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LEGISLATIVE ACTION

Senate

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House

The Conference Committee on SB 2502, 1st Eng. recommended the following:

1 **Senate Conference Committee Amendment (with title**
2 **amendment)**

3
4 Delete everything after the enacting clause
5 and insert:

6 Section 1. It is the intent of the Legislature that the
7 implementing and administering provisions of this act apply to
8 the General Appropriations Act for the 2019-2020 fiscal year.

9 Section 2. In order to implement Specific Appropriations 6,
10 7, 8, 93, and 94 of the 2019-2020 General Appropriations Act,



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11 the calculations of the Florida Education Finance Program for
12 the 2019-2020 fiscal year included in the document titled
13 "Public School Funding: The Florida Education Finance Program,"
14 dated May 1, 2019, and filed with the Secretary of the Senate,
15 are incorporated by reference for the purpose of displaying the
16 calculations used by the Legislature, consistent with the
17 requirements of state law, in making appropriations for the
18 Florida Education Finance Program. This section expires July 1,
19 2020.

20 Section 3. In order to implement Specific Appropriations 6
21 and 93 of the 2019-2020 General Appropriations Act, and
22 notwithstanding ss. 1002.20, 1003.02, 1006.28-1006.42,
23 1011.62(6)(b)3., and 1011.67, Florida Statutes, relating to the
24 expenditure of funds provided for instructional materials, for
25 the 2019-2020 fiscal year, funds provided for instructional
26 materials shall be released and expended as required in the
27 proviso language for Specific Appropriation 93 of the 2019-2020
28 General Appropriations Act. This section expires July 1, 2020.

29 Section 4. Effective July 1, 2019, upon the expiration and
30 reversion of the amendment made to section 1009.215, Florida
31 Statutes, pursuant to section 13 of chapter 2018-10, Laws of
32 Florida, and in order to implement Specific Appropriation 4 of
33 the 2019-2020 General Appropriations Act, subsection (3) of
34 section 1009.215, Florida Statutes, is amended to read:

35 1009.215 Student enrollment pilot program for the spring
36 and summer terms.—

37 (3) Students who are enrolled in the pilot program and who
38 are eligible to receive Bright Futures Scholarships under ss.
39 1009.53-1009.536 ~~are shall be~~ eligible to receive the



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40 scholarship award for attendance during the spring and summer
41 terms. This student cohort is also eligible to receive Bright
42 Futures Scholarships during the fall term, which may be used for
43 off-campus or online coursework, if Bright Futures Scholarship
44 funding is provided by the Legislature for three terms for other
45 eligible students during that academic year ~~no more than 2~~
46 ~~semesters or the equivalent in any fiscal year, including the~~
47 ~~summer term.~~

48 Section 5. The amendment to s. 1009.215(3), Florida
49 Statutes, by this act expires July 1, 2020, and the text of that
50 subsection shall revert to that in existence on June 30, 2018,
51 except that any amendments to such text enacted other than by
52 this act shall be preserved and continue to operate to the
53 extent that such amendments are not dependent upon the portions
54 of text which expire pursuant to this section.

55 Section 6. In order to implement Specific Appropriations 6
56 and 93 of the 2019-2020 General Appropriations Act, subsection
57 (17) of section 1011.62, Florida Statutes, is amended to read:

58 1011.62 Funds for operation of schools.—If the annual
59 allocation from the Florida Education Finance Program to each
60 district for operation of schools is not determined in the
61 annual appropriations act or the substantive bill implementing
62 the annual appropriations act, it shall be determined as
63 follows:

64 (17) FUNDING COMPRESSION ALLOCATION.—The Legislature may
65 provide an annual funding compression allocation in the General
66 Appropriations Act. The allocation is created to provide
67 additional funding to school districts and developmental
68 research schools whose total funds per FTE in the prior year



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69 were less than the statewide average. Using the most recent
70 prior year FEFP calculation for each eligible school district,
71 the total funds per FTE shall be subtracted from the state
72 average funds per FTE, not including any adjustments made
73 pursuant to paragraph (18) (b). The resulting funds per FTE
74 difference, or a portion thereof, as designated in the General
75 Appropriations Act, shall then be multiplied by the school
76 district's total unweighted FTE to provide the allocation. If
77 the calculated funds are greater than the amount included in the
78 General Appropriations Act, they must be prorated to the
79 appropriation amount based on each participating school
80 district's share. This subsection expires July 1, 2020 ~~2019~~.

81 Section 7. In order to implement Specific Appropriation 122
82 of the 2019-2020 General Appropriations Act, and notwithstanding
83 the expiration date in section 6 of chapter 2018-10, Laws of
84 Florida, subsection (1) of section 1001.26, Florida Statutes, is
85 reenacted to read:

86 1001.26 Public broadcasting program system.—

87 (1) There is created a public broadcasting program system
88 for the state. The department shall provide funds, as
89 specifically appropriated in the General Appropriations Act, to
90 educational television stations qualified by the Corporation for
91 Public Broadcasting or public colleges and universities that are
92 part of the public broadcasting program system. The program
93 system must include:

94 (a) Support for existing Corporation for Public
95 Broadcasting qualified program system educational television
96 stations.

97 (b) Maintenance of quality broadcast capability for



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98 educational stations that are part of the program system.

99 (c) Interconnection of all educational stations that are
100 part of the program system for simultaneous broadcast and of
101 such stations with all universities and other institutions as
102 necessary for sharing of resources and delivery of programming.

103 (d) Establishment and maintenance of a capability for
104 statewide program distribution with facilities and staff,
105 provided such facilities and staff complement and strengthen
106 existing educational television stations.

107 (e) Provision of both statewide programming funds and
108 station programming support for educational television to meet
109 statewide priorities. Priorities for station programming need
110 not be the same as priorities for programming to be used
111 statewide. Station programming may include, but shall not be
112 limited to, citizens' participation programs, music and fine
113 arts programs, coverage of public hearings and governmental
114 meetings, equal air time for political candidates, and other
115 public interest programming.

116 Section 8. The text of s. 1001.26(1), Florida Statutes, as
117 carried forward from chapter 2018-10, Laws of Florida, by this
118 act, expires July 1, 2020, and the text of that subsection shall
119 revert to that in existence on June 30, 2018, except that any
120 amendments enacted other than by this act shall be preserved and
121 continue to operate to the extent that such amendments are not
122 dependent upon the portions of text which expire pursuant to
123 this section.

124 Section 9. In order to implement Specific Appropriation 123
125 of the 2019-2020 General Appropriations Act, paragraph (b) of
126 subsection (6) of section 1011.80, Florida Statutes, is amended



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127 to read:

128 1011.80 Funds for operation of workforce education
129 programs.—

130 (6)

131 (b) Performance funding for industry certifications for
132 school district workforce education programs is contingent upon
133 specific appropriation in the General Appropriations Act and
134 shall be determined as follows:

135 1. Occupational areas for which industry certifications may
136 be earned, as established in the General Appropriations Act, are
137 eligible for performance funding. Priority shall be given to the
138 occupational areas emphasized in state, national, or corporate
139 grants provided to Florida educational institutions.

140 2. The Chancellor of Career and Adult Education shall
141 identify the industry certifications eligible for funding on the
142 CAPE Postsecondary Industry Certification Funding List approved
143 by the State Board of Education pursuant to s. 1008.44, based on
144 the occupational areas specified in the General Appropriations
145 Act.

146 3. Each school district shall be provided \$1,000 for each
147 industry certification earned by a workforce education student.
148 ~~The maximum amount of funding appropriated for performance~~
149 ~~funding pursuant to this paragraph shall be limited to \$15~~
150 ~~million annually.~~ If funds are insufficient to fully fund the
151 calculated total award, such funds shall be prorated.

152 Section 10. In order to implement Specific Appropriation
153 128 of the 2019-2020 General Appropriations Act, paragraph (c)
154 of subsection (2) of section 1011.81, Florida Statutes, is
155 amended to read:



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156 1011.81 Florida College System Program Fund.—

157 (2) Performance funding for industry certifications for
158 Florida College System institutions is contingent upon specific
159 appropriation in the General Appropriations Act and shall be
160 determined as follows:

161 (c) Each Florida College System institution shall be
162 provided \$1,000 for each industry certification earned by a
163 student. ~~The maximum amount of funding appropriated for~~
164 ~~performance funding pursuant to this subsection shall be limited~~
165 ~~to \$15 million annually.~~ If funds are insufficient to fully fund
166 the calculated total award, such funds shall be prorated.

167 Section 11. The amendments to s. 1011.80(6)(b) and s.
168 1011.81(2)(c), Florida Statutes, by this act expire July 1,
169 2020, and the text of those paragraphs shall revert to that in
170 existence on June 30, 2019, except that any amendments to such
171 text enacted other than by this act shall be preserved and
172 continue to operate to the extent that such amendments are not
173 dependent upon the portions of text which expire pursuant to
174 this section.

175 Section 12. Effective upon becoming a law, in order to
176 implement Specific Appropriations 6 and 93 of the 2019-2020
177 General Appropriations Act, notwithstanding the requirements of
178 s. 1002.37(2), Florida Statutes, the State Board of Education
179 shall serve as the board of trustees of the Florida Virtual
180 School established pursuant to s. 1002.37, Florida Statutes.

181 (1) The State Board of Education sitting as the board of
182 trustees of the Florida Virtual School shall appoint an
183 executive director, who will report directly to the Commissioner
184 of Education. In this capacity, the board may only take actions



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185 to conserve and maintain the Florida Virtual School by ensuring
186 the execution of programs, contracts, services, and agreements
187 in place on or before May 1, 2019. The board may extend or renew
188 contracts as necessary to maintain and operate existing programs
189 and services. In addition, the board shall administer personnel
190 programs for all employees of the Florida Virtual School in
191 accordance with s. 1002.37(2)(f), Florida Statutes.

192 (2) The executive director shall, within existing
193 resources, competitively award a contract for an independent
194 third-party consulting firm to conduct financial, operational,
195 or performance audits, as defined by s. 11.45, Florida Statutes,
196 of the Florida Virtual School in accordance with generally-
197 accepted government auditing standards. The Office of the
198 Inspector General of the Department of Education shall oversee
199 the audit. The consulting firm shall submit the results of the
200 audit along with recommendations in accordance with s. 1002.37,
201 Florida Statutes, to the Commissioner of Education by October 1,
202 2019. The Department of Education shall provide recommendations
203 regarding the governance, operation, and organization of the
204 Florida Virtual School to the Governor, the President of the
205 Senate, and the Speaker of the House of Representatives by
206 November 1, 2019.

207 (3) This section expires July 1, 2020.

208 Section 13. In order to implement Specific Appropriations
209 2753 and 2754 of the 2019-2020 General Appropriations Act, the
210 Office of Economic and Demographic Research shall develop a
211 methodology for calculating each school district's wage level
212 index using appropriate county-level and occupational-level wage
213 data. In developing the methodology, the office shall seek the



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214 input from a broad range of stakeholders, including but not
215 limited to, school districts and the Department of Economic
216 Opportunity, to identify the key factors that result in cost
217 differences among counties and their relative magnitude. To the
218 maximum extent feasible, the office shall develop a methodology
219 for calculating each school district's wage level index that
220 minimizes the effects of temporary disruptions in the data due
221 to adverse events or disturbances. The office shall compare the
222 district-level impact of each school district's wage level index
223 as calculated by the office versus the Florida Price Level Index
224 used for each school district for the 2019-2020 fiscal year
225 district cost differential and provide a transition plan that
226 minimizes any negative impacts for beginning with the 2020-2021
227 fiscal year using the wage level index as calculated by the
228 office. The office shall submit the transition plan to the
229 President of the Senate, the Speaker of the House of
230 Representatives, and the Governor by October 1, 2019. The
231 implementation of the transition plan may not occur unless
232 affirmatively enacted by the Legislature. This section expires
233 July 1, 2020.

234 Section 14. In order to implement Specific Appropriations
235 203, 204, 207, and 211 of the 2019-2020 General Appropriations
236 Act, the calculations for the Medicaid Disproportionate Share
237 Hospital and Hospital Reimbursement programs for the 2019-2020
238 fiscal year contained in the document titled "Medicaid
239 Disproportionate Share Hospital and Hospital Reimbursement
240 Programs, Fiscal Year 2019-2020," dated May 1, 2019, and filed
241 with the Secretary of the Senate, are incorporated by reference
242 for the purpose of displaying the calculations used by the



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243 Legislature, consistent with the requirements of state law, in
244 making appropriations for the Medicaid Disproportionate Share
245 Hospital and Hospital Reimbursement programs. This section
246 expires July 1, 2020.

247 Section 15. In order to implement Specific Appropriations
248 197 through 224 and 523 of the 2019-2020 General Appropriations
249 Act, and notwithstanding ss. 216.181 and 216.292, Florida
250 Statutes, the Agency for Health Care Administration, in
251 consultation with the Department of Health, may submit a budget
252 amendment, subject to the notice, review, and objection
253 procedures of s. 216.177, Florida Statutes, to realign funding
254 within and between agencies based on implementation of the
255 Managed Medical Assistance component of the Statewide Medicaid
256 Managed Care program for the Children's Medical Services program
257 of the Department of Health. The funding realignment shall
258 reflect the actual enrollment changes due to the transfer of
259 beneficiaries from fee-for-service to the capitated Children's
260 Medical Services Network. The Agency for Health Care
261 Administration may submit a request for nonoperating budget
262 authority to transfer the federal funds to the Department of
263 Health pursuant to s. 216.181(12), Florida Statutes. This
264 section expires July 1, 2020.

265 Section 16. Effective October 1, 2019, in order to
266 implement Specific Appropriations 221 and 222 of the 2019-2020
267 General Appropriations Act, subsection (2) of section 409.908,
268 Florida Statutes, as amended by section 19 of chapter 2018-10,
269 Laws of Florida, is amended to read:

270 409.908 Reimbursement of Medicaid providers.—Subject to
271 specific appropriations, the agency shall reimburse Medicaid



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

298 (2) (a) 1. Reimbursement to nursing homes licensed under part
299 II of chapter 400 and state-owned-and-operated intermediate care
300 facilities for the developmentally disabled licensed under part



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301 VIII of chapter 400 must be made prospectively.

302 2. Unless otherwise limited or directed in the General
303 Appropriations Act, reimbursement to hospitals licensed under
304 part I of chapter 395 for the provision of swing-bed nursing
305 home services must be made on the basis of the average statewide
306 nursing home payment, and reimbursement to a hospital licensed
307 under part I of chapter 395 for the provision of skilled nursing
308 services must be made on the basis of the average nursing home
309 payment for those services in the county in which the hospital
310 is located. When a hospital is located in a county that does not
311 have any community nursing homes, reimbursement shall be
312 determined by averaging the nursing home payments in counties
313 that surround the county in which the hospital is located.
314 Reimbursement to hospitals, including Medicaid payment of
315 Medicare copayments, for skilled nursing services shall be
316 limited to 30 days, unless a prior authorization has been
317 obtained from the agency. Medicaid reimbursement may be extended
318 by the agency beyond 30 days, and approval must be based upon
319 verification by the patient's physician that the patient
320 requires short-term rehabilitative and recuperative services
321 only, in which case an extension of no more than 15 days may be
322 approved. Reimbursement to a hospital licensed under part I of
323 chapter 395 for the temporary provision of skilled nursing
324 services to nursing home residents who have been displaced as
325 the result of a natural disaster or other emergency may not
326 exceed the average county nursing home payment for those
327 services in the county in which the hospital is located and is
328 limited to the period of time which the agency considers
329 necessary for continued placement of the nursing home residents



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330 in the hospital.

331 (b) Subject to any limitations or directions in the General
332 Appropriations Act, the agency shall establish and implement a
333 state Title XIX Long-Term Care Reimbursement Plan for nursing
334 home care in order to provide care and services in conformance
335 with the applicable state and federal laws, rules, regulations,
336 and quality and safety standards and to ensure that individuals
337 eligible for medical assistance have reasonable geographic
338 access to such care.

339 1. The agency shall amend the long-term care reimbursement
340 plan and cost reporting system to create direct care and
341 indirect care subcomponents of the patient care component of the
342 per diem rate. These two subcomponents together shall equal the
343 patient care component of the per diem rate. Separate prices
344 shall be calculated for each patient care subcomponent,
345 initially based on the September 2016 rate setting cost reports
346 and subsequently based on the most recently audited cost report
347 used during a rebasing year. The direct care subcomponent of the
348 per diem rate for any providers still being reimbursed on a cost
349 basis shall be limited by the cost-based class ceiling, and the
350 indirect care subcomponent may be limited by the lower of the
351 cost-based class ceiling, the target rate class ceiling, or the
352 individual provider target. The ceilings and targets apply only
353 to providers being reimbursed on a cost-based system. Effective
354 October 1, 2018, a prospective payment methodology shall be
355 implemented for rate setting purposes with the following
356 parameters:

357 a. Peer Groups, including:

358 (I) North-SMMC Regions 1-9, less Palm Beach and Okeechobee



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359 Counties; and
360 (II) South-SMMC Regions 10-11, plus Palm Beach and
361 Okeechobee Counties.
362 b. Percentage of Median Costs based on the cost reports
363 used for September 2016 rate setting:
364 (I) Direct Care Costs.....100 percent.
365 (II) Indirect Care Costs.....92 percent.
366 (III) Operating Costs.....86 percent.
367 c. Floors:
368 (I) Direct Care Component.....95 percent.
369 (II) Indirect Care Component.....92.5 percent.
370 (III) Operating Component.....None.
371 d. Pass-through Payments...Real Estate and Personal Property
372Taxes and Property Insurance.
373 e. Quality Incentive Program Payment Pool...6.5 ~~6~~ percent of
374 September
3752016 non-property related payments of included facilities.
376 f. Quality Score Threshold to Quality for Quality Incentive
377 Payment.....20th percentile of included facilities.
378 g. Fair Rental Value System Payment Parameters:
379 (I) Building Value per Square Foot based on 2018 RS Means.
380 (II) Land Valuation.....10 percent of Gross Building value.
381 (III) Facility Square Footage.....Actual Square Footage.
382 (IV) Moveable Equipment Allowance.....\$8,000 per bed.
383 (V) Obsolescence Factor.....1.5 percent.
384 (VI) Fair Rental Rate of Return.....8 percent.
385 (VII) Minimum Occupancy.....90 percent.
386 (VIII) Maximum Facility Age.....40 years.
387 (IX) Minimum Square Footage per Bed.....350.



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388 (X) Maximum Square Footage for Bed.....500.

389 (XI) Minimum Cost of a renovation/replacements.\$500 per bed.

390 h. Ventilator Supplemental payment of \$200 per Medicaid day
391 of 40,000 ventilator Medicaid days per fiscal year.

392 2. The direct care subcomponent shall include salaries and
393 benefits of direct care staff providing nursing services
394 including registered nurses, licensed practical nurses, and
395 certified nursing assistants who deliver care directly to
396 residents in the nursing home facility, allowable therapy costs,
397 and dietary costs. This excludes nursing administration, staff
398 development, the staffing coordinator, and the administrative
399 portion of the minimum data set and care plan coordinators. The
400 direct care subcomponent also includes medically necessary
401 dental care, vision care, hearing care, and podiatric care.

402 3. All other patient care costs shall be included in the
403 indirect care cost subcomponent of the patient care per diem
404 rate, including complex medical equipment, medical supplies, and
405 other allowable ancillary costs. Costs may not be allocated
406 directly or indirectly to the direct care subcomponent from a
407 home office or management company.

408 4. On July 1 of each year, the agency shall report to the
409 Legislature direct and indirect care costs, including average
410 direct and indirect care costs per resident per facility and
411 direct care and indirect care salaries and benefits per category
412 of staff member per facility.

413 5. Every fourth year, the agency shall rebase nursing home
414 prospective payment rates to reflect changes in cost based on
415 the most recently audited cost report for each participating
416 provider.



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417 6. A direct care supplemental payment may be made to
418 providers whose direct care hours per patient day are above the
419 80th percentile and who provide Medicaid services to a larger
420 percentage of Medicaid patients than the state average.

421 7. For the period beginning on October 1, 2018, and ending
422 on September 30, 2021, the agency shall reimburse providers the
423 greater of their September 2016 cost-based rate or their
424 prospective payment rate. Effective October 1, 2021, the agency
425 shall reimburse providers the greater of 95 percent of their
426 cost-based rate or their rebased prospective payment rate, using
427 the most recently audited cost report for each facility. This
428 subparagraph shall expire September 30, 2023.

429 8. Pediatric, Florida Department of Veterans Affairs, and
430 government-owned facilities are exempt from the pricing model
431 established in this subsection and shall remain on a cost-based
432 prospective payment system. Effective October 1, 2018, the
433 agency shall set rates for all facilities remaining on a cost-
434 based prospective payment system using each facility's most
435 recently audited cost report, eliminating retroactive
436 settlements.

437
438 It is the intent of the Legislature that the reimbursement plan
439 achieve the goal of providing access to health care for nursing
440 home residents who require large amounts of care while
441 encouraging diversion services as an alternative to nursing home
442 care for residents who can be served within the community. The
443 agency shall base the establishment of any maximum rate of
444 payment, whether overall or component, on the available moneys
445 as provided for in the General Appropriations Act. The agency



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446 may base the maximum rate of payment on the results of
447 scientifically valid analysis and conclusions derived from
448 objective statistical data pertinent to the particular maximum
449 rate of payment.

450 Section 17. The amendment made by this act to s.
451 409.908(2), Florida Statutes, by this act expires July 1, 2020,
452 and the text of that subsection shall revert to that in
453 existence on July 1, 2019, except that any amendments to such
454 text enacted other than by this act shall be preserved and
455 continue to operate to the extent that such amendments are not
456 dependent upon the portions of text which expire pursuant to
457 this section.

458 Section 18. In order to implement Specific Appropriations
459 221 and 222 of the 2019-2020 General Appropriations Act, and
460 notwithstanding the expiration date in section 19 of chapter
461 2018-10, Laws of Florida, subsection (23) of section 409.908,
462 Florida Statutes, is reenacted to read:

463 409.908 Reimbursement of Medicaid providers.—Subject to
464 specific appropriations, the agency shall reimburse Medicaid
465 providers, in accordance with state and federal law, according
466 to methodologies set forth in the rules of the agency and in
467 policy manuals and handbooks incorporated by reference therein.
468 These methodologies may include fee schedules, reimbursement
469 methods based on cost reporting, negotiated fees, competitive
470 bidding pursuant to s. 287.057, and other mechanisms the agency
471 considers efficient and effective for purchasing services or
472 goods on behalf of recipients. If a provider is reimbursed based
473 on cost reporting and submits a cost report late and that cost
474 report would have been used to set a lower reimbursement rate



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475 for a rate semester, then the provider's rate for that semester
476 shall be retroactively calculated using the new cost report, and
477 full payment at the recalculated rate shall be effected
478 retroactively. Medicare-granted extensions for filing cost
479 reports, if applicable, shall also apply to Medicaid cost
480 reports. Payment for Medicaid compensable services made on
481 behalf of Medicaid eligible persons is subject to the
482 availability of moneys and any limitations or directions
483 provided for in the General Appropriations Act or chapter 216.
484 Further, nothing in this section shall be construed to prevent
485 or limit the agency from adjusting fees, reimbursement rates,
486 lengths of stay, number of visits, or number of services, or
487 making any other adjustments necessary to comply with the
488 availability of moneys and any limitations or directions
489 provided for in the General Appropriations Act, provided the
490 adjustment is consistent with legislative intent.

491 (23) (a) The agency shall establish rates at a level that
492 ensures no increase in statewide expenditures resulting from a
493 change in unit costs for county health departments effective
494 July 1, 2011. Reimbursement rates shall be as provided in the
495 General Appropriations Act.

496 (b)1. Base rate reimbursement for inpatient services under
497 a diagnosis-related group payment methodology shall be provided
498 in the General Appropriations Act.

499 2. Base rate reimbursement for outpatient services under an
500 enhanced ambulatory payment group methodology shall be provided
501 in the General Appropriations Act.

502 3. Prospective payment system reimbursement for nursing
503 home services shall be as provided in subsection (2) and in the



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504 General Appropriations Act.

505 Section 19. The text of s. 409.908(23), Florida Statutes,
506 as carried forward from chapter 2018-10, Laws of Florida, by
507 this act, expires July 1, 2020, and the text of that subsection
508 shall revert to that in existence on October 1, 2018, not
509 including any amendments made by chapter 2018-10, Laws of
510 Florida, except that any amendments to such text enacted other
511 than by this act and chapter 2018-10, Laws of Florida, shall be
512 preserved and continue to operate to the extent that such
513 amendments are not dependent upon the portions of text which
514 expire pursuant to this section.

515 Section 20. In order to implement Specific Appropriation
516 205 of the 2019-2020 General Appropriations Act, subsection (26)
517 of section 409.908, Florida Statutes, is amended to read:

518 409.908 Reimbursement of Medicaid providers.—Subject to
519 specific appropriations, the agency shall reimburse Medicaid
520 providers, in accordance with state and federal law, according
521 to methodologies set forth in the rules of the agency and in
522 policy manuals and handbooks incorporated by reference therein.
523 These methodologies may include fee schedules, reimbursement
524 methods based on cost reporting, negotiated fees, competitive
525 bidding pursuant to s. 287.057, and other mechanisms the agency
526 considers efficient and effective for purchasing services or
527 goods on behalf of recipients. If a provider is reimbursed based
528 on cost reporting and submits a cost report late and that cost
529 report would have been used to set a lower reimbursement rate
530 for a rate semester, then the provider's rate for that semester
531 shall be retroactively calculated using the new cost report, and
532 full payment at the recalculated rate shall be effected



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533 retroactively. Medicare-granted extensions for filing cost
534 reports, if applicable, shall also apply to Medicaid cost
535 reports. Payment for Medicaid compensable services made on
536 behalf of Medicaid eligible persons is subject to the
537 availability of moneys and any limitations or directions
538 provided for in the General Appropriations Act or chapter 216.
539 Further, nothing in this section shall be construed to prevent
540 or limit the agency from adjusting fees, reimbursement rates,
541 lengths of stay, number of visits, or number of services, or
542 making any other adjustments necessary to comply with the
543 availability of moneys and any limitations or directions
544 provided for in the General Appropriations Act, provided the
545 adjustment is consistent with legislative intent.

546 (26) The agency may receive funds from state entities,
547 including, but not limited to, the Department of Health, local
548 governments, and other local political subdivisions, for the
549 purpose of making special exception payments and Low Income Pool
550 Program payments, including federal matching funds. Funds
551 received for this purpose shall be separately accounted for and
552 may not be commingled with other state or local funds in any
553 manner. The agency may certify all local governmental funds used
554 as state match under Title XIX of the Social Security Act to the
555 extent and in the manner authorized under the General
556 Appropriations Act and pursuant to an agreement between the
557 agency and the local governmental entity. In order for the
558 agency to certify such local governmental funds, a local
559 governmental entity must submit a final, executed letter of
560 agreement to the agency, which must be received by October 1 of
561 each fiscal year and provide the total amount of local



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562 governmental funds authorized by the entity for that fiscal year
563 under the General Appropriations Act. The local governmental
564 entity shall use a certification form prescribed by the agency.
565 At a minimum, the certification form must identify the amount
566 being certified and describe the relationship between the
567 certifying local governmental entity and the local health care
568 provider. Local governmental funds outlined in the letters of
569 agreement must be received by the agency no later than October
570 31 of each fiscal year in which such funds are pledged, unless
571 an alternative plan is specifically approved by the agency.

572 Section 21. The amendment to s. 409.908(26), Florida
573 Statutes, by this act expires July 1, 2020, and the text of that
574 subsection shall revert to that in existence on June 30, 2019,
575 except that any amendments to such text enacted other than by
576 this act shall be preserved and continue to operate to the
577 extent that such amendments are not dependent upon the portions
578 of text which expire pursuant to this section.

579 Section 22. In order to implement Specific Appropriation
580 192 of the 2019-2020 General Appropriations Act, subsection (6)
581 of section 409.912, Florida Statutes, is amended to read:

582 409.912 Cost-effective purchasing of health care.—The
583 agency shall purchase goods and services for Medicaid recipients
584 in the most cost-effective manner consistent with the delivery
585 of quality medical care. To ensure that medical services are
586 effectively utilized, the agency may, in any case, require a
587 confirmation or second physician's opinion of the correct
588 diagnosis for purposes of authorizing future services under the
589 Medicaid program. This section does not restrict access to
590 emergency services or poststabilization care services as defined



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591 in 42 C.F.R. s. 438.114. Such confirmation or second opinion
592 shall be rendered in a manner approved by the agency. The agency
593 shall maximize the use of prepaid per capita and prepaid
594 aggregate fixed-sum basis services when appropriate and other
595 alternative service delivery and reimbursement methodologies,
596 including competitive bidding pursuant to s. 287.057, designed
597 to facilitate the cost-effective purchase of a case-managed
598 continuum of care. The agency shall also require providers to
599 minimize the exposure of recipients to the need for acute
600 inpatient, custodial, and other institutional care and the
601 inappropriate or unnecessary use of high-cost services. The
602 agency shall contract with a vendor to monitor and evaluate the
603 clinical practice patterns of providers in order to identify
604 trends that are outside the normal practice patterns of a
605 provider's professional peers or the national guidelines of a
606 provider's professional association. The vendor must be able to
607 provide information and counseling to a provider whose practice
608 patterns are outside the norms, in consultation with the agency,
609 to improve patient care and reduce inappropriate utilization.
610 The agency may mandate prior authorization, drug therapy
611 management, or disease management participation for certain
612 populations of Medicaid beneficiaries, certain drug classes, or
613 particular drugs to prevent fraud, abuse, overuse, and possible
614 dangerous drug interactions. The Pharmaceutical and Therapeutics
615 Committee shall make recommendations to the agency on drugs for
616 which prior authorization is required. The agency shall inform
617 the Pharmaceutical and Therapeutics Committee of its decisions
618 regarding drugs subject to prior authorization. The agency is
619 authorized to limit the entities it contracts with or enrolls as



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620 Medicaid providers by developing a provider network through
621 provider credentialing. The agency may competitively bid single-
622 source-provider contracts if procurement of goods or services
623 results in demonstrated cost savings to the state without
624 limiting access to care. The agency may limit its network based
625 on the assessment of beneficiary access to care, provider
626 availability, provider quality standards, time and distance
627 standards for access to care, the cultural competence of the
628 provider network, demographic characteristics of Medicaid
629 beneficiaries, practice and provider-to-beneficiary standards,
630 appointment wait times, beneficiary use of services, provider
631 turnover, provider profiling, provider licensure history,
632 previous program integrity investigations and findings, peer
633 review, provider Medicaid policy and billing compliance records,
634 clinical and medical record audits, and other factors. Providers
635 are not entitled to enrollment in the Medicaid provider network.
636 The agency shall determine instances in which allowing Medicaid
637 beneficiaries to purchase durable medical equipment and other
638 goods is less expensive to the Medicaid program than long-term
639 rental of the equipment or goods. The agency may establish rules
640 to facilitate purchases in lieu of long-term rentals in order to
641 protect against fraud and abuse in the Medicaid program as
642 defined in s. 409.913. The agency may seek federal waivers
643 necessary to administer these policies.

644 (6) Notwithstanding the provisions of chapter 287, the
645 agency may, at its discretion, renew a contract or contracts for
646 fiscal intermediary services one or more times for such periods
647 as the agency may decide; however, all such renewals may not
648 combine to exceed a total period longer than the term of the



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649 original contract, with the exception of the fiscal agent
650 contract scheduled to end in calendar year 2020, which may be
651 extended by the agency through December 31, 2024.

652 Section 23. The amendment to s. 409.912(6), Florida
653 Statutes, by this act expires July 1, 2020, and the text of that
654 subsection shall revert to that in existence on June 30, 2019,
655 except that any amendments to such text enacted other than by
656 this act shall be preserved and continue to operate to the
657 extent that such amendments are not dependent upon the portions
658 of text which expire pursuant to this section.

659 Section 24. In order to implement Specific Appropriations
660 203, 207, 208, 210, 212, and 221 of the 2019-2020 General
661 Appropriations Act, subsection (12) is added to section 409.904,
662 Florida Statutes, to read:

663 409.904 Optional payments for eligible persons.—The agency
664 may make payments for medical assistance and related services on
665 behalf of the following persons who are determined to be
666 eligible subject to the income, assets, and categorical
667 eligibility tests set forth in federal and state law. Payment on
668 behalf of these Medicaid eligible persons is subject to the
669 availability of moneys and any limitations established by the
670 General Appropriations Act or chapter 216.

671 (12) Effective July 1, 2019, the agency shall make payments
672 to Medicaid-covered services:

673 (a) For eligible children and pregnant women, retroactive
674 for a period of no more than 90 days before the month in which
675 an application for Medicaid is submitted.

676 (b) For eligible nonpregnant adults, retroactive to the
677 first day of the month in which an application for Medicaid is



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678 submitted.

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680 This subsection expires July 1, 2020.

681 Section 25. In order to implement Specific Appropriations
682 203, 207, 208, 210, 212, and 221 of the 2019-2020 General
683 Appropriations Act:

684 (1) By January 10, 2020, the Agency for Health Care
685 Administration, in consultation with the Department of Children
686 and Families, the Florida Hospital Association, the Safety Net
687 Hospital Alliance of Florida, the Florida Health Care
688 Association, and LeadingAge Florida, shall submit a report to
689 the Governor, the President of the Senate, and the Speaker of
690 the House of Representatives regarding the impact of the waiver
691 of Medicaid retroactive eligibility on beneficiaries and
692 providers. The report must include, but is not limited to:

693 (a) The total unduplicated number of nonpregnant adults who
694 applied for Medicaid at a hospital site from February 1, 2019,
695 through December 6, 2019; and, of those applicants, the number
696 whose Medicaid applications were approved, the number whose
697 Medicaid applications were denied, and the reasons for denial
698 ranked by frequency.

699 (b) The total unduplicated number of nonpregnant adults who
700 applied for Medicaid at a nursing home site from February 1,
701 2019, through December 6, 2019; and, of those applicants, the
702 number whose Medicaid applications were approved, the number
703 whose Medicaid applications were denied, and the reasons for
704 denial ranked by frequency.

705 (c) The estimated impact of medical debt on people for whom
706 a Medicaid application was not submitted in the same month when



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707 the individual became an inpatient of a hospital or a resident
708 of a nursing home.

709 (d) Recommendations to improve outreach and Medicaid
710 coverage for nonpregnant adults who would be eligible for
711 Medicaid if they applied before an event that requires hospital
712 or nursing home care.

713 (2) The Agency for Health Care Administration shall also
714 include, as part of the report required by this section, a copy
715 of the evaluation design and performance metrics submitted to
716 the federal Centers for Medicare and Medicaid Services relating
717 to the waiver of Medicaid retroactive eligibility, in conformity
718 with the Special Terms and Conditions of this state's Section
719 1115 demonstration project, titled Managed Medical Assistance
720 (MMA) Program (Project No. 11-W-00206/4).

721
722 This section expires July 1, 2020.

723 Section 26. In order to implement Specific Appropriation
724 245 of the 2019-2020 General Appropriations Act, subsection (10)
725 of section 393.0661, Florida Statutes, is amended to read:

726 393.0661 Home and community-based services delivery system;
727 comprehensive redesign.—The Legislature finds that the home and
728 community-based services delivery system for persons with
729 developmental disabilities and the availability of appropriated
730 funds are two of the critical elements in making services
731 available. Therefore, it is the intent of the Legislature that
732 the Agency for Persons with Disabilities shall develop and
733 implement a comprehensive redesign of the system.

734 (10) Implementation of Medicaid waiver programs and
735 services authorized under this chapter is limited by the funds



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736 appropriated for the individual budgets pursuant to s. 393.0662
737 and the four-tiered waiver system pursuant to subsection (3).
738 Contracts with independent support coordinators and service
739 providers must include provisions requiring compliance with
740 agency cost containment initiatives. The agency shall implement
741 monitoring and accounting procedures necessary to track actual
742 expenditures and project future spending compared to available
743 appropriations for Medicaid waiver programs. When necessary
744 based on projected deficits, the agency must establish specific
745 corrective action plans that incorporate corrective actions of
746 contracted providers that are sufficient to align program
747 expenditures with annual appropriations. If deficits continue
748 during the 2018-2019 ~~2012-2013~~ fiscal year, the agency in
749 conjunction with the Agency for Health Care Administration shall
750 develop a plan to redesign the waiver program and submit the
751 plan to the President of the Senate and the Speaker of the House
752 of Representatives by September 30, 2019 ~~2013~~. At a minimum, the
753 plan must include the following elements:

754 (a) *Budget predictability.*—Agency budget recommendations
755 must include specific steps to restrict spending to budgeted
756 amounts based on alternatives to the iBudget and four-tiered
757 Medicaid waiver models.

758 (b) *Services.*—The agency shall identify core services that
759 are essential to provide for client health and safety and
760 recommend elimination of coverage for other services that are
761 not affordable based on available resources.

762 (c) *Flexibility.*—The redesign shall be responsive to
763 individual needs and to the extent possible encourage client
764 control over allocated resources for their needs.



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765 (d) *Support coordination services.*—The plan shall modify
766 the manner of providing support coordination services to improve
767 management of service utilization and increase accountability
768 and responsiveness to agency priorities.

769 (e) *Reporting.*—The agency shall provide monthly reports to
770 the President of the Senate and the Speaker of the House of
771 Representatives on plan progress and development on July 31,
772 2019 ~~2013~~, and August 31, 2019 ~~2013~~.

773 (f) *Implementation.*—The implementation of a redesigned
774 program is subject to legislative approval ~~and shall occur no~~
775 ~~later than July 1, 2014~~. The Agency for Health Care
776 Administration shall seek federal waivers as needed to implement
777 the redesigned plan once approved by the Legislature.

778 Section 27. The amendment made to s. 393.0661(10), Florida
779 Statutes, by this act expires July 1, 2020, and the text of that
780 subsection shall revert to that in existence on June 30, 2019,
781 except that any amendments to such text enacted other than by
782 this act shall be preserved and continue to operate to the
783 extent that such amendments are not dependent upon the portions
784 of text which expire pursuant to this section.

785 Section 28. In order to implement Specific Appropriations
786 221 and 222 of the 2019-2020 General Appropriations Act,
787 paragraph (d) of subsection (2) of section 400.179, Florida
788 Statutes, is amended to read:

789 400.179 Liability for Medicaid underpayments and
790 overpayments.—

791 (2) Because any transfer of a nursing facility may expose
792 the fact that Medicaid may have underpaid or overpaid the
793 transferor, and because in most instances, any such underpayment



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794 or overpayment can only be determined following a formal field
795 audit, the liabilities for any such underpayments or
796 overpayments shall be as follows:

797 (d) Where the transfer involves a facility that has been
798 leased by the transferor:

799 1. The transferee shall, as a condition to being issued a
800 license by the agency, acquire, maintain, and provide proof to
801 the agency of a bond with a term of 30 months, renewable
802 annually, in an amount not less than the total of 3 months'
803 Medicaid payments to the facility computed on the basis of the
804 preceding 12-month average Medicaid payments to the facility.

805 2. A leasehold licensee may meet the requirements of
806 subparagraph 1. by payment of a nonrefundable fee, paid at
807 initial licensure, paid at the time of any subsequent change of
808 ownership, and paid annually thereafter, in the amount of 1
809 percent of the total of 3 months' Medicaid payments to the
810 facility computed on the basis of the preceding 12-month average
811 Medicaid payments to the facility. If a preceding 12-month
812 average is not available, projected Medicaid payments may be
813 used. The fee shall be deposited into the Grants and Donations
814 Trust Fund and shall be accounted for separately as a Medicaid
815 nursing home overpayment account. These fees shall be used at
816 the sole discretion of the agency to repay nursing home Medicaid
817 overpayments or for enhanced payments to nursing facilities as
818 specified in the General Appropriations Act or other law.
819 Payment of this fee shall not release the licensee from any
820 liability for any Medicaid overpayments, nor shall payment bar
821 the agency from seeking to recoup overpayments from the licensee
822 and any other liable party. As a condition of exercising this



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823 lease bond alternative, licensees paying this fee must maintain
824 an existing lease bond through the end of the 30-month term
825 period of that bond. The agency is herein granted specific
826 authority to promulgate all rules pertaining to the
827 administration and management of this account, including
828 withdrawals from the account, subject to federal review and
829 approval. This provision shall take effect upon becoming law and
830 shall apply to any leasehold license application. The financial
831 viability of the Medicaid nursing home overpayment account shall
832 be determined by the agency through annual review of the account
833 balance and the amount of total outstanding, unpaid Medicaid
834 overpayments owing from leasehold licensees to the agency as
835 determined by final agency audits. By March 31 of each year, the
836 agency shall assess the cumulative fees collected under this
837 subparagraph, minus any amounts used to repay nursing home
838 Medicaid overpayments and amounts transferred to contribute to
839 the General Revenue Fund pursuant to s. 215.20. If the net
840 cumulative collections, minus amounts utilized to repay nursing
841 home Medicaid overpayments, exceed \$10 ~~\$25~~ million, the
842 provisions of this subparagraph shall not apply for the
843 subsequent fiscal year.

844 3. The leasehold licensee may meet the bond requirement
845 through other arrangements acceptable to the agency. The agency
846 is herein granted specific authority to promulgate rules
847 pertaining to lease bond arrangements.

848 4. All existing nursing facility licensees, operating the
849 facility as a leasehold, shall acquire, maintain, and provide
850 proof to the agency of the 30-month bond required in
851 subparagraph 1., above, on and after July 1, 1993, for each



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852 license renewal.

853 5. It shall be the responsibility of all nursing facility
854 operators, operating the facility as a leasehold, to renew the
855 30-month bond and to provide proof of such renewal to the agency
856 annually.

857 6. Any failure of the nursing facility operator to acquire,
858 maintain, renew annually, or provide proof to the agency shall
859 be grounds for the agency to deny, revoke, and suspend the
860 facility license to operate such facility and to take any
861 further action, including, but not limited to, enjoining the
862 facility, asserting a moratorium pursuant to part II of chapter
863 408, or applying for a receiver, deemed necessary to ensure
864 compliance with this section and to safeguard and protect the
865 health, safety, and welfare of the facility's residents. A lease
866 agreement required as a condition of bond financing or
867 refinancing under s. 154.213 by a health facilities authority or
868 required under s. 159.30 by a county or municipality is not a
869 leasehold for purposes of this paragraph and is not subject to
870 the bond requirement of this paragraph.

871 Section 29. The amendment to s. 400.179(2)(d), Florida
872 Statutes, made by this act expires July 1, 2020, and the text of
873 that paragraph shall revert to that in existence on June 30,
874 2019, except that any amendments to such text enacted other than
875 by this act shall be preserved and continue to operate to the
876 extent that such amendments are not dependent upon the portions
877 of text which expire pursuant to this section.

878 Section 30. In order to implement Specific Appropriations
879 178 through 181 of the 2019-2020 General Appropriations Act,
880 paragraph (b) of subsection (5) of section 624.91, Florida



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881 Statutes, is amended to read:

882 624.91 The Florida Healthy Kids Corporation Act.—

883 (5) CORPORATION AUTHORIZATION, DUTIES, POWERS.—

884 (b) The Florida Healthy Kids Corporation shall:

885 1. Arrange for the collection of any family, local
886 contributions, or employer payment or premium, in an amount to
887 be determined by the board of directors, to provide for payment
888 of premiums for comprehensive insurance coverage and for the
889 actual or estimated administrative expenses.

890 2. Arrange for the collection of any voluntary
891 contributions to provide for payment of Florida Kidcare program
892 premiums for children who are not eligible for medical
893 assistance under Title XIX or Title XXI of the Social Security
894 Act.

895 3. Subject to the provisions of s. 409.8134, accept
896 voluntary supplemental local match contributions that comply
897 with the requirements of Title XXI of the Social Security Act
898 for the purpose of providing additional Florida Kidcare coverage
899 in contributing counties under Title XXI.

900 4. Establish the administrative and accounting procedures
901 for the operation of the corporation.

902 5. Establish, with consultation from appropriate
903 professional organizations, standards for preventive health
904 services and providers and comprehensive insurance benefits
905 appropriate to children, provided that such standards for rural
906 areas shall not limit primary care providers to board-certified
907 pediatricians.

908 6. Determine eligibility for children seeking to
909 participate in the Title XXI-funded components of the Florida



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910 Kidcare program consistent with the requirements specified in s.
911 409.814, as well as the non-Title-XXI-eligible children as
912 provided in subsection (3).

913 7. Establish procedures under which providers of local
914 match to, applicants to and participants in the program may have
915 grievances reviewed by an impartial body and reported to the
916 board of directors of the corporation.

917 8. Establish participation criteria and, if appropriate,
918 contract with an authorized insurer, health maintenance
919 organization, or third-party administrator to provide
920 administrative services to the corporation.

921 9. Establish enrollment criteria that include penalties or
922 waiting periods of 30 days for reinstatement of coverage upon
923 voluntary cancellation for nonpayment of family premiums.

924 10. Contract with authorized insurers or any provider of
925 health care services, meeting standards established by the
926 corporation, for the provision of comprehensive insurance
927 coverage to participants. Such standards shall include criteria
928 under which the corporation may contract with more than one
929 provider of health care services in program sites. Health plans
930 shall be selected through a competitive bid process. The Florida
931 Healthy Kids Corporation shall purchase goods and services in
932 the most cost-effective manner consistent with the delivery of
933 quality medical care. The maximum administrative cost for a
934 Florida Healthy Kids Corporation contract shall be 15 percent.
935 For health care contracts, the minimum medical loss ratio for a
936 Florida Healthy Kids Corporation contract shall be 85 percent.
937 For dental contracts, the remaining compensation to be paid to
938 the authorized insurer or provider under a Florida Healthy Kids



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939 Corporation contract shall be no less than an amount which is 85
940 percent of premium; to the extent any contract provision does
941 not provide for this minimum compensation, this section shall
942 prevail. For an insurer or any provider of health care services
943 which achieves an annual medical loss ratio below 85 percent,
944 the Florida Healthy Kids Corporation shall validate the medical
945 loss ratio and calculate an amount to be refunded by the insurer
946 or any provider of health care services to the state which shall
947 be deposited into the General Revenue Fund unallocated. The
948 health plan selection criteria and scoring system, and the
949 scoring results, shall be available upon request for inspection
950 after the bids have been awarded.

951 11. Establish disenrollment criteria in the event local
952 matching funds are insufficient to cover enrollments.

953 12. Develop and implement a plan to publicize the Florida
954 Kidcare program, the eligibility requirements of the program,
955 and the procedures for enrollment in the program and to maintain
956 public awareness of the corporation and the program.

957 13. Secure staff necessary to properly administer the
958 corporation. Staff costs shall be funded from state and local
959 matching funds and such other private or public funds as become
960 available. The board of directors shall determine the number of
961 staff members necessary to administer the corporation.

962 14. In consultation with the partner agencies, provide a
963 report on the Florida Kidcare program annually to the Governor,
964 the Chief Financial Officer, the Commissioner of Education, the
965 President of the Senate, the Speaker of the House of
966 Representatives, and the Minority Leaders of the Senate and the
967 House of Representatives.



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968 15. Provide information on a quarterly basis to the
969 Legislature and the Governor which compares the costs and
970 utilization of the full-pay enrolled population and the Title
971 XXI-subsidized enrolled population in the Florida Kidcare
972 program. The information, at a minimum, must include:

973 a. The monthly enrollment and expenditure for full-pay
974 enrollees in the Medikids and Florida Healthy Kids programs
975 compared to the Title XXI-subsidized enrolled population; and

976 b. The costs and utilization by service of the full-pay
977 enrollees in the Medikids and Florida Healthy Kids programs and
978 the Title XXI-subsidized enrolled population.

979 16. Establish benefit packages that conform to the
980 provisions of the Florida Kidcare program, as created in ss.
981 409.810-409.821.

982 Section 31. The amendment made to s. 624.91(5)(b), Florida
983 Statutes, by this act expires July 1, 2020, and the text of that
984 paragraph shall revert to that in existence on June 30, 2019,
985 except that any amendments to such text enacted other than by
986 this act shall be preserved and continue to operate to the
987 extent that such amendments are not dependent upon the portions
988 of text which expire pursuant to this section.

989 Section 32. In order to implement Specific Appropriations
990 533, 534, 539, and 542 of the 2019-2020 General Appropriations
991 Act, subsection (17) of section 893.055, Florida Statutes, is
992 amended to read:

993 893.055 Prescription drug monitoring program.—

994 (17) For the 2019-2020 ~~2018-2019~~ fiscal year only, neither
995 the Attorney General nor the department may use funds received
996 as part of a settlement agreement to administer the prescription



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997 drug monitoring program. This subsection expires July 1, 2020
998 ~~2019~~.

999 Section 33. In order to implement Specific Appropriation
1000 204 of the 2019-2020 General Appropriations Act, subsections (2)
1001 and (10) of section 409.911, Florida Statutes, are amended to
1002 read:

1003 409.911 Disproportionate share program.—Subject to specific
1004 allocations established within the General Appropriations Act
1005 and any limitations established pursuant to chapter 216, the
1006 agency shall distribute, pursuant to this section, moneys to
1007 hospitals providing a disproportionate share of Medicaid or
1008 charity care services by making quarterly Medicaid payments as
1009 required. Notwithstanding the provisions of s. 409.915, counties
1010 are exempt from contributing toward the cost of this special
1011 reimbursement for hospitals serving a disproportionate share of
1012 low-income patients.

1013 (2) The Agency for Health Care Administration shall use the
1014 following actual audited data to determine the Medicaid days and
1015 charity care to be used in calculating the disproportionate
1016 share payment:

1017 (a) The average of the 2011, 2012, and 2013 ~~2010, 2011, and~~
1018 ~~2012~~ audited disproportionate share data to determine each
1019 hospital's Medicaid days and charity care for the 2019-2020
1020 ~~2018-2019~~ state fiscal year.

1021 (b) If the Agency for Health Care Administration does not
1022 have the prescribed 3 years of audited disproportionate share
1023 data as noted in paragraph (a) for a hospital, the agency shall
1024 use the average of the years of the audited disproportionate
1025 share data as noted in paragraph (a) which is available.



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1026 (c) In accordance with s. 1923(b) of the Social Security
1027 Act, a hospital with a Medicaid inpatient utilization rate
1028 greater than one standard deviation above the statewide mean or
1029 a hospital with a low-income utilization rate of 25 percent or
1030 greater shall qualify for reimbursement.

1031 (10) Notwithstanding any provision of this section to the
1032 contrary, for the 2019-2020 ~~2018-2019~~ state fiscal year, the
1033 agency shall distribute moneys to hospitals providing a
1034 disproportionate share of Medicaid or charity care services as
1035 provided in the 2019-2020 ~~2018-2019~~ General Appropriations Act.
1036 This subsection expires July 1, 2020 ~~2019~~.

1037 Section 34. In order to implement Specific Appropriation
1038 204 of the 2019-2020 General Appropriations Act, subsection (3)
1039 of section 409.9113, Florida Statutes, is amended to read:

1040 409.9113 Disproportionate share program for teaching
1041 hospitals.—In addition to the payments made under s. 409.911,
1042 the agency shall make disproportionate share payments to
1043 teaching hospitals, as defined in s. 408.07, for their increased
1044 costs associated with medical education programs and for
1045 tertiary health care services provided to the indigent. This
1046 system of payments must conform to federal requirements and
1047 distribute funds in each fiscal year for which an appropriation
1048 is made by making quarterly Medicaid payments. Notwithstanding
1049 s. 409.915, counties are exempt from contributing toward the
1050 cost of this special reimbursement for hospitals serving a
1051 disproportionate share of low-income patients. The agency shall
1052 distribute the moneys provided in the General Appropriations Act
1053 to statutorily defined teaching hospitals and family practice
1054 teaching hospitals, as defined in s. 395.805, pursuant to this



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1055 section. The funds provided for statutorily defined teaching
1056 hospitals shall be distributed as provided in the General
1057 Appropriations Act. The funds provided for family practice
1058 teaching hospitals shall be distributed equally among family
1059 practice teaching hospitals.

1060 (3) Notwithstanding any provision of this section to the
1061 contrary, for the 2019-2020 ~~2018-2019~~ state fiscal year, the
1062 agency shall make disproportionate share payments to teaching
1063 hospitals, as defined in s. 408.07, as provided in the 2019-2020
1064 ~~2018-2019~~ General Appropriations Act. This subsection expires
1065 July 1, 2020 ~~2019~~.

1066 Section 35. In order to implement Specific Appropriation
1067 204 of the 2019-2020 General Appropriations Act, subsection (4)
1068 of section 409.9119, Florida Statutes, is amended to read:

1069 409.9119 Disproportionate share program for specialty
1070 hospitals for children.—In addition to the payments made under
1071 s. 409.911, the Agency for Health Care Administration shall
1072 develop and implement a system under which disproportionate
1073 share payments are made to those hospitals that are separately
1074 licensed by the state as specialty hospitals for children, have
1075 a federal Centers for Medicare and Medicaid Services
1076 certification number in the 3300-3399 range, have Medicaid days
1077 that exceed 55 percent of their total days and Medicare days
1078 that are less than 5 percent of their total days, and were
1079 licensed on January 1, 2013, as specialty hospitals for
1080 children. This system of payments must conform to federal
1081 requirements and must distribute funds in each fiscal year for
1082 which an appropriation is made by making quarterly Medicaid
1083 payments. Notwithstanding s. 409.915, counties are exempt from



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1084 contributing toward the cost of this special reimbursement for
1085 hospitals that serve a disproportionate share of low-income
1086 patients. The agency may make disproportionate share payments to
1087 specialty hospitals for children as provided for in the General
1088 Appropriations Act.

1089 (4) Notwithstanding any provision of this section to the
1090 contrary, for the 2019-2020 ~~2018-2019~~ state fiscal year, for
1091 hospitals achieving full compliance under subsection (3), the
1092 agency shall make disproportionate share payments to specialty
1093 hospitals for children as provided in the 2019-2020 ~~2018-2019~~
1094 General Appropriations Act. This subsection expires July 1, 2020
1095 ~~2019~~.

1096 Section 36. In order to implement Specific Appropriations
1097 197 through 224 of the 2019-2020 General Appropriations Act, and
1098 notwithstanding ss. 216.181 and 216.292, Florida Statutes, the
1099 Agency for Health Care Administration may submit a budget
1100 amendment, subject to the notice, review, and objection
1101 procedures of s. 216.177, Florida Statutes, to realign funding
1102 within the Medicaid program appropriation categories to address
1103 projected surpluses and deficits within the program and to
1104 maximize the use of state trust funds. A single budget amendment
1105 shall be submitted in the last quarter of the 2019-2020 fiscal
1106 year only. This section expires July 1, 2020.

1107 Section 37. In order to implement Specific Appropriations
1108 178 through 183 and 523 of the 2019-2020 General Appropriations
1109 Act, and notwithstanding ss. 216.181 and 216.292, Florida
1110 Statutes, the Agency for Health Care Administration and the
1111 Department of Health may each submit a budget amendment, subject
1112 to the notice, review, and objection procedures of s. 216.177,



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1113 Florida Statutes, to realign funding within the Florida Kidcare
1114 program appropriation categories, or to increase budget
1115 authority in the Children's Medical Services Network category,
1116 to address projected surpluses and deficits within the program
1117 or to maximize the use of state trust funds. A single budget
1118 amendment must be submitted by each agency in the last quarter
1119 of the 2019-2020 fiscal year only. This section expires July 1,
1120 2020.

1121 Section 38. In order to implement Specific Appropriations
1122 208, 225 through 236, and 368 of the 2019-2020 General
1123 Appropriations Act and notwithstanding s. 400.9905, Florida
1124 Statutes, the following entities are exempt from the licensure
1125 requirements of part X of chapter 400, Florida Statutes:

1126 (1) Entities that are under the common ownership or control
1127 by a mutual insurance holding company, as defined in s. 628.703,
1128 Florida Statutes, with an entity licensed or certified under
1129 chapter 624, Florida Statutes, or chapter 641, Florida Statutes,
1130 that has \$1 billion or more in total annual sales in this state.

1131 (2) Entities that are owned by an entity who is a
1132 behavioral health service provider in at least 5 states other
1133 than Florida and that, together with its affiliates, have \$90
1134 million or more in total annual revenues associated with the
1135 provision of behavioral health care services and where one or
1136 more of the persons responsible for the operations of the entity
1137 is a health care practitioner who is licensed in this state and
1138 who is responsible for supervising the business activities of
1139 the entity and is responsible for the entity's compliance with
1140 state law for purposes of part X of chapter 400, Florida
1141 Statutes.



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This section expires July 1, 2020.

Section 39. In order to implement Specific Appropriations 467, 468, and 474 of the 2019-2020 General Appropriations Act, subsection (17) of section 381.986, Florida Statutes, is amended to read:

381.986 Medical use of marijuana.—

(17) Rules adopted pursuant to this section before July 1, 2020 ~~2019~~, are not subject to ss. 120.54(3)(b) and 120.541 s- ~~120.541(3)~~. Notwithstanding paragraph (8)(e), a medical marijuana treatment center may use a laboratory that has not been certified by the department under s. 381.988 until such time as at least one laboratory holds the required certification pursuant to s. 381.988, but in no event later than July 1, 2020 ~~2019~~. This subsection expires July 1, 2020 ~~2019~~.

Section 40. In order to implement Specific Appropriations 467, 468, and 474 of the 2019-2020 General Appropriations Act, subsection (11) of section 381.988, Florida Statutes, is amended to read:

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

(11) Rules adopted under subsection (9) before July 1, 2020 ~~2019~~, are not subject to ss. 120.54(3)(b) and 120.541 s- ~~120.541(3)~~. This subsection expires July 1, 2020 ~~2019~~.

Section 41. In order to implement Specific Appropriations 467, 468, and 474 of the 2019-2020 General Appropriations Act, subsection (1) of section 14 of chapter 2017-232, Laws of Florida, is amended to read:

Section 14. Department of Health; authority to adopt rules;



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1171 cause of action.—

1172 (1) EMERGENCY RULEMAKING.—

1173 (a) The Department of Health and the applicable boards
1174 shall adopt emergency rules pursuant to s. 120.54(4), Florida
1175 Statutes, and this section necessary to implement ss. 381.986
1176 and 381.988, Florida Statutes. If an emergency rule adopted
1177 under this section is held to be unconstitutional or an invalid
1178 exercise of delegated legislative authority, and becomes void,
1179 the department or the applicable boards may adopt an emergency
1180 rule pursuant to this section to replace the rule that has
1181 become void. If the emergency rule adopted to replace the void
1182 emergency rule is also held to be unconstitutional or an invalid
1183 exercise of delegated legislative authority and becomes void,
1184 the department and the applicable boards must follow the
1185 nonemergency rulemaking procedures of the Administrative
1186 Procedures Act to replace the rule that has become void.

1187 (b) For emergency rules adopted under this section, the
1188 department and the applicable boards need not make the findings
1189 required by s. 120.54(4)(a), Florida Statutes. Emergency rules
1190 adopted under this section are exempt from ss. 120.54(3)(b) and
1191 120.541, Florida Statutes. The department and the applicable
1192 boards shall meet the procedural requirements in s. 120.54(4)(a)
1193 ~~s. 120.54(a)~~, Florida Statutes, if the department or the
1194 applicable boards have, before July 1, 2019 ~~the effective date~~
1195 ~~of this act~~, held any public workshops or hearings on the
1196 subject matter of the emergency rules adopted under this
1197 subsection. Challenges to emergency rules adopted under this
1198 subsection are subject to the time schedules provided in s.
1199 120.56(5), Florida Statutes.



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1200 (c) Emergency rules adopted under this section are exempt
1201 from s. 120.54(4)(c), Florida Statutes, and shall remain in
1202 effect until replaced by rules adopted under the nonemergency
1203 rulemaking procedures of the Administrative Procedures Act.
1204 Rules adopted under the nonemergency rulemaking procedures of
1205 the Administrative Procedures Act to replace emergency rules
1206 adopted under this section are exempt from ss. 120.54(3)(b) and
1207 120.541, Florida Statutes. By July 1, 2020 ~~January 1, 2018~~, the
1208 department and the applicable boards shall initiate nonemergency
1209 rulemaking pursuant to the Administrative Procedures Act to
1210 replace all emergency rules adopted under this section by
1211 publishing a notice of rule development in the Florida
1212 Administrative Register. Except as provided in paragraph (a),
1213 after July 1, 2020 ~~January 1, 2018~~, the department and
1214 applicable boards may not adopt rules pursuant to the emergency
1215 rulemaking procedures provided in this section.

1216 Section 42. The amendment to s. 14(1) of chapter 2017-232,
1217 Laws of Florida, by this act expires July 1, 2020, and the text
1218 of that subsection shall revert to that in existence on June 30,
1219 2019, except that any amendments to such text enacted other than
1220 by this act shall be preserved and continue to operate to the
1221 extent that such amendments are not dependent upon the portions
1222 of text which expire pursuant to this section.

1223 Section 43. In order to implement Specific Appropriations
1224 474 and 525 of the 2019-2020 General Appropriations Act,
1225 paragraph (a) of subsection (2) of section 383.14, Florida
1226 Statutes, is amended to read:

1227 383.14 Screening for metabolic disorders, other hereditary
1228 and congenital disorders, and environmental risk factors.-



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1229 (2) RULES.—

1230 (a) After consultation with the Genetics and Newborn
1231 Screening Advisory Council, the department shall adopt and
1232 enforce rules requiring that every newborn in this state shall:

1233 1. Before becoming 1 week of age, be subjected to a test
1234 for phenylketonuria;

1235 2. Be tested for any condition included on the federal
1236 Recommended Uniform Screening Panel which the council advises
1237 the department should be included under the state's screening
1238 program. After the council recommends that a condition be
1239 included, the department shall submit a legislative budget
1240 request to seek an appropriation to add testing of the condition
1241 to the newborn screening program. The department shall expand
1242 statewide screening of newborns to include screening for such
1243 conditions within 18 months after the council renders such
1244 advice, if a test approved by the United States Food and Drug
1245 Administration or a test offered by an alternative vendor is
1246 available. If such a test is not available within 18 months
1247 after the council makes its recommendation, the department shall
1248 implement such screening as soon as a test offered by the United
1249 States Food and Drug Administration or by an alternative vendor
1250 is available; ~~and~~

1251 3. At the appropriate age, be tested for such other
1252 metabolic diseases and hereditary or congenital disorders as the
1253 department may deem necessary from time to time; and

1254 4. Notwithstanding subparagraph 2., be screened for spinal
1255 muscular atrophy following integration of such a test into the
1256 newborn screening testing panel. The department shall implement
1257 such screening using a test offered by the United States Food



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1258 and Drug Administration or by an alternative vendor as soon as
1259 practicable after July 1, 2019, but no later than May 3, 2020.
1260 This subparagraph expires July 1, 2020.

1261 Section 44. In order to implement Specific Appropriations
1262 326, 327A, 358, and 359 of the 2019-2020 General Appropriations
1263 Act, and notwithstanding ss. 216.181 and 216.292, Florida
1264 Statutes, the Department of Children and Families may submit a
1265 budget amendment, subject to the notice, review, and objection
1266 procedures of s. 216.177, Florida Statutes, to realign funding
1267 within the department based on the implementation of the
1268 Guardianship Assistance Program, between and among the specific
1269 appropriations for guardianship assistance payments, foster care
1270 Level 1 room and board payments, relative caregiver payments,
1271 and nonrelative caregiver payments. This section expires July 1,
1272 2020.

1273 Section 45. In order to implement Specific Appropriations
1274 326 and 327A of the 2019-2020 General Appropriations Act, the
1275 Department of Children and Families shall establish a formula to
1276 distribute the recurring sums of \$10,597,824 from the General
1277 Revenue Fund and \$11,922,238 from the Federal Grants Trust Fund
1278 for actual and direct costs to implement the Guardianship
1279 Assistance Program, including Level 1 foster care board
1280 payments, licensing staff for community-based care lead
1281 agencies, and guardianship assistance payments. This section
1282 expires July 1, 2020.

1283 Section 46. In order to implement Specific Appropriations
1284 326 and 327A of the 2019-2020 General Appropriations Act,
1285 paragraph (a) of subsection (1) of section 409.991, Florida
1286 Statutes, is amended to read:



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1287 409.991 Allocation of funds for community-based care lead
1288 agencies.—

1289 (1) As used in this section, the term:

1290 (a) "Core services funds" means all funds allocated to
1291 community-based care lead agencies operating under contract with
1292 the department pursuant to s. 409.987, with the following
1293 exceptions:

1294 1. Funds appropriated for independent living.~~†~~

1295 2. Funds appropriated for maintenance adoption subsidies.~~†~~

1296 3. Funds appropriated for actual and direct costs to
1297 implement the Guardianship Assistance Program, including Level 1
1298 foster care board payments, licensing staff for community-based
1299 care lead agencies, and guardianship assistance payments. This
1300 subparagraph expires July 1, 2020.

1301 4. Funds allocated by the department for protective
1302 investigations training.~~†~~

1303 ~~5.4. Nonrecurring funds.~~†~~~~

1304 ~~6.5. Designated mental health wrap-around services funds.~~†~~~~
1305 and

1306 ~~7.6. Funds for special projects for a designated community-~~
1307 ~~based care lead agency.~~

1308 Section 47. In order to implement Specific Appropriations
1309 551 through 558 and 560 of the 2019-2020 General Appropriations
1310 Act, subsection (3) of section 296.37, Florida Statutes, is
1311 amended to read:

1312 296.37 Residents; contribution to support.—

1313 (3) Notwithstanding subsection (1), each resident of the
1314 home who receives a pension, compensation, or gratuity from the
1315 United States Government, or income from any other source, of



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1316 more than \$130 per month shall contribute to his or her
1317 maintenance and support while a resident of the home in
1318 accordance with a payment schedule determined by the
1319 administrator and approved by the director. The total amount of
1320 such contributions shall be to the fullest extent possible, but,
1321 in no case, shall exceed the actual cost of operating and
1322 maintaining the home. This subsection expires July 1, 2020 ~~2019~~.

1323 Section 48. In order to implement Specific Appropriations
1324 470 and 507 of the 2019-2020 General Appropriations Act, and
1325 notwithstanding ss. 216.181 and 216.292, Florida Statutes, the
1326 Department of Health may submit a budget amendment, subject to
1327 the notice, review, and objection procedures of s. 216.177,
1328 Florida Statutes, to increase budget authority for the HIV/AIDS
1329 Prevention and Treatment Program if additional federal revenues
1330 specific to HIV/AIDS prevention and treatment become available
1331 in the 2019-2020 fiscal year. This section expires July 1, 2020.

1332 Section 49. In order to implement Specific Appropriations
1333 349 and 350 of the 2019-2020 General Appropriations Act, and
1334 notwithstanding ss. 216.181 and 216.292, Florida Statutes, the
1335 Department of Children and Families may submit a budget
1336 amendment, subject to the notice, review, and objection
1337 procedures of s. 216.177, Florida Statutes, to increase budget
1338 authority for the Supplemental Nutrition Assistance Program if
1339 additional federal revenue specific to the program becomes
1340 available for the program in the 2019-2020 fiscal year. This
1341 section expires July 1, 2020.

1342 Section 50. In order to implement Specific Appropriations
1343 307 through 310, 314, 315, 318, 323 through 326, and 327A of the
1344 2019-2020 General Appropriations Act, and notwithstanding ss.



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1345 216.181 and 216.292, Florida Statutes, the Department of
1346 Children and Families may submit a budget amendment, subject to
1347 the notice, review, and objection procedures of s. 216.177,
1348 Florida Statutes, to realign funding within the Family Safety
1349 Program to maximize the use of Title IV-E and other federal
1350 funds. This section expires July 1, 2020.

1351 Section 51. In order to implement Specific Appropriations
1352 581 through 704A and 716 through 750 of the 2019-2020 General
1353 Appropriations Act, subsection (4) of section 216.262, Florida
1354 Statutes, is amended to read:

1355 216.262 Authorized positions.-

1356 (4) Notwithstanding the provisions of this chapter relating
1357 to increasing the number of authorized positions, and for the
1358 2019-2020 ~~2018-2019~~ fiscal year only, if the actual inmate
1359 population of the Department of Corrections exceeds the inmate
1360 population projections of the February 22, 2019 ~~December 20,~~
1361 ~~2017~~, Criminal Justice Estimating Conference by 1 percent for 2
1362 consecutive months or 2 percent for any month, the Executive
1363 Office of the Governor, with the approval of the Legislative
1364 Budget Commission, shall immediately notify the Criminal Justice
1365 Estimating Conference, which shall convene as soon as possible
1366 to revise the estimates. The Department of Corrections may then
1367 submit a budget amendment requesting the establishment of
1368 positions in excess of the number authorized by the Legislature
1369 and additional appropriations from unallocated general revenue
1370 sufficient to provide for essential staff, fixed capital
1371 improvements, and other resources to provide classification,
1372 security, food services, health services, and other variable
1373 expenses within the institutions to accommodate the estimated



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1374 increase in the inmate population. All actions taken pursuant to
1375 this subsection are subject to review and approval by the
1376 Legislative Budget Commission. This subsection expires July 1,
1377 2020 ~~2019~~.

1378 Section 52. In order to implement Specific Appropriation
1379 737 of the 2019-2020 General Appropriations Act, and upon the
1380 expiration and reversion of the amendments made by section 44 of
1381 chapter 2018-10, Laws of Florida, paragraph (b) of subsection
1382 (7) of section 1011.80, Florida Statutes, is amended to read:

1383 1011.80 Funds for operation of workforce education
1384 programs.—

1385 (7)

1386 (b) State funds provided for the operation of postsecondary
1387 workforce programs may not be expended for the education of
1388 state or federal inmates, except to the extent that such funds
1389 are specifically appropriated for such purpose in the 2019-2020
1390 General Appropriations Act with more than 24 months of time
1391 remaining to serve on their sentences or federal inmates.

1392 Section 53. The amendment made to s. 1011.80(7)(b), Florida
1393 Statutes, by this act expires July 1, 2020, and the text of that
1394 paragraph shall revert to that in existence on July 1, 2019, but
1395 not including any amendments made by this act, and any
1396 amendments to such text enacted other than by this act shall be
1397 preserved and continue to operate to the extent that such
1398 amendments are not dependent upon the portions of text which
1399 expire pursuant to this section.

1400 Section 54. In order to implement Specific Appropriations
1401 3208 through 3274 of the 2019-2020 General Appropriations Act,
1402 subsection (2) of section 215.18, Florida Statutes, is amended



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1403 to read:

1404 215.18 Transfers between funds; limitation.—

1405 (2) The Chief Justice of the Supreme Court may receive one
1406 or more trust fund loans to ensure that the state court system
1407 has funds sufficient to meet its appropriations in the 2019-2020
1408 ~~2018-2019~~ General Appropriations Act. If the Chief Justice
1409 accesses the loan, he or she must notify the Governor and the
1410 chairs of the legislative appropriations committees in writing.
1411 The loan must come from other funds in the State Treasury which
1412 are for the time being or otherwise in excess of the amounts
1413 necessary to meet the just requirements of such last-mentioned
1414 funds. The Governor shall order the transfer of funds within 5
1415 days after the written notification from the Chief Justice. If
1416 the Governor does not order the transfer, the Chief Financial
1417 Officer shall transfer the requested funds. The loan of funds
1418 from which any money is temporarily transferred must be repaid
1419 by the end of the 2019-2020 ~~2018-2019~~ fiscal year. This
1420 subsection expires July 1, 2020 ~~2019~~.

1421 Section 55. (1) In order to implement Specific
1422 Appropriations 1153 through 1164 of the 2019-2020 General
1423 Appropriations Act, the Department of Juvenile Justice is
1424 required to review county juvenile detention payments to ensure
1425 that counties fulfill their financial responsibilities required
1426 in s. 985.6865, Florida Statutes. If the Department of Juvenile
1427 Justice determines that a county has not met its obligations,
1428 the department shall direct the Department of Revenue to deduct
1429 the amount owed to the Department of Juvenile Justice from the
1430 funds provided to the county under s. 218.23, Florida Statutes.
1431 The Department of Revenue shall transfer the funds withheld to



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1432 the Shared County/State Juvenile Detention Trust Fund.

1433 (2) As an assurance to holders of bonds issued by counties
1434 before July 1, 2019, for which distributions made pursuant to s.
1435 218.23, Florida Statutes, are pledged, or bonds issued to refund
1436 such bonds which mature no later than the bonds they refunded
1437 and which result in a reduction of debt service payable in each
1438 fiscal year, the amount available for distribution to a county
1439 shall remain as provided by law and continue to be subject to
1440 any lien or claim on behalf of the bondholders. The Department
1441 of Revenue must ensure, based on information provided by an
1442 affected county, that any reduction in amounts distributed
1443 pursuant to subsection (1) does not reduce the amount of
1444 distribution to a county below the amount necessary for the
1445 timely payment of principal and interest when due on the bonds
1446 and the amount necessary to comply with any covenant under the
1447 bond resolution or other documents relating to the issuance of
1448 the bonds. If a reduction to a county's monthly distribution
1449 must be decreased in order to comply with this section, the
1450 Department of Revenue must notify the Department of Juvenile
1451 Justice of the amount of the decrease, and the Department of
1452 Juvenile Justice must send a bill for payment of such amount to
1453 the affected county.

1454 (3) This section expires July 1, 2020.

1455 Section 56. In order to implement Specific Appropriations
1456 761 through 784A, 952 through 1097, and 1118 through 1152 of the
1457 2019-2020 General Appropriations Act, subsection (1), paragraph
1458 (a) of subsection (2), paragraph (a) of subsection (3), and
1459 subsections (5), (6), and (7) of section 27.40, Florida
1460 Statutes, are amended to read:



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1461 27.40 Court-appointed counsel; circuit registries; minimum
1462 requirements; appointment by court.—

1463 (1) Counsel shall be appointed to represent any individual
1464 in a criminal or civil proceeding entitled to court-appointed
1465 counsel under the Federal or State Constitution or as authorized
1466 by general law. The court shall appoint a public defender to
1467 represent indigent persons as authorized in s. 27.51. The office
1468 of criminal conflict and civil regional counsel shall be
1469 appointed to represent persons in those cases in which provision
1470 is made for court-appointed counsel, but only after the public
1471 defender has certified to the court in writing that the public
1472 defender is unable to provide representation due to a conflict
1473 of interest or is not authorized to provide representation. The
1474 public defender shall report, in the aggregate, the specific
1475 basis of all conflicts of interest certified to the court. On a
1476 quarterly basis, the public defender shall submit this
1477 information to the Justice Administrative Commission.

1478 (2) (a) Private counsel shall be appointed to represent
1479 persons in those cases in which provision is made for court-
1480 appointed counsel but only after the office of criminal conflict
1481 and civil regional counsel has been appointed and has certified
1482 to the court in writing that the criminal conflict and civil
1483 regional counsel is unable to provide representation due to a
1484 conflict of interest. The criminal conflict and civil regional
1485 counsel shall report, in the aggregate, the specific basis of
1486 all conflicts of interest certified to the court. On a quarterly
1487 basis, the criminal conflict and civil regional counsel shall
1488 submit this information to the Justice Administrative
1489 Commission.



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1490 (3) In using a registry:

1491 (a) The chief judge of the circuit shall compile a list of
1492 attorneys in private practice, by county and by category of
1493 cases, and provide the list to the clerk of court in each
1494 county. The chief judge of the circuit may restrict the number
1495 of attorneys on the general registry list. To be included on a
1496 registry, an attorney must certify that he or she:

1497 1. Meets any minimum requirements established by the chief
1498 judge and by general law for court appointment;

1499 2. Is available to represent indigent defendants in cases
1500 requiring court appointment of private counsel; and

1501 3. Is willing to abide by the terms of the contract for
1502 services, s. 27.5304, and this section.

1503
1504 To be included on a registry, an attorney must enter into a
1505 contract for services with the Justice Administrative
1506 Commission. Failure to comply with the terms of the contract for
1507 services may result in termination of the contract and removal
1508 from the registry. Each attorney on the registry is responsible
1509 for notifying the clerk of the court and the Justice
1510 Administrative Commission of any change in his or her status.
1511 Failure to comply with this requirement is cause for termination
1512 of the contract for services and removal from the registry until
1513 the requirement is fulfilled.

1514 (5) The Justice Administrative Commission shall approve
1515 uniform contract forms for use in procuring the services of
1516 private court-appointed counsel and uniform procedures and forms
1517 for use by a court-appointed attorney in support of billing for
1518 attorney's fees, costs, and related expenses to demonstrate the



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1519 attorney's completion of specified duties. Such uniform
1520 contracts and forms for use in billing must be consistent with
1521 s. 27.5304, s. 216.311, and the General Appropriations Act and
1522 must contain the following statement: "The State of Florida's
1523 performance and obligation to pay under this contract is
1524 contingent upon an annual appropriation by the Legislature."

1525 (6) After court appointment, the attorney must immediately
1526 file a notice of appearance with the court indicating acceptance
1527 of the appointment to represent the defendant and of the terms
1528 of the uniform contract as specified in subsection (5).

1529 (7) (a) A private attorney appointed by the court from the
1530 registry to represent a client is entitled to payment as
1531 provided in s. 27.5304 so long as the requirements of subsection
1532 (1) and paragraph (2) (a) are met. An attorney appointed by the
1533 court who is not on the registry list may be compensated under
1534 s. 27.5304 only if the court finds in the order of appointment
1535 that there were no registry attorneys available for
1536 representation for that case and only if the requirements of
1537 subsection (1) and paragraph (2) (a) are met.

1538 (b)1. The flat fee established in s. 27.5304 and the
1539 General Appropriations Act shall be presumed by the court to be
1540 sufficient compensation. The attorney shall maintain appropriate
1541 documentation, including contemporaneous and detailed hourly
1542 accounting of time spent representing the client. If the
1543 attorney fails to maintain such contemporaneous and detailed
1544 hourly records, the attorney waives the right to seek
1545 compensation in excess of the flat fee established in s. 27.5304
1546 and the General Appropriations Act. These records and documents
1547 are subject to review by the Justice Administrative Commission



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1548 and audit by the Auditor General, subject to the attorney-client
1549 privilege and work-product privilege. The attorney shall
1550 maintain the records and documents in a manner that enables the
1551 attorney to redact any information subject to a privilege in
1552 order to facilitate the commission's review of the records and
1553 documents and not to impede such review. The attorney may redact
1554 information from the records and documents only to the extent
1555 necessary to comply with the privilege. The Justice
1556 Administrative Commission shall review such records and shall
1557 contemporaneously document such review before authorizing
1558 payment to an attorney. Objections by or on behalf of the
1559 Justice Administrative Commission to records or documents or to
1560 claims for payment by the attorney shall be presumed correct by
1561 the court unless the court determines in writing competent and
1562 substantial evidence exists to justify overcoming the
1563 presumption.

1564 2. If an attorney fails, refuses, or declines to permit the
1565 commission or the Auditor General to review documentation for a
1566 case as provided in this paragraph, the attorney waives the
1567 right to seek, and the commission may not pay, compensation in
1568 excess of the flat fee established in s. 27.5304 and the General
1569 Appropriations Act for that case.

1570 3. A finding by the commission that an attorney has waived
1571 the right to seek compensation in excess of the flat fee
1572 established in s. 27.5304 and the General Appropriations Act, as
1573 provided in this paragraph, shall be is presumed to be correct
1574 valid, unless the, as determined by a court determines, in
1575 writing, that competent and substantial evidence exists to
1576 justify overcoming the presumption, the commission's finding is



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1577 ~~not supported by competent and substantial evidence.~~

1578 Section 57. The amendments to s. 27.40(1), (2)(a), (3)(a),
1579 (5), (6), and (7), Florida Statutes, by this act expire July 1,
1580 2020, and the text of those subsections and paragraphs, as
1581 applicable, shall revert to that in existence on June 30, 2019,
1582 except that any amendments to such text enacted other than by
1583 this act shall be preserved and continue to operate to the
1584 extent that such amendments are not dependent upon the portions
1585 of text which expire pursuant to this section.

1586 Section 58. In order to implement Specific Appropriations
1587 761 through 784A, 952 through 1097, and 1118 through 1152 of the
1588 2019-2020 General Appropriations Act, subsections (1), (3), (7),
1589 and (11), paragraphs (a) through (e) of subsection (12), and
1590 subsection (13) of section 27.5304, Florida Statutes, are
1591 amended to read:

1592 27.5304 Private court-appointed counsel; compensation;
1593 notice.—

1594 (1) Private court-appointed counsel appointed in the manner
1595 prescribed in s. 27.40(1) and (2)(a) shall be compensated by the
1596 Justice Administrative Commission only as provided in this
1597 section and the General Appropriations Act. The flat fees
1598 prescribed in this section are limitations on compensation. The
1599 specific flat fee amounts for compensation shall be established
1600 annually in the General Appropriations Act. The attorney also
1601 shall be reimbursed for reasonable and necessary expenses in
1602 accordance with s. 29.007. If the attorney is representing a
1603 defendant charged with more than one offense in the same case,
1604 the attorney shall be compensated at the rate provided for the
1605 most serious offense for which he or she represented the



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1606 defendant. This section does not allow stacking of the fee
1607 limits established by this section.

1608 (3) The court retains primary authority and responsibility
1609 for determining the reasonableness of all billings for attorney
1610 fees, costs, and related expenses, subject to statutory
1611 limitations and the requirements of s. 27.40(7). Private court-
1612 appointed counsel is entitled to compensation upon final
1613 disposition of a case.

1614 (7) Counsel eligible ~~entitled~~ to receive compensation from
1615 the state for representation pursuant to court appointment made
1616 in accordance with the requirements of s. 27.40(1) and (2)(a) in
1617 a proceeding under chapter 384, chapter 390, chapter 392,
1618 chapter 393, chapter 394, chapter 397, chapter 415, chapter 743,
1619 chapter 744, or chapter 984 shall receive compensation not to
1620 exceed the limits prescribed in the General Appropriations Act.
1621 Any such compensation must be determined as provided in s.
1622 27.40(7).

1623 (11) It is the intent of the Legislature that the flat fees
1624 prescribed under this section and the General Appropriations Act
1625 comprise the full and complete compensation for private court-
1626 appointed counsel. It is further the intent of the Legislature
1627 that the fees in this section are prescribed for the purpose of
1628 providing counsel with notice of the limit on the amount of
1629 compensation for representation in particular proceedings and
1630 the sole procedure and requirements for obtaining payment for
1631 the same.

1632 (a) If court-appointed counsel moves to withdraw prior to
1633 the full performance of his or her duties through the completion
1634 of the case, the court shall presume that the attorney is not



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1635 entitled to the payment of the full flat fee established under
1636 this section and the General Appropriations Act.

1637 (b) If court-appointed counsel is allowed to withdraw from
1638 representation prior to the full performance of his or her
1639 duties through the completion of the case and the court appoints
1640 a subsequent attorney, the total compensation for the initial
1641 and any and all subsequent attorneys may not exceed the flat fee
1642 established under this section and the General Appropriations
1643 Act, except as provided in subsection (12).

1644
1645 This subsection constitutes notice to any subsequently appointed
1646 attorney that he or she will not be compensated the full flat
1647 fee.

1648 (12) The Legislature recognizes that on rare occasions an
1649 attorney may receive a case that requires extraordinary and
1650 unusual effort.

1651 (a) If counsel seeks compensation that exceeds the limits
1652 prescribed by law, he or she must file a motion with the chief
1653 judge for an order approving payment of attorney fees in excess
1654 of these limits.

1655 1. Before filing the motion, the counsel shall deliver a
1656 copy of the intended billing, together with supporting
1657 affidavits and all other necessary documentation, to the Justice
1658 Administrative Commission.

1659 2. The Justice Administrative Commission shall review the
1660 billings, affidavit, and documentation for completeness and
1661 compliance with contractual and statutory requirements and shall
1662 contemporaneously document such review before authorizing
1663 payment to an attorney. If the Justice Administrative Commission



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1664 objects to any portion of the proposed billing, the objection
1665 and supporting reasons must be communicated in writing to the
1666 private court-appointed counsel. The counsel may thereafter file
1667 his or her motion, which must specify whether the commission
1668 objects to any portion of the billing or the sufficiency of
1669 documentation, and shall attach the commission's letter stating
1670 its objection.

1671 (b) Following receipt of the motion to exceed the fee
1672 limits, the chief judge or a single designee shall hold an
1673 evidentiary hearing. The chief judge may select only one judge
1674 per circuit to hear and determine motions pursuant to this
1675 subsection, except multicounty circuits and the eleventh circuit
1676 may have up to two designees.

1677 1. At the hearing, the attorney seeking compensation must
1678 prove by competent and substantial evidence that the case
1679 required extraordinary and unusual efforts. The chief judge or
1680 single designee shall consider criteria such as the number of
1681 witnesses, the complexity of the factual and legal issues, and
1682 the length of trial. The fact that a trial was conducted in a
1683 case does not, by itself, constitute competent substantial
1684 evidence of an extraordinary and unusual effort. In a criminal
1685 case, relief under this section may not be granted if the number
1686 of work hours does not exceed 75 or the number of the state's
1687 witnesses deposed does not exceed 20.

1688 2. Objections by or on behalf of the Justice Administrative
1689 Commission to records or documents or to claims for payment by
1690 the attorney shall be presumed correct by the court unless the
1691 court determines, in writing, that competent and substantial
1692 evidence exists to justify overcoming the presumption. The chief



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1693 judge or single designee shall enter a written order detailing
1694 his or her findings and identifying the extraordinary nature of
1695 the time and efforts of the attorney in the case which warrant
1696 exceeding the flat fee established by this section and the
1697 General Appropriations Act.

1698 (c) A copy of the motion and attachments shall be served on
1699 the Justice Administrative Commission at least 20 ~~5~~ business
1700 days before the date of a hearing. The Justice Administrative
1701 Commission has standing to appear before the court, and may
1702 appear in person or telephonically, including at the hearing
1703 under paragraph (b), to contest any motion for an order
1704 approving payment of attorney fees, costs, or related expenses
1705 and may participate in a hearing on the motion by use of
1706 telephonic or other communication equipment. The Justice
1707 Administrative Commission may contract with other public or
1708 private entities or individuals to appear before the court for
1709 the purpose of contesting any motion for an order approving
1710 payment of attorney fees, costs, or related expenses. The fact
1711 that the Justice Administrative Commission has not objected to
1712 any portion of the billing or to the sufficiency of the
1713 documentation is not binding on the court.

1714 (d) If the chief judge or a single designee finds that
1715 counsel has proved by competent and substantial evidence that
1716 the case required extraordinary and unusual efforts, the chief
1717 judge or single designee shall order the compensation to be paid
1718 to the attorney at a percentage above the flat fee rate,
1719 depending on the extent of the unusual and extraordinary effort
1720 required. The percentage must be only the rate necessary to
1721 ensure that the fees paid are not confiscatory under common law.



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1722 The percentage may not exceed 200 percent of the established
1723 flat fee, absent a specific finding that 200 percent of the flat
1724 fee in the case would be confiscatory. If the chief judge or
1725 single designee determines that 200 percent of the flat fee
1726 would be confiscatory, he or she shall order the amount of
1727 compensation using an hourly rate not to exceed \$75 per hour for
1728 a noncapital case and \$100 per hour for a capital case. However,
1729 the compensation calculated by using the hourly rate shall be
1730 only that amount necessary to ensure that the total fees paid
1731 are not confiscatory, subject to the requirements of s.
1732 27.40(7).

1733 (e) Any order granting relief under this subsection must be
1734 attached to the final request for a payment submitted to the
1735 Justice Administrative Commission and must satisfy the
1736 requirements of subparagraph (b)2.

1737 (13) Notwithstanding the limitation set forth in subsection
1738 (5) and for the 2019-2020 ~~2018-2019~~ fiscal year only, the
1739 compensation for representation in a criminal proceeding may not
1740 exceed the following:

1741 (a) For misdemeanors and juveniles represented at the trial
1742 level: \$1,000.

1743 (b) For noncapital, nonlife felonies represented at the
1744 trial level: \$15,000.

1745 (c) For life felonies represented at the trial level:
1746 \$15,000.

1747 (d) For capital cases represented at the trial level:
1748 \$25,000. For purposes of this paragraph, a "capital case" is any
1749 offense for which the potential sentence is death and the state
1750 has not waived seeking the death penalty.



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1751 (e) For representation on appeal: \$9,000.

1752 (f) This subsection expires July 1, 2020 ~~2019~~.

1753 Section 59. The amendments to s. 27.5304(1), (3), (7),
1754 (11), and (12)(a)-(e), Florida Statutes, by this act expire July
1755 1, 2020, and the text of those subsections and paragraphs, as
1756 applicable, shall revert to that in existence on June 30, 2019,
1757 except that any amendments to such text enacted other than by
1758 this act shall be preserved and continue to operate to the
1759 extent that such amendments are not dependent upon the portions
1760 of text which expire pursuant to this section.

1761 Section 60. In order to implement Specific Appropriation
1762 770 of the 2019-2020 General Appropriations Act, and
1763 notwithstanding s. 28.35, Florida Statutes, the clerks of the
1764 circuit court are responsible for any costs of compensation to
1765 jurors, for meals or lodging provided to jurors, and for jury-
1766 related personnel costs that exceed the funding provided in the
1767 General Appropriations Act for these purposes. This section
1768 expires July 1, 2020.

1769 Section 61. In order to implement Specific Appropriations
1770 952 through 1097 of the 2019-2020 General Appropriations Act,
1771 and notwithstanding the expiration date in section 40 of chapter
1772 2018-10, Laws of Florida, paragraph (c) of subsection (19) of
1773 section 318.18, Florida Statutes, is reenacted to read:

1774 318.18 Amount of penalties.—The penalties required for a
1775 noncriminal disposition pursuant to s. 318.14 or a criminal
1776 offense listed in s. 318.17 are as follows:

1777 (19) In addition to any penalties imposed, an Article V
1778 assessment of \$10 must be paid for all noncriminal moving and
1779 nonmoving violations under chapters 316, 320, and 322. The



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1780 assessment is not revenue for purposes of s. 28.36 and may not
1781 be used in establishing the budget of the clerk of the court
1782 under that section or s. 28.35. Of the funds collected under
1783 this subsection:

1784 (c) The sum of \$1.67 shall be deposited in the Indigent
1785 Criminal Defense Trust Fund for use by the public defenders.

1786 Section 62. In order to implement Specific Appropriations
1787 952 through 1097 of the 2019-2020 General Appropriations Act,
1788 and notwithstanding the expiration date in section 42 of chapter
1789 2018-10, Laws of Florida, paragraph (b) of subsection (12) of
1790 section 817.568, Florida Statutes, is reenacted to read:

1791 817.568 Criminal use of personal identification
1792 information.-

1793 (12) In addition to any sanction imposed when a person
1794 pleads guilty or nolo contendere to, or is found guilty of,
1795 regardless of adjudication, a violation of this section, the
1796 court shall impose a surcharge of \$1,001.

1797 (b) The sum of \$250 of the surcharge shall be deposited
1798 into the State Attorneys Revenue Trust Fund for the purpose of
1799 funding prosecutions of offenses relating to the criminal use of
1800 personal identification information. The sum of \$250 of the
1801 surcharge shall be deposited into the Indigent Criminal Defense
1802 Trust Fund for the purposes of indigent criminal defense related
1803 to the criminal use of personal identification information.

1804 Section 63. The text of ss. 318.18(19)(c) and
1805 817.568(12)(b), Florida Statutes, as carried forward from
1806 chapter 2018-10, Laws of Florida, by this act, expires July 1,
1807 2020, and the text of those paragraphs shall revert to that in
1808 existence on June 30, 2018, except that any amendments to such



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1809 text enacted other than by this act shall be preserved and
1810 continue to operate to the extent that such amendments are not
1811 dependent upon the portions of text which expire pursuant to
1812 this section.

1813 Section 64. In order to implement Specific Appropriation
1814 3210 of the 2019-2020 General Appropriations Act, and
1815 notwithstanding s. 112.061(4), Florida Statutes:

1816 (1) (a) A Supreme Court justice who permanently resides
1817 outside Leon County is eligible for the designation of a
1818 district court of appeal courthouse, a county courthouse, or
1819 other appropriate facility in his or her district of residence
1820 as his or her official headquarters for purposes of s. 112.061,
1821 Florida Statutes. This official headquarters may serve only as
1822 the justice's private chambers.

1823 (b)1. A justice for whom an official headquarters is
1824 designated in his or her district of residence under this
1825 subsection is eligible for subsistence at a rate to be
1826 established by the Chief Justice for each day or partial day
1827 that the justice is at the headquarters of the Supreme Court to
1828 conduct court business, as authorized by the Chief Justice. The
1829 Chief Justice may authorize a justice to choose between
1830 subsistence based on lodging at a single-occupancy rate and meal
1831 reimbursement as provided in s. 112.061, Florida Statutes, and
1832 subsistence at a fixed rate prescribed by the Chief Justice.

1833 2. In addition to subsistence, a justice is eligible for
1834 reimbursement for travel expenses as provided in s. 112.061(7)
1835 and (8), Florida Statutes, for travel between the justice's
1836 official headquarters and the headquarters of the Supreme Court
1837 to conduct court business.



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1838 (c) Payment of subsistence and reimbursement for travel
1839 expenses relating to travel between a justice's official
1840 headquarters and the headquarters of the Supreme Court shall be
1841 made to the extent appropriated funds are available, as
1842 determined by the Chief Justice.

1843 (2) The Chief Justice shall coordinate with each affected
1844 justice and other state and local officials as necessary to
1845 implement subsection (1).

1846 (3) (a) This section does not require a county to provide
1847 space in a county courthouse for a justice. A county may enter
1848 into an agreement with the Supreme Court governing the use of
1849 space in a county courthouse.

1850 (b) The Supreme Court may not use state funds to lease
1851 space in a district court of appeal courthouse, a county
1852 courthouse, or another facility to allow a justice to establish
1853 an official headquarters pursuant to subsection (1).

1854 (4) The Chief Justice may establish parameters governing
1855 the authority provided in this section, including specifying
1856 minimum operational requirements for the designated
1857 headquarters, limiting the number of days for which subsistence
1858 and travel reimbursement may be provided, and prescribing
1859 activities that qualify as the conduct of court business.

1860 (5) This section expires July 1, 2020.

1861 Section 65. In order to implement appropriations used to
1862 pay existing lease contracts for private lease space in excess
1863 of 2,000 square feet in the 2019-2020 General Appropriations
1864 Act, the Department of Management Services, with the cooperation
1865 of the agencies having the existing lease contracts for office
1866 or storage space, shall use tenant broker services to



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1867 renegotiate or reprocore all private lease agreements for office
1868 or storage space expiring between July 1, 2020, and June 30,
1869 2022, in order to reduce costs in future years. The department
1870 shall incorporate this initiative into its 2019 master leasing
1871 report required under s. 255.249(7), Florida Statutes, and may
1872 use tenant broker services to explore the possibilities of
1873 collocating office or storage space, to review the space needs
1874 of each agency, and to review the length and terms of potential
1875 renewals or renegotiations. The department shall provide a
1876 report to the Executive Office of the Governor, the President of
1877 the Senate, and the Speaker of the House of Representatives by
1878 November 1, 2019, which lists each lease contract for private
1879 office or storage space, the status of renegotiations, and the
1880 savings achieved. This section expires July 1, 2020.

1881 Section 66. In order to implement Specific Appropriations
1882 2839 through 2850A of the 2019-2020 General Appropriations Act,
1883 and notwithstanding rule 60A-1.031, Florida Administrative Code,
1884 the transaction fee collected for use of the online procurement
1885 system, authorized in ss. 287.042(1)(h)1. and 287.057(22)(c),
1886 Florida Statutes, is seven-tenths of 1 percent for the 2019-2020
1887 fiscal year only. This section expires July 1, 2020.

1888 Section 67. In order to implement appropriations authorized
1889 in the 2019-2020 General Appropriations Act for data center
1890 services, and notwithstanding s. 216.292(2)(a), Florida
1891 Statutes, an agency may not transfer funds from a data
1892 processing category to a category other than another data
1893 processing category. This section expires July 1, 2020.

1894 Section 68. In order to implement the appropriation of
1895 funds in the appropriation category "Data Processing Assessment-



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1896 Agency for State Technology” in the 2019-2020 General
1897 Appropriations Act, and pursuant to the notice, review, and
1898 objection procedures of s. 216.177, Florida Statutes, the
1899 Executive Office of the Governor may transfer funds appropriated
1900 in that category between departments in order to align the
1901 budget authority granted based on the estimated billing cycle
1902 and methodology used by the Agency for State Technology for data
1903 processing services provided. This section expires July 1, 2020.

1904 Section 69. In order to implement the appropriation of
1905 funds in the appropriation category “Special Categories-Risk
1906 Management Insurance” in the 2019-2020 General Appropriations
1907 Act, and pursuant to the notice, review, and objection
1908 procedures of s. 216.177, Florida Statutes, the Executive Office
1909 of the Governor may transfer funds appropriated in that category
1910 between departments in order to align the budget authority
1911 granted with the premiums paid by each department for risk
1912 management insurance. This section expires July 1, 2020.

1913 Section 70. In order to implement the appropriation of
1914 funds in the appropriation category “Special Categories-Transfer
1915 to Department of Management Services-Human Resources Services
1916 Purchased per Statewide Contract” in the 2019-2020 General
1917 Appropriations Act, and pursuant to the notice, review, and
1918 objection procedures of s. 216.177, Florida Statutes, the
1919 Executive Office of the Governor may transfer funds appropriated
1920 in that category between departments in order to align the
1921 budget authority granted with the assessments that must be paid
1922 by each agency to the Department of Management Services for
1923 human resource management services. This section expires July 1,
1924 2020.



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1925 Section 71. In order to implement Specific Appropriations
1926 2421 through 2424 of the 2019-2020 General Appropriations Act:
1927 (1) The Department of Financial Services shall replace the
1928 four main components of the Florida Accounting Information
1929 Resource Subsystem (FLAIR), which include central FLAIR,
1930 departmental FLAIR, payroll, and information warehouse, and
1931 shall replace the cash management and accounting management
1932 components of the Cash Management Subsystem (CMS) with an
1933 integrated enterprise system that allows the state to organize,
1934 define, and standardize its financial management business
1935 processes and that complies with ss. 215.90-215.96, Florida
1936 Statutes. The department may not include in the replacement of
1937 FLAIR and CMS:
1938 (a) Functionality that duplicates any of the other
1939 information subsystems of the Florida Financial Management
1940 Information System; or
1941 (b) Agency business processes related to any of the
1942 functions included in the Personnel Information System, the
1943 Purchasing Subsystem, or the Legislative Appropriations
1944 System/Planning and Budgeting Subsystem.
1945 (2) For purposes of replacing FLAIR and CMS, the Department
1946 of Financial Services shall:
1947 (a) Take into consideration the cost and implementation
1948 data identified for Option 3 as recommended in the March 31,
1949 2014, Florida Department of Financial Services FLAIR Study,
1950 version 031.
1951 (b) Ensure that all business requirements and technical
1952 specifications have been provided to all state agencies for
1953 their review and input and approved by the executive steering



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1954 committee established in paragraph (c).
1955 (c) Implement a project governance structure that includes
1956 an executive steering committee composed of:
1957 1. The Chief Financial Officer or the executive sponsor of
1958 the project.
1959 2. A representative of the Division of Treasury of the
1960 Department of Financial Services, appointed by the Chief
1961 Financial Officer.
1962 3. A representative of the Division of Information Systems
1963 of the Department of Financial Services, appointed by the Chief
1964 Financial Officer.
1965 4. Four employees from the Division of Accounting and
1966 Auditing of the Department of Financial Services, appointed by
1967 the Chief Financial Officer. Each employee must have experience
1968 relating to at least one of the four main components that
1969 compose FLAIR.
1970 5. Two employees from the Executive Office of the Governor,
1971 appointed by the Governor. One employee must have experience
1972 relating to the Legislative Appropriations System/Planning and
1973 Budgeting Subsystem.
1974 6. One employee from the Department of Revenue, appointed
1975 by the executive director, who has experience relating to the
1976 department's SUNTAX system.
1977 7. Two employees from the Department of Management
1978 Services, appointed by the Secretary of Management Services. One
1979 employee must have experience relating to the department's
1980 personnel information subsystem, and one employee must have
1981 experience relating to the department's purchasing subsystem.
1982 8. Three state agency administrative services directors,



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1983 appointed by the Governor. One director must represent a
1984 regulatory and licensing state agency, and one director must
1985 represent a health care-related state agency.

1986 (3) The Chief Financial Officer or the executive sponsor of
1987 the project shall serve as chair of the executive steering
1988 committee, and the committee shall take action by a vote of at
1989 least eight affirmative votes with the Chief Financial Officer
1990 or the executive sponsor of the project voting on the prevailing
1991 side. A quorum of the executive steering committee consists of
1992 at least 10 members.

1993 (4) The executive steering committee has the overall
1994 responsibility for ensuring that the project to replace FLAIR
1995 and CMS meets its primary business objectives and shall:

1996 (a) Identify and recommend to the Executive Office of the
1997 Governor, the President of the Senate, and the Speaker of the
1998 House of Representatives any statutory changes needed to
1999 implement the replacement subsystem that will standardize, to
2000 the fullest extent possible, the state's financial management
2001 business processes.

2002 (b) Review and approve any changes to the project's scope,
2003 schedule, and budget which do not conflict with the requirements
2004 of subsection (1).

2005 (c) Ensure that adequate resources are provided throughout
2006 all phases of the project.

2007 (d) Approve all major project deliverables.

2008 (e) Approve all solicitation-related documents associated
2009 with the replacement of FLAIR and CMS.

2010 (5) This section expires July 1, 2020.

2011 Section 72. In order to implement appropriations in the



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2012 2019-2020 General Appropriations Act for executive branch and
2013 judicial branch employee travel, the executive branch state
2014 agencies and the judicial branch must collaborate with the
2015 Executive Office of the Governor and the Department of
2016 Management Services to implement the statewide travel management
2017 system funded in Specific Appropriation 2788 in the 2019-2020
2018 General Appropriations Act. For the purpose of complying with s.
2019 112.061, Florida Statutes, all executive branch state agencies
2020 and the judicial branch must use the statewide travel management
2021 system. This section expires July 1, 2020.

2022 Section 73. In order to implement Specific Appropriations
2023 2782 through 2793A of the 2019-2020 General Appropriations Act,
2024 all powers, duties, functions, records, personnel, property,
2025 pending issues and existing contracts, administrative authority,
2026 and administrative rules in chapter 74-3, Florida Administrative
2027 Code, of the Budget and Policy Section and the Cost Recovery and
2028 Billing Section within the Agency for State Technology are
2029 transferred by a type two transfer, as defined in s. 20.06(2),
2030 Florida Statutes, to the Department of Management Services. This
2031 section expires July 1, 2020.

2032 Section 74. In order to implement Specific Appropriations
2033 2782 through 2793A of the 2019-2020 General Appropriations Act,
2034 subsection (4) of section 20.22, Florida Statutes, is amended to
2035 read:

2036 20.22 Department of Management Services.—There is created a
2037 Department of Management Services.

2038 (4) The Department of Management Services shall provide the
2039 Agency for State Technology with financial management oversight.
2040 The agency shall provide the department all documents and



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2041 necessary information, as requested, to meet the requirements of
2042 this section. The department's financial management oversight
2043 includes:

2044 (a) Developing and implementing cost-recovery mechanisms
2045 for the administrative and data center costs of services through
2046 agency assessments of applicable customer entities. Such cost-
2047 recovery mechanisms must comply with applicable state and
2048 federal regulations concerning the distribution and use of funds
2049 and must ensure that, for each fiscal year, no service or
2050 customer entity subsidizes another service or customer entity.

2051 (b) Implementing an annual reconciliation process to ensure
2052 that each customer entity is paying for the full direct and
2053 indirect cost of each service as determined by the customer
2054 entity's use of each service.

2055 (c) Providing rebates that may be credited against future
2056 billings to customer entities when revenues exceed costs.

2057 (d) Requiring each customer entity to transfer sufficient
2058 funds into the appropriate data processing appropriation
2059 category before implementing a customer entity's request for a
2060 change in the type or level of service provided, if such change
2061 results in a net increase to the customer entity's costs for
2062 that fiscal year.

2063 (e) By October 1, 2019 ~~2018~~, providing to each customer
2064 entity's agency head the estimated agency assessment cost by the
2065 Agency for State Technology for the following fiscal year. The
2066 agency assessment cost of each customer entity includes
2067 administrative and data center services costs of the agency.

2068 (f) Preparing the legislative budget request for the Agency
2069 for State Technology based on the issues requested and approved



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2070 by the executive director of the Agency for State Technology.
2071 Upon the approval of the agency's executive director, the
2072 Department of Management Services shall transmit the agency's
2073 legislative budget request to the Governor and the Legislature
2074 pursuant to s. 216.023.

2075 (g) Providing a plan for consideration by the Legislative
2076 Budget Commission if the Agency for State Technology increases
2077 the cost of a service for a reason other than a customer
2078 entity's request made under paragraph (d). Such a plan is
2079 required only if the service cost increase results in a net
2080 increase to a customer entity.

2081 (h) Providing a timely invoicing methodology to recover the
2082 cost of services provided to the customer entity pursuant to s.
2083 215.422.

2084 (i) Providing an annual reconciliation process of prior
2085 year expenditures completed on a timely basis and overall budget
2086 management pursuant to chapter 216.

2087
2088 ~~(j)~~ This subsection expires July 1, 2020 ~~2019~~.

2089 Section 75. In order to implement Specific Appropriations
2090 1573 through 1579A of the 2019-2020 General Appropriations Act,
2091 subsection (9) of section 20.255, Florida Statutes, is amended
2092 to read:

2093 20.255 Department of Environmental Protection.—There is
2094 created a Department of Environmental Protection.

2095 (9) The department shall act as the lead agency of the
2096 executive branch for the development and review of policies,
2097 practices, and standards related to geospatial data. The
2098 department shall coordinate and promote geospatial data sharing



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2099 throughout the state government and serve as the primary point
2100 of contact for statewide geographic information systems
2101 projects, grants, and resources. This subsection expires July 1,
2102 2020 ~~2019~~.

2103 Section 76. Effective July 1, 2019, and upon the expiration
2104 and reversion of the amendments made to section 20.61, Florida
2105 Statutes, pursuant to section 61 of chapter 2018-10, Laws of
2106 Florida, and in order to implement Specific Appropriation 3008F
2107 of the 2019-2020 General Appropriations Act, section 20.61,
2108 Florida Statutes, is amended to read:

2109 20.61 Agency for State Technology.—The Agency for State
2110 Technology is created within the Department of Management
2111 Services. The agency is a separate budget program and is not
2112 subject to control, supervision, or direction by the Department
2113 of Management Services, including, but not limited to,
2114 purchasing, transactions involving real or personal property, or
2115 personnel, with the exception of financial management, which
2116 shall be provided by the Department of Management Services
2117 pursuant to s. 20.22 ~~or budgetary matters.~~

2118 (1) (a) The executive director of the agency shall serve as
2119 the state's chief information officer and shall be appointed by
2120 the Governor, subject to confirmation by the Senate.

2121 (b) The executive director must be a proven, effective
2122 administrator who preferably has executive-level experience in
2123 both the public and private sectors in development and
2124 implementation of information technology strategic planning;
2125 management of enterprise information technology projects,
2126 particularly management of large-scale consolidation projects;
2127 and development and implementation of fiscal and substantive



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2128 information technology policy.

2129 ~~(2) The following positions are established within the~~
2130 ~~agency, all of whom shall be appointed by the executive~~
2131 ~~director:~~

2132 ~~(a) Deputy executive director, who shall serve as the~~
2133 ~~deputy chief information officer.~~

2134 ~~(b) Chief planning officer and six strategic planning~~
2135 ~~coordinators. One coordinator shall be assigned to each of the~~
2136 ~~following major program areas: health and human services,~~
2137 ~~education, government operations, criminal and civil justice,~~
2138 ~~agriculture and natural resources, and transportation and~~
2139 ~~economic development.~~

2140 ~~(c) Chief operations officer.~~

2141 ~~(d) Chief information security officer.~~

2142 ~~(e) Chief technology officer.~~

2143 ~~(2)~~(2) The Technology Advisory Council, consisting of seven
2144 members, is established within the Agency for State Technology
2145 and shall be maintained pursuant to s. 20.052. Four members of
2146 the council shall be appointed by the Governor, two of whom must
2147 be from the private sector and one of whom must be a
2148 cybersecurity expert. The President of the Senate and the
2149 Speaker of the House of Representatives shall each appoint one
2150 member of the council. The Attorney General, the Commissioner of
2151 Agriculture and Consumer Services, and the Chief Financial
2152 Officer shall jointly appoint one member by agreement of a
2153 majority of these officers. Upon initial establishment of the
2154 council, two of the Governor's appointments shall be for 2-year
2155 terms. Thereafter, all appointments shall be for 4-year terms.

2156 (a) The council shall consider and make recommendations to



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2157 the executive director on such matters as enterprise information
2158 technology policies, standards, services, and architecture. The
2159 council may also identify and recommend opportunities for the
2160 establishment of public-private partnerships when considering
2161 technology infrastructure and services in order to accelerate
2162 project delivery and provide a source of new or increased
2163 project funding.

2164 (b) The executive director shall consult with the council
2165 with regard to executing the duties and responsibilities of the
2166 agency related to statewide information technology strategic
2167 planning and policy.

2168 (c) The council shall be governed by the Code of Ethics for
2169 Public Officers and Employees as set forth in part III of
2170 chapter 112, and each member must file a statement of financial
2171 interests pursuant to s. 112.3145.

2172 Section 77. The amendment to s. 20.61, Florida Statutes, by
2173 this act expires July 1, 2020, and the text of that section
2174 shall revert to that in existence on June 30, 2018, except that
2175 any amendments to such text enacted other than by this act shall
2176 be preserved and continue to operate to the extent that such
2177 amendments are not dependent upon the portions of text which
2178 expire pursuant to this section.

2179 Section 78. In order to implement Specific Appropriations
2180 3008A through 3008AA of the 2019-2020 General Appropriations
2181 Act, and notwithstanding the expiration date in section 61 of
2182 chapter 2018-10, Laws of Florida, subsections (5), (20), and
2183 (28) of section 282.0041, Florida Statutes, are reenacted to
2184 read:

2185 282.0041 Definitions.—As used in this chapter, the term:



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2186 (5) "Customer entity" means an entity that obtains services
2187 from the Agency for State Technology.

2188 (20) "Service-level agreement" means a written contract
2189 between the Agency for State Technology and a customer entity
2190 which specifies the scope of services provided, service level,
2191 the duration of the agreement, the responsible parties, and
2192 agency assessment costs, which include administrative and data
2193 center costs. A service-level agreement is not a rule pursuant
2194 to chapter 120.

2195 (28) "Agency assessment" means the amount each customer
2196 entity must pay annually for services from the Agency for State
2197 Technology and includes administrative and data center services
2198 costs.

2199 Section 79. In order to implement Specific Appropriations
2200 3008I through 3008AA of the 2019-2020 General Appropriations
2201 Act, and notwithstanding the expiration date in section 61 of
2202 chapter 2018-10, Laws of Florida, subsection (11) of section
2203 282.0051, Florida Statutes, is reenacted to read:

2204 282.0051 Agency for State Technology; powers, duties, and
2205 functions.—The Agency for State Technology shall have the
2206 following powers, duties, and functions:

2207 (11) Provide operational management and oversight of the
2208 state data center established pursuant to s. 282.201, which
2209 includes:

2210 (a) Implementing industry standards and best practices for
2211 the state data center's facilities, operations, maintenance,
2212 planning, and management processes.

2213 (b) Developing and implementing appropriate operating
2214 guidelines and procedures necessary for the state data center to



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2215 perform its duties pursuant to s. 282.201. The guidelines and
2216 procedures must comply with applicable state and federal laws,
2217 regulations, and policies and conform to generally accepted
2218 governmental accounting and auditing standards. The guidelines
2219 and procedures must include, but not be limited to:

2220 1. Implementing a consolidated administrative support
2221 structure responsible for providing procurement, transactions
2222 involving real or personal property, human resources, and
2223 operational support.

2224 2. Standardizing and consolidating procurement and
2225 contracting practices.

2226 (c) In collaboration with the Department of Law
2227 Enforcement, developing and implementing a process for
2228 detecting, reporting, and responding to information technology
2229 security incidents, breaches, and threats.

2230 (d) Adopting rules relating to the operation of the state
2231 data center.

2232 (e) Beginning May 1, 2016, and annually thereafter,
2233 conducting a market analysis to determine whether the state's
2234 approach to the provision of data center services is the most
2235 effective and efficient manner by which its customer entities
2236 can acquire such services, based on federal, state, and local
2237 government trends; best practices in service provision; and the
2238 acquisition of new and emerging technologies. The results of the
2239 market analysis shall assist the state data center in making
2240 adjustments to its data center service offerings.

2241 Section 80. In order to implement Specific Appropriation
2242 3008F of the 2019-2020 General Appropriations Act, and
2243 notwithstanding the expiration date in section 61 of chapter



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2244 2018-10, Laws of Florida, paragraph (d) of subsection (2) of
2245 section 282.201, Florida Statutes, is reenacted to read:

2246 282.201 State data center.—The state data center is
2247 established within the Agency for State Technology and shall
2248 provide data center services that are hosted on premises or
2249 externally through a third-party provider as an enterprise
2250 information technology service. The provision of data center
2251 services must comply with applicable state and federal laws,
2252 regulations, and policies, including all applicable security,
2253 privacy, and auditing requirements.

2254 (2) STATE DATA CENTER DUTIES.—The state data center shall:

2255 (d) Enter into a service-level agreement with each customer
2256 entity to provide the required type and level of service or
2257 services. If a customer entity fails to execute an agreement
2258 within 60 days after commencement of a service, the state data
2259 center may cease service. A service-level agreement may not have
2260 a term exceeding 3 years and at a minimum must:

2261 1. Identify the parties and their roles, duties, and
2262 responsibilities under the agreement.

2263 2. State the duration of the contract term and specify the
2264 conditions for renewal.

2265 3. Identify the scope of work.

2266 4. Identify the products or services to be delivered with
2267 sufficient specificity to permit an external financial or
2268 performance audit.

2269 5. Establish the services to be provided, the business
2270 standards that must be met for each service, the cost of each
2271 service, and the metrics and processes by which the business
2272 standards for each service are to be objectively measured and



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2273 reported.

2274 6. Provide a procedure for modifying the service-level
2275 agreement based on changes in the type, level, and cost of a
2276 service.

2277 7. Include a right-to-audit clause to ensure that the
2278 parties to the agreement have access to records for audit
2279 purposes during the term of the service-level agreement.

2280 8. Provide that a service-level agreement may be terminated
2281 by either party for cause only after giving the other party and
2282 the Agency for State Technology notice in writing of the cause
2283 for termination and an opportunity for the other party to
2284 resolve the identified cause within a reasonable period.

2285 9. Provide for mediation of disputes by the Division of
2286 Administrative Hearings pursuant to s. 120.573.

2287 Section 81. The text of s. 282.0041(5), (20), and (28),
2288 Florida Statutes; s. 282.0051(11), Florida Statutes; and s.
2289 282.201(2)(d), Florida Statutes, as carried forward from chapter
2290 2018-10, Laws of Florida, by this act, expire July 1, 2020, and
2291 the text of those subsections and paragraph, as applicable,
2292 shall revert to that in existence on June 30, 2018, except that
2293 any amendments to such text enacted other than by this act shall
2294 be preserved and continue to operate to the extent that such
2295 amendments are not dependent upon the portions of text which
2296 expire pursuant to this section.

2297 Section 82. If legislation substantially similar to the
2298 amendments made in this act to ss. 20.22, 20.255, 20.61,
2299 282.0041, 282.0051, and 282.201, Florida Statutes, as contained
2300 in SB 1570, HB 5301, or similar legislation, is passed during
2301 the 2019 Regular Session of the Legislature or an extension



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2302 thereof and becomes a law, then the provisions of sections 73,
2303 74, 75, 76, 77, 78, 79, 80, and 81 of this act shall not take
2304 effect.

2305 Section 83. In order to implement Specific Appropriations
2306 1654 through 1656 of the 2019-2020 General Appropriations Act,
2307 paragraph (d) of subsection (11) of section 216.181, Florida
2308 Statutes, is amended to read:

2309 216.181 Approved budgets for operations and fixed capital
2310 outlay.—

2311 (11)

2312 (d) Notwithstanding paragraph (b) and paragraph (2)(b), and
2313 for the 2019-2020 ~~2018-2019~~ fiscal year only, the Legislative
2314 Budget Commission may increase the amounts appropriated to the
2315 Fish and Wildlife Conservation Commission or the Department of
2316 Environmental Protection for fixed capital outlay projects,
2317 including additional fixed capital outlay projects, using funds
2318 provided to the state from the Gulf Environmental Benefit Fund
2319 administered by the National Fish and Wildlife Foundation; funds
2320 provided to the state from the Gulf Coast Restoration Trust Fund
2321 related to the Resources and Ecosystems Sustainability, Tourist
2322 Opportunities, and Revived Economies of the Gulf Coast Act of
2323 2012 (RESTORE Act); or funds provided by the British Petroleum
2324 Corporation (BP) for natural resource damage assessment
2325 restoration projects. Concurrent with submission of an amendment
2326 to the Legislative Budget Commission pursuant to this paragraph,
2327 any project that carries a continuing commitment for future
2328 appropriations by the Legislature must be specifically
2329 identified, together with the projected amount of the future
2330 commitment associated with the project and the fiscal years in



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2331 which the commitment is expected to commence. This paragraph
2332 expires July 1, 2020 ~~2019~~.

2333
2334 The provisions of this subsection are subject to the notice and
2335 objection procedures set forth in s. 216.177.

2336 Section 84. In order to implement specific appropriations
2337 from the land acquisition trust funds within the Department of
2338 Agriculture and Consumer Services, the Department of
2339 Environmental Protection, the Department of State, and the Fish
2340 and Wildlife Conservation Commission, which are contained in the
2341 2019-2020 General Appropriations Act, subsection (3) of section
2342 215.18, Florida Statutes, is amended to read:

2343 215.18 Transfers between funds; limitation.—

2344 (3) Notwithstanding subsection (1) and only with respect to
2345 a land acquisition trust fund in the Department of Agriculture
2346 and Consumer Services, the Department of Environmental
2347 Protection, the Department of State, or the Fish and Wildlife
2348 Conservation Commission, whenever there is a deficiency in a
2349 land acquisition trust fund which would render that trust fund
2350 temporarily insufficient to meet its just requirements,
2351 including the timely payment of appropriations from that trust
2352 fund, and other trust funds in the State Treasury have moneys
2353 that are for the time being or otherwise in excess of the
2354 amounts necessary to meet the just requirements, including
2355 appropriated obligations, of those other trust funds, the
2356 Governor may order a temporary transfer of moneys from one or
2357 more of the other trust funds to a land acquisition trust fund
2358 in the Department of Agriculture and Consumer Services, the
2359 Department of Environmental Protection, the Department of State,



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2360 or the Fish and Wildlife Conservation Commission. Any action
2361 proposed pursuant to this subsection is subject to the notice,
2362 review, and objection procedures of s. 216.177, and the Governor
2363 shall provide notice of such action at least 7 days before the
2364 effective date of the transfer of trust funds, except that
2365 during July 2019 ~~2018~~, notice of such action shall be provided
2366 at least 3 days before the effective date of a transfer unless
2367 such 3-day notice is waived by the chair and vice-chair of the
2368 Legislative Budget Commission. Any transfer of trust funds to a
2369 land acquisition trust fund in the Department of Agriculture and
2370 Consumer Services, the Department of Environmental Protection,
2371 the Department of State, or the Fish and Wildlife Conservation
2372 Commission must be repaid to the trust funds from which the
2373 moneys were loaned by the end of the 2019-2020 ~~2018-2019~~ fiscal
2374 year. The Legislature has determined that the repayment of the
2375 other trust fund moneys temporarily loaned to a land acquisition
2376 trust fund in the Department of Agriculture and Consumer
2377 Services, the Department of Environmental Protection, the
2378 Department of State, or the Fish and Wildlife Conservation
2379 Commission pursuant to this subsection is an allowable use of
2380 the moneys in a land acquisition trust fund because the moneys
2381 from other trust funds temporarily loaned to a land acquisition
2382 trust fund shall be expended solely and exclusively in
2383 accordance with s. 28, Art. X of the State Constitution. This
2384 subsection expires July 1, 2020 ~~2019~~.

2385 Section 85. (1) In order to implement specific
2386 appropriations from the land acquisition trust funds within the
2387 Department of Agriculture and Consumer Services, the Department
2388 of Environmental Protection, the Department of State, and the



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2389 Fish and Wildlife Conservation Commission, which are contained
2390 in the 2019-2020 General Appropriations Act, the Department of
2391 Environmental Protection shall transfer revenues from the Land
2392 Acquisition Trust Fund within the department to the land
2393 acquisition trust funds within the Department of Agriculture and
2394 Consumer Services, the Department of State, and the Fish and
2395 Wildlife Conservation Commission, as provided in this section.
2396 As used in this section, the term "department" means the
2397 Department of Environmental Protection.

2398 (2) After subtracting any required debt service payments,
2399 the proportionate share of revenues to be transferred to each
2400 land acquisition trust fund shall be calculated by dividing the
2401 appropriations from each of the land acquisition trust funds for
2402 the fiscal year by the total appropriations from the Land
2403 Acquisition Trust Fund within the department and the land
2404 acquisition trust funds within the Department of Agriculture and
2405 Consumer Services, the Department of State, and the Fish and
2406 Wildlife Conservation Commission for the fiscal year. The
2407 department shall transfer the proportionate share of the
2408 revenues in the Land Acquisition Trust Fund within the
2409 department on a monthly basis to the appropriate land
2410 acquisition trust funds within the Department of Agriculture and
2411 Consumer Services, the Department of State, and the Fish and
2412 Wildlife Conservation Commission and shall retain its
2413 proportionate share of the revenues in the Land Acquisition
2414 Trust Fund within the department. Total distributions to a land
2415 acquisition trust fund within the Department of Agriculture and
2416 Consumer Services, the Department of State, and the Fish and
2417 Wildlife Conservation Commission may not exceed the total



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2418 appropriations from such trust fund for the fiscal year.

2419 (3) In addition, the department shall transfer from the
2420 Land Acquisition Trust Fund to land acquisition trust funds
2421 within the Department of Agriculture and Consumer Services, the
2422 Department of State, and the Fish and Wildlife Conservation
2423 Commission amounts equal to the difference between the amounts
2424 appropriated in chapter 2018-9, Laws of Florida, to the
2425 department's Land Acquisition Trust Fund and the other land
2426 acquisition trust funds, and the amounts actually transferred
2427 between those trust funds during the 2018-2019 fiscal year.

2428 (4) The department may advance funds from the beginning
2429 unobligated fund balance in the Land Acquisition Trust Fund to
2430 the Land Acquisition Trust Fund within the Fish and Wildlife
2431 Conservation Commission needed for cash flow purposes based on a
2432 detailed expenditure plan. The department shall prorate amounts
2433 transferred quarterly to the Fish and Wildlife Conservation
2434 Commission to recoup the amount of funds advanced by June 30,
2435 2020.

2436 (5) This section expires July 1, 2020.

2437 Section 86. In order to implement appropriations from the
2438 Land Acquisition Trust Fund within the Department of
2439 Environmental Protection, paragraph (b) of subsection (3) of
2440 section 375.041, Florida Statutes, is amended to read:

2441 375.041 Land Acquisition Trust Fund.—

2442 (3) Funds distributed into the Land Acquisition Trust Fund
2443 pursuant to s. 201.15 shall be applied:

2444 (b) Of the funds remaining after the payments required
2445 under paragraph (a), but before funds may be appropriated,
2446 pledged, or dedicated for other uses:



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2447 1. A minimum of the lesser of 25 percent or \$200 million
2448 shall be appropriated annually for Everglades projects that
2449 implement the Comprehensive Everglades Restoration Plan as set
2450 forth in s. 373.470, including the Central Everglades Planning
2451 Project subject to Congressional authorization; the Long-Term
2452 Plan as defined in s. 373.4592(2); and the Northern Everglades
2453 and Estuaries Protection Program as set forth in s. 373.4595.
2454 From these funds, \$32 million shall be distributed each fiscal
2455 year through the 2023-2024 fiscal year to the South Florida
2456 Water Management District for the Long-Term Plan as defined in
2457 s. 373.4592(2). After deducting the \$32 million distributed
2458 under this subparagraph, from the funds remaining, a minimum of
2459 the lesser of 76.5 percent or \$100 million shall be appropriated
2460 each fiscal year through the 2025-2026 fiscal year for the
2461 planning, design, engineering, and construction of the
2462 Comprehensive Everglades Restoration Plan as set forth in s.
2463 373.470, including the Central Everglades Planning Project, the
2464 Everglades Agricultural Area Storage Reservoir Project, the Lake
2465 Okeechobee Watershed Project, the C-43 West Basin Storage
2466 Reservoir Project, the Indian River Lagoon-South Project, the
2467 Western Everglades Restoration Project, and the Picayune Strand
2468 Restoration Project. The Department of Environmental Protection
2469 and the South Florida Water Management District shall give
2470 preference to those Everglades restoration projects that reduce
2471 harmful discharges of water from Lake Okeechobee to the St.
2472 Lucie or Caloosahatchee estuaries in a timely manner. For the
2473 purpose of performing the calculation provided in this
2474 subparagraph, the amount of debt service paid pursuant to
2475 paragraph (a) for bonds issued after July 1, 2016, for the



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2476 purposes set forth under paragraph (b) shall be added to the
2477 amount remaining after the payments required under paragraph
2478 (a). The amount of the distribution calculated shall then be
2479 reduced by an amount equal to the debt service paid pursuant to
2480 paragraph (a) on bonds issued after July 1, 2016, for the
2481 purposes set forth under this subparagraph.

2482 2. A minimum of the lesser of 7.6 percent or \$50 million
2483 shall be appropriated annually for spring restoration,
2484 protection, and management projects. For the purpose of
2485 performing the calculation provided in this subparagraph, the
2486 amount of debt service paid pursuant to paragraph (a) for bonds
2487 issued after July 1, 2016, for the purposes set forth under
2488 paragraph (b) shall be added to the amount remaining after the
2489 payments required under paragraph (a). The amount of the
2490 distribution calculated shall then be reduced by an amount equal
2491 to the debt service paid pursuant to paragraph (a) on bonds
2492 issued after July 1, 2016, for the purposes set forth under this
2493 subparagraph.

2494 3. The sum of \$5 million shall be appropriated annually
2495 each fiscal year through the 2025-2026 fiscal year to the St.
2496 Johns River Water Management District for projects dedicated to
2497 the restoration of Lake Apopka. This distribution shall be
2498 reduced by an amount equal to the debt service paid pursuant to
2499 paragraph (a) on bonds issued after July 1, 2016, for the
2500 purposes set forth in this subparagraph.

2501 4. The sum of \$64 million is appropriated and shall be
2502 transferred to the Everglades Trust Fund for the 2018-2019
2503 fiscal year, and each fiscal year thereafter, for the EAA
2504 reservoir project pursuant to s. 373.4598. Any funds remaining



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2505 in any fiscal year shall be made available only for Phase II of
2506 the C-51 reservoir project or projects identified in
2507 subparagraph 1. and must be used in accordance with laws
2508 relating to such projects. Any funds made available for such
2509 purposes in a fiscal year are in addition to the amount
2510 appropriated under subparagraph 1. This distribution shall be
2511 reduced by an amount equal to the debt service paid pursuant to
2512 paragraph (a) on bonds issued after July 1, 2017, for the
2513 purposes set forth in this subparagraph.

2514 5. Notwithstanding subparagraph 3., for the 2019-2020 ~~2018-~~
2515 ~~2019~~ fiscal year, funds shall be appropriated as provided in the
2516 General Appropriations Act. This subparagraph expires July 1,
2517 2020 ~~2019~~.

2518 Section 87. In order to implement Specific Appropriation
2519 1781 of the 2019-2020 General Appropriations Act, paragraph (e)
2520 of subsection (11) of section 216.181, Florida Statutes, is
2521 amended to read:

2522 216.181 Approved budgets for operations and fixed capital
2523 outlay.—

2524 (11)

2525 (e) Notwithstanding paragraph (b) and paragraph (2)(b), and
2526 for the 2019-2020 ~~2018-2019~~ fiscal year only, the Legislative
2527 Budget Commission may increase the amounts appropriated to the
2528 Department of Environmental Protection for fixed capital outlay
2529 projects using funds provided to the state from the
2530 environmental mitigation trust administered by a trustee
2531 designated by the United States District Court for the Northern
2532 District of California for eligible mitigation actions and
2533 mitigation action expenditures described in the partial consent



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2534 decree entered into between the United States of America and
2535 Volkswagen relating to violations of the Clean Air Act.
2536 Concurrent with submission of an amendment to the Legislative
2537 Budget Commission pursuant to this paragraph, any project that
2538 carries a continuing commitment for future appropriations by the
2539 Legislature must be specifically identified, together with the
2540 projected amount of the future commitment associated with the
2541 project and the fiscal years in which the commitment is expected
2542 to commence. This paragraph expires July 1, 2020 ~~2019~~.

2543
2544 The provisions of this subsection are subject to the notice and
2545 objection procedures set forth in s. 216.177.

2546 Section 88. In order to implement Specific Appropriation
2547 1542 of the 2019-2020 General Appropriations Act, and
2548 notwithstanding ss. 216.181 and 216.292, Florida Statutes, the
2549 Department of Agriculture and Consumer Services may submit a
2550 budget amendment, subject to the notice, review, and objection
2551 procedures of s. 216.177, Florida Statutes, to increase budget
2552 authority for the National School Lunch Program when necessary.
2553 This section expires July 1, 2020.

2554 Section 89. Effective upon becoming a law and in order to
2555 implement Specific Appropriation 1464 through 1473 of the 2019-
2556 2020 General Appropriations Act, subsection (4) of section
2557 570.441, Florida Statutes, is amended to read:

2558 570.441 Pest Control Trust Fund.—

2559 (4) In addition to the uses authorized under subsection
2560 (2), moneys collected or received by the department under
2561 chapter 482 may be used to carry out the provisions of s.
2562 570.44. This subsection expires June 30, 2020 ~~2019~~.



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2563 Section 90. In order to implement Specific Appropriation
2564 1401 of the 2019-2020 General Appropriations Act, paragraph (a)
2565 of subsection (1) of section 570.93, Florida Statutes, is
2566 amended to read:

2567 570.93 Department of Agriculture and Consumer Services;
2568 agricultural water conservation and agricultural water supply
2569 planning.—

2570 (1) The department shall establish an agricultural water
2571 conservation program that includes the following:

2572 (a) A cost-share program, coordinated ~~where appropriate~~
2573 with the United States Department of Agriculture and other
2574 federal, state, regional, and local agencies when appropriate,
2575 for irrigation system retrofit and application of mobile
2576 irrigation laboratory evaluations, and for water conservation
2577 and as provided in this section and, where applicable, for water
2578 quality improvement pursuant to s. 403.067(7)(c).

2579 Section 91. The amendment to s. 570.93(1)(a), Florida
2580 Statutes, by this act expires July 1, 2020, and the text of that
2581 paragraph shall revert to that in existence on June 30, 2019,
2582 except that any amendments to such text enacted other than by
2583 this act shall be preserved and continue to operate to the
2584 extent that such amendments are not dependent upon the portions
2585 of text which expire pursuant to this section.

2586 Section 92. In order to implement Specific Appropriations
2587 1474 through 1481 of the 2019-2020 General Appropriations Act,
2588 subsection (1) of section 525.07, Florida Statutes, is amended
2589 to read:

2590 525.07 Powers and duties of department; inspections;
2591 unlawful acts.—



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2592 (1) The department shall inspect all measuring devices used
2593 in selling or distributing petroleum fuel at wholesale and
2594 retail. The department may affix a sticker to each petroleum
2595 measuring device. Using only a combination of lettering,
2596 numbering, words, or the department logo, the sticker must
2597 signify that the device has been inspected by the department and
2598 that the device owner is responsible for its proper use and
2599 maintenance.

2600 Section 93. The amendment to s. 525.07(1), Florida
2601 Statutes, by this act expires July 1, 2020, and the text of that
2602 subsection shall revert to that in existence on June 30, 2019,
2603 except that any amendments to such text enacted other than by
2604 this act shall be preserved and continue to operate to the
2605 extent that such amendments are not dependent upon the portions
2606 of text which expire pursuant to this section.

2607 Section 94. In order to implement Specific Appropriation
2608 1607 of the 2019-2020 General Appropriations Act, paragraph (m)
2609 of subsection (3) of section 259.105, Florida Statutes, is
2610 amended to read:

2611 259.105 The Florida Forever Act.—

2612 (3) Less the costs of issuing and the costs of funding
2613 reserve accounts and other costs associated with bonds, the
2614 proceeds of cash payments or bonds issued pursuant to this
2615 section shall be deposited into the Florida Forever Trust Fund
2616 created by s. 259.1051. The proceeds shall be distributed by the
2617 Department of Environmental Protection in the following manner:

2618 (m) Notwithstanding paragraphs (a)-(j) and for the 2019-
2619 2020 ~~2018-2019~~ fiscal year, only:

2620 ~~1.~~ the amount of \$33 million ~~\$77 million~~ to only the



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2621 Division of State Lands within the Department of Environmental
2622 Protection for the Board of Trustees Florida Forever Priority
2623 List land acquisition projects. This paragraph expires July 1,
2624 2020.

2625 ~~2. The amount of \$10 million to the Department of~~
2626 ~~Environmental Protection for use by the Florida Communities~~
2627 ~~Trust for the purposes of part III of chapter 380, as described~~
2628 ~~and limited by this subsection, and grants to local governments~~
2629 ~~or nonprofit environmental organizations that are tax-exempt~~
2630 ~~under s. 501(c) (3) of the United States Internal Revenue Code~~
2631 ~~for the acquisition of community-based projects, urban open~~
2632 ~~spaces, parks, and greenways to implement local government~~
2633 ~~comprehensive plans. From funds available to the trust and used~~
2634 ~~for land acquisition, 75 percent shall be matched by local~~
2635 ~~governments on a dollar-for-dollar basis. The Legislature~~
2636 ~~intends that the Florida Communities Trust emphasize funding~~
2637 ~~projects in low-income or otherwise disadvantaged communities~~
2638 ~~and projects that provide areas for direct water access and~~
2639 ~~water-dependent facilities that are open to the public and offer~~
2640 ~~public access by vessels to waters of the state, including boat~~
2641 ~~ramps and associated parking and other support facilities. At~~
2642 ~~least 30 percent of the total allocation provided to the trust~~
2643 ~~shall be used in Standard Metropolitan Statistical Areas, but~~
2644 ~~one-half of that amount shall be used in localities in which the~~
2645 ~~project site is located in built-up commercial, industrial, or~~
2646 ~~mixed-use areas and functions to intersperse open spaces within~~
2647 ~~congested urban core areas. From funds allocated to the trust,~~
2648 ~~no less than 5 percent shall be used to acquire lands for~~
2649 ~~recreational trail systems, provided that in the event these~~



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2650 ~~funds are not needed for such projects, they will be available~~
2651 ~~for other trust projects. Local governments may use federal~~
2652 ~~grants or loans, private donations, or environmental mitigation~~
2653 ~~funds for any part or all of any local match required for~~
2654 ~~acquisitions funded through the Florida Communities Trust. Any~~
2655 ~~lands purchased by nonprofit organizations using funds allocated~~
2656 ~~under this paragraph must provide for such lands to remain~~
2657 ~~permanently in public use through a reversion of title to local~~
2658 ~~or state government, conservation easement, or other appropriate~~
2659 ~~mechanism. Projects funded with funds allocated to the trust~~
2660 ~~shall be selected in a competitive process measured against~~
2661 ~~criteria adopted in rule by the trust.~~

2662 ~~3. The sum of \$2 million to the Department of Environmental~~
2663 ~~Protection for the acquisition of land and capital project~~
2664 ~~expenditures necessary to implement the Stan Mayfield Working~~
2665 ~~Waterfronts Program within the Florida Communities Trust~~
2666 ~~pursuant to s. 380.5105.~~

2667 ~~4. The sum of \$2 million to the Department of Environmental~~
2668 ~~Protection for grants pursuant to s. 375.075(1) (4).~~

2669
2670 ~~This paragraph expires July 1, 2019.~~

2671 Section 95. In order to implement Specific Appropriation
2672 2682 of the 2019-2020 General Appropriations Act, paragraph (b)
2673 of subsection (3) and subsection (5) of section 321.04, Florida
2674 Statutes, are amended to read:

2675 321.04 Personnel of the highway patrol; rank
2676 classifications; probationary status of new patrol officers;
2677 subsistence; special assignments.-

2678 (3)



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2679 (b) For the 2019-2020 ~~2018-2019~~ fiscal year only, upon the
2680 request of the Governor, the Department of Highway Safety and
2681 Motor Vehicles shall assign one or more patrol officers to the
2682 office of the patrol officer shall be assigned to the Lieutenant
2683 Governor for security services. This paragraph expires July 1,
2684 2020 ~~2019~~.

2685 (5) For the 2019-2020 ~~2018-2019~~ fiscal year only, the
2686 assignment of a patrol officer by the department shall include a
2687 Cabinet member specified in s. 4, Art. IV of the State
2688 Constitution if deemed appropriate by the department or in
2689 response to a threat and upon written request of such Cabinet
2690 member. This subsection expires July 1, 2020 ~~2019~~.

2691 Section 96. In order to implement Specific Appropriations
2692 2316 and 2316A of the 2019-2020 General Appropriations Act,
2693 subsection (3) of section 420.9079, Florida Statutes, is amended
2694 to read:

2695 420.9079 Local Government Housing Trust Fund.—

2696 (3) For the 2019-2020 ~~2018-2019~~ fiscal year, funds may be
2697 used as provided in the General Appropriations Act. This
2698 subsection expires July 1, 2020 ~~2019~~.

2699 Section 97. In order to implement Specific Appropriations
2700 2315 and 2316A of the 2019-2020 General Appropriations Act,
2701 subsection (2) of section 420.0005, Florida Statutes, is amended
2702 to read:

2703 420.0005 State Housing Trust Fund; State Housing Fund.—

2704 (2) For the 2019-2020 ~~2018-2019~~ fiscal year, funds may be
2705 used as provided in the General Appropriations Act. This
2706 subsection expires July 1, 2020 ~~2019~~.

2707 Section 98. In order to implement Specific Appropriation



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2708 2314 of the 2019-2020 General Appropriations Act, subsection (6)
2709 is added to section 288.0655, Florida Statutes, to read:

2710 288.0655 Rural Infrastructure Fund.—

2711 (6) For the 2019-2020 fiscal year, the funds appropriated
2712 for the grant program for Florida Panhandle counties shall be
2713 distributed pursuant to and for the purposes described in the
2714 proviso language associated with Specific Appropriation 2314 of
2715 the 2019-2020 General Appropriations Act. This subsection
2716 expires July 1, 2020.

2717 Section 99. In order to implement Specific Appropriation
2718 2328 of the 2019-2020 General Appropriations Act, subsection
2719 (14) of section 288.1226, Florida Statutes, is amended to read:
2720 288.1226 Florida Tourism Industry Marketing Corporation;
2721 use of property; board of directors; duties; audit.—

2722 (14) REPEAL.—This section is repealed July 1, 2020 ~~October~~
2723 ~~1, 2019~~, unless reviewed and saved from repeal by the
2724 Legislature.

2725 Section 100. In order to implement Specific Appropriation
2726 2328 of the 2019-2020 General Appropriations Act, subsection (6)
2727 of section 288.923, Florida Statutes, is amended to read:

2728 288.923 Division of Tourism Marketing; definitions;
2729 responsibilities.—

2730 (6) This section is repealed July 1, 2020 ~~October 1, 2019~~,
2731 unless reviewed and saved from repeal by the Legislature.

2732 Section 101. In order to implement Specific Appropriations
2733 1939 through 1952, 1958 through 1961, 1974 through 1982, 1984
2734 through 1993, and 2033 through 2045 of the 2019-2020 General
2735 Appropriations Act, paragraph (g) of subsection (7) of section
2736 339.135, Florida Statutes, is amended to read:



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2737 339.135 Work program; legislative budget request;
2738 definitions; preparation, adoption, execution, and amendment.—

2739 (7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

2740 (g)1. Any work program amendment which also requires the
2741 transfer of fixed capital outlay appropriations between
2742 categories within the department or the increase of an
2743 appropriation category is subject to the approval of the
2744 Legislative Budget Commission.

2745 2. If a meeting of the Legislative Budget Commission cannot
2746 be held within 30 days after the department submits an amendment
2747 to the Legislative Budget Commission, the chair and vice chair
2748 of the Legislative Budget Commission may authorize such
2749 amendment to be approved pursuant to s. 216.177. This
2750 subparagraph expires July 1, 2020.

2751 Section 102. In order to implement Specific Appropriation
2752 1975 of the 2019-2020 General Appropriations Act, subsection (8)
2753 is added to section 339.2818, Florida Statutes, to read:

2754 339.2818 Small County Outreach Program.—

2755 (8) Subject to a specific appropriation in addition to
2756 funds annually appropriated for projects under this section, a
2757 county or a municipality that is within a county designated in
2758 the Federal Emergency Management Agency disaster declaration DR-
2759 4399 may compete for the additional project funding using the
2760 criteria listed in subsection (4) at up to 100 percent of
2761 project costs to repair damage due to Hurricane Michael,
2762 excluding capacity improvement projects. This subsection expires
2763 July 1, 2020.

2764 Section 103. In order to implement Specific Appropriation
2765 2624 of the 2019-2020 General Appropriations Act, paragraph (d)



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2766 is added to subsection (4) of section 112.061, Florida Statutes,
2767 to read:

2768 112.061 Per diem and travel expenses of public officers,
2769 employees, and authorized persons.—

2770 (4) OFFICIAL HEADQUARTERS.—The official headquarters of an
2771 officer or employee assigned to an office shall be the city or
2772 town in which the office is located except that:

2773 (d) A Lieutenant Governor who permanently resides outside
2774 of Leon County, may, if he or she so requests, have an
2775 appropriate facility in his or her county designated as his or
2776 her official headquarters for purposes of this section. This
2777 official headquarters may only serve as the Lieutenant
2778 Governor's personal office. The Lieutenant Governor may not use
2779 state funds to lease space in any facility for his or her
2780 official headquarters.

2781 1. A Lieutenant Governor for whom an official headquarters
2782 is established in his or her county of residence pursuant to
2783 this paragraph is eligible for subsistence at a rate to be
2784 established by the Governor for each day or partial day that the
2785 Lieutenant Governor is at the State Capitol to conduct official
2786 state business. In addition to the subsistence allowance, a
2787 Lieutenant Governor is eligible for reimbursement for
2788 transportation expenses as provided in subsection (7) for travel
2789 between the Lieutenant Governor's official headquarters and the
2790 State Capitol to conduct state business.

2791 2. Payment of subsistence and reimbursement for
2792 transportation between a Lieutenant Governor's official
2793 headquarters and the State Capitol shall be made to the extent
2794 appropriated funds are available, as determined by the Governor.



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2795 3. This paragraph expires July 1, 2020.

2796 Section 104. In order to implement the salaries and
2797 benefits, expenses, other personal services, contracted
2798 services, special categories, and operating capital outlay
2799 categories of the 2019-2020 General Appropriations Act,
2800 paragraph (a) of subsection (2) of section 216.292, Florida
2801 Statutes, is amended to read:

2802 216.292 Appropriations nontransferable; exceptions.—

2803 (2) The following transfers are authorized to be made by
2804 the head of each department or the Chief Justice of the Supreme
2805 Court whenever it is deemed necessary by reason of changed
2806 conditions:

2807 (a) The transfer of appropriations funded from identical
2808 funding sources, except appropriations for fixed capital outlay,
2809 and the transfer of amounts included within the total original
2810 approved budget and plans of releases of appropriations as
2811 furnished pursuant to ss. 216.181 and 216.192, as follows:

2812 1. Between categories of appropriations within a budget
2813 entity, if no category of appropriation is increased or
2814 decreased by more than 5 percent of the original approved budget
2815 or \$250,000, whichever is greater, by all action taken under
2816 this subsection.

2817 2. Between budget entities within identical categories of
2818 appropriations, if no category of appropriation is increased or
2819 decreased by more than 5 percent of the original approved budget
2820 or \$250,000, whichever is greater, by all action taken under
2821 this subsection.

2822 3. Any agency exceeding salary rate established pursuant to
2823 s. 216.181(8) on June 30th of any fiscal year shall not be



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2824 authorized to make transfers pursuant to subparagraphs 1. and 2.
2825 in the subsequent fiscal year.

2826 4. Notice of proposed transfers under subparagraphs 1. and
2827 2. shall be provided to the Executive Office of the Governor and
2828 the chairs of the legislative appropriations committees at least
2829 3 days prior to agency implementation in order to provide an
2830 opportunity for review. The review shall be limited to ensuring
2831 that the transfer is in compliance with the requirements of this
2832 paragraph.

2833 5. For the 2019-2020 ~~2018-2019~~ fiscal year, the review
2834 shall ensure that transfers proposed pursuant to this paragraph
2835 comply with this chapter, maximize the use of available and
2836 appropriate trust funds, and are not contrary to legislative
2837 policy and intent. This subparagraph expires July 1, 2020 ~~2019~~.

2838 Section 105. In order to implement section 8 of the 2019-
2839 2020 General Appropriations Act, notwithstanding s.
2840 110.123(3)(f) and (j), Florida Statutes, the Department of
2841 Management Services shall maintain and offer the same PPO and
2842 HMO health plan alternatives to the participants of the State
2843 Group Health Insurance Program during the 2019-2020 fiscal year
2844 which were in effect for the 2018-2019 fiscal year. This section
2845 expires July 1, 2020.

2846 Section 106. In order to implement the appropriation of
2847 funds in the special categories, contracted services, and
2848 expenses categories of the 2019-2020 General Appropriations Act,
2849 a state agency may not initiate a competitive solicitation for a
2850 product or service if the completion of such competitive
2851 solicitation would:

2852 (1) Require a change in law; or



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2853 (2) Require a change to the agency's budget other than a
2854 transfer authorized in s. 216.292(2) or (3), Florida Statutes,
2855 unless the initiation of such competitive solicitation is
2856 specifically authorized in law, in the General Appropriations
2857 Act, or by the Legislative Budget Commission.

2858
2859 This section does not apply to a competitive solicitation for
2860 which the agency head certifies that a valid emergency exists.
2861 This section expires July 1, 2020.

2862 Section 107. In order to implement appropriations for
2863 salaries and benefits in the 2019-2020 General Appropriations
2864 Act, subsection (6) of section 112.24, Florida Statutes, is
2865 amended to read:

2866 112.24 Intergovernmental interchange of public employees.—
2867 To encourage economical and effective utilization of public
2868 employees in this state, the temporary assignment of employees
2869 among agencies of government, both state and local, and
2870 including school districts and public institutions of higher
2871 education is authorized under terms and conditions set forth in
2872 this section. State agencies, municipalities, and political
2873 subdivisions are authorized to enter into employee interchange
2874 agreements with other state agencies, the Federal Government,
2875 another state, a municipality, or a political subdivision
2876 including a school district, or with a public institution of
2877 higher education. State agencies are also authorized to enter
2878 into employee interchange agreements with private institutions
2879 of higher education and other nonprofit organizations under the
2880 terms and conditions provided in this section. In addition, the
2881 Governor or the Governor and Cabinet may enter into employee



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2882 interchange agreements with a state agency, the Federal
2883 Government, another state, a municipality, or a political
2884 subdivision including a school district, or with a public
2885 institution of higher learning to fill, subject to the
2886 requirements of chapter 20, appointive offices which are within
2887 the executive branch of government and which are filled by
2888 appointment by the Governor or the Governor and Cabinet. Under
2889 no circumstances shall employee interchange agreements be
2890 utilized for the purpose of assigning individuals to participate
2891 in political campaigns. Duties and responsibilities of
2892 interchange employees shall be limited to the mission and goals
2893 of the agencies of government.

2894 (6) For the 2019-2020 ~~2018-2019~~ fiscal year only, the
2895 assignment of an employee of a state agency as provided in this
2896 section may be made if recommended by the Governor or Chief
2897 Justice, as appropriate, and approved by the chairs of the
2898 legislative appropriations committees. Such actions shall be
2899 deemed approved if neither chair provides written notice of
2900 objection within 14 days after receiving notice of the action
2901 pursuant to s. 216.177. This subsection expires July 1, 2020
2902 ~~2019~~.

2903 Section 108. In order to implement Specific Appropriations
2904 2751 and 2752 of the 2019-2020 General Appropriations Act, and
2905 notwithstanding s. 11.13(1), Florida Statutes, the authorized
2906 salaries for members of the Legislature for the 2019-2020 fiscal
2907 year shall be set at the same level in effect on July 1, 2010.
2908 This section expires July 1, 2020.

2909 Section 109. In order to implement the transfer of funds to
2910 the General Revenue Fund from trust funds for the 2019-2020



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2911 General Appropriations Act, and notwithstanding the expiration
2912 date in section 83 of chapter 2018-10, Laws of Florida,
2913 paragraph (b) of subsection (2) of section 215.32, Florida
2914 Statutes, is reenacted to read:

2915 215.32 State funds; segregation.—

2916 (2) The source and use of each of these funds shall be as
2917 follows:

2918 (b)1. The trust funds shall consist of moneys received by
2919 the state which under law or under trust agreement are
2920 segregated for a purpose authorized by law. The state agency or
2921 branch of state government receiving or collecting such moneys
2922 is responsible for their proper expenditure as provided by law.
2923 Upon the request of the state agency or branch of state
2924 government responsible for the administration of the trust fund,
2925 the Chief Financial Officer may establish accounts within the
2926 trust fund at a level considered necessary for proper
2927 accountability. Once an account is established, the Chief
2928 Financial Officer may authorize payment from that account only
2929 upon determining that there is sufficient cash and releases at
2930 the level of the account.

2931 2. In addition to other trust funds created by law, to the
2932 extent possible, each agency shall use the following trust funds
2933 as described in this subparagraph for day-to-day operations:

2934 a. Operations or operating trust fund, for use as a
2935 depository for funds to be used for program operations funded by
2936 program revenues, with the exception of administrative
2937 activities when the operations or operating trust fund is a
2938 proprietary fund.

2939 b. Operations and maintenance trust fund, for use as a



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2940 depository for client services funded by third-party payors.
2941 c. Administrative trust fund, for use as a depository for
2942 funds to be used for management activities that are departmental
2943 in nature and funded by indirect cost earnings and assessments
2944 against trust funds. Proprietary funds are excluded from the
2945 requirement of using an administrative trust fund.
2946 d. Grants and donations trust fund, for use as a depository
2947 for funds to be used for allowable grant or donor agreement
2948 activities funded by restricted contractual revenue from private
2949 and public nonfederal sources.
2950 e. Agency working capital trust fund, for use as a
2951 depository for funds to be used pursuant to s. 216.272.
2952 f. Clearing funds trust fund, for use as a depository for
2953 funds to account for collections pending distribution to lawful
2954 recipients.
2955 g. Federal grant trust fund, for use as a depository for
2956 funds to be used for allowable grant activities funded by
2957 restricted program revenues from federal sources.
2958
2959 To the extent possible, each agency must adjust its internal
2960 accounting to use existing trust funds consistent with the
2961 requirements of this subparagraph. If an agency does not have
2962 trust funds listed in this subparagraph and cannot make such
2963 adjustment, the agency must recommend the creation of the
2964 necessary trust funds to the Legislature no later than the next
2965 scheduled review of the agency's trust funds pursuant to s.
2966 215.3206.
2967 3. All such moneys are hereby appropriated to be expended
2968 in accordance with the law or trust agreement under which they



2969 were received, subject always to the provisions of chapter 216
2970 relating to the appropriation of funds and to the applicable
2971 laws relating to the deposit or expenditure of moneys in the
2972 State Treasury.

2973 4.a. Notwithstanding any provision of law restricting the
2974 use of trust funds to specific purposes, unappropriated cash
2975 balances from selected trust funds may be authorized by the
2976 Legislature for transfer to the Budget Stabilization Fund and
2977 General Revenue Fund in the General Appropriations Act.

2978 b. This subparagraph does not apply to trust funds required
2979 by federal programs or mandates; trust funds established for
2980 bond covenants, indentures, or resolutions whose revenues are
2981 legally pledged by the state or public body to meet debt service
2982 or other financial requirements of any debt obligations of the
2983 state or any public body; the Division of Licensing Trust Fund
2984 in the Department of Agriculture and Consumer Services; the
2985 State Transportation Trust Fund; the trust fund containing the
2986 net annual proceeds from the Florida Education Lotteries; the
2987 Florida Retirement System Trust Fund; trust funds under the
2988 management of the State Board of Education or the Board of
2989 Governors of the State University System, where such trust funds
2990 are for auxiliary enterprises, self-insurance, and contracts,
2991 grants, and donations, as those terms are defined by general
2992 law; trust funds that serve as clearing funds or accounts for
2993 the Chief Financial Officer or state agencies; trust funds that
2994 account for assets held by the state in a trustee capacity as an
2995 agent or fiduciary for individuals, private organizations, or
2996 other governmental units; and other trust funds authorized by
2997 the State Constitution.



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2998 Section 110. The text of s. 215.32(2)(b), Florida Statutes,
2999 as carried forward from chapter 2011-47, Laws of Florida, by
3000 this act, expires July 1, 2020, and the text of that paragraph
3001 shall revert to that in existence on June 30, 2011, except that
3002 any amendments to such text enacted other than by this act shall
3003 be preserved and continue to operate to the extent that such
3004 amendments are not dependent upon the portions of text which
3005 expire pursuant to this section.

3006 Section 111. In order to implement appropriations in the
3007 2019-2020 General Appropriations Act for state employee travel,
3008 the funds appropriated to each state agency which may be used
3009 for travel by state employees are limited during the 2019-2020
3010 fiscal year to travel for activities that are critical to each
3011 state agency's mission. Funds may not be used for travel by
3012 state employees to foreign countries, other states, conferences,
3013 staff training activities, or other administrative functions
3014 unless the agency head has approved, in writing, that such
3015 activities are critical to the agency's mission. The agency head
3016 shall consider using teleconferencing and other forms of
3017 electronic communication to meet the needs of the proposed
3018 activity before approving mission-critical travel. This section
3019 does not apply to travel for law enforcement purposes, military
3020 purposes, emergency management activities, or public health
3021 activities. This section expires July 1, 2020.

3022 Section 112. In order to implement appropriations in the
3023 2019-2020 General Appropriations Act for state employee travel
3024 and notwithstanding s. 112.061, Florida Statutes, costs for
3025 lodging associated with a meeting, conference, or convention
3026 organized or sponsored in whole or in part by a state agency or



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3027 the judicial branch may not exceed \$150 per day. An employee may
3028 expend his or her own funds for any lodging expenses in excess
3029 of \$150 per day. For purposes of this section, a meeting does
3030 not include travel activities for conducting an audit,
3031 examination, inspection, or investigation or travel activities
3032 related to a litigation or emergency response. This section
3033 expires July 1, 2020.

3034 Section 113. In order to implement the appropriation of
3035 funds in the special categories, contracted services, and
3036 expenses categories of the 2019-2020 General Appropriations Act,
3037 a state agency may not enter into a contract containing a
3038 nondisclosure clause that prohibits the contractor from
3039 disclosing information relevant to the performance of the
3040 contract to members or staff of the Senate or the House of
3041 Representatives. This section expires July 1, 2020.

3042 Section 114. Any section of this act which implements a
3043 specific appropriation or specifically identified proviso
3044 language in the 2019-2020 General Appropriations Act is void if
3045 the specific appropriation or specifically identified proviso
3046 language is vetoed. Any section of this act which implements
3047 more than one specific appropriation or more than one portion of
3048 specifically identified proviso language in the 2019-2020
3049 General Appropriations Act is void if all the specific
3050 appropriations or portions of specifically identified proviso
3051 language are vetoed.

3052 Section 115. If any other act passed during the 2019
3053 Regular Session of the Legislature contains a provision that is
3054 substantively the same as a provision in this act, but that
3055 removes or is otherwise not subject to the future repeal applied



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3056 to such provision by this act, the Legislature intends that the
3057 provision in the other act takes precedence and continues to
3058 operate, notwithstanding the future repeal provided by this act.

3059 Section 116. If any provision of this act or its
3060 application to any person or circumstance is held invalid, the
3061 invalidity does not affect other provisions or applications of
3062 the act which can be given effect without the invalid provision
3063 or application, and to this end the provisions of this act are
3064 severable.

3065 Section 117. Except as otherwise expressly provided in this
3066 act and except for this section, which shall take effect upon
3067 this act becoming a law, this act shall take effect July 1,
3068 2019; or, if this act fails to become a law until after that
3069 date, it shall take effect upon becoming a law and shall operate
3070 retroactively to July 1, 2019.

3071
3072 ===== T I T L E A M E N D M E N T =====

3073 And the title is amended as follows:

3074 Delete everything before the enacting clause
3075 and insert:

3076 A bill to be entitled
3077 An act implementing the 2019-2020 General
3078 Appropriations Act; providing legislative intent;
3079 incorporating by reference certain calculations of the
3080 Florida Education Finance Program; providing that
3081 funds for instructional materials must be released and
3082 expended as required in specified proviso language;
3083 amending s. 1009.215, F.S.; revising the academic
3084 terms in which certain students are eligible to



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3085 receive Bright Futures Scholarships; providing that
3086 such students may receive scholarships for the fall
3087 term for specified coursework under certain
3088 circumstances; providing for the expiration and
3089 reversion of specified statutory text; amending s.
3090 1011.62, F.S.; extending for 1 fiscal year provisions
3091 governing the funding compression allocation;
3092 reenacting s. 1001.26(1), F.S., relating to public
3093 broadcasting program system; extending for 1 fiscal
3094 year authorization for the Department of Education to
3095 provide certain appropriated funds to public colleges
3096 and universities for public broadcasting; providing
3097 for the expiration and reversion of specified
3098 statutory text; amending s. 1011.80, F.S.; removing a
3099 limitation on the maximum amount of funding that may
3100 be appropriated for performance funding relating to
3101 funds for the operation of workforce education
3102 programs; amending s. 1011.81, F.S.; removing a
3103 limitation on the maximum amount of funding that may
3104 be appropriated for performance funding relating to
3105 industry certifications for Florida College System
3106 institutions; providing for the expiration and
3107 reversion of specified statutory text; requiring the
3108 State Board of Education to serve as the board of
3109 trustees of the Florida Virtual School for the 2019-
3110 2020 fiscal year; prescribing certain duties of the
3111 board; requiring an audit of the Florida Virtual
3112 School in accordance with specified requirements;
3113 requiring the Department of Education to submit



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3114 certain recommendations regarding the Florida Virtual
3115 School to the Governor and Legislature by a specified
3116 date; requiring the Office of Economic and Demographic
3117 Research to develop a methodology for calculating each
3118 school district's wage level index; specifying
3119 required duties of the office; requiring the office to
3120 submit a transition plan to the Governor and
3121 Legislature by a specified date; prohibiting the
3122 transition plan's implementation unless specifically
3123 enacted by the Legislature; incorporating by reference
3124 certain calculations for the Medicaid Disproportionate
3125 Share Hospital and Hospital Reimbursement programs;
3126 authorizing the Agency for Health Care Administration,
3127 in consultation with the Department of Health, to
3128 submit a budget amendment to realign funding for a
3129 component of the Children's Medical Services program
3130 to reflect actual enrollment changes; specifying
3131 requirements for such realignment; authorizing the
3132 agency to request nonoperating budget authority for
3133 transferring certain federal funds to the Department
3134 of Health; amending s. 409.908, F.S.; modifying
3135 parameters governing prospective payment methodology
3136 with respect to Medicaid provider reimbursement;
3137 providing for the expiration and reversion of
3138 specified statutory text; reenacting s. 409.908(23),
3139 F.S., relating to the reimbursement of Medicaid
3140 providers; providing for the future expiration and
3141 reversion of specified statutory text; amending s.
3142 409.908, F.S.; authorizing the Agency for Health Care



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3143 Administration to receive funds from specified sources
3144 for purposes of making Low Income Pool Program
3145 payments; providing for the expiration and reversion
3146 of specified statutory text; amending s. 409.912,
3147 F.S.; authorizing the Agency for Health Care
3148 Administration to extend a specified contract for a
3149 certain period; providing for the expiration and
3150 reversion of specified statutory text; amending s.
3151 409.904, F.S.; requiring the Agency for Health Care
3152 Administration to make payments for Medicaid-covered
3153 services in a specified manner; requiring the agency,
3154 by a certain date, in consultation with the Department
3155 of Children and Families and certain other entities,
3156 to submit a certain report to the Governor and the
3157 Legislature; specifying requirements for the report;
3158 amending s. 393.0661, F.S.; authorizing the agency to
3159 develop and submit a plan to the Legislature for
3160 redesigning the Medicaid waiver program if certain
3161 conditions exist; conforming provisions; providing for
3162 the expiration and reversion of specified statutory
3163 text; amending s. 400.179, F.S.; revising conditions
3164 under which a lease bond alternative exception
3165 relating to the transfer of a nursing facility does
3166 not apply; providing for the expiration and reversion
3167 of specified statutory text; amending s. 624.91, F.S.;
3168 requiring the Florida Healthy Kids Corporation to
3169 validate the medical loss ratio and calculate a refund
3170 amount for insurers and providers of health care
3171 services who meet certain criteria; providing for the



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3172 deposit of any such refund; providing for the
3173 expiration and reversion of specified statutory text;
3174 amending s. 893.055, F.S.; extending for 1 fiscal year
3175 a provision prohibiting the Attorney General and the
3176 Department of Health from using certain settlement
3177 agreement funds to administer the prescription drug
3178 monitoring program; amending s. 409.911, F.S.;;
3179 updating the average of audited disproportionate share
3180 data for purposes of calculating disproportionate
3181 share payments; extending for 1 fiscal year the
3182 requirement that the Agency for Health Care
3183 Administration distribute moneys to hospitals that
3184 provide a disproportionate share of Medicaid or
3185 charity care services, as provided in the General
3186 Appropriations Act; amending s. 409.9113, F.S.;;
3187 extending for 1 fiscal year the requirement that the
3188 Agency for Health Care Administration make
3189 disproportionate share payments to teaching hospitals
3190 as provided in the General Appropriations Act;
3191 amending s. 409.9119, F.S.;; extending for 1 fiscal
3192 year the requirement that the Agency for Health Care
3193 Administration make disproportionate share payments to
3194 certain specialty hospitals for children; authorizing
3195 the Agency for Health Care Administration to submit a
3196 budget amendment to realign Medicaid funding for
3197 specified purposes, subject to certain limitations;
3198 authorizing the Agency for Health Care Administration
3199 and the Department of Health to each submit a budget
3200 amendment to realign funding within the Florida



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3201 Kidcare program appropriation categories or increase
3202 budget authority for certain purposes; specifying the
3203 time period within each such budget amendment must be
3204 submitted; exempting entities that meet certain
3205 criteria from the licensure requirements of part X of
3206 ch. 400, F.S.; amending s. 381.986, F.S.; exempting
3207 rules pertaining to the medical use of marijuana from
3208 certain rulemaking requirements; amending s. 381.988,
3209 F.S.; exempting rules pertaining to medical marijuana
3210 testing laboratories from certain rulemaking
3211 requirements; amending s. 14(1), ch. 2017-232, Laws of
3212 Florida; exempting certain rules pertaining to medical
3213 marijuana adopted to replace emergency rules from
3214 specified rulemaking requirements; providing for the
3215 expiration and reversion of specified law; amending s.
3216 383.14, F.S.; requiring the Department of Health to
3217 integrate screening for spinal muscular atrophy into
3218 the newborn screening testing panel; authorizing the
3219 Department of Children and Families to submit a budget
3220 amendment to realign funding for implementation of the
3221 Guardianship Assistance Program; requiring the
3222 Department of Children and Families to establish a
3223 formula for the distribution of funds to implement the
3224 Guardianship Assistance Program; amending s. 409.991,
3225 F.S.; redefining the term "core services funds" to
3226 include funds appropriated for the Guardianship
3227 Assistance Program; amending s. 296.37, F.S.;
3228 extending for 1 fiscal year a provision specifying the
3229 monthly contribution to residents of a state veterans'



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3230 nursing home; authorizing the Department of Health to
3231 submit a budget amendment to increase budget authority
3232 for the HIV/AIDS Prevention and Treatment Program if
3233 certain conditions are met; authorizing the Department
3234 of Children and Families to submit a budget amendment
3235 to increase budget authority for the Supplemental
3236 Nutrition Assistance Program if certain conditions are
3237 met; authorizing the Department of Children and
3238 Families to submit a budget amendment to realign
3239 funding within the Family Safety Program for specified
3240 purposes; amending s. 216.262, F.S.; extending for 1
3241 fiscal year the authority of the Department of
3242 Corrections to submit a budget amendment for
3243 additional positions and appropriations under certain
3244 circumstances; amending s. 1011.80, F.S.; specifying
3245 the manner by which state funds for postsecondary
3246 workforce programs may be used for inmate education;
3247 providing for the expiration and reversion of
3248 specified statutory text; amending s. 215.18, F.S.;
3249 extending for 1 fiscal year the authority and related
3250 repayment requirements for temporary trust fund loans
3251 to the state court system which are sufficient to meet
3252 the system's appropriation; requiring the Department
3253 of Juvenile Justice to review county juvenile
3254 detention payments to determine whether a county has
3255 met specified financial responsibilities; requiring
3256 amounts owed by the county for such financial
3257 responsibilities to be deducted from certain county
3258 funds; requiring the Department of Revenue to transfer



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3259 withheld funds to a specified trust fund; requiring
3260 the Department of Revenue to ensure that such
3261 reductions in amounts distributed do not reduce
3262 distributions below amounts necessary for certain
3263 payments due on bonds and to comply with bond
3264 covenants; requiring the Department of Revenue to
3265 notify the Department of Juvenile Justice if bond
3266 payment requirements mandate a reduction in deductions
3267 for amounts owed by a county; amending s. 27.40, F.S.;
3268 revising circumstances under which the office of
3269 criminal conflict and civil regional counsel or
3270 private counsel may be appointed; requiring the public
3271 defender and the office of criminal conflict and civil
3272 regional counsel to report certain information to the
3273 Justice Administrative Commission at specified
3274 intervals; making a conforming change; requiring
3275 inclusion of a specified statement on uniform
3276 contracts and forms used for private court-appointed
3277 counsel; modifying requirements for the notice of
3278 appearance filed by a court-appointed attorney;
3279 modifying conditions under which a private attorney is
3280 entitled to payment; providing that the flat fee for
3281 compensation of private court-appointed counsel is
3282 presumed to be sufficient; providing that certain
3283 records and documents maintained by the court-
3284 appointed attorney are subject to audit by the Auditor
3285 General; requiring the Justice Administrative
3286 Commission to review such records and documents before
3287 authorizing payment to the court-appointed attorney;



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3288 providing a rebuttable presumption for certain
3289 objections made by or on behalf of the Justice
3290 Administrative Commission; revising the presumption in
3291 favor of the commission regarding a court-appointed
3292 attorney's waiver of the right to seek compensation in
3293 excess of the flat fee; providing for the expiration
3294 and reversion of specified statutory text; amending s.
3295 27.5304, F.S.; providing a rebuttable presumption for
3296 certain objections made by or on behalf of the Justice
3297 Administrative Commission at the evidentiary hearing
3298 regarding the private court-appointed counsel's
3299 compensation; increasing the length of time before the
3300 hearing that certain documents must be served on the
3301 commission; authorizing the commission to appear in
3302 person or telephonically at such hearing; establishing
3303 certain limitations on compensation for private court-
3304 appointed counsel for the 2019-2020 fiscal year;
3305 conforming provisions to changes made by the act;
3306 providing for the expiration and reversion of
3307 specified statutory text; specifying that clerks of
3308 the circuit court are responsible for certain costs
3309 related to juries which exceed a certain funding
3310 level; reenacting s. 318.18(19)(c), F.S., relating to
3311 penalty amounts for traffic infractions; extending for
3312 1 fiscal year the redirection of revenues from the
3313 Public Defenders Revenue Trust Fund to the Indigent
3314 Criminal Defense Trust Fund; reenacting s.
3315 817.568(12)(b), F.S., relating to the criminal use of
3316 personal identification information; extending for 1



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3317 fiscal year the redirection of revenues from the
3318 Public Defenders Revenue Trust Fund to the Indigent
3319 Criminal Defense Trust Fund; providing for the
3320 expiration and reversion of specified statutory text;
3321 authorizing a Supreme Court Justice to designate an
3322 alternate facility as his or her official headquarters
3323 for purposes of travel reimbursement; specifying
3324 expenses for which a justice may be reimbursed;
3325 requiring the Chief Justice to coordinate with an
3326 affected justice and other appropriate officials with
3327 respect to implementation; providing construction;
3328 prohibiting the Supreme Court from using state funds
3329 to lease space in an alternate facility for use as a
3330 justice's official headquarters; requiring the
3331 Department of Management Services to use tenant broker
3332 services to renegotiate or reprocure certain private
3333 lease agreements for office or storage space;
3334 requiring the Department of Management Services to
3335 provide a report to the Governor and Legislature by a
3336 specified date; specifying the amount of the
3337 transaction fee to be collected for use of the online
3338 procurement system; prohibiting an agency from
3339 transferring funds from a data processing category to
3340 another category that is not a data processing
3341 category; authorizing the Executive Office of the
3342 Governor to transfer funds appropriated for data
3343 processing assessment between departments for a
3344 specified purpose; authorizing the Executive Office of
3345 the Governor to transfer funds between departments for



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3346 purposes of aligning amounts paid for risk management
3347 insurance and for human resources services; requiring
3348 the Department of Financial Services to replace
3349 specified components of the Florida Accounting
3350 Information Resource Subsystem (FLAIR) and the Cash
3351 Management Subsystem (CMS); specifying certain actions
3352 to be taken by the Department of Financial Services
3353 regarding FLAIR and CMS replacement; providing for the
3354 composition of an executive steering committee to
3355 oversee FLAIR and CMS replacement; prescribing duties
3356 and responsibilities of the executive steering
3357 committee; requiring executive branch state agencies
3358 and the judicial branch to collaborate with the
3359 Executive Office of the Governor regarding
3360 implementation of the statewide travel management
3361 system and to use such system; transferring specified
3362 entities within the Agency for State Technology to the
3363 Department of Management Services by a type two
3364 transfer; amending s. 20.22, F.S.; extending for 1
3365 fiscal year a provision requiring the Department of
3366 Management Services to provide certain financial
3367 management oversight to the Agency for State
3368 Technology; amending s. 20.255, F.S.; extending for 1
3369 fiscal year a provision designating the Department of
3370 Environmental Protection as the lead executive branch
3371 agency regarding geospatial data; amending s. 20.61,
3372 F.S.; providing exceptions to the requirement that the
3373 Agency for State Technology is not subject to control,
3374 supervision, or direction by the Department of



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3375 Management Services; removing provisions providing for
3376 establishment of certain positions within the agency;
3377 providing for the expiration and reversion of
3378 specified statutory text; reenacting s. 282.0041(5),
3379 (20), and (28), F.S., relating to definitions for ch.
3380 282, F.S.; reenacting s. 282.0051(11), F.S., relating
3381 to the powers, duties, and functions of the Agency for
3382 State Technology; reenacting s. 282.201(2)(d), F.S.,
3383 relating to the state data center; providing for the
3384 expiration and reversion of specified statutory text;
3385 specifying conditions under which certain sections of
3386 the act regarding information technology
3387 reorganization may not take effect; amending s.
3388 216.181, F.S.; extending for 1 fiscal year the
3389 authority for the Legislative Budget Commission to
3390 increase amounts appropriated to the Fish and Wildlife
3391 Conservation Commission or the Department of
3392 Environmental Protection for certain fixed capital
3393 outlay projects from specified sources; amending s.
3394 215.18, F.S.; extending for 1 fiscal year the
3395 authority of the Governor, if there is a specified
3396 temporary deficiency in a land acquisition trust fund
3397 in the Department of Agriculture and Consumer
3398 Services, the Department of Environmental Protection,
3399 the Department of State, or the Fish and Wildlife
3400 Conservation Commission, to transfer funds from other
3401 trust funds in the State Treasury as a temporary loan
3402 to such trust fund; providing a deadline for the
3403 repayment of a temporary loan; requiring the



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3404 Department of Environmental Protection to transfer
3405 designated proportions of the revenues deposited in
3406 the Land Acquisition Trust Fund within the department
3407 to land acquisition trust funds in the Department of
3408 Agriculture and Consumer Services, the Department of
3409 State, and the Fish and Wildlife Conservation
3410 Commission according to specified parameters and
3411 calculations; defining the term "department";
3412 requiring the Department of Environmental Protection
3413 to retain a proportionate share of revenues;
3414 specifying a limit on distributions; requiring the
3415 Department of Environmental Protection to make
3416 transfers to land acquisition trust funds; specifying
3417 the method of determining transfer amounts;
3418 authorizing the Department of Environmental Protection
3419 to advance funds from its land acquisition trust fund
3420 to the Fish and Wildlife Conservation Commission's
3421 land acquisition trust fund for specified purposes;
3422 requiring the Department of Environmental Protection
3423 to prorate amounts transferred to the Fish and
3424 Wildlife Conservation Commission; amending s. 375.041,
3425 F.S.; specifying that certain funds for projects
3426 dedicated to restoring Lake Apopka shall be
3427 appropriated as provided in the General Appropriations
3428 Act; amending s. 216.181, F.S.; authorizing the
3429 Legislative Budget Commission to increase amounts
3430 appropriated to the Department of Environmental
3431 Protection for fixed capital outlay projects using
3432 specified funds; specifying additional information to



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3433 be included in budget amendments for projects
3434 requiring additional funding; authorizing the
3435 Department of Agriculture and Consumer Services to
3436 submit a budget amendment to increase budget authority
3437 for a school lunch program under certain
3438 circumstances; amending s. 570.441, F.S.; extending
3439 for 1 fiscal year a provision authorizing the
3440 Department of Agriculture and Consumer Services to use
3441 certain funds for purposes related to the Division of
3442 Agricultural Environmental Services; amending s.
3443 570.93, F.S.; revising requirements for a cost-share
3444 program administered by the Department of Agriculture
3445 and Consumer Services; providing for the expiration
3446 and reversion of specified statutory text; amending s.
3447 525.07, F.S.; authorizing the Department of
3448 Agriculture and Consumer Services to affix an
3449 inspection sticker meeting specified requirements to
3450 any petroleum measuring device; providing for the
3451 expiration and reversion of specified statutory text;
3452 amending s. 259.105, F.S.; providing for the
3453 distribution of proceeds from the Florida Forever
3454 Trust Fund for the 2019-2020 fiscal year; amending s.
3455 321.04, F.S.; requiring the Department of Highway
3456 Safety and Motor Vehicles to assign one or more patrol
3457 officers to the office of Lieutenant Governor for
3458 security purposes, upon request of the Governor;
3459 extending for 1 fiscal year the requirement that the
3460 Department of Highway Safety and Motor Vehicles assign
3461 a patrol officer to a Cabinet member under certain



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3462 circumstances; amending s. 420.9079, F.S.; authorizing
3463 funds in the Local Government Housing Trust Fund to be
3464 used as provided in the General Appropriations Act;
3465 amending s. 420.0005, F.S.; authorizing certain funds
3466 related to state housing to be used as provided in the
3467 General Appropriations Act; amending s. 288.0655,
3468 F.S.; specifying how funds appropriated for the grant
3469 program under the Rural Infrastructure Fund for
3470 Florida Panhandle counties are to be distributed;
3471 amending s. 288.1226, F.S.; revising the scheduled
3472 repeal of the Florida Tourism Industry Marketing
3473 Corporation direct-support organization; amending s.
3474 288.923, F.S.; revising the scheduled repeal of the
3475 Division of Tourism Marketing of Enterprise Florida,
3476 Inc.; amending s. 339.135, F.S.; authorizing the chair
3477 and vice chair of the Legislative Budget Commission to
3478 approve the Department of Transportation's budget
3479 amendment under specified circumstances; amending s.
3480 339.2818, F.S.; authorizing certain counties and
3481 municipalities to compete for additional funds for
3482 specified purposes related to Hurricane Michael
3483 recovery; amending s. 112.061, F.S.; authorizing the
3484 Lieutenant Governor to designate an alternative
3485 official headquarters if certain conditions are met;
3486 specifying restrictions and limitations; specifying
3487 eligibility for the subsistence allowance and the
3488 reimbursement of transportation expenses, and
3489 providing for the payment thereof; amending s.
3490 216.292, F.S.; extending for 1 fiscal year a provision



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3491 prescribing requirements for the review of certain
3492 transfers of appropriations; requiring the Department
3493 of Management Services to maintain and offer the same
3494 health insurance options for participants of the State
3495 Group Health Insurance Program for the 2019-2020
3496 fiscal year as for the preceding fiscal year;
3497 prohibiting a state agency from initiating a
3498 competitive solicitation for a product or service
3499 under certain circumstances; providing an exception;
3500 amending s. 112.24, F.S.; extending for 1 fiscal year
3501 the authorization, subject to specified requirements,
3502 for the assignment of an employee of a state agency
3503 under an employee interchange agreement; providing
3504 that the annual salaries of the members of the
3505 Legislature be maintained at a specified level;
3506 reenacting s. 215.32(2)(b), F.S., relating to the
3507 source and use of certain trust funds; providing for
3508 the future expiration and reversion of statutory text;
3509 limiting the use of travel funds to activities that
3510 are critical to an agency's mission; providing
3511 exceptions; placing a monetary cap on lodging expenses
3512 for state employee travel to certain meetings
3513 organized or sponsored by a state agency or the
3514 judicial branch; authorizing employees to expend their
3515 own funds for lodging expenses in excess of the
3516 monetary caps; prohibiting state agencies from
3517 entering into contracts containing certain
3518 nondisclosure agreements; providing conditions under
3519 which the veto of certain appropriations or proviso



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3520 language in the General Appropriations Act voids
3521 language that implements such appropriation; providing
3522 for the continued operation of certain provisions
3523 notwithstanding a future repeal or expiration provided
3524 by the act; providing severability; providing
3525 effective dates.