

THE FLORIDA SENATE
2022 SUMMARY OF LEGISLATION PASSED
Committee on Appropriations

CS/HB 3 — Law Enforcement

by Appropriations Committee and Reps. Leek, Brannan, and others

This bill provides law enforcement agencies with additional tools to bolster the recruitment and retention of qualified officers by providing financial incentives, enhanced training, expanded educational opportunities, and recognition that honors law enforcement officers' service to the state of Florida. The bill:

- Creates the Florida Law Enforcement Recruitment Bonus Program to provide one-time bonus payments of up to \$5,000 to newly employed law enforcement officers in Florida;
- Creates the Florida Law Enforcement Academy Scholarship Program to cover tuition, fees, and up to \$1,000 of eligible education expenses for trainees enrolled in a law enforcement officer basic recruit training program;
- Creates a reimbursement program to pay for up to \$1,000 of equivalency training costs for certified law enforcement officers who relocate to Florida or members of the special operations forces who become full-time law enforcement officers;
- Provides law enforcement officers who adopt a child from within the state child welfare system with a \$25,000 benefit for adopting a child with special needs or a \$10,000 benefit for adopting a child without special needs;
- Makes dependent children of law enforcement officers eligible to receive a Family Empowerment Scholarship;
- Increases the base salary for each county sheriff by \$5,000;
- Allows a sheriff to transfer funds between the fund and functional categories and the object and subobject code levels after the budget has been approved by the board of county commissioners or budget commission;
- Exempts veterans and applicants with an associate degree or higher from taking the basic skills test as a prerequisite to entering a law enforcement officer basic recruit training program;
- Requires that law enforcement officers receive training in health and wellness principles as part of their initial certification training and continued employment training;
- Allows law enforcement officers or former law enforcement officers to receive postsecondary credit at Florida public postsecondary educational institutions for training and experience acquired while serving;
- Encourages each district school board to establish public safety telecommunication training programs and law enforcement explorer programs in public schools; and
- Designates May 1 of each year as "Law Enforcement Appreciation Day."

If approved by the Governor, these provisions take effect July 1, 2022.

Vote: Senate 34-0; House 114-3

THE FLORIDA SENATE
2022 SUMMARY OF LEGISLATION PASSED
Committee on Appropriations

CS/SB 96 — Emergency Preparedness and Response Fund

by Appropriations Committee and Senator Burgess

The bill (Chapter 2022-1, L.O.F.) amends the financing provisions related to state expenditures made in response to a declared state of emergency. The bill requires funding to first come from funds specifically appropriated to state and local agencies for disaster relief or response. If those funds are insufficient, the bill authorizes the Governor to make funds available by transferring and expending moneys in the Emergency Preparedness and Response Fund.

The bill authorizes the Governor to request the Legislative Budget Commission to approve a request to transfer additional funds to the Emergency Preparedness and Response Fund. The bill directs the immediate transfer of \$500 million from the General Revenue Fund to the Emergency Preparedness and Response Fund.

These provisions became law upon approval by the Governor on February 17, 2022.

Vote: Senate 31-4; House 95-22

THE FLORIDA SENATE
2022 SUMMARY OF LEGISLATION PASSED
Committee on Appropriations

SB 98 — Emergency Preparedness and Response Fund

by Senator Burgess

The bill (Chapter 2022-2, L.O.F.) creates the Emergency Preparedness and Response Fund within the Executive Office of the Governor. Moneys specifically appropriated to the fund are available as a primary funding source for the Governor for purposes of preparing or responding to a disaster declared by the Governor as a state of emergency that exceeds regularly appropriated funding sources.

In accordance with Art. III, s. 19(f)(2) State Constitution, the Emergency Preparedness and Response Fund terminates four years after the bill becomes a law, unless terminated sooner. Before the fund terminates the Executive Office of the Governor must recommend to the Legislature whether to recreate the fund or allow it to terminate.

These provisions became law upon approval by the Governor on February 17, 2022.

Vote: Senate 34-1; House 99-17

THE FLORIDA SENATE
2022 SUMMARY OF LEGISLATION PASSED
Committee on Appropriations

SB 2508 — Environmental Resources

by Appropriations Committee

The bill, relating to Environmental Resources, conforms statutes to funding decisions relating to environmental resources in the General Appropriations Act for Fiscal Year 2022-2023.

Specifically, the bill:

- Expands the Rural and Family Lands Protection Program within the Department of Agriculture and Consumer Services (DACS) to authorize the DACS to purchase fee interests in land, in addition to less-than-fee interests in land, such as conservation easements.
- Authorizes the Department of Environmental Protection (DEP) to enter into agreements with public entities to expedite evaluation of environmental resource permits and Section 404 permits related to a project or activity that serves a public purpose.
- Requires the South Florida Water Management District (district) to annually certify before the release of state funds that its recommendations to the United States Army Corps of Engineers (corps) are consistent with its district programs and plans.
- Requires water shortages within the Lake Okeechobee Region to be managed pursuant to Rules 40E-21 and 40E-22 F.A.C., and provides that any changes to such rules may not take effect until ratified by the Legislature and presented to the Governor, or if the Legislature fails to act and present to the Governor during the next regular legislative session, such rules shall take effect after the next regular legislative session.
- Reenacts s. 570.93, F.S., relating to a cost-share program for agricultural irrigation systems.
- Transfers, through a type II transfer, the William J. (Billy Joe) Rish State Park from the Agency for Persons with Disabilities to the DEP.

If approved by the Governor, these provisions take effect on July 1, 2022, except where otherwise provided.

Vote: Senate 33-0; House 99-8

THE FLORIDA SENATE
2022 SUMMARY OF LEGISLATION PASSED
Committee on Appropriations

SB 2510 — Florida Gaming Control Commission

by Appropriations Committee

The bill, relating to Florida Gaming Control Commission, conforms statutes to funding decisions related to the Florida Gaming Control Commission (commission) in the General Appropriations Act for Fiscal Year 2022-2023. Specifically, the bill:

- Deletes a requirement that each member of the commission be appointed from each one of the five appellate court districts in light of the Supreme Court's request to create a new Sixth Appellate District.
- Allows a person who has lobbied for a state agency to be appointed as a commissioner or employed as a commission employee.
- Moves the hearing and notice requirements exemption in ch. 120, F.S., for pari-mutuel stewards, judges, and boards of judges from the Division of Pari-mutuel Wagering (division) to the commission.
- Deletes the Pari-mutuel Wagering Trust Fund (PMW) from the Department of Business and Professional Regulation and, instead authorizes the commission to administer the PMW Trust Fund.
- Provides that the daily license fees for pari-mutuel wagering are to be used to fund the operating cost of the commission rather than the division and the proportionate share of the office of the secretary and administration. Provides that slot machine fees shall be used to fund the operating expenses of the commission rather than the division for slot machine regulation operations.
- Deletes the transfer of funds from the PMW Trust Fund to the General Revenue Fund.
- Deletes the transfer of excess funds from the slot machine regulation operations to the General Revenue Fund.
- Requires the commission to evaluate the license fee for slot machine regulatory requirements and make recommendations to the President and Speaker on the level of slot machine license fees by January 1, 2026.
- Provides that the game promotion statute (s. 849.094, F.S.) does not apply to actions regulated by the Florida Gaming Control Commission.

If approved by the Governor, these provisions take effect July 1, 2022.

Vote: Senate 33-0; House 102-5

THE FLORIDA SENATE
2022 SUMMARY OF LEGISLATION PASSED
Committee on Appropriations

SB 2512 — Aircraft

by Appropriations Committee

The bill, relating to Aircraft, conforms statutes to the funding decisions in the General Appropriations Act for Fiscal Year 2022-2023, which appropriates \$25 million from the General Revenue Fund and \$5.8 million in recurring funds from the Department of Management Services' (department) Operating Trust Fund for the purpose of implementing and administering the executive aircraft pool.

The bill creates an executive aircraft pool within the department for the purpose of furnishing executive air travel.

The bill designates and assigns each aircraft in the executive aircraft pool to a tier of traveler and a priority ranking is assigned for both aircrafts. Trip requests must be scheduled on a first-call, first-served basis, except in the event of a scheduling conflict, when the priority order applies.

The bill provides the executive aircraft pool be operated on a full cost recovery basis, less available funds. The department must charge all users established rates for travel. The department's Operating Trust Fund is to be used as the depository for fee collections for persons traveling on an executive aircraft and for expenditures associated with the costs incurred to operate aircraft management activities of the department.

The bill revises provisions, relating to the list of approved manufacturers from which governmental agencies may purchase drones, to prohibit manufacturers located in or substantially owned, controlled, sponsored, commanded, managed, or dominated by a foreign country of concern. In addition, the bill authorizes the department to update the list of approved manufacturers annually and to provide waivers to governmental agencies overseeing the Florida Forest Service.

If approved by the Governor, these provisions take effect July 1, 2022.

Vote: Senate 32-1; House 95-11

THE FLORIDA SENATE
2022 SUMMARY OF LEGISLATION PASSED
Committee on Appropriations

SB 2514 — Electronic Filing of Taxes

by Appropriations Committee

The bill, relating to Electronic Filing of Taxes, conforms statutes to the funding decisions in the General Appropriations Act for Fiscal Year 2022-2023.

The bill authorizes the Executive Director of the Department of Revenue to reduce the electronic filing threshold for taxpayers remitting and filing taxes, from \$20,000 to \$5,000. Lowering the electronic filing and payment threshold will result in efficiencies in the department's General Tax Administration Program of \$329,572 in recurring general revenue.

If approved by the Governor, these provisions take effect January 1, 2023.

Vote: Senate 33-0; House 107-0

THE FLORIDA SENATE
2022 SUMMARY OF LEGISLATION PASSED
Committee on Appropriations

SB 2516 — Office of the Judges of Compensation Claims
by Appropriations Committee

The bill, relating to the Office of the Judges of Compensation Claims (OJCC), conforms statutes to the funding decisions in the General Appropriations Act for Fiscal Year 2022-2023, which reduces \$0.3 million in funding to consolidate and align office locations of the OJCC based on workload cases and realize technological efficiencies.

The bill removes the requirement that the Office of the Judges of Compensation Claims must maintain 17 district offices, 31 judges of compensation claims, and 31 mediators as they existed on June 30, 2001. Removing specified district offices, judges of compensation claims, and mediators allows the OJCC flexibility to consolidate and align district offices based on case workloads and realize technological efficiencies to the adjudication processes.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 33-0; House 107-0

THE FLORIDA SENATE
2022 SUMMARY OF LEGISLATION PASSED
Committee on Appropriations

SB 2518 — Information Technology

by Appropriations Committee

The bill, relating to Information Technology, conforms statutes to the funding decisions in the General Appropriations Act for Fiscal Year 2022-2023.

The bill separates the State Data Center from the Florida Digital Service within the Department of Management Services. Florida Digital Service duties and responsibilities related to the State Data Center are assigned directly to the State Data Center.

The bill designates the Northwest Regional Data Center as an official State Data Center and transfers all current State Data Center resources, personnel, contracts, and assets to the Northwest Regional Data Center. By July 1, 2022, the secretary of the Department of Management Services is required to contract with the Northwest Regional Data Center to manage the State Data Center operations and provide data center services to state agencies.

The bill maintains existing exemptions for data center consolidation and allows for the Northwest Regional Data Center to provide services from the Department of Management Services State Data Center facility.

If approved by the Governor, these provisions take effect July 1, 2022.

Vote: Senate 33-0; House 107-0

THE FLORIDA SENATE
2022 SUMMARY OF LEGISLATION PASSED
Committee on Appropriations

SB 2524 — Education

by Appropriations Committee

The Conference Committee Amendment for SB 2524, relating to education funding, provides for the following:

Section 1 amends s. 435.02, F.S., to include in the definition of ‘specified agency’ in the chapter of law related to employment screening school districts, lab schools, the Florida School for the Deaf and the Blind, the Florida Virtual School, virtual instruction providers, charter schools, hope operators, and private schools participating in an educational scholarship program.

Section 2 modifies s. 435.12, F.S., to require school districts, lab schools, the Florida School for the Deaf and the Blind, the Florida Virtual School, virtual instruction providers, charter schools, hope operators, and private schools participating in an educational scholarship program to conduct background screenings using the Clearinghouse beginning January 1, 2023. These entities must be fully implemented into the Clearinghouse by January 1, 2024, or by a date determined by Agency for Health Care Administration (AHCA).

The AHCA must follow a staggered schedule when conducting rescreening for education entities entering the Clearinghouse:

- Employees last screened on or before June 30, 2019, must be rescreened by June 30, 2024;
- Employees last screened between July 1, 2019, and June 30, 2021, must be rescreened by June 30, 2025; and
- Employees last screened between July 1, 2021, through December 31, 2021, must be rescreened by June 30, 2026.

Section 3 amends s. 464.0195, F.S., to revise the goals of the Florida Center for Nursing. The Florida Center for Nursing must conduct a statistically valid biennial data-driven gap analysis of the healthcare workforce. The gap analysis must include the Florida Center for Nursing’s current law responsibilities to establish and maintain a database on nursing supply and demand in the state and how supply and demand impact the state’s participation in the Nurse Licensure Compact.

Section 4 amends s. 800.101, F.S., to provide criminal penalties for certain individuals for failing to report certain offenses against students by authority figures. A person commits a first degree misdemeanor if the person knowingly or willingly:

- Fails to make a report regarding an incident of an authority figure engaging in or soliciting sexual, romantic, or lewd conduct with a student;
- Submits false, inaccurate, or incomplete information while reporting an authority figure engaging in or soliciting sexual, romantic, or lewd conduct with a student; or

- Coerces or threatens another person with the intent to alter his or her testimony or written report regarding an incident of an authority figure engaging in or soliciting sexual, romantic, or lewd conduct with a student.

Section 5 amends s. 943.0585, F.S., to prohibit individuals seeking employment in school districts, lab schools, the Florida School for the Deaf and the Blind, the Florida Virtual School, virtual instruction providers, charter schools, hope operators, and private schools participating in an educational scholarship program from denying or failing to acknowledge arrests covered by an expunged record.

Section 6 amends s. 943.059, F.S., to prohibit individuals seeking employment in school districts, lab schools, the Florida School for the Deaf and the Blind, the Florida Virtual School, virtual instruction providers, charter schools, hope operators, and private schools participating in an educational scholarship program from denying or failing to acknowledge arrests covered by a sealed record.

Section 7 modifies s. 1001.51, F.S., to require school district superintendents to maintain records of any determination to withhold from a parent information regarding the provision of any services to support the mental, physical, or emotional well-being of the parent's minor child. Any determination must be child-specific and must be annually reviewed.

Sections 8 and 9 amend s. 1001.92, F.S., to modify the criteria for awards under the State University System Performance-Based Incentive. The graduation rate for associate in arts transfer students is changed, for the 2022-2023 fiscal year, from a 2-year rate to a 3-year graduation rate. In addition, a new criterion is added to specify that any institution that has been found to have a substantiated violation of the anti-discrimination principles of individual freedom specified in s. 1000.05(4)(a), F.S., (contingent upon CS/HB 7 becoming law) is ineligible to receive performance funding during the next fiscal year following the year in which the violation is substantiated. Substantiated findings are those as determined by a court of law, a standing committee of the Legislature, or the Board of Governors.

Section 10 amends s. 1002.31, F.S., which modifies provisions related to controlled open enrollment and requires school districts and charter schools to identify and disclose on their websites the capacity for its schools, by grade level, and to update such data every 12 weeks. Each virtual charter school and each school district with a contract with an approved virtual instruction provider must determine capacity based upon specified enrollment requirements. In addition, each district school board must adopt by rule and post on its website the process required to participate in controlled open enrollment. School districts must maintain a wait list of students who are denied access due to capacity and notify parents and accept students when capacity becomes available.

Section 11 amends s. 1002.33, F.S., which modifies provisions related to charter schools and requires the Department of Education to develop a standard virtual charter school contract and

renewal contract for use by the school district and the virtual charter school. A virtual charter school must comply with applicable controlled open enrollment requirements.

Section 12 amends s. 1002.394, F.S., which modifies provisions related to the Family Empowerment Scholarship program and increases the base eligibility from 20,000 to 26,500 beginning in the 2022-2023 school year for the unique ability scholarship option. The act maintains the current annual growth rate, however the growth rate goes into effect in the 2023-2024 school year rather than the 2022-2023 school year. The act maintains the requirement that the Department of Education (DOE) complete a cross check of the list of participating students to verify eligibility, but removes the requirement that the cross-check be completed before to the distribution of each quarterly scholarship payment. The act adds a provision requiring the DOE to adjust scholarship payments to eligible nonprofit scholarship-funding organizations and recalculate the Florida Education Finance Program allocation for school districts upon completion of the cross-check. The act also modifies conditions for a student to be eligible for a scholarship outside of the maximum number of students authorized to participate in the program and increases the transportation scholarship option from \$750 to the per student amount expended by the school district on students riding a bus, whichever is greater.

Section 13 amends s. 1002.395, F.S., which modifies provisions related to the Florida Tax Credit Scholarship program and maintains the requirement that the Department of Education (DOE) complete a cross check of the list of participating students to verify eligibility, but removes the requirement that the cross-check be completed before the distribution of each quarterly scholarship payment and adds a provision requiring the DOE to adjust scholarship payments to eligible nonprofit scholarship-funding organizations upon completion of the cross-check. The act increases the transportation scholarship option from \$750 to the per student amount expended by the school district on students riding a bus, whichever is greater. The act also authorizes administrative expenses to include specified transportation programs.

Section 14 amends s. 1002.40, F.S., which modifies provisions related to the Hope Scholarship program and maintains the requirement that the Department of Education (DOE) complete a cross check of the list of participating students to verify eligibility, but removes the requirement that the cross-check be completed before the distribution of each quarterly scholarship payment and adds a provision requiring the DOE to adjust scholarship payments to eligible nonprofit scholarship-funding organizations upon completion of the cross-check.

Section 15 modifies s. 1002.411, F.S., to align the eligibility for Reading Scholarship Accounts to that of the New Worlds Reading Initiative to now apply to students enrolled in a public school in kindergarten through grade 5, rather than students in grades 3 through 5, who have a substantial reading deficiency identified under s. 1008.25(5)(a), F.S., or who scored below a level 3 on the statewide, standardized English Language Arts assessment in the prior school year.

The act allows instructional personnel to provide services to students receiving a Reading Scholarship Account on the school campus outside of regular work hours.

Section 16 amends s. 1002.421, F.S., to conform provisions to changes made by the act.

Section 17 amends s. 1002.45, F.S., which modifies provisions related to virtual instruction programs (VIP) and authorizes an approved VIP provider to enroll students residing in the school district executing the contract with the provider as well as students in other school districts throughout the state pursuant to the controlled open enrollment requirements. The act requires all VIPs to operate under their own Master School Identification Number as prescribed by the Department of Education, and requires approval of a VIP provider by the State Board of Education. In addition, the act modifies specified accountability and compliance requirements that an approved provider must meet to maintain approval.

The act also aligns the calculation methodology for determining the amount of funds that district virtual full time equivalent (FTE) students receive in the Florida Education Finance Program (FEFP) with the FEFP calculation methodology for students enrolled and reported by the Florida Virtual School, and specifies that only state FEFP funds can be used for out-of-district virtual FTE students enrolled in a school district VIP.

Section 18 amends s. 1002.455, F.S., which modifies provisions related to eligibility for K-12 virtual instruction and clarifies that school districts must comply with specified enrollment requirements established in law.

Section 19 amends s. 1002.81, F.S., to conform provisions to changes made by the act.

Section 20 amends s. 1002.82, F.S., requiring the Department of Education to establish procedures for the calculation of the prevailing market rate and the annual collection of data; conforming cross-references to changes made by the act.

Section 21 amends s. 1002.84, F.S., establishing the distribution methodology that early learning coalitions must use to distribute school readiness program funds to eligible providers; providing requirements for early learning coalitions.

Section 22 amends s. 1002.85, F.S., revising the requirements for the school readiness program plan submitted to the Department of Education by early learning coalitions.

Section 23 amends s. 1002.87, F.S., to conform provisions to changes made by the act.

Section 24 amends s. 1002.89, F.S., providing for the determination of the school readiness program funding for early learning coalitions; providing requirements for such funding calculations.

Section 25 amends s. 1002.895, F.S., providing for the determination of the market rate schedule; requiring the Department of Education to establish procedures for the annual collection of specified data; requiring the Department of Education to provide certain data to the Early Learning Programs Estimating Conference.

Section 26 creates s. 1002.90, F.S., requiring the principals of the Early Learning Programs Conference to develop the official cost of care information; providing requirements for conference principals; requiring the Department of Education to provide conference principals with specified data; requiring the conference to annually provide the official cost-of-care information to the Legislature by a specified date.

Section 27 amends s. 1002.92, F.S., requiring certain child care facilities to annually provide specified data to the statewide child care and resource and referral network.

Section 28 amends s. 1002.995, F.S., to require, subject to an appropriation, the Department of Education to provide incentives to school readiness personnel and Voluntary Prekindergarten Education Program (VPK program) instructors who possess a reading certification or endorsement or a literacy micro-credential and teach students in the school readiness program or the VPK education program.

Section 29 modifies s. 1003.485, F.S., to add to the purposes of the New Worlds Reading Initiative and responsibilities for the administrator. In addition to current law which requires students to be provided options for book topics or genres at the beginning of each school year, the act requires students to be provided the options upon enrollment. The act also:

- Defines “micro-credential” as evidence-based professional development activities that are competency-based, personalized, and on-demand.
- Requires educators to demonstrate their competence via evidence submitted and reviewed by trained evaluators.
- Maintains the purpose of the New Worlds Reading Initiative to improve literacy skills and instill a love of reading by providing high quality books to students in kindergarten through grade 5 who are reading below grade level and redefines the New Worlds Reading Initiative to also include:
 - Improving the literacy skills of students kindergarten through grade 12.
 - The provision of high-quality, free books to students.
 - New Worlds Reading Scholarship Accounts.
 - The New Worlds Scholar program, which rewards high school students who instill a love of reading and improve the literacy skills of students in kindergarten through grade 3.
 - The micro-credential program which emphasizes strong core instruction and a tiered model of reading interventions for struggling readers.
 - Incentives to reward educators who earn a micro-credential or reading endorsement and provide intensive interventions to students who struggle with reading.
- Adds to existing responsibilities of the administrator of the New Worlds Reading Initiative that the administrator must:
 - Provide to teachers professional development and resources that correlate with the books provided through the initiative.
 - Develop micro-credentials that require teachers to demonstrate competency to diagnose literacy difficulties and determine the appropriate range of literacy interventions, use evidence-based instructional and intervention practices, including

evidence-based reading strategies identified by the Just Read, Florida! Office, and effectively use progress monitoring and intervention materials.

Section 30 modifies s. 1003.498, F.S., which specifies that funding for virtual courses must be provided pursuant to the methodology established in the amendment.

Section 31 modifies s. 1003.52, F.S., to require that eligible students enrolled in a juvenile justice education program be funded the same as students enrolled in a traditional public school funded in the Florida Education Finance Program (FEFP) and as specified in the General Appropriations Act.

Section 32 amends s. 1003.621, F.S., to conform provisions to changes made by the act.

Section 33 amends s. 1004.015, F.S., to revise the duties of the Florida Talent Development Council (FTDC). The act adds additional data that must be collected as part of the 10-year trend information on nursing education programs, including the outcomes of the Linking Industry to Nursing Education (LINE) Fund under s. 1009.896, F.S., or the Prepping Institutions, Programs, Employers, and Learners through Incentives for Nursing Education (PIPELINE) Fund under s. 1009.897, F.S., and the outcomes of graduates who received nursing student loan forgiveness.

Section 34 amends s. 1004.04, F.S., to revise program evaluation criteria for teacher preparation programs to remove subgroup performance on statewide, standardized assessments and teacher retention and replace it with candidate readiness based on Florida Teacher Certification Examination (FTCE) passage rates and provide additional weight for placement in teacher shortage areas.

Section 35 creates s. 1004.6496, F.S., to authorize the Board of Trustees of the University of Florida to use funds provided in the General Appropriations Act to establish the Hamilton Center for Classical and Civic Education as an academic unit within the University of Florida. The purpose of the center is to support teaching and research concerning the ideas, traditions, and texts that form the foundations of western and American civilization.

Section 36 amends s. 1004.85, F.S., to revise the uniform core curricula for teacher preparation programs to include strategies that support evidence-based, standards-aligned content and grading practices. It authorizes the State Board of Education (SBE) to weight certain evaluation criteria and approve programs based on national accreditation. The act requires the SBE to adopt criteria for streamlining evaluations for small programs. The act requires that, beginning with candidates entering a program in the 2023-2024 school year, candidates in a traditional preparation program complete 60 hours of field experience before participating in a culminating field experience and candidates in an educator preparation institute complete a period of field experience as determined by SBE rule before becoming the teacher of record.

Section 37 amends s. 1006.12, F.S., to conform provisions to changes made by the act.

Section 38 amends s. 1006.22, F.S., which modifies provisions related to the safety and health of students being transported and expands flexibility for use of motor vehicles other than school buses.

Section 39 amends s. 1006.27, F.S., which modifies provisions related to pooling of school buses and related purchases by district school boards and establishes the Driving Choice Grant Program with the Department of Education to improve access to reliable and safe transportation for students participating in public educational school choice and to support innovative solutions that increase the efficiency of public school transportation.

Section 40 amends s. 1006.73, F.S., by requiring the Florida College System (FCS), State University System (SUS), and Florida Postsecondary Academic Library Network to provide specified support for certain open education resources (OER). The section requires the chancellors of the FCS and SUS to collaborate and take the lead in identifying and developing processes to coordinate and support the adaptation or development of OER. The section establishes the Student Open Access Resources (SOAR) Repository, a statewide, searchable database of open education resources. Additionally, the section establishes the SOAR Grant Program providing funding support to FCS and SUS institutions for the development and curation of open education resources and for migrating existing content to the SOAR Repository.

Section 41 amends s. 1007.271, F.S., to specify that instructional materials for use in dual enrollment courses must be made available to all participating students free of charge, rather than only to public school students. This is consistent with the provisions in s. 1009.30, F.S., relating to reimbursements for instructional materials under the Dual Enrollment Scholarship Program.

Section 42 creates s. 1007.36, F.S., to establish the Inclusive Transition and Employment Management (ITEM) Program and authorize financial support for the program that provides services to young adults with disabilities with transitional skills, education, and on-the-job experience to allow them to gain and retain employment.

Section 43 amends s. 1008.33, F.S., to codify current practice that requires a school that initially receives a grade of “D” to begin implementing intervention and support strategies authorized in State Board of Education rule. Any school receiving an initial grade of “F” or two consecutive grades of “D” must continue to initiate the school improvement turnaround process, but may submit a turnaround plan prior to earning a second consecutive grade of “D.” Additionally, the act provides school districts flexibility in implementing an external operator turnaround option by specifying services that may be contracted, including the option to contract with a charter school network as the external turnaround contractor. A school district and an outside entity that enter in a performance-based contract must establish the contract for a minimum of 2 years.

Section 44 amends s. 1008.34, F.S., to require the State Board of Education to annually review the school grading scale and to adjust the grading scale when more than 75 percent of schools of a school type (i.e. elementary, middle, high, or combination schools) receive a grade of “A” or “B.” The adjustment must raise the minimum number of percentage points required for each

grade to the next closest number ending in 5 or 0. The annual adjustments must be suspended upon the achievement upon a grading scale for each school type as specified in the act.

Section 45 creates an unnumbered section of law requiring the Department of Education (DOE) to collect from each school district the range and median number of minutes, per school year, of time spent testing on district-required assessments and state-required assessments for students in grades PreK-5. The DOE must submit a report, annually, beginning January 1, 2023 through January 1, 2025, of the information collected from school districts and provide recommendations to minimize duplicative testing.

Section 46 amends s. 1009.26, F.S., to increase the number of waiver-eligible Programs of Strategic Emphasis (PSE) from eight to 10. Beginning in the 2022-2023 academic year, students will be eligible to receive the tuition and fee waiver in two additional PSE, specifically in the critical workforce gap analysis category, as adopted by the Board of Governors.

Section 47 amends s. 1009.30, F.S., to modify reimbursements under the Dual Enrollment Scholarship Program. The act modifies the timeline for reporting dual enrollment students and for reimbursements to specify that a postsecondary institution must report students within 30 days after the end of regular registration, and reimbursements must be distributed no later than 30 days after the end of the term.

Section 48 modifies s. 1009.89, F.S., to require each institution eligible to receive funds under the Effective Access to Student Education Grant Program to post prominently on its website, by October 1 of each year, its performance on the metrics specified in law, as reported to the department.

Section 49 modifies s. 1009.895, F.S., to expand the list of institutions eligible for the Open Door Grant Program to include school districts with eligible integrated education and training programs. Additionally, the act removes the requirement that students must complete a yearly Free Application for Federal Student Aid to be considered eligible for the Open Door Grant Program. Lastly, the act provides that an institution may cover the student's one-third of the cost of the program, based on student need, as determined by the institution.

Section 50 creates s. 1009.896, F.S., to establish the Linking Industry to Nursing Education (LINE) Fund, a competitive grant program that provides matching funds, on a dollar-to-dollar basis, to participating institutions that partner with a healthcare provider to recruit faculty and clinical preceptors, increase capacity of high-quality nursing education programs, and increase the number of nursing education program graduates who are prepared to enter the workforce. The act also specifies institution eligibility and participation requirements, including reporting requirements. Additionally, the section requires the Board of Governors and the State Board of Education to adopt regulations and rules, respectively, to administer the LINE Fund.

Section 51 creates s. 1009.897, F.S., to establish the Prepping Institutions, Programs, Employers, and Learners through Incentives for Nursing Education (PIPELINE) Fund to reward school

districts, Florida College System (FCS) institutions, and State University System (SUS) institutions that meet nursing education program performance metrics.

Section 52 modifies s. 1010.20, F.S., to increase the percent of funds that a school district must spend for juvenile justice programs, from 90 to 95 percent of the funds generated by such programs.

Section 53 amends s. 1011.48, F.S., to specify that the fees for a university educational research center for child development are determined by the university board of trustees, and are not required to be approved by the Board of Governors.

Section 54 modifies s. 1011.62, F.S., to include the district cost differential in the formula on determining the basic amount for current operation to be included in the Florida Education Finance Program. The act also increases from 24,000 to 30,000 the upper limit of school district full-time equivalent membership for that district to be eligible for the sparsity supplement. The act also provides schools flexibility in using funds from the evidence-based reading instruction allocation. The act:

- Removes the specific requirement for the 300 lowest performing schools to use the allocation to provide an additional hour of intensive reading instruction. The act provides flexibility for all schools to provide additional time per day in intensive reading instruction.
- Clarifies that reading coaches must be certified or endorsed in reading.
- Provides flexibility for professional development options by authorizing school boards to use funds from the allocation to help instructional personnel and certified prekindergarten teachers funded in the Florida Education Finance Program (FEFP) earn a certification, a credential, an endorsement, or advanced degree in scientifically researched and evidence-based reading instruction.
- Authorizes teachers or other district personnel who possess an early literacy micro-credential to teach summer camps for students in kindergarten through grade 5. The act does not modify the requirement that a retained grade 3 student in a summer reading camp be provided instruction by a teacher who is certified or endorsed in reading.
- Removes the requirement that scientifically researched and evidence-based supplemental instructional materials purchased with allocation funds must be identified by the Just Read, Florida! Office.
- Authorizes allocation funds to be used for incentives for instructional personnel and certified prekindergarten teachers funded in the FEFP who possess a reading certification or endorsement or a literacy micro-credential and provide educational support to improve student literacy.
- Authorizes allocation funds to be used to provide tutoring in reading.
- Authorizes intensive reading interventions to be provided by instructional personnel who possess a literacy micro-credential.

The act removes the requirement for the Department of Education to prescribe the format for and approve district comprehensive reading plans. The act requires school districts to submit a

comprehensive reading plan, approved by the applicable district school board, charter school governing board, or lab school board of trustees, in consultation with the State Regional Literacy Director, for the specific use of the evidence-based reading instruction allocation.

The act provides that instructional personnel who possess a literacy micro-credential and are delivering intensive reading interventions must be supervised by an individual who is certified or endorsed in reading. The act specifies that “supervision” means the ability to communicate by way of telecommunication with or physical presence of the certified or endorsed personnel for consultation and direction of the actions of the personnel with the micro-credential.

Section 55 amends s. 1011.68, F.S., to expand the use of transportation funds to specify that student transportation funds may be used to pay for specified alternative vehicles when a school bus is impractical, or to support parents or carpools.

Section 56 amends s. 1011.71, F.S., to conform provisions to changes made by the act.

Section 57 amends s. 1012.22, F.S., to require that any compensation for longevity of service awarded to instructional personnel who are not on a performance pay salary schedule must be used in the calculation of salary adjustments for highly effective or effective teachers.

Section 58 amends s. 1012.315, F.S., to clarify that a person is prohibited from becoming certified as a teacher if he or she is ineligible for an exemption from a disqualifying offense under s. 435.07, F.S., which enumerates eligibility for exemptions.

Section 59 modifies s. 1012.32, F.S., to revise the procedure for background screenings, remove the right to appeal certain terminations, and revise provisions specifying financial responsibility and reimbursement for background screenings. Because charter schools will conduct background screenings using the Clearinghouse, the requirement that a district school board reimburse a charter school for the cost of background screening if the district school board fails to notify the charter school of eligible personnel or board members within a specified number of days is repealed.

Section 60 requires that the changes to s. 1012.315, F.S., apply to individuals who are screened after January 1, 2024.

Section 61 amends s. 1012.34, F.S., to clarify that the procedures established by the district school superintendent to evaluate the performance of instructional, administrative, and supervisory personnel are the standards of service to be offered to the public and are not subject to collective bargaining.

Section 62 modifies s. 1012.465, F.S., which modifies background screening requirements for noninstructional personnel to conform to screening provisions established in this act.

Section 63 amends s. 1012.467, F.S.; to require that certain noninstructional personnel complete specified background screening.

Section 64 amends 1012.56, F.S.; to prohibit certain persons from having specified responsibilities before the results of a background screening are available.

Section 65 specifies that the changes to ss. 1012.32 and 1012.56, F.S., must be implemented by January 1, 2024, or by a date set by the Agency for Health Care Administration.

Section 66 amends s. 1012.584, F.S., to conform provisions to changes made by the act.

Section 67 creates s. 1003.4204, F.S., to establish the Safer, Smarter Schools Program (program), which is intended to implement the revised Health Education standards established in the required instruction specified in law. The program curriculum is a comprehensive personal safety curriculum that helps support students in the attainment of learning protective principles to help keep them safe from abuse and exploitation.

Section 68 amends s. 1013.40, F.S., to increase the number of beds from 300 to 340 that may be constructed for dormitories at a Florida College System (FCS) institution within a municipality designated as an area of critical state concern. It also allows the FCS institution to construct an additional 25 beds for employees, educators and first responders.

If approved by the Governor, these provisions take effect July 1, 2022.

Vote: Senate 31-2; House 83-24

THE FLORIDA SENATE
2022 SUMMARY OF LEGISLATION PASSED
Committee on Appropriations

SB 2526 — Health

by Appropriations Committee

The bill, relating to Health, conforms statutes to the funding decisions related to Health Care in the Senate General Appropriations Act for Fiscal Year 2022-2023. The bill:

- Provides a \$20 million appropriation, beginning in Fiscal Year 2022-2023 through Fiscal Year 2052-2053, to the H. Lee Moffitt Cancer Center and Research Institute (Moffitt) for construction and development of Moffitt's Pasco County life sciences park.
- Authorizes a pharmacist or wholesaler employed by or under contract with a forensic facility managed by the Agency for Persons with Disabilities for dispensing to clients treated in such center to import prescription drugs from an eligible Canadian supplier.
- Requires the Department of Children and Families (DCF) to make contracts with managing entities available in a publicly accessible format on the DCF's website.
- Requires the DCF to conduct a comprehensive, biennial review of the revenues, expenditures, and financial positions of managing entities covering the most recent two consecutive fiscal years.
- Requires managing entities to provide notice to a provider before it may be removed from the managing entity's comprehensive provider network.
- Requires the Agency for Healthcare Administration (AHCA) to base the rates of payments in accordance with the minimum wage requirements as provided in the General Appropriations Act.
- Provides that the Tobacco Settlement Clearing Trust Fund shall be referred to as the Lawton Chiles Trust Fund.
- Renames the Florida National Cancer Institute (NCI) Cancer Centers Program to the Casey DeSantis Cancer Research Program.
- Provides Title XXI extended postpartum coverage for a Title XXI-funded child who reaches 19 years of age to be consistent with Medicaid policy if the child is ineligible for Medicaid.

If approved by the Governor, these provisions take effect July 1, 2022.

Vote: Senate 33-0; House 107-0

THE FLORIDA SENATE
2022 SUMMARY OF LEGISLATION PASSED
Committee on Appropriations

SB 2530 — Motor Vehicle Title Fees

by Appropriations Committee

The bill changes the distribution of fees collected for titling motor vehicles to deposit \$30 million into the Highway Safety Operating Trust Fund, reducing the amount deposited into the General Revenue Fund by that amount. The bill does not affect the distribution to the State Transportation Trust Fund.

If approved by the Governor, these provisions take effect July 1, 2022.

Vote: Senate 33-0; House 106-0

THE FLORIDA SENATE
2022 SUMMARY OF LEGISLATION PASSED
Committee on Appropriations

HB 5001 — General Appropriations Act

by Appropriations Committee and Representative Trumbull (SB 2500 by Appropriations Committee)

The bill, relating to the General Appropriations Act for Fiscal Year 2022-2023, provides for a total budget of \$112.1 billion, including:

- \$43.7 billion from the General Revenue Fund (GR)
- \$2.8 billion from the Education Enhancement Trust Fund
- \$ 1.2 billion from the Public Education Capital Outlay Trust Fund (PECO TF)
- \$64.3 billion from other trust funds (TF)
- 112,472.26 full time equivalent positions (FTE)

Reserves

Total: \$8.9 billion

- An additional \$1 billion for Inflation Fund was reserved for budget amendments necessary to counter increased costs due to inflation, which is not included in the \$8.9 billion in reserves

Major Issues

Compensation and Benefits

- Minimum Wage Increase to \$15 per hour
 - State Employees (including OPS)
 - FEFP (funding provided in overall BSA increase)
 - VPK Additional Payments
 - Agency for Health Care Administration - Medicaid Services
 - Agency for Persons with Disabilities - Medicaid Waiver Services
 - Nursing Homes
 - Department of Juvenile Justice - Contracted services
 - Department of Veterans Affairs - Contracted services
- 5.38 percent State Employee across-the-board increase to address inflation

Other Pay Issues - All in addition to 5.38 percent across-the-board increase

- State Law Enforcement Officers/Troopers - Increase minimum salary to \$50,000 or an additional 5 percent pay increase, whichever is greater
- Correctional and Probation Officers - Increase minimum salary to \$41,600 (\$20 per hour)
- and other position classifications ranging from \$45,760 to \$57,886
- State Firefighters - Increase minimum salary to \$41,600 (\$20 per hour)
- Juvenile Justice Detention Officers - Increase minimum salary to \$39,520 (\$19 per hour)
- Juvenile Justice Probation Officers - Increase minimum salary to \$41,600 (\$20 per hour)
- Veterans' Homes Nurses - \$5.6 million for salary and recruitment incentives

This summary is provided for information only and does not represent the opinion of any Senator, Senate Officer, or Senate Office.
--

- Assistant State Attorneys and Public Defenders - \$5,000 - \$10,000 pay increase

Education Capital Outlay

Total: \$1.9 billion [\$470.8 million State Funds, \$1.46 billion State Fiscal Recovery Funds]

- Charter School Repairs and Maintenance - \$195.8 million
- Public School Maintenance - \$11.4 million
- College and University Maintenance - \$843.7 million
- Developmental Research School Repairs and Maintenance - \$8.1 million
- Small School District Special Facilities - \$64.4 million
- District Tech Center Projects - \$13.9 million
- Florida College System Projects - \$216.2 million
- State University System Projects - \$563.9 million
- School for the Deaf and Blind Maintenance and Renovation Projects - \$8.5 million
- Public Broadcasting - Health and Safety Issues - \$5 million
- Authorization for State University System (SUS) Capital Improvement Student Fee Projects - \$44.7 million

Education Appropriations

Total Appropriations: \$25.7 billion [\$18.7 billion GR; \$7 billion TF, excludes tuition]

Total Funding - Including Local Revenues: \$39.2 billion [\$25.7 billion state/federal funds; \$13.5 billion local funds][\[1\]](#)

Major Issues

Early Learning Services

Total: \$1.7 billion [\$610.9 million GR; \$1.1 Billion TF]

- Partnerships for School Readiness - \$53.2 million
- School Readiness Program - \$1.1 billion
- Early Learning Standards & Accountability - \$4.9 million
- Voluntary Prekindergarten Program - \$553.4 million
 - Decrease of 2,645 fewer students (\$6.4 million)
 - Voluntary Prekindergarten Program Additional Base Student Allocation (BSA) Payments - \$151.3 million; these additional payments are provided to ensure all VPK instructors are paid a minimum wage of at least \$15 per hour

Public Schools/K12 FEFP

Total Funding: \$24.3 billion [\$13.5 billion state funds; \$10.7 billion local funds]

- FEFP Total Funds increase is \$1.69 billion or 7.5 percent
- FEFP increases in Total Funds per Student is \$384.55, a 4.96 percent increase [from \$7,758.3 to \$8,142.8]
- Base Student Allocation (BSA) increase by \$214.49 or 4.9 percent
- FEFP Base Funds (flexible \$) increase of \$1 billion or 7.15 percent
- Required Local Effort (RLE) increase of \$633.2 million; RLE millage maintained at prior year level of 3.606 mills
- Teacher Salary Increase Allocation - \$250 million increase for a total of \$800 million that school districts must use to increase the minimum salaries of classroom teachers to at least \$47,500
- Safe Schools Allocation - \$30 million increase for a total of \$210 million for School Safety Officers and school safety initiatives
- Mental Health Assistance Allocation - \$20 million increase for a total of \$140 million to help school districts and charter schools address youth mental health issues
- Reading Instruction Allocation - \$40 million increase for a total of \$170 million to provide comprehensive reading instruction
- Turnaround School Supplemental Services Allocation - \$24.4 million - funds for services designed to improve the overall academic and community welfare of students and their families at designated lower performing schools
- Funding Compression & Hold Harmless Allocation - \$68.2 million - compression funds for districts with total funds per FTE that are less than the statewide average and hold harmless funds for districts that have a reduction in the District Cost Differential
- FEFP increases are provided to school districts to ensure all employees are paid a minimum wage of at least \$15 per hour beginning in the 2022-23 school year

Public Schools/K12 Non-FEFP & Ed Media

Total: \$574.1 million [\$565.7 million GR; \$8.3 million TF]

- Coach Aaron Feis Guardian Program - \$6.5 million
- School Recognition Program - \$200 million
- Community School Grant Program - \$7.6 million
- Mentoring Programs - \$11.9 million
- Florida Diagnostic and Learning Resources Centers - \$8.7 million
- New World Reading - \$29 million
- Schools of Hope - \$40 million
- SEED School of Miami - \$11.7 million
- Transition Support Funding for Jefferson County School District - \$5 million
- Computer Science and Teacher Bonuses - \$10 million
- School District Foundation Matching Grants - \$6 million
- Florida Association of District School Superintendents Training - \$750,000
- School and Instructional Enhancement Grants - \$46.4 million
- Florida School for the Deaf & Blind - \$53.2 million

This summary is provided for information only and does not represent the opinion of any Senator, Senate Officer, or Senate Office.

- School Hardening Grants - \$20 million
- Capital Projects - \$37.3 million

State Board of Education

Total: \$301 million [\$132.1 million GR; \$168.9 million TF]

- Assessment and Evaluation - \$134.7 million
 - VPK and Student Literacy Program Monitoring Systems - \$15.5 million
- Just Read Florida Early Literacy Professional Development - \$1 million
- ACT and SAT Exam Administration - \$8 million

School District Workforce

Total: \$619.7 million [\$328.9 million GR; \$253.8 million TF; \$37 million tuition/fees]

- Workforce Development for career and technical education and adult education - \$390.4 million
- Perkins Career and Technical Education grants and Adult Education and Literacy funds - \$123.3 million
- CAPE Incentive Funds for students who earn Industry Certifications - \$6.5 million
- School and Instructional Enhancement Grants - \$4.4 million
- Pathways to Career Opportunities Grant Program for apprenticeships - \$15 million
- Open Door Grant Program - \$15 million
- Workers Compensation Insurance Premiums for apprenticeship and pre-apprenticeship students - \$2 million
- Nursing Education Initiatives - \$20 million
- No tuition increase

Vocational Rehabilitation

Total: \$246.9 million [\$59.1 million GR; \$187.8 million TF]

- Adults with Disability Funds - \$11.6 million
 - Inclusive Transition and Employment Management Program - \$1.5 million

Florida College System

Total: \$2.2 billion [\$1.3 billion GR; \$241 million TF; \$715.6 million tuition/fees]

- CAPE Incentive Funds for students who earn Industry Certifications - \$14 million GR
- Nursing Education Initiatives - \$59 million
- Open Door Grant Program - \$20 million
- System Wide Base Funding Increases - \$55 million
- Student Open Access Resources (SOAR) - \$5.4 million
- Student Success Incentive Funds - \$30 million GR
 - 2+2 Student Success Incentive Funds - \$20 million GR

- Work Florida Incentive Funds - \$10 million GR
- No tuition increase

State University System

Total: \$5.6 billion [\$3.0 billion GR; \$620.8 million TF; \$1.97 billion tuition/fees]

- Performance Based Funding - \$560 million
- State Investment - \$265 million
- Institutional Investment - \$295 million
- Moffitt Cancer Center Workload - \$10 million in additional funds
- Johnson Matching Grant Program Workload - \$20,000 in additional funds
- IFAS Workload - \$3.6 million
- Nursing Education Initiatives - \$46 million
- Student Open Access Resources (SOAR) - \$5.4 million
- Cybersecurity Resiliency - \$20.5 million
- No tuition increase

Private Colleges

Total: \$173.5 million GR

- HBCUs - \$680 thousand in additional funds
- Nursing and Health related education initiatives - \$2 million
- Engineering and Technology initiatives - \$29 million

Student Financial Aid

Total: \$994 billion [\$268 million GR, \$726 million TF]

- Bright Futures - \$620.9 million
- Benacquisto Scholarship Program - \$36.4 million
 - \$2.2 million workload increase
- Children/Spouses of Deceased or Disabled Veterans - \$13.5 million
 - \$2.5 million workload increase
- Dual Enrollment Scholarship - \$18.05 million
- Law Enforcement Academy Scholarship - \$5 million

Health and Human Services Appropriations

Total Budget: \$48.9 billion [\$14.7 billion GR; \$34.2 billion TF]; 31,191.26 positions

Major Issues

Agency for Health Care Administration

Total: \$38.6 billion [\$10.2 billion GR; \$28.4 billion TF]; 1,539.5 positions

- Medicaid Price Level and Workload - \$2,207.5 billion
- KidCare Workload (Due to Caseload Shift to Medicaid) - (\$58.8) million
- Minimum Wage for Medicaid Providers - \$273.6 million
- Minimum Wage for Nursing Homes - \$212.8 million
- Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/IID) Reimbursement Rates - \$29.6 million
- Maternal Fetal Medicine Provider Rate Increase - \$2.5 million
- Organ Transplant Rate Increase - \$6.3 million
- Specialty Children's Hospitals - \$84.9 million
- Hospital Outlier Payments - \$50.2 million
- Florida Cancer Hospitals - \$156.2 million
- Florida Medicaid Management Information System (FMMIS) - \$112 million
- Program of All-Inclusive Care for the Elderly (PACE) - \$82.7 million

Agency for Persons with Disabilities

Total: \$2.1 billion [\$912.2 million GR; \$1.2 billion TF]; 2,698.5 positions

- Establish Recurring Dental Services Program for the Developmentally Disabled - \$8.5 million
- Direct Service Provider Rate Increases to Address Minimum Wage - \$403 million
- Waiver Rates for Behavior Services - \$14.2 million
- Home and Community Based Services Waiver Waitlist - \$59.6 million

Department of Children and Families

Total: \$4.2 billion [\$2.5 billion GR; \$1.7 billion TF]; 12,231.75 positions

- Child Welfare:
 - Community Based Care Funding Increase - \$158.4 million
 - Mitigate Title IV-E Earnings Shortfall - \$32.6 million
 - Foster Care Child Daycare Subsidy - \$24.9 million
 - Foster Care Board Rate Parity - \$19.1 million
 - Fatherhood Engagement and Family Involvement Programs - \$31.8 million
 - Increased Subsidy for Foster Youth Attending Postsecondary Education - \$16.9 million
 - Maintenance Adoption Subsidies - \$10.1 million
 - Guardianship Assistance Program - \$8.7 million
 - Foster Care Board Rate Adjustment - \$3.3 million
 - Expand Adoption Incentive Benefits to Law Enforcement Officers - \$4 million
- Mental Health and Substance Abuse:
 - Community Based Behavioral Health Services - \$211.1 million
 - Opioid Response Grant - \$24.6 million

This summary is provided for information only and does not represent the opinion of any Senator, Senate Officer, or Senate Office.
--

- State Mental Health Treatment Facilities Forensic Beds - \$20 million
- Legal Settlement Funds for Opioid Epidemic Abatement - \$11.3 million
- Florida Assertive Community Treatment (FACT) Team Funding - \$7 million
- Florida System and Florida Safe Families Network Technology Modernization - \$31.5 million

Department of Elder Affairs

Total: \$349.9 million [\$208 million GR; \$141.9 million TF]; 407 positions

- Alzheimer's Disease Initiative - \$12 million
- Community Care for the Elderly - \$9 million
- Aging Resource Centers - \$1 million

Department of Health

Total: \$3.4 billion [\$750.6 million GR; \$2.7 billion TF]; 12,832 positions

- Casey DeSantis Cancer Research Program - \$37.7 million
- H. Lee Moffitt Cancer Center and Research Institute - \$20 million
- Leon Haley, Jr., MD Trauma Center - \$80 million
- Tampa General Hospital - \$10 million
- Fatherhood Grants - Home Visiting Program - \$4.4 million
- Primary Care Health Professional Loan Repayment Program - \$6.6 million and 3 positions
- Mayo Clinic of Jacksonville - \$4 million
- Hearing Aids for Children - \$5 million
- Dental Student Loan Repayment Program - \$1.8 million
- Hormonal Long-acting Reversible Contraception Program - \$2 million

Department of Veterans Affairs

Total: \$186 million [\$71.5 million GR; \$101 million TF]; 1,482.5 positions

- State Veterans' Nursing Homes - Nurses Salary and Recruitment Incentives - \$5.6 million
- State Veterans' Nursing Homes - Contracted Services Increase to Increase Wages to \$15 per hour - \$6.9 million
- Nonrecurring Trust Fund Shift to General Revenue Due to Trust Fund Deficit as a result of the New Homes Delayed Opening, and Decreased Occupancy Rates Due to COVID-19 - \$41.3 million
- Florida is For Veterans Increase for Administration and Programs - \$2.06 million

Criminal and Civil Justice Appropriations

This summary is provided for information only and does not represent the opinion of any Senator, Senate Officer, or Senate Office.
--

Total Budget: \$6.9 billion [\$6 billion GR; \$938 million TF]; 45,211.5 positions

Major Issues

- Prison Construction - Two New Facilities:
 - One 4,500 bed facility - \$650 million
 - One 250 bed hospital facility - \$200 million
- Offender Based Information System (OBIS) replacement - \$10.2 million
- Statewide Prosecutor Workload - \$1.8 million and 12 positions
- Solicitor General Workload - \$1.7 million and 10 positions
- Election Crimes Investigations - \$1.5 million and 10 positions
- Cyberfraud Analysis and Education - \$0.5 million and 6 positions
- Increase DJJ Provider Pay to Minimum Wage - \$5.3 million
- Salary Increases for Deputy Sheriffs and County Correctional Officers in Fiscally Constrained Counties - \$15.0 million
- Appellate Court Operational Increases - \$9.7 million and 62 positions
- Sixth DCA Courthouse - \$50.0 million

Department of Corrections

Total: \$3.8 billion [\$3.75 billion GR; \$63.9 million TF]; 23,380 positions

- Construction of one 4,500 Bed Prison - \$650.0 million
- Construction of one 250 Bed Prison Hospital - \$200.0 million
- Price Level Increase for Correctional Officers in Private Prisons - \$33.9 million
- Offender Based Information System (OBIS) Replacement - \$10.2 million
- Information Technology Infrastructure Improvements - \$5.1 million
- Critical Security Equipment - \$3.0 million
- Statewide Recruitment Staffing - \$1.9 million and 12 positions
- Critical Legal Positions - \$1.2 million and 13 positions
- Prison Rape Elimination Act (PREA) Program Compliance - \$1.2 million and 11 positions

Attorney General/ Legal Affairs

Total: \$345.7 million [\$77.3 million GR; \$268.4 million TF]; 1,293.5 positions

- Statewide Prosecutor Workload - \$1.8 million and 12 positions
- Solicitor General Workload - \$1.7 million and 10 positions

Florida Department of Law Enforcement

Total: \$387.6 million [\$226.0 million GR; \$161.6 million TF]; 1,954 positions

- Cyberfraud Analysis and Education - \$0.5 million and 6 positions
- Pensacola Regional Operations Center Facility - \$6.3 million
- Tampa Bay Facility Rent - \$1.7 million

- Sexual Assault Kit Tracking System - \$0.9 million and 2 positions
- Election Crimes Investigations - \$1.5 million and 10 positions
- Salary Increases for Deputy Sheriffs and County Correctional Officers in Fiscally Constrained Counties - \$15.0 million
- Increase Federal Grants Trust Fund Authority - COPS Anti-Methamphetamine Program (CAMP) Grant - \$0.8 million
- Criminal Justice Data Technical Assistance Grant - \$5.0 million
- Biometric Identification Solution (BIS) Modernization - \$3.5 million
- Criminal Justice Data Transparency - \$3.0 million
- Statewide Behavioral Threat Assessment Management Strategy - \$1.3 million and 3 positions

Department of Juvenile Justice

Total: \$607.4 million [\$457.7 million GR; \$149.6 million TF]; 3,247.5 positions

- Increase Provider Pay to Minimum Wage - \$5.3 million
- Expansion of Vocational and Educational Services - \$3.7 million
- Continuation and Expansion of Prevention and Early Intervention Programs - \$1.6 million
- Electronic Monitoring Enhancements - \$1.0 million
- Establishment of an Electronic Health Record - \$0.7 million and 3 positions

Justice Administrative Commission

Total: \$1.07 billion [\$885.1 million GR; \$182.9 million TF]; 10,684 positions

- Child Representation Pilot Program - \$2.4 million and 3 positions
- Staffing Support for the Justice Administrative Commission - \$0.5 million and 4 positions
- Clerks of Court Pandemic Recovery Plan - \$6.3 million
- Guardian ad Litem Trust Fund Authority - \$4.4 million and 67.5 positions
- State Attorney and Public Defender Motor Vehicle Replacement - \$2.5 million

State Court System

Total: \$702.8 million [\$591.3 million GR; \$111.4 million TF]; 4,506.5 positions

- Appellate Court Operational Increases - \$9.7 million and 62 positions
- Sixth DCA Courthouse - \$50.0 million
- Appellate Case Management Solution - \$4.5 million
- Maintain Early Childhood Courts - \$1.0 million and 9 positions
- Trial Courts Pandemic Recovery Plan - \$10.0 million
- Support for Post-Pandemic Proceedings - \$1.9 million
- Supreme Court Fellows Program - \$0.6 million
- Courthouse Furnishings - \$0.9 million

Transportation, Tourism, and Economic Development Appropriations

Total Budget: \$16.5 billion [\$1.0 billion GR; \$15.5 billion TF]; 13,126 positions

Major Issues

- Transportation Work Program - \$11.6 billion
- Affordable Housing Programs - \$362.7 million
- Library, Cultural, and Historical Grants, Initiatives, and Facilities - \$175.3 million
- Urban Search and Rescue Teams Training and Equipment Grants - \$10 million
- Florida National Guard Tuition Assistance - \$5.2 million

Department of Economic Opportunity

Total: \$1.3 billion [\$236.9 million GR; \$1.1 billion TF]; 1,510 positions

- Reemployment Assistance Program Operations and Tax Services Provider - \$33.4 million
- State Housing Initiatives Partnership (SHIP) - \$209.5 million (allocated to local governments)
- Affordable Housing Programs - \$153.3 million, including the State Apartment Incentive Loan (SAIL) and \$100 million for a Florida Hometown Hero Housing Program
- Job Growth Grant Fund - \$50 million SFRF
- VISIT Florida - \$50 million
- Noncustodial Parent Employment Program - \$7.0 million *recurring*
- Law Enforcement Recruitment Bonus Program - \$20 million
- First Responders Recognition Payments - \$125 million SFRF
- Broadband Opportunity Grant Program - \$400 million SFRF
- Consumer-First Workforce Information System - \$150 million SFRF
- Rural Infrastructure Fund - \$30 million (\$25 million SFRF)
- Economic Development Projects - \$6.0 million
- Housing and Community Development Projects - \$107.9 million
- Workforce Projects - \$9.5 million

Department of Highway Safety and Motor Vehicles

Total: \$529.2 million [\$10 million GR; \$519.2 million TF]; 4,340 positions

- Florida Highway Patrol Taser Replacement - \$1.5 million *recurring*
- Florida Highway Patrol Academy Driving Track - \$10 million
- Increased Authority for Work Zone Traffic Enforcement - \$5.8 million
- Additional Commercial Driver License Third Party Testing - \$570,119; 6.0 positions
- Motorist Modernization Project - Phase II - \$10 million

Department of Military Affairs

Total: \$75.3 million [\$31.8 million GR; \$43.5 million TF]; 459 positions

- Florida National Guard Tuition Assistance - \$5.2 million for FYs 2021-2022 and 2022-2023
- Florida State Guard - \$10 million; 6.0 positions
- New Counterdrug Program Headquarters Building - \$2.2 million

Department of State

Total: \$193.7 million [\$163.6 million GR; \$30.1 million TF]; 444 positions

- Libraries Maintenance of Effort - \$23.9 million; and Additional Aid - \$2 million
- Cultural and Museum Programs and Initiatives - \$73.2 million
 - General Program Support Grants - \$46.0 million (fully funds all 556 projects)
 - Culture Builds Florida Ranked List - \$3.1 million (funds all 131 projects)
 - Cultural Facilities Grants Ranked List - \$10 million SFRF (funds 24 projects)
 - Cultural and Museum Projects - \$14.1 million
- Historical Preservation Programs and Initiatives - \$31.1 million
 - Historic Preservation Small Matching Grants Ranked List - \$1.6 million (funds all 58 projects)
 - Historic Preservation Special Category Ranked List - \$21.5 million (funds all 77 projects)
 - Historic Preservation Projects - \$9.4 million
- African-American Cultural and Historical Grants Ranked List - \$30.3 million (SFRF)
- Elections - \$16.2 million GR and TF - includes:
 - Additional Positions for Voter Registration Activities - \$1.1 million; 15.0 positions
 - Office of Election Crimes and Security Investigators - \$1.1 million; 15.0 positions
 - Florida Voter Registration System Modernization Feasibility Study - \$450,000
 - Grants to Supervisors of Elections for Cyber Security - \$8 million
- Memorial for Champlain Towers South - \$1.0 million
- New Artifacts Curation Facility - \$13.8 million SFRF

Department of Transportation

Total: \$12.7 billion [\$498.6 million GR; \$12.3 billion TF]; 6,175 positions

- Transportation Work Program - \$11.6 billion
- County Transportation Programs:
 - Small County Road Resurface Assistance Program (SCRAP) - \$47.7 million (\$20 million SFRF)
 - Small County Outreach Program (SCOP) - \$115.2 million (\$30 million SFRF)
 - County Transportation Programs - \$49.6 million
- Local Transportation Initiatives (Road Fund) Projects - \$498.6 million
- Innovative Grant Program for Transportation Disadvantaged - \$4 million
- Commercial Driver License Training, Testing, and Licensing - \$500,000 *recurring* TF

This summary is provided for information only and does not represent the opinion of any Senator, Senate Officer, or Senate Office.
--

Division of Emergency Management

Total: \$1.6 billion [\$63.4 million GR; \$1.6 billion TF]; 198 positions

- New Positions - 11.0 positions; \$1.2 million GR
- Urban Search and Rescue Teams Training and Equipment Grants - \$10 million GR
- Mobile Home Tie-Down Program Increased Funding - \$7 million GR
- Open Federally Declared Disaster (FEMA reimbursement and pass-through) - \$1.5 billion
- Community Recovery, Preparedness, and Critical Facilities Projects - \$30.8 million GR

Agriculture, Environment, and General Government Appropriations

Total Budget: \$9.3 billion [\$2.5 billion GR; \$1.6 billion LATF; \$5.2 billion Other TF]; 20,385 positions

Major Issues***Department of Agriculture & Consumer Services***

Total: \$2 billion [\$271 million GR; \$209.4 million LATF; \$1.5 billion TF]; 3,876 positions

- Rural and Family Lands Protection Program/Wildlife Corridors - \$300 million
- Emergency Wildfire Management - \$93.8 million
- Wildfire Suppression Equipment/Aircraft - \$42.7 million
- Florida Forest Service Aerial Protection Program - \$15 million
- Road/Bridge and Facility Maintenance - \$8.4 million
- Citrus Protection and Research - 5 positions and \$16.6 million
- Lake Okeechobee Agriculture Projects - \$5 million
- Florida Agriculture Promotion Campaign - \$19 million
- Licensing Concealed Weapons Program - 25 positions and \$1.7 million
- Office of Energy Grants - \$3.5 million
- Feeding Programs/Farm Share/Feeding Florida - \$15.1 million
- Agriculture Education and Promotion Facilities - \$31.8 million

Department of Citrus

Total: \$41.8 million [\$20.6 million GR; \$21.2 million TF]; 28 positions

- Citrus Recovery Program - \$13 million
- Building Repair and Maintenance - \$1.5 million

Department of Environmental Protection

Total: \$4.2 billion [\$1.4 billion GR; \$1.3 billion LATF; \$1.5 billion TF]; 3,088 positions

- Everglades Restoration - \$885.9 million
- Water Quality Improvements - \$782.4 million
- Wastewater Grant Program - \$125 million
- Staffing for Environmental Permitting - 33 positions and \$3.3 million
- Indian River Lagoon WQI - \$38 million
- Biscayne Bay Water Quality Improvements - \$20 million
- Springs Coast Watershed - \$20 million
- Caloosahatchee WQI - \$6 million
- Peace River WQI - \$4 million
- Water Projects - \$368.4 million
- C-51 Reservoir - \$65 million
- Florida Keys Aqueduct - \$20 million
- Total Maximum Daily Loads - \$50 million
- Septic Upgrade Incentive Program - \$10 million
- Non-Point Source Planning Grants - \$10 million
- Dade City Wastewater - \$39.7 million
- Water Restoration Assistance Staff - 25 positions and \$3 million
- Flood and Sea-Level Rise Program - \$470.9 million
- Alternative Water Supply - \$50 million
- Water Quality Improvements - Blue Green Algae Task Force - \$10.8 million
- Innovative Technology Grants for Harmful Algal Blooms - \$15 million
- Resilient Florida Program - 25 positions and \$2.4 million
- Springs Restoration - \$75 million
- Florida Forever Programs and Land Acquisition - \$168.7 million
- Division of State Lands - \$100 million
- Florida Recreational Development Assistance Grants - \$10.7 million
- Green Heart of the Everglades Acquisition - \$35 million GR
- Rattlesnake Key Acquisition - \$23 million GR
- Florida Keys Area of Critical State Concern - \$20 million
- Petroleum Tanks Cleanup Program - \$180 million
- Volkswagen Settlement - \$53 million
- Hazardous Waste and Dry Clean Site Cleanup - \$40 million
- Beach Management Funding Assistance - \$50 million
- Drinking Water Revolving Loan Program - \$202.6 million
- Wastewater Revolving Loan Program - \$264.8 million
- Water Infrastructure Improvements - \$178.9 million
- Small County Wastewater Treatment Grants - \$12 million
- Land and Water Conservation Grants - \$13.5 million
- Local Resiliency Projects - \$5 million
- Local Parks - \$58.2 million
- State Parks Maintenance and Repairs - \$239.5 million
- State Park Beach Projects - \$55 million

This summary is provided for information only and does not represent the opinion of any Senator, Senate Officer, or Senate Office.

Department of Business & Professional Regulation

Total: \$160.2 million [\$1.8 million GR; \$158.5 million TF]; 1,545 positions

- Customer Experience Modernization - \$4.4 million

Florida Gaming Control Commission

Total: \$26.9 million TF; 185 positions

Department of Financial Services

Total: \$477.2 million [\$55.4 million GR; \$421.8 million TF]; 2,568.5 positions

- Florida Planning, Accounting & Ledger Management (PALM) Project - \$45.7 million
- Information Technology Upgrades to Software, Hardware, and Equipment - \$7.7 million
- Florida Firefighter Cancer Research - \$2.0 million
- Local Government Fire and Firefighter Services - \$46.3 million
- Law Enforcement Positions, Equipment, Training and Enhancements - 12 positions and \$4.3 million

Fish & Wildlife Conservation Commission

Total: \$481.2 million [\$108.6 million GR; \$107.6 million LATF; \$265 million TF]; 2,149 positions

- Marine Fisheries Recovery Grant Program - \$2.5 million
- Law Enforcement Equipment Replacement - \$12.7 million
- Law Enforcement Enhanced Patrol and Support - 12 positions and \$2.6 million
- FWC Buildings Maintenance and Repair - \$4.2 million
- Manatee Management Care - \$20 million
- Boating Infrastructure and Improvement Program - \$7.2 million
- Derelict Vessel Removal - \$19.9 million
- Nuisance and Invasive Species Response - \$2 million
- Apalachicola Bay Oyster Restoration - \$3.2 million
- Land Use Planning Program - 10 positions and \$0.8 million

Department of the Lottery

Total: \$210 million TF; 418.5 positions

- Increased Payments Related to Ticket Purchases - \$6.7 million
- Prize Payment System - \$4.0 million

Department of Management Services

Total Budget: \$1 billion [\$421.2 million GR; \$623.4 million TF]; 1,025.5 positions

This summary is provided for information only and does not represent the opinion of any Senator, Senate Officer, or Senate Office.
--

- Florida Facilities Pool (FFP) Fixed Capital Outlay - 16 positions and \$61.8 million
- Capitol Complex Renovations and Repairs - \$115 million
- State Emergency Operations Center - \$80 million
- Department of Corrections Facilities Master Plan - \$5 million
- MyFloridaMarketPlace - \$5.8 million
- Division of Retirement Critical Workload - 20 positions and \$2.4 million
- Executive Aircraft Program - 17 positions and \$30.8 million
- Cybersecurity - 8 positions and \$119.2 million
- Cloud Modernization and Migration - \$163.4 million
- Northwest Regional Data Center (NWRDC)/State Data Center - \$20 million
- State Data Center Contract with NWRDC - 7 positions and \$1 million

Division of Administrative Hearings

Total Budget: \$29.2 million TF; 216 positions

Public Service Commission

Total: \$27.8 million TF; 274 positions

Department of Revenue

Total: \$637.8 million [\$230 million GR; \$407.8 million TF]; 5,012 positions

- Fiscally Constrained Counties - \$38.8 million
- IT Issues - \$9 million

If approved by the Governor, these provisions take effect July 1, 2022, except where otherwise expressly provided.

[\[1\]](#) Local revenues include required and discretionary local effort for the public schools and tuition and fees for workforce, colleges, and universities.

Vote: Senate 33-0; House 105-3

THE FLORIDA SENATE
2022 SUMMARY OF LEGISLATION PASSED
Committee on Appropriations

HB 5003 — Implementing the 2022-2023 General Appropriations Act
by Appropriations Committee and Rep. Trumbull (SB 2502 by Appropriations Committee)

The bill, relating to implementing the Fiscal Year 2022-2023 General Appropriations Act, provides the following substantive modifications for the 2022-2023 fiscal year:

Section 1 provides legislative intent that the implementing and administering provisions of this act apply to the GAA for Fiscal Year 2022-2023.

Section 2 incorporates the Florida Education Finance Program (FEFP) work papers by reference for the purpose of displaying the calculations used by the Legislature.

Section 3 provides that funds appropriated for instructional materials shall be released and expended as required in the GAA.

Section 4 amends s. 1013.62, F.S., to provide that for the 2022-2023 fiscal year, charter school capital outlay funding shall consist of state funds appropriated in the General Appropriations Act and not revenue resulting from discretionary millage.

Section 5 provides that the amendments to s. 1013.62(1), F.S., expire July 1, 2023.

Section 6 amends s. 1011.62, F.S., to extend for 1 year the authorization for the Legislature to provide a funding compression and hold harmless allocation in the FEFP.

Section 7 reenacts s. 1001.26, F.S., to allow public colleges and universities that are part of a public broadcasting system to qualify to receive state funds.

Section 8 provides that the amendments to s. 1001.26(1), F.S., expire July 1, 2023.

Section 9 amends s. 1002.45, F.S., revising conditional approval for virtual instruction programs to remain valid for 2 years, rather than 1 school year.

Section 10 provides that the amendments to s. 1002.45, F.S., expire July 1, 2023.

Section 11 amends s. 1008.36, F.S., revising provisions addressing the Florida School Recognition Program.

Section 12 provides that the amendments to s. 1008.36, F.S., expire July 1, 2023.

Section 13 authorizes the Florida State University to use revenues derived from student facilities fees to pay and secure debt with annual debt service in an amount not to exceed \$4 million to finance or refinance the University's new Student Union Project.

Section 14 authorizes the Agency for Health Care Administration (AHCA) to submit a budget amendment to realign funding between the AHCA and the Department of Health (DOH) for the Children’s Medical Services (CMS) Network for the implementation of the Statewide Medicaid Managed Care program to reflect actual enrollment changes due to the transition from fee-for-service into the capitated CMS Network.

Section 15 authorizes the AHCA to submit a budget amendment to realign funding within the Medicaid program appropriation categories to address any projected surpluses and deficits and maximize the use of state trust funds. A single budget amendment must be submitted in the last quarter of the 2022-2023 fiscal year only.

Section 16 authorizes the AHCA and the DOH to each submit a budget amendment 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 2022-2023 fiscal year only.

Section 17 amends s. 381.986, F.S., to provide that DOH is not required to prepare a statement of estimated regulatory costs when promulgating rules relating to medical marijuana and any such rules adopted prior to July 1, 2023, are exempt from the legislative ratification provision of s. 120.541(3), F.S.

Section 18 reenacts and amends s. 14(1) of chapter 2017-232, L.O.F., to provide limited emergency rulemaking authority to the DOH and applicable boards to adopt emergency rules to implement the Medical Use of Marijuana Act. The DOH and applicable boards are not required to prepare a statement of estimated regulatory costs when promulgating rules to replace emergency rules, and any such rules are exempt from the legislative ratification provision of s. 120.541(3), F.S., until July 1, 2023.

Section 19 provides that the amendments to s. 14(1) of chapter 2017-232, L.O.F., expire on July 1, 2023, and the text of that provision reverts back to that in existence on June 30, 2019.

Section 20 authorizes the AHCA to submit a budget amendment to implement the federally approved Directed Payment Program and the Indirect Medical Education Program.

Section 21 authorizes the Department of Children and Families (DCF) to submit a budget amendment to realign funding within appropriations for the Guardianship Assistance Program.

Section 22 authorizes the DCF to submit a budget amendment to realign funding within the Family Safety Program to maximize the use of Title IV-E and other federal funds.

Section 23 authorizes the DCF to submit a budget amendment to realign funding between appropriation categories to support contracted staffing equivalents to sustain forensic bed capacity and resident-to-workforce ratios at state's mental health treatment facilities.

Section 24 authorizes the DOH to submit a budget amendment to increase budget authority for the HIV/AIDS Prevention and Treatment Program if additional federal revenues specific to the program become available in the 2022-2023 Fiscal Year.

Section 25 authorizes the DOH to submit budget amendments to increase budget authority for the department if additional federal revenues specific to COVID-19 relief funds become available.

Section 26 reenacts and amends subsections (1)-(5) of s. 42 of Chapter 2020-114, L.O.F., to provide the components of the new Medicaid Enterprise System (MES) included in the AHCA's new Florida Health Care Connection (FX) system, the executive steering committee membership for the FX information technology project, and the procedures for executive steering committee meetings and decisions for the FX project.

Section 27 requires the ACHA, in consultation with the DOH, the APD, the DCF, and the Department of Corrections (DOC), to competitively procure a contract with a vendor to negotiate prices for prescription drugs, including insulin and epinephrine, for all participating agencies. The contract must require the vendor be compensated on a contingency basis paid from a portion of the savings achieved through the negotiation and purchase of prescription drugs.

Section 28 provides that the unexpended balance of funds provided to the DCF for the Family Support Services of Suncoast Community Based Care lead agency must be carried forward and made available to the lead agency for the same purpose.

Section 29 notwithstanding s. 381.915, F.S., to exclude \$37,771,257 from the calculation for the distribution of funds.

Section 30 amends s. 216.262, F.S., to allow the Executive Office of the Governor to request additional positions and appropriations from unallocated general revenue funds during the 2022-2023 fiscal year for the DOC, if the actual inmate population of the DOC exceeds the Criminal Justice Estimating Conference forecasts of January 13, 2022. The additional positions and appropriations may be used 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, and are subject to Legislative Budget Commission review and approval.

Sections 31 amends s. 1011.80(8)(b), F.S., to permit the expenditure of appropriations for the education of state or federal inmates to the extent funds are specifically appropriated in the GAA.

Section 32 provides that the amendments to s. 1011.80(8)(b), F.S., expire July 1, 2023.

Section 33 amends s. 215.18, F.S., to provide the Chief Justice of the Florida Supreme Court the authority to request a trust fund loan to ensure the state court system has sufficient funds to meet its appropriations contained in the GAA for Fiscal Year 2022-2023.

Section 34 requires the Department of Juvenile Justice (DJJ) to ensure that counties are fulfilling their financial responsibilities required in s. 985.6865, F.S., and to report any deficiencies to the Department of Revenue. If DJJ determines that a county has not met its obligations, it must direct the Department of Revenue to deduct the amount owed to DJJ from shared revenue funds provided to the county under s. 218.23, F.S. to be deposited into the Shared County/State Juvenile Detention Trust Fund in DJJ. The section also includes procedures to provide assurance to holders of bonds for which shared revenue fund distributions are pledged.

Section 35 reenacts s. 27.40, F.S., relating to criminal case conflicts to require written certification of conflict by a public defender. If the office of criminal conflict and civil regional counsel cannot accept a case from the public defender due to conflict, the office of civil regional counsel is required to specifically identify and describe the conflict of interest and certify the conflict to the court before a court-appointed counsel may be assigned. Each public defender and regional counsel must report, in the aggregate, the basis of all conflicts of interest certified to the court on a quarterly basis.

In addition, contracts with appointed counsel and forms used in billing by court-appointed counsel are required to be consistent with ss. 27.5304 and 216.311, F.S. A contract with court-appointed counsel must specify that payment is contingent upon an appropriation by the Legislature. The flat fee established in s. 27.5304, F.S., is required to be presumed to be sufficient compensation.

The Justice Administrative Commission (JAC) also is required to review appointed counsel billings, and objections by the JAC are required to be presumed correct unless a court determines, in writing, that competent and substantial evidence exists to justify overcoming the presumption. If an attorney does not permit the JAC or the Auditor General to review billing documentation, the attorney waives the claim for attorney fees. A finding by the JAC that the appointed counsel waived the right to seek compensation above the flat fee is required to be presumed correct, unless a court determines, in written findings, that competent and substantial evidence exists to overcome the presumption.

Section 36 provides that the amendments to s. 27.40, F.S., expire July 1, 2023.

Section 37 reenacts s. 27.5304, F.S., to increase, for the 2022-2023 fiscal year, the statutory compensation limits for fees paid to court-appointed attorneys in noncapital, nonlife felony and life felony cases. The Legislature is authorized to establish the actual amounts paid to attorneys in these categories in the GAA for Fiscal Year 2022-2023.

In addition, court-appointed counsel may be compensated only in compliance with ss. 27.40(1), (2)(a), (7) and 27.5304, F.S., and the GAA. The JAC is required to review all billings and must

contemporaneously document its review before authorizing payment to an attorney. Objections by the JAC to billings by an attorney are required to be presumed correct by a court unless the court determines, in writing, that competent and substantial evidence supports overcoming the presumption. Motions to exceed the flat fee are required to be served on the JAC at least 20 business days before the hearing date, and the JAC may appear at the hearing in person or telephonically.

Section 38 provides that the amendments to s. 27.5304, F.S., expire July 1, 2023.

Section 39 notwithstanding proviso in the GAA to provide \$4.5 million from General Revenue to Department of Corrections to grant special pay adjustments to address compression issues for eligible employees in institutions and community corrections management positions.

Section 40 requires the Department of Management Services (DMS) and agencies to utilize a tenant broker to renegotiate private lease agreements in excess of 2,000 square feet, expiring before June 30, 2025.

Section 41 notwithstanding s. 216.292(2)(a), F.S., which authorizes transfers of up to 5 percent of approved budget between categories. Agencies will be prohibited from transferring funds from data center appropriation category to a category other than a data center appropriation category.

Section 42 requires the DMS to contract with the NWRDC, effective July 1, 2022, for the management, operation, and staffing of the State Data Center. Provides contract requirements. Specifies that all functions, records, personnel, contracts, interagency agreements, and assets of the SDC are transferred to the NWRDC.

Section 43 transfers all functions, records, personnel, contracts, interagency agreements, and assets of the current DMS SDC to the NWRDC.

Section 44 allows Executive Office of the Governor (EOG) to transfer funds appropriated in the Northwest Regional Data Center appropriations category between departments in order to align the budget authority granted based on estimated billings.

Section 45 authorizes the EOG to transfer funds in the appropriation category “Special Categories-Risk Management Insurance” between departments in order to align the budget authority granted with the premiums paid by each department for risk management insurance.

Section 46 authorizes the EOG to transfer funds in the appropriation category “Special Categories - Transfer to DMS - Human Resources Services Purchased per Statewide Contract” of the GAA for Fiscal Year 2021-2022 between departments, in order to align the budget authority granted with the assessments that must be paid by each agency to the DMS for human resources management services.

Section 47 authorizes the DMS to use certain facility disposition funds from the Architects Incidental Trust Fund to pay for relocation costs associated with disposing of a state-owned building.

Section 48 amends s. 550.135, F.S., authorizing certain pari-mutuel fees to be used to fund the operation of the Florida Gaming Control Commission.

Section 49 provides that the amendments to s. 550.135, F.S., expire July 1, 2023.

Section 50 amends s. 849.086, F.S., to revise a cross-reference.

Section 51 provides that the amendments to s. 849.086, F.S., expire July 1, 2023.

Section 52 reenacts and amends subsections (1)-(5) of s. 72 of chapter 2020-114, L.O.F., to define the components of the Florida Accounting Information Resource subsystem (FLAIR) and Cash Management System (CMS) included in the Department of Financial Services Planning Accounting and Ledger Management (PALM) system. This section also provides the executive steering committee membership and the procedures for executive steering committee meetings and decisions.

Section 53 reenacts s. 282.709(3), F.S., to carry forward the DMS's authority to execute a 15-year contract with the Statewide Law Enforcement Radio System (SLERS) operator.

Section 54 provides that the amendment to s. 282.709(3), F.S., expires July 1, 2023, and the text of that section reverts to that in existence on June 30, 2021.

Section 55 authorizes state agencies and other eligible users of the SLERS to, notwithstanding s. 287.057, F.S., use the DMS SLERS contract for the purchase of equipment and services related to the SLERS.

Section 56 reduces the transaction fee collected for use of the online procurement system from one percent to 0.7 percent for Fiscal Year 2022-2023.

Section 57 provides that lottery ticket sale commissions must be 5.75 percent for Fiscal Year 2022-2023.

Section 58 provides that the amendment to s. 24.105, F.S., expires July 1, 2023.

Section 59 amends s. 215.18, F.S., to authorize the Governor to temporarily transfer moneys, from one or more of the trust funds in the State Treasury, to a land acquisition trust fund (LATF) within the Department of Agriculture and Consumer Services, the DEP, the Department of State, or the Fish and Wildlife Conservation Commission, whenever there is a deficiency that would render the LATF temporarily insufficient to meet its just requirements, including the timely payment of appropriations from that trust fund. These funds must be expended solely and

exclusively in accordance with Art. X, s. 28, State Constitution. This transfer is a temporary loan, and the funds must be repaid to the trust funds from which the moneys are loaned by the end of the 2022-2023 fiscal year. Any action proposed pursuant to this subsection is subject to the notice, review, and objection procedures of s. 216.177, F.S., and the Governor shall provide notice of such action at least seven days before the effective date of the transfer of trust funds.

Section 60 provides that, in order to implement specific appropriations from the land acquisition trust funds within the Department of Agriculture and Consumer Services, the DEP, the Fish and Wildlife Conservation Commission, and the Department of State, the DEP will transfer a proportionate share of revenues in the Land Acquisition Trust Fund within the DEP on a monthly basis, after subtracting required debt service payments, to each agency and retain a proportionate share within the Land Acquisition Trust Fund within the DEP. Total distributions to a land acquisition trust fund within the other agencies may not exceed the total appropriations for the fiscal year. The section further provides that DEP may advance funds from the beginning unobligated fund balance in the Land Acquisition Trust Fund to the LATF within the Fish and Wildlife Conservation Commission for cash flow purposes.

Section 61 amends s. 576.045, F.S., to extend the repeal date for the following supplemental fees:

- One hundred dollars for each license to distribute fertilizer.
- One hundred dollars for each specialty fertilizer registration.
- Fifty cents per ton for all fertilizer that contains nitrogen or phosphorous that is sold in this state.

Section 62 reenacts and amends s. 375.041, F.S., to provide that the distribution from the Land Acquisition Trust Fund for restoration of Lake Apopka for the 2022-2023 fiscal year not occur.

Section 63 reenacts s. 570.93, F.S., to revise the agricultural water conservation program to enable cost-share funds to continue to be used for irrigation system retrofits and mobile irrigation lab evaluations. The revision also permits the funds to be expended on additional water conservation activities pursuant to s. 403.067(7)(c), F.S.

Section 64 provides that the amendments to s. 570.93, F.S., expire July 1, 2023.

Section 65 reenacts s. 376.3071, F.S., to revise the requirements for the usage of the Inland Protection Trust Fund for ethanol and biodiesel damage to petroleum tanks.

Section 66 provides that the amendments to s. 376.3071, F.S., expire July 1, 2023.

Section 67 provides that in order to expedite the closure of the Piney Point facility located in Manatee County, the DEP is exempt from the competitive procurement requirements of s. 287.057, F.S., for any procurement of commodities or contractual services in support of the site closure or to address the environmental impacts associated with the system failure.

Section 68 notwithstands ch. 255, F.S., to allow the Department of Agriculture and Consumer Services to administer a program to expedite the expansion of citrus tree propagation.

Section 69 notwithstands ch. 287, F.S., to allow the Department of Citrus to enter into agreements to expedite the increased production of disease free citrus trees.

Section 70 amends s. 321.04, F.S., to provide that for the 2022-2023 fiscal year, the Department of Highway Safety and Motor Vehicles may assign a patrol officer to a Cabinet member if the department deems such assignment appropriate or if requested by such Cabinet member in response to a threat. Additionally, the Governor may request the department to assign one or more highway patrol officers to the Lieutenant Governor for security services.

Section 71 amends s. 215.559, F.S., providing for the Manufactured Housing and Mobile Home Mitigation and Enhancement Program to be operated by the Gulf Coast State College; delaying the repeal of the Hurricane Loss Mitigation Program within the Division of Emergency Management.

Section 72 amends s. 288.0655, F.S., relating to the Rural Infrastructure Fund, to provide that funds appropriated for the grant program for Florida Panhandle counties must be distributed pursuant to and for the purposes described in proviso.

Section 73 amends s. 288.80125, F.S., relating to the Triumph Gulf Coast Trust Fund, to provide that funds shall be used for the Rebuild Florida Revolving Loan Fund Program to provide assistance to businesses impacted by Hurricane Michael as provided in the GAA.

Section 74 amends s. 339.08, F.S., extending for 1 year a requirement that certain funds appropriated from the General Revenue Fund be used on State Highway System projects and grants to Florida ports as provided in the GAA.

Section 75 amends s. 339.135(7), F.S., to authorize the chair and vice chair of the Legislative Budget Commission to approve, pursuant to s. 216.177, F.S., a work program amendment that adds a new project, or a phase of a new project, in excess of \$3 million if a commission meeting does not occur within 30 days of submittal of the amendment by the Department of Transportation.

Section 76 amends s. 288.9015, F.S., deleting authority for Enterprise Florida, Inc., to carry forward unexpended state appropriations.

Section 77 provides that the amendments to s. 288.9015, F.S., expire July 1, 2023.

Section 78 amends s. 420.0005, F.S., extending by 1 fiscal year the authorization to use funds in the State Housing Trust Fund as provided in the GAA.

Section 79 amends s. 331.3101, F.S., to limit Space Florida's expenditures on entertainment and lodging and require Space Florida to submit additional information in its annual report relating to itemized expenses and information related to corrective actions taken by Space Florida to address the findings in the 2022-049 Auditor General Report.

Section 80 creates s. 251.001, F.S., creating the Florida State Guard. Subject to appropriation, authorizes the creation of the guard to be used exclusively within the state, separate and apart from the Florida National Guard. Provides that the maximum number of personnel that may be commissioned, enrolled, or employed as members of the Florida State Guard is 400. Provides that the Florida State Guard may be activated when the Florida National Guard is in active federal service and the Governor has declared a state of emergency.

Section 81 provides that for Fiscal Year 2022-2023, toll rates may not be adjusted for inflation under s. 338.165, F.S.

Section 82 amends s. 112.061, F.S., to authorize a lieutenant governor who permanently resides outside of Leon County to designate an official headquarters in his or her county as his or her official headquarters for purposes of s. 112.061, F.S. A lieutenant governor for whom an official headquarters in his or her county of residence is established may be paid travel and subsistence expenses when traveling between their official headquarters and the State Capitol to conduct state business.

Section 83 revises the DMS's authority relating to the procurement of HMOs, including notwithstanding the requirement for metal plans. Authorizes the DMS to enter into contracts that may require the payment of administrative fees in excess of 110 percent of the amount appropriated in the GAA.

Section 84 maintains legislative salaries at the July 1, 2010, level.

Section 85 reenacts s. 215.32(2)(b), F.S., in order to implement the transfer of moneys to the General Revenue Fund from trust funds in the General Appropriations Act.

Section 86 provides that the amendment to s. 215.32(2)(b), F.S., expires July 1, 2023, and the text of that section reverts to that in existence on June 30, 2011.

Section 87 provides that funds appropriated for travel by state employees be limited to travel for activities that are critical to each state agency's mission. The section prohibits funds from being used to travel to foreign countries, other states, conferences, staff training, or other administrative functions unless the agency head approves in writing. The agency head is required to consider the use of teleconferencing and electronic communication to meet needs of activity before approving travel.

Section 88 provides that notwithstanding s. 112.061, F.S., 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 \$175 per day. An employee may expend his or her own funds for any lodging expenses in excess of \$175 per day. Exempts travel for conducting an audit, examination, inspection or investigation or travel activities relating to a litigation or emergency response.

Section 89 reenacts and amends s. 216.181, F.S., to authorize the Legislative Budget Commission (LBC) to increase the amounts appropriated to state agencies for certain fixed capital outlay projects using specified federal funds for deferred maintenance. The bill also authorizes the LBC to approve budget amendments to increase the approved operating budgets for operational and fixed capital outlay expenditures of a state agency or an entity of the judicial branch when deemed necessary to offset cost increases driven by inflation.

Section 90 amends s. 350.0614, F.S., to provide that the operating budget, as approved jointly by the President of the Senate and the Speaker of the House of Representatives, from moneys appropriated to the Public Counsel by the Legislature constitutes the allocation under which the Public Counsel must manage the duties of his or her office and requires the Public Counsel to submit annual budget amendments to the Legislature in the format, detail, and schedule determined by the President of the Senate and the Speaker of the House of Representatives.

Sections 91 through 95 provide that the electronic submission of forms must begin January 1, 2023, rather than January 1, 2022. Requires the commission to provide notice on its website and send forms by email.

Section 96 for Fiscal Year 2022-2023, prohibits a state agency, political subdivision, public school, state college, or state university from entering into a cultural agreement or accepting a grant from the Russian Federation.

Section 97 requires the Department of Management Services to review all state agency contracts and procurements to determine what, if any, state funds are spent on goods and services from Russian-based companies. The DMS must submit its findings in a report to the Legislature by December 1, 2022.

Section 98 specifies that no section of the bill shall take effect if the appropriations and proviso to which it relates are vetoed.

Section 99 provides that a permanent change made by another law to any of the same statutes amended by this bill will take precedence over the provision in this bill.

Section 100 provides a severability clause.

Section 101 provides effective dates.

If approved by the Governor, these provisions take effect July 1, 2022, except where otherwise expressly provided.

Vote: Senate 33-0; House 105-3

THE FLORIDA SENATE
2022 SUMMARY OF LEGISLATION PASSED
Committee on Appropriations

HB 5005 — Collective Bargaining

by Appropriations Committee and Rep. Trumbull (SB 2504 by Appropriations Committee)

The bill, relating to collective bargaining, directs that the resolution of collective bargaining issues at impasse for the 2022-2023 fiscal year which are not addressed by the General Appropriations Act shall be resolved in accordance with the personnel rules in effect on January 11, 2022, and by otherwise maintaining the status quo under the language of the applicable current collective bargaining agreement.

Vote: Senate 33-0; House 108-0

THE FLORIDA SENATE
2022 SUMMARY OF LEGISLATION PASSED
Committee on Appropriations

HB 5009 — State Group Insurance Program

by Appropriations Committee and Rep. Stevenson (SB 2506 by Appropriations Committee)

The bill, relating to the State Group Insurance Program, conforms to the Fiscal Year 2022-2023 General Appropriations Act (GAA). The GAA contains \$2.5 million and 3.00 positions related to the creation of an anti-fraud unit within the Division of State Group Insurance.

The State Group Insurance Program (SGI Program) is created by s. 110.123, F.S., and is administered by the Division of State Group Insurance (DSGI) within the Department of Management Services (DMS). The SGI Program is an optional benefit for most state employees employed by executive branch agencies, state universities, the court system, and the Legislature and includes health, life, dental, vision, disability, and other supplemental insurance benefits. The SGI Program typically makes benefits changes on a plan year basis, January 1 through December 31.

In Fiscal Year 2021-2022, the SGI Program will serve nearly 170,000 enrolled employees at the cost of \$2.9 billion. The Revenue Estimating Conference forecasts the SGI Program will serve approximately the same number of employees at a cost of \$3.1 billion in Fiscal Year 2022-2023.

The bill amends statutes to make the following changes:

- Provides that eligible former employees of state government may reenroll in the SGI Program within 24 months of separation from employment which occurred on or after July 1, 2022. All eligible former employees must pay the same premiums as early retirees.
- Directs the DMS to establish an anti-fraud unit within DSGI by December 31, 2022. Specifically, the DMS must establish and maintain a designated anti-fraud unit to investigate and report possible fraudulent insurance acts by insureds, persons making claims for services against the State Employees Health Insurance Trust Fund, or vendors under contract with the division. The bill authorizes the division to contract for the provisions related to the anti-fraud division and requires the DMS to designate staff with the primary responsibility of implementing those provisions.
- Waives member cost share within the Price Transparency Program.
- Deletes obsolete language relating to additional state appropriations to the state group health insurance program.
- Ratifies the DMS's rule to create nine HMO regions across the state pursuant to s. 110.123(3)(h)2.d., F.S.
- Repeals the Metal Tier health plan contained in s. 110.123(3)(j), F.S.

If approved by the Governor, these provisions take effect July 1, 2022.

Vote: Senate 33-0; House 108-0

THE FLORIDA SENATE
2022 SUMMARY OF LEGISLATION PASSED
Committee on Appropriations

HB 5011 — Inflation Fund

by Appropriations Committee and Rep. Trumbull

The bill creates the Inflation Fund within the Executive Office of the Governor. The bill provides that unprecedented inflation driven by federal economic policies necessitates the need for a reserve to ensure there are sufficient funds, as appropriated in the General Appropriations Act, available to allow for budget amendments when inflation-driven costs exceed appropriations in the General Appropriations Act.

Article III, s. 19(f), State Constitution requires every trust fund to be created by a three-fifths vote of the membership of each house of the Legislature in a separate bill for the sole purpose of creating a trust fund. The bill creates a trust fund; thus, it requires a three-fifths vote for final passage.

If approved by the Governor, these provisions take effect July 1, 2022.

Vote: Senate 33-0; House 82-26

THE FLORIDA SENATE
2022 SUMMARY OF LEGISLATION PASSED
Committee on Appropriations

HB 5013 — Trust Fund/Opioid Settlement Clearing Trust Fund/DFS

by Appropriations Committee and Rep. Trumbull

The bill creates an Opioid Settlement Clearing Trust Fund within the Department of Financial Services.

The bill provides funds credited to the trust fund shall consist of payments received by the state from settlements reached from opioid related litigation or bankruptcy. The bill clarifies moneys received from such settlements and deposited into the trust fund are exempt from the General Revenue Fund service charge. The bill requires the trust fund to be subdivided into specific subfunds to comply with nationwide settlement agreement terms.

Upon notification to the Chief Financial Officer by the Department of Legal Affairs, the bill authorizes the department to draw warrants from specified subfunds to pay counties in accordance with the state-subdivision allocation agreement or settlements. The bill specifies the moneys disbursed or transferred from the fund must be used to abate the opioid epidemic.

The bill requires the department to disburse funds from the state subfund, by nonoperating transfer, as appropriate and as provided within the General Appropriations Act. The bill further specifies the trust fund is exempt from termination provisions of Art. III, s. 19(f)(2), State Constitution.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 39-0; House 117-0

THE FLORIDA SENATE
2022 SUMMARY OF LEGISLATION PASSED
Committee on Appropriations

HB 5301 — Capitol Complex

by State Administration and Technology Appropriations Subcommittee and Rep. Stevenson

The bill, relating to the Capitol Complex, requires the Department of Management Services (DMS) to:

- Consult with the Governor, the President of the Senate, and the Speaker of the House of Representatives before closing or reopening access to any portions of the Capitol Complex to the public or certain employees in response to a declared state of emergency.
- Obtain the approval of the President of the Senate and the Speaker of the House of Representatives prior to closing or opening any portion of the Capitol Complex used for legislative business.
- Submit a report detailing the maintenance and upkeep for the Capitol Complex by December 1, 2022, and annually thereafter to the Governor, President of the Senate, and the Speaker of the House of Representatives.
- Provide recommendations to be considered by the Governor, Attorney General, Chief Financial Officer, Commissioner of Agriculture, President of the Senate, Speaker of the House of Representatives, or their designees before constructing and placing a monument on the premises of the Capitol Complex.

The bill defines the term “Capitol Complex,” for the purposes of s. 272.09, F.S., to mean the portion of the Capitol Center, commonly referred to as the Capitol, the Historic Capitol, the Senate Office Building, the House Office Building, the Knott Building, the Pepper Building, and the curtilage of each, including the state owned lands and public streets adjacent thereto within an area bounded by and including Monroe Street, Jefferson Street, Duval Street, and Gaines Street.

In addition, the Florida Historical Commission must provide recommendations to the Governor, Attorney General, Chief Financial Officer, Commissioner of Agriculture, President of the Senate, and Speaker of the House of Representatives on the design and placement of monuments authorized to be placed on the premises of the Capitol Complex.

If approved by the Governor, these provisions take effect July 1, 2022.

Vote: Senate 32-0; House 108-0

THE FLORIDA SENATE
2022 SUMMARY OF LEGISLATION PASSED
Committee on Appropriations

CS/HB 7027 — The Judicial Branch

by Appropriations Committee; Judiciary Committee; and others

The bill, relating to the judicial branch, creates a sixth appellate district court of appeal, which will have its headquarters in Lakeland, Polk County, Florida. The bill realigns the judicial circuits within the existing First, Second, and Fifth districts and creates a sixth district composed of the Ninth, Tenth, and Twentieth circuits. The Third and Fourth districts remain unchanged. Under the bill, the First DCA will decrease from 15 appellate judges to 13; the Second DCA will decrease from 16 appellate judges to 15; the Fifth DCA will increase from 11 appellate judges to 12; and the Sixth DCA will have 9 appellate judges. The bill ultimately adds a total of seven new appellate judgeships overall, in accordance with the Supreme Court's certification. The creation of the Sixth DCA and the realignment of existing districts is effective January 1, 2023.

The bill makes conforming changes to statute to account for the creation of the sixth district and specifies which judicial circuits constitute the five Criminal Conflict and Civil Regional Counsel districts. The bill recognizes the addition of a judicial nominating commission for the sixth district, effective January 1, 2023. The bill also makes conforming changes to the Office of the Judges of Compensation Claims, to account for the addition of a sixth appellate district.

The bill adds one additional county court judgeship in Lake County, Florida, as recommended in the Supreme Court's certification.

The bill will have a significant fiscal impact on state government expenditures.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 33-0; House 93-14

THE FLORIDA SENATE
2022 SUMMARY OF LEGISLATION PASSED
Committee on Appropriations

CS/HB 7029 — Time Limitations for Preadjudicatory Juvenile Detention Care

by Judiciary Committee; Criminal Justice and Public Safety Subcommittee; and Rep. Brannan and others (CS/SB 7040 by Rules Committee and Appropriations Committee)

The bill amends s. 985.24, F.S., providing that a child who is placed on supervised release detention care may be required to comply with any available condition established by the Department of Juvenile Justice (DJJ) or ordered by the court, including electronic monitoring, if the court finds such condition necessary to preserve public safety or to ensure the child's safety or appearance in court.

The bill clarifies that a child who is alleged to be dependent under ch. 39, F.S., but who is not alleged to have committed a delinquent act or violation of law, may not be placed into secure detention.

The bill authorizes a court to order a child be placed on supervised release detention care for any time period until an adjudicatory hearing for the case has been completed. If a child has served 60 days on supervised release detention care, the court must conduct a hearing within 15 days after the 60th day, to determine if continued supervised release detention care is warranted.

The bill specifies that, except in specified circumstances, a child may not be held in secure detention for longer than 21 days unless an adjudicatory hearing has been completed. Under current law, a child generally may not be held in secure or supervised release detention care for longer than 21 days, except in specified circumstances.

Additionally, the bill provides that the court may transition a child between secure detention care and supervised release detention care, including electronic monitoring, if the court finds such placement is necessary. Each period of secure detention care or supervised release detention care counts toward the time limitations, whether served consecutively or nonconsecutively.

Currently, upon a showing of good cause that additional time for the prosecution or defense is needed, the court may extend the length of detention for an additional 9 days, for specified offenses. The bill authorizes a court to also extend the length of detention based upon the totality of the circumstances, including the preservation of public safety, warranting an extension. Additionally, the bill increases the length of such extension from 9 days to up to 21 days. The bill expands the list of specified offenses to include:

- Any second degree felony; and
- A third degree felony involving violence against any individual.

The court may continue to extend the period of secure detention in increments of up to 21 days by conducting a hearing before the expiration of the current period. At such hearing the court must make required written findings. If the court extends the time period of secure detention care, it must ensure that an adjudicatory hearing for the case commences as soon as is reasonably

possible and prioritize the efficient disposition of those cases in which the child has served 60 or more days in secure detention care.

The bill updates a cross reference in s. 985.26(4), F.S., to specify that the time limits relating to preadjudicatory secure detention care do not include periods of delay resulting from a continuance granted by the court. The bill removes language contained in s. 985.26(4)(b), F.S., relating to time limitations of preadjudicatory detention care because this language conflicts with new provisions relating to time limitations in the bill.

Any electronic monitoring ordered by a court as a condition of supervised release detention care may be supervised by the DJJ, a law enforcement agency, or the department and a law enforcement agency working in partnership. However, the bill specifies that it does not require a law enforcement agency to supervise a child placed on electronic monitoring.

If approved by the Governor, these provisions take effect July 1, 2022.

Vote: Senate 27-10; House 77-37