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LEGISLATIVE ACTION

Senate

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House

Senator Bradley moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. It is the intent of the Legislature that the
implementing and administering provisions of this act apply to
the General Appropriations Act for the 2020-2021 fiscal year.

Section 2. In order to implement Specific Appropriations 8,
9, 10, 92, and 93 of the 2020-2021 General Appropriations Act,
the calculations of the Florida Education Finance Program for
the 2020-2021 fiscal year included in the document titled



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"Public School Funding: The Florida Education Finance Program,"
dated February 6, 2020, and filed with the Secretary of the
Senate, are incorporated by reference for the purpose of
displaying the calculations used by the Legislature, consistent
with the requirements of state law, in making appropriations for
the Florida Education Finance Program. This section expires July
1, 2021.

Section 3. In order to implement Specific Appropriations 8
and 92 of the 2020-2021 General Appropriations Act, and
notwithstanding ss. 1002.20, 1003.02, 1006.28-1006.42,
1011.62(6)(b)3., and 1011.67, Florida Statutes, relating to the
expenditure of funds provided for instructional materials, for
the 2020-2021 fiscal year, funds provided for instructional
materials shall be released and expended as required in the
proviso language for Specific Appropriation 92 of the 2020-2021
General Appropriations Act. This section expires July 1, 2021.

Section 4. In order to implement Specific Appropriations 8
and 92 of the 2020-2021 General Appropriations Act, subsections
(11), (17), and (18) of section 1011.62, Florida Statutes, are
amended, and subsection (22) is added to that section, to read:

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

(11) VIRTUAL EDUCATION CONTRIBUTION.—The Legislature may
annually provide in the Florida Education Finance Program a
virtual education contribution. The amount of the virtual



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education contribution shall be the difference between the amount per FTE established in the General Appropriations Act for virtual education and the amount per FTE for each district and the Florida Virtual School, which may be calculated by taking the sum of the base FEFP allocation, the discretionary local effort, the state-funded discretionary contribution, the discretionary millage compression supplement, the research-based reading instruction allocation, the best and brightest teacher and principal allocation, the teacher salary increase allocation, and the instructional materials allocation, and then dividing by the total unweighted FTE. This difference shall be multiplied by the virtual education unweighted FTE for programs and options identified in s. 1002.455 and the Florida Virtual School and its franchises to equal the virtual education contribution and shall be included as a separate allocation in the funding formula.

(17) FUNDING COMPRESSION ALLOCATION.—The Legislature may provide an annual funding compression allocation in the General Appropriations Act. The allocation is created to provide additional funding to school districts and developmental research schools whose total funds per FTE in the prior year were less than the statewide average. Using the most recent prior year FEFP calculation for each eligible school district, the total funds per FTE shall be subtracted from the state average funds per FTE, not including any adjustments made pursuant to paragraph (19) (b). The resulting funds per FTE difference, or a portion thereof, as designated in the General Appropriations Act, shall then be multiplied by the school district's total unweighted FTE to provide the allocation. If



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the calculated funds are greater than the amount included in the General Appropriations Act, they must be prorated to the appropriation amount based on each participating school district's share. This subsection expires July 1, 2021 ~~2020~~.

(18) THE FLORIDA BEST AND BRIGHTEST TEACHER AND PRINCIPAL ALLOCATION.—

(a) The Florida Best and Brightest Teacher and Principal Allocation is created to recruit, retain, and recognize classroom teachers and instructional personnel who meet the criteria established in s. 1012.731 and reward principals who meet the criteria established in s. 1012.732. Subject to annual appropriation, each school district shall receive an allocation based on the district's proportionate share of FEFP base funding. The Legislature may specify a minimum allocation for all districts in the General Appropriations Act.

(b) From the allocation, each district shall provide the following:

1. A one-time recruitment award, as provided in s. 1012.731(3)(a);

2. A retention award, as provided in s. 1012.731(3)(b); and

3. A recognition award, as provided in s. 1012.731(3)(c) from the remaining balance of the appropriation after the payment of all other awards authorized under ss. 1012.731 and 1012.732.

(c) From the allocation, each district shall provide eligible principals an award as provided in s. 1012.732(3).

If a district's calculated awards exceed the allocation, the district may prorate the awards.



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(d) The allocation authorized in this subsection is suspended for the 2020-2021 fiscal year and does not apply during such fiscal year. This paragraph expires July 1, 2021.

(22) TEACHER SALARY INCREASE ALLOCATION.-

(a) The Teacher Salary Increase Allocation is created to increase teacher salaries and improve this state's relative teacher salary position when compared with teacher salaries in other states.

(b) Subject to annual appropriation, funds may be provided for each school district to increase the minimum base salary for full-time classroom teachers as defined in s. 1012.01(2)(a) or all instructional personnel as defined by s. 1012.01(2)(a)-(d), plus certified prekindergarten teachers, but not including substitute teachers, by no less than the amount designated in the General Appropriations Act. In addition, funds may also be provided in an amount designated in the General Appropriations Act for salary increases for all full-time instructional personnel as determined by the school board and the local bargaining unit.

(c) Funds for this purpose shall be allocated on each district's share of the base FEFP allocation. Funds for the minimum base salary increase may be provided in multiple years in order to achieve a particular salary goal. The minimum base salary is the base annual salary before payroll deductions and excluding additional compensation.

(d) This subsection expires July 1, 2021.

Section 5. The amendment to s. 1011.62(11), Florida Statutes, by this act, expires July 1, 2021, and the text of that subsection shall revert to that in existence on June 30,



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2020, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 6. In order to implement Specific Appropriations 8 and 92 of the 2020-2021 General Appropriations Act, subsection (4) is added to section 1012.731, Florida Statutes, to read:

1012.731 The Florida Best and Brightest Teacher Program.—

(4) No awards may be made pursuant to this section and the operation of the program is suspended for the 2020-2021 fiscal year. This subsection expires July 1, 2021.

Section 7. In order to implement Specific Appropriations 8 and 92 of the 2020-2021 General Appropriations Act, subsection (4) is added to section 1012.732, Florida Statutes, to read:

1012.732 The Florida Best and Brightest Principal Program.—

(4) No awards may be made pursuant to this section and the operation of the program is suspended for the 2020-2021 fiscal year. This subsection expires July 1, 2021.

Section 8. In order to implement Specific Appropriation 21 of the 2020-2021 General Appropriations Act, subsection (1) of section 1013.62, Florida Statutes, is amended to read:

1013.62 Charter schools capital outlay funding.—

(1) For the 2020-2021 ~~2018-2019~~ fiscal year, charter school capital outlay funding shall consist of state funds appropriated in the 2020-2021 ~~2018-2019~~ General Appropriations Act. Beginning in fiscal year 2021-2022 ~~2019-2020~~, charter school capital outlay funding shall consist of state funds when such funds are appropriated in the General Appropriations Act and revenue resulting from the discretionary millage authorized in s.



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

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

- 1.a. Have been in operation for 2 or more years;
- b. Be governed by a governing board established in the state for 2 or more years which operates both charter schools and conversion charter schools within the state;
- c. Be an expanded feeder chain of a charter school within the same school district that is currently receiving charter school capital outlay funds;

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

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

2. Have an annual audit that does not reveal any of the financial emergency conditions provided in s. 218.503(1) for the most recent fiscal year for which such audit results are available.



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

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

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

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

197 Section 9. The amendments to s. 1013.62(1), Florida
198 Statutes, by this act expire July 1, 2021, and the text of that
199 subsection shall revert to that in existence on June 30, 2020,
200 except that any amendments to such text enacted other than by
201 this act shall be preserved and continue to operate to the
202 extent that such amendments are not dependent upon the portions
203 of text which expire pursuant to this section.

204 Section 10. In order to implement Specific Appropriation
205 123 of the 2020-2021 General Appropriations Act, and
206 notwithstanding the expiration date in section 8 of chapter
207 2019-116, Laws of Florida, subsection (1) of section 1001.26,
208 Florida Statutes, is reenacted to read:

209 1001.26 Public broadcasting program system.—

210 (1) There is created a public broadcasting program system
211 for the state. The department shall provide funds, as
212 specifically appropriated in the General Appropriations Act, to
213 educational television stations qualified by the Corporation for
214 Public Broadcasting or public colleges and universities that are



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part of the public broadcasting program system. The program system must include:

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

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

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

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

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

Section 11. The text of s. 1001.26(1), Florida Statutes, as carried forward from chapter 2019-116, Laws of Florida, by this act, expires July 1, 2021, and the text of that subsection shall revert to that in existence on June 30, 2018, except that any amendments enacted other than by this act shall be preserved and



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continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 12. In order to implement Specific Appropriation 150 of the 2020-2021 General Appropriations Act, section 1004.6499, Florida Statutes, is created to read:

1004.6499 Florida Institute of Politics.—

(1) The Florida Institute of Politics is established at the Florida State University within the College of Social Sciences and Public Policy. The purpose of the institute is to provide the southeastern region of the United States with a world class, bipartisan, nationally-renowned institute of politics.

(2) The goals of the institute are to:

(a) Motivate students across the Florida State University to become aware of the significance of government and civic engagement at all levels and politics in general.

(b) Provide students with an opportunity to be politically active and civically engaged.

(c) Nurture a state of consciousness and passion for public service and politics.

(d) Plan and host forums to allow students and guests to hear from and interact with experts from government, politics, policy, and journalism on a frequent basis.

(e) Become a national and state resource on polling information and survey methodology.

(f) Provide fellowships and internship opportunities to students in government, non-profit organizations, and community organizations.

(g) Provide training sessions for newly elected state and



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local public officials.

(h) Organize and sponsor conferences, symposia and workshops throughout Florida to educate and inform citizens, elected officials, and appointed policymakers regarding effective policymaking techniques and processes.

(i) Create and promote research and awareness regarding politics, citizen involvement and public service.

(j) Collaborate with related policy institutes and research activities at Florida State University and other institutions of higher education to motivate, increase and sustain citizen involvement in public affairs.

(3) This section expires July 1, 2021.

Section 13. In order to implement Specific Appropriations 207, 208, 211, and 215 of the 2020-2021 General Appropriations Act, the calculations for the Medicaid Disproportionate Share Hospital and Hospital Reimbursement programs for the 2020-2021 fiscal year contained in the document titled "Medicaid Disproportionate Share Hospital and Hospital Reimbursement Programs, Fiscal Year 2020-2021," dated February 6, 2020, and filed with the Secretary of the Senate, are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with the requirements of state law, in making appropriations for the Medicaid Disproportionate Share Hospital and Hospital Reimbursement programs. This section expires July 1, 2021.

Section 14. In order to implement Specific Appropriations 201 through 228 and 526 of the 2020-2021 General Appropriations Act, and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the Agency for Health Care Administration, in



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consultation with the Department of Health, may submit a budget amendment, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes, to realign funding within and between agencies based on implementation of the Managed Medical Assistance component of the Statewide Medicaid Managed Care program for the Children's Medical Services program of the Department of Health. The funding realignment shall reflect the actual enrollment changes due to the transfer of beneficiaries from fee-for-service to the capitated Children's Medical Services Network. The Agency for Health Care Administration may submit a request for nonoperating budget authority to transfer the federal funds to the Department of Health pursuant to s. 216.181(12), Florida Statutes. This section expires July 1, 2021.

Section 15. In order to implement Specific Appropriations 225 and 226 of the 2020-2021 General Appropriations Act, and notwithstanding the expiration date in section 19 of chapter 2019-116, Laws of Florida, subsection (23) of section 409.908, Florida Statutes, is reenacted to read:

409.908 Reimbursement of Medicaid providers.—Subject to specific appropriations, the agency shall reimburse Medicaid providers, in accordance with state and federal law, according to methodologies set forth in the rules of the agency and in policy manuals and handbooks incorporated by reference therein. These methodologies may include fee schedules, reimbursement methods based on cost reporting, negotiated fees, competitive bidding pursuant to s. 287.057, and other mechanisms the agency considers efficient and effective for purchasing services or goods on behalf of recipients. If a provider is reimbursed based



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on cost reporting and submits a cost report late and that cost report would have been used to set a lower reimbursement rate for a rate semester, then the provider's rate for that semester shall be retroactively calculated using the new cost report, and full payment at the recalculated rate shall be effected retroactively. Medicare-granted extensions for filing cost reports, if applicable, shall also apply to Medicaid cost reports. Payment for Medicaid compensable services made on behalf of Medicaid eligible persons is subject to the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216. Further, nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act, provided the adjustment is consistent with legislative intent.

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

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

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



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

Section 16. The text of s. 409.908(23), Florida Statutes, as carried forward from chapter 2018-10, Laws of Florida, by this act, expires July 1, 2021, and the text of that subsection shall revert to that in existence on October 1, 2018, not including any amendments made by chapter 2018-10, Laws of Florida, except that any amendments to such text enacted other than by this act and chapters 2019-116 and 2018-10, Laws of Florida, shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 17. In order to implement Specific Appropriation 209 of the 2020-2021 General Appropriations Act, and notwithstanding the expiration date in section 21 of chapter 2019-116, Laws of Florida, subsection (26) of section 409.908, Florida Statutes, is reenacted to read:

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



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

(26) The agency may receive funds from state entities, including, but not limited to, the Department of Health, local governments, and other local political subdivisions, for the purpose of making special exception payments and Low Income Pool Program payments, including federal matching funds. Funds received for this purpose shall be separately accounted for and may not be commingled with other state or local funds in any manner. The agency may certify all local governmental funds used as state match under Title XIX of the Social Security Act to the extent and in the manner authorized under the General Appropriations Act and pursuant to an agreement between the agency and the local governmental entity. In order for the



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agency to certify such local governmental funds, a local governmental entity must submit a final, executed letter of agreement to the agency, which must be received by October 1 of each fiscal year and provide the total amount of local governmental funds authorized by the entity for that fiscal year under the General Appropriations Act. The local governmental entity shall use a certification form prescribed by the agency. At a minimum, the certification form must identify the amount being certified and describe the relationship between the certifying local governmental entity and the local health care provider. Local governmental funds outlined in the letters of agreement must be received by the agency no later than October 31 of each fiscal year in which such funds are pledged, unless an alternative plan is specifically approved by the agency.

Section 18. The text of s. 409.908(26), Florida Statutes, as carried forward from chapter 2019-116, Laws of Florida, by this act, expires July 1, 2021, and the text of that subsection shall revert to that in existence on June 30, 2019, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 19. In order to implement Specific Appropriations 207, 211, 212, 214, 216, and 225 of the 2020-2021 General Appropriations Act, subsection (12) of section 409.904, Florida Statutes, is amended to read:

409.904 Optional payments for eligible persons.—The agency may make payments for medical assistance and related services on behalf of the following persons who are determined to be



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eligible subject to the income, assets, and categorical eligibility tests set forth in federal and state law. Payment on behalf of these Medicaid eligible persons is subject to the availability of moneys and any limitations established by the General Appropriations Act or chapter 216.

(12) Effective July 1, 2020 ~~2019~~, the agency shall make payments to Medicaid-covered services:

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

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

This subsection expires July 1, 2021 ~~2020~~.

Section 20. In order to implement Specific Appropriations 207, 211, 212, 214, 216, and 225 of the 2020-2021 General Appropriations Act, by March 1, 2021, the Agency for Health Care Administration, in consultation with the Department of Children and Families, the Florida Hospital Association, the Safety Net Hospital Alliance of Florida, the Florida Health Care Association, and LeadingAge Florida, shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives regarding the impact of the waiver of Medicaid retroactive eligibility on beneficiaries and providers. The report must include, but is not limited to:

(1) The total unduplicated number of nonpregnant adults who applied for Medicaid at a hospital site from May 1, 2020, through January 31, 2021; and, of those applicants, the number



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whose Medicaid applications were approved, the number whose
Medicaid applications were denied, and the reasons for denial
ranked by frequency.

(2) The total unduplicated number of nonpregnant adults who
applied for Medicaid at a nursing home site from May 1, 2020,
through January 31, 2021; and, of those applicants, the number
whose Medicaid applications were approved, the number whose
Medicaid applications were denied, and the reasons for denial
ranked by frequency.

(3) The estimated impact of medical debt on nonpregnant
adults for whom a Medicaid application was not submitted in the
same month when the individual became an inpatient of a hospital
or a resident of a nursing home.

(4) Additional recommendations to improve outreach and
Medicaid coverage for nonpregnant adults who would be eligible
for Medicaid if they applied before an event that requires
hospital or nursing home care.

This section expires July 1, 2021.

Section 21. In order to implement Specific Appropriations
181 through 184 of the 2020-2021 General Appropriations Act, and
notwithstanding the expiration date in section 31 of chapter
2019-116, Laws of Florida, paragraph (b) of subsection (5) of
section 624.91, Florida Statutes, is reenacted to read:

624.91 The Florida Healthy Kids Corporation Act.—

(5) CORPORATION AUTHORIZATION, DUTIES, POWERS.—

(b) The Florida Healthy Kids Corporation shall:

1. Arrange for the collection of any family, local
contributions, or employer payment or premium, in an amount to



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be determined by the board of directors, to provide for payment of premiums for comprehensive insurance coverage and for the actual or estimated administrative expenses.

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

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

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

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

6. Determine eligibility for children seeking to participate in the Title XXI-funded components of the Florida Kidcare program consistent with the requirements specified in s. 409.814, as well as the non-Title-XXI-eligible children as provided in subsection (3).

7. Establish procedures under which providers of local match to, applicants to and participants in the program may have grievances reviewed by an impartial body and reported to the



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board of directors of the corporation.

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

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

10. Contract with authorized insurers or any provider of health care services, meeting standards established by the corporation, for the provision of comprehensive insurance coverage to participants. Such standards shall include criteria under which the corporation may contract with more than one provider of health care services in program sites. Health plans shall be selected through a competitive bid process. The Florida Healthy Kids Corporation shall purchase goods and services in the most cost-effective manner consistent with the delivery of quality medical care. The maximum administrative cost for a Florida Healthy Kids Corporation contract shall be 15 percent. For health care contracts, the minimum medical loss ratio for a Florida Healthy Kids Corporation contract shall be 85 percent. For dental contracts, the remaining compensation to be paid to the authorized insurer or provider under a Florida Healthy Kids Corporation contract shall be no less than an amount which is 85 percent of premium; to the extent any contract provision does not provide for this minimum compensation, this section shall prevail. For an insurer or any provider of health care services which achieves an annual medical loss ratio below 85 percent, the Florida Healthy Kids Corporation shall validate the medical



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loss ratio and calculate an amount to be refunded by the insurer or any provider of health care services to the state which shall be deposited into the General Revenue Fund unallocated. The health plan selection criteria and scoring system, and the scoring results, shall be available upon request for inspection after the bids have been awarded.

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

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

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

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

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

a. The monthly enrollment and expenditure for full-pay



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enrollees in the Medikids and Florida Healthy Kids programs compared to the Title XXI-subsidized enrolled population; and

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

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

Section 22. The text of s. 624.91(5)(b), Florida Statutes, as carried forward from chapter 2019-116, Laws of Florida, by this act, expires July 1, 2021, and the text of that paragraph shall revert to that in existence on June 30, 2019, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 23. In order to implement Specific Appropriation 458 of the 2020-2021 General Appropriations Act, subsection (4) of section 381.915, Florida Statutes, is amended to read:

381.915 Florida Consortium of National Cancer Institute Centers Program.—

(4) Tier designations and corresponding weights within the Florida Consortium of National Cancer Institute Centers Program are as follows:

(a) Tier 1: Florida-based NCI-designated comprehensive cancer centers, which shall be weighted at 1.5.

(b) Tier 2: Florida-based NCI-designated cancer centers, which shall be weighted at 1.25.

(c) Tier 3: Florida-based cancer centers seeking



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designation as either a NCI-designated cancer center or NCI-designated comprehensive cancer center, which shall be weighted at 1.0.

1. A cancer center shall meet the following minimum criteria to be considered eligible for Tier 3 designation in any given fiscal year:

a. Conducting cancer-related basic scientific research and cancer-related population scientific research;

b. Offering and providing the full range of diagnostic and treatment services on site, as determined by the Commission on Cancer of the American College of Surgeons;

c. Hosting or conducting cancer-related interventional clinical trials that are registered with the NCI's Clinical Trials Reporting Program;

d. Offering degree-granting programs or affiliating with universities through degree-granting programs accredited or approved by a nationally recognized agency and offered through the center or through the center in conjunction with another institution accredited by the Commission on Colleges of the Southern Association of Colleges and Schools;

e. Providing training to clinical trainees, medical trainees accredited by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association, and postdoctoral fellows recently awarded a doctorate degree; and

f. Having more than \$5 million in annual direct costs associated with their total NCI peer-reviewed grant funding.

2. The General Appropriations Act or accompanying legislation may limit the number of cancer centers which shall receive Tier 3 designations or provide additional criteria for



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such designation.

3. A cancer center's participation in Tier 3 may not extend beyond July 1, 2021 ~~shall be limited to 6 years.~~

4. A cancer center that qualifies as a designated Tier 3 center under the criteria provided in subparagraph 1. by July 1, 2014, is authorized to pursue NCI designation as a cancer center or a comprehensive cancer center until July 1, 2021 ~~for 6 years after qualification.~~

Section 24. The amendments to s. 381.915(4), Florida Statutes, by this act expire July 1, 2021, and the text of that subsection shall revert to that in existence on June 30, 2020, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 25. In order to implement Specific Appropriations 536, 537, 542, and 545 of the 2020-2021 General Appropriations Act, subsection (17) of section 893.055, Florida Statutes, is amended to read:

893.055 Prescription drug monitoring program.—

(17) For the 2020-2021 ~~2019-2020~~ fiscal year only, neither the Attorney General nor the department may use funds received as part of a settlement agreement to administer the prescription drug monitoring program. This subsection expires July 1, 2021 ~~2020~~.

Section 26. In order to implement Specific Appropriation 208 of the 2020-2021 General Appropriations Act, subsections (2) and (10) of section 409.911, Florida Statutes, are amended to read:



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

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

(a) The average of the 2012, 2013, and 2014 ~~2011, 2012, and 2013~~ audited disproportionate share data to determine each hospital's Medicaid days and charity care for the 2020-2021 ~~2019-2020~~ state fiscal year.

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

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

(10) Notwithstanding any provision of this section to the



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contrary, for the 2020-2021 ~~2019-2020~~ state fiscal year, the agency shall distribute moneys to hospitals providing a disproportionate share of Medicaid or charity care services as provided in the 2020-2021 ~~2019-2020~~ General Appropriations Act. This subsection expires July 1, 2021 ~~2020~~.

Section 27. In order to implement Specific Appropriation 208 of the 2020-2021 General Appropriations Act, subsection (3) of section 409.9113, Florida Statutes, is amended to read:

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

(3) Notwithstanding any provision of this section to the



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contrary, for the 2020-2021 ~~2019-2020~~ state fiscal year, the agency shall make disproportionate share payments to teaching hospitals, as defined in s. 408.07, as provided in the 2020-2021 ~~2019-2020~~ General Appropriations Act. This subsection expires July 1, 2021 ~~2020~~.

Section 28. In order to implement Specific Appropriation 208 of the 2020-2021 General Appropriations Act, subsection (4) of section 409.9119, Florida Statutes, is amended to read:

409.9119 Disproportionate share program for specialty hospitals for children.—In addition to the payments made under s. 409.911, the Agency for Health Care Administration shall develop and implement a system under which disproportionate share payments are made to those hospitals that are separately licensed by the state as specialty hospitals for children, have a federal Centers for Medicare and Medicaid Services certification number in the 3300-3399 range, have Medicaid days that exceed 55 percent of their total days and Medicare days that are less than 5 percent of their total days, and were licensed on January 1, 2013, as specialty hospitals for children. This system of payments must conform to federal requirements and must distribute funds in each fiscal year for which an appropriation is made by making quarterly Medicaid payments. Notwithstanding s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for hospitals that serve a disproportionate share of low-income patients. The agency may make disproportionate share payments to specialty hospitals for children as provided for in the General Appropriations Act.

(4) Notwithstanding any provision of this section to the



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contrary, for the 2020-2021 ~~2019-2020~~ state fiscal year, for hospitals achieving full compliance under subsection (3), the agency shall make disproportionate share payments to specialty hospitals for children as provided in the 2020-2021 ~~2019-2020~~ General Appropriations Act. This subsection expires July 1, 2021 ~~2020~~.

Section 29. In order to implement Specific Appropriations 201 through 228 of the 2020-2021 General Appropriations Act, and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the Agency for Health Care Administration may submit a budget amendment, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes, to realign funding within the Medicaid program appropriation categories to address projected surpluses and deficits within the program and to maximize the use of state trust funds. A single budget amendment shall be submitted in the last quarter of the 2020-2021 fiscal year only. This section expires July 1, 2021.

Section 30. In order to implement Specific Appropriation 406 of the 2020-2021 General Appropriations Act, and subject to federal approval of the application to be a site for the Program of All-Inclusive Care for the Elderly, the Agency for Health Care Administration shall contract with one private health care organization, the sole member of which is a private, not-for-profit corporation that owns and manages health care organizations that provide comprehensive long-term care services, including nursing home, assisted living, independent housing, home care, adult day care, and care management. This organization shall provide these services to frail and elderly persons who reside in Escambia, Okaloosa, and Santa Rosa



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Counties. The organization is exempt from the requirements of chapter 641, Florida Statutes. The agency, in consultation with the Department of Elderly Affairs and subject to an appropriation, shall approve up to 200 initial enrollees in the Program of All-Inclusive Care for the Elderly established by this organization to serve elderly persons who reside in Escambia, Okaloosa, and Santa Rosa Counties. This section expires July 1, 2021.

Section 31. In order to implement Specific Appropriations 181 through 186 and 526 of the 2020-2021 General Appropriations Act, and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the Agency for Health Care Administration and the Department of Health may each submit a budget amendment, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes, to realign funding within the Florida Kidcare program appropriation categories, or to increase budget authority in the Children's Medical Services Network category, to address projected surpluses and deficits within the program or to maximize the use of state trust funds. A single budget amendment must be submitted by each agency in the last quarter of the 2020-2021 fiscal year only. This section expires July 1, 2021.

Section 32. In order to implement Specific Appropriations 468 through 470, 475, and 482 of the 2020-2021 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, 2021 ~~2020~~, are not subject to ss. 120.54(3)(b) and 120.541.



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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, 2021 ~~2020~~. This subsection expires July 1, 2021 ~~2020~~.

Section 33. In order to implement Specific Appropriations 468 through 470, 475, and 482 of the 2020-2021 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, 2021 ~~2020~~, are not subject to ss. 120.54(3)(b) and 120.541. This subsection expires July 1, 2021 ~~2020~~.

Section 34. Effective July 1, 2020, upon the expiration and reversion of the amendments made to subsection (1) of section 14 of chapter 2017-232, Laws of Florida, pursuant to section 42 of chapter 2019-116, Laws of Florida, and in order to implement Specific Appropriations 468 through 470, 475, and 482 of the 2020-2021 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; cause of action.—

(1) EMERGENCY RULEMAKING.—

(a) The Department of Health and the applicable boards shall adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, and this section necessary to implement ss. 381.986 and 381.988, Florida Statutes. If an emergency rule adopted



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under this section is held to be unconstitutional or an invalid exercise of delegated legislative authority, and becomes void, the department or the applicable boards may adopt an emergency rule pursuant to this section to replace the rule that has become void. If the emergency rule adopted to replace the void emergency rule is also held to be unconstitutional or an invalid exercise of delegated legislative authority and becomes void, the department and the applicable boards must follow the nonemergency rulemaking procedures of the Administrative Procedures Act to replace the rule that has become void.

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

(c) Emergency rules adopted under this section are exempt from s. 120.54(4)(c), Florida Statutes, and shall remain in effect until replaced by rules adopted under the nonemergency rulemaking procedures of the Administrative Procedures Act. Rules adopted under the nonemergency rulemaking procedures of the Administrative Procedures Act to replace emergency rules



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adopted under this section are exempt from ss. 120.54(3)(b) and 120.541, Florida Statutes. By July 1, 2021 ~~January 1, 2018~~, the department and the applicable boards shall initiate nonemergency rulemaking pursuant to the Administrative Procedures Act to replace all emergency rules adopted under this section by publishing a notice of rule development in the Florida Administrative Register. Except as provided in paragraph (a), after July 1, 2021 ~~January 1, 2018~~, the department and applicable boards may not adopt rules pursuant to the emergency rulemaking procedures provided in this section.

Section 35. The amendment to s. 14(1) of chapter 2017-232, Laws of Florida, by this act expires July 1, 2021, and the text of that subsection shall revert to that in existence on June 30, 2019, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 36. In order to implement Specific Appropriation 195 of the 2020-2021 General Appropriations Act, and notwithstanding s. 409.902(3)-(8), Florida Statutes:

(1) The Agency for Health Care Administration shall replace the Medicaid Enterprise System (MES), which includes the Florida Medicaid Management Information System (FMMIS), enrollment broker system, third-party liability functionality, pharmacy benefits management, fraud and abuse case tracking, prior authorization, home health electronic visit verification, and the Health Quality Assurance licensure system, with an integrated enterprise system consisting of a new integration platform, data warehouse, and modules for Provider Management,



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Case Management, and Recipient Enrollment and Management. The new system, the Florida Health Care Connection (FX) system, must provide better integration with subsystems supporting Florida's Medicaid program; uniformity, consistency, and improved access to data; and compatibility with the Centers for Medicare and Medicaid Services' Medicaid Information Technology Architecture (MITA) as the system matures and expands its functionality.

(2) For purposes of replacing MES, the Agency for Health Care Administration shall:

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

(b) Ensure compliance and uniformity with published MITA framework and guidelines.

(c) Ensure that all business requirements and technical specifications have been provided to the state's health and human services agencies for their review and input, and are approved by the executive steering committee established in paragraph (e), before the agency contracts for implementation or system development of new modules for the FX system.

(d) Ensure the new FX system is compatible with and will seamlessly integrate financial and fiscal information into the state's new planning, accounting, and ledger management system, PALM.

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

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

2. A representative of the Division of Health Quality Assurance of the Agency for Health Care Administration,



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appointed by the Secretary of Health Care Administration.

3. A representative of the Florida Center for Health Information and Transparency of the Agency for Health Care Administration, appointed by the Secretary of Health Care Administration.

4. A representative of the Division of Information Technology of the Agency for Health Care Administration, appointed by the Secretary of Health Care Administration.

5. A representative of the Division of Operations of the Agency for Health Care Administration, appointed by the Secretary of Health Care Administration.

6. Two employees from the Division of Medicaid of the Agency for Health Care Administration, appointed by the Secretary of Health Care Administration.

7. The Assistant Secretary for Child Welfare of the Department of Children and Families, or his or her designee.

8. The Assistant Secretary for Economic Self-Sufficiency of the Department of Children and Families, or his or her designee.

9. The Deputy Secretary for Children's Medical Services of the Department of Health, or his or her designee.

10. A representative of the Agency for Persons with Disabilities who has experience with the preparation and submission of waivers to the Centers for Medicare and Medicaid Services, appointed by the director of the Agency for Persons with Disabilities.

11. A representative for the Department of Elderly Affairs who has experience with the Medicaid Program within that department, appointed by the Secretary of Elderly Affairs.

12. A representative for the Department of Corrections who



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has experience Medicaid reporting within that department,
appointed by the Secretary of Corrections.

13. A representative for the Medicaid Fraud Control Unit
within the Office of the Attorney General, appointed by the
Attorney General.

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

(3) The Secretary of Health Care Administration or the
executive sponsor of the project shall serve as chair of the
executive steering committee, and the committee shall take
action by a vote of at least 10 affirmative votes with the chair
voting on the prevailing side. A quorum of the executive
steering committee consists of at least 11 members.

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

(a) Identify and recommend to the Executive Office of the
Governor, the President of the Senate, and the Speaker of the
House of Representatives any statutory changes needed to
standardize the data collection and reporting for the state's
Medicaid program.

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

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

(d) Approve all major project deliverables.



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(e) Approve all solicitation-related documents associated with the replacement of MES.

(5) This section expires July 1, 2021.

Section 37. In order to implement Specific Appropriations 330, 332, 361, and 362 of the 2020-2021 General Appropriations Act, and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the Department of Children and Families may submit a budget amendment, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes, to realign funding within the department based on the implementation of the Guardianship Assistance Program, between and among the specific appropriations for guardianship assistance payments, foster care Level 1 room and board payments, relative caregiver payments, and nonrelative caregiver payments. This section expires July 1, 2021.

Section 38. In order to implement Specific Appropriations 330 and 332 of the 2020-2021 General Appropriations Act, the Department of Children and Families shall establish a formula to distribute the recurring sums of \$10,597,824 from the General Revenue Fund and \$11,922,238 from the Federal Grants Trust Fund for actual and direct costs to implement the Guardianship Assistance Program, including Level 1 foster care board payments, licensing staff for community-based care lead agencies, and guardianship assistance payments. This section expires July 1, 2021.

Section 39. In order to implement Specific Appropriations 554 through 560 and 562 of the 2020-2021 General Appropriations Act, subsection (3) of section 296.37, Florida Statutes, is amended to read:



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296.37 Residents; contribution to support.—

(3) Notwithstanding subsection (1), each resident of the home who receives a pension, compensation, or gratuity from the United States Government, or income from any other source, of more than \$130 per month shall contribute to his or her maintenance and support while a resident of the home in accordance with a payment schedule determined by the administrator and approved by the director. The total amount of such contributions shall be to the fullest extent possible, but, in no case, shall exceed the actual cost of operating and maintaining the home. This subsection expires July 1, 2021 ~~2020~~.

Section 40. In order to implement Specific Appropriations 353 and 354 of the 2020-2021 General Appropriations Act, and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the Department of Children and Families may submit a budget amendment, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes, to increase budget authority for the Supplemental Nutrition Assistance Program if additional federal revenue specific to the program becomes available for the program in the 2020-2021 fiscal year. This section expires July 1, 2021.

Section 41. In order to implement Specific Appropriations 312 through 315, 319, 320, 323, 328, 330, and 332 of the 2020-2021 General Appropriations Act, and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the Department of Children and Families may submit a budget amendment, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes, to realign funding within the Family Safety Program to maximize the use of Title IV-E and other federal funds. This



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section expires July 1, 2021.

Section 42. In order to implement Specific Appropriations 582 through 673 and 685 through 720 of the 2020-2021 General Appropriations Act, subsection (4) of section 216.262, Florida Statutes, is amended to read:

216.262 Authorized positions.—

(4) Notwithstanding the provisions of this chapter relating to increasing the number of authorized positions, and for the 2020-2021 ~~2019-2020~~ fiscal year only, if the actual inmate population of the Department of Corrections exceeds the inmate population projections of the December 17, 2019 ~~February 22, 2019~~, Criminal Justice Estimating Conference by 1 percent for 2 consecutive months or 2 percent for any month, the Executive Office of the Governor, with the approval of the Legislative Budget Commission, shall immediately notify the Criminal Justice Estimating Conference, which shall convene as soon as possible to revise the estimates. The Department of Corrections may then submit a budget amendment requesting the establishment of positions in excess of the number authorized by the Legislature and additional appropriations from unallocated general revenue sufficient to provide for essential staff, fixed capital improvements, and other resources to provide classification, security, food services, health services, and other variable expenses within the institutions to accommodate the estimated increase in the inmate population. All actions taken pursuant to this subsection are subject to review and approval by the Legislative Budget Commission. This subsection expires July 1, 2021 ~~2020~~.

Section 43. In order to implement Specific Appropriation



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707 of the 2020-2021 General Appropriations Act, and upon the expiration and reversion of the amendments made by section 52 of chapter 2019-116, Laws of Florida, paragraph (b) of subsection (8) of section 1011.80, Florida Statutes, is amended to read:

1011.80 Funds for operation of workforce education programs.—

(8)

(b) State funds provided for the operation of postsecondary workforce programs may not be expended for the education of state or federal inmates, except to the extent that such funds are specifically appropriated for such purpose in the 2020-2021 General Appropriations Act ~~with more than 24 months of time remaining to serve on their sentences or federal inmates.~~

Section 44. The amendment made to s. 1011.80(8)(b), Florida Statutes, by this act expires July 1, 2021, and the text of that paragraph shall revert to that in existence on July 1, 2019, but not including any amendments made by this act or chapters 2019-116 and 2018-10, Laws of Florida, and any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 45. In order to implement Specific Appropriations 3187 through 3253 of the 2020-2021 General Appropriations Act, subsection (2) of section 215.18, Florida Statutes, is amended to read:

215.18 Transfers between funds; limitation.—

(2) The Chief Justice of the Supreme Court may receive one or more trust fund loans to ensure that the state court system



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has funds sufficient to meet its appropriations in the 2020-2021
~~2019-2020~~ General Appropriations Act. If the Chief Justice
accesses the loan, he or she must notify the Governor and the
chairs of the legislative appropriations committees in writing.
The loan must come from other funds in the State Treasury which
are for the time being or otherwise in excess of the amounts
necessary to meet the just requirements of such last-mentioned
funds. The Governor shall order the transfer of funds within 5
days after the written notification from the Chief Justice. If
the Governor does not order the transfer, the Chief Financial
Officer shall transfer the requested funds. The loan of funds
from which any money is temporarily transferred must be repaid
by the end of the 2020-2021 ~~2019-2020~~ fiscal year. This
subsection expires July 1, 2021 ~~2020~~.

Section 46. (1) In order to implement Specific
Appropriations 1120 through 1131 of the 2020-2021 General
Appropriations Act, the Department of Juvenile Justice is
required to review county juvenile detention payments to ensure
that counties fulfill their financial responsibilities required
in s. 985.6865, Florida Statutes. If the Department of Juvenile
Justice determines that a county has not met its obligations,
the department shall direct the Department of Revenue to deduct
the amount owed to the Department of Juvenile Justice from the
funds provided to the county under s. 218.23, Florida Statutes.
The Department of Revenue shall transfer the funds withheld to
the Shared County/State Juvenile Detention Trust Fund.

(2) As an assurance to holders of bonds issued by counties
before July 1, 2020, for which distributions made pursuant to s.
218.23, Florida Statutes, are pledged, or bonds issued to refund



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

(3) This section expires July 1, 2021.

Section 47. In order to implement Specific Appropriations
731 through 752, 916 through 1062, and 1083 through 1119 of the
2020-2021 General Appropriations Act, and notwithstanding the
expiration date in section 57 of chapter 2019-116, Laws of
Florida, present subsection (11) of section 27.40, Florida
Statutes, is renumbered as subsection (12), a new subsection
(11) is added to that section, and subsection (1), paragraph (a)
of subsection (2), paragraph (a) of subsection (3), and
subsections (5), (6), and (7) of that section are reenacted, to
read:



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

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

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



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(3) In using a registry:

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

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

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

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

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

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



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

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

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

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



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

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

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



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(11) (a) The Cross-Jurisdictional Death Penalty Pilot Program is established within the Office of Criminal Conflict and Civil Regional Counsel of the Second Appellate District.

(b) If the public defender for the Fifth Judicial Circuit or the Ninth Judicial Circuit is unable to provide representation to an indigent defendant charged with a crime under s. 782.04(1) or s. 790.161(4) to which the provisions of s. 921.141 apply due to a conflict of interest and the Criminal Conflict and Civil Regional Counsel of the Fifth Appellate District is also unable to provide representation for an indigent defendant due to a conflict of interest, the Criminal Conflict and Civil Regional Counsel of the Second Appellate District shall be appointed. If the Criminal Conflict and Civil Regional Counsel of the Second Appellate District is unable to provide representation to an indigent defendant due to a conflict of interest, private counsel shall be appointed as provided pursuant to this chapter.

(c) The Office of Criminal Conflict and Civil Regional Counsel of the Second Appellate District shall provide a report on the implementation of the Cross-Jurisdictional Death Penalty Pilot Program to the Governor and the chairs of the appropriations committees of the Senate and House of Representatives no later than 30 days after the end of each calendar quarter. The reports must include the number of cases retained, the number of cases conflicted, the estimated cost savings of the program, and any recommendations to improve the program. The Justice Administrative Commission shall provide data to assist with the program.

(d) This subsection expires June 30, 2021. Notwithstanding



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the expiration of this subsection, appointments made pursuant to this section before June 30, 2021, shall continue until completion of the case.

Section 48. In order to implement Specific Appropriations 731 through 752, 916 through 1062, and 1083 through 1119 of the 2020-2021 General Appropriations Act, and notwithstanding the expiration date in section 59 of chapter 2019-116, Laws of Florida, subsections (1), (3), (7), and (11), and paragraphs (a) through (e) of subsection (12) of section 27.5304, Florida Statutes, are reenacted, and subsection (13) of that section is amended, to read:

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

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

(3) The court retains primary authority and responsibility for determining the reasonableness of all billings for attorney



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fees, costs, and related expenses, subject to statutory limitations and the requirements of s. 27.40(7). Private court-appointed counsel is entitled to compensation upon final disposition of a case.

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

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

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

(b) If court-appointed counsel is allowed to withdraw from representation prior to the full performance of his or her duties through the completion of the case and the court appoints



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a subsequent attorney, the total compensation for the initial and any and all subsequent attorneys may not exceed the flat fee established under this section and the General Appropriations Act, except as provided in subsection (12).

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

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

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

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

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



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documentation, and shall attach the commission's letter stating its objection.

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

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

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



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

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



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compensation using an hourly rate not to exceed \$75 per hour for a noncapital case and \$100 per hour for a capital case. However, the compensation calculated by using the hourly rate shall be only that amount necessary to ensure that the total fees paid are not confiscatory, subject to the requirements of s. 27.40(7).

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

(13) Notwithstanding the limitation set forth in subsection (5) and for the 2020-2021 ~~2019-2020~~ fiscal year only, the compensation for representation in a criminal proceeding may not exceed the following:

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

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

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

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

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

(f) This subsection expires July 1, 2021 ~~2020~~.

Section 49. The amendments to s. 27.40(1), (2)(a), (3)(a), (5), (6), and (7), Florida Statutes, and 27.5304(1), (3), (7), (11), and (12)(a)-(e), Florida Statutes, as carried forward from



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chapter 2019-116, Laws of Florida, by this act, expire July 1, 2021, and the text of those subsections and paragraphs, as applicable, shall revert to that in existence on June 30, 2019, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 50. In order to implement Specific Appropriation 736 of the 2020-2021 General Appropriations Act, and notwithstanding s. 28.35, Florida Statutes, the clerks of the circuit court are responsible for any costs of compensation to jurors, for meals or lodging provided to jurors, and for jury-related personnel costs that exceed the funding provided in the General Appropriations Act for these purposes. This section expires July 1, 2021.

Section 51. In order to implement Specific Appropriations 916 through 1062 of the 2020-2021 General Appropriations Act, and notwithstanding the expiration date in section 63 of chapter 2019-116, Laws of Florida, paragraph (c) of subsection (19) of section 318.18, Florida Statutes, is reenacted to read:

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

(19) In addition to any penalties imposed, an Article V assessment of \$10 must be paid for all noncriminal moving and nonmoving violations under chapters 316, 320, and 322. The assessment is not revenue for purposes of s. 28.36 and may not be used in establishing the budget of the clerk of the court under that section or s. 28.35. Of the funds collected under



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this subsection:

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

Section 52. In order to implement Specific Appropriations 916 through 1062 of the 2020-2021 General Appropriations Act, and notwithstanding the expiration date in section 63 of chapter 2019-116, Laws of Florida, paragraph (b) of subsection (12) of section 817.568, Florida Statutes, is reenacted to read:

817.568 Criminal use of personal identification information.—

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

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

Section 53. The text of ss. 318.18(19)(c) and 817.568(12)(b), Florida Statutes, as carried forward from chapter 2018-10, Laws of Florida, by this act, expires July 1, 2021, and the text of those paragraphs shall revert to that in existence on June 30, 2018, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to



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this section.

Section 54. In order to implement appropriations used to pay existing lease contracts for private lease space in excess of 2,000 square feet in the 2020-2021 General Appropriations Act, the Department of Management Services, with the cooperation of the agencies having the existing lease contracts for office or storage space, shall use tenant broker services to renegotiate or reprocore all private lease agreements for office or storage space expiring between July 1, 2021, and June 30, 2023, in order to reduce costs in future years. The department shall incorporate this initiative into its 2020 master leasing report required under s. 255.249(7), Florida Statutes, and may use tenant broker services to explore the possibilities of collocating office or storage space, to review the space needs of each agency, and to review the length and terms of potential renewals or renegotiations. The department shall provide a report to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives by November 1, 2020, which lists each lease contract for private office or storage space, the status of renegotiations, and the savings achieved. This section expires July 1, 2021.

Section 55. In order to implement appropriations authorized in the 2020-2021 General Appropriations Act for data center services, and notwithstanding s. 216.292(2)(a), Florida Statutes, an agency may not transfer funds from a data processing category to a category other than another data processing category. This section expires July 1, 2021.

Section 56. In order to implement the appropriation of funds in the appropriation category "Data Processing Assessment-



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Department of Management Services" in the 2020-2021 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in that category between departments in order to align the budget authority granted based on the estimated billing cycle and methodology used by the Department of Management Services for data processing services provided. This section expires July 1, 2021.

Section 57. In order to implement the appropriation of funds in the appropriation category "Special Categories-Risk Management Insurance" in the 2020-2021 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in that category between departments in order to align the budget authority granted with the premiums paid by each department for risk management insurance. This section expires July 1, 2021.

Section 58. In order to implement the appropriation of funds in the appropriation category "Special Categories-Transfer to Department of Management Services-Human Resources Services Purchased per Statewide Contract" in the 2020-2021 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in that category between departments in order to align the budget authority granted with the assessments that must be paid by each agency to the Department of Management Services for human resource management services. This section expires July 1,



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Section 59. In order to implement Specific Appropriations 2388 through 2391 of the 2020-2021 General Appropriations Act:

(1) The Department of Financial Services shall replace the four main components of the Florida Accounting Information Resource Subsystem (FLAIR), which include central FLAIR, departmental FLAIR, payroll, and information warehouse, and shall replace the cash management and accounting management components of the Cash Management Subsystem (CMS) with an integrated enterprise system that allows the state to organize, define, and standardize its financial management business processes and that complies with ss. 215.90-215.96, Florida Statutes. The department may not include in the replacement of FLAIR and CMS:

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

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

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

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

(b) Ensure that all business requirements and technical specifications have been provided to all state agencies for



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their review and input and approved by the executive steering committee established in paragraph (c).

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

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

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

3. A representative of the Division of Information Systems of the Department of Financial Services, appointed by the Chief Financial Officer.

4. Four employees from the Division of Accounting and Auditing of the Department of Financial Services, appointed by the Chief Financial Officer. Each employee must have experience relating to at least one of the four main components that comprise FLAIR.

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

6. One employee from the Department of Revenue, appointed by the executive director, who has experience relating to the department's SUNTAX system.

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



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8. Three state agency administrative services directors, appointed by the Governor. One director must represent a regulatory and licensing state agency, and one director must represent a healthcare-related state agency.

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

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

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

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

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

(d) Approve all major project deliverables.

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

(5) This section expires July 1, 2021.



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Section 60. In order to implement Specific Appropriation 1633 of the 2020-2021 General Appropriations Act, paragraph (d) of subsection (11) of section 216.181, Florida Statutes, is amended to read:

216.181 Approved budgets for operations and fixed capital outlay.—

(11)

(d) Notwithstanding paragraph (b) and paragraph (2)(b), and for the 2020-2021 ~~2019-2020~~ fiscal year only, the Legislative Budget Commission may increase the amounts appropriated to the Fish and Wildlife Conservation Commission or the Department of Environmental Protection for fixed capital outlay projects, including additional fixed capital outlay projects, using funds provided to the state from the Gulf Environmental Benefit Fund administered by the National Fish and Wildlife Foundation; funds provided to the state from the Gulf Coast Restoration Trust Fund related to the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast Act of 2012 (RESTORE Act); or funds provided by the British Petroleum Corporation (BP) for natural resource damage assessment restoration projects. Concurrent with submission of an amendment to the Legislative Budget Commission pursuant to this paragraph, any project that carries a continuing commitment for future appropriations by the Legislature must be specifically identified, together with the projected amount of the future commitment associated with the project and the fiscal years in which the commitment is expected to commence. This paragraph expires July 1, 2021 ~~2020~~.



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

Section 61. In order to implement specific appropriations from the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, and the Fish and Wildlife Conservation Commission, which are contained in the 2020-2021 General Appropriations Act, subsection (3) of section 215.18, Florida Statutes, is amended to read:

215.18 Transfers between funds; limitation.—

(3) Notwithstanding subsection (1) and only with respect to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission, whenever there is a deficiency in a land acquisition trust fund which would render that trust fund temporarily insufficient to meet its just requirements, including the timely payment of appropriations from that trust fund, and other trust funds in the State Treasury have moneys that are for the time being or otherwise in excess of the amounts necessary to meet the just requirements, including appropriated obligations, of those other trust funds, the Governor may order a temporary transfer of moneys from one or more of the other trust funds to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission. Any action proposed pursuant to this subsection is subject to the notice, review, and objection procedures of s. 216.177, and the Governor



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shall provide notice of such action at least 7 days before the effective date of the transfer of trust funds, except that during July 2020 ~~2019~~, notice of such action shall be provided at least 3 days before the effective date of a transfer unless such 3-day notice is waived by the chair and vice-chair of the Legislative Budget Commission. Any transfer of trust funds to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission must be repaid to the trust funds from which the moneys were loaned by the end of the 2020-2021 ~~2019-2020~~ fiscal year. The Legislature has determined that the repayment of the other trust fund moneys temporarily loaned to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission pursuant to this subsection is an allowable use of the moneys in a land acquisition trust fund because the moneys from other trust funds temporarily loaned to a land acquisition trust fund shall be expended solely and exclusively in accordance with s. 28, Art. X of the State Constitution. This subsection expires July 1, 2021 ~~2020~~.

Section 62. (1) In order to implement specific appropriations from the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, and the Fish and Wildlife Conservation Commission, which are contained in the 2020-2021 General Appropriations Act, the Department of Environmental Protection shall transfer revenues from the Land



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Acquisition Trust Fund within the department to the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission, as provided in this section. As used in this section, the term "department" means the Department of Environmental Protection.

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

(3) In addition, the department shall transfer from the Land Acquisition Trust Fund to land acquisition trust funds



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within the Department of Agriculture and Consumer Services, the
Department of State, and the Fish and Wildlife Conservation
Commission amounts equal to the difference between the amounts
appropriated in chapter 2019-115, Laws of Florida, to the
department's Land Acquisition Trust Fund and the other land
acquisition trust funds, and the amounts actually transferred
between those trust funds during the 2019-2020 fiscal year.

(4) The department may advance funds from the beginning
unobligated fund balance in the Land Acquisition Trust Fund to
the Land Acquisition Trust Fund within the Fish and Wildlife
Conservation Commission needed for cash flow purposes based on a
detailed expenditure plan. The department shall prorate amounts
transferred quarterly to the Fish and Wildlife Conservation
Commission to recoup the amount of funds advanced by June 30,
2021.

(5) This section expires July 1, 2021.

Section 63. In order to implement Specific Appropriation
1763 of the 2020-2021 General Appropriations Act, paragraph (e)
of subsection (11) of section 216.181, Florida Statutes, is
amended to read:

216.181 Approved budgets for operations and fixed capital
outlay.—

(11)

(e) Notwithstanding paragraph (b) and paragraph (2)(b), and
for the 2020-2021 ~~2019-2020~~ fiscal year only, the Legislative
Budget Commission may increase the amounts appropriated to the
Department of Environmental Protection for fixed capital outlay
projects using funds provided to the state from the
environmental mitigation trust administered by a trustee



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designated by the United States District Court for the Northern District of California for eligible mitigation actions and mitigation action expenditures described in the partial consent decree entered into between the United States of America and Volkswagen relating to violations of the Clean Air Act.

Concurrent with submission of an amendment to the Legislative Budget Commission pursuant to this paragraph, any project that carries a continuing commitment for future appropriations by the Legislature must be specifically identified, together with the projected amount of the future commitment associated with the project and the fiscal years in which the commitment is expected to commence. This paragraph expires July 1, 2021 ~~2020~~.

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

Section 64. In order to implement Specific Appropriations 1443 through 1452 of the 2020-2021 General Appropriations Act, subsection (4) of section 570.441, Florida Statutes, is amended to read:

570.441 Pest Control Trust Fund.—

(4) In addition to the uses authorized under subsection (2), moneys collected or received by the department under chapter 482 may be used to carry out the provisions of s. 570.44. This subsection expires June 30, 2021 ~~2020~~.

Section 65. In order to implement Specific Appropriation 1380 of the 2020-2021 General Appropriations Act, and notwithstanding the expiration date in section 91 of chapter 2019-116, Laws of Florida, paragraph (a) of subsection (1) of section 570.93, Florida Statutes, is reenacted to read:



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

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

(a) A cost-share program, coordinated with the United
States Department of Agriculture and other federal, state,
regional, and local agencies when appropriate, for irrigation
system retrofit and application of mobile irrigation laboratory
evaluations, and for water conservation and water quality
improvement pursuant to s. 403.067(7)(c).

Section 66. The amendment to s. 570.93(1)(a), Florida
Statutes, as carried forward from chapter 2019-116, Laws of
Florida, by this act, expires July 1, 2021, and the text of that
paragraph shall revert to that in existence on June 30, 2019,
except that any amendments to such text enacted other than by
this act shall be preserved and continue to operate to the
extent that such amendments are not dependent upon the portions
of text which expire pursuant to this section.

Section 67. In order to implement Specific Appropriation
1728 of the 2020-2021 General Appropriations Act, paragraph (m)
of subsection (3) of section 259.105, Florida Statutes, is
amended to read:

259.105 The Florida Forever Act.—

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



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Department of Environmental Protection in the following manner:

(m) Notwithstanding paragraphs (a)-(j) and for the 2020-2021 ~~2019-2020~~ fiscal year, the amount of \$6 ~~\$33~~ million to only ~~the Division of State Lands within~~ the Department of Environmental Protection for grants pursuant to s. 375.075 ~~the Board of Trustees Florida Forever Priority List land acquisition projects~~. This paragraph expires July 1, 2021 ~~2020~~.

Section 68. In order to implement appropriations from the Land Acquisition Trust Fund within the Department of Environmental Protection, paragraph (b) of subsection (3) of section 375.041, Florida Statutes, is amended to read:

375.041 Land Acquisition Trust Fund.—

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

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

1. A minimum of the lesser of 25 percent or \$200 million shall be appropriated annually for Everglades projects that implement the Comprehensive Everglades Restoration Plan as set forth in s. 373.470, including the Central Everglades Planning Project subject to Congressional authorization; the Long-Term Plan as defined in s. 373.4592(2); and the Northern Everglades and Estuaries Protection Program as set forth in s. 373.4595. From these funds, \$32 million shall be distributed each fiscal year through the 2023-2024 fiscal year to the South Florida Water Management District for the Long-Term Plan as defined in s. 373.4592(2). After deducting the \$32 million distributed under this subparagraph, from the funds remaining, a minimum of



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the lesser of 76.5 percent or \$100 million shall be appropriated each fiscal year through the 2025-2026 fiscal year for the planning, design, engineering, and construction of the Comprehensive Everglades Restoration Plan as set forth in s. 373.470, including the Central Everglades Planning Project, the Everglades Agricultural Area Storage Reservoir Project, the Lake Okeechobee Watershed Project, the C-43 West Basin Storage Reservoir Project, the Indian River Lagoon-South Project, the Western Everglades Restoration Project, and the Picayune Strand Restoration Project. The Department of Environmental Protection and the South Florida Water Management District shall give preference to those Everglades restoration projects that reduce harmful discharges of water from Lake Okeechobee to the St. Lucie or Caloosahatchee estuaries in a timely manner. For the purpose of performing the calculation provided in this subparagraph, the amount of debt service paid pursuant to paragraph (a) for bonds issued after July 1, 2016, for the purposes set forth under paragraph (b) shall be added to the amount remaining after the payments required under paragraph (a). The amount of the distribution calculated shall then be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2016, for the purposes set forth under this subparagraph.

2. A minimum of the lesser of 7.6 percent or \$50 million shall be appropriated annually for spring restoration, protection, and management projects. For the purpose of performing the calculation provided in this subparagraph, the amount of debt service paid pursuant to paragraph (a) for bonds issued after July 1, 2016, for the purposes set forth under



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

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

4. The sum of \$64 million is appropriated and shall be transferred to the Everglades Trust Fund for the 2018-2019 fiscal year, and each fiscal year thereafter, for the EAA reservoir project pursuant to s. 373.4598. Any funds remaining in any fiscal year shall be made available only for Phase II of the C-51 reservoir project or projects identified in subparagraph 1. and must be used in accordance with laws relating to such projects. Any funds made available for such purposes in a fiscal year are in addition to the amount appropriated under subparagraph 1. This distribution shall be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2017, for the purposes set forth in this subparagraph.

5. Notwithstanding subparagraph 3., for the 2020-2021 ~~2019-~~ ~~2020~~ fiscal year, funds shall be appropriated as provided in the General Appropriations Act. This subparagraph expires July 1,



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2021 ~~2020~~.

Section 69. In order to implement Specific Appropriation 2659 of the 2020-2021 General Appropriations Act, paragraph (b) of subsection (3) and subsection (5) of section 321.04, Florida Statutes, are amended to read:

321.04 Personnel of the highway patrol; rank classifications; probationary status of new patrol officers; subsistence; special assignments.—

(3)

(b) For the 2020-2021 ~~2019-2020~~ fiscal year only, upon the request of the Governor, the Department of Highway Safety and Motor Vehicles shall assign one or more patrol officers to the office of the Lieutenant Governor for security services. This paragraph expires July 1, 2021 ~~2020~~.

(5) For the 2020-2021 ~~2019-2020~~ fiscal year only, the assignment of a patrol officer by the department shall include a Cabinet member specified in s. 4, Art. IV of the State Constitution if deemed appropriate by the department or in response to a threat and upon written request of such Cabinet member. This subsection expires July 1, 2021 ~~2020~~.

Section 70. In order to implement Specific Appropriation 2282 of the 2020-2021 General Appropriations Act, subsection (3) of section 420.9079, Florida Statutes, is amended to read:

420.9079 Local Government Housing Trust Fund.—

(3) For the 2020-2021 ~~2019-2020~~ fiscal year, funds may be used as provided in the General Appropriations Act. This subsection expires July 1, 2021 ~~2020~~.

Section 71. In order to implement Specific Appropriation 2281 of the 2020-2021 General Appropriations Act, subsection (2)



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of section 420.0005, Florida Statutes, is amended to read:

420.0005 State Housing Trust Fund; State Housing Fund.—

(2) For the 2020-2021 ~~2019-2020~~ fiscal year, funds may be used as provided in the General Appropriations Act. This subsection expires July 1, 2021 ~~2020~~.

Section 72. In order to implement Specific Appropriation 2294 of the 2020-2021 General Appropriations Act, subsection (14) of section 288.1226, Florida Statutes, is amended to read:

288.1226 Florida Tourism Industry Marketing Corporation; use of property; board of directors; duties; audit.—

(14) REPEAL.—This section is repealed July 1, 2021 ~~2020~~, unless reviewed and saved from repeal by the Legislature.

Section 73. In order to implement Specific Appropriation 2294 of the 2020-2021 General Appropriations Act, subsection (6) of section 288.923, Florida Statutes, is amended to read:

288.923 Division of Tourism Marketing; definitions; responsibilities.—

(6) This section is repealed July 1, 2021 ~~2020~~, unless reviewed and saved from repeal by the Legislature.

Section 74. In order to implement Specific Appropriation 1915 of the 2020-2021 General Appropriations Act, paragraph (g) of subsection (8) of section 338.2278, Florida Statutes, is amended to read:

338.2278 Multi-use Corridors of Regional Economic Significance Program.—

(8) The amounts identified in subsection (7) by fiscal year shall be allocated as follows:

(g) 1. Except as provided in subparagraph 2., in each fiscal year in which funding provided under this subsection for the



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Small County Road Assistance Program, the Small County Outreach Program, the Transportation Disadvantaged Trust Fund, or the workforce development program is not committed by the end of each fiscal year, such uncommitted funds shall be used by the department to fund Multi-use Corridors of Regional Economic Significance Program projects. As provided in s. 339.135(7), the adopted work program may be amended to transfer funds between appropriations categories or to increase an appropriation category to implement this paragraph.

2. For the 2020-2021 fiscal year, funding provided under this subsection for the Transportation Disadvantaged Trust Fund under paragraph (a) which is uncommitted at the end of the 2019-2020 fiscal year may be used as provided in the General Appropriations Act. This subparagraph expires July 1, 2021.

Section 75. In order to implement Specific Appropriations 1916 through 1929, 1929F through 1929J, 1944 through 1951, 1953 through 1962, and 1999A through 2011 of the 2020-2021 General Appropriations Act, paragraphs (g) and (h) of subsection (7) of section 339.135, Florida Statutes, are amended to read:

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

(7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

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

2. If a meeting of the Legislative Budget Commission cannot be held within 30 days after the department submits an amendment



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to the Legislative Budget Commission, the chair and vice chair of the Legislative Budget Commission may authorize such amendment to be approved pursuant to s. 216.177. This subparagraph expires July 1, 2021 ~~2020~~.

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

2. If a meeting of the Legislative Budget Commission cannot be held within 30 days after the department submits an amendment to the commission, the chair and vice chair of the commission may authorize such amendment to be approved pursuant to s. 216.177. This subparagraph expires July 1, 2021.

Section 76. In order to implement Specific Appropriation 2599 of the 2020-2021 General Appropriations Act, paragraph (d) of subsection (4) of section 112.061, Florida Statutes, is amended to read:

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

(4) OFFICIAL HEADQUARTERS.—The official headquarters of an officer or employee assigned to an office shall be the city or



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town in which the office is located except that:

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

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

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

3. This paragraph expires July 1, 2021 ~~2020~~.

Section 77. In order to implement the salaries and benefits, expenses, other personal services, contracted services, and operating capital outlay categories of the 2020-2021 General Appropriations Act, paragraph (a) of subsection (2) of section 216.292, Florida Statutes, is amended to read:



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216.292 Appropriations nontransferable; exceptions.—

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

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

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

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

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

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



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that the transfer is in compliance with the requirements of this paragraph.

5. For the 2020-2021 ~~2019-2020~~ fiscal year, the review shall ensure that transfers proposed pursuant to this paragraph comply with this chapter, maximize the use of available and appropriate trust funds, and are not contrary to legislative policy and intent. This subparagraph expires July 1, 2021 ~~2020~~.

Section 78. In order to implement section 8 of the 2020-2021 General Appropriations Act, notwithstanding s. 110.123(3)(f) and (j), Florida Statutes, the Department of Management Services shall maintain and offer the same PPO and HMO health plan alternatives to the participants of the state group health insurance program during the 2020-2021 fiscal year which were in effect for the 2019-2020 fiscal year. This section expires July 1, 2021.

Section 79. In order to implement the appropriation of funds in the special categories, contracted services, and expenses categories of the 2020-2021 General Appropriations Act, a state agency may not initiate a competitive solicitation for a product or service if the completion of such competitive solicitation would:

(1) Require a change in law; or

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

This section does not apply to a competitive solicitation for



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which the agency head certifies that a valid emergency exists.
This section expires July 1, 2021.

Section 80. In order to implement appropriations for salaries and benefits in the 2020-2021 General Appropriations Act, subsection (6) of section 112.24, Florida Statutes, is amended to read:

112.24 Intergovernmental interchange of public employees.— To encourage economical and effective utilization of public employees in this state, the temporary assignment of employees among agencies of government, both state and local, and including school districts and public institutions of higher education is authorized under terms and conditions set forth in this section. State agencies, municipalities, and political subdivisions are authorized to enter into employee interchange agreements with other state agencies, the Federal Government, another state, a municipality, or a political subdivision including a school district, or with a public institution of higher education. State agencies are also authorized to enter into employee interchange agreements with private institutions of higher education and other nonprofit organizations under the terms and conditions provided in this section. In addition, the Governor or the Governor and Cabinet may enter into employee interchange agreements with a state agency, the Federal Government, another state, a municipality, or a political subdivision including a school district, or with a public institution of higher learning to fill, subject to the requirements of chapter 20, appointive offices which are within the executive branch of government and which are filled by appointment by the Governor or the Governor and Cabinet. Under



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no circumstances shall employee interchange agreements be utilized for the purpose of assigning individuals to participate in political campaigns. Duties and responsibilities of interchange employees shall be limited to the mission and goals of the agencies of government.

(6) For the 2020-2021 ~~2019-2020~~ fiscal year only, the assignment of an employee of a state agency as provided in this section may be made if recommended by the Governor or Chief Justice, as appropriate, and approved by the chairs of the legislative appropriations committees. Such actions shall be deemed approved if neither chair provides written notice of objection within 14 days after receiving notice of the action pursuant to s. 216.177. This subsection expires July 1, 2021 ~~2020~~.

Section 81. In order to implement Specific Appropriations 2727 and 2728 of the 2020-2021 General Appropriations Act, and notwithstanding s. 11.13(1), Florida Statutes, the authorized salaries for members of the Legislature for the 2020-2021 fiscal year shall be set at the same level in effect on July 1, 2010. This section expires July 1, 2021.

Section 82. In order to implement the transfer of funds from the General Revenue Fund from trust funds for the 2020-2021 General Appropriations Act, and notwithstanding the expiration date in section 110 of chapter 2019-116, Laws of Florida, paragraph (b) of subsection (2) of section 215.32, Florida Statutes, is reenacted to read:

215.32 State funds; segregation.—

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



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

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

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

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

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

d. Grants and donations trust fund, for use as a depository



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for funds to be used for allowable grant or donor agreement activities funded by restricted contractual revenue from private and public nonfederal sources.

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

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

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

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

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

4.a. Notwithstanding any provision of law restricting the use of trust funds to specific purposes, unappropriated cash balances from selected trust funds may be authorized by the



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Legislature for transfer to the Budget Stabilization Fund and General Revenue Fund in the General Appropriations Act.

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

Section 83. The text of s. 215.32(2)(b), Florida Statutes, as carried forward from chapter 2011-47, Laws of Florida, by this act, expires July 1, 2021, and the text of that paragraph shall revert to that in existence on June 30, 2011, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which



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expire pursuant to this section.

Section 84. In order to implement appropriations in the 2020-2021 General Appropriations Act for state employee travel, the funds appropriated to each state agency which may be used for travel by state employees are limited during the 2020-2021 fiscal year to travel for activities that are critical to each state agency's mission. Funds may not be used for travel by state employees to foreign countries, other states, conferences, staff training activities, or other administrative functions unless the agency head has approved, in writing, that such activities are critical to the agency's mission. The agency head shall consider using teleconferencing and other forms of electronic communication to meet the needs of the proposed activity before approving mission-critical travel. This section does not apply to travel for law enforcement purposes, military purposes, emergency management activities, or public health activities. This section expires July 1, 2021.

Section 85. In order to implement appropriations in the 2020-2021 General Appropriations Act for state employee travel and notwithstanding s. 112.061, Florida Statutes, costs for lodging associated with a meeting, conference, or convention organized or sponsored in whole or in part by a state agency or the judicial branch may not exceed \$225 per day. An employee may expend his or her own funds for any lodging expenses in excess of \$225 per day. For purposes of this section, a meeting does not include travel activities for conducting an audit, examination, inspection, or investigation or travel activities related to a litigation or emergency response. This section expires July 1, 2021.



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Section 86. In order to implement the appropriation of funds in the special categories, contracted services, and expenses categories of the 2020-2021 General Appropriations Act, a state agency may not enter into a contract containing a nondisclosure clause that prohibits the contractor from disclosing information relevant to the performance of the contract to members or staff of the Senate or the House of Representatives. This section expires July 1, 2021.

Section 87. Any section of this act which implements a specific appropriation or specifically identified proviso language in the 2020-2021 General Appropriations Act is void if the specific appropriation or specifically identified proviso language is vetoed. Any section of this act which implements more than one specific appropriation or more than one portion of specifically identified proviso language in the 2020-2021 General Appropriations Act is void if all the specific appropriations or portions of specifically identified proviso language are vetoed.

Section 88. If any other act passed during the 2020 Regular Session of the Legislature contains a provision that is substantively the same as a provision in this act, but that removes or is otherwise not subject to the future repeal applied to such provision by this act, the Legislature intends that the provision in the other act takes precedence and continues to operate, notwithstanding the future repeal provided by this act.

Section 89. If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or



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application, and to this end the provisions of this act are
severable.

Section 90. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2020; or, if this act fails to become a law until after that date, it shall take effect upon becoming a law and shall operate retroactively to July 1, 2020.

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

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled
An act implementing the 2020-2021 General
Appropriations Act; providing legislative intent;
incorporating by reference certain calculations of the
Florida Education Finance Program; providing that
funds for instructional materials must be released and
expended as required in specified proviso language;
amending s. 1011.62, F.S.; conforming a provision
regarding the virtual education contribution to
reflect the Teacher Salary Increase Allocation;
extending for 1 fiscal year provisions governing the
funding compression allocation; suspending the Florida
Best and Brightest Teacher and Principal Allocation
for the 2020-2021 fiscal year; creating the Teacher
Salary Increase Allocation; specifying the purpose of
the allocation; prescribing the manner in which funds



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2419 under the allocation may be provided and used;
2420 providing for the expiration and reversion of
2421 specified statutory text; amending ss. 1012.731 and
2422 1012.732, F.S.; suspending the Florida Best and
2423 Brightest Teacher Program and the Florida Best and
2424 Brightest Principal Program for the 2020-2021 fiscal
2425 year; amending s. 1013.62, F.S.; specifying the source
2426 of charter school capital outlay funding; providing
2427 for the expiration and reversion of specified
2428 statutory text; reenacting s. 1001.26(1), F.S.,
2429 relating to the public broadcasting program system;
2430 extending for 1 fiscal year authorization for the
2431 Department of Education to provide certain
2432 appropriated funds to public colleges and universities
2433 for public broadcasting; providing for the expiration
2434 and reversion of specified statutory text; creating s.
2435 1004.6499, F.S.; establishing the Florida Institute of
2436 Politics at the Florida State University; providing
2437 the purpose and goals of the institute; incorporating
2438 by reference certain calculations for the Medicaid
2439 Disproportionate Share Hospital and Hospital
2440 Reimbursement programs; authorizing the Agency for
2441 Health Care Administration, in consultation with the
2442 Department of Health, to submit a budget amendment to
2443 realign funding for a component of the Children's
2444 Medical Services program to reflect actual enrollment
2445 changes; specifying requirements for such realignment;
2446 authorizing the agency to request nonoperating budget
2447 authority for transferring certain federal funds to



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2448 the Department of Health; reenacting s. 409.908(23),
2449 F.S., relating to the reimbursement of Medicaid
2450 providers; extending for 1 fiscal year provisions
2451 regarding reimbursement rates; providing for the
2452 expiration and reversion of specified statutory text;
2453 reenacting s. 409.908(26), F.S., relating to the
2454 reimbursement of Medicaid providers; extending for 1
2455 fiscal year a provision regarding the receipt of funds
2456 to be used for Low Income Pool Program payments;
2457 providing for the expiration and reversion of
2458 specified statutory text; amending s. 409.904, F.S.;
2459 extending for 1 fiscal year a provision requiring the
2460 Agency for Health Care Administration to make payments
2461 to Medicaid-covered services; requiring the Agency for
2462 Health Care Administration, in consultation with the
2463 Department of Children and Families and certain other
2464 entities, to submit a report to the Governor and the
2465 Legislature by a specified date; specifying
2466 requirements for the report; reenacting s.
2467 624.91(5)(b), F.S., relating to the Florida Healthy
2468 Kids Corporation; extending for 1 fiscal year a
2469 provision requiring the corporation to validate the
2470 medical loss ratio and calculate a refund amount for
2471 insurers and providers of health care services who
2472 meet certain criteria; providing for the expiration
2473 and reversion of specified statutory text; amending s.
2474 381.915, F.S.; revising limitations regarding a cancer
2475 center's participation under Tier 3 of the Florida
2476 Consortium of National Cancer Institute Centers



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2477 Program and authorization for centers to pursue
2478 certain designations by the institute; providing for
2479 the expiration and reversion of specified statutory
2480 text; amending s. 893.055, F.S.; extending for 1
2481 fiscal year a provision prohibiting the Attorney
2482 General and the Department of Health from using
2483 certain settlement agreement funds to administer the
2484 prescription drug monitoring program; amending s.
2485 409.911, F.S.; updating the average of audited
2486 disproportionate share data for purposes of
2487 calculating disproportionate share payments; extending
2488 for 1 fiscal year the requirement that the Agency for
2489 Health Care Administration distribute moneys to
2490 hospitals that provide a disproportionate share of
2491 Medicaid or charity care services, as provided in the
2492 General Appropriations Act; amending s. 409.9113,
2493 F.S.; extending for 1 fiscal year the requirement that
2494 the Agency for Health Care Administration make
2495 disproportionate share payments to teaching hospitals
2496 as provided in the General Appropriations Act;
2497 amending s. 409.9119, F.S.; extending for 1 fiscal
2498 year the requirement that the Agency for Health Care
2499 Administration make disproportionate share payments to
2500 certain specialty hospitals for children; authorizing
2501 the Agency for Health Care Administration to submit a
2502 budget amendment to realign Medicaid funding for
2503 specified purposes, subject to certain limitations;
2504 requiring the Agency for Health Care Administration to
2505 contract with an organization for the provision of



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2506 elder care services in specified counties if certain
2507 conditions are met; specifying requirements for the
2508 program; authorizing the Agency for Health Care
2509 Administration and the Department of Health to each
2510 submit a budget amendment to realign funding within
2511 the Florida Kidcare program appropriation categories
2512 or increase budget authority for certain purposes;
2513 specifying the timeframe within which any such budget
2514 amendment must be submitted; amending s. 381.986,
2515 F.S.; exempting rules pertaining to the medical use of
2516 marijuana from certain rulemaking requirements;
2517 amending s. 381.988, F.S.; exempting rules pertaining
2518 to medical marijuana testing laboratories from certain
2519 rulemaking requirements; amending s. 14(1), chapter
2520 2017-232, Laws of Florida; exempting certain rules
2521 pertaining to medical marijuana adopted to replace
2522 emergency rules from specified rulemaking
2523 requirements; providing for the expiration and
2524 reversion of specified law; requiring the Agency for
2525 Health Care Administration to replace the Medicaid
2526 Enterprise System; specifying requirements for the
2527 replacement system; requiring the agency to take
2528 specified action; providing for the establishment of
2529 an executive steering committee to oversee
2530 implementation of the replacement system; providing
2531 for membership, meeting requirements, duties, and
2532 responsibilities of the steering committee;
2533 authorizing the Department of Children and Families to
2534 submit a budget amendment to realign funding for



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2535 implementation of the Guardianship Assistance Program;
2536 requiring the Department of Children and Families to
2537 establish a formula for the distribution of funds to
2538 implement the Guardianship Assistance Program;
2539 amending s. 296.37, F.S.; extending for 1 fiscal year
2540 a provision specifying the monthly contribution to
2541 residents of a state veterans' nursing home;
2542 authorizing the Department of Children and Families to
2543 submit a budget amendment to increase budget authority
2544 for the Supplemental Nutrition Assistance Program if
2545 certain conditions are met; authorizing the Department
2546 of Children and Families to submit a budget amendment
2547 to realign funding within the Family Safety Program
2548 for specified purposes; amending s. 216.262, F.S.;
2549 extending for 1 fiscal year the authority of the
2550 Department of Corrections to submit a budget amendment
2551 for additional positions and appropriations under
2552 certain circumstances; amending s. 1011.80, F.S.;
2553 specifying the manner by which state funds for
2554 postsecondary workforce programs may be used for
2555 inmate education; providing for the expiration and
2556 reversion of specified statutory text; amending s.
2557 215.18, F.S.; extending for 1 fiscal year the
2558 authority and related repayment requirements for
2559 temporary trust fund loans to the state court system
2560 which are sufficient to meet the system's
2561 appropriation; requiring the Department of Juvenile
2562 Justice to review county juvenile detention payments
2563 to determine whether a county has met specified



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2564 financial responsibilities; requiring amounts owed by
2565 the county for such financial responsibilities to be
2566 deducted from certain county funds; requiring the
2567 Department of Revenue to transfer withheld funds to a
2568 specified trust fund; requiring the Department of
2569 Revenue to ensure that such reductions in amounts
2570 distributed do not reduce distributions below amounts
2571 necessary for certain payments due on bonds and to
2572 comply with bond covenants; requiring the Department
2573 of Revenue to notify the Department of Juvenile
2574 Justice if bond payment requirements mandate a
2575 reduction in deductions for amounts owed by a county;
2576 reenacting and amending s. 27.40, F.S., relating to
2577 court-appointed counsel; extending for 1 fiscal year
2578 provisions governing the appointment of court-
2579 appointed counsel; establishing the Cross-
2580 Jurisdictional Death Penalty Pilot Program within the
2581 Office of Criminal Conflict and Civil Regional Counsel
2582 of the Second Appellate District; specifying the
2583 manner of appointing counsel to indigent defendants
2584 who meet specified criteria; providing reporting
2585 requirements regarding the pilot program; specifying
2586 that repeal of the act does not terminate appointments
2587 of counsel made under the pilot program; reenacting
2588 and amending s. 27.5304, F.S., relating to private
2589 court-appointed counsel; extending for 1 fiscal year
2590 limitations on compensation for representation in
2591 criminal proceedings; providing for the expiration and
2592 reversion of specified statutory text; specifying that



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2593 clerks of the circuit court are responsible for
2594 certain costs related to juries which exceed a certain
2595 funding level; reenacting s. 318.18(19)(c), F.S.,
2596 relating to penalty amounts for traffic infractions;
2597 extending for 1 fiscal year the redirection of
2598 revenues from the Public Defenders Revenue Trust Fund
2599 to the Indigent Criminal Defense Trust Fund;
2600 reenacting s. 817.568(12)(b), F.S., relating to the
2601 criminal use of personal identification information;
2602 extending for 1 fiscal year the redirection of
2603 revenues from the Public Defenders Revenue Trust Fund
2604 to the Indigent Criminal Defense Trust Fund; providing
2605 for the expiration and reversion of specified
2606 statutory text; requiring the Department of Management
2607 Services to use tenant broker services to renegotiate
2608 or reprocure certain private lease agreements for
2609 office or storage space; requiring the Department of
2610 Management Services to provide a report to the
2611 Governor and Legislature by a specified date;
2612 prohibiting an agency from transferring funds from a
2613 data processing category to another category that is
2614 not a data processing category; authorizing the
2615 Executive Office of the Governor to transfer funds
2616 appropriated for data processing assessment between
2617 departments for a specified purpose; authorizing the
2618 Executive Office of the Governor to transfer funds
2619 between departments for purposes of aligning amounts
2620 paid for risk management insurance and for human
2621 resources services; requiring the Department of



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2622 Financial Services to replace specified components of
2623 the Florida Accounting Information Resource Subsystem
2624 (FLAIR) and the Cash Management Subsystem (CMS);
2625 specifying certain actions to be taken by the
2626 Department of Financial Services regarding FLAIR and
2627 CMS replacement; providing for the composition of an
2628 executive steering committee to oversee FLAIR and CMS
2629 replacement; prescribing duties and responsibilities
2630 of the executive steering committee; amending s.
2631 216.181, F.S.; extending for 1 fiscal year the
2632 authority for the Legislative Budget Commission to
2633 increase amounts appropriated to the Fish and Wildlife
2634 Conservation Commission or the Department of
2635 Environmental Protection for certain fixed capital
2636 outlay projects from specified sources; amending s.
2637 215.18, F.S.; extending for 1 fiscal year the
2638 authority of the Governor, if there is a specified
2639 temporary deficiency in a land acquisition trust fund
2640 in the Department of Agriculture and Consumer
2641 Services, the Department of Environmental Protection,
2642 the Department of State, or the Fish and Wildlife
2643 Conservation Commission, to transfer funds from other
2644 trust funds in the State Treasury as a temporary loan
2645 to such trust fund; providing a deadline for the
2646 repayment of a temporary loan; requiring the
2647 Department of Environmental Protection to transfer
2648 designated proportions of the revenues deposited in
2649 the Land Acquisition Trust Fund within the department
2650 to land acquisition trust funds in the Department of



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2651 Agriculture and Consumer Services, the Department of
2652 State, and the Fish and Wildlife Conservation
2653 Commission according to specified parameters and
2654 calculations; defining the term "department";
2655 requiring the Department of Environmental Protection
2656 to retain a proportionate share of revenues;
2657 specifying a limit on distributions; requiring the
2658 Department of Environmental Protection to make
2659 transfers to land acquisition trust funds; specifying
2660 the method of determining transfer amounts;
2661 authorizing the Department of Environmental Protection
2662 to advance funds from its land acquisition trust fund
2663 to the Fish and Wildlife Conservation Commission's
2664 land acquisition trust fund for specified purposes;
2665 requiring the Department of Environmental Protection
2666 to prorate amounts transferred to the Fish and
2667 Wildlife Conservation Commission; amending s. 216.181,
2668 F.S.; extending for 1 fiscal year authorization for
2669 the Legislative Budget Commission to increase amounts
2670 appropriated to the Department of Environmental
2671 Protection for fixed capital outlay projects using
2672 specified funds; amending s. 570.441, F.S.; extending
2673 for 1 fiscal year a provision authorizing the
2674 Department of Agriculture and Consumer Services to use
2675 certain funds for purposes related to the Division of
2676 Agricultural Environmental Services; reenacting s.
2677 570.93(1)(a), F.S., relating to the agricultural water
2678 conservation program of the Department of Agriculture
2679 and Consumer Services; extending for 1 fiscal year



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2680 provisions governing the cost-share program; providing
2681 for the expiration and reversion of specified
2682 statutory text; amending s. 259.105, F.S.; providing
2683 for the distribution of proceeds from the Florida
2684 Forever Trust Fund for the 2020-2021 fiscal year;
2685 amending s. 375.041, F.S.; specifying that certain
2686 funds for projects dedicated to restoring Lake Apopka
2687 shall be appropriated as provided in the General
2688 Appropriations Act; amending s. 321.04, F.S.;
2689 extending for 1 fiscal year a provision requiring the
2690 Department of Highway Safety and Motor Vehicles to
2691 assign one or more patrol officers to the office of
2692 Lieutenant Governor for security purposes, upon
2693 request of the Governor; extending for 1 fiscal year
2694 the requirement that the Department of Highway Safety
2695 and Motor Vehicles assign a patrol officer to a
2696 Cabinet member under certain circumstances; amending
2697 s. 420.9079, F.S.; authorizing funds in the Local
2698 Government Housing Trust Fund to be used as provided
2699 in the General Appropriations Act; amending s.
2700 420.0005, F.S.; authorizing certain funds related to
2701 state housing to be used as provided in the General
2702 Appropriations Act; amending s. 288.1226, F.S.;
2703 extending the scheduled repeal of the Florida Tourism
2704 Industry Marketing Corporation direct-support
2705 organization; amending s. 288.923, F.S.; extending the
2706 scheduled repeal of the Division of Tourism Marketing
2707 of Enterprise Florida, Inc.; amending s. 338.2278,
2708 F.S.; authorizing certain uncommitted funding for the



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2709 Transportation Disadvantaged Trust Fund to be used as
2710 provided in the General Appropriations Act; amending
2711 s. 339.135, F.S.; extending for 1 fiscal year
2712 authorization for the chair and vice chair of the
2713 Legislative Budget Commission to approve the
2714 Department of Transportation's budget amendment under
2715 specified circumstances; authorizing the chair and
2716 vice chair of the commission to approve certain budget
2717 amendments of the Department of Transportation if
2718 certain conditions are met; amending s. 112.061, F.S.;
2719 extending for 1 fiscal year authorization for the
2720 Lieutenant Governor to designate an alternative
2721 official headquarters, subject to certain limitations;
2722 amending s. 216.292, F.S.; extending for 1 fiscal year
2723 a provision prescribing requirements for the review of
2724 certain transfers of appropriations; requiring the
2725 Department of Management Services to maintain and
2726 offer the same health insurance options for
2727 participants of the state group health insurance
2728 program for the 2020-2021 fiscal year as for the
2729 preceding fiscal year; prohibiting a state agency from
2730 initiating a competitive solicitation for a product or
2731 service under certain circumstances; providing an
2732 exception; amending s. 112.24, F.S.; extending for 1
2733 fiscal year the authorization, subject to specified
2734 requirements, for the assignment of an employee of a
2735 state agency under an employee interchange agreement;
2736 providing that the annual salaries of the members of
2737 the Legislature be maintained at a specified level;



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2738 reenacting s. 215.32(2)(b), F.S., relating to the
2739 source and use of certain trust funds; providing for
2740 the future expiration and reversion of statutory text;
2741 limiting the use of travel funds to activities that
2742 are critical to an agency's mission; providing
2743 exceptions; placing a monetary cap on lodging expenses
2744 for state employee travel to certain meetings
2745 organized or sponsored by a state agency or the
2746 judicial branch; authorizing employees to expend their
2747 own funds for lodging expenses in excess of the
2748 monetary caps; prohibiting state agencies from
2749 entering into contracts containing certain
2750 nondisclosure agreements; providing conditions under
2751 which the veto of certain appropriations or proviso
2752 language in the General Appropriations Act voids
2753 language that implements such appropriations;
2754 providing for the continued operation of certain
2755 provisions notwithstanding a future repeal or
2756 expiration provided by the act; providing
2757 severability; providing effective dates.