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1 A bill to be entitled
2 An act implementing the 2016-2017 General
3 Appropriations Act; providing legislative intent;
4 incorporating by reference certain calculations of the
5 Florida Education Finance Program; providing that
6 funds for instructional materials must be released and
7 expended as required in specified proviso language;
8 specifying the required ad valorem tax millage
9 contribution by certain district school boards for
10 certain funded construction projects; amending s.
11 1011.62, F.S.; revising the method for allocating
12 funds for exceptional student education programs;
13 extending by 1 fiscal year the requirement that
14 specified school districts use certain funds toward
15 additional intensive reading instruction; specifying
16 the method for determining the 300 lowest-performing
17 elementary schools; requiring categorical funds for
18 supplemental academic instruction to be provided for
19 in the Florida Education Finance Program; specifying
20 the method of determining the allocation of
21 categorical funding; providing for the recalculation
22 of categorical funding; requiring an allocation to be
23 prorated if certain conditions exist; revising the
24 computation of the district sparsity index for
25 districts that meet certain criteria; deleting
26 obsolete language; creating a federally connected
27 student supplement for school districts; specifying
28 eligibility requirements and calculations for
29 allocations of the supplement; conforming cross-

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30 references; amending s. 1011.71, F.S.; conforming a
31 cross-reference; providing for the future expiration
32 and reversion of specified statutory text; amending s.
33 1004.935, F.S.; extending the date by which the Adults
34 with Disabilities Workforce Education Pilot Program
35 may operate; providing for the future expiration and
36 reversion of specified statutory text; amending s.
37 1013.74, F.S.; authorizing a university board of
38 trustees to expend certain reserve or carry forward
39 balances from a prior year for specified capital
40 outlay projects if certain conditions are met;
41 amending s. 1001.92, F.S.; revising requirements for
42 the performance-based metrics adopted by the Board of
43 Governors of the State University System for purposes
44 of the State University System Performance-Based
45 Incentive; requiring the Board of Governors to
46 establish eligibility thresholds to determine a state
47 university's eligibility to receive performance
48 funding; creating s. 1001.66, F.S.; requiring a
49 Florida College System Performance-Based Incentive to
50 be awarded to Florida College System institutions
51 using certain performance-based metrics and benchmarks
52 adopted by the State Board of Education; specifying
53 allocation of the funds; requiring the State Board of
54 Education to establish eligibility thresholds to
55 determine an institution's eligibility to receive
56 performance funding; requiring certain funds to be
57 withheld from, and certain improvement plans to be
58 submitted to the State Board of Education by,

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59 institutions based on specified performance;
60 specifying monitoring and reporting requirements for
61 improvement plans; requiring the Commissioner of
62 Education to withhold disbursement of specified funds
63 until certain conditions are met; specifying
64 requirements regarding the distribution of funds;
65 requiring the State Board of Education to report to
66 the Governor and the Legislature regarding the
67 performance funding allocation; amending s. 1012.75,
68 F.S.; extending by 1 fiscal year provisions
69 authorizing the Department of Education to administer
70 an educator liability insurance program; creating s.
71 1001.67, F.S.; establishing the Distinguished Florida
72 College System institution program; specifying the
73 excellence standards for purposes of the program;
74 prescribing minimum criteria for an institution to
75 receive a distinguished college designation;
76 specifying that designated institutions are eligible
77 for funding as provided in the General Appropriations
78 Act; amending s. 1001.7065, F.S., and reenacting
79 subsection (1), relating to the preeminent state
80 research universities program; revising academic and
81 research excellence standards for the preeminent state
82 research universities program; requiring the Board of
83 Governors to designate a state university that meets
84 certain criteria as an "emerging preeminent state
85 research university"; revising provisions governing
86 the award of funds to a designated preeminent state
87 research university; requiring an emerging preeminent

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88 state research university to submit a benchmark plan
89 to the board; specifying the method of determining
90 funding amounts; deleting a provision establishing the
91 Preeminent State Research University Enhancement
92 Initiative; removing authority for a state research
93 university to establish special course requirements;
94 providing for the future expiration and reversion of
95 specified statutory text; authorizing the Agency for
96 Health Care Administration to submit a budget
97 amendment to realign funding based upon a specified
98 model, methodology, and framework; specifying
99 requirements for such realignment; requiring the
100 Agency for Persons with Disabilities to offer
101 enrollment in the Medicaid home and community-based
102 waiver to certain individuals; specifying criteria for
103 enrollment prioritization; requiring an individual to
104 be allowed to receive home and community-based
105 services if his or her parent or legal guardian is an
106 active-duty servicemember transferred to this state
107 under certain circumstances; providing that
108 individuals remaining on the wait list are not
109 entitled to a hearing in accordance with federal law
110 or an administrative proceeding under state law;
111 specifying the requirements that apply to the iBudgets
112 of clients on the home and community-based services
113 waiver until the Agency for Persons with Disabilities
114 adopts a new allocation algorithm and methodology by
115 final rule; providing for application of the new
116 allocation algorithm and methodology after adoption of

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117 the final rule; providing requirements for an increase
118 in iBudget funding allocations; amending s. 296.37,
119 F.S.; extending for 1 fiscal year the requirement that
120 certain residents of a veterans' nursing home
121 contribute to their maintenance and support; requiring
122 the Agency for Health Care Administration to ensure
123 that nursing facility residents who are eligible for
124 funds to transition to home and community-based
125 services waivers have resided in a skilled nursing
126 facility residency for a specified period; requiring
127 the Agency for Health Care Administration and the
128 Department of Elderly Affairs to prioritize
129 individuals for enrollment in the Medicaid Long-Term
130 Care Waiver program using a certain frailty-based
131 screening; authorizing the Agency for Health Care
132 Administration to adopt rules and enter into certain
133 interagency agreements with respect to program
134 enrollment; authorizing the delegation of certain
135 responsibilities with respect to program enrollment;
136 authorizing the Agency for Health Care Administration,
137 in consultation with the Department of Health, to
138 submit a budget amendment to reflect certain
139 enrollment changes within the Children's Medical
140 Services Network; authorizing the agency to submit a
141 request for nonoperating budget authority to transfer
142 federal funds to the Department of Health under
143 certain circumstances; incorporating by reference
144 certain calculations of the Medicaid Low-Income Pool,
145 Disproportionate Share Hospital, and hospital

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146 reimbursement programs for the 2016-2017 fiscal year;
147 amending s. 893.055, F.S.; extending for 1 fiscal year
148 the authority of the Department of Health to use
149 certain funds to administer the prescription drug
150 monitoring program; prohibiting the use of funds
151 received from a settlement agreement to administer the
152 program; amending s. 216.262, F.S.; extending for 1
153 fiscal year the authority of the Department of
154 Corrections to submit a budget amendment for
155 additional positions and appropriations under certain
156 circumstances; authorizing the Department of Legal
157 Affairs to expend certain appropriated funds on
158 programs that were funded by the department from
159 specific appropriations in general appropriations acts
160 in previous years; amending s. 932.7055, F.S.;
161 extending for 1 fiscal year the authority for a
162 municipality to expend funds from its special law
163 enforcement trust fund to reimburse its general fund
164 for certain moneys; amending s. 215.18, F.S.;
165 extending for 1 fiscal year the authority and related
166 repayment requirements for trust fund loans to the
167 state court system which are sufficient to meet the
168 system's appropriation; prohibiting the Department of
169 Corrections from transferring funds from a salaries
170 and benefits category to another category unless
171 approved by the Legislative Budget Commission;
172 requiring the Department of Juvenile Justice to review
173 county juvenile detention payments to determine if the
174 county has met specified financial responsibilities;

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175 requiring amounts owed by the county for such
176 financial responsibilities to be deducted from certain
177 county funds; requiring the Department of Revenue to
178 ensure that such deductions do not reduce
179 distributions below amounts necessary for certain
180 payments relating to bonds; requiring the Department
181 of Revenue to notify the Department of Juvenile
182 Justice if bond payment requirements require a
183 reduction in deductions for amounts owed by a county;
184 amending s. 27.5304, F.S.; revising certain
185 limitations on compensation for private court-
186 appointed counsel; providing for the future expiration
187 and reversion of specified statutory text; amending s.
188 28.36, F.S.; prescribing procedures regarding the
189 distribution of funds appropriated in the General
190 Appropriations Act for the clerks of the court for the
191 2015-2016 and the 2016-2017 county fiscal years;
192 specifying the manner in which funds must be released;
193 requiring the Department of Management Services to use
194 tenant broker services to renegotiate or reprocure
195 private lease agreements for office or storage space;
196 requiring the Department of Management Services to
197 provide a report to the Governor and the Legislature
198 by a specified date; reenacting s. 624.502, F.S.,
199 relating to the deposit of fees for service of process
200 made upon the Chief Financial Officer or the Director
201 of the Office of Insurance Regulation into the
202 Administrative Trust Fund; providing for the future
203 expiration and reversion of specified statutory text;

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204 reenacting s. 282.709(2) (a), F.S., relating to the
205 creation and membership of the Joint Task Force on
206 State Agency Law Enforcement Communications; providing
207 for the future expiration and reversion of specified
208 statutory text; specifying the amount of the
209 transaction fee to be collected for use of the online
210 procurement system; amending s. 259.105, F.S.;

211 revising the distribution of certain proceeds from
212 cash payments or bonds issued pursuant to the Florida
213 Forever Act for the 2016-2017 fiscal year; requiring
214 that a minimum allocation of funds for the Florida
215 Communities Trust be applied towards projects
216 acquiring conservation or recreation lands to enhance
217 recreational opportunities for individuals with unique
218 abilities; authorizing such funds to be used toward
219 redevelopment and renewal projects if certain
220 conditions are met; amending s. 375.075, F.S.;

221 requiring that a minimum amount of funds for the
222 Florida Recreation Development Assistance Program be
223 used towards projects providing recreational
224 enhancements and opportunities for individuals with
225 unique abilities; requiring the Department of
226 Environmental Protection to award grants by a
227 specified date; revising the limitation on the number
228 of grant applications a local government may submit;
229 requiring the department to prioritize certain
230 projects; amending s. 380.507, F.S.; revising the
231 powers of the Florida Communities Trust to authorize
232 the undertaking, coordination, and funding of projects

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233 that provide accessibility, availability, or
234 adaptability of conservation or recreation lands for
235 individuals with unique abilities; amending s.
236 216.181, F.S.; extending by 1 fiscal year the
237 authority for the Legislative Budget Commission to
238 increase amounts appropriated to the Fish and Wildlife
239 Conservation Commission or the Department of
240 Environmental Protection for certain fixed capital
241 outlay projects; amending s. 206.9935, F.S.; exempting
242 specified revenues from the calculation of the
243 unobligated balance of the Water Quality Assurance
244 Trust Fund; providing for the future expiration and
245 reversion of specified statutory text; amending s.
246 403.709, F.S.; extending by 1 fiscal year provisions
247 governing the establishment of a solid waste landfill
248 closure account within the Solid Waste Management
249 Trust Fund; reviving, reenacting, and amending s.
250 403.7095(5), F.S.; requiring the Department of
251 Environmental Protection to award a certain sum of
252 grant funds for specified solid waste management
253 programs to counties that meet certain criteria;
254 amending s. 215.18, F.S.; extending by 1 fiscal year
255 the authority for the Governor to transfer funds from
256 other trust funds in the State Treasury as a temporary
257 loan to certain land acquisition trust funds with a
258 deficit; requiring the Department of Environmental
259 Protection to transfer revenues deposited in the Land
260 Acquisition Trust Fund within the department to land
261 acquisition trust funds in the Department of

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262 Agriculture and Consumer Services, the Department of
263 State, and the Fish and Wildlife Conservation
264 Commission according to specified parameters and
265 calculations; defining the term "department";
266 requiring the department to retain a proportionate
267 share of revenues; specifying a limit on
268 distributions; amending s. 376.3071, F.S.; specifying
269 that earned interest may be transferred between the
270 Inland Protection Trust Fund and the Water Quality
271 Assurance Trust Fund as authorized by the General
272 Appropriations Act; providing for the future
273 expiration and reversion of specified statutory text;
274 amending s. 288.047, F.S.; specifying requirements and
275 limitations with respect to the approval of
276 applications, the execution of agreements, and
277 reimbursement amounts under the Quick-Response
278 Training Program; requiring the Department of Economic
279 Opportunity to transfer funds to CareerSource Florida,
280 Inc., if certain conditions exist; authorizing
281 CareerSource Florida, Inc., to request an advance of
282 the appropriation for the program; requiring
283 CareerSource Florida, Inc., to set aside a specified
284 percent of a certain appropriation to fund
285 instructional programs for businesses located in a
286 rural area of opportunity under certain circumstances;
287 authorizing, rather than requiring, an educational
288 institution receiving program funding to be included
289 in the grant agreement prepared by CareerSource
290 Florida, Inc.; authorizing certain matching

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291 contributions to be counted toward the private sector
292 support of Enterprise Florida, Inc.; providing for the
293 future expiration and reversion of specified statutory
294 text; amending s. 339.135, F.S., and reviving,
295 reenacting, and amending paragraphs (4)(j) and (5)(c);
296 extending by 1 fiscal year provisions requiring the
297 Department of Transportation to use appropriated funds
298 for purposes related to the establishment of a
299 multiuse trail system; authorizing the department to
300 use up to a certain amount of appropriated funds for
301 strategic and regionally significant transportation
302 projects; amending s. 339.2818, F.S.; redefining the
303 term "small county" for purposes of the Small County
304 Outreach Program; reenacting s. 341.302(10), F.S.,
305 relating to the Department of Transportation's duties
306 and responsibilities for the rail program; providing
307 for the future expiration and reversion of specified
308 statutory text; amending s. 339.2816, F.S.; specifying
309 the amount of funding from the State Transportation
310 Trust Fund that may be used for the Small County Road
311 Assistance Program for the 2016-2017 fiscal year;
312 providing for the future expiration and reversion of
313 specified statutory text; amending s. 420.9072, F.S.;
314 extending by 1 fiscal year provisions authorizing each
315 county and eligible municipality to use its portion of
316 the local housing distribution for certain purposes;
317 amending s. 420.5087, F.S.; extending by 1 fiscal year
318 provisions specifying the reservation of funds for the
319 tenant groups within each notice of fund availability

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320 with respect to the State Apartment Incentive Loan
321 Program; requiring the Florida Housing Finance
322 Corporation to issue a notice of fund availability for
323 loans to be used for certain purposes; amending s.
324 427.013, F.S.; requiring the Commission for the
325 Transportation Disadvantaged to allocate and award
326 appropriated funds for specified purposes; reenacting
327 s. 216.292(2)(a), F.S., relating to exceptions for
328 nontransferable appropriations; providing for the
329 future expiration and reversion of specified statutory
330 text; prohibiting a state agency from initiating a
331 competitive solicitation for a product or service
332 under certain circumstances; providing an exception;
333 authorizing the Executive Office of the Governor to
334 transfer funds between departments for purposes of
335 aligning amounts paid for risk management premiums and
336 for human resource management services; amending s.
337 112.24, F.S.; extending by 1 fiscal year the
338 authorization, subject to specified requirements, for
339 the assignment of an employee of a state agency under
340 an employee interchange agreement; providing that the
341 annual salaries of the members of the Legislature
342 shall be maintained at a specified level; reenacting
343 s. 215.32(2)(b), F.S., relating to the source and use
344 of certain trust funds; providing for the future
345 expiration and reversion of specified statutory text;
346 providing a legislative determination that the
347 issuance of new debt is in the best interests of the
348 state; limiting the use of travel funds to activities

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349 that are critical to an agency's mission; providing
350 exceptions; authorizing the Executive Office of the
351 Governor to transfer funds appropriated for data
352 processing between agencies for a specified purpose;
353 authorizing the Executive Office of the Governor to
354 transfer funds appropriated for certain data
355 processing services between departments for a
356 specified purpose; prohibiting an agency from
357 transferring funds from a data processing category to
358 another category that is not a data processing
359 category; authorizing the Executive Office of the
360 Governor to transfer certain funds between agencies in
361 order to allocate a reduction relating to SUNCOM
362 Network services; reenacting s. 110.12315, F.S.,
363 relating to the state employees' prescription drug
364 program; providing for the future expiration and
365 reversion of specified statutory text; providing for
366 the effect of a veto of one or more specific
367 appropriations or proviso to which implementing
368 language refers; providing for the continued operation
369 of certain provisions notwithstanding a future repeal
370 or expiration provided by the act; providing for
371 severability; providing effective dates.

372
373 Be It Enacted by the Legislature of the State of Florida:

374
375 Section 1. It is the intent of the Legislature that the
376 implementing and administering provisions of this act apply to
377 the General Appropriations Act for the 2016-2017 fiscal year.

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378 Section 2. In order to implement Specific Appropriations 7,
379 8, 9, 94, and 95 of the 2016-2017 General Appropriations Act,
380 the calculations of the Florida Education Finance Program for
381 the 2016-2017 fiscal year in the document titled "Public School
382 Funding: The Florida Education Finance Program," dated XX, 2016,
383 and filed with the Secretary of the Senate, are incorporated by
384 reference for the purpose of displaying the calculations used by
385 the Legislature, consistent with the requirements of state law,
386 in making appropriations for the Florida Education Finance
387 Program. This section expires July 1, 2017.

388 Section 3. In order to implement Specific Appropriations 7
389 and 94 of the 2016-2017 General Appropriations Act and
390 notwithstanding ss. 1002.20, 1003.02, 1006.28-1006.42,
391 1011.62(6)(b)5., and 1011.67, Florida Statutes, relating to the
392 expenditure of funds provided for instructional materials, for
393 the 2016-2017 fiscal year, funds provided for instructional
394 materials shall be released and expended as required in the
395 proviso language for Specific Appropriation 94 of the 2016-2017
396 General Appropriations Act. This section expires July 1, 2017.

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

404 Section 5. In order to implement Specific Appropriations 7
405 and 94 of the 2016-2017 General Appropriations Act, paragraphs
406 (e) and (f) of subsection (1), paragraph (a) of subsection (4),

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407 paragraph (b) of subsection (7), paragraph (a) of subsection
408 (9), and present subsection (13) of section 1011.62, Florida
409 Statutes, are amended, present subsections (13), (14), and (15)
410 of that section are renumbered as subsections (14), (15), and
411 (16), respectively, and a new subsection (13) is added to that
412 section, to read:

413 1011.62 Funds for operation of schools.—If the annual
414 allocation from the Florida Education Finance Program to each
415 district for operation of schools is not determined in the
416 annual appropriations act or the substantive bill implementing
417 the annual appropriations act, it shall be determined as
418 follows:

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

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

425 1.a. The funding model uses basic, at-risk, support levels
426 IV and V for exceptional students and career Florida Education
427 Finance Program cost factors, and a guaranteed allocation for
428 exceptional student education programs. Exceptional education
429 cost factors are determined by using a matrix of services to
430 document the services that each exceptional student will
431 receive. The nature and intensity of the services indicated on
432 the matrix shall be consistent with the services described in
433 each exceptional student's individual educational plan. The
434 Department of Education shall review and revise the descriptions
435 of the services and supports included in the matrix of services

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436 for exceptional students and shall implement those revisions
437 before the beginning of the 2012-2013 school year.

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

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

454 2. For students identified as exceptional who do not have a
455 matrix of services and students who are gifted in grades K
456 through 8, there is created a guaranteed allocation to provide
457 these students with a free appropriate public education, in
458 accordance with s. 1001.42(4)(1) and rules of the State Board of
459 Education, which shall be allocated initially ~~annually~~ to each
460 school district in the amount provided in the General
461 Appropriations Act. These funds shall be supplemental ~~in~~
462 ~~addition~~ to the funds appropriated for the basic funding level
463 ~~on the basis of FTE student membership in the Florida Education~~
464 ~~Finance Program~~, and the amount allocated for each school

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465 district shall ~~not~~ be recalculated once during the year, based
466 on actual student membership from the October FTE survey. Upon
467 recalculation, if the generated allocation is greater than the
468 amount provided in the General Appropriations Act, the total
469 shall be prorated to the level of the appropriation based on
470 each district's share of the total recalculated amount. These
471 funds shall be used to provide special education and related
472 services for exceptional students and students who are gifted in
473 grades K through 8. ~~Beginning with the 2007-2008 fiscal year, A~~
474 district's expenditure of funds from the guaranteed allocation
475 for students in grades 9 through 12 who are gifted may not be
476 greater than the amount expended during the 2006-2007 fiscal
477 year for gifted students in grades 9 through 12.

478 (f) *Supplemental academic instruction; categorical fund.*—

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

483 2. ~~The categorical fund funds for supplemental academic~~
484 ~~instruction shall be allocated annually to each school district~~
485 ~~in the amount provided in the General Appropriations Act. These~~
486 ~~funds~~ shall be in addition to the funds appropriated on the
487 basis of FTE student membership in the Florida Education Finance
488 Program and shall be included in the total potential funds of
489 each district. These funds shall be used to provide supplemental
490 academic instruction to students enrolled in the K-12 program.
491 For the 2016-2017 ~~2014-2015~~ fiscal year, each school district
492 that has one or more of the 300 lowest-performing elementary
493 schools based on the state reading assessment shall use these

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494 funds, together with the funds provided in the district's
495 research-based reading instruction allocation and other
496 available funds, to provide an additional hour of instruction
497 beyond the normal school day for each day of the entire school
498 year for intensive reading instruction for the students in each
499 of these schools. This additional hour of instruction must be
500 provided by teachers or reading specialists who are effective in
501 teaching reading or by a K-5 mentoring reading program that is
502 supervised by a teacher who is effective in ~~at~~ teaching reading.
503 Students enrolled in these schools who have level 5 assessment
504 scores may participate in the additional hour of instruction on
505 an optional basis. Exceptional student education centers may
506 ~~shall~~ not be included in the 300 schools. For the 2016-2017
507 fiscal year, the 300 lowest-performing elementary schools shall
508 be based on the 2015-2016 state reading assessment. After this
509 requirement has been met, supplemental instruction strategies
510 may include, but are not limited to: use of a modified
511 curriculum, reading instruction, after-school instruction,
512 tutoring, mentoring, a reduction in class size ~~reduction, an~~
513 extended school year, intensive skills development in summer
514 school, and other methods of ~~for~~ improving student achievement.
515 Supplemental instruction may be provided to a student in any
516 manner and at any time during or beyond the regular 180-day term
517 identified by the school as being the most effective and
518 efficient way to best help that student progress from grade to
519 grade and to graduate.

520 3. Categorical funds for supplemental academic instruction
521 shall be provided annually in the Florida Education Finance
522 Program as specified in the General Appropriations Act. These

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523 funds shall be provided as a supplement to the funds
524 appropriated for the basic funding level and shall be included
525 in the total funds of each district. The allocation shall
526 consist of a base amount that shall have a workload adjustment
527 based on changes in unweighted FTE. In addition, districts that
528 have elementary schools included in the 300 lowest-performing
529 schools designation shall be allocated additional funds to
530 assist those districts in providing intensive reading
531 instruction to students in those schools. The amount provided
532 shall be based on each district's level of per-student funding
533 in the reading instruction allocation and the supplemental
534 academic instruction categorical fund and on the total FTE for
535 each of the schools. The categorical funding shall be
536 recalculated once during the fiscal year following an updated
537 designation of the 300 lowest-performing elementary schools and
538 shall be based on actual student membership from the October FTE
539 survey. Upon recalculation of funding for the supplemental
540 academic instruction categorical fund, if the total allocation
541 is greater than the amount provided in the General
542 Appropriations Act, the allocation shall be prorated to the
543 level provided to support the appropriation, based on each
544 district's share of the total.

545 ~~4.3.~~ Effective with the 1999-2000 fiscal year, funding on
546 the basis of FTE membership beyond the 180-day regular term
547 shall be provided in the FEFP only for students enrolled in
548 juvenile justice education programs or in education programs for
549 juveniles placed in secure facilities or programs under s.
550 985.19. Funding for instruction beyond the regular 180-day
551 school year for all other K-12 students shall be provided

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552 through the supplemental academic instruction categorical fund
553 and other state, federal, and local fund sources with ample
554 flexibility for schools to provide supplemental instruction to
555 assist students in progressing from grade to grade and
556 graduating.

557 5.4. The Florida State University School, as a lab school,
558 is authorized to expend from its FEFP or Lottery Enhancement
559 Trust Fund allocation the cost to the student of remediation in
560 reading, writing, or mathematics for any graduate who requires
561 remediation at a postsecondary educational institution.

562 6.5. Beginning in the 1999-2000 school year, dropout
563 prevention programs as defined in ss. 1003.52, 1003.53(1)(a),
564 (b), and (c), and 1003.54 shall be included in group 1 programs
565 under subparagraph (d)3.

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

573 (a) *Estimated taxable value calculations.*—

574 1.a. Not later than 2 working days prior to July 19, the
575 Department of Revenue shall certify to the Commissioner of
576 Education its most recent estimate of the taxable value for
577 school purposes in each school district and the total for all
578 school districts in the state for the current calendar year
579 based on the latest available data obtained from the local
580 property appraisers. The value certified shall be the taxable

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581 value for school purposes for that year, and no further
582 adjustments shall be made, except those made pursuant to
583 paragraphs (c) and (d), or an assessment roll change required by
584 final judicial decisions as specified in paragraph (15) (b)
585 ~~(14) (b)~~. Not later than July 19, the Commissioner of Education
586 shall compute a millage rate, rounded to the next highest one
587 one-thousandth of a mill, which, when applied to 96 percent of
588 the estimated state total taxable value for school purposes,
589 would generate the prescribed aggregate required local effort
590 for that year for all districts. The Commissioner of Education
591 shall certify to each district school board the millage rate,
592 computed as prescribed in this subparagraph, as the minimum
593 millage rate necessary to provide the district required local
594 effort for that year.

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

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

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

614 b. For each year identified in sub-subparagraph a., the
615 taxable value certified by the appraiser pursuant to s.
616 193.122(2) or (3), if applicable, since the prior certification
617 under sub-subparagraph 1.a. This is the certification that
618 reflects all final administrative actions of the value
619 adjustment board.

620 (7) DETERMINATION OF SPARSITY SUPPLEMENT.—

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

632 (9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

633 (a) The research-based reading instruction allocation is
634 created to provide comprehensive reading instruction to students
635 in kindergarten through grade 12. For the 2016-2017 ~~2014-2015~~
636 fiscal year, in each school district that has one or more of the
637 300 lowest-performing elementary schools based on the state
638 reading assessment, priority shall be given to providing an

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639 additional hour per day of intensive reading instruction beyond
640 the normal school day for each day of the entire school year for
641 the students in each school. For the 2016-2017 fiscal year, the
642 300 lowest-performing elementary schools shall be based on the
643 2015-2016 state reading assessment. Students enrolled in these
644 schools who have level 5 assessment scores may participate in
645 the additional hour of instruction on an optional basis.
646 Exceptional student education centers may ~~shall~~ not be included
647 in the 300 schools. The intensive reading instruction delivered
648 in this additional hour and for other students shall include:
649 research-based reading instruction that has been proven to
650 accelerate progress of students exhibiting a reading deficiency;
651 differentiated instruction based on student assessment data to
652 meet students' specific reading needs; explicit and systematic
653 reading development in phonemic awareness, phonics, fluency,
654 vocabulary, and comprehension, with more extensive opportunities
655 for guided practice, error correction, and feedback; and the
656 integration of social studies, science, and mathematics-text
657 reading, text discussion, and writing in response to reading.
658 ~~For the 2012-2013 and 2013-2014 fiscal years, a school district~~
659 ~~may not hire more reading coaches than were hired during the~~
660 ~~2011-2012 fiscal year unless all students in kindergarten~~
661 ~~through grade 5 who demonstrate a reading deficiency, as~~
662 ~~determined by district and state assessments, including students~~
663 ~~scoring Level 1 or Level 2 on the statewide, standardized~~
664 ~~reading assessment or, upon implementation, the English Language~~
665 ~~Arts assessment, are provided an additional hour per day of~~
666 ~~intensive reading instruction beyond the normal school day for~~
667 ~~each day of the entire school year.~~

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

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

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

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

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

696 (b) The total number of federally connected students

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697 calculated under paragraph (a) shall be multiplied by a
698 percentage of the base student allocation as provided in the
699 General Appropriations Act. The total of the number of students
700 with disabilities as reported separately under subparagraphs
701 (a)1. and (a)2. shall be multiplied by an additional percentage
702 of the base student allocation as provided in the General
703 Appropriations Act. The base amount and the amount for students
704 with disabilities shall be summed to provide the student
705 allocation.

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

712 (14) ~~(13)~~ QUALITY ASSURANCE GUARANTEE.—The Legislature may
713 annually in the General Appropriations Act determine a
714 percentage increase in funds per K-12 unweighted FTE as a
715 minimum guarantee to each school district. The guarantee shall
716 be calculated from prior year base funding per unweighted FTE
717 student which shall include the adjusted FTE dollars as provided
718 in subsection (15) ~~(14)~~, quality guarantee funds, and actual
719 nonvoted discretionary local effort from taxes. From the base
720 funding per unweighted FTE, the increase shall be calculated for
721 the current year. The current year funds from which the
722 guarantee shall be determined shall include the adjusted FTE
723 dollars as provided in subsection (15) ~~(14)~~ and potential
724 nonvoted discretionary local effort from taxes. A comparison of
725 current year funds per unweighted FTE to prior year funds per

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726 unweighted FTE shall be computed. For those school districts
727 which have less than the legislatively assigned percentage
728 increase, funds shall be provided to guarantee the assigned
729 percentage increase in funds per unweighted FTE student. Should
730 appropriated funds be less than the sum of this calculated
731 amount for all districts, the commissioner shall prorate each
732 district's allocation. This provision shall be implemented to
733 the extent specifically funded.

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

737 1011.71 District school tax.—

738 (1) If the district school tax is not provided in the
739 General Appropriations Act or the substantive bill implementing
740 the General Appropriations Act, each district school board
741 desiring to participate in the state allocation of funds for
742 current operation as prescribed by s. 1011.62(15) ~~s. 1011.62(14)~~
743 shall levy on the taxable value for school purposes of the
744 district, exclusive of millage voted under the provisions of s.
745 9(b) or s. 12, Art. VII of the State Constitution, a millage
746 rate not to exceed the amount certified by the commissioner as
747 the minimum millage rate necessary to provide the district
748 required local effort for the current year, pursuant to s.
749 1011.62(4)(a)1. In addition to the required local effort millage
750 levy, each district school board may levy a nonvoted current
751 operating discretionary millage. The Legislature shall prescribe
752 annually in the appropriations act the maximum amount of millage
753 a district may levy.

754 Section 7. The amendments made by this act to ss. 1011.62

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755 and 1011.71, Florida Statutes, expire July 1, 2017, and the text
756 of those sections shall revert to that in existence on June 30,
757 2015, except that any amendments to such text enacted other than
758 by this act shall be preserved and continue to operate to the
759 extent that such amendments are not dependent upon the portions
760 of text which expire pursuant to this section.

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

764 1004.935 Adults with Disabilities Workforce Education Pilot
765 Program.—

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

771 (a) Have a disability;

772 (b) Are 22 years of age;

773 (c) Are receiving instruction from an instructor in a
774 private school to meet the high school graduation requirements
775 in s. 1002.3105(5) or s. 1003.4282;

776 (d) Do not have a standard high school diploma or a special
777 high school diploma; and

778 (e) Receive "supported employment services," which means
779 employment that is located or provided in an integrated work
780 setting with earnings paid on a commensurate wage basis and for
781 which continued support is needed for job maintenance.

782
783 As used in this section, the term "student with a disability"

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784 includes a student who is documented as having an intellectual
785 disability; a speech impairment; a language impairment; a
786 hearing impairment, including deafness; a visual impairment,
787 including blindness; a dual sensory impairment; an orthopedic
788 impairment; another health impairment; an emotional or
789 behavioral disability; a specific learning disability,
790 including, but not limited to, dyslexia, dyscalculia, or
791 developmental aphasia; a traumatic brain injury; a developmental
792 delay; or autism spectrum disorder.

793 Section 9. The amendment made by this act to s.
794 1004.935(1), Florida Statutes, expires July 1, 2017, and the
795 text of that subsection shall revert to that in existence on
796 June 30, 2016, except that any amendments to such text enacted
797 other than by this act shall be preserved and continue to
798 operate to the extent that such amendments are not dependent
799 upon the portions of text which expire pursuant to this section.

800 Section 10. In order to implement Specific Appropriations
801 13 and 142 through 150 of the 2016-2017 General Appropriations
802 Act, subsection (7) is added to section 1013.74, Florida
803 Statutes, to read:

804 1013.74 University authorization for fixed capital outlay
805 projects.—

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

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813 Section 11. In order to implement Specific Appropriation
814 142 of the 2016-2017 General Appropriations Act, section
815 1001.92, Florida Statutes, is amended to read:

816 1001.92 State University System Performance-Based
817 Incentive.—

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

832 (2) Each fiscal year, the amount of funds available for
833 allocation to the state universities based on the performance-
834 based funding model ~~metrics~~ shall consist of the state's
835 investment in appropriation for performance funding, ~~including~~
836 ~~increases in base funding~~ plus institutional investments
837 consisting of funds deducted from the base funding of each state
838 university in the State University System, ~~in an amount provided~~
839 in the General Appropriations Act. The Board of Governors shall
840 establish minimum performance funding eligibility thresholds for
841 the state's investment and the institutional investments. A

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842 state university that fails to meet the minimum state investment
843 performance funding eligibility threshold is ineligible for a
844 share of the state's investment in performance funding. The
845 institutional investment shall be restored for each institution
846 eligible for the state's investment under the performance-based
847 funding model ~~metrics~~.

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

862 (b) The Chancellor of the State University System shall
863 withhold disbursement of the institutional investment until the
864 monitoring report is approved by the Board of Governors. A state
865 university ~~that is~~ determined by the board to be making
866 satisfactory progress on implementing the improvement plan may
867 not ~~shall~~ receive ~~no~~ more than one-half of the withheld
868 institutional investment in January and the balance of the
869 withheld institutional investment in June. A state university
870 that fails to make satisfactory progress may not have its full

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871 institutional investment restored. Any institutional investment
872 funds that are not restored shall be redistributed in accordance
873 with the board's performance-based metrics.

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

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

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

884 Section 12. In order to implement Specific Appropriation
885 126 of the 2016-2017 General Appropriations Act, section
886 1001.66, Florida Statutes, is created to read:

887 1001.66 Florida College System Performance-Based
888 Incentive.—

889 (1) A Florida College System Performance-Based Incentive
890 shall be awarded to Florida College System institutions using
891 performance-based metrics adopted by the State Board of
892 Education. The performance-based metrics must include retention
893 rates; program completion and graduation rates; postgraduation
894 employment, salaries, and continuing education for workforce
895 education and baccalaureate programs, with wage thresholds that
896 reflect the added value of the certificate or degree; and
897 outcome measures appropriate for associate of arts degree
898 recipients. The State Board of Education shall adopt benchmarks
899 to evaluate each institution's performance on the metrics to

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900 measure the institution's achievement of institutional
901 excellence or need for improvement and minimum requirements for
902 eligibility to receive performance funding.

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

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

922 (b) A Florida College System institution that fails to meet
923 the State Board of Education's minimum institutional investment
924 performance funding eligibility threshold shall have its
925 institutional investment withheld by the state board and must
926 submit an improvement plan to the state board which specifies
927 the activities and strategies for improving the institution's
928 performance. The state board must review and approve the

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929 improvement plan and, if the plan is approved, must monitor the
930 institution's progress in implementing the activities and
931 strategies specified in the improvement plan. The institution
932 shall submit monitoring reports to the state board by December
933 31 and May 31 of each year in which an improvement plan is in
934 place. The ability of an institution to submit an improvement
935 plan to the state board is limited to 1 fiscal year.

936 (c) The Commissioner of Education shall withhold
937 disbursement of the institutional investment until the
938 monitoring report is approved by the State Board of Education. A
939 Florida College System institution determined by the state board
940 to be making satisfactory progress on implementing the
941 improvement plan may not receive more than one-half of the
942 withheld institutional investment in January and the balance of
943 the withheld institutional investment in June. An institution
944 that fails to make satisfactory progress may not have its full
945 institutional investment restored. Any institutional investment
946 funds that are not restored shall be redistributed in accordance
947 with the state board's performance-based metrics.

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

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

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

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958 Section 13. In order to implement Specific Appropriation
959 104 of the 2016-2017 General Appropriations Act, subsection (3)
960 of section 1012.75, Florida Statutes, is amended to read:

961 1012.75 Liability of teacher or principal; excessive
962 force.—

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

975 (a) Liability coverage of at least \$2 million shall be
976 provided to all full-time instructional personnel. Liability
977 coverage may be provided to the following individuals who choose
978 to participate in the program, at cost: part-time instructional
979 personnel, administrative personnel, and students enrolled in a
980 state-approved teacher preparation program pursuant to s.
981 1012.39(3).

982 (b) By August 1, the department shall notify the personnel
983 specified in paragraph (a) of the pending procurement for
984 liability coverage. By September 1, each district school board
985 shall notify the personnel specified in paragraph (a) of the
986 liability coverage provided pursuant to this subsection. The

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987 department shall develop the form of the notice which shall be
988 used by each district school board. The notice must be on an 8
989 1/2-inch by 5 1/2-inch postcard and include the amount of
990 coverage, a general description of the nature of the coverage,
991 and the contact information for coverage and claims questions.
992 The notification shall be provided separately from any other
993 correspondence. Each district school board shall certify to the
994 department, by September 15, that the notification required by
995 this paragraph has been provided.

996 (c) The department shall consult with the Department of
997 Financial Services to select the most economically prudent and
998 cost-effective means of implementing the program through self-
999 insurance, a risk management program, or competitive
1000 procurement.

1001 (d) This subsection expires July 1, ~~2017~~ 2016.

1002 Section 14. In order to implement Specific Appropriation
1003 126 of the 2016-2017 General Appropriations Act, section
1004 1001.67, Florida Statutes, is created to read:

1005 1001.67 Distinguished Florida College System institution
1006 program.—A collaborative partnership is established between the
1007 State Board of Education and the Legislature to recognize the
1008 excellence of Florida's highest-performing Florida College
1009 System institutions.

1010 (1) EXCELLENCE STANDARDS.—The following excellence
1011 standards are established for the program:

1012 (a) A 150 percent-of-normal-time completion rate of 50
1013 percent or higher, as calculated by the Division of Florida
1014 Colleges.

1015 (b) A 150 percent-of-normal-time completion rate for Pell

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1016 Grant recipients of 40 percent or higher, as calculated by the
1017 Division of Florida Colleges.

1018 (c) A retention rate of 70 percent or higher, as calculated
1019 by the Division of Florida Colleges.

1020 (d) A continuing education, or transfer, rate of 72 percent
1021 or higher for students graduating with an associate of arts
1022 degree, as reported by the Florida Education and Training
1023 Placement Information Program (FETPIP).

1024 (e) A licensure passage rate on the National Council
1025 Licensure Examination for Registered Nurses (NCLEX-RN) of 90
1026 percent or higher for first-time exam takers, as reported by the
1027 Board of Nursing.

1028 (f) A job placement or continuing education rate of 88
1029 percent or higher for workforce programs, as reported by FETPIP.

1030 (g) A time-to-degree for students graduating with an
1031 associate of arts degree of 2.25 years or less for first-time-
1032 in-college students with accelerated college credits, as
1033 reported by the Southern Regional Education Board.

1034 (2) DISTINGUISHED COLLEGE DESIGNATION.—The State Board of
1035 Education shall designate each Florida College System
1036 institution that meets five of the seven standards identified in
1037 subsection (1) as a distinguished college.

1038 (3) DISTINGUISHED COLLEGE SUPPORT.—A Florida College System
1039 institution designated as a distinguished college by the State
1040 Board of Education is eligible for funding as specified in the
1041 General Appropriations Act.

1042 (4) EXPIRATION.—This section expires July 1, 2017.

1043 Section 15. In order to implement Specific Appropriation
1044 142 of the 2016-2017 General Appropriations Act, subsection (1)

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1045 of section 1001.7065, Florida Statutes, is reenacted, and
1046 subsections (2), (3), and (5) through (9) of that section are
1047 amended, to read:

1048 1001.7065 Preeminent state research universities program.—

1049 (1) STATE UNIVERSITY SYSTEM SHARED GOVERNANCE
1050 COLLABORATION.—A collaborative partnership is established
1051 between the Board of Governors and the Legislature to elevate
1052 the academic and research preeminence of Florida's highest-
1053 performing state research universities in accordance with this
1054 section. The partnership stems from the State University System
1055 Governance Agreement executed on March 24, 2010, wherein the
1056 Board of Governors and leaders of the Legislature agreed to a
1057 framework for the collaborative exercise of their joint
1058 authority and shared responsibility for the State University
1059 System. The governance agreement confirmed the commitment of the
1060 Board of Governors and the Legislature to continue collaboration
1061 on accountability measures, the use of data, and recommendations
1062 derived from such data.

1063 (2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—~~Effective~~
1064 ~~July 1, 2013,~~ The following academic and research excellence
1065 standards are established for the preeminent state research
1066 universities program:

1067 (a) An average weighted grade point average of 4.0 or
1068 higher on a 4.0 scale and an average SAT score of 1800 or higher
1069 on a 2400-point scale or 1200 or higher on a 1600-point scale
1070 for fall semester incoming freshmen, as reported annually.

1071 (b) A top-50 ranking on at least two well-known and highly
1072 respected national public university rankings, reflecting
1073 national preeminence, which includes, but is not limited to, the

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1074 U.S. News and World Report rankings, using most recent rankings.

1075 (c) A freshman retention rate of 90 percent or higher for
1076 full-time, first-time-in-college students, as reported annually
1077 to the Integrated Postsecondary Education Data System (IPEDS).

1078 (d) A 6-year graduation rate of 70 percent or higher for
1079 full-time, first-time-in-college students, as reported annually
1080 to the IPEDS.

1081 (e) Six or more faculty members at the state university who
1082 are members of a national academy, as reported by the Center for
1083 Measuring University Performance in the Top American Research
1084 Universities (TARU) annual report or the official membership
1085 directories maintained by each national academy.

1086 (f) Total annual research expenditures, including federal
1087 research expenditures, of \$200 million or more, as reported
1088 annually by the National Science Foundation (NSF).

1089 (g) Total annual research expenditures in diversified
1090 nonmedical sciences of \$150 million or more, based on data
1091 reported annually by the NSF.

1092 (h) A top-100 university national ranking for research
1093 expenditures in five or more science, technology, engineering,
1094 or mathematics fields of study, as reported annually by the NSF.

1095 (i) One hundred or more total patents awarded by the United
1096 States Patent and Trademark Office for the most recent 3-year
1097 period.

1098 (j) Four hundred or more doctoral degrees awarded annually,
1099 including professional doctoral degrees awarded in medical and
1100 health care disciplines, as reported in the Board of Governors
1101 Annual Accountability Report.

1102 (k) Two hundred or more postdoctoral appointees annually,

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1103 as reported in the TARU annual report.

1104 (1) An endowment of \$500 million or more, as reported in
1105 the Board of Governors Annual Accountability Report.

1106 (3) ~~PREEMINENT STATE RESEARCH~~ UNIVERSITY DESIGNATION.— The
1107 Board of Governors shall designate each state ~~research~~
1108 university that annually meets:

1109 (a) At least 11 of the 12 academic and research excellence
1110 standards identified in subsection (2) as a "preeminent state
1111 research university."

1112 (b) At least 6 of the 12 academic and research excellence
1113 standards identified in subsection (2) as an "emerging
1114 preeminent state research university."

1115 (5) PROGRAM ~~PREEMINENT STATE RESEARCH UNIVERSITY~~ SUPPORT.—

1116 (a) A state ~~research~~ university designated as a preeminent
1117 state research university that, as of July 1, 2013, meets all 12
1118 of the academic and research excellence standards identified in
1119 subsection (2), as verified by the Board of Governors, shall
1120 submit to the Board of Governors a 5-year benchmark plan with
1121 target rankings on key performance metrics for national
1122 excellence. Upon approval by the Board of Governors, and upon
1123 the university's meeting the benchmark plan goals annually, the
1124 Board of Governors shall award the university its proportionate
1125 share of any funds provided annually to support the program
1126 created under this section ~~an amount specified in the General~~
1127 ~~Appropriations Act to be provided annually throughout the 5-year~~
1128 ~~period. Funding for this purpose is contingent upon specific~~
1129 ~~appropriation in the General Appropriations Act.~~

1130 (b) A state university designated as an emerging preeminent
1131 state research university shall submit to the Board of Governors

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1132 a 5-year benchmark plan with target rankings on key performance
 1133 metrics for national excellence. Upon approval by the Board of
 1134 Governors, and upon the university's meeting the benchmark plan
 1135 goals annually, the Board of Governors shall award the
 1136 university its proportionate share of any funds provided
 1137 annually to support the program created under this section.

1138 (c) The award of funds under this subsection is contingent
 1139 upon funding provided in the General Appropriations Act to
 1140 support the preeminent state research universities program
 1141 created under this section. Funding increases appropriated
 1142 beyond the amounts funded in the previous fiscal year shall be
 1143 distributed as follows:

1144 1. Each designated preeminent state research university
 1145 that meets the criteria in paragraph (a) shall receive an equal
 1146 amount of funding.

1147 2. Each designated emerging preeminent state research
 1148 university that meets the criteria in paragraph (b) shall
 1149 receive an amount of funding that is equal to one-half of the
 1150 total increased amount awarded to each designated preeminent
 1151 state research university.

1152 ~~(6) PREEMINENT STATE RESEARCH UNIVERSITY ENHANCEMENT~~
 1153 ~~INITIATIVE. A state research university that, as of July 1,~~
 1154 ~~2013, meets 11 of the 12 academic and research excellence~~
 1155 ~~standards identified in subsection (2), as verified by the Board~~
 1156 ~~of Governors, shall submit to the Board of Governors a 5-year~~
 1157 ~~benchmark plan with target rankings on key performance metrics~~
 1158 ~~for national excellence. Upon the university's meeting the~~
 1159 ~~benchmark plan goals annually, the Board of Governors shall~~
 1160 ~~award the university an amount specified in the General~~

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1161 ~~Appropriations Act to be provided annually throughout the 5-year~~
1162 ~~period for the purpose of recruiting National Academy Members,~~
1163 ~~expediting the provision of a master's degree in cloud~~
1164 ~~virtualization, and instituting an entrepreneurs-in-residence~~
1165 ~~program throughout its campus. Funding for this purpose is~~
1166 ~~contingent upon specific appropriation in the General~~
1167 ~~Appropriations Act.~~

1168 ~~(7) PREEMINENT STATE RESEARCH UNIVERSITY SPECIAL COURSE~~
1169 ~~REQUIREMENT AUTHORITY. In order to provide a jointly shared~~
1170 ~~educational experience, a university that is designated a~~
1171 ~~preeminent state research university may require its incoming~~
1172 ~~first-time-in-college students to take a 9-to-12-credit set of~~
1173 ~~unique courses specifically determined by the university and~~
1174 ~~published on the university's website. The university may~~
1175 ~~stipulate that credit for such courses may not be earned through~~
1176 ~~any acceleration mechanism pursuant to s. 1007.27 or s. 1007.271~~
1177 ~~or any other transfer credit. All accelerated credits earned up~~
1178 ~~to the limits specified in ss. 1007.27 and 1007.271 shall be~~
1179 ~~applied toward graduation at the student's request.~~

1180 ~~(6)(8) PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY~~
1181 ~~AUTHORITY.—The Board of Governors is encouraged to identify and~~
1182 ~~grant all reasonable, feasible authority and flexibility to~~
1183 ~~ensure that a designated preeminent state research university is~~
1184 ~~free from unnecessary restrictions.~~

1185 ~~(7)(9) PROGRAMS OF EXCELLENCE THROUGHOUT THE STATE~~
1186 ~~UNIVERSITY SYSTEM.—The Board of Governors is encouraged to~~
1187 ~~establish standards and measures whereby individual programs in~~
1188 ~~state universities that objectively reflect national excellence~~
1189 ~~can be identified and make recommendations to the Legislature as~~

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1190 to how any such programs could be enhanced and promoted.

1191 Section 16. The amendment made by this act to s. 1001.7065,
1192 Florida Statutes, expires July 1, 2017, and the text of that
1193 section shall revert to that in existence on June 30, 2016,
1194 except that any amendments to such text enacted other than by
1195 this act shall be preserved and continue to operate to the
1196 extent that such amendments are not dependent upon the portions
1197 of text which expire pursuant to this section.

1198 Section 17. In order to implement Specific Appropriations
1199 199, 206, 207, 208, 211, and 218 of the 2016-2017 General
1200 Appropriations Act, the Agency for Health Care Administration is
1201 authorized to submit a budget amendment pursuant to chapter 216,
1202 Florida Statutes, to realign funding based on the model,
1203 methodology, and framework in the "Medicaid Hospital Funding
1204 Programs" document incorporated by reference in Senate Proposed
1205 Bill 2502. Funding changes shall be consistent with the intent
1206 of the model, methodology, and framework displayed,
1207 demonstrated, and explained in the "Medicaid Hospital Funding
1208 Programs" document, while allowing for the appropriate
1209 realignment to appropriation categories related to Medicaid Low-
1210 Income Pool, Disproportionate Share Hospital, Graduate Medical
1211 Education, Inpatient Hospital and Outpatient Hospital programs,
1212 Prepaid Health Plans, and the diagnosis related groups (DRG)
1213 methodology for hospital reimbursement for the 2016-2017 fiscal
1214 year, including requests for additional trust fund budget
1215 authority. Notwithstanding s. 216.177, Florida Statutes, if the
1216 chair or vice chair of the Legislative Budget Commission or the
1217 President of the Senate or the Speaker of the House of
1218 Representatives timely advises the Executive Office of the

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1219 Governor, in writing, that the budget amendment exceeds the
1220 delegated authority of the Executive Office of the Governor or
1221 is contrary to legislative policy or intent, the Executive
1222 Office of the Governor shall void the action. This section
1223 expires July 1, 2017.

1224 Section 18. (1) In order to implement Specific
1225 Appropriation 259 of the 2016-2017 General Appropriations Act,
1226 and notwithstanding s. 393.065(5), Florida Statutes, the Agency
1227 for Persons with Disabilities shall offer enrollment in the
1228 Medicaid home and community-based waiver program in the
1229 following order of priority:

1230 (a) Individuals in category 1, which includes clients
1231 deemed to be in crisis as described in rule.

1232 (b) Individuals in category 2, which includes:

1233 1. Individuals on the wait list who are from the child
1234 welfare system with an open case in the Department of Children
1235 and Families' statewide automated child welfare information
1236 system and who are:

1237 a. Transitioning out of the child welfare system at the
1238 finalization of an adoption, a reunification with family
1239 members, a permanent placement with a relative, or a
1240 guardianship with a nonrelative; or

1241 b. At least 18 years old but not yet 22 years old and need
1242 both waiver services and extended foster care services.

1243 2. Individuals on the wait list who are at least 18 years
1244 old but not yet 22 years old and who withdrew consent pursuant
1245 to s. 39.6251(5)(c), Florida Statutes, to remain in the extended
1246 foster care system.

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1248 For individuals who are at least 18 years old but not yet 22
1249 years old and who are eligible under sub-subparagraph 1.b., the
1250 Agency for Persons with Disabilities shall provide waiver
1251 services, including residential habilitation; and the community-
1252 based care lead agency shall fund room and board at the rate
1253 established in s. 409.145(4), Florida Statutes, and provide case
1254 management and related services as defined in s. 409.986(3)(e),
1255 Florida Statutes. Individuals may receive both waiver services
1256 and services under s. 39.6251, Florida Statutes. Services may
1257 not duplicate services available through the Medicaid state
1258 plan.

1259 (c) Individuals in categories 3 and 4 in an order based on
1260 the Agency for Persons with Disabilities Waitlist Prioritization
1261 Tool, dated March 15, 2013. Using the tool, the agency shall
1262 move those individuals whose needs score highest to the waiver
1263 during the 2016-2017 fiscal year, to the extent funds are
1264 available.

1265 (d) Individuals in category 6 shall be moved to the waiver
1266 during the 2016-2017 fiscal year, to the extent funds are
1267 available, based on meeting the following criteria:

- 1268 1. The individual is 30 years of age or older;
- 1269 2. The individual resides in the family home;
- 1270 3. The individual has been on the wait list for waiver
1271 services for at least 10 continuous years; and
- 1272 4. The individual is classified at a level of need equal to
1273 Level 3, Level 4, or Level 5 based on the Questionnaire for
1274 Situational Information.

1275 (2) The agency shall allow an individual who meets the
1276 eligibility requirements under s. 393.065(1), Florida Statutes,

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1277 to receive home and community-based services in this state if
1278 the individual's parent or legal guardian is an active-duty
1279 military servicemember and, at the time of the servicemember's
1280 transfer to this state, the individual was receiving home and
1281 community-based services in another state.

1282 (3) Upon the placement of individuals on the waiver
1283 pursuant to subsection (1), individuals remaining on the wait
1284 list are deemed not to have been substantially affected by
1285 agency action and are, therefore, not entitled to a hearing
1286 under s. 393.125, Florida Statutes, or an administrative
1287 proceeding under chapter 120, Florida Statutes.

1288 (4) This section expires July 1, 2017.

1289 Section 19. In order to implement Specific Appropriation
1290 259 of the 2016-2017 General Appropriations Act:

1291 (1) Until the Agency for Persons with Disabilities adopts a
1292 new allocation algorithm and methodology by final rule pursuant
1293 to s. 393.0662, Florida Statutes:

1294 (a) Each client's iBudget in effect as of July 1, 2016,
1295 shall remain at its July 1, 2016, funding level.

1296 (b) The Agency for Persons with Disabilities shall
1297 determine the iBudget for a client newly enrolled on the home
1298 and community-based services waiver on or after July 1, 2016,
1299 using the same allocation algorithm and methodology used for the
1300 iBudgets in effect as of July 1, 2016.

1301 (2) After a new algorithm and methodology is adopted by
1302 final rule, a client's new iBudget shall be determined based on
1303 the new allocation algorithm and methodology and shall take
1304 effect as of the client's next support plan update.

1305 (3) Funding allocated under subsections (1) and (2) may be

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1306 increased pursuant to s. 393.0662(1)(b), Florida Statutes. A
1307 client's funding allocation may also be increased if the client
1308 has a significant need for transportation services to a waiver-
1309 funded adult day training program or to a waiver-funded
1310 supported employment where such need cannot be accommodated
1311 within the funding authorized by the client's iBudget amount
1312 without affecting the health and safety of the client, where
1313 public transportation is not an option due to the unique needs
1314 of the client, and where no other transportation resources are
1315 reasonably available. However, such increases may not result in
1316 the total of all clients' projected annual iBudget expenditures
1317 exceeding the agency's appropriation for waiver services.

1318 (4) This section expires July 1, 2017.

1319 Section 20. In order to implement Specific Appropriations
1320 569 through 578 of the 2016-2017 General Appropriations Act,
1321 subsection (3) of section 296.37, Florida Statutes, is amended
1322 to read:

1323 296.37 Residents; contribution to support.—

1324 (3) Notwithstanding subsection (1), each resident of the
1325 home who receives a pension, compensation, or gratuity from the
1326 United States Government, or income from any other source, of
1327 more than \$105 per month shall contribute to his or her
1328 maintenance and support while a resident of the home in
1329 accordance with a payment schedule determined by the
1330 administrator and approved by the director. The total amount of
1331 such contributions shall be to the fullest extent possible, but,
1332 in no case, shall exceed the actual cost of operating and
1333 maintaining the home. This subsection expires July 1, 2017 ~~2016~~.

1334 Section 21. In order to implement Specific Appropriation

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1335 231 of the 2016-2017 General Appropriations Act, the Agency for
1336 Health Care Administration shall ensure that nursing facility
1337 residents who are eligible for funds to transition to home and
1338 community-based services waivers must first have resided in a
1339 skilled nursing facility for at least 60 consecutive days. This
1340 section expires July 1, 2017.

1341 Section 22. In order to implement Specific Appropriation
1342 232 of the 2016-2017 General Appropriations Act, the Agency for
1343 Health Care Administration and the Department of Elderly Affairs
1344 shall prioritize individuals for enrollment in the Medicaid
1345 Long-Term Care Waiver program using a frailty-based screening
1346 that provides a priority score (the "scoring process") and shall
1347 enroll individuals in the program according to the assigned
1348 priority score as funds are available. The agency may adopt
1349 rules, pursuant to s. 409.919, Florida Statutes, and enter into
1350 interagency agreements necessary to administer s. 409.979(3),
1351 Florida Statutes. Such rules or interagency agreements adopted
1352 by the agency relating to the scoring process may delegate to
1353 the Department of Elderly Affairs, pursuant to s. 409.978,
1354 Florida Statutes, the responsibility for implementing and
1355 administering the scoring process, providing notice of Medicaid
1356 fair hearing rights, and the responsibility for defending, as
1357 needed, the scores assigned to persons on the program wait list
1358 in any resulting Medicaid fair hearings. The Department of
1359 Elderly Affairs may delegate the provision of notice of Medicaid
1360 fair hearing rights to its contractors. This section expires
1361 July 1, 2017.

1362 Section 23. In order to implement Specific Appropriations
1363 192A through 226 and 541 of the 2016-2017 General Appropriations

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1364 Act and notwithstanding ss. 216.181 and 216.292, Florida
1365 Statutes, the Agency for Health Care Administration, in
1366 consultation with the Department of Health, may submit a budget
1367 amendment, subject to the notice, review, and objection
1368 procedures of s. 216.177, Florida Statutes, to realign funding
1369 within and between agencies based on implementation of the
1370 Managed Medical Assistance component of the Statewide Medicaid
1371 Managed Care program for the Children's Medical Services program
1372 of the Department of Health. The funding realignment shall
1373 reflect the actual enrollment changes due to the transfer of
1374 beneficiaries from fee-for-service to the capitated Children's
1375 Medical Services Network. The Agency for Health Care
1376 Administration may submit a request for nonoperating budget
1377 authority to transfer the federal funds to the Department of
1378 Health, pursuant to s. 216.181(12), Florida Statutes. This
1379 section expires July 1, 2017.

1380 Section 24. In order to implement Specific Appropriations
1381 199, 206, 207, 208, 211, and 218 of the 2016-2017 General
1382 Appropriations Act, the calculations of the Medicaid Low-Income
1383 Pool, Disproportionate Share Hospital, and hospital
1384 reimbursement programs for the 2016-2017 fiscal year contained
1385 in the document titled "Medicaid Hospital Funding Programs,"
1386 dated XX, 2016, and filed with the Secretary of the Senate, are
1387 incorporated by reference for the purpose of displaying the
1388 calculations used by the Legislature, consistent with the
1389 requirements of state law, in making appropriations for the
1390 Medicaid Low-Income Pool, Disproportionate Share Hospital, and
1391 hospital reimbursement programs. This section expires July 1,
1392 2017.

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1393 Section 25. In order to implement Specific Appropriation
1394 524 of the 2016-2017 General Appropriations Act, subsection (17)
1395 of section 893.055, Florida Statutes, is amended to read:

1396 893.055 Prescription drug monitoring program.—

1397 (17) Notwithstanding subsection (10), and for the 2016-2017
1398 ~~2015-2016~~ fiscal year only, the department may use state funds
1399 appropriated in the 2016-2017 ~~2015-2016~~ General Appropriations
1400 Act to administer the prescription drug monitoring program.
1401 Neither the Attorney General nor the department may use funds
1402 received as part of a settlement agreement to administer the
1403 prescription drug monitoring program. This subsection expires
1404 July 1, 2017 ~~2016~~.

1405 Section 26. In order to implement Specific Appropriations
1406 599 through 706 and 721 through 755 of the 2016-2017 General
1407 Appropriations Act, subsection (4) of section 216.262, Florida
1408 Statutes, is amended to read:

1409 216.262 Authorized positions.—

1410 (4) Notwithstanding the provisions of this chapter relating
1411 to increasing the number of authorized positions, and for the
1412 2016-2017 ~~2015-2016~~ fiscal year only, if the actual inmate
1413 population of the Department of Corrections exceeds the inmate
1414 population projections of the December 17, 2015 ~~February 27,~~
1415 ~~2015~~, Criminal Justice Estimating Conference by 1 percent for 2
1416 consecutive months or 2 percent for any month, the Executive
1417 Office of the Governor, with the approval of the Legislative
1418 Budget Commission, shall immediately notify the Criminal Justice
1419 Estimating Conference, which shall convene as soon as possible
1420 to revise the estimates. The Department of Corrections may then
1421 submit a budget amendment requesting the establishment of

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1422 positions in excess of the number authorized by the Legislature
 1423 and additional appropriations from unallocated general revenue
 1424 sufficient to provide for essential staff, fixed capital
 1425 improvements, and other resources to provide classification,
 1426 security, food services, health services, and other variable
 1427 expenses within the institutions to accommodate the estimated
 1428 increase in the inmate population. All actions taken pursuant to
 1429 this subsection are subject to review and approval by the
 1430 Legislative Budget Commission. This subsection expires July 1,
 1431 2017 ~~2016~~.

1432 Section 27. In order to implement Specific Appropriations
 1433 1283 and 1284 of the 2016-2017 General Appropriations Act, the
 1434 Department of Legal Affairs may expend appropriated funds in
 1435 those specific appropriations on the same programs that were
 1436 funded by the department pursuant to specific appropriations
 1437 made in general appropriations acts in previous years. This
 1438 section expires July 1, 2017.

1439 Section 28. In order to implement Specific Appropriations
 1440 1219 and 1224 of the 2016-2017 General Appropriations Act,
 1441 paragraph (d) of subsection (4) of section 932.7055, Florida
 1442 Statutes, is amended to read:

1443 932.7055 Disposition of liens and forfeited property.—

1444 (4) The proceeds from the sale of forfeited property shall
 1445 be disbursed in the following priority:

1446 (d) Notwithstanding any other provision of this subsection,
 1447 and for the 2016-2017 ~~2015-2016~~ fiscal year only, the funds in a
 1448 special law enforcement trust fund established by the governing
 1449 body of a municipality may be expended to reimburse the general
 1450 fund of the municipality for moneys advanced from the general

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1451 fund to the special law enforcement trust fund before October 1,
1452 2001. This paragraph expires July 1, 2017 ~~2016~~.

1453 Section 29. In order to implement section 7 of the 2016-
1454 2017 General Appropriations Act, subsection (2) of section
1455 215.18, Florida Statutes, is amended to read:

1456 215.18 Transfers between funds; limitation.—

1457 (2) The Chief Justice of the Supreme Court may receive one
1458 or more trust fund loans to ensure that the state court system
1459 has funds sufficient to meet its appropriations in the 2016-2017
1460 ~~2015-2016~~ General Appropriations Act. If the Chief Justice
1461 accesses the loan, he or she must notify the Governor and the
1462 chairs of the legislative appropriations committees in writing.
1463 The loan must come from other funds in the State Treasury which
1464 are for the time being or otherwise in excess of the amounts
1465 necessary to meet the just requirements of such last-mentioned
1466 funds. The Governor shall order the transfer of funds within 5
1467 days after the written notification from the Chief Justice. If
1468 the Governor does not order the transfer, the Chief Financial
1469 Officer shall transfer the requested funds. The loan of funds
1470 from which any money is temporarily transferred must be repaid
1471 by the end of the 2016-2017 ~~2015-2016~~ fiscal year. This
1472 subsection expires July 1, 2017 ~~2016~~.

1473 Section 30. In order to implement appropriations for
1474 salaries and benefits in the 2016-2017 General Appropriations
1475 Act for the Department of Corrections and notwithstanding s.
1476 216.292, Florida Statutes, the Department of Corrections may not
1477 transfer funds from a salaries and benefits category to any
1478 other category within the department other than a salaries and
1479 benefits category without approval of the Legislative Budget

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1480 Commission. This section expires July 1, 2017.

1481 Section 31. (1) In order to implement Specific
1482 Appropriations 1093 through 1105 of the 2016-2017 General
1483 Appropriations Act, the Department of Juvenile Justice shall
1484 review county juvenile detention payments for the purpose of
1485 ensuring that counties fulfill their financial responsibilities
1486 required in s. 985.686, Florida Statutes. If the Department of
1487 Juvenile Justice determines that a county has not met its
1488 obligations, the department shall direct the Department of
1489 Revenue to deduct the amount owed to the Department of Juvenile
1490 Justice from the funds provided to the county under s. 218.23,
1491 Florida Statutes. The Department of Revenue shall transfer the
1492 funds withheld to the Shared County/State Juvenile Detention
1493 Trust Fund.

1494 (2) As an assurance to holders of bonds issued by counties
1495 before July 1, 2015, for which distributions made pursuant to s.
1496 218.23, Florida Statutes, are pledged, or bonds issued to refund
1497 such bonds which mature no later than the bonds they refunded
1498 and which result in a reduction of debt service payable in each
1499 fiscal year, the amount available for distribution to a county
1500 shall remain as provided by law and continue to be subject to
1501 any lien or claim on behalf of the bondholders. The Department
1502 of Revenue must ensure, based on information provided by an
1503 affected county, that any reduction in amounts distributed
1504 pursuant to subsection (1) does not reduce the amount of
1505 distribution to a county below the amount necessary for the
1506 timely payment of principal and interest when due on the bonds
1507 and the amount necessary to comply with any covenant under the
1508 bond resolution or other documents relating to the issuance of

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1509 the bonds. If a reduction to a county's monthly distribution
1510 must be decreased in order to comply with this subsection, the
1511 Department of Revenue must notify the Department of Juvenile
1512 Justice of the amount of the decrease, and the Department of
1513 Juvenile Justice must send a bill for payment of such amount to
1514 the affected county.

1515 (3) This section expires July 1, 2017.

1516 Section 32. In order to implement Specific Appropriation
1517 780 of the 2016-2017 General Appropriations Act, subsection (5)
1518 of section 27.5304, Florida Statutes, is amended to read:

1519 27.5304 Private court-appointed counsel; compensation;
1520 notice.—

1521 (5) The compensation for representation in a criminal
1522 proceeding may ~~shall~~ not exceed the following:

1523 (a) For misdemeanors and juveniles represented at the trial
1524 level: \$1,000.

1525 (b) For noncapital, nonlife felonies represented at the
1526 trial level: \$15,000 ~~\$6,000~~.

1527 (c) For life felonies represented at the trial level:
1528 \$15,000 ~~\$9,000~~.

1529 (d) For capital cases represented at the trial level:
1530 \$25,000. For purposes of this paragraph, a "capital case" is any
1531 offense for which the potential sentence is death and the state
1532 has not waived seeking the death penalty.

1533 (e) For representation on appeal: \$9,000.

1534 Section 33. The amendment made by this act to s.
1535 27.5304(5), Florida Statutes, expires July 1, 2017, and the text
1536 of that subsection shall revert to that in existence on June 30,
1537 2016, except that any amendments to such text enacted other than

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1538 by this act shall be preserved and continue to operate to the
1539 extent that such amendments are not dependent upon the portions
1540 of text which expire pursuant to this section.

1541 Section 34. Effective upon becoming a law and in order to
1542 implement Specific Appropriation 3023 and sections 35 and 36 of
1543 the 2016-2017 General Appropriations Act, subsections (5) and
1544 (6) are added to section 28.36, Florida Statutes, to read:

1545 28.36 Budget procedure.—There is established a budget
1546 procedure for the court-related functions of the clerks of the
1547 court.

1548 (5) Funds appropriated in the General Appropriations Act to
1549 augment the revenues received from fines, fees, service charges,
1550 and costs for court-related functions by the clerks of the court
1551 during the 2015-2016 county fiscal year shall be distributed by
1552 the Department of Revenue to clerks of the court in accordance
1553 with this subsection. The Florida Clerks of Court Operations
1554 Corporation shall certify to the Department of Revenue a
1555 proposed distribution of a portion of the appropriated funds for
1556 each clerk with a deficit after retaining all of the projected
1557 collections from the court-related fines, fees, service charges,
1558 and costs and for which a distribution under subsection (3) is
1559 not available to relieve that deficit; however, each clerk's
1560 expenditures may not exceed the amount approved for the 2015-
1561 2016 county fiscal year by the Legislative Budget Commission.
1562 The Department of Revenue shall certify the amount needed for
1563 each individual clerk to the Executive Office of the Governor
1564 and request release authority for such amounts from the Clerks
1565 of Court Trust Fund. Notwithstanding s. 216.192, the Executive
1566 Officer of the Governor may approve the release of funds in

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1567 accordance with the notice, review, and objection procedures set
1568 forth in s. 216.177 and provide notice to the Department of
1569 Revenue and the Chief Financial Officer. The Department of
1570 Revenue and the Chief Financial Officer shall release the funds
1571 to each clerk in accordance with the release approved by the
1572 Governor. This subsection expires July 1, 2017.

1573 (6) Funds appropriated in the General Appropriations Act
1574 for the clerks of the court for the 2016-2017 county fiscal year
1575 shall augment the amount of revenues projected to be received
1576 from fines, fees, service charges, and costs for court-related
1577 functions by the clerks of the court when each clerk of the
1578 court prepares, summarizes, and submits their budget to the
1579 Florida Clerks of Court Operations Corporation pursuant to
1580 subsection (2). The Florida Clerks of Court Operations
1581 Corporation shall determine the portion of the appropriated
1582 funds which shall be included in each individual clerk's
1583 proposed budget submitted pursuant to subsection (2). The
1584 proposed budgets for each clerk of court submitted to the
1585 Legislative Budget Commission pursuant to s. 28.35(2)(h) shall
1586 separately identify the amount of the appropriated funds
1587 proposed to be distributed to each clerk of the court. During
1588 consideration of the clerks' of the court budget pursuant to s.
1589 28.35(2)(h), the Legislative Budget Commission shall consider
1590 the proposed distribution of the appropriated funds and shall
1591 approve, disapprove, or amend and approve the distribution of
1592 appropriated funds as a part of the clerks' combined budgets or
1593 any individual clerk's budget. If the Legislative Budget
1594 Commission fails to approve or amend and approve the clerks'
1595 combined budgets or amend and approve each individual clerk's

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1596 budget, including the appropriated funds, before October 1,
1597 2016, the corporation shall certify to the Department of Revenue
1598 a proposed distribution of a portion of the appropriated funds
1599 for each clerk with a deficit after retaining all of the
1600 projected collections from the court-related fines, fees,
1601 service charges, and costs and for which a distribution under
1602 subsection (3) is not available to relieve that deficit;
1603 however, each clerk's expenditures may not exceed the amount
1604 approved by the Legislative Budget Commission for the 2015-2016
1605 county fiscal year. The Department of Revenue shall certify the
1606 amount needed for each individual clerk to the Executive Office
1607 of the Governor and request release authority for such amounts
1608 from the Clerks of Court Trust Fund. Notwithstanding s. 216.192,
1609 the Executive Officer of the Governor may approve the release of
1610 funds in accordance with the notice, review, and objection
1611 procedures set forth in s. 216.177 and provide notice to the
1612 Department of Revenue and the Chief Financial Officer. The
1613 Department of Revenue and the Chief Financial Officer shall
1614 release the funds to each clerk in accordance with the release
1615 approved by the Governor. This subsection expires July 1, 2017.

1616 Section 35. In order to implement appropriations used for
1617 the payments of existing lease contracts for private lease space
1618 in excess of 2,000 square feet in the 2016-2017 General
1619 Appropriations Act, the Department of Management Services, with
1620 the cooperation of the agencies having the existing lease
1621 contracts for office or storage space, shall use tenant broker
1622 services to renegotiate or reprocure all private lease
1623 agreements for office or storage space expiring between July 1,
1624 2017, and June 30, 2019, in order to reduce costs in future

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1625 years. The department shall incorporate this initiative into its
1626 2016 master leasing report required under s. 255.249(7), Florida
1627 Statutes, and may use tenant broker services to explore the
1628 possibilities of collocating office or storage space, to review
1629 the space needs of each agency, and to review the length and
1630 terms of potential renewals or renegotiations. The department
1631 shall provide a report to the Executive Office of the Governor,
1632 the President of the Senate, and the Speaker of the House of
1633 Representatives by November 1, 2016, which lists each lease
1634 contract for private office or storage space, the status of
1635 renegotiations, and the savings achieved. This section expires
1636 July 1, 2017.

1637 Section 36. In order to implement Specific Appropriations
1638 2257 through 2265 of the 2016-2017 General Appropriations Act,
1639 section 624.502, Florida Statutes, is reenacted to read:

1640 624.502 Service of process fee.—In all instances as
1641 provided in any section of the insurance code and s. 48.151(3)
1642 in which service of process is authorized to be made upon the
1643 Chief Financial Officer or the director of the office, the
1644 plaintiff shall pay to the department or office a fee of \$15 for
1645 such service of process, which fee shall be deposited into the
1646 Administrative Trust Fund.

1647 Section 37. The amendment to s. 624.502, Florida Statutes,
1648 as carried forward by this act from chapter 2013-41, Laws of
1649 Florida, expires July 1, 2017, and the text of that section
1650 shall revert to that in existence on June 30, 2013, except that
1651 any amendments to such text enacted other than by this act shall
1652 be preserved and continue to operate to the extent that such
1653 amendments are not dependent upon the portions of text which

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1654 expire pursuant to this section.

1655 Section 38. In order to implement Specific Appropriations
1656 2834 through 2845 of the 2016-2017 General Appropriations Act,
1657 paragraph (a) of subsection (2) of section 282.709, Florida
1658 Statutes, is reenacted to read:

1659 282.709 State agency law enforcement radio system and
1660 interoperability network.—

1661 (2) The Joint Task Force on State Agency Law Enforcement
1662 Communications is created adjunct to the department to advise
1663 the department of member-agency needs relating to the planning,
1664 designing, and establishment of the statewide communication
1665 system.

1666 (a) The Joint Task Force on State Agency Law Enforcement
1667 Communications shall consist of the following members:

1668 1. A representative of the Division of Alcoholic Beverages
1669 and Tobacco of the Department of Business and Professional
1670 Regulation who shall be appointed by the secretary of the
1671 department.

1672 2. A representative of the Division of Florida Highway
1673 Patrol of the Department of Highway Safety and Motor Vehicles
1674 who shall be appointed by the executive director of the
1675 department.

1676 3. A representative of the Department of Law Enforcement
1677 who shall be appointed by the executive director of the
1678 department.

1679 4. A representative of the Fish and Wildlife Conservation
1680 Commission who shall be appointed by the executive director of
1681 the commission.

1682 5. A representative of the Department of Corrections who

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1683 shall be appointed by the secretary of the department.

1684 6. A representative of the Division of State Fire Marshal
1685 of the Department of Financial Services who shall be appointed
1686 by the State Fire Marshal.

1687 7. A representative of the Department of Agriculture and
1688 Consumer Services who shall be appointed by the Commissioner of
1689 Agriculture.

1690 Section 39. The amendment to s. 282.709(2)(a), Florida
1691 Statutes, as carried forward by this act from chapter 2014-53,
1692 Laws of Florida, expires July 1, 2017, and the text of that
1693 paragraph shall revert to that in existence on June 30, 2014,
1694 except that any amendments to such text enacted other than by
1695 this act shall be preserved and continue to operate to the
1696 extent that such amendments are not dependent upon the portions
1697 of text which expire pursuant to this section.

1698 Section 40. In order to implement Specific Appropriations
1699 2740 through 2752 of the 2016-2017 General Appropriations Act,
1700 and notwithstanding rule 60A-1.031, Florida Administrative Code,
1701 the transaction fee collected for use of the online procurement
1702 system, authorized in ss. 287.042(1)(h)1. and 287.057(22)(c),
1703 Florida Statutes, shall be seven-tenths of 1 percent for the
1704 2016-2017 fiscal year only. This section expires July 1, 2017.

1705 Section 41. In order to implement Specific Appropriations
1706 1533 and 1534 of the 2016-2017 General Appropriations Act,
1707 paragraph (m) of subsection (3) of section 259.105, Florida
1708 Statutes, is amended, and paragraph (n) is added to that
1709 subsection, to read:

1710 259.105 The Florida Forever Act.—

1711 (3) Less the costs of issuing and the costs of funding

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1712 reserve accounts and other costs associated with bonds, the
1713 proceeds of cash payments or bonds issued pursuant to this
1714 section shall be deposited into the Florida Forever Trust Fund
1715 created by s. 259.1051. The proceeds shall be distributed by the
1716 Department of Environmental Protection in the following manner:

1717 (m) Notwithstanding paragraphs (a)-(j) and for the 2016-
1718 2017 ~~2015-2016~~ fiscal year only, \$22,256,206 ~~\$17.4 million~~ to
1719 only the Division of State Lands within the Department of
1720 Environmental Protection for the Board of Trustees Florida
1721 Forever Priority List land acquisition projects and \$30 million
1722 to the Florida Communities Trust. This paragraph expires July 1,
1723 2017 ~~2016~~.

1724 (n)1. For the 2016-2017 fiscal year:

1725 a. Notwithstanding any allocation required pursuant to
1726 paragraph (c), 66.67 percent of the funds available to the
1727 Florida Communities Trust shall be allocated for projects
1728 acquiring conservation or recreation lands to enhance
1729 recreational opportunities for individuals with unique
1730 abilities.

1731 b. The Department of Environmental Protection may waive the
1732 local government matching fund requirement in paragraph (c) for
1733 projects acquiring conservation or recreation lands to enhance
1734 recreational opportunities for individuals with unique
1735 abilities.

1736 c. Notwithstanding sub-subparagraphs a. and b., any funds
1737 required to be used to acquire conservation or recreation lands
1738 to enhance recreational opportunities for individuals with
1739 unique abilities which have not been awarded for those purposes
1740 by May 1, 2017, may be awarded to redevelop or renew outdoor

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1741 recreational facilities on public lands, including recreational
1742 trails, parks, and urban open spaces, together with improvements
1743 required to enhance recreational enjoyment and public access to
1744 public lands, if such redevelopment and renewal is primarily
1745 geared toward enhancing recreational opportunities for
1746 individuals with unique abilities. The department may waive the
1747 local matching requirement in paragraph (c) for such
1748 redevelopment and renewal projects.

1749 2. This paragraph expires July 1, 2017.

1750 Section 42. In order to implement Specific Appropriation
1751 1698A of the 2016-2017 General Appropriations Act, subsection
1752 (4) is added to section 375.075, Florida Statutes, to read:

1753 375.075 Outdoor recreation; financial assistance to local
1754 governments.-

1755 (4) (a) For the 2016-2017 fiscal year:

1756 1. Notwithstanding any other provision of this section, at
1757 least 30 percent of the program funds for projects must be used
1758 exclusively for projects that provide recreational enhancements
1759 and opportunities for individuals with unique abilities. The
1760 department shall conduct a separate grant application process
1761 exclusively for such projects. The department shall make the
1762 schedule for the grant application process for projects that
1763 provide recreational enhancements and opportunities for
1764 individuals with unique abilities publicly available and shall
1765 award the grants for such projects by December 31, 2016.

1766 2. Notwithstanding subsection (3), a local government may
1767 submit up to three grant applications for projects, if at least
1768 one of those projects provides recreational enhancements and
1769 opportunities for individuals with unique abilities. The maximum

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1770 project grant for each project application that provides
1771 recreational enhancements and opportunities for individuals with
1772 unique abilities may not exceed \$500,000 in state funds.

1773 (b) The selection criteria used by the department for grant
1774 applications submitted pursuant to this subsection shall
1775 prioritize projects that allocate the greatest share of state
1776 funds to provide recreational enhancements and opportunities for
1777 individuals with unique abilities.

1778 (c) This subsection expires July 1, 2017.

1779 Section 43. In order to implement Specific Appropriation
1780 1534 of the 2016-2017 General Appropriations Act, paragraph (h)
1781 is added to subsection (2) of section 380.507, Florida Statutes,
1782 to read:

1783 380.507 Powers of the trust.—The trust shall have all the
1784 powers necessary or convenient to carry out the purposes and
1785 provisions of this part, including:

1786 (2) To undertake, coordinate, or fund activities and
1787 projects which will help bring local comprehensive plans into
1788 compliance and help implement the goals, objectives, and
1789 policies of the conservation, recreation and open space, and
1790 coastal elements of local comprehensive plans, or which will
1791 otherwise serve to conserve natural resources and resolve land
1792 use conflicts, including, but not limited to:

1793 (h) Projects that provide accessibility, availability, or
1794 adaptability of conservation or recreation lands for individuals
1795 with unique abilities. This paragraph expires July 1, 2017.

1796 Section 44. In order to implement Specific Appropriations
1797 1599, 1599A, 1599B, and 1748 of the 2016-2017 General
1798 Appropriations Act, paragraph (d) of subsection (11) of section

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1799 216.181, Florida Statutes, is amended to read:

1800 216.181 Approved budgets for operations and fixed capital
1801 outlay.—

1802 (11)

1803 (d) Notwithstanding paragraph (b) and paragraph (2)(b), and
1804 for the 2016-2017 ~~2015-2016~~ fiscal year only, the Legislative
1805 Budget Commission may increase the amounts appropriated to the
1806 Fish and Wildlife Conservation Commission or the Department of
1807 Environmental Protection for fixed capital outlay projects,
1808 including additional fixed capital outlay projects, using funds
1809 provided to the state from the Gulf Environmental Benefit Fund
1810 administered by the National Fish and Wildlife Foundation; funds
1811 provided to the state from the Gulf Coast Restoration Trust Fund
1812 related to the Resources and Ecosystems Sustainability, Tourist
1813 Opportunities, and Revived Economies of the Gulf Coast Act of
1814 2012 (RESTORE Act); or funds provided by the British Petroleum
1815 Corporation (BP) for natural resource damage assessment early
1816 restoration projects. Concurrent with submission of an amendment
1817 to the Legislative Budget Commission pursuant to this paragraph,
1818 any project that carries a continuing commitment for future
1819 appropriations by the Legislature must be specifically
1820 identified, together with the projected amount of the future
1821 commitment associated with the project and the fiscal years in
1822 which the commitment is expected to commence. This paragraph
1823 expires July 1, 2017 ~~2016~~.

1824

1825 The provisions of this subsection are subject to the notice and
1826 objection procedures set forth in s. 216.177.

1827 Section 45. In order to implement specific appropriations

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1828 from the Water Quality Assurance Trust Fund within the
1829 Department of Environmental Protection contained in the 2016-
1830 2017 General Appropriations Act, paragraph (b) of subsection (2)
1831 of section 206.9935, Florida Statutes, is amended to read:

1832 206.9935 Taxes imposed.—

1833 (2) TAX FOR WATER QUALITY.—

1834 (b) The excise tax shall be the applicable rate as
1835 specified in subparagraph 1. per barrel or per unit of
1836 pollutant, or equivalent measure as established by the
1837 department, produced in or imported into the state. If the
1838 unobligated balance of the Water Quality Assurance Trust Fund is
1839 or falls below \$3 million, the tax shall be increased to the
1840 applicable rates specified in subparagraph 2. and shall remain
1841 at said rates until the unobligated balance in the fund exceeds
1842 \$5 million, at which time the tax shall be imposed at the rates
1843 specified in subparagraph 1. If the unobligated balance of the
1844 fund exceeds \$12 million, the levy of the tax shall be
1845 discontinued until the unobligated balance of the fund falls
1846 below \$5 million, at which time the tax shall be imposed at the
1847 rates specified in subparagraph 1. Changes in the tax rates
1848 pursuant to this paragraph shall take effect on the first day of
1849 the month after 30 days' notification to the Department of
1850 Revenue when the unobligated balance of the fund falls below or
1851 exceeds a limit set pursuant to this paragraph. The unobligated
1852 balance of the Water Quality Assurance Trust Fund as it relates
1853 to determination of the applicable excise tax rate shall exclude
1854 the unobligated balances of funds of the Dry Cleaning, Operator
1855 Certification, and nonagricultural nonpoint source programs, and
1856 other required reservations of fund balance. The unobligated

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1857 balance in the Water Quality Assurance Trust Fund is based upon
1858 the current unreserved fund balance, projected revenues,
1859 authorized legislative appropriations, and funding for the
1860 department's base budget for the subsequent fiscal year.
1861 Revenues for penalties collected pursuant to s. 403.121(11) and
1862 all moneys recovered under s. 373.430(7) are exempt from the
1863 calculation of the unobligated balance of the Water Quality
1864 Assurance Trust Fund. Determination of the unobligated balance
1865 of the Water Quality Assurance Trust Fund shall be performed
1866 annually subsequent to the annual legislative appropriations
1867 becoming law.

1868 1. As provided in this paragraph, the tax shall be 2.36
1869 cents per gallon of solvents, 1 cent per gallon of motor oil or
1870 other lubricants, and 2 cents per barrel of petroleum products,
1871 pesticides, ammonia, and chlorine.

1872 2. As provided in this paragraph, the tax shall be 5.9
1873 cents per gallon of solvents, 2.5 cents per gallon of motor oil
1874 or other lubricants, 2 cents per barrel of ammonia, and 5 cents
1875 per barrel of petroleum products, pesticides, and chlorine.

1876 Section 46. The amendment made by this act to s.
1877 206.9935(2)(b), Florida Statutes, expires July 1, 2017, and the
1878 text of that paragraph shall revert to that in existence on June
1879 30, 2016, except that any amendments to such text enacted other
1880 than by this act shall be preserved and continue to operate to
1881 the extent that such amendments are not dependent upon the
1882 portions of text which expire pursuant to this section.

1883 Section 47. In order to implement Specific Appropriation
1884 1670 of the 2016-2017 General Appropriations Act, subsection (5)
1885 of section 403.709, Florida Statutes, is amended to read:

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1886 403.709 Solid Waste Management Trust Fund; use of waste
1887 tire fees.—There is created the Solid Waste Management Trust
1888 Fund, to be administered by the department.

1889 (5) (a) Notwithstanding subsection (1), a solid waste
1890 landfill closure account is established within the Solid Waste
1891 Management Trust Fund to provide funding for the closing and
1892 long-term care of solid waste management facilities. The
1893 department may use funds from the account to contract with a
1894 third party for the closing and long-term care of a solid waste
1895 management facility if:

1896 1. The facility has or had a department permit to operate
1897 the facility;

1898 2. The permittee provided proof of financial assurance for
1899 closure in the form of an insurance certificate;

1900 3. The facility is deemed to be abandoned or was ordered to
1901 close by the department;

1902 4. Closure is accomplished in substantial accordance with a
1903 closure plan approved by the department; and

1904 5. The department has written documentation that the
1905 insurance company issuing the closure insurance policy will
1906 provide or reimburse the funds required to complete closing and
1907 long-term care of the facility.

1908 (b) The department shall deposit the funds received from
1909 the insurance company as reimbursement for the costs of closing
1910 or long-term care of the facility into the solid waste landfill
1911 closure account.

1912 (c) This subsection expires July 1, 2017 ~~2016~~.

1913 Section 48. Effective upon becoming a law and in order to
1914 implement Specific Appropriation 1674 and section 49 of the

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1915 2016-2017 General Appropriations Act, and notwithstanding the
1916 expiration of subsection (5) of section 403.7095, Florida
1917 Statutes, which occurred on July 1, 2015, that subsection is
1918 revived, reenacted, and amended to read:

1919 403.7095 Solid waste management grant program.—

1920 (5) Notwithstanding any other provision of this section,
1921 and for the 2015-2016 and 2016-2017 ~~2014-2015~~ fiscal years ~~year~~
1922 only, the Department of Environmental Protection shall award the
1923 sum of \$1,500,000 in grants in the 2015-2016 fiscal year and the
1924 sum of \$3,750,000 ~~\$3 million~~ in grants in the 2016-2017 fiscal
1925 year equally to counties having populations of fewer than
1926 100,000 for waste tire and litter prevention, recycling
1927 education, and general solid waste programs. This subsection
1928 expires July 1, 2017 ~~2015~~.

1929 Section 49. In order to implement specific appropriations
1930 from the land acquisition trust funds within the Department of
1931 Agriculture and Consumer Services, the Department of
1932 Environmental Protection, the Department of State, and the Fish
1933 and Wildlife Conservation Commission which are contained in the
1934 2016-2017 General Appropriations Act, subsection (3) of section
1935 215.18, Florida Statutes, is amended to read:

1936 215.18 Transfers between funds; limitation.—

1937 (3) Notwithstanding subsection (1) and only with respect to
1938 a land acquisition trust fund in the Department of Agriculture
1939 and Consumer Services, the Department of Environmental
1940 Protection, the Department of State, or the Fish and Wildlife
1941 Conservation Commission, whenever there is a deficiency in a
1942 land acquisition trust fund which would render that trust fund
1943 temporarily insufficient to meet its just requirements,

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1944 including the timely payment of appropriations from that trust
1945 fund, and other trust funds in the State Treasury have moneys
1946 that are for the time being or otherwise in excess of the
1947 amounts necessary to meet the just requirements, including
1948 appropriated obligations, of those other trust funds, the
1949 Governor may order a temporary transfer of moneys from one or
1950 more of the other trust funds to a land acquisition trust fund
1951 in the Department of Agriculture and Consumer Services, the
1952 Department of Environmental Protection, the Department of State,
1953 or the Fish and Wildlife Conservation Commission. Any action
1954 proposed pursuant to this subsection is subject to the notice,
1955 review, and objection procedures of s. 216.177, and the Governor
1956 shall provide notice of such action at least 7 days before the
1957 effective date of the transfer of trust funds, except that
1958 during July 2016 ~~2015~~, notice of such action shall be provided
1959 at least 3 days before the effective date of a transfer unless
1960 such 3-day notice is waived by the chair and vice-chair of the
1961 Legislative Budget Commission. Any transfer of trust funds to a
1962 land acquisition trust fund in the Department of Agriculture and
1963 Consumer Services, the Department of Environmental Protection,
1964 the Department of State, or the Fish and Wildlife Conservation
1965 Commission must be repaid to the trust funds from which the
1966 moneys were loaned by the end of the 2016-2017 ~~2015-2016~~ fiscal
1967 year. The Legislature has determined that the repayment of the
1968 other trust fund moneys temporarily loaned to a land acquisition
1969 trust fund in the Department of Agriculture and Consumer
1970 Services, the Department of Environmental Protection, the
1971 Department of State, or the Fish and Wildlife Conservation
1972 Commission pursuant to this subsection is an allowable use of

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1973 the moneys in a land acquisition trust fund because the moneys
1974 from other trust funds temporarily loaned to a land acquisition
1975 trust fund shall be expended solely and exclusively in
1976 accordance with s. 28, Art. X of the State Constitution. This
1977 subsection expires July 1, 2017 ~~2016~~.

1978 Section 50. (1) In order to implement specific
1979 appropriations from the land acquisition trust funds within the
1980 Department of Agriculture and Consumer Services, the Department
1981 of Environmental Protection, the Department of State, and the
1982 Fish and Wildlife Conservation Commission which are contained in
1983 the 2016-2017 General Appropriations Act, the Department of
1984 Environmental Protection shall transfer revenues in the Land
1985 Acquisition Trust Fund within the department to the land
1986 acquisition trust funds within the Department of Agriculture and
1987 Consumer Services, the Department of State, and the Fish and
1988 Wildlife Conservation Commission, as provided in this section.
1989 As used in this section, the term "department" means the
1990 Department of Environmental Protection.

1991 (2) After subtracting any required debt service payments,
1992 the proportionate share of revenues to be transferred to a land
1993 acquisition trust fund shall be calculated by dividing the
1994 appropriations from each of the land acquisition trust funds for
1995 the fiscal year by the total appropriations from the Land
1996 Acquisition Trust Fund within the department and the land
1997 acquisition trust funds within the Department of Agriculture and
1998 Consumer Services, the Department of State, and the Fish and
1999 Wildlife Commission for the fiscal year. The department shall
2000 transfer a proportionate share of the revenues deposited into
2001 the Land Acquisition Trust Fund within the department on a

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2002 monthly basis to the land acquisition trust funds within the
2003 Department of Agriculture and Consumer Services, the Department
2004 of State, and the Fish and Wildlife Commission and shall retain
2005 a proportionate share of the revenues in the Land Acquisition
2006 Trust Fund within the department. Total distributions to a land
2007 acquisition trust fund within the Department of Agriculture and
2008 Consumer Services, the Department of State, and the Fish and
2009 Wildlife Commission may not exceed the total appropriations from
2010 such trust fund for the fiscal year.

2011 (3) This section expires July 1, 2017.

2012 Section 51. In order to implement Specific Appropriation
2013 1623B of the 2016-2017 General Appropriations Act, subsection
2014 (9) of section 376.3071, Florida Statutes, is amended to read:
2015 376.3071 Inland Protection Trust Fund; creation; purposes;
2016 funding.—

2017 (9) INVESTMENTS; INTEREST.—Moneys in the fund which are not
2018 needed currently to meet the obligations of the department in
2019 the exercise of its responsibilities under this section and s.
2020 376.3073 shall be deposited with the Chief Financial Officer to
2021 the credit of the fund and may be invested in such manner as
2022 provided by law. The interest received on such investment shall
2023 be credited to the fund. Any provisions of law to the contrary
2024 notwithstanding, such interest may be freely transferred between
2025 the trust fund and the Water Quality Assurance Trust Fund in the
2026 discretion of the department or as authorized in the General
2027 Appropriations Act.

2028 Section 52. The amendment made by this act to s.
2029 376.3071(9), Florida Statutes, expires July 1, 2017, and the
2030 text of that subsection shall revert to that in existence on

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2031 June 30, 2016, except that any amendments to such text enacted
2032 other than by this act shall be preserved and continue to
2033 operate to the extent that such amendments are not dependent
2034 upon the portions of text which expire pursuant to this section.

2035 Section 53. In order to implement Specific Appropriation
2036 2198 of the 2016-2017 General Appropriations Act, subsections
2037 (4), (5), and (9) of section 288.047, Florida Statutes, are
2038 amended to read:

2039 288.047 Quick-response training for economic development.—

2040 (4) (a) 1. CareerSource Florida, Inc., may approve
2041 applications and execute agreements with terms not to exceed 24
2042 months under the Quick-Response Training Program as provided in
2043 this section. However, the total amount of contractual
2044 obligations at any given time may not exceed \$30,000,000
2045 million.

2046 2. The total amount of reimbursements approved for payment
2047 by CareerSource Florida, Inc., based on actual performance under
2048 the grant agreement, may not exceed the amount appropriated to
2049 CareerSource Florida, Inc., for such purposes in fiscal year
2050 2016-2017. The department shall transfer funds to CareerSource
2051 Florida, Inc., as needed to make reimbursement payments.

2052 CareerSource Florida, Inc., may request an advance of the
2053 appropriation for the Quick-Response Training Program in an
2054 amount sufficient to reimburse estimated claims for the first
2055 quarter of fiscal year 2016-2017.

2056 (b) For the first 6 months of each fiscal year,
2057 CareerSource Florida, Inc., shall set aside 30 percent of the
2058 amount appropriated by the Legislature for the Quick-Response
2059 Training Program to fund instructional programs for businesses

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2060 located in a rural area of opportunity ~~an enterprise zone~~ or
2061 brownfield area. Any unencumbered funds remaining ~~undisbursed~~
2062 from this set-aside at the end of the 6-month period may be used
2063 to provide funding for a program that qualifies for funding
2064 pursuant to this section.

2065 ~~(5) Prior to the allocation of funds for a request made~~
2066 ~~pursuant to this section,~~ CareerSource Florida, Inc., shall
2067 prepare a grant agreement with ~~between~~ the business or industry
2068 requesting funds, ~~the educational institution receiving funding~~
2069 ~~through the program, and CareerSource Florida, Inc.~~ Such
2070 agreement may include an educational institution receiving
2071 funding through the program and must include, but is not limited
2072 to:

2073 (a) An identification of the personnel necessary to conduct
2074 the instructional program, the qualifications of such personnel,
2075 and the respective responsibilities of the parties for paying
2076 costs associated with the employment of such personnel.

2077 (b) An identification of the estimated length of the
2078 instructional program.

2079 (c) An identification of all direct, training-related
2080 costs, including tuition and fees, curriculum development, books
2081 and classroom materials, and overhead or indirect costs, not to
2082 exceed 5 percent of the grant amount.

2083 (d) An identification of special program requirements that
2084 are not addressed otherwise in the agreement.

2085 (e) Permission to access information specific to the wages
2086 and performance of participants upon the completion of
2087 instruction for evaluation purposes. Information which, if
2088 released, would disclose the identity of the person to whom the

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2089 information pertains or disclose the identity of the person's
2090 employer is confidential and exempt from ~~the provisions of s.~~
2091 119.07(1). The agreement must specify that any evaluations
2092 published subsequent to the instruction may not identify the
2093 employer or any individual participant.

2094 (9) Notwithstanding any other provision of law, ~~eligible~~
2095 matching contributions received during the fiscal year from a
2096 business or an industry participating in ~~under this section from~~
2097 the Quick-Response Training Program may be counted toward the
2098 private sector support of Enterprise Florida, Inc., under s.
2099 288.904.

2100 Section 54. The amendments made by this act to s.
2101 288.047(4), (5), and (9), Florida Statutes, expire July 1, 2017,
2102 and the text of those subsections shall revert to that in
2103 existence on June 30, 2016, except that any amendments to such
2104 text enacted other than by this act shall be preserved and
2105 continue to operate to the extent that such amendments are not
2106 dependent upon the portions of text which expire pursuant to
2107 this section.

2108 Section 55. In order to implement Specific Appropriation
2109 1895 of the 2016-2017 General Appropriations Act, paragraph (i)
2110 of subsection (4) and paragraph (b) of subsection (5) of section
2111 339.135, Florida Statutes, are amended, and notwithstanding the
2112 expiration of paragraph (j) of subsection (4) and paragraph (c)
2113 of subsection (5) of that section, which occurred on July 1,
2114 2015, those paragraphs are revived, reenacted, and amended, to
2115 read:

2116 339.135 Work program; legislative budget request;
2117 definitions; preparation, adoption, execution, and amendment.—

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2118 (4) FUNDING AND DEVELOPING A TENTATIVE WORK PROGRAM.—

2119 (i) Notwithstanding paragraph (a), and for the 2016-2017
2120 ~~2015-2016~~ fiscal year only, the Department of Transportation
2121 shall use appropriated funds to support the establishment of a
2122 statewide system of interconnected multiuse trails and to pay
2123 the costs of planning, land acquisition, design, and
2124 construction of such trails and related facilities. Funds
2125 specifically appropriated for this purpose may not reduce,
2126 delete, or defer any existing projects funded as of July 1, 2016
2127 ~~2015~~, in the department's 5-year work program. This paragraph
2128 expires July 1, 2017 ~~2016~~.

2129 (j) Notwithstanding paragraph (a) and for the 2016-2017
2130 ~~2014-2015~~ fiscal year only, the department may use up to \$15
2131 million of appropriated funds to pay the costs of strategic and
2132 regionally significant transportation projects. Funds may be
2133 used to provide up to 75 percent of project costs for
2134 production-ready eligible projects. Preference shall be given to
2135 projects that support the state's economic regions, or that have
2136 been identified as regionally significant in accordance with s.
2137 339.155(4)(c), (d), and (e), and that have an increased level of
2138 nonstate match. This paragraph expires July 1, 2017 ~~2015~~.

2139 (5) ADOPTION OF THE WORK PROGRAM.—

2140 (b) Notwithstanding paragraph (a), and for the 2016-2017
2141 ~~2015-2016~~ fiscal year only, the department shall use
2142 appropriated funds to support the establishment of a statewide
2143 system of interconnected multiuse trails and to pay the costs of
2144 planning, land acquisition, design, and construction of such
2145 trails and related facilities. Funds specifically appropriated
2146 for this purpose may not reduce, delete, or defer any existing

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2147 projects funded as of July 1, 2016 ~~2015~~, in the department's 5-
 2148 year work program. This paragraph expires July 1, 2017 ~~2016~~.

2149 (c) Notwithstanding paragraph (a), and for the 2016-2017
 2150 ~~2014-2015~~ fiscal year only, the department may use appropriated
 2151 funds to pay the costs of strategic and regionally significant
 2152 transportation projects as provided in paragraph (4)(j). Funds
 2153 specifically appropriated for this purpose may not reduce,
 2154 delete, or defer any existing projects funded as of July 1, 2016
 2155 ~~2014~~, in the department's 5-year work program. This paragraph
 2156 expires July 1, 2017 ~~2015~~.

2157 Section 56. In order to implement Specific Appropriation
 2158 1890 of the 2016-2017 General Appropriations Act, subsection (2)
 2159 of section 339.2818, Florida Statutes, is amended to read:

2160 339.2818 Small County Outreach Program.—

2161 (2) (a) For the purposes of this section, the term "small
 2162 county" means any county that has a population of 150,000 or
 2163 less as determined by the most recent official estimate pursuant
 2164 to s. 186.901.

2165 (b) Notwithstanding paragraph (a), for the 2016-2017 ~~2015-~~
 2166 ~~2016~~ fiscal year, for purposes of this section, the term "small
 2167 county" means any county that has a population of 170,000
 2168 ~~165,000~~ or less as determined by the most recent official
 2169 estimate pursuant to s. 186.901. This paragraph expires July 1,
 2170 2017 ~~2016~~.

2171 Section 57. In order to implement Specific Appropriation
 2172 1874 of the 2016-2017 General Appropriations Act, subsection
 2173 (10) of section 341.302, Florida Statutes, is reenacted to read:

2174 341.302 Rail program; duties and responsibilities of the
 2175 department.—The department, in conjunction with other

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2176 governmental entities, including the rail enterprise and the
2177 private sector, shall develop and implement a rail program of
2178 statewide application designed to ensure the proper maintenance,
2179 safety, revitalization, and expansion of the rail system to
2180 assure its continued and increased availability to respond to
2181 statewide mobility needs. Within the resources provided pursuant
2182 to chapter 216, and as authorized under federal law, the
2183 department shall:

2184 (10) (a) Administer rail operating and construction
2185 programs, which programs shall include the regulation of maximum
2186 train operating speeds, the opening and closing of public grade
2187 crossings, the construction and rehabilitation of public grade
2188 crossings, the installation of traffic control devices at public
2189 grade crossings, the approval and implementation of quiet zones,
2190 and administration of the programs by the department, including
2191 participation in the cost of the programs.

2192 (b) Provide grant funding to assist with the implementation
2193 of quiet zones that have been approved by the department, which
2194 funding may not exceed 50 percent of the nonfederal and
2195 nonprivate share of the total costs of any quiet zone capital
2196 improvement project.

2197 (c) Coordinate and work closely with local, state, and
2198 federal agencies to provide technical support to local agencies
2199 for the development of quiet zone plans.

2200 (d) Monitor crossing incidents at approved quiet zone
2201 locations and suspend the operation of a quiet zone at any time
2202 the department determines that a significant deterioration in
2203 safety is resulting from quiet zone implementation.

2204 Section 58. The amendment to s. 341.302(10), Florida

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2205 Statutes, as carried forward by this act from chapter 2014-53,
2206 Laws of Florida, expires July 1, 2017, and the text of that
2207 subsection shall revert to that in existence on June 30, 2014,
2208 except that any amendments to such text enacted other than by
2209 this act shall be preserved and continue to operate to the
2210 extent that such amendments are not dependent upon the portions
2211 of text which expire pursuant to this section.

2212 Section 59. In order to implement Specific Appropriation
2213 1889 of the 2016-2017 General Appropriations Act, subsection (3)
2214 of section 339.2816, Florida Statutes is amended to read:

2215 339.2816 Small County Road Assistance Program.—

2216 (3) In the 2016-2017 fiscal year ~~Beginning with fiscal year~~
2217 ~~1999-2000 until fiscal year 2009-2010, and beginning again with~~
2218 ~~fiscal year 2012-2013,~~ up to \$50 ~~\$25~~ million annually from the
2219 State Transportation Trust Fund may be used for the purposes of
2220 funding the Small County Road Assistance Program as described in
2221 this section.

2222 Section 60. The amendment made by this act to s.
2223 339.2816(3), Florida Statutes, expires July 1, 2017, and the
2224 text of that subsection shall revert to that in existence on
2225 June 30, 2015, except that any amendments to such text enacted
2226 other than by this act shall be preserved and continue to
2227 operate to the extent that such amendments are not dependent
2228 upon the portions of text which expire pursuant to this section.

2229 Section 61. In order to implement Specific Appropriation
2230 2224 of the 2016-2017 General Appropriations Act, subsection
2231 (10) of section 420.9072, Florida Statutes, is amended to read:

2232 420.9072 State Housing Initiatives Partnership Program.—The
2233 State Housing Initiatives Partnership Program is created for the

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2234 purpose of providing funds to counties and eligible
2235 municipalities as an incentive for the creation of local housing
2236 partnerships, to expand production of and preserve affordable
2237 housing, to further the housing element of the local government
2238 comprehensive plan specific to affordable housing, and to
2239 increase housing-related employment.

2240 (10) Notwithstanding ss. 420.9071(26) and 420.9075(5) and
2241 subsection (7), for the 2016-2017 ~~2015-2016~~ fiscal year:

2242 (a) The term "rent subsidies" means ongoing monthly rental
2243 assistance.

2244 (b) Up to 25 percent of the funds made available in each
2245 county and each eligible municipality from the local housing
2246 distribution may be used for rental assistance and rent
2247 subsidies as provided in paragraph (c).

2248 (c) A county or an eligible municipality may expend its
2249 portion of the local housing distribution to provide the
2250 following types of rental assistance and rent subsidies:

2251 1. Security and utility deposit assistance.

2252 2. Eviction prevention subsidies not to exceed 6 months'
2253 rent.

2254 3. Rent subsidies for very-low-income households with at
2255 least one adult who is a person with special needs as defined in
2256 s. 420.0004 or a person who is homeless as defined in s. 420.621
2257 when the person initially qualified for a rent subsidy. The
2258 period of rental subsidy may not exceed 12 months for any
2259 eligible household or person.

2260 (d) This subsection expires July 1, 2017 ~~2016~~.

2261 Section 62. In order to implement Specific Appropriation
2262 2223 of the 2016-2017 General Appropriations Act, subsection

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2263 (10) of section 420.5087, Florida Statutes, is amended to read:

2264 420.5087 State Apartment Incentive Loan Program.—There is
2265 hereby created the State Apartment Incentive Loan Program for
2266 the purpose of providing first, second, or other subordinated
2267 mortgage loans or loan guarantees to sponsors, including for-
2268 profit, nonprofit, and public entities, to provide housing
2269 affordable to very-low-income persons.

2270 (10) (a) Notwithstanding subsection (3), for the 2016-2017
2271 ~~2015-2016~~ fiscal year, the reservation of funds for the tenant
2272 groups within each notice of fund availability shall be:

2273 1. Not less than 10 percent of the funds available at that
2274 time for the following tenant groups:

- 2275 a. Families;
2276 b. Persons who are homeless;
2277 c. Persons with special needs; and
2278 d. Elderly persons.

2279 2. Not less than 5 percent of the funds available at that
2280 time for the commercial fishing workers and farmworkers tenant
2281 group.

2282 (b) Notwithstanding the provisions of this section which
2283 require program funds be used for housing for very-low income
2284 persons and the provisions of subparagraph (6)(c)4. which
2285 require that specified percentages of the units in a project be
2286 reserved for persons or families of specified income levels, for
2287 the 2016-2017 fiscal year, the corporation shall issue a notice
2288 of fund availability for \$20 million for loans for the
2289 construction of workforce housing to serve primarily low-income
2290 persons, as defined in s. 420.0004.

2291 (c) This subsection expires July 1, 2017 ~~2016~~.

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2292 Section 63. In order to implement Specific Appropriation
2293 1856 of the 2016-2017 General Appropriations Act, subsection
2294 (30) is added to section 427.013, Florida Statutes, to read:
2295 427.013 The Commission for the Transportation
2296 Disadvantaged; purpose and responsibilities.—The purpose of the
2297 commission is to accomplish the coordination of transportation
2298 services provided to the transportation disadvantaged. The goal
2299 of this coordination is to assure the cost-effective provision
2300 of transportation by qualified community transportation
2301 coordinators or transportation operators for the transportation
2302 disadvantaged without any bias or presumption in favor of
2303 multioperator systems or not-for-profit transportation operators
2304 over single operator systems or for-profit transportation
2305 operators. In carrying out this purpose, the commission shall:

2306 (30) For the 2016-2017 fiscal year and notwithstanding any
2307 other provision of this section:

2308 (a) Allocate, from funds provided in the General
2309 Appropriations Act, to community transportation coordinators who
2310 do not receive Urbanized Area Formula funds pursuant to 49
2311 U.S.C. s. 5307 to provide transportation services for persons
2312 with disabilities, older adults, and low-income persons so they
2313 may access health care, employment, education, and other life-
2314 sustaining activities. Funds allocated for this purpose shall be
2315 distributed among community transportation coordinators based
2316 upon the Transportation Disadvantaged Trip and Equipment
2317 allocation methodology established by the commission.

2318 (b) Award, from funds provided in the General
2319 Appropriations Act, competitive grants to community
2320 transportation coordinators to address unique transportation

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2321 challenges of persons with disabilities, older adults, and low-
 2322 income persons seeking to obtain or maintain employment; to
 2323 allow residents of inner-city, urban, or rural neighborhoods to
 2324 access jobs; and to provide transportation services for persons
 2325 who work late at night or on weekends when conventional transit
 2326 services are reduced or unavailable.

2327 (c) Award, from funds provided in the General
 2328 Appropriations Act, competitive grants to community
 2329 transportation coordinators to support transportation projects
 2330 to:

2331 1. Enhance access to health care, shopping, education,
 2332 employment, public services, and recreation;

2333 2. Assist in the development, improvement, and use of
 2334 transportation systems in nonurbanized areas;

2335 3. Promote the efficient coordination of services;

2336 4. Support inner-city bus transportation; and

2337 5. Encourage private transportation providers to
 2338 participate.

2339 (d) This subsection expires July 1, 2017.

2340 Section 64. In order to implement the salaries and
 2341 benefits, expenses, other personal services, contracted
 2342 services, special categories, and operating capital outlay
 2343 categories of the 2016-2017 General Appropriations Act,
 2344 paragraph (a) of subsection (2) of section 216.292, Florida
 2345 Statutes, is reenacted to read:

2346 216.292 Appropriations nontransferable; exceptions.—

2347 (2) The following transfers are authorized to be made by
 2348 the head of each department or the Chief Justice of the Supreme
 2349 Court whenever it is deemed necessary by reason of changed

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2350 conditions:

2351 (a) The transfer of appropriations funded from identical
2352 funding sources, except appropriations for fixed capital outlay,
2353 and the transfer of amounts included within the total original
2354 approved budget and plans of releases of appropriations as
2355 furnished pursuant to ss. 216.181 and 216.192, as follows:

2356 1. Between categories of appropriations within a budget
2357 entity, if no category of appropriation is increased or
2358 decreased by more than 5 percent of the original approved budget
2359 or \$250,000, whichever is greater, by all action taken under
2360 this subsection.

2361 2. Between budget entities within identical categories of
2362 appropriations, if no category of appropriation is increased or
2363 decreased by more than 5 percent of the original approved budget
2364 or \$250,000, whichever is greater, by all action taken under
2365 this subsection.

2366 3. Any agency exceeding salary rate established pursuant to
2367 s. 216.181(8) on June 30th of any fiscal year shall not be
2368 authorized to make transfers pursuant to subparagraphs 1. and 2.
2369 in the subsequent fiscal year.

2370 4. Notice of proposed transfers under subparagraphs 1. and
2371 2. shall be provided to the Executive Office of the Governor and
2372 the chairs of the legislative appropriations committees at least
2373 3 days prior to agency implementation in order to provide an
2374 opportunity for review.

2375 Section 65. The amendment to s. 216.292(2)(a), Florida
2376 Statutes, as carried forward by this act from chapter 2014-53,
2377 Laws of Florida, expires July 1, 2017, and the text of that
2378 paragraph shall revert to that in existence on June 30, 2014,

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2379 except that any amendments to such text enacted other than by
2380 this act shall be preserved and continue to operate to the
2381 extent that such amendments are not dependent upon the portions
2382 of text which expire pursuant to this section.

2383 Section 66. In order to implement the appropriation of
2384 funds in the contracted services and expenses categories of the
2385 2016-2017 General Appropriations Act, a state agency may not
2386 initiate a competitive solicitation for a product or service if
2387 the completion of such competitive solicitation would:

2388 (1) Require a change in law; or

2389 (2) Require a change to the agency's budget other than a
2390 transfer authorized in s. 216.292(2) or (3), Florida Statutes,
2391 unless the initiation of such competitive solicitation is
2392 specifically authorized in law, in the General Appropriations
2393 Act, or by the Legislative Budget Commission.

2394
2395 This section does not apply to a competitive solicitation for
2396 which the agency head certifies that a valid emergency exists.
2397 This section expires July 1, 2017.

2398 Section 67. In order to implement the appropriation of
2399 funds in the appropriation category "Special Categories-Risk
2400 Management Insurance" in the 2016-2017 General Appropriations
2401 Act, and pursuant to the notice, review, and objection
2402 procedures of s. 216.177, Florida Statutes, the Executive Office
2403 of the Governor may transfer funds appropriated in that category
2404 between departments in order to align the budget authority
2405 granted with the premiums paid by each department for risk
2406 management insurance. This section expires July 1, 2017.

2407 Section 68. In order to implement the appropriation of

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2408 funds in the appropriation category "Special Categories-Transfer
2409 to Department of Management Services-Human Resources Services
2410 Purchased per Statewide Contract" in the 2016-2017 General
2411 Appropriations Act, and pursuant to the notice, review, and
2412 objection procedures of s. 216.177, Florida Statutes, the
2413 Executive Office of the Governor may transfer funds appropriated
2414 in that category between departments in order to align the
2415 budget authority granted with the assessments that must be paid
2416 by each agency to the Department of Management Services for
2417 human resource management services. This section expires July 1,
2418 2017.

2419 Section 69. In order to implement appropriations for
2420 salaries and benefits in the 2016-2017 General Appropriations
2421 Act, subsection (6) of section 112.24, Florida Statutes, is
2422 amended to read:

2423 112.24 Intergovernmental interchange of public employees.-
2424 To encourage economical and effective utilization of public
2425 employees in this state, the temporary assignment of employees
2426 among agencies of government, both state and local, and
2427 including school districts and public institutions of higher
2428 education is authorized under terms and conditions set forth in
2429 this section. State agencies, municipalities, and political
2430 subdivisions are authorized to enter into employee interchange
2431 agreements with other state agencies, the Federal Government,
2432 another state, a municipality, or a political subdivision
2433 including a school district, or with a public institution of
2434 higher education. State agencies are also authorized to enter
2435 into employee interchange agreements with private institutions
2436 of higher education and other nonprofit organizations under the

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2437 terms and conditions provided in this section. In addition, the
2438 Governor or the Governor and Cabinet may enter into employee
2439 interchange agreements with a state agency, the Federal
2440 Government, another state, a municipality, or a political
2441 subdivision including a school district, or with a public
2442 institution of higher learning to fill, subject to the
2443 requirements of chapter 20, appointive offices which are within
2444 the executive branch of government and which are filled by
2445 appointment by the Governor or the Governor and Cabinet. Under
2446 no circumstances shall employee interchange agreements be
2447 utilized for the purpose of assigning individuals to participate
2448 in political campaigns. Duties and responsibilities of
2449 interchange employees shall be limited to the mission and goals
2450 of the agencies of government.

2451 (6) For the 2016-2017 ~~2015-2016~~ fiscal year only, the
2452 assignment of an employee of a state agency as provided in this
2453 section may be made if recommended by the Governor or Chief
2454 Justice, as appropriate, and approved by the chairs of the
2455 legislative appropriations committees. Such actions shall be
2456 deemed approved if neither chair provides written notice of
2457 objection within 14 days after receiving notice of the action
2458 pursuant to s. 216.177. This subsection expires July 1, 2017
2459 ~~2016~~.

2460 Section 70. In order to implement Specific Appropriations
2461 2652 and 2653 of the 2016-2017 General Appropriations Act and
2462 notwithstanding s. 11.13(1), Florida Statutes, the authorized
2463 salaries for members of the Legislature for the 2016-2017 fiscal
2464 year shall be set at the same level in effect on July 1, 2010.
2465 This section expires July 1, 2017.

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2466 Section 71. In order to implement the transfer of funds to
2467 the General Revenue Fund from trust funds in the 2016-2017
2468 General Appropriations Act, paragraph (b) of subsection (2) of
2469 section 215.32, Florida Statutes, is reenacted to read:

2470 215.32 State funds; segregation.—

2471 (2) The source and use of each of these funds shall be as
2472 follows:

2473 (b)1. The trust funds shall consist of moneys received by
2474 the state which under law or under trust agreement are
2475 segregated for a purpose authorized by law. The state agency or
2476 branch of state government receiving or collecting such moneys
2477 is responsible for their proper expenditure as provided by law.
2478 Upon the request of the state agency or branch of state
2479 government responsible for the administration of the trust fund,
2480 the Chief Financial Officer may establish accounts within the
2481 trust fund at a level considered necessary for proper
2482 accountability. Once an account is established, the Chief
2483 Financial Officer may authorize payment from that account only
2484 upon determining that there is sufficient cash and releases at
2485 the level of the account.

2486 2. In addition to other trust funds created by law, to the
2487 extent possible, each agency shall use the following trust funds
2488 as described in this subparagraph for day-to-day operations:

2489 a. Operations or operating trust fund, for use as a
2490 depository for funds to be used for program operations funded by
2491 program revenues, with the exception of administrative
2492 activities when the operations or operating trust fund is a
2493 proprietary fund.

2494 b. Operations and maintenance trust fund, for use as a

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2495 depository for client services funded by third-party payors.

2496 c. Administrative trust fund, for use as a depository for
2497 funds to be used for management activities that are departmental
2498 in nature and funded by indirect cost earnings and assessments
2499 against trust funds. Proprietary funds are excluded from the
2500 requirement of using an administrative trust fund.

2501 d. Grants and donations trust fund, for use as a depository
2502 for funds to be used for allowable grant or donor agreement
2503 activities funded by restricted contractual revenue from private
2504 and public nonfederal sources.

2505 e. Agency working capital trust fund, for use as a
2506 depository for funds to be used pursuant to s. 216.272.

2507 f. Clearing funds trust fund, for use as a depository for
2508 funds to account for collections pending distribution to lawful
2509 recipients.

2510 g. Federal grant trust fund, for use as a depository for
2511 funds to be used for allowable grant activities funded by
2512 restricted program revenues from federal sources.

2513
2514 To the extent possible, each agency must adjust its internal
2515 accounting to use existing trust funds consistent with the
2516 requirements of this subparagraph. If an agency does not have
2517 trust funds listed in this subparagraph and cannot make such
2518 adjustment, the agency must recommend the creation of the
2519 necessary trust funds to the Legislature no later than the next
2520 scheduled review of the agency's trust funds pursuant to s.
2521 215.3206.

2522 3. All such moneys are hereby appropriated to be expended
2523 in accordance with the law or trust agreement under which they

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2524 were received, subject always to the provisions of chapter 216
2525 relating to the appropriation of funds and to the applicable
2526 laws relating to the deposit or expenditure of moneys in the
2527 State Treasury.

2528 4.a. Notwithstanding any provision of law restricting the
2529 use of trust funds to specific purposes, unappropriated cash
2530 balances from selected trust funds may be authorized by the
2531 Legislature for transfer to the Budget Stabilization Fund and
2532 General Revenue Fund in the General Appropriations Act.

2533 b. This subparagraph does not apply to trust funds required
2534 by federal programs or mandates; trust funds established for
2535 bond covenants, indentures, or resolutions whose revenues are
2536 legally pledged by the state or public body to meet debt service
2537 or other financial requirements of any debt obligations of the
2538 state or any public body; the Division of Licensing Trust Fund
2539 in the Department of Agriculture and Consumer Services; the
2540 State Transportation Trust Fund; the trust fund containing the
2541 net annual proceeds from the Florida Education Lotteries; the
2542 Florida Retirement System Trust Fund; trust funds under the
2543 management of the State Board of Education or the Board of
2544 Governors of the State University System, where such trust funds
2545 are for auxiliary enterprises, self-insurance, and contracts,
2546 grants, and donations, as those terms are defined by general
2547 law; trust funds that serve as clearing funds or accounts for
2548 the Chief Financial Officer or state agencies; trust funds that
2549 account for assets held by the state in a trustee capacity as an
2550 agent or fiduciary for individuals, private organizations, or
2551 other governmental units; and other trust funds authorized by
2552 the State Constitution.

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2553 Section 72. The amendment to s. 215.32(2)(b), Florida
2554 Statutes, as carried forward by this act from chapter 2011-47,
2555 Laws of Florida, expires July 1, 2017, and the text of that
2556 paragraph shall revert to that in existence on June 30, 2011,
2557 except that any amendments to such text enacted other than by
2558 this act shall be preserved and continue to operate to the
2559 extent that such amendments are not dependent upon the portions
2560 of text which expire pursuant to this section.

2561 Section 73. In order to implement the issuance of new debt
2562 authorized in the 2016-2017 General Appropriations Act, and
2563 pursuant to s. 215.98, Florida Statutes, the Legislature
2564 determines that the authorization and issuance of debt for the
2565 2016-2017 fiscal year should be implemented and is in the best
2566 interest of the state. This section expires July 1, 2017.

2567 Section 74. In order to implement appropriations in the
2568 2016-2017 General Appropriations Act for state employee travel,
2569 the funds appropriated to each state agency which may be used
2570 for travel by state employees shall be limited during the 2016-
2571 2017 fiscal year to travel for activities that are critical to
2572 each state agency's mission. Funds may not be used for travel by
2573 state employees to foreign countries, other states, conferences,
2574 staff training activities, or other administrative functions
2575 unless the agency head has approved, in writing, that such
2576 activities are critical to the agency's mission. The agency head
2577 shall consider using teleconferencing and other forms of
2578 electronic communication to meet the needs of the proposed
2579 activity before approving mission-critical travel. This section
2580 does not apply to travel for law enforcement purposes, military
2581 purposes, emergency management activities, or public health

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2582 activities. This section expires July 1, 2017.

2583 Section 75. In order to implement Specific Appropriations
2584 2892 through 2913 of the 2016-2017 General Appropriations Act,
2585 funded from the data processing appropriation category for
2586 computing services of user agencies, and pursuant to the notice,
2587 review, and objection procedures of s. 216.177, Florida
2588 Statutes, the Executive Office of the Governor may transfer
2589 funds appropriated for data processing in the 2016-2017 General
2590 Appropriations Act between agencies in order to align the budget
2591 authority granted with the utilization rate of each department.
2592 This section expires July 1, 2017.

2593 Section 76. In order to implement the appropriation of
2594 funds in the appropriation category "Data Processing Services-
2595 State Data Center-Agency for State Technology (AST)" in the
2596 2016-2017 General Appropriations Act, and pursuant to the
2597 notice, review, and objection procedures of s. 216.177, Florida
2598 Statutes, the Executive Office of the Governor may transfer
2599 funds appropriated in that category between departments in order
2600 to align the budget authority granted based on the estimated
2601 billing cycle and methodology used by the Agency for State
2602 Technology for data processing services provided by the State
2603 Data Center. This section expires July 1, 2017.

2604 Section 77. In order to implement appropriations authorized
2605 in the 2016-2017 General Appropriations Act for data center
2606 services, and notwithstanding s. 216.292(2)(a), Florida
2607 Statutes, except as authorized in sections 75 and 76 of this
2608 act, an agency may not transfer funds from a data processing
2609 category to a category other than another data processing
2610 category. This section expires July 1, 2017.

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2611 Section 78. In order to implement Specific Appropriation
2612 2826 of the 2016-2017 General Appropriations Act, the Executive
2613 Office of the Governor may transfer funds appropriated in the
2614 appropriation category "Expenses" of the 2016-2017 General
2615 Appropriations Act between agencies in order to allocate a
2616 reduction relating to SUNCOM Network services. This section
2617 expires July 1, 2017.

2618 Section 79. In order to implement section 8 of the 2015-
2619 2016 General Appropriations Act, section 110.12315, Florida
2620 Statutes, is reenacted to read:

2621 110.12315 Prescription drug program.—The state employees'
2622 prescription drug program is established. This program shall be
2623 administered by the Department of Management Services, according
2624 to the terms and conditions of the plan as established by the
2625 relevant provisions of the annual General Appropriations Act and
2626 implementing legislation, subject to the following conditions:

2627 (1) The department shall allow prescriptions written by
2628 health care providers under the plan to be filled by any
2629 licensed pharmacy pursuant to contractual claims-processing
2630 provisions. Nothing in this section may be construed as
2631 prohibiting a mail order prescription drug program distinct from
2632 the service provided by retail pharmacies.

2633 (2) In providing for reimbursement of pharmacies for
2634 prescription medicines dispensed to members of the state group
2635 health insurance plan and their dependents under the state
2636 employees' prescription drug program:

2637 (a) Retail pharmacies participating in the program must be
2638 reimbursed at a uniform rate and subject to uniform conditions,
2639 according to the terms and conditions of the plan.

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2640 (b) There shall be a 30-day supply limit for prescription
2641 card purchases, a 90-day supply limit for maintenance
2642 prescription drug purchases, and a 90-day supply limit for mail
2643 order or mail order prescription drug purchases.

2644 (c) The pharmacy dispensing fee shall be negotiated by the
2645 department.

2646 (3) Pharmacy reimbursement rates shall be as follows:

2647 (a) For mail order and specialty pharmacies contracting
2648 with the department, reimbursement rates shall be as established
2649 in the contract.

2650 (b) For retail pharmacies, the reimbursement rate shall be
2651 at the same rate as mail order pharmacies under contract with
2652 the department.

2653 (4) The department shall maintain the preferred brand name
2654 drug list to be used in the administration of the state
2655 employees' prescription drug program.

2656 (5) The department shall maintain a list of maintenance
2657 drugs.

2658 (a) Preferred provider organization health plan members may
2659 have prescriptions for maintenance drugs filled up to three
2660 times as a 30-day supply through a retail pharmacy; thereafter,
2661 prescriptions for the same maintenance drug must be filled as a
2662 90-day supply either through the department's contracted mail
2663 order pharmacy or through a retail pharmacy.

2664 (b) Health maintenance organization health plan members may
2665 have prescriptions for maintenance drugs filled as a 90-day
2666 supply either through a mail order pharmacy or through a retail
2667 pharmacy.

2668 (6) Copayments made by health plan members for a 90-day

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2669 supply through a retail pharmacy shall be the same as copayments
2670 made for a 90-day supply through the department's contracted
2671 mail order pharmacy.

2672 (7) The department shall establish the reimbursement
2673 schedule for prescription pharmaceuticals dispensed under the
2674 program. Reimbursement rates for a prescription pharmaceutical
2675 must be based on the cost of the generic equivalent drug if a
2676 generic equivalent exists, unless the physician prescribing the
2677 pharmaceutical clearly states on the prescription that the brand
2678 name drug is medically necessary or that the drug product is
2679 included on the formulary of drug products that may not be
2680 interchanged as provided in chapter 465, in which case
2681 reimbursement must be based on the cost of the brand name drug
2682 as specified in the reimbursement schedule adopted by the
2683 department.

2684 (8) The department shall conduct a prescription utilization
2685 review program. In order to participate in the state employees'
2686 prescription drug program, retail pharmacies dispensing
2687 prescription medicines to members of the state group health
2688 insurance plan or their covered dependents, or to subscribers or
2689 covered dependents of a health maintenance organization plan
2690 under the state group insurance program, shall make their
2691 records available for this review.

2692 (9) The department shall implement such additional cost-
2693 saving measures and adjustments as may be required to balance
2694 program funding within appropriations provided, including a
2695 trial or starter dose program and dispensing of long-term-
2696 maintenance medication in lieu of acute therapy medication.

2697 (10) Participating pharmacies must use a point-of-sale

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2698 device or an online computer system to verify a participant's
 2699 eligibility for coverage. The state is not liable for
 2700 reimbursement of a participating pharmacy for dispensing
 2701 prescription drugs to any person whose current eligibility for
 2702 coverage has not been verified by the state's contracted
 2703 administrator or by the department.

2704 (11) Under the state employees' prescription drug program
 2705 copayments must be made as follows:

2706 (a) Effective January 1, 2013, for the State Group Health
 2707 Insurance Standard Plan:

- 2708 1. For generic drug with card.....\$7.
- 2709 2. For preferred brand name drug with card.....\$30.
- 2710 3. For nonpreferred brand name drug with card.....\$50.
- 2711 4. For generic mail order drug.....\$14.
- 2712 5. For preferred brand name mail order drug.....\$60.
- 2713 6. For nonpreferred brand name mail order drug.....\$100.

2714 (b) Effective January 1, 2006, for the State Group Health
 2715 Insurance High Deductible Plan:

- 2716 1. Retail coinsurance for generic drug with card.....30%.
- 2717 2. Retail coinsurance for preferred brand name drug with
 2718 card.....30%.
- 2719 3. Retail coinsurance for nonpreferred brand name drug with
 2720 card.....50%.
- 2721 4. Mail order coinsurance for generic drug.....30%.
- 2722 5. Mail order coinsurance for preferred brand name drug.30%.
- 2723 6. Mail order coinsurance for nonpreferred brand name
 2724 drug.....50%.

2725 (c) The department shall create a preferred brand name drug
 2726 list to be used in the administration of the state employees'

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2727 prescription drug program.

2728 Section 80. (1) The amendment to s. 110.12315(2)(b),
2729 Florida Statutes, as carried forward by this act from chapter
2730 2014-53, Laws of Florida, expires July 1, 2017, and the text of
2731 that paragraph shall revert to that in existence on June 30,
2732 2012, except that any amendments to such text enacted other than
2733 by this act shall be preserved and continue to operate to the
2734 extent that such amendments are not dependent upon the portions
2735 of text which expire pursuant to this section.

2736 (2) The amendments to s. 110.12315(2)(c) and (3)-(6),
2737 Florida Statutes, as carried forward by this act from chapter
2738 2014-53, Laws of Florida, expire July 1, 2017, and the text of
2739 that paragraph and the text and numbering of those subsections
2740 shall revert to those in existence on June 30, 2014, except that
2741 any amendments to such text enacted other than by this act shall
2742 be preserved and continue to operate to the extent that such
2743 amendments are not dependent upon the portions of text which
2744 expire pursuant to this section.

2745 (3) The amendment to s. 110.12315(7), Florida Statutes, as
2746 carried forward by this act from chapter 2014-53, Laws of
2747 Florida, expires July 1, 2017, and the text of that subsection
2748 shall revert to that in existence on December 31, 2010, except
2749 that any amendments to such text enacted other than by this act
2750 shall be preserved and continue to operate to the extent that
2751 such amendments are not dependent upon the portions of text
2752 which expire pursuant to this section.

2753 Section 81. Any section of this act which implements a
2754 specific appropriation or specifically identified proviso
2755 language in the 2016-2017 General Appropriations Act is void if

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2756 the specific appropriation or specifically identified proviso
2757 language is vetoed. Any section of this act which implements
2758 more than one specific appropriation or more than one portion of
2759 specifically identified proviso language in the 2016-2017
2760 General Appropriations Act is void if all the specific
2761 appropriations or portions of specifically identified proviso
2762 language are vetoed.

2763 Section 82. If any other act passed during the 2016 Regular
2764 Session contains a provision that is substantively the same as a
2765 provision in this act, but that removes or is otherwise not
2766 subject to the future repeal applied to such provision by this
2767 act, the Legislature intends that the provision in the other act
2768 takes precedence and continues to operate, notwithstanding the
2769 future repeal provided by this act.

2770 Section 83. If any provision of this act or its application
2771 to any person or circumstance is held invalid, the invalidity
2772 does not affect other provisions or applications of the act
2773 which can be given effect without the invalid provision or
2774 application, and to this end the provisions of this act are
2775 severable.

2776 Section 84. Except as otherwise expressly provided in this
2777 act and except for this section, which shall take effect upon
2778 this act becoming a law, this act shall take effect July 1,
2779 2016.