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

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

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

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

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

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

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

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

nizations, or other governmental units; and other trust funds authorized by the State Constitution.

Section 72. *The amendment to s. 215.32(2)(b), Florida Statutes, as carried forward by this act from chapter 2011-47, Laws of Florida, expires July 1, 2017, and the text of that paragraph shall revert to that in existence on June 30, 2011, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 73. *In order to implement the issuance of new debt authorized in the 2016-2017 General Appropriations Act, and pursuant to s. 215.98, Florida Statutes, the Legislature determines that the authorization and issuance of debt for the 2016-2017 fiscal year should be implemented and is in the best interest of the state. This section expires July 1, 2017.*

Section 74. *In order to implement appropriations in the 2016-2017 General Appropriations Act for state employee travel, the funds appropriated to each state agency which may be used for travel by state employees shall be limited during the 2016-2017 fiscal year to travel for activities that are critical to each state agency's mission. Funds may not be used for travel by state employees to foreign countries, other states, conferences, staff training activities, or other administrative functions unless the agency head has approved, in writing, that such activities are critical to the agency's mission. The agency head shall consider using teleconferencing and other forms of electronic communication to meet the needs of the proposed activity before approving mission-critical travel. This section does not apply to travel for law enforcement purposes, military purposes, emergency management activities, or public health activities. This section expires July 1, 2017.*

Section 75. *In order to implement Specific Appropriations 2892 through 2913 of the 2016-2017 General Appropriations Act, funded from the data processing appropriation category for computing services of user agencies, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated for data processing in the 2016-2017 General Appropriations Act between agencies in order to align the budget authority granted with the utilization rate of each department. This section expires July 1, 2017.*

Section 76. *In order to implement the appropriation of funds in the appropriation category "Data Processing Services-State Data Center-Agency for State Technology (AST)" in the 2016-2017 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in that category between departments in order to align the budget authority granted based on the estimated billing cycle and methodology used by the Agency for State Technology for data processing services provided by the State Data Center. This section expires July 1, 2017.*

Section 77. *In order to implement appropriations authorized in the 2016-2017 General Appropriations Act for data center services, and notwithstanding s. 216.292(2)(a), Florida Statutes, except as authorized in sections 75 and 76 of this act, an agency may not transfer funds from a data processing category to a category other than another data processing category. This section expires July 1, 2017.*

Section 78. *In order to implement Specific Appropriation 2826 of the 2016-2017 General Appropriations Act, the Executive Office of the Governor may transfer funds appropriated in the appropriation category "Expenses" of the 2016-2017 General Appropriations Act between agencies in order to allocate a reduction relating to SUNCOM Network services. This section expires July 1, 2017.*

Section 79. In order to implement section 8 of the 2016-2017 General Appropriations Act, section 110.12315, Florida Statutes, is re-enacted to read:

110.12315 Prescription drug program.—The state employees' prescription drug program is established. This program shall be administered by the Department of Management Services, according to the terms and conditions of the plan as established by the relevant provisions of the annual General Appropriations Act and implementing legislation, subject to the following conditions:

(1) The department shall allow prescriptions written by health care providers under the plan to be filled by any licensed pharmacy pursuant to contractual claims-processing provisions. Nothing in this section may be construed as prohibiting a mail order prescription drug program distinct from the service provided by retail pharmacies.

(2) In providing for reimbursement of pharmacies for prescription medicines dispensed to members of the state group health insurance plan and their dependents under the state employees' prescription drug program:

(a) Retail pharmacies participating in the program must be reimbursed at a uniform rate and subject to uniform conditions, according to the terms and conditions of the plan.

(b) There shall be a 30-day supply limit for prescription card purchases, a 90-day supply limit for maintenance prescription drug purchases, and a 90-day supply limit for mail order or mail order prescription drug purchases.

(c) The pharmacy dispensing fee shall be negotiated by the department.

(3) Pharmacy reimbursement rates shall be as follows:

(a) For mail order and specialty pharmacies contracting with the department, reimbursement rates shall be as established in the contract.

(b) For retail pharmacies, the reimbursement rate shall be at the same rate as mail order pharmacies under contract with the department.

(4) The department shall maintain the preferred brand name drug list to be used in the administration of the state employees' prescription drug program.

(5) The department shall maintain a list of maintenance drugs.

(a) Preferred provider organization health plan members may have prescriptions for maintenance drugs filled up to three times as a 30-day supply through a retail pharmacy; thereafter, prescriptions for the same maintenance drug must be filled as a 90-day supply either through the department's contracted mail order pharmacy or through a retail pharmacy.

(b) Health maintenance organization health plan members may have prescriptions for maintenance drugs filled as a 90-day supply either through a mail order pharmacy or through a retail pharmacy.

(6) Copayments made by health plan members for a 90-day supply through a retail pharmacy shall be the same as copayments made for a 90-day supply through the department's contracted mail order pharmacy.

(7) The department shall establish the reimbursement schedule for prescription pharmaceuticals dispensed under the program. Reimbursement rates for a prescription pharmaceutical must be based on the cost of the generic equivalent drug if a generic equivalent exists, unless the physician prescribing the pharmaceutical clearly states on the prescription that the brand name drug is medically necessary or that the drug product is included on the formulary of drug products that may not be interchanged as provided in chapter 465, in which case reimbursement must be based on the cost of the brand name drug as specified in the reimbursement schedule adopted by the department.

(8) The department shall conduct a prescription utilization review program. In order to participate in the state employees' prescription drug program, retail pharmacies dispensing prescription medicines to members of the state group health insurance plan or their covered dependents, or to subscribers or covered dependents of a health maintenance organization plan under the state group insurance program, shall make their records available for this review.

(9) The department shall implement such additional cost-saving measures and adjustments as may be required to balance program funding within appropriations provided, including a trial or starter dose program and dispensing of long-term-maintenance medication in lieu of acute therapy medication.

(10) Participating pharmacies must use a point-of-sale device or an online computer system to verify a participant's eligibility for coverage. The state is not liable for reimbursement of a participating pharmacy for dispensing prescription drugs to any person whose current eligibility for coverage has not been verified by the state's contracted administrator or by the department.

(11) Under the state employees' prescription drug program copayments must be made as follows:

(a) Effective January 1, 2013, for the State Group Health Insurance Standard Plan:

- 1. For generic drug with card \$7.
- 2. For preferred brand name drug with card \$30.
- 3. For nonpreferred brand name drug with card \$50.
- 4. For generic mail order drug \$14.
- 5. For preferred brand name mail order drug \$60.
- 6. For nonpreferred brand name mail order drug \$100.

(b) Effective January 1, 2006, for the State Group Health Insurance High Deductible Plan:

- 1. Retail coinsurance for generic drug with card 30%.
- 2. Retail coinsurance for preferred brand name drug with card 30%.
- 3. Retail coinsurance for nonpreferred brand name drug with card 50%.
- 4. Mail order coinsurance for generic drug 30%.
- 5. Mail order coinsurance for preferred brand name drug 30%.
- 6. Mail order coinsurance for nonpreferred brand name drug 50%.

(c) The department shall create a preferred brand name drug list to be used in the administration of the state employees' prescription drug program.

Section 80. (1) *The amendment to s. 110.12315(2)(b), Florida Statutes, as carried forward by this act from chapter 2014-53, Laws of Florida, expires July 1, 2017, and the text of that paragraph shall revert to that in existence on June 30, 2012, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

(2) *The amendments to s. 110.12315(2)(c) and (3)-(6), Florida Statutes, as carried forward by this act from chapter 2014-53, Laws of Florida, expire July 1, 2017, and the text of that paragraph and the text and numbering of those subsections shall revert to those in existence on June 30, 2014, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

(3) *The amendment to s. 110.12315(7), Florida Statutes, as carried forward by this act from chapter 2014-53, Laws of Florida, expires July 1, 2017, and the text of that subsection shall revert to that in existence on December 31, 2010, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 81. *Any section of this act which implements a specific appropriation or specifically identified proviso language in the 2016-2017 General Appropriations Act is void if the specific appropriation or specifically identified proviso language is vetoed. Any section of this act which implements more than one specific appropriation or more than one portion of specifically identified proviso language in the 2016-2017*

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

Section 82. *If any other act passed during the 2016 Regular Session contains a provision that is substantively the same as a provision in this act, but that removes or is otherwise not subject to the future repeal applied to such provision by this act, the Legislature intends that the provision in the other act takes precedence and continues to operate, notwithstanding the future repeal provided by this act.*

Section 83. *If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.*

Section 84. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2016.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act implementing the 2016-2017 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program; providing that funds for instructional materials must be released and expended as required in specified proviso language; specifying the required ad valorem tax millage contribution by certain district school boards for certain funded construction projects; amending s. 1011.62, F.S.; revising the method for allocating funds for exceptional student education programs; extending by 1 fiscal year the requirement that specified school districts use certain funds toward additional intensive reading instruction; specifying the method for determining the 300 lowest-performing elementary schools; requiring categorical funds for supplemental academic instruction to be provided for in the Florida Education Finance Program; specifying the method of determining the allocation of categorical funding; providing for the recalculation of categorical funding; requiring an allocation to be prorated if certain conditions exist; revising the computation of the district sparsity index for districts that meet certain criteria; deleting obsolete language; creating a federally connected student supplement for school districts; specifying eligibility requirements and calculations for allocations of the supplement; conforming cross-references; amending s. 1011.71, F.S.; conforming a cross-reference; providing for the future expiration and reversion of specified statutory text; amending s. 1004.935, F.S.; extending the date by which the Adults with Disabilities Workforce Education Pilot Program may operate; providing for the future expiration and reversion of specified statutory text; amending s. 1013.74, F.S.; authorizing a university board of trustees to expend certain reserve or carry forward balances from a prior year for specified capital outlay projects if certain conditions are met; amending s. 1001.92, F.S.; revising requirements for the performance-based metrics adopted by the Board of Governors of the State University System for purposes of the State University System Performance-Based Incentive; requiring the Board of Governors to establish eligibility thresholds to determine a state university's eligibility to receive performance funding; creating s. 1001.66, F.S.; requiring a Florida College System Performance-Based Incentive to be awarded to Florida College System institutions using certain performance-based metrics and benchmarks adopted by the State Board of Education; specifying allocation of the funds; requiring the State Board of Education to establish eligibility thresholds to determine an institution's eligibility to receive performance funding; requiring certain funds to be withheld from, and certain improvement plans to be submitted to the State Board of Education by, institutions based on specified performance; specifying monitoring and reporting requirements for improvement plans; requiring the Commissioner of Education to withhold disbursement of specified funds until certain conditions are met; specifying requirements regarding the distribution of funds; requiring the State Board of Education to report to the Governor and the Legislature regarding the performance funding allocation; amending s. 1012.75, F.S.; extending by 1 fiscal year provisions authorizing the Department of Education to administer an educator liability insurance program; creating s. 1001.67, F.S.; establishing the Distinguished Florida College System institution program; specifying the excellence standards for purposes of the program; prescribing minimum criteria for an institution to receive a distinguished college designation; specifying that designated institutions are eligible for

funding as provided in the General Appropriations Act; amending s. 1001.7065, F.S., and reenacting subsection (1), relating to the preeminent state research universities program; revising academic and research excellence standards for the preeminent state research universities program; requiring the Board of Governors to designate a state university that meets certain criteria as an "emerging preeminent state research university"; revising provisions governing the award of funds to a designated preeminent state research university; requiring an emerging preeminent state research university to submit a benchmark plan to the board; specifying the method of determining funding amounts; deleting a provision establishing the Preeminent State Research University Enhancement Initiative; removing authority for a state research university to establish special course requirements; providing for the future expiration and reversion of specified statutory text; authorizing the Agency for Health Care Administration to submit a budget amendment to realign funding based upon a specified model, methodology, and framework; specifying requirements for such realignment; requiring the Agency for Persons with Disabilities to offer enrollment in the Medicaid home and community-based waiver to certain individuals; specifying criteria for enrollment prioritization; requiring an individual to be allowed to receive home and community-based services if his or her parent or legal guardian is an active-duty servicemember transferred to this state under certain circumstances; providing that individuals remaining on the wait list are not entitled to a hearing in accordance with federal law or an administrative proceeding under state law; specifying the requirements that apply to the iBudgets of clients on the home and community-based services waiver until the Agency for Persons with Disabilities adopts a new allocation algorithm and methodology by final rule; providing for application of the new allocation algorithm and methodology after adoption of the final rule; providing requirements for an increase in iBudget funding allocations; amending s. 296.37, F.S.; extending for 1 fiscal year the requirement that certain residents of a veterans' nursing home contribute to their maintenance and support; requiring the Agency for Health Care Administration to ensure that nursing facility residents who are eligible for funds to transition to home and community-based services waivers have resided in a skilled nursing facility for a specified period; requiring the Agency for Health Care Administration and the Department of Elderly Affairs to prioritize individuals for enrollment in the Medicaid Long-Term Care Waiver program using a certain frailty-based screening; authorizing the Agency for Health Care Administration to adopt rules and enter into certain interagency agreements with respect to program enrollment; authorizing the delegation of certain responsibilities with respect to program enrollment; authorizing the Agency for Health Care Administration, in consultation with the Department of Health, to submit a budget amendment to reflect certain enrollment changes within the Children's Medical Services Network; authorizing the agency to submit a request for nonoperating budget authority to transfer federal funds to the Department of Health under certain circumstances; incorporating by reference certain calculations of the Medicaid Low-Income Pool, Disproportionate Share Hospital, and hospital reimbursement programs for the 2016-2017 fiscal year; amending s. 893.055, F.S.; extending for 1 fiscal year the authority of the Department of Health to use certain funds to administer the prescription drug monitoring program; prohibiting the use of funds received from a settlement agreement to administer the program; amending s. 216.262, F.S.; extending for 1 fiscal year the authority of the Department of Corrections to submit a budget amendment for additional positions and appropriations under certain circumstances; authorizing the Department of Legal Affairs to expend certain appropriated funds on programs that were funded by the department from specific appropriations in general appropriations acts in previous years; amending s. 932.7055, F.S.; extending for 1 fiscal year the authority for a municipality to expend funds from its special law enforcement trust fund to reimburse its general fund for certain moneys; amending s. 215.18, F.S.; extending for 1 fiscal year the authority and related repayment requirements for trust fund loans to the state court system which are sufficient to meet the system's appropriation; prohibiting the Department of Corrections from transferring funds from a salaries and benefits category to another category unless approved by the Legislative Budget Commission; requiring the Department of Juvenile Justice to review county juvenile detention payments to determine if the county has met specified financial responsibilities; requiring amounts owed by the county for such financial responsibilities to be deducted from certain county funds; requiring the Department of Revenue to ensure that such deductions do not reduce distributions below amounts necessary for certain payments relating to bonds; requiring the Department of Revenue to notify the

Department of Juvenile Justice if bond payment requirements require a reduction in deductions for amounts owed by a county; amending s. 27.5304, F.S.; revising certain limitations on compensation for private court-appointed counsel; providing for the future expiration and reversion of specified statutory text; amending s. 28.36, F.S.; prescribing procedures regarding the distribution of funds appropriated in the General Appropriations Act for the clerks of the court for the 2015-2016 and the 2016-2017 county fiscal years; specifying the manner in which funds must be released; requiring the Department of Management Services to use tenant broker services to renegotiate or reprocur private lease agreements for office or storage space; requiring the Department of Management Services to provide a report to the Governor and the Legislature by a specified date; reenacting s. 624.502, F.S., relating to the deposit of fees for service of process made upon the Chief Financial Officer or the Director of the Office of Insurance Regulation into the Administrative Trust Fund; providing for the future expiration and reversion of specified statutory text; reenacting s. 282.709(2)(a), F.S., relating to the creation and membership of the Joint Task Force on State Agency Law Enforcement Communications; providing for the future expiration and reversion of specified statutory text; specifying the amount of the transaction fee to be collected for use of the online procurement system; amending s. 259.105, F.S.; revising the distribution of certain proceeds from cash payments or bonds issued pursuant to the Florida Forever Act for the 2016-2017 fiscal year; requiring that a minimum allocation of funds for the Florida Communities Trust be applied toward projects acquiring conservation or recreation lands to enhance recreational opportunities for individuals with unique abilities; authorizing such funds to be used toward redevelopment and renewal projects if certain conditions are met; amending s. 375.075, F.S.; requiring that a minimum amount of funds for the Florida Recreation Development Assistance Program be used toward projects providing recreational enhancements and opportunities for individuals with unique abilities; requiring the Department of Environmental Protection to award grants by a specified date; revising the limitation on the number of grant applications a local government may submit; requiring the department to prioritize certain projects; amending s. 380.507, F.S.; revising the powers of the Florida Communities Trust to authorize the undertaking, coordination, and funding of projects that provide accessibility, availability, or adaptability of conservation or recreation lands for individuals with unique abilities; amending s. 216.181, F.S.; extending by 1 fiscal year the authority for the Legislative Budget Commission to increase amounts appropriated to the Fish and Wildlife Conservation Commission or the Department of Environmental Protection for certain fixed capital outlay projects; amending s. 206.9935, F.S.; exempting specified revenues from the calculation of the unobligated balance of the Water Quality Assurance Trust Fund; providing for the future expiration and reversion of specified statutory text; amending s. 403.709, F.S.; extending by 1 fiscal year provisions governing the establishment of a solid waste landfill closure account within the Solid Waste Management Trust Fund; reviving, reenacting, and amending s. 403.7095(5), F.S.; requiring the Department of Environmental Protection to award a certain sum of grant funds for specified solid waste management programs to counties that meet certain criteria; amending s. 215.18, F.S.; extending by 1 fiscal year the authority for the Governor to transfer funds from other trust funds in the State Treasury as a temporary loan to certain land acquisition trust funds with a deficit; requiring the Department of Environmental Protection to transfer revenues deposited in the Land Acquisition Trust Fund within the department to land acquisition trust funds in the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission according to specified parameters and calculations; defining the term “department”; requiring the department to retain a proportionate share of revenues; specifying a limit on distributions; amending s. 376.3071, F.S.; specifying that earned interest may be transferred between the Inland Protection Trust Fund and the Water Quality Assurance Trust Fund as authorized by the General Appropriations Act; providing for the future expiration and reversion of specified statutory text; amending s. 288.047, F.S.; specifying requirements and limitations with respect to the approval of applications, the execution of agreements, and reimbursement amounts under the Quick-Response Training Program; requiring the Department of Economic Opportunity to transfer funds to CareerSource Florida, Inc., if certain conditions exist; authorizing CareerSource Florida, Inc., to request an advance of the appropriation for the program; requiring CareerSource Florida, Inc., to set aside a specified percent of a certain appropriation to fund instructional programs for businesses located in a rural area of opportunity under certain cir-

cumstances; authorizing, rather than requiring, an educational institution receiving program funding to be included in the grant agreement prepared by CareerSource Florida, Inc.; authorizing certain matching contributions to be counted toward the private sector support of Enterprise Florida, Inc.; providing for the future expiration and reversion of specified statutory text; amending s. 339.135, F.S., and reviving, reenacting, and amending paragraphs (4)(j) and (5)(c); extending by 1 fiscal year provisions requiring the Department of Transportation to use appropriated funds for purposes related to the establishment of a multiuse trail system; authorizing the department to use up to a certain amount of appropriated funds for strategic and regionally significant transportation projects; amending s. 339.2818, F.S.; redefining the term “small county” for purposes of the Small County Outreach Program; reenacting s. 341.302(10), F.S., relating to the Department of Transportation’s duties and responsibilities for the rail program; providing for the future expiration and reversion of specified statutory text; amending s. 339.2816, F.S.; specifying the amount of funding from the State Transportation Trust Fund that may be used for the Small County Road Assistance Program for the 2016-2017 fiscal year; providing for the future expiration and reversion of specified statutory text; amending s. 420.9072, F.S.; extending by 1 fiscal year provisions authorizing each county and eligible municipality to use its portion of the local housing distribution for certain purposes; amending s. 420.5087, F.S.; extending by 1 fiscal year provisions specifying the reservation of funds for the tenant groups within each notice of fund availability with respect to the State Apartment Incentive Loan Program; requiring the Florida Housing Finance Corporation to issue a notice of fund availability for loans to be used for certain purposes; amending s. 427.013, F.S.; requiring the Commission for the Transportation Disadvantaged to allocate and award appropriated funds for specified purposes; reenacting s. 216.292(2)(a), F.S., relating to exceptions for nontransferable appropriations; providing for the future expiration and reversion of specified statutory text; prohibiting a state agency from initiating a competitive solicitation for a product or service under certain circumstances; providing an exception; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management premiums and for human resource management services; amending s. 112.24, F.S.; extending by 1 fiscal year the authorization, subject to specified requirements, for the assignment of an employee of a state agency under an employee interchange agreement; providing that the annual salaries of the members of the Legislature shall be maintained at a specified level; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds; providing for the future expiration and reversion of specified statutory text; providing a legislative determination that the issuance of new debt is in the best interests of the state; limiting the use of travel funds to activities that are critical to an agency’s mission; providing exceptions; authorizing the Executive Office of the Governor to transfer funds appropriated for data processing between agencies for a specified purpose; authorizing the Executive Office of the Governor to transfer funds appropriated for certain data processing services between departments for a specified purpose; prohibiting an agency from transferring funds from a data processing category to another category that is not a data processing category; authorizing the Executive Office of the Governor to transfer certain funds between agencies in order to allocate a reduction relating to SUNCOM Network services; reenacting s. 110.12315, F.S., relating to the state employees’ prescription drug program; providing for the future expiration and reversion of specified statutory text; providing for the effect of a veto of one or more specific appropriations or proviso to which implementing language refers; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing for severability; providing effective dates.

On motion by Senator Lee, by two-thirds vote, **HB 5003**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Braynon	Flores
Abruzzo	Bullard	Gaetz
Altman	Clemens	Galvano
Bean	Dean	Garcia
Benacquisto	Detert	Gibson
Bradley	Diaz de la Portilla	Grimsley
Brandes	Evers	Hays

Hukill	Montford	Simpson
Hutson	Negron	Smith
Joyner	Richter	Sobel
Latvala	Ring	Soto
Lee	Sachs	Stargel
Margolis	Simmons	Thompson

Nays—None

Vote after roll call:

Yea—Legg

DISCLOSURE

I have an ownership interest in Caregivers Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **SB 2500/HB 5001**, **SB 2502/HB 5003**, and **SB 2508/HB 5101** which come before the Senate for a vote on February 11, 2016.

Therefore, I believe that, because Caregivers Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

Senator Don Gaetz, 1st District

MOTION

On motion by Senator Lee, the Senate having refused to pass **HB 5003** as passed by the House, acceded to the request for a conference committee.

On motion by Senator Lee, by two-thirds vote, **HB 5003** was ordered immediately certified to the House.

SB 2504—A bill to be entitled An act relating to state employees; providing for the resolution of collective bargaining issues at impasse between the state and certified bargaining units of state employees; providing an effective date.

—was read the third time by title.

Pending further consideration of **SB 2504**—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed **HB 5007** and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Bob Ward, Clerk

By Appropriations Committee and Representative(s) Corcoran—

HB 5007—A bill to be entitled An act relating to collective bargaining; providing for the resolution of collective bargaining issues at impasse between the State of Florida and certified bargaining units for state employees pursuant to specified instructions; providing an effective date.

—was referred to the Committee on Appropriations.

Pursuant to Rule 3.11(3), there being no objection, **HB 5007** was withdrawn from the Committee on Appropriations.

On motion by Senator Lee, the rules were waived and—

HB 5007—A bill to be entitled An act relating to collective bargaining; providing for the resolution of collective bargaining issues at impasse between the State of Florida and certified bargaining units for state employees pursuant to specified instructions; providing an effective date.

—a companion measure, was substituted for **SB 2504**, and by two-thirds vote, read the second time by title.

Senator Lee moved the following amendment which was adopted:

Amendment 1 (592002) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *All collective bargaining issues for which negotiations have reached an impasse for the 2016-2017 fiscal year between the state and the legal representatives of the certified bargaining units for state employees shall be resolved pursuant to the instructions provided in the General Appropriations Act and the relevant provisions of any legislation enacted to implement the General Appropriations Act for the 2016-2017 fiscal year.*

Section 2. This act shall take effect July 1, 2016.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to state employees; providing for the resolution of collective bargaining issues at impasse between the state and certified bargaining units of state employees; providing an effective date.

On motion by Senator Lee, by two-thirds vote, **HB 5007**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Margolis
Abruzzo	Gaetz	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Bradley	Gibson	Ring
Brandes	Grimsley	Sachs
Braynon	Hays	Simmons
Bullard	Hukill	Simpson
Clemens	Hutson	Smith
Dean	Joyner	Sobel
Detert	Latvala	Soto
Diaz de la Portilla	Lee	Stargel
Evers	Legg	Thompson

Nays—None

Vote after roll call:

Yea—Benacquisto

MOTION

On motion by Senator Lee, the Senate having refused to pass **HB 5007** as passed by the House, acceded to the request for a conference committee.

On motion by Senator Lee, by two-thirds vote, **HB 5007** was ordered immediately certified to the House.

SB 7042—A bill to be entitled An act relating to state-administered retirement systems; amending s. 121.4501, F.S.; correcting a reference to the trust fund to which certain employer assessments are transferred; amending s. 121.71, F.S.; revising required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System; amending s. 121.74, F.S.; revising the employer assessment rate for offsetting administrative and educational costs related to the Florida Retirement System; providing a declaration of important state interest; providing an effective date.

—was read the third time by title.

Pending further consideration of **SB 7042**—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 5005 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Bob Ward, Clerk

By Appropriations Committee and Representative(s) Corcoran—

HB 5005—A bill to be entitled An act relating to state-administered retirement systems; amending s. 121.71, F.S.; revising the required employer retirement contribution rates for members of certain membership classes and subclasses of the Florida Retirement System; amending s. 121.74, F.S.; revising employer assessment to offset the costs of administering the investment plan and providing educational services; providing a finding of important state interest; providing an effective date.

—was referred to the Committee on Appropriations.

Pursuant to Rule 3.11(3), there being no objection, **HB 5005** was withdrawn from the Committee on Appropriations.

On motion by Senator Ring, by two-thirds vote—

HB 5005—A bill to be entitled An act relating to state-administered retirement systems; amending s. 121.71, F.S.; revising the required employer retirement contribution rates for members of certain membership classes and subclasses of the Florida Retirement System; amending s. 121.74, F.S.; revising employer assessment to offset the costs of administering the investment plan and providing educational services; providing a finding of important state interest; providing an effective date.

—a companion measure, was substituted for **SB 7042**, and by two-thirds vote, read the second time by title.

Senator Ring moved the following amendment which was adopted:

Amendment 1 (709216) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (c) of subsection (5) of section 121.4501, Florida Statutes, is amended to read:

121.4501 Florida Retirement System Investment Plan.—

(5) CONTRIBUTIONS.—

(c) The state board, acting as plan fiduciary, must ensure that all plan assets are held in a trust, pursuant to s. 401 of the Internal Revenue Code. The fiduciary must ensure that such contributions are allocated as follows:

1. The employer and employee contribution portion earmarked for member accounts shall be used to purchase interests in the appropriate investment vehicles as specified by the member, or in accordance with paragraph (4)(d).

2. The employer contribution portion earmarked for administrative and educational expenses shall be transferred to the *state board's Administrative Florida Retirement System Investment Plan* Trust Fund.

3. The employer contribution portion earmarked for disability benefits shall be transferred to the Florida Retirement System Trust Fund.

Section 2. Subsections (4) and (5) of section 121.71, Florida Statutes, are amended to read:

121.71 Uniform rates; process; calculations; levy.—

(4) Required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System for both retirement plans are as follows:

Membership Class	Percentage of Gross Compensation, Effective July 1, 2016 2015
Regular Class	2.97% 2.91%
Special Risk Class	11.35%
Special Risk Administrative Support Class	3.87% 3.71%
Elected Officers' Class—Legislators, Governor, Lt. Governor, Cabinet Officers, State Attorneys, Public Defenders	6.63% 6.48%
Elected Officers' Class—Justices, Judges	11.68% 11.30%
Elected Officers' Class—County Elected Officers	8.55% 8.48%
Senior Management Class	4.38% 4.32%
DROP	4.17% 4.10%

(5) In order to address unfunded actuarial liabilities of the system, the required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System for both retirement plans are as follows:

Membership Class	Percentage of Gross Compensation, Effective July 1, 2016 2015
Regular Class	2.83% 2.65%
Special Risk Class	8.92% 8.99%
Special Risk Administrative Support Class	22.47% 27.54%
Elected Officers' Class—Legislators, Governor, Lt. Governor, Cabinet Officers, State Attorneys, Public Defenders	33.75% 37.62%
Elected Officers' Class—Justices, Judges	23.30% 22.62%
Elected Officers' Class—County Elected Officers	32.20% 32.00%
Senior Management Service Class	15.67% 15.41%
DROP	7.10% 7.12%

Section 3. Section 121.74, Florida Statutes, is amended to read:

121.74 Administrative and educational expenses.—In addition to contributions required to fund member accounts under ss. 121.71 and 121.73, effective July 1, 2010, through June 30, 2014, employers participating in the Florida Retirement System shall contribute an employer assessment amount equal to 0.03 percent of the payroll reported for each class or subclass of Florida Retirement System membership. Effective July 1, 2014, the employer assessment is 0.04 percent of the payroll reported for each class or subclass of membership. *Effective July 1, 2016, the employer assessment is 0.06 percent of the payroll reported for each class or subclass of membership.* The amount assessed shall be transferred by the Division of Retirement from the Florida Retirement System Contributions Clearing Trust Fund to the State Board of Administration's Administrative Trust Fund to offset the costs of administering the investment plan and the costs of providing educational services to members of the Florida Retirement System. Approval of the trustees is required before the expenditure of these funds. Payments for

third-party administrative or educational expenses shall be made only pursuant to the terms of the approved contracts for such services.

Section 4. *The Legislature finds that a proper and legitimate state interest is served when employees, officers, and retirees of the state and its political subdivisions, and the dependents, survivors, and beneficiaries of such employees, officers, and retirees, are extended the basic protections afforded by governmental retirement systems. These persons must be provided benefits that are fair and adequate and that are managed, administered, and funded in an actuarially sound manner, as required by s. 14, Article X of the State Constitution and part VII of chapter 112, Florida Statutes. Therefore, the Legislature determines and declares that this act fulfills an important state interest.*

Section 5. This act shall take effect July 1, 2016.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to state-administered retirement systems; amending s. 121.4501, F.S.; correcting a reference to the trust fund to which certain employer assessments are transferred; amending s. 121.71, F.S.; revising required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System; amending s. 121.74, F.S.; revising the employer assessment rate for offsetting administrative and educational costs related to the Florida Retirement System; providing a declaration of important state interest; providing an effective date.

On motion by Senator Ring, by two-thirds vote, **HB 5005**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

MOTION

On motion by Senator Ring, the Senate having refused to pass **HB 5005** as passed by the House, acceded to the request for a conference committee.

On motion by Senator Ring, by two-thirds vote, **HB 5005** was ordered immediately certified to the House.

SB 2508—A bill to be entitled An act relating to health care services; amending s. 322.143, F.S.; providing an exception to the prohibition against a private entity swiping an individual’s driver license or identification card for certain entities for certain purposes; amending s. 395.602, F.S.; including specified hospitals in the definition of “rural hospital”; amending s. 409.285, F.S.; requiring appeals related to Medicaid programs directly administered by the Agency for Health Care Administration to be directed to the agency; providing requirements for appeals directed to the agency; providing an exemption from the uniform rules of procedure and from a requirement that certain proceedings be heard before an administrative law judge for specified hearings; requiring the agency to seek federal approval of its authority to oversee appeals; providing that appeals related to Medicaid programs administered by the Agency for Persons with Disabilities are subject to

that agency’s hearing rights process; amending s. 409.811, F.S.; defining the term “lawfully residing child”; deleting the definition of the term “qualified alien”; conforming provisions to changes made by the act; amending s. 409.814, F.S.; revising eligibility for the Florida Kidcare program to conform to changes made by the act; clarifying that undocumented immigrants are excluded from eligibility; amending s. 409.904, F.S.; providing eligibility for optional payments for medical assistance and related services for certain lawfully residing children; clarifying that undocumented immigrants are excluded from eligibility for optional Medicaid payments or related services; amending s. 409.905, F.S.; deleting the limitation on the number of hospital emergency department visits that may be paid for by the Agency for Health Care Administration for certain recipients; amending s. 409.906, F.S.; directing the agency to seek federal approval to provide temporary housing assistance for certain persons; creating s. 409.9064, F.S.; directing the agency to seek federal approval to provide home and community-based services for individuals diagnosed with Phelan-McDermid Syndrome; providing a method for determining financial eligibility for Medicaid benefits in certain circumstances; amending s. 409.907, F.S.; authorizing the agency to certify that a Medicaid provider is out of business; creating s. 409.9072, F.S.; directing the agency to pay private schools and charter schools that are Medicaid providers for specified school-based services under certain parameters; authorizing the agency to review a school that has applied to the program for capability requirements; providing a reimbursement schedule; providing for a waiver of agency and school confidentiality under certain circumstances; amending s. 409.908, F.S.; revising the list of provider types that are subject to certain statutory provisions relating to the establishment of rates; amending s. 409.909; adding psychiatry to a list of primary care specialties under the Statewide Medicaid Residency Program; amending s. 409.911, F.S.; updating the fiscal year for determining each hospital’s Medicaid days and charity care; providing an exception for the distribution of moneys to certain hospitals for the 2016-2017 state fiscal year; amending ss. 409.9113, 409.9115, and 409.9119, F.S.; providing an exception for the distribution of moneys to certain hospitals for the 2016-2017 state fiscal year; amending s. 409.9128, F.S.; conforming provisions to changes made by the act; amending s. 409.967, F.S.; defining the term “Medicaid rate” for the purpose of determining specified managed care plan payments for emergency services in compliance with federal law; requiring annual publication of fee schedules on the agency’s website; amending s. 409.968, F.S.; directing the agency to establish a payment methodology for managed care plans providing housing assistance to specified persons; amending s. 409.975, F.S.; providing for the determination of applicable Medicaid rates for emergency services; defining the term “essential provider”; deleting requirements relating to contracted rates between managed care plans and hospitals; conforming provisions to changes made by the act; amending s. 624.91, F.S.; conforming provisions to changes made by the act; amending s. 641.513, F.S.; specifying parameters for payments by a health maintenance organization to a noncontracted provider of emergency services under certain circumstances; conforming provisions to changes made by the act; authorizing a Program of All-Inclusive Care for the Elderly organization granted certain enrollee slots for frail elders residing in Broward County to also use the slots for enrollees residing in Miami-Dade County; authorizing the agency to contract with an organization in Escambia County to provide services under the federal Program of All-Inclusive Care for the Elderly in specified areas; exempting the organization from ch. 641, F.S., relating to health care service programs; authorizing enrollment slots for the program in such areas, subject to appropriation; providing effective dates.

—was read the third time by title.

Pending further consideration of **SB 2508**—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 5101 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Bob Ward, Clerk

By Health Care Appropriations Subcommittee and Representative(s) Hudson—

HB 5101—A bill to be entitled An act relating to Medicaid; amending s. 409.285, F.S.; providing procedures for appeals by applicants for public assistance based on the agency administering the Medicaid program; providing responsibilities of the Agency for Health Care Administration as the hearing authority for certain appeals; authorizing the agency to adopt rules; exempting the rules from certain time requirements under certain conditions; exempting certain agency hearings relating to the Medicaid program from uniform rules of procedure that require such hearings to be conducted by an administrative law judge; amending s. 409.905, F.S.; revising the methodology for establishing reimbursement rates for outpatient hospital services; amending s. 409.909, F.S.; revising the definition of the term "Medicaid payments" to include payments for certain outpatient services; amending chapter 2012-33, Laws of Florida; requiring a Program of All-Inclusive Care for the Elderly (PACE) organization in Broward County to serve frail elders in Miami-Dade County; repealing ss. 409.911, 409.9113, 409.9118, and 409.9119, F.S., relating to the disproportionate share program; amending ss. 409.908, 409.9115, 409.9116, 1009.66, and 1009.67, F.S.; conforming references and cross-references to changes made by the act; providing an effective date.

—was referred to the Committee on Appropriations.

Pursuant to Rule 3.11(3), there being no objection, **HB 5101** was withdrawn from the Committee on Appropriations.

On motion by Senator Garcia, the rules were waived and—

HB 5101—A bill to be entitled An act relating to Medicaid; amending s. 409.285, F.S.; providing procedures for appeals by applicants for public assistance based on the agency administering the Medicaid program; providing responsibilities of the Agency for Health Care Administration as the hearing authority for certain appeals; authorizing the agency to adopt rules; exempting the rules from certain time requirements under certain conditions; exempting certain agency hearings relating to the Medicaid program from uniform rules of procedure that require such hearings to be conducted by an administrative law judge; amending s. 409.905, F.S.; revising the methodology for establishing reimbursement rates for outpatient hospital services; amending s. 409.909, F.S.; revising the definition of the term "Medicaid payments" to include payments for certain outpatient services; amending chapter 2012-33, Laws of Florida; requiring a Program of All-Inclusive Care for the Elderly (PACE) organization in Broward County to serve frail elders in Miami-Dade County; repealing ss. 409.911, 409.9113, 409.9118, and 409.9119, F.S., relating to the disproportionate share program; amending ss. 409.908, 409.9115, 409.9116, 1009.66, and 1009.67, F.S.; conforming references and cross-references to changes made by the act; providing an effective date.

—a companion measure, was substituted for **SB 2508**, and by two-thirds vote, read the second time by title.

Senator Garcia moved the following amendment which was adopted:

Amendment 1 (390464) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (2) of section 322.143, Florida Statutes, is amended and subsection (10) is added to that section, to read:

322.143 Use of a driver license or identification card.—

(2) Except as provided in *subsections (6) and (10)* ~~subsection (6)~~, a private entity may not swipe an individual's driver license or identification card, except for the following purposes:

(a) To verify the authenticity of a driver license or identification card or to verify the identity of the individual if the individual pays for a good or service with a method other than cash, returns an item, or requests a refund.

(b) To verify the individual's age when providing an age-restricted good or service.

(c) To prevent fraud or other criminal activity if an individual returns an item or requests a refund and the private entity uses a fraud prevention service company or system.

(d) To transmit information to a check services company for the purpose of approving negotiable instruments, electronic funds transfers, or similar methods of payment.

(e) To comply with a legal requirement to record, retain, or transmit the driver license information.

(10) *To combat health care fraud, the Department of Highway Safety and Motor Vehicles shall provide photographic access, pursuant to a written agreement, with hospitals, insurance companies, or their software providers, for the purpose of verifying a patient's identity or Medicaid eligibility by swiping an individual's driver license or identification card.*

Section 2. Paragraph (e) of subsection (2) of section 395.602, Florida Statutes, is amended to read:

395.602 Rural hospitals.—

(2) DEFINITIONS.—As used in this part, the term:

(e) "Rural hospital" means an acute care hospital licensed under this chapter, having 100 or fewer licensed beds and an emergency room, which is:

1. The sole provider within a county with a population density of up to 100 persons per square mile;

2. An acute care hospital, in a county with a population density of up to 100 persons per square mile, which is at least 30 minutes of travel time, on normally traveled roads under normal traffic conditions, from any other acute care hospital within the same county;

3. A hospital supported by a tax district or subdistrict whose boundaries encompass a population of up to 100 persons per square mile;

4. *A hospital classified as a sole community hospital under 42 C.F.R. s. 412.92 which has up to 175 licensed beds.*

5. ~~4.~~ A hospital with a service area that has a population of up to 100 persons per square mile. As used in this subparagraph, the term "service area" means the fewest number of zip codes that account for 75 percent of the hospital's discharges for the most recent 5-year period, based on information available from the hospital inpatient discharge database in the Florida Center for Health Information and Policy Analysis at the agency; or

6. ~~5.~~ A hospital designated as a critical access hospital, as defined in s. 408.07.

Population densities used in this paragraph must be based upon the most recently completed United States census. A hospital that received funds under s. 409.9116 for a quarter beginning no later than July 1, 2002, is deemed to have been and shall continue to be a rural hospital from that date through June 30, 2021, if the hospital continues to have up to 100 licensed beds and an emergency room. An acute care hospital that has not previously been designated as a rural hospital and that meets the criteria of this paragraph shall be granted such designation upon application, including supporting documentation, to the agency. A hospital that was licensed as a rural hospital during the 2010-2011 or 2011-2012 fiscal year shall continue to be a rural hospital from the date of designation through June 30, 2021, if the hospital continues to have up to 100 licensed beds and an emergency room.

Section 3. Section 409.285, Florida Statutes, is amended to read:

409.285 Opportunity for hearing and appeal.—

(1) If an application for public assistance is not acted upon within a reasonable time after the filing of the application, or is denied in whole or in part, or if an assistance payment is modified or canceled, the applicant or recipient may appeal the decision to the Department of Children and Families in the manner and form prescribed by the department.

(a)(2) The hearing authority may be the Secretary of Children and Families, a panel of department officials, or a hearing officer appointed for that purpose. The hearing authority is responsible for a final administrative decision in the name of the department on all issues that have been the subject of a hearing. With regard to the department, the decision of the hearing authority is final and binding. The department is responsible for seeing that the decision is carried out promptly.

(b)(3) The department may adopt rules to administer this ~~subsection~~ ~~section~~. Rules for the Temporary Assistance for Needy Families block grant programs must be similar to the federal requirements for Medicaid programs.

(2) Appeals related to Medicaid programs directly administered by the Agency for Health Care Administration, including appeals related to Florida's Statewide Medicaid Managed Care program and associated federal waivers, must be directed to the Agency for Health Care Administration in the manner and form prescribed by the agency.

(a) The hearing authority for appeals heard by the Agency for Health Care Administration may be the secretary of the agency, a panel of agency officials, or a hearing officer appointed for that purpose. The hearing authority is responsible for a final administrative decision in the name of the agency on all issues that have been the subject of a hearing. A decision of the hearing authority is final and binding on the agency. The agency is responsible for seeing that the decision is promptly carried out.

(b) Notwithstanding ss. 120.569 and 120.57, hearings conducted by the Agency for Health Care Administration pursuant to this subsection are exempt from the uniform rules of procedure under s. 120.54(5) and do not need to be conducted by an administrative law judge assigned by the Division of Administrative Hearings.

(c) The Agency for Health Care Administration shall seek federal approval necessary to implement this subsection and may adopt rules necessary to administer this subsection.

(3) Appeals related to Medicaid programs administered by the Agency for Persons with Disabilities are subject to s. 393.125.

Section 4. Present subsections (17) through (22) of section 409.811, Florida Statutes, are redesignated as subsections (18) through (23), respectively, a new subsection (17) is added to that section, and present subsections (23) and (24) of that section are amended, to read:

409.811 Definitions relating to Florida Kidcare Act.—As used in ss. 409.810-409.821, the term:

(17) "Lawfully residing child" means a child who is lawfully present in the United States, meets Medicaid or Children's Health Insurance Program (CHIP) residency requirements, and may be eligible for medical assistance with federal financial participation as provided under s. 214 of the Children's Health Insurance Program Reauthorization Act of 2009, Pub. L. No. 111-3, and related federal regulations.

~~(23) "Qualified alien" means an alien as defined in s. 431 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, as amended, Pub. L. No. 104-193.~~

(24) "Resident" means a United States citizen, or lawfully residing child ~~qualified alien~~, who is domiciled in this state.

Section 5. Paragraph (c) of subsection (4) of section 409.814, Florida Statutes, is amended to read:

409.814 Eligibility.—A child who has not reached 19 years of age whose family income is equal to or below 200 percent of the federal poverty level is eligible for the Florida Kidcare program as provided in this section. If an enrolled individual is determined to be ineligible for coverage, he or she must be immediately disenrolled from the respective Florida Kidcare program component.

(4) The following children are not eligible to receive Title XXI-funded premium assistance for health benefits coverage under the Florida Kidcare program, except under Medicaid if the child would have been eligible for Medicaid under s. 409.903 or s. 409.904 as of June 1, 1997:

(c) A child who is an alien, but who does not meet the definition of a lawfully residing child ~~qualified alien, in the United States. This~~

~~paragraph does not extend eligibility for the Florida Kidcare program to an undocumented immigrant.~~

Section 6. Present subsections (8) and (9) of section 409.904, Florida Statutes, are redesignated as subsections (9) and (10), respectively, and a new subsection (8) is added to that section, to read:

409.904 Optional payments for eligible persons.—The agency may make payments for medical assistance and related services on behalf of the following persons who are determined to be eligible subject to the income, assets, and categorical eligibility tests set forth in federal and state law. Payment on behalf of these Medicaid eligible persons is subject to the availability of moneys and any limitations established by the General Appropriations Act or chapter 216.

(8) A child who has not attained 19 years of age and who, notwithstanding s. 414.095(3), would be eligible for Medicaid under s. 409.903, except that the child is a lawfully residing child as defined in s. 409.811. This subsection does not extend eligibility for optional Medicaid payments or related services to an undocumented immigrant.

Section 7. Subsection (5) of section 409.905, Florida Statutes, is amended to read:

409.905 Mandatory Medicaid services.—The agency may make payments for the following services, which are required of the state by Title XIX of the Social Security Act, furnished by Medicaid providers to recipients who are determined to be eligible on the dates on which the services were provided. Any service under this section shall be provided only when medically necessary and in accordance with state and federal law. Mandatory services rendered by providers in mobile units to Medicaid recipients may be restricted by the agency. Nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, number of services, or any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216.

(5) HOSPITAL INPATIENT SERVICES.—The agency shall pay for all covered services provided for the medical care and treatment of a recipient who is admitted as an inpatient by a licensed physician or dentist to a hospital licensed under part I of chapter 395. However, the agency shall limit the payment for inpatient hospital services for a Medicaid recipient 21 years of age or older to 45 days or the number of days necessary to comply with the General Appropriations Act. ~~Effective August 1, 2012, the agency shall limit payment for hospital emergency department visits for a nonpregnant Medicaid recipient 21 years of age or older to six visits per fiscal year.~~

(a) The agency may implement reimbursement and utilization management reforms in order to comply with any limitations or directions in the General Appropriations Act, which may include, but are not limited to: prior authorization for inpatient psychiatric days; prior authorization for nonemergency hospital inpatient admissions for individuals 21 years of age and older; authorization of emergency and urgent-care admissions within 24 hours after admission; enhanced utilization and concurrent review programs for highly utilized services; reduction or elimination of covered days of service; adjusting reimbursement ceilings for variable costs; adjusting reimbursement ceilings for fixed and property costs; and implementing target rates of increase. The agency may limit prior authorization for hospital inpatient services to selected diagnosis-related groups, based on an analysis of the cost and potential for unnecessary hospitalizations represented by certain diagnoses. Admissions for normal delivery and newborns are exempt from requirements for prior authorization. In implementing the provisions of this section related to prior authorization, the agency shall ensure that the process for authorization is accessible 24 hours per day, 7 days per week and authorization is automatically granted when not denied within 4 hours after the request. Authorization procedures must include steps for review of denials. Upon implementing the prior authorization program for hospital inpatient services, the agency shall discontinue its hospital retrospective review program.

(b) A licensed hospital maintained primarily for the care and treatment of patients having mental disorders or mental diseases is not eligible to participate in the hospital inpatient portion of the Medicaid program except as provided in federal law. However, the department shall apply for a waiver, within 9 months after June 5, 1991, designed to

provide hospitalization services for mental health reasons to children and adults in the most cost-effective and lowest cost setting possible. Such waiver shall include a request for the opportunity to pay for care in hospitals known under federal law as “institutions for mental disease” or “IMD’s.” The waiver proposal shall propose no additional aggregate cost to the state or Federal Government, and shall be conducted in Hillsborough County, Highlands County, Hardee County, Manatee County, and Polk County. The waiver proposal may incorporate competitive bidding for hospital services, comprehensive brokering, prepaid capitated arrangements, or other mechanisms deemed by the department to show promise in reducing the cost of acute care and increasing the effectiveness of preventive care. When developing the waiver proposal, the department shall take into account price, quality, accessibility, linkages of the hospital to community services and family support programs, plans of the hospital to ensure the earliest discharge possible, and the comprehensiveness of the mental health and other health care services offered by participating providers.

(c) The agency shall implement a prospective payment methodology for establishing reimbursement rates for inpatient hospital services. Rates shall be calculated annually and take effect July 1 of each year. The methodology shall categorize each inpatient admission into a diagnosis-related group and assign a relative payment weight to the base rate according to the average relative amount of hospital resources used to treat a patient in a specific diagnosis-related group category. The agency may adopt the most recent relative weights calculated and made available by the Nationwide Inpatient Sample maintained by the Agency for Healthcare Research and Quality or may adopt alternative weights if the agency finds that Florida-specific weights deviate with statistical significance from national weights for high-volume diagnosis-related groups. The agency shall establish a single, uniform base rate for all hospitals unless specifically exempt pursuant to s. 409.908(1).

1. Adjustments may not be made to the rates after October 31 of the state fiscal year in which the rates take effect, except for cases of insufficient collections of intergovernmental transfers authorized under s. 409.908(1) or the General Appropriations Act. In such cases, the agency shall submit a budget amendment or amendments under chapter 216 requesting approval of rate reductions by amounts necessary for the aggregate reduction to equal the dollar amount of intergovernmental transfers not collected and the corresponding federal match. Notwithstanding the \$1 million limitation on increases to an approved operating budget contained in ss. 216.181(11) and 216.292(3), a budget amendment exceeding that dollar amount is subject to notice and objection procedures set forth in s. 216.177.

2. Errors in source data or calculations discovered after October 31 must be reconciled in a subsequent rate period. However, the agency may not make any adjustment to a hospital’s reimbursement more than 5 years after a hospital is notified of an audited rate established by the agency. The prohibition against adjustments more than 5 years after notification is remedial and applies to actions by providers involving Medicaid claims for hospital services. Hospital reimbursement is subject to such limits or ceilings as may be established in law or described in the agency’s hospital reimbursement plan. Specific exemptions to the limits or ceilings may be provided in the General Appropriations Act.

(d) The agency shall implement a comprehensive utilization management program for hospital neonatal intensive care stays in certain high-volume participating hospitals, select counties, or statewide, and replace existing hospital inpatient utilization management programs for neonatal intensive care admissions. The program shall be designed to manage appropriate admissions and discharges for children being treated in neonatal intensive care units and must seek medically appropriate discharge to the child’s home or other less costly treatment setting. The agency may competitively bid a contract for the selection of a qualified organization to provide neonatal intensive care utilization management services. The agency may seek federal waivers to implement this initiative.

(e) The agency may develop and implement a program to reduce the number of hospital readmissions among the non-Medicare population eligible in areas 9, 10, and 11.

Section 8. Paragraph (e) is added to subsection (13) of section 409.906, Florida Statutes, to read:

409.906 Optional Medicaid services.—Subject to specific appropriations, the agency may make payments for services which are optional to the state under Title XIX of the Social Security Act and are furnished by Medicaid providers to recipients who are determined to be eligible on the dates on which the services were provided. Any optional service that is provided shall be provided only when medically necessary and in accordance with state and federal law. Optional services rendered by providers in mobile units to Medicaid recipients may be restricted or prohibited by the agency. Nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216. If necessary to safeguard the state’s systems of providing services to elderly and disabled persons and subject to the notice and review provisions of s. 216.177, the Governor may direct the Agency for Health Care Administration to amend the Medicaid state plan to delete the optional Medicaid service known as “Intermediate Care Facilities for the Developmentally Disabled.” Optional services may include:

(13) HOME AND COMMUNITY-BASED SERVICES.—

(e) *The agency shall seek federal approval to pay for flexible services for persons with severe mental illness or substance abuse disorders, including, but not limited to, temporary housing assistance. Payments may be made as enhanced capitation rates or incentive payments to managed care plans that meet the requirements of s. 409.968(4).*

Section 9. Section 409.9064, Florida Statutes, is created to read:

409.9064 Medicaid Services for Individuals with Phelan-McDermid Syndrome.—The agency shall seek federal approval of a Section 1915(i) state plan option for home and community-based services for individuals diagnosed with Phelan-McDermid Syndrome. Financial eligibility for Medicaid benefits under this plan option will be determined in the same manner as the home and community-based services waiver for persons with developmental disabilities.

Section 10. Present subsection (12) of section 409.907, Florida Statutes, is redesignated as subsection (13), and a new subsection (12) is added to that subsection, to read:

409.907 Medicaid provider agreements.—The agency may make payments for medical assistance and related services rendered to Medicaid recipients only to an individual or entity who has a provider agreement in effect with the agency, who is performing services or supplying goods in accordance with federal, state, and local law, and who agrees that no person shall, on the grounds of handicap, race, color, or national origin, or for any other reason, be subjected to discrimination under any program or activity for which the provider receives payment from the agency.

(12) *In accordance with 42 C.F.R. s. 433.318(d)(2)(ii), the agency may certify that a provider is out of business and that any overpayments made to the provider cannot be collected under state law.*

Section 11. Section 409.9072, Florida Statutes, is created to read:

409.9072 Medicaid provider agreements for charter schools and private schools.—

(1) *Subject to a specific appropriation by the Legislature, the agency shall reimburse private schools as defined in s. 1002.01 and schools designated as charter schools under s. 1002.33 which are Medicaid providers for school-based services pursuant to the rehabilitative services option provided under 42 U.S.C. s. 1396d(a)(13) to children younger than 21 years of age with specified disabilities who are eligible for both Medicaid and part B or part H of the Individuals with Disabilities Education Act (IDEA) or the exceptional student education program, or who have an individualized educational plan.*

(2) *Schools that wish to enroll as Medicaid providers and receive Medicaid reimbursement under this section must apply to the agency for a provider agreement and must agree to:*

(a) *Verify Medicaid eligibility. The agency shall work cooperatively with a private school or a charter school that is a Medicaid provider to facilitate the school’s verification of Medicaid eligibility.*

(b) Develop and maintain the financial and individual education plan records needed to document the appropriate use of state and federal Medicaid funds.

(c) Comply with all state and federal Medicaid laws, rules, regulations, and policies, including, but not limited to, those related to the confidentiality of records and freedom of choice of providers.

(d) Be responsible for reimbursing the cost of any state or federal disallowance that results from failure to comply with state or federal Medicaid laws, rules, or regulations.

(3) The types of school-based services for which schools may be reimbursed under this section are those included in s. 1011.70(1). Private schools and charter schools may not be reimbursed by the agency for providing services that are excluded by that subsection.

(4) Within 90 days after a private school or a charter school applies to enroll as a Medicaid provider under this section, the agency may conduct a review to ensure that the school has the capability to comply with its responsibilities under subsection (2). A finding by the agency that the school has the capability to comply does not relieve the school of its responsibility to correct any deficiencies or to reimburse the cost of the state or federal disallowances identified pursuant to any subsequent state or federal audits.

(5) For reimbursements to private schools and charter schools under this section, the agency shall apply the reimbursement schedule developed under s. 409.9071(5). Health care practitioners engaged by a school to provide services under this section must be enrolled as Medicaid providers and meet the qualifications specified under 42 C.F.R. s. 440.110, as applicable. Each school's continued participation in providing Medicaid services under this section is contingent upon the school providing to the agency an annual accounting of how the Medicaid reimbursements are used.

(6) For Medicaid provider agreements issued under this section, the agency's and the school's confidentiality is waived in relation to the state's efforts to control Medicaid fraud. The agency and the school shall provide any information or documents relating to this section to the Medicaid Fraud Control Unit in the Department of Legal Affairs, upon request, pursuant to the Attorney General's authority under s. 409.920.

Section 12. Effective July 1, 2017, paragraph (c) of subsection (23) of section 409.908, Florida Statutes, is amended to read:

409.908 Reimbursement of Medicaid providers.—Subject to specific appropriations, the agency shall reimburse Medicaid providers, in accordance with state and federal law, according to methodologies set forth in the rules of the agency and in policy manuals and handbooks incorporated by reference therein. These methodologies may include fee schedules, reimbursement methods based on cost reporting, negotiated fees, competitive bidding pursuant to s. 287.057, and other mechanisms the agency considers efficient and effective for purchasing services or goods on behalf of recipients. If a provider is reimbursed based on cost reporting and submits a cost report late and that cost report would have been used to set a lower reimbursement rate for a rate semester, then the provider's rate for that semester shall be retroactively calculated using the new cost report, and full payment at the recalculated rate shall be effected retroactively. Medicare-granted extensions for filing cost reports, if applicable, shall also apply to Medicaid cost reports. Payment for Medicaid compensable services made on behalf of Medicaid eligible persons is subject to the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216. Further, nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act, provided the adjustment is consistent with legislative intent.

(23)

(c) This subsection applies to the following provider types:

1. Inpatient hospitals.
2. Outpatient hospitals.

~~3. Nursing homes.~~

3.4. County health departments.

4.5. Prepaid health plans.

Section 13. Paragraph (a) of subsection (2) of section 409.909, Florida Statutes, is amended to read:

409.909 Statewide Medicaid Residency Program.—

(2) On or before September 15 of each year, the agency shall calculate an allocation fraction to be used for distributing funds to participating hospitals. On or before the final business day of each quarter of a state fiscal year, the agency shall distribute to each participating hospital one-fourth of that hospital's annual allocation calculated under subsection (4). The allocation fraction for each participating hospital is based on the hospital's number of full-time equivalent residents and the amount of its Medicaid payments. As used in this section, the term:

(a) "Full-time equivalent," or "FTE," means a resident who is in his or her residency period, with the initial residency period defined as the minimum number of years of training required before the resident may become eligible for board certification by the American Osteopathic Association Bureau of Osteopathic Specialists or the American Board of Medical Specialties in the specialty in which he or she first began training, not to exceed 5 years. The residency specialty is defined as reported using the current residency type codes in the Intern and Resident Information System (IRIS), required by Medicare. A resident training beyond the initial residency period is counted as 0.5 FTE, unless his or her chosen specialty is in primary care, in which case the resident is counted as 1.0 FTE. For the purposes of this section, primary care specialties include:

1. Family medicine;
2. General internal medicine;
3. General pediatrics;
4. Preventive medicine;
5. Geriatric medicine;
6. Osteopathic general practice;
7. Obstetrics and gynecology;
8. Emergency medicine; ~~and~~
9. General surgery; *and*
10. Psychiatry.

Section 14. Paragraph (a) of subsection (2) of section 409.911, Florida Statutes, is amended, and subsection (10) is added to that section, to read:

409.911 Disproportionate share program.—Subject to specific allocations established within the General Appropriations Act and any limitations established pursuant to chapter 216, the agency shall distribute, pursuant to this section, moneys to hospitals providing a disproportionate share of Medicaid or charity care services by making quarterly Medicaid payments as required. Notwithstanding the provisions of s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for hospitals serving a disproportionate share of low-income patients.

(2) The Agency for Health Care Administration shall use the following actual audited data to determine the Medicaid days and charity care to be used in calculating the disproportionate share payment:

(a) The average of the 2007, 2008, and 2009 audited disproportionate share data to determine each hospital's Medicaid days and charity care for the 2016-2017 ~~2015-2016~~ state fiscal year.

(10) Notwithstanding the provisions of this section to the contrary, for the 2016-2017 state fiscal year, the agency shall distribute moneys to hospitals providing a disproportionate share of Medicaid or charity care services as provided in the 2016-2017 General Appropriations Act.

Section 15. Subsection (3) is added to section 409.9113, Florida Statutes, to read:

409.9113 Disproportionate share program for teaching hospitals.—In addition to the payments made under s. 409.911, the agency shall make disproportionate share payments to teaching hospitals, as defined in s. 408.07, for their increased costs associated with medical education programs and for tertiary health care services provided to the indigent. This system of payments must conform to federal requirements and distribute funds in each fiscal year for which an appropriation is made by making quarterly Medicaid payments. Notwithstanding s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for hospitals serving a disproportionate share of low-income patients. The agency shall distribute the moneys provided in the General Appropriations Act to statutorily defined teaching hospitals and family practice teaching hospitals, as defined in s. 395.805, pursuant to this section. The funds provided for statutorily defined teaching hospitals shall be distributed as provided in the General Appropriations Act. The funds provided for family practice teaching hospitals shall be distributed equally among family practice teaching hospitals.

(3) *Notwithstanding the provisions of this section to the contrary, for the 2016-2017 state fiscal year, the agency shall make disproportionate share payments to teaching hospitals, as defined in s. 408.07, as provided in the 2016-2017 General Appropriations Act.*

Section 16. Subsection (3) is added to section 409.9115, Florida Statutes, to read:

409.9115 Disproportionate share program for mental health hospitals.—The Agency for Health Care Administration shall design and implement a system of making mental health disproportionate share payments to hospitals that qualify for disproportionate share payments under s. 409.911. This system of payments shall conform with federal requirements and shall distribute funds in each fiscal year for which an appropriation is made by making quarterly Medicaid payments. Notwithstanding s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for patients.

(3) *Notwithstanding the provisions of this section to the contrary, for the 2016-2017 state fiscal year, for hospitals that qualify under subsection (2), the agency shall distribute funds for the disproportionate share program for mental health hospitals in the same manner as in the 2015-2016 state fiscal year.*

Section 17. Subsection (4) is added to section 409.9119, Florida Statutes, to read:

409.9119 Disproportionate share program for specialty hospitals for children.—In addition to the payments made under s. 409.911, the Agency for Health Care Administration shall develop and implement a system under which disproportionate share payments are made to those hospitals that are licensed by the state as specialty hospitals for children and were licensed on January 1, 2000, as specialty hospitals for children. This system of payments must conform to federal requirements and must distribute funds in each fiscal year for which an appropriation is made by making quarterly Medicaid payments. Notwithstanding s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for hospitals that serve a disproportionate share of low-income patients. The agency may make disproportionate share payments to specialty hospitals for children as provided for in the General Appropriations Act.

(4) *Notwithstanding the provisions of this section to the contrary, for the 2016-2017 state fiscal year, for hospitals achieving full compliance under subsection (3), the agency shall make disproportionate share payments to specialty hospitals for children as provided in the 2016-2017 General Appropriations Act.*

Section 18. Subsection (5) of section 409.9128, Florida Statutes, is amended to read:

409.9128 Requirements for providing emergency services and care.—

(5) Reimbursement for services provided to an enrollee of a managed care plan under this section by a provider who does not have a contract with the managed care plan shall be the lesser of:

- (a) The provider's charges;
- (b) The usual and customary provider charges for similar services in the community where the services were provided;
- (c) The charge mutually agreed to by the entity and the provider within 60 days after submittal of the claim; or
- (d) The Medicaid rate, *as provided in s. 409.967(2)(b).*

Section 19. Paragraph (b) of subsection (2) of section 409.967, Florida Statutes, is amended to read:

409.967 Managed care plan accountability.—

(2) The agency shall establish such contract requirements as are necessary for the operation of the statewide managed care program. In addition to any other provisions the agency may deem necessary, the contract must require:

(b) Emergency services.—Managed care plans shall pay for services required by ss. 395.1041 and 401.45 and rendered by a noncontracted provider. The plans must comply with s. 641.3155. Reimbursement for services under this paragraph is the lesser of:

1. The provider's charges;
2. The usual and customary provider charges for similar services in the community where the services were provided;
3. The charge mutually agreed to by the entity and the provider within 60 days after submittal of the claim; or

4. *The Medicaid rate, which, for the purposes of this paragraph, means the amount the provider would collect from the agency on a fee-for-service basis, less any amounts for the indirect costs of medical education and the direct costs of graduate medical education that are otherwise included in the agency's fee-for-service payment, as required under 42 U.S.C. s. 1396u-2(b)(2)(D). ~~The rate the agency would have paid on the most recent October 1st.~~*

For the purpose of establishing the amounts specified in subparagraph 4., the agency shall publish on its website annually, or more frequently as needed, the applicable fee-for-service fee schedules and their effective dates, less any amounts for indirect costs of medical education and direct costs of graduate medical education that are otherwise included in the agency's fee-for-service payments.

Section 20. Present subsection (4) of section 409.968, Florida Statutes, is redesignated as subsection (5) and a new subsection (4) is added to that section, to read:

409.968 Managed care plan payments.—

(4)(a) *Subject to a specific appropriation and federal approval under s. 409.906(13)(e), the agency shall establish a payment methodology to fund managed care plans for flexible services for persons with severe mental illness and substance abuse disorders, including, but not limited to, temporary housing assistance. A managed care plan eligible for these payments must do all of the following:*

1. *Participate as a specialty plan for severe mental illness or substance abuse disorders or participate in counties designated by the General Appropriations Act;*
2. *Include providers of behavioral health services pursuant to chapters 394 and 397 in the managed care plan's provider network; and*
3. *Document a capability to provide housing assistance through agreements with housing providers, relationships with local housing coalitions, and other appropriate arrangements.*

(b) *After receiving payments authorized by this section for at least 1 year, a managed care plan must document the results of its efforts to maintain the target population in stable housing up to the maximum duration allowed under federal approval.*

Section 21. Subsections (1) and (6) of section 409.975, Florida Statutes, are amended to read:

409.975 Managed care plan accountability.—In addition to the requirements of s. 409.967, plans and providers participating in the managed medical assistance program shall comply with the requirements of this section.

(1) PROVIDER NETWORKS.—Managed care plans must develop and maintain provider networks that meet the medical needs of their enrollees in accordance with standards established pursuant to s. 409.967(2)(c). Except as provided in this section, managed care plans may limit the providers in their networks based on credentials, quality indicators, and price.

(a) Plans must include all providers in the region that are classified by the agency as essential Medicaid providers, unless the agency approves, in writing, an alternative arrangement for securing the types of services offered by the essential providers. Providers are essential for serving Medicaid enrollees if they offer services that are not available from any other provider within a reasonable access standard, or if they provided a substantial share of the total units of a particular service used by Medicaid patients within the region during the last 3 years and the combined capacity of other service providers in the region is insufficient to meet the total needs of the Medicaid patients. The agency may not classify physicians and other practitioners as essential providers. The agency, at a minimum, shall determine which providers in the following categories are essential Medicaid providers:

1. Federally qualified health centers.
2. Statutory teaching hospitals as defined in s. 408.07(45).
3. Hospitals that are trauma centers as defined in s. 395.4001(14).
4. Hospitals located at least 25 miles from any other hospital with similar services.

Managed care plans that have not contracted with all essential providers in the region as of the first date of recipient enrollment, or with whom an essential provider has terminated its contract, must negotiate in good faith with such essential providers for 1 year or until an agreement is reached, whichever is first. Payments for services rendered by a nonparticipating essential provider shall be made at the applicable Medicaid rate as of the first day of the contract between the agency and the plan. A rate schedule for all essential providers shall be attached to the contract between the agency and the plan. After 1 year, managed care plans that are unable to contract with essential providers shall notify the agency and propose an alternative arrangement for securing the essential services for Medicaid enrollees. The arrangement must rely on contracts with other participating providers, regardless of whether those providers are located within the same region as the nonparticipating essential service provider. If the alternative arrangement is approved by the agency, payments to nonparticipating essential providers after the date of the agency's approval shall equal 90 percent of the applicable Medicaid rate. *Except for payment for emergency services*, if the alternative arrangement is not approved by the agency, payment to nonparticipating essential providers shall equal 110 percent of the applicable Medicaid rate.

(b) Certain providers are statewide resources and essential providers for all managed care plans in all regions. All managed care plans must include these essential providers in their networks. Statewide essential providers include:

1. Faculty plans of Florida medical schools.
2. Regional perinatal intensive care centers as defined in s. 383.16(2).
3. Hospitals licensed as specialty children's hospitals as defined in s. 395.002(28).
4. Accredited and integrated systems serving medically complex children *which comprise that are comprised of* separately licensed, but commonly owned, health care providers delivering at least the following services: medical group home, in-home and outpatient nursing care and therapies, pharmacy services, durable medical equipment, and Prescribed Pediatric Extended Care.

Managed care plans that have not contracted with all statewide essential providers in all regions as of the first date of recipient enroll-

ment must continue to negotiate in good faith. Payments to physicians on the faculty of nonparticipating Florida medical schools shall be made at the applicable Medicaid rate. Payments for services rendered by regional perinatal intensive care centers shall be made at the applicable Medicaid rate as of the first day of the contract between the agency and the plan. *Except for payments for emergency services*, payments to nonparticipating specialty children's hospitals shall equal the highest rate established by contract between that provider and any other Medicaid managed care plan.

(c) After 12 months of active participation in a plan's network, the plan may exclude any essential provider from the network for failure to meet quality or performance criteria. If the plan excludes an essential provider from the plan, the plan must provide written notice to all recipients who have chosen that provider for care. The notice shall be provided at least 30 days before the effective date of the exclusion. *For the purposes of this paragraph, the term "essential provider" includes providers determined by the agency to be essential Medicaid providers under paragraph (a) and the statewide essential providers specified in paragraph (b).*

(d) *The applicable Medicaid rates for emergency services paid by a plan under this section to a provider with which the plan does not have an active contract, shall be determined under the requirements of s. 409.967(2)(b).*

(e) Each managed care plan must offer a network contract to each home medical equipment and supplies provider in the region which meets quality and fraud prevention and detection standards established by the plan and which agrees to accept the lowest price previously negotiated between the plan and another such provider.

(6) PROVIDER PAYMENT.—Managed care plans and hospitals shall negotiate mutually acceptable rates, methods, and terms of payment. ~~For rates, methods, and terms of payment negotiated after the contract between the agency and the plan is executed, plans shall pay hospitals, at a minimum, the rate the agency would have paid on the first day of the contract between the provider and the plan. Such payments to hospitals may not exceed 120 percent of the rate the agency would have paid on the first day of the contract between the provider and the plan, unless specifically approved by the agency.~~ Payment rates may be updated periodically.

Section 22. Paragraph (b) of subsection (3) of section 624.91, Florida Statutes, is amended to read:

624.91 The Florida Healthy Kids Corporation Act.—

(3) ELIGIBILITY FOR STATE-FUNDED ASSISTANCE.—Only the following individuals are eligible for state-funded assistance in paying Florida Healthy Kids premiums:

(b) Notwithstanding s. 409.814, *a legal alien* ~~aliens~~ who *is* ~~are~~ enrolled in the Florida Healthy Kids program as of January 31, 2004, who *does* ~~do~~ not qualify for Title XXI federal funds because *he or she is* ~~they are~~ not a lawfully residing child ~~qualified alien~~ as defined in s. 409.811.

Section 23. Subsection (6) of section 641.513, Florida Statutes, is amended, and subsection (7) is added to that section, to read:

641.513 Requirements for providing emergency services and care.—

(6) Reimbursement for services under this section provided to subscribers who are Medicaid recipients by a provider for whom no contract exists between the provider and the health maintenance organization shall be *determined under chapter 409 the lesser of:*

- ~~(a) The provider's charges;~~
- ~~(b) The usual and customary provider charges for similar services in the community where the services were provided;~~
- ~~(c) The charge mutually agreed to by the entity and the provider within 60 days after submittal of the claim; or~~
- ~~(d) The Medicaid rate.~~

(7) Reimbursement for services under this section provided to subscribers who are enrolled in a health maintenance organization pursuant to s. 624.91 by a provider for whom no contract exists between the provider and the health maintenance organization shall be the lesser of:

- (a) The provider's charges;
- (b) The usual and customary provider charges for similar services in the community where the services were provided;
- (c) The charge mutually agreed to by the entity and the provider within 60 days after submittal of the claim; or
- (d) The Medicaid rate.

Section 24. Subject to federal approval and adoption of a contract amendment with the Agency for Health Care Administration, an organization that is currently authorized to provide Program of All-Inclusive Care for the Elderly (PACE) services in southeast Florida and that is granted authority under section 18 of chapter 2012-33, Laws of Florida, for up to 150 enrollee slots to serve frail elders residing in Broward County may also use those PACE slots for frail elders residing in Miami-Dade County.

Section 25. Subject to federal approval of the application to be a site for the Program of All-inclusive Care for the Elderly (PACE), the Agency for Health Care Administration shall contract with one private, not-for-profit hospice organization located in Escambia County that owns and manages health care organizations licensed in Hospice Service Areas 1, 2A, and 2B which provide comprehensive services, including, but not limited to, hospice and palliative care, to frail elders who reside in those Hospice Service Areas. The organization is exempt from the requirements of chapter 641, Florida Statutes. The agency, in consultation with the Department of Elderly Affairs and subject to the appropriation of funds by the Legislature, shall approve up to 100 initial enrollees in the Program of All-inclusive Care for the Elderly established by the organization to serve frail elders who reside in Hospice Service Areas 1, 2A, and 2B.

Section 26. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2016.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to health care services; amending s. 322.143, F.S.; providing an exception to the prohibition against a private entity swiping an individual's driver license or identification card for certain entities for certain purposes; amending s. 395.602, F.S.; including specified hospitals in the definition of "rural hospital"; amending s. 409.285, F.S.; requiring appeals related to Medicaid programs directly administered by the Agency for Health Care Administration to be directed to the agency; providing requirements for appeals directed to the agency; providing an exemption from the uniform rules of procedure and from a requirement that certain proceedings be heard before an administrative law judge for specified hearings; requiring the agency to seek federal approval of its authority to oversee appeals; providing that appeals related to Medicaid programs administered by the Agency for Persons with Disabilities are subject to that agency's hearing rights process; amending s. 409.811, F.S.; defining the term "lawfully residing child"; deleting the definition of the term "qualified alien"; conforming provisions to changes made by the act; amending s. 409.814, F.S.; revising eligibility for the Florida Kidcare program to conform to changes made by the act; clarifying that undocumented immigrants are excluded from eligibility; amending s. 409.904, F.S.; providing eligibility for optional payments for medical assistance and related services for certain lawfully residing children; clarifying that undocumented immigrants are excluded from eligibility for optional Medicaid payments or related services; amending s. 409.905, F.S.; deleting the limitation on the number of hospital emergency department visits that may be paid for by the Agency for Health Care Administration for certain recipients; amending s. 409.906, F.S.; directing the agency to seek federal approval to provide temporary housing assistance for certain persons; creating s. 409.9064, F.S.; directing the agency to seek federal approval to provide home and community-based services for individuals diagnosed with Phelan-McDermid Syndrome; providing a method for determining financial eligibility for Medicaid benefits in certain circumstances; amending s. 409.907, F.S.; authorizing the agency to certify that a Medicaid provider is out of business; creating s. 409.9072, F.S.; directing the agency to pay private schools and charter schools that are

Medicaid providers for specified school-based services under certain parameters; authorizing the agency to review a school that has applied to the program for capability requirements; providing a reimbursement schedule; providing for a waiver of agency and school confidentiality under certain circumstances; amending s. 409.908, F.S.; revising the list of provider types that are subject to certain statutory provisions relating to the establishment of rates; amending s. 409.909; adding psychiatry to a list of primary care specialties under the Statewide Medicaid Residency Program; amending s. 409.911, F.S.; updating the fiscal year for determining each hospital's Medicaid days and charity care; providing an exception for the distribution of moneys to certain hospitals for the 2016-2017 state fiscal year; amending ss. 409.9113, 409.9115, and 409.9119, F.S.; providing an exception for the distribution of moneys to certain hospitals for the 2016-2017 state fiscal year; amending s. 409.9128, F.S.; conforming provisions to changes made by the act; amending s. 409.967, F.S.; defining the term "Medicaid rate" for the purpose of determining specified managed care plan payments for emergency services in compliance with federal law; requiring annual publication of fee schedules on the agency's website; amending s. 409.968, F.S.; directing the agency to establish a payment methodology for managed care plans providing housing assistance to specified persons; amending s. 409.975, F.S.; providing for the determination of applicable Medicaid rates for emergency services; defining the term "essential provider"; deleting requirements relating to contracted rates between managed care plans and hospitals; conforming provisions to changes made by the act; amending s. 624.91, F.S.; conforming provisions to changes made by the act; amending s. 641.513, F.S.; specifying parameters for payments by a health maintenance organization to a noncontracted provider of emergency services under certain circumstances; conforming provisions to changes made by the act; authorizing a Program of All-Inclusive Care for the Elderly organization granted certain enrollee slots for frail elders residing in Broward County to also use the slots for enrollees residing in Miami-Dade County; authorizing the agency to contract with an organization in Escambia County to provide services under the federal Program of All-inclusive Care for the Elderly in specified areas; exempting the organization from ch. 641, F.S., relating to health care service programs; authorizing enrollment slots for the program in such areas, subject to appropriation; providing effective dates.

On motion by Senator Garcia, by two-thirds vote, **HB 5101**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

DISCLOSURE

I have an ownership interest in Caregivers Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **SB 2500/HB 5001**, **SB 2502/HB 5003**, and **SB 2508/HB 5101** which come before the Senate for a vote on February 11, 2016.

Therefore, I believe that, because Caregivers Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

Senator Don Gaetz, 1st District

MOTION

On motion by Senator Garcia, the Senate having refused to pass **HB 5101** as passed by the House, acceded to the request for a conference committee.

On motion by Senator Garcia, by two-thirds vote, **HB 5101** was ordered immediately certified to the House.

SB 2510—A bill to be entitled An act relating to Alzheimer’s disease research; amending s. 381.82, F.S.; providing for the carryforward of any unexpended balance of an appropriation for the Ed and Ethel Moore Alzheimer’s Disease Research Program; providing an effective date.

—was read the third time by title.

Pending further consideration of **SB 2510**—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed **HB 5103** and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Bob Ward, Clerk

By Health Care Appropriations Subcommittee and Representative(s) Hudson—

HB 5103—A bill to be entitled An act relating to Alzheimer’s disease research; amending s. 381.82, F.S.; providing for the carryforward of any unexpended balance of an appropriation for the Ed and Ethel Moore Alzheimer’s Disease Research Program; providing an effective date.

—was referred to the Committee on Appropriations.

Pursuant to Rule 3.11(3), there being no objection, **HB 5103** was withdrawn from the Committee on Appropriations.

On motion by Senator Garcia, by two-thirds vote—

HB 5103—A bill to be entitled An act relating to Alzheimer’s disease research; amending s. 381.82, F.S.; providing for the carryforward of any unexpended balance of an appropriation for the Ed and Ethel Moore Alzheimer’s Disease Research Program; providing an effective date.

—a companion measure, was substituted for **SB 2510**, and by two-thirds vote, read the second time by title.

On motion by Senator Garcia, by two-thirds vote, **HB 5103** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

MOTION

On motion by Senator Garcia, by two-thirds vote, **HB 5103** was ordered immediately certified to the House.

SB 7060—A bill to be entitled An act relating to trust funds; terminating the Working Capital Trust Fund within the Department of Children and Families and the Operations and Maintenance Trust Fund within the Department of Health; providing for the disposition of balances in, revenues of, and all outstanding appropriations of the trust funds; prescribing procedures for the termination of the trust funds; amending ss. 17.61, 20.195, and 20.435, F.S.; conforming provisions and removing a reference to the Nursing Student Loan Forgiveness Trust Fund in the Department of Health; amending s. 215.5601, F.S.; conforming a cross-reference; repealing s. 392.69, F.S., relating to appropriations, funding, and additional powers of the Department of Health regarding tuberculosis control, to conform; providing an effective date.

—was read the third time by title.

Pending further consideration of **SB 7060**, pursuant to Rule 3.11(3), there being no objection, **HB 7091** was withdrawn from the Committee on Appropriations.

On motion by Senator Garcia, by two-thirds vote—

HB 7091—A bill to be entitled An act relating to trust funds; terminating the Working Capital Trust Fund within the Department of Children and Families and the Operations and Maintenance Trust Fund within the Department of Health; providing for the disposition of balances in, revenues of, and all outstanding appropriations of the trust funds; prescribing procedures for the termination of the trust funds; amending ss. 17.61, 20.195, and 20.435, F.S.; conforming provisions and removing a reference to the Nursing Student Loan Forgiveness Trust Fund within the Department of Health; amending s. 215.5601, F.S.; conforming a cross-reference; repealing s. 392.69, F.S., relating to appropriations, funding, and additional powers of the Department of Health regarding tuberculosis control, to conform; providing an effective date.

—a companion measure, was substituted for **SB 7060**, and by two-thirds vote, read the second time by title.

On motion by Senator Garcia, by two-thirds vote, **HB 7091** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

CS for SB 90—A bill to be entitled An act relating to a natural gas rebate program; amending s. 377.810, F.S.; authorizing the Department of Agriculture and Consumer Services to receive additional rebate ap-

lications from certain applicants; specifying preference for such applications; providing an effective date.

—was read the third time by title.

On motion by Senator Simpson, **CS for SB 90** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Margolis
Abruzzo	Gaetz	Montford
Bean	Galvano	Negron
Benacquisto	Garcia	Richter
Bradley	Gibson	Ring
Brandes	Grimsley	Sachs
Braynon	Hays	Simmons
Bullard	Hukill	Simpson
Clemens	Hutson	Smith
Dean	Joyner	Sobel
Detert	Latvala	Soto
Diaz de la Portilla	Lee	Stargel
Evers	Legg	Thompson

Nays—None

Vote after roll call:

Yea—Altman

CS for SB 100—A bill to be entitled An act relating to the Petroleum Restoration Program; amending s. 376.305, F.S.; revising the eligibility requirements of the Abandoned Tank Restoration Program; deleting provisions prohibiting the relief of liability for persons who acquired title after a certain date; amending s. 376.3071, F.S.; revising legislative intent and purpose; deleting an expiration date; revising the criteria for determining what constitutes certain rehabilitation program tasks; revising the conditions for eligibility and methods for payment of costs for the low-scored site initiative; revising the eligibility requirements for receiving rehabilitation funding; specifying that the issuance of a site rehabilitation completion order does not alter eligibility for state-funded remediation under certain circumstances; clarifying that a change in ownership does not preclude a site from entering into the program; providing additional funding for remediation and monitoring under certain circumstances; amending s. 376.30713, F.S.; revising advanced cleanup application requirements; increasing the total amount for which the department may contract for advanced cleanup work in a fiscal year; authorizing property owners and responsible parties to enter into voluntary cost-share agreements under certain circumstances; providing an effective date.

—as amended February 10, was read the third time by title.

On motion by Senator Simpson, **CS for SB 100**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

CS for CS for SB 160—A bill to be entitled An act relating to an ad valorem tax exemption for deployed servicemembers; amending s. 196.173, F.S.; revising the military operations or deployments that qualify a servicemember deployed in support of such an operation or deployment in the previous calendar year for an additional ad valorem tax exemption; providing an extended deadline and specifying procedures for filing an application for such tax exemption for a qualifying deployment during the 2014 and 2015 calendar years; providing procedures to appeal a denial by a property appraiser of an application for such tax exemption; providing refund procedures for servicemembers who were on qualifying deployments for more than 365 days during the 2014 and 2015 calendar years; providing for retroactive applicability; providing an effective date.

—as amended February 10, was read the third time by title.

Pending further consideration of **CS for CS for SB 160**, as amended, pursuant to Rule 3.11(3), there being no objection, **HB 7023** was withdrawn from the Committees on Community Affairs; Finance and Tax; and Fiscal Policy.

On motion by Senator Gaetz, by two-thirds vote—

HB 7023—A bill to be entitled An act relating to an ad valorem tax exemption for deployed servicemembers; amending s. 196.173, F.S.; expanding the military operations that qualify certain servicemembers who receive a homestead exemption and were deployed during the previous calendar year to receive an additional ad valorem tax exemption on that homestead property; specifying the deadline for filing an application for the tax exemption for the 2016 tax year; providing procedures for filing an application for the tax exemption for a qualifying deployment during the 2014 and 2015 calendar years; providing procedures to appeal a denial by a property appraiser of an application for the tax exemption; providing refund procedures for servicemembers who were on qualifying deployments for more than 365 days during the 2014 and 2015 calendar years; providing applicability; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 160**, as amended, and by two-thirds vote, read the second time by title.

On motion by Senator Gaetz, by two-thirds vote, **HB 7023** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

CS for SB 310—A bill to be entitled An act relating to the National Statuary Hall; providing for replacement of the statue of General Edmund Kirby Smith in the National Statuary Hall Collection at the United States Capitol; providing for selection of a prominent Florida citizen to be commemorated in the National Statuary Hall Collection; providing for selection of a sculptor to design the statue; requiring the Florida Council on Arts and Culture and the Department of State to estimate costs associated with the replacement of the statue; author-

izing the council to raise funds to support such costs; providing for the deposit of funds raised into the Grants and Donations Trust Fund of the department; requiring the department to submit a report to the Governor and the Legislature by a specified date; specifying required content of the report; providing for submission of the state’s request to the United States Joint Committee on the Library of Congress for approval to replace the statue; providing an effective date.

—as amended February 10, was read the third time by title.

On motion by Senator Legg, **CS for SB 310**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hukill	Simpson
Braynon	Hutson	Smith
Bullard	Joyner	Sobel
Clemens	Latvala	Soto
Detert	Legg	Stargel
Diaz de la Portilla	Margolis	Thompson

Nays—7

Bean	Gaetz	Negron
Dean	Hays	
Evers	Lee	

CS for SB 350—A bill to be entitled An act relating to procurement procedures for educational institutions; amending s. 1010.04, F.S.; requiring each district school board and Florida College System institution board of trustees to review certain agreements and contracts before purchasing nonacademic commodities and contractual services under certain circumstances to determine whether the use of the agreements and contracts is economically advantageous; requiring that bid specifications include a specified statement; authorizing each district school board to also use specified cooperative state purchasing programs; providing an exception for certain services; authorizing specified educational institutions to make purchases through an online procurement system, an electronic auction service, or other efficient procurement tool; providing an effective date.

—as amended February 10, was read the third time by title.

On motion by Senator Montford, **CS for SB 350**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Hays	Simmons
Braynon	Hukill	Simpson
Bullard	Hutson	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson

Nays—None

Vote after roll call:

Yea—Grimsley

MOTION

On motion by Senator Simmons, by two-thirds vote, **CS for SB 350** was ordered immediately certified to the House.

CS for SB 416—A bill to be entitled An act relating to the location of utilities; amending s. 125.42, F.S.; revising the circumstances under which a board of county commissioners is authorized to grant to a person or private corporation a license for specified projects related to lines for the transmission of certain public utilities and communication services; conforming a cross-reference; amending s. 337.401, F.S.; authorizing the Department of Transportation and certain local governmental entities to prescribe and enforce rules or regulations regarding the placement and maintenance of specified structures and lines within the right-of-way limits of roads or publicly owned rail corridors under their respective jurisdictions; conforming cross-references; amending s. 337.403, F.S.; specifying that the owner of a utility located within certain right-of-way limits must initiate and bear the cost necessary to alleviate any interference to the use of certain public roads or rail corridors under certain circumstances; conforming a cross-reference; requiring the authority to bear the cost of the utility work necessary to eliminate an unreasonable interference if the utility is lawfully located within a certain utility easement, subject to certain deductions; providing findings of an important state interest; providing an effective date.

—was read the third time by title.

On motion by Senator Flores, **CS for SB 416** was passed and certified to the House. The vote on passage was:

Yeas—34

Abruzzo	Flores	Legg
Altman	Gaetz	Margolis
Bean	Galvano	Montford
Bradley	Garcia	Negron
Brandes	Gibson	Ring
Braynon	Grimsley	Simmons
Bullard	Hays	Simpson
Clemens	Hukill	Soto
Dean	Hutson	Stargel
Detert	Joyner	Thompson
Diaz de la Portilla	Latvala	
Evers	Lee	

Nays—4

Benacquisto	Richter	Smith
Sobel		

Vote after roll call:

Yea—Mr. President

Nay to Yea—Smith

CS for CS for SB 546—A bill to be entitled An act relating to the sale or exchange of lands; amending s. 373.089, F.S.; extending the time-frame within which a certified appraisal may be obtained for parcels of land to be sold as surplus; revising the procedures a water management district must follow for publishing a notice of intention to sell surplus lands; providing an exception from such notice requirements if a parcel of land is valued below a certain threshold; authorizing such parcels to be sold directly to the highest bidder; providing an effective date.

—was read the third time by title.

On motion by Senator Simpson, **CS for CS for SB 546** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bean	Brandes
Abruzzo	Benacquisto	Braynon
Altman	Bradley	Bullard

Clemens	Hays	Ring
Dean	Hukill	Sachs
Detert	Hutson	Simmons
Diaz de la Portilla	Joyner	Simpson
Evers	Latvala	Smith
Flores	Lee	Sobel
Gaetz	Legg	Soto
Galvano	Margolis	Stargel
Garcia	Montford	Thompson
Gibson	Negron	
Grimsley	Richter	

Nays—None

CS for CS for SB 578—A bill to be entitled An act relating to public records; amending s. 548.062, F.S.; providing an exemption from public records requirements with respect to certain proprietary confidential business information obtained by the Florida State Boxing Commission; extending the period for legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for CS for SB 578**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 381** was withdrawn from the Committees on Regulated Industries; Governmental Oversight and Accountability; and Rules.

On motion by Senator Hutson, by two-thirds vote—

CS for HB 381—A bill to be entitled An act relating to public records; amending s. 548.062, F.S.; revising an exemption from public records requirements with respect to certain proprietary confidential business information obtained by the Florida State Boxing Commission; extending the period for legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 578** and read the second time by title.

On motion by Senator Hutson, by two-thirds vote, **CS for HB 381** was read the third time by title, passed by the required constitutional two-thirds vote of the members present and voting, and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Evers	Legg
Abruzzo	Flores	Margolis
Altman	Gaetz	Montford
Bean	Galvano	Negron
Benacquisto	Garcia	Richter
Bradley	Gibson	Ring
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Dean	Hutson	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Lee	

Nays—5

Clemens	Sachs	Thompson
Joyner	Sobel	

CS for SB 592—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public records requirements for the personal identifying and location information of certain nonsworn investigative personnel of the Department of Financial Services and the names and personal identifying and location information of the spouses and children of such personnel; providing an exemption from public records requirements for certain identifying and location information of current or former emergency medical technicians or paramedics certified under ch. 401, F.S., and the spouses and

children of such emergency medical technicians or paramedics, under specified circumstances; providing for future review and repeal of the exemptions; providing statements of public necessity; providing an effective date.

—as amended February 10, was read the third time by title.

On motion by Senator Hutson, **CS for SB 592**, as amended, was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Hutson	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	

Nays—1

Joyner

CS for SB 7008—A bill to be entitled An act relating to housing discrimination; amending s. 760.07, F.S.; removing housing discrimination as a cause of action for certain relief and damages stemming from violations of the Florida Civil Rights Act of 1992; amending s. 760.34, F.S.; making technical changes; revising the conditions under which an aggrieved person may commence a civil action in any appropriate court against a specified respondent to enforce specified rights; providing that the aggrieved person does not need to take specified actions before bringing a civil action; amending s. 760.35, F.S.; authorizing, rather than requiring, a civil action to commence within 2 years after an alleged discriminatory housing practice; authorizing an aggrieved person to commence a civil action regardless of whether a specified complaint has been filed and regardless of the status of any such complaint; prohibiting an aggrieved person from filing a specified action in certain circumstances; providing an exception; prohibiting an aggrieved person from commencing a specified civil action if an administrative law judge has commenced a hearing on the record on the allegation; providing an effective date.

—was read the third time by title.

On motion by Senator Ring, **CS for SB 7008** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Gaetz	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Hutson	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	

Nays—None

CS for SB 92—A bill to be entitled An act relating to contaminated sites; amending s. 288.8013, F.S.; revising the funding source of the principal of the Recovery Fund for the Deepwater Horizon incident; requiring that certain funds be transferred to the Recovery Fund within a specified timeframe; amending s. 376.301, F.S.; defining the terms “background concentration” and “long-term natural attenuation”; amending s. 376.30701, F.S.; exempting nonprogram petroleum-contaminated sites from the application of risk-based corrective action principles under certain circumstances; requiring the Department of Environmental Protection to include protocols for the use of long-term natural attenuation where site conditions warrant; requiring specified interactive effects of contaminants to be considered as cleanup criteria; revising how cleanup target levels are applied where surface waters are exposed to contaminated groundwater; authorizing the use of relevant data and information when assessing cleanup target levels; providing that institutional controls are not required under certain circumstances if alternative cleanup target levels are used; amending s. 376.79, F.S.; defining the terms “background concentration” and “long-term natural attenuation”; amending s. 376.81, F.S.; providing additional contamination cleanup criteria for brownfield sites and brownfield areas; amending ss. 196.1995, 287.0595, and 288.1175, F.S.; conforming cross-references; providing an effective date.

—as amended February 10, was read the third time by title.

Pending further consideration of **CS for SB 92**, as amended, pursuant to Rule 3.11(3), there being no objection, **CS for HB 351** was withdrawn from the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Evers, by two-thirds vote—

CS for HB 351—A bill to be entitled An act relating to contaminated sites; amending s. 376.301, F.S.; defining the terms “background concentration” and “long-term natural attenuation”; amending s. 376.30701, F.S.; exempting nonprogram petroleum-contaminated sites from the application of risk-based corrective action principles under certain circumstances; requiring the Department of Environmental Protection to include protocols for the use of long-term natural attenuation where site conditions warrant; requiring specified interactive effects of contaminants to be considered as cleanup criteria; revising how cleanup target levels are applied where surface waters are exposed to contaminated groundwater; authorizing the use of relevant data and information when assessing cleanup target levels; providing that institutional controls are not required under certain circumstances if alternative cleanup target levels are used; amending s. 376.79, F.S.; defining the terms “background concentration” and “long-term natural attenuation”; amending s. 376.81, F.S.; providing additional contamination cleanup criteria for brownfield sites and brownfield areas; amending ss. 196.1995, 287.0595, and 288.1175, F.S.; conforming cross-references; providing an effective date.

—a companion measure, was substituted for **CS for SB 92**, as amended, and read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Negron moved the following amendment which was adopted:

Amendment 1 (548124) (with title amendment)—Before line 30 insert:

Section 1. Subsection (2) of section 288.8013, Florida Statutes, is amended to read:

288.8013 Triumph Gulf Coast, Inc.; Recovery Fund; creation; investment.—

(2) Triumph Gulf Coast, Inc., must create and administer the Recovery Fund for the benefit of the disproportionately affected counties. The principal of the fund shall derive from 75 percent of all funds received by the state pursuant to the settlement agreement between the gulf states and the BP entities with respect to economic claims arising from the Deepwater Horizon incident recovered by the Attorney General for economic damage to the state resulting from the Deepwater Horizon disaster, after payment of reasonable and necessary attorney fees, costs,

and expenses, including such attorney fees, costs, and expenses pursuant to s. 16.0155. *Moneys that account for the principal of the Recovery Fund shall be transferred to the Recovery Fund no later than 30 days after they are received.*

And the title is amended as follows:

Between lines 2 and 3 insert: 288.8013, F.S.; revising the funding source of the principal of the Recovery Fund for the Deepwater Horizon incident; requiring that certain funds be transferred to the Recovery Fund within a specified timeframe; amending s.

On motion by Senator Evers, by two-thirds vote, **CS for HB 351**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Montford
Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Hutson	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

REPORTS OF COMMITTEES

The Special Master on Claim Bills recommends the following pass: SB 32; SB 64 with 1 amendment

The bills were referred to the Committee on Judiciary under the original reference.

The Committee on Judiciary recommends a committee substitute for the following: CS for SB 1118

The bill with committee substitute attached was referred to the Committee on Appropriations under the original reference.

The Committee on Judiciary recommends a committee substitute for the following: SB 1692

The bill with committee substitute attached was referred to the Appropriations Subcommittee on Criminal and Civil Justice under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1274

The Committee on Environmental Preservation and Conservation recommends committee substitutes for the following: SB 1168; SB 1192

The bills with committee substitute attached contained in the foregoing reports were referred to the Appropriations Subcommittee on General Government under the original reference.

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 1250

The Committee on Health Policy recommends committee substitutes for the following: SB 1240; SB 1518

The Committee on Judiciary recommends committee substitutes for the following: SB 30; SB 48

The bills with committee substitute attached contained in the foregoing reports were referred to the Appropriations Subcommittee on Health and Human Services under the original reference.

The Committee on Judiciary recommends a committee substitute for the following: SB 14

The bill with committee substitute attached was referred to the Appropriations Subcommittee on Transportation, Tourism, and Economic Development under the original reference.

The Committee on Judiciary recommends a committee substitute for the following: SB 794

The bill with committee substitute attached was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: CS for SB 686

The bill with committee substitute attached was referred to the Committee on Community Affairs under the original reference.

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: CS for SB 862

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: CS for SB 1318

The Committee on Judiciary recommends committee substitutes for the following: CS for SB 730; CS for SB 1220

The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Fiscal Policy under the original reference.

The Committee on Judiciary recommends a committee substitute for the following: SB 1436

The bill with committee substitute attached was referred to the Committee on Governmental Oversight and Accountability under the original reference.

The Committee on Banking and Insurance recommends committee substitutes for the following: SB 970; SB 1104

The bills with committee substitute attached were referred to the Committee on Judiciary under the original reference.

The Committee on Fiscal Policy recommends committee substitutes for the following: CS for SB 114; CS for SB 826; SB 1066

The Committee on Rules recommends a committee substitute for the following: CS for SB 752

The bills with committee substitute attached were placed on the Calendar.

The Committee on Judiciary recommends the following not pass: SB 120

The bill was laid on the table.

REPORTS OF SUBCOMMITTEES

The Appropriations Subcommittee on Criminal and Civil Justice recommends the following pass: CS for SB 122; SB 314; CS for SB 636; CS for SB 1584

The Appropriations Subcommittee on Education recommends the following pass: SB 834; CS for SB 894; CS for SB 1360

The Appropriations Subcommittee on Health and Human Services recommends the following pass: CS for SB 212; CS for SB 998; SB 1336; CS for SB 1686

The bills contained in the foregoing reports were referred to the Committee on Appropriations under the original reference.

The Appropriations Subcommittee on Criminal and Civil Justice recommends the following pass: CS for SB 784; CS for SB 954

The Appropriations Subcommittee on Education recommends the following pass: SB 268

The Appropriations Subcommittee on Health and Human Services recommends the following pass: CS for SB 204; CS for SB 818

The Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends the following pass: SB 532; CS for SB 1544

The bills contained in the foregoing reports were referred to the Committee on Fiscal Policy under the original reference.

The Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends the following pass: SB 1110

The bill was referred to the Committee on Rules under the original reference.

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends that the Senate confirm the following appointment made by the Governor:

Office and Appointment

*For Term
Ending*

Executive Director, Department of Economic Opportunity

Appointee: Proctor, Theresa "Cissy"

Pleasure of
Governor

The appointment was referred to the Committee on Ethics and Elections under the original reference.

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By the Committee on Criminal Justice—

SB 7006—A bill to be entitled An act relating to corrections; amending s. 216.136, F.S.; requiring the Criminal Justice Estimating Conference to develop projections of prison admissions and populations for elderly felony offenders; amending s. 921.0021, F.S.; revising the definition of "victim injury" by removing a prohibition on assessing certain victim injury sentence points for sexual misconduct by an employee of the Department of Corrections or a private correctional facility with an inmate or an offender supervised by the department; conforming a provision to changes made by the act; amending s. 944.275, F.S.; prohibiting an inmate from receiving incentive gain-time for completing the requirements for and receiving a high school equiv-

agency diploma or vocational certificate if the inmate is convicted of a specified offense on or after a specified date; amending s. 944.35, F.S.; expanding applicability of a current felony offense to include employees of private providers and private correctional facilities; creating criminal penalties for employees who knowingly and with the intent to cause specified harm withhold food, water, or essential services from an inmate; amending s. 945.6031, F.S.; increasing the frequency of required surveys of health care systems at correctional institutions; amending s. 951.221, F.S.; conforming a cross-reference; reenacting s. 944.023(1)(a), F.S., relating to the definition of the term “Criminal Justice Estimating Conference”, to incorporate the amendment made to s. 216.136, F.S., in a reference thereto; reenacting ss. 435.04(2)(uu) and 921.0022(3)(f), F.S., relating to level 2 screening standards and level 6 of the offense severity ranking chart, respectively, to incorporate the amendment made to s. 944.35, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

Senate Bills 7008-7024—Previously introduced.

SB 7026—Not used.

Senate Bills 7028-7056—Previously introduced.

By the Committee on Education Pre-K - 12—

SB 7058—A bill to be entitled An act relating to the Child Care and Development Block Grant Program; amending s. 39.201, F.S.; providing an exception from a prohibition against the use of information in the Department of Children and Families central abuse hotline for employment screening of certain child care personnel; amending s. 39.202, F.S.; expanding the list of entities that have access to child abuse records for purposes of approving providers of school readiness services; amending s. 402.302, F.S.; revising the definition of the term “screening” for purposes of child care licensing requirements; amending s. 402.3057, F.S.; clarifying individuals who are exempt from certain re-fingerprinting or rescreening requirements; amending s. 402.306, F.S.; requiring the Department of Children and Families and local licensing agencies to electronically post certain information relating to child care and school readiness providers; amending s. 402.311, F.S.; requiring school readiness program providers to provide the Department of Children and Families or local licensing agencies with access to facilities, personnel, and records for inspection purposes; amending s. 402.319, F.S.; requiring certain child care providers to submit an affidavit of compliance with certain mandatory reporting requirements; amending s. 409.1757, F.S.; clarifying individuals who are exempt from certain re-fingerprinting or rescreening requirements; amending s. 435.07, F.S.; prohibiting removal or exemption from disqualification from employment for any school readiness provider personnel if registered as a sex offender or convicted of specified crimes; amending s. 1002.82, F.S.; revising the duties of the Office of Early Learning of the Department of Education; requiring the office to coordinate with the Department of Children and Families and local licensing agencies for inspections of school readiness program providers; amending s. 1002.84, F.S.; revising provisions relating to determination of child eligibility for school readiness programs; revising requirements for determining parent copayments for the programs; amending s. 1002.87, F.S.; revising the prioritization of participation in school readiness programs; revising school readiness program eligibility requirements for parents; amending s. 1002.88, F.S.; revising requirements for school readiness program providers; amending s. 1002.89, F.S.; providing for additional uses of funds for school readiness programs; providing an effective date.

—was referred to the Committee on Appropriations.

SB 7060—Previously introduced.

By the Committee on Transportation—

SB 7062—A bill to be entitled An act relating to specialty license plates; amending s. 320.08056, F.S.; establishing annual use fees for certain specialty license plates; amending s. 320.08058, F.S.; adding certain North American Soccer League teams for the Florida Professional Sports Team license plate; redefining the term “major sports events”; revising requirements relating to the distribution and use of annual use fees collected from the sale of certain specialty license plates; directing the Department of Highway Safety and Motor Vehicles to develop certain specialty license plates; providing for distribution and use of fees collected from the sale of the plates; providing a contingent effective date.

—was referred to the Committees on Appropriations Subcommittee on Transportation, Tourism, and Economic Development; Appropriations; and Rules.

By the Committee on Finance and Tax—

SB 7064—A bill to be entitled An act relating to the corporate income tax; amending s. 220.03, F.S.; revising the term “Internal Revenue Code”; revising the applicable version of the Internal Revenue Code and federal income tax code statutes; amending s. 220.13, F.S.; revising the term “adjusted federal income” as it relates to adjustments related to federal acts; providing for retroactive application of amendments to ss. 220.03 and 220.13, F.S.; amending s. 220.222, F.S.; amending due dates for partnership information returns and corporate tax returns; providing applicability; amending s. 220.241, F.S.; amending due dates to file a declaration of estimated corporate income tax; amending s. 220.33, F.S.; amending the due date of estimated payments of corporate income tax; amending s. 220.34, F.S.; amending the dates used to calculate interest and penalties on underpayments of estimated corporate income tax; providing applicability for amendments to ss. 220.241, 220.33, and 220.34, F.S.; authorizing the Department of Revenue to adopt emergency rules; providing an effective date.

—was referred to the Committee on Appropriations.

By the Committee on Criminal Justice—

SB 7066—A bill to be entitled An act relating to criminal justice; amending s. 775.082, F.S.; requiring a defendant who is sentenced for a primary offense of possession of a controlled substance committed on or after a specified date to be sentenced to a nonstate prison sanction under certain circumstances unless the court makes specified written findings; defining the term “possession of a controlled substance”; authorizing a defendant to move the sentencing court to depart from a mandatory minimum term of imprisonment or a mandatory fine, if the offense is committed on or after a specified date; authorizing the state attorney to file an objection to the motion; authorizing the sentencing court to grant the motion if the court finds that the defendant has demonstrated by a preponderance of the evidence that specified criteria are met; defining the term “coercion”; providing applicability; amending s. 921.002, F.S.; revising a principle of the Criminal Punishment Code relating to a prisoner’s required minimum term of imprisonment; amending s. 944.275, F.S.; revising the incentive gain-time that the Department of Corrections may grant a prisoner for offenses committed on or after a specified date; providing exceptions; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By the Committee on Criminal Justice—

SB 7068—A bill to be entitled An act relating to sentencing for capital felonies; amending s. 775.082, F.S.; conforming a provision to changes made by the act; amending s. 782.04, F.S.; requiring the prosecutor to give notice to the defendant and to file the notice with the court within a certain timeframe if the prosecutor intends to seek the death penalty; amending ss. 921.141 and 921.142, F.S.; requiring juries to determine

the existence of aggravating factors, if any, in the penalty phase of capital cases; specifying a standard of proof for such factors; requiring unanimity for such findings; requiring a jury to make a recommendation to the court whether the defendant shall be sentenced to life imprisonment or death; specifying considerations for such a recommendation; requiring unanimity to support a recommendation of a sentence of death; requiring a sentence of life imprisonment without the possibility of parole in certain circumstances; requiring the court to enter an order meeting specified requirements in each case in which it imposes a death sentence; deleting provisions relating to advisory sentencing by juries and findings by the court in support of sentences of death; reenacting s. 794.011(2)(a), F.S., relating to sexual battery, to incorporate the amendment made to s. 921.141, F.S., in a reference thereto; reenacting s. 893.135(1)(b) through (l), F.S., relating to trafficking in controlled substances, to incorporate the amendment made to s. 921.142, F.S., in references thereto; providing applicability; providing an effective date.

—was referred to the Committee on Appropriations.

By the Committee on Military and Veterans Affairs, Space, and Domestic Security—

SB 7070—A bill to be entitled An act relating to advisory councils of the Department of Veterans' Affairs; amending s. 265.003, F.S.; defining the term “veteran” and “military veteran” for purposes of determining persons the Florida Veterans' Hall of Fame Council may consider as nominees for the Florida Veterans' Hall of Fame; providing an effective date.

—was referred to the Committee on Rules.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Judiciary; and Senator Altman—

CS for SB 14—A bill to be entitled An act for the relief of the Estate of Dr. Sherrill Lynn Aversa; providing an appropriation to compensate the Estate of Dr. Sherrill Lynn Aversa for Dr. Aversa's death as a result of the negligence of the Department of Transportation; requiring the Executive Office of the Governor to establish spending authority from unappropriated trust fund balances of the department for compensation to the Estate of Dr. Sherrill Lynn Aversa; providing attorney fees and costs and a limitation on such fees and costs; providing an effective date.

By the Committee on Judiciary; and Senator Garcia—

CS for SB 30—A bill to be entitled An act for the relief of C.M.H.; providing an appropriation to compensate C.M.H. for injuries and damages sustained as a result of the negligence of the Department of Children and Families, formerly known as the Department of Children and Family Services; providing a limitation on the payment of fees and costs; providing an effective date.

By the Committee on Judiciary; and Senator Flores—

CS for SB 48—A bill to be entitled An act for the relief of “Survivor” and the Estate of “Victim”; providing an appropriation to compensate Survivor and the Estate of Victim for injuries and damages sustained as result of the negligence of the Department of Children and Families, formerly known as the Department of Children and Family Services; providing a limitation on the payment of compensation, fees, and costs; providing an effective date.

By the Committees on Fiscal Policy; and Transportation; and Senator Montford—

CS for CS for SB 114—A bill to be entitled An act relating to transportation facility designations; providing honorary designations of various transportation facilities in specified counties; directing the Department of Transportation to erect suitable markers; amending chapter 26497, Laws of Florida, 1951; revising the name of an honorary designation of a transportation facility in a specified county; amending chapter 2014-228, Laws of Florida; revising the name of an honorary designation of a transportation facility in a specified county; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Ethics and Elections; and Senator Gaetz—

CS for CS for SB 686—A bill to be entitled An act relating to government accountability; amending s. 11.40, F.S.; specifying that the Governor, the Commissioner of Education, or the designee of the Governor or of the Commissioner of Education may notify the Legislative Auditing Committee of an entity's failure to comply with certain auditing and financial reporting requirements; amending s. 11.45, F.S.; defining the terms “abuse,” “fraud,” and “waste”; revising the definition of the term “local governmental entity”; excluding water management districts from certain audit requirements; removing a cross-reference; authorizing the Auditor General to conduct audits of tourist development councils and county tourism promotion agencies; revising reporting requirements applicable to the Auditor General; creating s. 20.602, F.S.; specifying the applicability of certain provisions of the Code of Ethics for Public Officers and Employees to officers and board members of corporate entities associated with the Department of Economic Opportunity; prohibiting such officers and board members from representing a person or an entity for compensation before certain bodies for a specified timeframe; providing for construction; amending s. 28.35, F.S.; revising reporting requirements applicable to the Florida Clerks of Court Operations Corporation; amending s. 43.16, F.S.; revising the responsibilities of the Justice Administrative Commission, each state attorney, each public defender, a criminal conflict and civil regional counsel, a capital collateral regional counsel, and the Guardian Ad Litem Program, to include the establishment and maintenance of certain internal controls; creating s. 112.3126, F.S.; defining the term “private entity”; prohibiting a member of the Legislature or a candidate for legislative office from accepting employment with a private entity that directly receives funding through state revenues under certain circumstances; authorizing employment with a private entity if certain conditions are met; amending s. 112.313, F.S.; specifying that prohibitions on conflicting employment or contractual relationships for public officers or employees of an agency apply to contractual relationships held by certain business entities; amending s. 112.3144, F.S.; requiring elected municipal officers to file a full and public disclosure of financial interests, rather than a statement of financial interests; providing for applicability; amending s. 112.31455, F.S.; revising provisions governing collection methods for unpaid automatic fines for failure to timely file disclosure of financial interests to include school districts; amending s. 112.3261, F.S.; revising terms to conform to changes made by the act; expanding the types of governmental entities that are subject to lobbyist registration requirements; requiring a governmental entity to create a lobbyist registration form; amending ss. 129.03, 129.06, 166.241, and 189.016, F.S.; requiring counties, municipalities, and special districts to maintain certain budget documents on the entities' websites for a specified period; amending s. 215.425, F.S.; defining the term “public funds”; revising exceptions to the prohibition on extra compensation claims; revising minimum requirements for any policy, ordinance, rule, or resolution designed to implement a bonus scheme; requiring certain contracts into which a unit of government or state university enters to contain certain provisions regarding severance pay; requiring a unit of government to investigate and take reasonable action to recover prohibited compensation; specifying methods of recovery for unintentional and willful violations; specifying applicability of procedures regarding suspension and removal of an officer who commits a willful violation; specifying circumstances under which an employee has a cause of action under the Whistle-blower's Act; providing for applicability; amending s. 215.86, F.S.; revising the purposes for which

management systems and internal controls must be established and maintained by each state agency and the judicial branch; amending s. 215.97, F.S.; revising the definition of the term “audit threshold”; amending s. 215.985, F.S.; revising the requirements for a monthly financial statement provided by a water management district; amending s. 218.32, F.S.; revising the requirements of the annual financial audit report of a local governmental entity; authorizing the Department of Financial Services to request additional information from a local governmental entity; requiring a local governmental entity to respond to such requests within a specified timeframe; requiring the department to notify the Legislative Auditing Committee of noncompliance; amending s. 218.33, F.S.; requiring local governmental entities to establish and maintain internal controls to achieve specified purposes; amending s. 218.39, F.S.; requiring an audited entity to respond to audit recommendations under specified circumstances; amending s. 218.391, F.S.; revising the composition of an audit committee; prohibiting an audit committee member from being an employee, a chief executive officer, or a chief financial officer of the respective governmental entity; requiring the chair of an audit committee to sign and execute an affidavit affirming compliance with auditor selection procedures; prescribing procedures in the event of noncompliance with auditor selection procedures; amending s. 286.0114, F.S.; prohibiting a board or commission from requiring an advance copy of testimony or comments from a member of the public as a precondition to being given the opportunity to be heard at a public meeting; amending s. 288.92, F.S.; prohibiting specified officers and board members of Enterprise Florida, Inc., from representing a person or entity for compensation before Enterprise Florida, Inc., and associated entities thereof, for a specified timeframe; amending s. 288.9604, F.S.; prohibiting a director of the Florida Development Finance Corporation from representing a person or an entity for compensation before the corporation for a specified timeframe; amending s. 373.536, F.S.; deleting obsolete language; requiring water management districts to maintain certain budget documents on the districts’ websites for a specified period; amending s. 838.014, F.S.; revising and providing definitions; amending s. 838.015, F.S.; revising the definition of the term “bribery”; revising requirements for prosecution; amending s. 838.016, F.S.; revising the prohibition against unlawful compensation or reward for official behavior to conform to changes made by the act; amending s. 838.022, F.S.; revising the prohibition against official misconduct to conform to changes made by the act; revising applicability of the offense to include public contractors; amending s. 838.22, F.S.; revising the prohibition against bid tampering to conform to changes made by the act; revising applicability of the offense to include specified public contractors; amending s. 1001.42, F.S.; authorizing additional internal audits as directed by the district school board; specifying duties of the district school board regarding visitation of schools; amending s. 1002.33, F.S.; revising the responsibilities of the governing board of a charter school to include the establishment and maintenance of internal controls; amending s. 1002.37, F.S.; requiring completion of an annual financial audit of the Florida Virtual School; specifying audit requirements; requiring an audit report to be submitted to the board of trustees of the Florida Virtual School and the Auditor General; removing obsolete provisions; amending s. 1010.01, F.S.; requiring each school district, Florida College System institution, and state university to establish and maintain certain internal controls; amending s. 1010.30, F.S.; requiring a district school board, Florida College System institution board of trustees, or university board of trustees to respond to audit recommendations under certain circumstances; amending ss. 99.061, 218.503, and 1002.455, F.S.; conforming provisions and cross-references to changes made by the act; reenacting s. 112.534(2)(a), F.S., relating to official misconduct, and s. 117.01(4)(d), F.S., relating to appointment, application, suspension, revocation, application fee, bond, and oath of notaries public, to incorporate the amendment made by the act to s. 838.022, F.S., in references thereto; reenacting s. 817.568(11), F.S., relating to criminal use of personal identification information, to incorporate the amendment made by the act to s. 838.014, F.S., in a reference thereto; reenacting s. 921.0022(3)(d) and (g), F.S., relating to the Criminal Punishment Code offense severity ranking chart, to incorporate the amendments made by the act to ss. 838.015, 838.016, 838.022, and 838.22, F.S., in references thereto; providing for applicability; declaring that the act fulfills an important state interest; providing an effective date.

By the Committees on Judiciary; and Children, Families, and Elder Affairs; and Senator Margolis—

CS for CS for SB 730—A bill to be entitled An act relating to professional guardians; creating s. 744.1087, F.S.; limiting a specified professional guardian’s appointments to no more than 50 wards for which the professional guardian receives compensation; prohibiting a professional guardian that has more than 50 wards for which the professional guardian receives compensation from being appointed another ward after a certain date until the professional guardian has fewer than 50 wards; providing an effective date.

By the Committees on Rules; and Governmental Oversight and Accountability; and Senator Abruzzo—

CS for CS for SB 752—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public records requirements for certain identifying and location information of current or former personnel employed in an agency’s office of inspector general or internal audit department whose duties include auditing or investigating certain activities that could lead to criminal prosecution or administrative discipline, and the spouses and children thereof; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

By the Committee on Judiciary; and Senator Ring—

CS for SB 794—A bill to be entitled An act relating to dissolution of marriage parenting plans; amending s. 61.13, F.S.; requiring that parenting plans provide that either parent may consent to mental health treatment for the child if the court orders shared parental responsibility; providing that the consenting parent shall be financially responsible for certain costs of such treatment; providing an effective date.

By the Committees on Fiscal Policy; and Community Affairs; and Senator Latvala—

CS for CS for SB 826—A bill to be entitled An act relating to mobile homes; amending s. 723.006, F.S.; revising certain notice requirements for written complaints; requiring the Division of Florida Condominiums, Timeshares, and Mobile Homes to adopt rules to implement board member training requirements; providing notice and requirements of such rules; amending s. 723.031, F.S.; authorizing a mobile home park owner to pass on non-ad valorem assessments to a tenant under certain circumstances; providing that a mobile home park owner is deemed to have disclosed the passing on of certain taxes and assessments under certain circumstances; requiring the non-ad valorem assessments to be a part of the lot rental amount; requiring that a renewed rental agreement remain under the same terms unless certain notice is provided; amending s. 723.059, F.S.; authorizing a mobile home purchaser to cancel or rescind the contract to purchase under certain circumstances; amending s. 723.075, F.S.; revising the rights that mobile home owners exercise if they form an association; authorizing mobile home owners to become members upon incorporation of the association; defining the terms “member” and “shareholder”; deleting provisions relating to memberships of successors to home owners; amending s. 723.078, F.S.; specifying voting requirements for homeowners’ associations; specifying the requirements for a majority of votes; authorizing members to vote by secret ballot and absentee ballot; prohibiting the tape recording or videotaping of meetings between the board of directors or its committees and the park owner; amending s. 723.0781, F.S.; providing a date on which certain provisions are effective; providing that board members may not be considered in violation of such provisions until after a specified date; providing an effective date.

By the Committees on Children, Families, and Elder Affairs; and Criminal Justice; and Senator Legg—

CS for CS for SB 862—A bill to be entitled An act relating to mental health treatment; amending s. 916.107, F.S.; authorizing forensic and civil facilities to order the continuation of psychotropic medications for clients receiving such medication in the jail before admission to those facilities under certain circumstances; requiring a jail physician to provide a current psychotropic medication order under certain circumstances; amending s. 916.13, F.S.; requiring that a competency hearing be held within a specified time; amending s. 916.145, F.S.; revising the time for dismissal of certain charges for defendants that remain incompetent to proceed to trial; providing exceptions; amending s. 916.15, F.S.; requiring that a commitment hearing be held within a specified time; reenacting s. 916.106(9), F.S., relating to the definition of the terms “forensic client” or “client,” to incorporate the amendments made to ss. 916.13 and 916.15, F.S., in references thereto; reenacting s. 394.467(7)(a), F.S., relating to involuntary inpatient placement, to incorporate the amendments made to s. 916.15, F.S., in a reference thereto; providing an effective date.

By the Committee on Banking and Insurance; and Senator Richter—

CS for SB 970—A bill to be entitled An act relating to unclaimed property; amending s. 717.101, F.S.; revising and providing definitions; creating s. 717.1235, F.S.; requiring unclaimed funds reported in the name of specified campaigns for public office to be deposited with the Chief Financial Officer to the credit of the State School Trust Fund; amending s. 717.1243, F.S.; revising the aggregate value that constitutes a small estate account; amending s. 717.1262, F.S.; requiring certain persons claiming entitlement to unclaimed property to file certified copies of specified pleadings with the Department of Financial Services; amending s. 717.1333, F.S.; revising requirements for the estimation of certain amounts due to the department; amending s. 717.135, F.S.; revising applicability; deleting a provision that allows specified wording on a certain power of attorney; providing requirements for a certain authorization or agreement to recover unclaimed property; requiring the department to deny a claim under certain circumstances; amending s. 717.1351, F.S.; revising requirements and conditions for contracts to acquire ownership of or entitlement to property; deleting a provision that allows specified wording on a purchase agreement; providing requirements for a certain authorization or agreement to purchase unclaimed property; requiring the department to deny a claim under certain circumstances; repealing s. 717.1381, F.S., relating to void unclaimed property powers of attorney and purchase agreements; amending s. 717.139, F.S.; providing legislative intent; amending s. 717.1400, F.S.; removing authorization for certain private investigators, public accountants, and attorneys to obtain social security numbers; providing an effective date.

By the Committee on Fiscal Policy; and Senator Margolis—

CS for SB 1066—A bill to be entitled An act relating to anatomical gifts; amending s. 765.521, F.S.; requiring the Department of Highway Safety and Motor Vehicles to maintain an integrated website link to the organ donation registry; providing an effective date.

By the Committee on Banking and Insurance; and Senator Flores—

CS for SB 1104—A bill to be entitled An act relating to service of process on financial institutions; creating s. 48.092, F.S.; requiring service on financial institutions to be made in accordance with s. 655.0201, F.S.; amending s. 655.0201, F.S.; revising applicability of provisions of law governing service of process on financial institutions; authorizing certain financial institutions to designate with the Department of State a place or registered agent within the state as the sole location or agent for service of process, notice, levy, or demand; providing that service of process, notice, levy, or demand may be made at specified time periods; providing exceptions if the financial institution has no registered agent, service cannot be made at the sole location, or

for service made by the Office of Financial Regulation; providing an effective date.

By the Committees on Judiciary; and Banking and Insurance; and Senator Simmons—

CS for CS for SB 1118—A bill to be entitled An act relating to transportation network company insurance; amending s. 316.066, F.S.; requiring a statement in certain crash reports as to whether any driver at the time of the accident was providing a prearranged ride or logged into a digital network of a transportation network company; providing a criminal penalty for a driver who provides a false statement to a law enforcement officer in connection with certain information; creating s. 627.748, F.S.; providing legislative intent; defining terms; requiring a transportation network company driver, or the transportation network company on the driver’s behalf, to maintain certain primary automobile insurance under certain circumstances; providing coverage requirements under specified circumstances; requiring a transportation network company to maintain certain insurance and obligate the insurer to defend a certain claim if specified insurance by the driver lapses or does not provide the required coverage; providing that certain coverage may not be contingent on a claim denial; specifying requirements for insurers who provide certain automobile insurance; requiring a transportation network company driver to carry proof of certain insurance coverage at all times during his or her use of a personal vehicle and to disclose specified information in the event of an accident; requiring a transportation network company to make certain disclosures to transportation network company drivers; authorizing insurers to exclude certain coverages during specified periods for policies issued to transportation network company drivers for personal vehicles; requiring a transportation network company and certain insurers to cooperate during a claims investigation to facilitate the exchange of specified information; requiring a transportation network company to cause its insurer to issue payments for claims directly to specified entities under certain circumstances; providing that unless agreed to in a written contract, a transportation network company is not deemed to control, direct, or manage the personal vehicles or transportation network company drivers that connect to its digital network; requiring a transportation network company to provide a specified notice to transportation network company drivers; authorizing the Financial Services Commission to adopt rules; providing for preemption of local laws and regulations pertaining to transportation network company insurance; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senators Negron, Benacquisto, Soto, Flores, Simpson, and Altman—

CS for SB 1168—A bill to be entitled An act relating to implementation of the water and land conservation constitutional amendment; amending s. 375.041, F.S.; requiring a minimum specified percentage of funds within the Land Acquisition Trust Fund to be appropriated for Everglades restoration projects; providing a preference in the use of funds to certain projects that reduce harmful discharges to the St. Lucie Estuary and the Caloosahatchee Estuary; requiring a minimum specified percentage of funds within the Land Acquisition Trust Fund to be appropriated for spring restoration, protection, and management projects; deleting an obsolete provision; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Hays—

CS for SB 1192—A bill to be entitled An act relating to waste management; creating s. 403.70491, F.S.; prohibiting a local government from preventing a private company from listing separately on an invoice for solid waste collection, disposal, or recycling any governmental taxes and fees; amending s. 403.70605, F.S.; revising provisions relating to solid waste collection services to include disposal and recycling services; providing that certain private companies may bring an action against a state agency for specified violations; revising definitions; creating s. 812.0141, F.S.; defining a term; establishing the crime of theft of recyclable property; providing penalties; providing for a civil remedy;

providing for attorney fees and costs under certain conditions; providing an effective date.

By the Committees on Judiciary; and Governmental Oversight and Accountability; and Senator Garcia—

CS for CS for SB 1220—A bill to be entitled An act relating to public records; amending s. 119.12, F.S.; requiring a complainant to provide specified written notice to an agency's custodian of public records in order to be awarded the reasonable costs of enforcement in a civil action for enforcement of ch. 119, F.S.; specifying circumstances under which a court may not assess and award the reasonable costs of enforcement against a responsible agency; providing an exception to the requirement that a complainant provide written notice before filing a civil action; providing an effective date.

By the Committee on Health Policy; and Senator Sobel—

CS for SB 1240—A bill to be entitled An act relating to Children's Medical Services eligibility and enrollment; amending s. 391.021, F.S.; revising the definition of the term "children with special health care needs"; defining the term "clinical eligibility"; amending s. 391.029, F.S.; revising eligibility requirements for the Children's Medical Services program; requiring the Department of Health to determine clinical eligibility for the Children's Medical Services program by the use of an assessment instrument or through the review of documentation provided by a health care practitioner; requiring the department to adopt rules; providing for the continued applicability of an existing rule until new rules are adopted; amending s. 391.081, F.S.; requiring the department to provide notice to a parent or guardian of a child who has been determined clinically ineligible for the Children's Medical Services program of the parent's or guardian's option to request another clinical eligibility determination and appeal rights under ch. 120, F.S.; amending s. 409.974, F.S.; providing an exemption from regional specialty plan enrollment limits for the Children's Medical Services Network; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Latvala—

CS for SB 1250—A bill to be entitled An act relating to behavioral health workforce; amending s. 110.12315, F.S.; expanding the categories of persons who may prescribe brand name drugs under the prescription drug program when medically necessary; amending ss. 310.071, 310.073, and 310.081, F.S.; exempting controlled substances prescribed by an advanced registered nurse practitioner or a physician assistant from the disqualifications for certification or licensure, and for continued certification or licensure, as a deputy pilot or state pilot; amending s. 394.453, F.S.; revising legislative intent; amending s. 394.467, F.S.; authorizing procedures for recommending admission of a patient to a treatment facility; amending s. 395.1051, F.S.; requiring a hospital to provide specified advance notice to certain obstetrical physicians before it closes its obstetrical department or ceases to provide obstetrical services; amending s. 397.451, F.S.; revising provisions relating to exemptions from disqualification for certain service provider personnel; amending s. 456.072, F.S.; providing mandatory administrative penalties for certain violations relating to prescribing or dispensing a controlled substance; amending s. 456.44, F.S.; providing a definition; deleting an obsolete date; requiring advanced registered nurse practitioners and physician assistants who prescribe controlled substances for certain pain to make a certain designation, comply with registration requirements, and follow specified standards of practice; providing applicability; amending ss. 458.3265 and 459.0137, F.S.; limiting the authority to prescribe a controlled substance in a pain-management clinic only to a physician licensed under chapter 458 or chapter 459, F.S.; amending s. 458.347, F.S.; revising the required continuing education requirements for a physician assistant; requiring that a specified formulary limit the prescription of certain controlled substances by physician assistants as of a specified date; amending s. 464.003, F.S.; redefining the term "advanced or specialized nursing practice"; deleting the joint committee established in the definition; amending s. 464.012, F.S.; requiring the Board of Nursing to establish a committee to recommend a formulary of controlled substances that may not be prescribed, or may be prescribed only on a limited basis, by an advanced registered nurse practitioner; specifying the membership of

the committee; providing parameters for the formulary; requiring that the formulary be adopted by board rule; specifying the process for amending the formulary and imposing a burden of proof; limiting the formulary's application in certain instances; requiring the board to adopt the committee's initial recommendations by a specified date; authorizing an advanced registered nurse practitioner to prescribe, dispense, administer, or order drugs, including certain controlled substances under certain circumstances, as of a specified date; amending s. 464.013, F.S.; revising continuing education requirements for renewal of a license or certificate; amending s. 464.018, F.S.; specifying acts that constitute grounds for denial of a license or for disciplinary action against an advanced registered nurse practitioner; amending s. 893.02, F.S.; redefining the term "practitioner" to include advanced registered nurse practitioners and physician assistants under the Florida Comprehensive Drug Abuse Prevention and Control Act for the purpose of prescribing controlled substances if a certain requirement is met; amending s. 948.03, F.S.; providing that possession of drugs or narcotics prescribed by an advanced registered nurse practitioner or a physician assistant does not violate a prohibition relating to the possession of drugs or narcotics during probation; amending ss. 458.348 and 459.025, F.S.; conforming provisions to changes made by the act; reenacting ss. 458.331(10), 458.347(7)(g), 459.015(10), 459.022(7)(f), and 465.0158(5)(b), F.S., relating to grounds for disciplinary action against certain licensed health care practitioners or applicants, physician assistant licensure, the imposition of penalties upon physician assistants by the Board of Osteopathic Medicine, and nonresident sterile compounding permits, respectively, to incorporate the amendment made by the act to s. 456.072, F.S., in references thereto; reenacting ss. 456.072(1)(mm) and 466.02751, F.S., relating to grounds for discipline of certain licensed health care practitioners or applicants and dentist practitioner profiles, respectively, to incorporate the amendment made by the act to s. 456.44, F.S., in references thereto; reenacting ss. 458.303, 458.3475(7)(b), 459.022(4)(e) and (9)(c), and 459.023(7)(b), F.S., relating to the nonapplicability of certain provisions to specified health care practitioners, and the duties of the Board of Medicine and the Board of Osteopathic Medicine with respect to anesthesiologist assistants, respectively, to incorporate the amendment made by the act to s. 458.347, F.S., in references thereto; reenacting ss. 456.041(1)(a) and 458.348(1) and (2), F.S., relating to practitioner profiles and notice and standards for formal supervisory relationships, respectively, to incorporate the amendment made by the act to s. 464.012, F.S., in references thereto; reenacting s. 464.0205(7), F.S., relating to certification as a retired volunteer nurse to incorporate the amendment made by the act to s. 464.013, F.S., in a reference thereto; reenacting ss. 320.0848(11), 464.008(2), 464.009(5), and 464.0205(1)(b), (3), and (4)(b), F.S., relating to violations of provisions for disability parking, licensure by examination of registered nurses and licensed practical nurses, licensure by endorsement to practice professional or practical nursing, disciplinary actions against nursing applicants or licensees, and retired volunteer nurse certifications, respectively, to incorporate the amendment made by the act to s. 464.018, F.S., in references thereto; reenacting s. 775.051, F.S., relating to exclusion as a defense and non-admissibility as evidence of voluntary intoxication to incorporate the amendment made by the act to s. 893.02, F.S., in a reference thereto; reenacting ss. 944.17(3)(a), 948.001(8), and 948.101(1)(e), F.S., relating to receipt by the state correctional system of certain persons sentenced to incarceration, the definition of the term "probation," and the terms and conditions of community control, respectively, to incorporate the amendment made by the act to s. 948.03, F.S., in references thereto; providing effective dates.

By the Committee on Banking and Insurance; and Senator Latvala—

CS for SB 1274—A bill to be entitled An act relating to limited sinkhole coverage insurance; amending s. 624.407, F.S.; specifying the amount of surplus funds required for domestic insurers applying for a certificate of authority to provide limited sinkhole coverage insurance; amending s. 624.408, F.S.; specifying the minimum surplus that must be maintained by insurers that provide limited sinkhole coverage insurance; creating s. 627.7151, F.S.; authorizing certain insurers to offer limited sinkhole coverage insurance in this state; providing applicability; providing a limitation of coverage; authorizing a specified limitation of coverage subject to a certain condition; authorizing certain policy terms; requiring an insurance agent to obtain a specified signed acknowledgement from an applicant before issuing a policy; authorizing insurer forms and exempting forms from approval; authorizing an in-

surer to establish and use rates in accordance with specified rate standards; requiring an insurer to provide a specified notice of changes to rates within a specified time frame to the Office of Insurance Regulation; requiring an insurer to maintain certain actuarial data for a specified time frame; authorizing the office to require an insurer to incur the costs associated with examining such data; providing factors for the office in determining whether a rate is excessive, inadequate, or unfairly discriminatory; authorizing a surplus lines agent to export a contract or endorsement for sinkhole coverage to a surplus lines insurer without meeting certain requirements; requiring the insurer to notify the office before writing sinkhole insurance and to file a plan of operation with the office; prohibiting assignments of post-loss claims; providing an exception; providing an effective date.

By the Committees on Environmental Preservation and Conservation; and Agriculture; and Senator Dean—

CS for CS for SB 1318—A bill to be entitled An act relating to shellfish harvesting; amending s. 597.010, F.S.; revising provisions directing the Department of Agriculture and Consumer Services, in cooperation with the Fish and Wildlife Conservation Commission and the Department of Environmental Protection, to protect specified shellfish beds, grounds, and reefs; defining the terms “dredge or mechanical harvesting devices” and “shellfish”; providing for the harvesting of shellfish from sovereign submerged land leases; providing for the Board of Trustees of the Internal Improvement Trust Fund to authorize the use of dredges or mechanical harvesting devices as special lease conditions of sovereign submerged land leases under certain circumstances; limiting the number of such dredges or mechanical harvesting devices per lease; prohibiting certain use and possession of such dredges or mechanical harvesting devices; providing penalties; removing provisions relating to shellfish harvesting seasons and removal of oysters, clams, or mussels from natural reefs; authorizing the department, rather than requiring, to designate areas for the taking of oysters and clams to be planted on public lands; deleting a provision allowing such takings to be planted on leases and grants; specifying that the commission, rather than the department, shall establish the amount of oysters, clams, and mussels that may be relayed or transplanted; removing provisions relating to dredging of dead shells and oyster culture; making technical changes; providing an effective date.

By the Committee on Judiciary; and Senator Braynon—

CS for SB 1436—A bill to be entitled An act relating to public records; amending s. 28.2221, F.S.; making technical changes; providing an exemption from public records requirements for certain official records relating to matters or cases governed by the Florida Family Law Rules of Procedure; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; amending s. 119.0714, F.S.; providing an exemption from public records requirements for a petition for an injunction that is dismissed and the petition’s contents; providing for removal of petitions that were dismissed before the effective date of the act from publicly accessible records; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a directive to the Division of Law Revision and Information; providing an effective date.

By the Committee on Health Policy; and Senator Grimsley—

CS for SB 1518—A bill to be entitled An act relating to cardiovascular services; creating s. 391.224, F.S.; providing legislative findings and intent; creating the Pediatric Cardiac Advisory Council; determining the chair of the advisory council; establishing the membership of the advisory council; identifying the duties of the advisory council; setting the minimum qualifications for the designation of a facility as a Pediatric and Congenital Cardiovascular Center of Excellence; requiring a report to the Governor, the Legislature, and the State Surgeon General; requiring the Department of Health to develop rules relating to pediatric cardiac services and facilities in the Children’s Medical Services Network; authorizing the department to adopt rules relating to the council and the designation of facilities as Pediatric and Congenital Cardiovascular Centers of Excellence; authorizing and preserving until amended specified rules relating to pediatric cardiac services and facilities; amending s. 408.0361, F.S.; expanding rule-making criteria for the Agency for Health Care Administration for li-

censure of hospitals performing percutaneous cardiac intervention procedures; providing an effective date.

By the Committee on Judiciary; and Senator Altman—

CS for SB 1692—A bill to be entitled An act relating to reimbursement of assessments; creating s. 295.24, F.S.; prohibiting an agent or attorney representing a claimant from directly or indirectly requesting, receiving, or obtaining reimbursement from the claimant for assessments charged to the agent or attorney by the United States Department of Veterans Affairs; providing penalties; providing an effective date.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 7023, as amended, and requests the concurrence of the Senate.

Bob Ward, Clerk

By Finance & Tax Committee and Representative(s) Trumbull, Santiago—

HB 7023—A bill to be entitled An act relating to an ad valorem tax exemption for deployed servicemembers; amending s. 196.173, F.S.; expanding the military operations that qualify certain servicemembers who receive a homestead exemption and were deployed during the previous calendar year to receive an additional ad valorem tax exemption on that homestead property; specifying the deadline for filing an application for the tax exemption for the 2016 tax year; providing procedures for filing an application for the tax exemption for a qualifying deployment during the 2014 and 2015 calendar years; providing procedures to appeal a denial by a property appraiser of an application for the tax exemption; providing refund procedures for servicemembers who were on qualifying deployments for more than 365 days during the 2014 and 2015 calendar years; providing applicability; providing an effective date.

—was referred to the Committees on Community Affairs; Finance and Tax; and Fiscal Policy.

The Honorable Andy Gardiner, President

I am directed to inform the Senate that the House of Representatives has passed HB 7091 and requests the concurrence of the Senate.

Bob Ward, Clerk

By Health Care Appropriations Subcommittee and Representative(s) Hudson—

HB 7091—A bill to be entitled An act relating to trust funds; terminating the Working Capital Trust Fund within the Department of Children and Families and the Operations and Maintenance Trust Fund within the Department of Health; providing for the disposition of balances in, revenues of, and all outstanding appropriations of the trust funds; prescribing procedures for the termination of the trust funds; amending ss. 17.61, 20.195, and 20.435, F.S.; conforming provisions and removing a reference to the Nursing Student Loan Forgiveness Trust Fund within the Department of Health; amending s. 215.5601, F.S.; conforming a cross-reference; repealing s. 392.69, F.S., relating to appropriations, funding, and additional powers of the Department of Health regarding tuberculosis control, to conform; providing an effective date.

—was referred to the Committee on Appropriations.

CORRECTION AND APPROVAL OF JOURNAL

ADJOURNMENT

The Journal of February 10 was corrected and approved.

On motion by Senator Simmons, the Senate adjourned at 3:01 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:30 a.m., Thursday, February 18 or upon call of the President.

CO-INTRODUCERS

Senator Diaz de la Portilla—CS for SB 380