

By the Committee on Governmental Oversight and Productivity;
and Senator Posey

585-2326-06

1 A bill to be entitled
2 An act relating to government accountability;
3 creating part II of ch. 11, F.S., the Florida
4 Government Accountability Act; providing
5 definitions; creating the Legislative Sunset
6 Advisory Committee; providing for appointment,
7 qualifications, and terms of committee members;
8 providing for vacancies; providing for
9 organization and procedure; authorizing
10 reimbursement for certain expenses; providing
11 for employment of staff; providing a schedule
12 for abolishing state agencies and advisory
13 committees; prescribing required content for
14 agency reports to the committee; providing for
15 review of agencies and their advisory
16 committees by the Office of Program Policy
17 Analysis and Government Accountability;
18 prescribing duties of the committee in
19 reviewing reports, consulting with other
20 legislative entities, holding public hearings,
21 and making a report and recommendations to the
22 legislative leadership with respect to agencies
23 scheduled for abolition; providing for
24 monitoring committee recommendations; providing
25 review criteria; specifying recommendation
26 options; authorizing exemption from certain
27 review for certain agencies; providing for
28 continuation of state agencies and their
29 advisory committees, by law, under certain
30 circumstances; providing procedures after
31 termination; providing for issuance of

1 subpoenaes; authorizing reimbursement for travel
2 and per diem for witnesses; providing for
3 assistance of and access to state agencies;
4 providing applicability with respect to certain
5 rights, penalties, liabilities, and
6 proceedings; amending s. 216.023, F.S.;
7 requiring that performance measures and
8 standards and outsourcing cost-benefit and
9 business case analyses identify impacts on
10 agency activities; creating a working group to
11 develop instructions for agencies regarding the
12 computation of activity and unit cost
13 information required to be included in
14 legislative budget requests; providing an
15 effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:

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19 Section 1. Part II of chapter 11, Florida Statutes,
20 consisting of sections 11.901, 11.902, 11.903, 11.904, 11.905,
21 11.906, 11.907, 11.908, 11.909, 11.910, 11.911, 11.912,
22 11.913, 11.914, 11.915, 11.917, 11.918, 11.919, and 11.920, is
23 created to read:

24 PART II

25 GOVERNMENT ACCOUNTABILITY

26 11.901 Short title.--This part may be cited as the
27 "Florida Government Accountability Act."

28 11.902 Definitions.--As used in this part:

29 (1) "State agency" or "agency" means a department as
30 defined in s. 20.03(2) or any other administrative unit of
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1 state government scheduled for termination and prior review
2 under this part.

3 (2) "Advisory committee" means any examining and
4 licensing board, council, advisory council, committee, task
5 force, coordinating council, commission, or board of trustees
6 as defined in s. 20.03(3), (7), (8), (9), (10), or (12) or any
7 group, by whatever name, created to provide advice or
8 recommendations to one or more agencies, departments,
9 divisions, bureaus, boards, sections, or other units or
10 entities of state government.

11 (3) "Committee" means the Legislative Sunset Advisory
12 Committee.

13 11.903 Legislative Sunset Advisory Committee.--

14 (1) The Legislative Sunset Advisory Committee is
15 created and shall consist of five members of the Senate, one
16 public member appointed by the President of the Senate, and
17 five members of the House of Representatives, and one public
18 member appointed by the Speaker of the House of
19 Representatives. Each appointing authority may designate
20 himself or herself as one of the legislative appointees.

21 (2) An individual is not eligible for appointment as a
22 public member if the individual or the individual's spouse is:

23 (a) Regulated by a state agency that the committee
24 will review during the term for which the individual would
25 serve; or

26 (b) Employed by, participates in the management of, or
27 directly or indirectly has more than a 10-percent interest in
28 a business entity or other organization regulated by a state
29 agency the committee will review during the term for which the
30 individual would serve.

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1 (3) It is a ground for removal of a public member from
2 the committee if the member does not have the qualifications
3 required by subsection (2) for appointment to the committee at
4 the time of appointment or does not maintain the
5 qualifications while serving on the committee. The validity of
6 the committee's action is not affected by the fact that it was
7 taken when a ground for removal of a public member from the
8 committee existed.

9 (4) Legislative and public members shall serve terms
10 of 2 years. A public member may not serve more than two
11 consecutive 2-year terms; and, for purposes of this
12 prohibition, a member is considered to have served a term only
13 if the member has served more than half of the term.

14 (5) Initial appointments shall be made not later than
15 November 30, 2006, and subsequent appointments shall be made
16 not later than January 15 of the year following each
17 organization session of the Legislature.

18 (6) If a legislative member ceases to be a member of
19 the house from which he or she was appointed, the member
20 vacates his or her membership on the committee.

21 (7) If a vacancy occurs, the appropriate appointing
22 authority shall appoint a person to serve for the remainder of
23 the unexpired term in the same manner as the original
24 appointment.

25 (8) The committee shall have a chair and vice chair as
26 presiding officers. The chair and vice chair must alternate
27 each year between the two membership groups appointed by the
28 President of the Senate and the Speaker of the House of
29 Representatives. The chair and vice chair may not be from the
30 same membership group. The President of the Senate shall
31 designate a presiding officer from his appointed membership

1 group who shall preside as chair during the odd-numbered year
2 and as vice chair during the even-numbered year, and the
3 Speaker of the House of Representatives shall designate the
4 other presiding officer from his appointed membership group
5 who shall preside as chair during the even-numbered year and
6 as vice chair during the odd-numbered year.

7 (9) Seven members of the committee constitute a
8 quorum. A final action or recommendation may not be made
9 unless approved by a recorded vote of a majority of the
10 committee's full membership.

11 (10) Each member of the committee is entitled to
12 reimbursement for actual and necessary expenses incurred in
13 performing committee duties. Each legislative member is
14 entitled to reimbursement from the appropriate fund of the
15 member's respective house. Each public member is entitled to
16 reimbursement from funds appropriated for use by the
17 committee.

18 11.904 Staff.--The Senate and the House of
19 Representatives may each employ staff to work for the chair
20 and vice chair of the committee on matters related to
21 committee activities. The Auditor General and the Office of
22 Program Policy Analysis and Government Accountability shall
23 assist the committee in conducting its review under s.
24 21.0111.

25 11.905 Schedule for abolishing state agencies and
26 advisory committees.--The following state agencies, including
27 their advisory committees, or the following advisory
28 committees of agencies are abolished according to the
29 following schedule:

30 (1) Abolished July 1, 2008:
31

- 1 (a) Advisory committees for the Fish and Wildlife
2 Conservation Commission.
- 3 (b) Department of Agriculture and Consumer Services.
- 4 (c) Department of Citrus, including the Citrus
5 Commission.
- 6 (d) Department of Environmental Protection.
- 7 (e) Department of Highway Safety and Motor Vehicles.
- 8 (f) Water management districts.
- 9 (2) Abolished July 1, 2009:
- 10 (a) Department of Children and Family Services.
- 11 (b) Department of Community Affairs.
- 12 (c) Department of Management Services.
- 13 (d) Department of State.
- 14 (3) Abolished July 1, 2010:
- 15 (a) Advisory committees for the Florida Community
16 College System.
- 17 (b) Advisory committees for the State University
18 System.
- 19 (c) Agency for Workforce Innovation.
- 20 (d) Department of Education.
- 21 (e) Department of the Lottery.
- 22 (4) Abolished July 1, 2011:
- 23 (a) Agency for Health Care Administration.
- 24 (b) Agency for Persons with Disabilities.
- 25 (c) Department of Elderly Affairs.
- 26 (d) Department of Health.
- 27 (5) Abolished July 1, 2012:
- 28 (a) Department of Business and Professional
29 Regulation.
- 30 (b) Department of Transportation.
- 31 (c) Department of Veterans' Affairs.

- 1 (6) Abolished July 1, 2013:
2 (a) Advisory committees for the State Board of
3 Administration.
4 (b) Department of Financial Services, including the
5 Financial Services Commission.
6 (c) Department of Revenue.
7 (7) Abolished July 1, 2014:
8 (a) Department of Corrections.
9 (b) Department of Juvenile Justice.
10 (c) Department of Law Enforcement.
11 (d) Department of Legal Affairs.
12 (e) Justice Administrative Commission.
13 (f) Parole Commission.
14 (8) Abolished July 1, 2015:
15 (a) Executive Office of the Governor.
16 (b) Florida Public Service Commission.
17
18 The President of the Senate and Speaker of the House of
19 Representatives may alter this schedule by transferring
20 agencies between review years.
21 11.906 Agency reports to committee.--Not later than
22 January 1 of the year preceding the year in which a state
23 agency and its advisory committees are scheduled to be
24 abolished, the agency shall report to the committee:
25 (1) A list of all agency programs and activities as
26 defined in s. 216.011;
27 (2) Performance measures for each program and activity
28 as provided in s. 216.011 and 3 years of data for each measure
29 (actual results for the prior 2 years and projected results
30 for the current fiscal year);
31

1 (3) The agency's success in meeting its legislative
2 performance standards for each program and activity and an
3 explanation of factors that have contributed to its success or
4 failure to achieve the legislative standards;

5 (4) The promptness and effectiveness with which the
6 agency disposes of complaints concerning persons affected by
7 the agency;

8 (5) The extent to which the agency has encouraged
9 participation by the public in making its rules and decisions
10 as opposed to participation solely by those it regulates and
11 the extent to which public participation has resulted in rules
12 compatible with the objectives of the agency;

13 (6) The extent to which the agency has complied with
14 applicable requirements of:

15 (a) State and federal provisions relating to equality
16 of employment opportunity and the rights and privacy of
17 individuals; and

18 (b) State law and applicable rules regarding
19 purchasing goals and programs for historically underutilized
20 businesses;

21 (7) A statement of the objectives intended for each
22 program and activity, the problem or need that the program and
23 activity were intended to address, and the extent to which
24 these objectives have been achieved;

25 (8) An assessment of the extent to which the
26 jurisdiction of the agency and its programs and activities
27 overlap or duplicate those of other agencies and the extent to
28 which such programs and activities can be consolidated with
29 those of other agencies;

30 (9) An assessment of less restrictive or alternative
31 methods of providing services for which the agency is

1 responsible which would reduce costs or improve performance
2 while adequately protecting the public;

3 (10) An assessment of the extent to which the agency
4 has corrected deficiencies and implemented recommendations
5 contained in reports of the Auditor General, the Office of
6 Program Policy Analysis and Government Accountability,
7 legislative interim studies, and federal audit entities;

8 (11) The extent to which the agency issues and
9 enforces rules relating to potential conflicts of interest of
10 its employees;

11 (12) The extent to which the agency complies with
12 public records and public meetings requirements under chapters
13 119 and 286 and s. 24, Art. I of the State Constitution and
14 follows records management practices that enable the agency to
15 respond efficiently to requests for public information;

16 (13) The extent to which alternative program delivery
17 options such as privatization have been considered to reduce
18 costs or improve services to citizens;

19 (14) Recommendations to the Legislature for statutory
20 or budgetary changes that would improve program operations,
21 reduce costs, or reduce duplication;

22 (15) The effect of federal intervention or loss of
23 federal funds if the agency, program, or activity is
24 abolished;

25 (16) A list of all advisory committees, including
26 those established in statute and those established by agency
27 initiation; their purpose, activities, membership, and related
28 expenses; the extent to which their purposes have been
29 achieved; and the rationale for continuing or eliminating each
30 advisory committee; and
31

1 (17) Other information deemed necessary by the
2 committee.

3
4 Information and data reported by the agency shall be validated
5 by its inspector general before submission.

6 11.907 Legislative review.--Upon receipt of an agency
7 report pursuant to s. 21.006, the Office of Program Policy
8 Analysis and Government Accountability shall conduct a program
9 evaluation and justification review of the agency and its
10 advisory committees as defined in s. 11.513. The review shall
11 be comprehensive in its scope and consider the information
12 provided by the agency report in addition to information
13 deemed necessary by the office and the Sunset Advisory
14 Committee. The Office of Program Policy Analysis and
15 Government Accountability shall submit its report to the
16 Sunset Advisory Committee and to the President of the Senate
17 and the Speaker of the House of Representatives by October 31
18 of the year in which the agency submits its report. The Office
19 of Program Policy Analysis and Government Accountability shall
20 include in its report recommendations for consideration by the
21 Sunset Advisory Committee.

22 11.908 Committee duties.--No later than March 1 of the
23 year in which a state agency or its advisory committees are
24 scheduled to be abolished, the committee shall:

25 (1) Review the information submitted by the agency and
26 the report of the Office of Program Policy Analysis and
27 Government Accountability;

28 (2) Consult with the Legislative Budget Commission,
29 relevant substantive and appropriations committees of the
30 Senate and the House of Representatives, the Governor's Office
31 of Policy and Budgeting, the Auditor General, and the Chief

1 Financial Officer, or their successors, on the application of
2 the criteria provided in s. 21.006 to the agency and its
3 advisory committees;

4 (3) Hold public hearings to consider this information
5 as well as other information and testimony that the committee
6 deems necessary;

7 (4) Present to the President of the Senate, the
8 Speaker of the House of Representatives, and the Governor a
9 report on the agencies and advisory committees scheduled to be
10 abolished that year. In the report the committee shall include
11 its specific findings and recommendations regarding each of
12 the criteria prescribed by s. 21.006 and shall also:

13 (a) Make recommendations on the abolition,
14 continuation, or reorganization of each affected state agency
15 and its advisory committees and on the need for the
16 performance of the functions of the agency and its advisory
17 committees.

18 (b) Make recommendations on the consolidation,
19 transfer, privatization, or reorganization of programs within
20 state agencies not under review when the programs duplicate
21 functions performed in agencies under review.

22 (c) Recommend appropriation levels for each state
23 agency and advisory committee for which abolition or
24 reorganization is recommended.

25 (d) Include drafts of legislation necessary to carry
26 out the committee's recommendations.

27 11.909 Monitoring of recommendations.--During each
28 legislative session, staff of the committee shall monitor
29 legislation affecting agencies that have undergone review
30 under this part and shall periodically report to members of
31 the committee on proposed changes that would modify

1 recommendations of the committee. Staff shall also present a
2 report to the committee at the close of each legislative
3 session on the adoption of committee recommendations by the
4 Legislature.

5 11.910 Criteria for review.--The committee shall
6 consider the following criteria in determining whether a
7 public need exists for the continuation of a state agency or
8 its advisory committees or for the performance of the
9 functions of the agency or its advisory committees:

10 (1) Agency compliance with the accountability
11 measures, as analyzed by the Auditor General, the Office of
12 Program Policy Analysis and Government Accountability, and the
13 Office of Policy and Budget within the Executive Office of the
14 Governor, pursuant to s. 216.023(4) and (5).

15 (2) The efficiency with which the agency or advisory
16 committee operates.

17 (3) An identification of the objectives intended for
18 the agency or advisory committee and the problem or need that
19 the agency or advisory committee was intended to address, the
20 extent to which the objectives have been achieved, and any
21 activities of the agency in addition to those granted by
22 statute and the authority for these activities.

23 (4) An assessment of less restrictive or alternative
24 methods of providing any regulatory function for which the
25 agency is responsible while adequately protecting the public.

26 (5) The extent to which the advisory committee is
27 needed and is used.

28 (6) The extent to which the jurisdiction of the agency
29 and the programs administered by the agency overlap or
30 duplicate those of other agencies and the extent to which the

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1 programs administered by the agency can be consolidated with
2 the programs of other state agencies.

3 (7) Whether the agency has recommended to the
4 Legislature statutory changes calculated to be of benefit to
5 the public rather than to an occupation, business, or
6 institution that the agency regulates.

7 (8) The promptness and effectiveness with which the
8 agency disposes of complaints concerning persons affected by
9 the agency.

10 (9) The extent to which the agency has encouraged
11 participation by the public in making its rules and decisions
12 as opposed to participation solely by those it regulates and
13 the extent to which the public participation has resulted in
14 rules compatible with the objectives of the agency.

15 (10) The extent to which the agency has complied with
16 applicable requirements of:

17 (a) An agency of the Federal Government or of this
18 state regarding equality of employment opportunity and the
19 rights and privacy of individuals.

20 (b) State law and applicable rules of any state agency
21 regarding purchasing goals and programs for historically
22 underutilized businesses.

23 (11) The extent to which changes are necessary in the
24 enabling statutes of the agency so that the agency can
25 adequately comply with the criteria listed in this section.

26 (12) The extent to which the agency issues and
27 enforces rules relating to potential conflicts of interest of
28 its employees.

29 (13) The extent to which the agency complies with
30 public records and public meetings requirements under chapters
31 119 and 287 and s. 24, Art. I of the State Constitution and

1 follows records management practices that enable the agency to
2 respond efficiently to requests for public information.

3 (14) The extent to which the agency complies with
4 requirements for maintaining transparency in its budget
5 reports.

6 (15) The extent to which the agency accurately reports
7 performance measures used to justify state spending on each of
8 its activities, services, and programs.

9 (16) The effect of federal intervention or loss of
10 federal funds if the agency is abolished.

11 (17) Whether any advisory committee or any other part
12 of the agency exercises its powers and duties independently of
13 the direct supervision of the agency head in violation of s.
14 6, Art. IV of the State Constitution.

15 11.911 Recommendations.--In its report on a state
16 agency, the committee shall:

17 (1) Make recommendations on the abolition,
18 continuation, or reorganization of each affected state agency
19 and its advisory committees and on the need for the
20 performance of the functions of the agency and its advisory
21 committees.

22 (2) Make recommendations on the consolidation,
23 transfer, or reorganization of programs within state agencies
24 not under review when the programs duplicate functions
25 performed in agencies under review.

26 (3) Recommend appropriation levels for each state
27 agency and advisory committee for which abolition or
28 reorganization is recommended under subsection (1) or
29 subsection (2).

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31

1 (4) Include drafts of legislation necessary to carry
2 out the committee's recommendations under subsection (1) or
3 subsection (2).

4 11.912 Review of certain agencies.--In the year
5 preceding the date scheduled for the abolition of a state
6 agency and its advisory committees under this part, the
7 committee may recommend exempting certain agencies from the
8 requirements of this part relating to staff reports, hearings,
9 and evaluations.

10 11.913 Monitoring of recommendations.--During each
11 legislative session, the staff of the committee shall monitor
12 legislation affecting agencies that have undergone review
13 under this part and shall periodically report to the members
14 of the committee on proposed changes that would modify prior
15 recommendations of the committee.

16 11.914 Abolition of advisory committees.--An advisory
17 committee is abolished on the date set for abolition of the
18 agency unless the advisory committee is expressly continued by
19 law.

20 11.915 Continuation by law.--

21 (1) During the regular session immediately before a
22 state agency and its advisory committees are scheduled to be
23 abolished, the Legislature, by law, may continue the agency or
24 any of its advisory committees for a period not to exceed 8
25 years.

26 (2) This part does not prohibit the Legislature from:

27 (a) Abolishing a state agency or advisory committee on
28 a date earlier than that scheduled in this part; or

29 (b) Considering any other legislation relative to a
30 state agency or advisory committee scheduled to be abolished
31 under this part.

1 11.917 Procedure after termination.--

2 (1) A state agency that is abolished may continue in
3 existence until July 1 of the following year to conclude its
4 business. Unless the law provides otherwise, abolishment does
5 not reduce or otherwise limit the powers and authority of the
6 state agency during the concluding year. A state agency is
7 terminated and shall cease all activities at the expiration of
8 the 1-year period. Unless the law provides otherwise, all
9 rules that have been adopted by the state agency expire at the
10 expiration of the 1-year period.

11 (2) Any unobligated and unexpended appropriations of
12 an abolished agency or advisory committee lapse on July 1 of
13 the year following abolishment.

14 (3) Except as provided by subsection (5) or as
15 otherwise provided by law, all money in a dedicated fund of an
16 abolished state agency or advisory committee on July 1 of the
17 year immediately following abolishment is transferred to the
18 General Revenue Fund. The part of the law dedicating the money
19 to a specific fund of an abolished agency becomes void on July
20 1 of the year immediately following abolishment.

21 (4) If not otherwise provided by law, property and
22 records in the custody of an abolished state agency or
23 advisory committee on July 1 of the year immediately following
24 abolishment shall be transferred to the Department of
25 Management Services.

26 (5) The Legislature recognizes the state's continuing
27 obligation to pay bonded indebtedness and all other
28 obligations, including lease, contract, and other written
29 obligations, incurred by a state agency abolished under this
30 part, and this part does not impair or impede the payment of
31 bonded indebtedness and all other obligations, including

1 lease, contract, and other written obligations, in accordance
2 with their terms. If an abolished state agency has outstanding
3 bonded indebtedness or other outstanding obligations,
4 including lease, contract, and other written obligations, the
5 bonds and all other obligations, including lease, contract,
6 and other written obligations, remain valid and enforceable in
7 accordance with their terms and subject to all applicable
8 terms and conditions of the laws and proceedings authorizing
9 the bonds and all other obligations, including lease,
10 contract, and other written obligations. If not otherwise
11 provided by law, the Department of Management Services shall
12 continue to carry out all covenants contained in the bonds and
13 in all other obligations, including lease, contract, and other
14 written obligations, and the proceedings authorizing them,
15 including the issuance of bonds, and the performance of all
16 other obligations, including lease, contract, and other
17 written obligations, to complete the construction of projects
18 or the performance of other obligations, including lease,
19 contract, and other written obligations. The designated state
20 agency shall provide payment from the sources of payment of
21 the bonds in accordance with the terms of the bonds and shall
22 provide payment from the sources of payment of all other
23 obligations, including lease, contract, and other written
24 obligations, in accordance with their terms, whether from
25 taxes, revenues, or otherwise, until the bonds and interest on
26 the bonds are paid in full and all other obligations,
27 including lease, contract, and other written obligations, are
28 performed and paid in full. If the proceedings so provide, all
29 funds established by laws or proceedings authorizing the bonds
30 or authorizing other obligations, including lease, contract,
31 and other written obligations, shall remain with the Chief

1 Financial Officer or the previously designated trustees. If
2 the proceedings do not provide that the funds remain with the
3 Chief Financial Officer or the previously designated trustees,
4 the funds shall be transferred to the designated state agency.

5 11.918 Subpoena power.--

6 (1) The President of the Senate or the Speaker of the
7 House of Representatives may issue process to compel the
8 attendance of witnesses and the production of books, records,
9 papers, and other objects necessary or proper for the purposes
10 of the committee proceedings. The process may be served on a
11 witness at any place in this state.

12 (2) If a majority of the committee directs the
13 issuance of a subpoena, the chair shall request that the
14 President of the Senate or the Speaker of the House of
15 Representatives issue the subpoena.

16 (3) Testimony taken under subpoena must be reduced to
17 writing and given under oath subject to the penalties of
18 perjury.

19 (4) A witness who attends a committee proceeding under
20 process is entitled to the same mileage and per diem as a
21 witness who appears before a grand jury in this state.

22 11.919 Assistance of and access to state agencies.--

23 (1) The committee may request the assistance of state
24 agencies and officers. When assistance is requested, a state
25 agency or officer shall assist the committee.

26 (2) In carrying out its functions under this part, the
27 committee or its designated staff member may inspect the
28 records, documents, and files of any state agency.

29 11.920 Saving provision.--Except as otherwise

30 expressly provided by law, abolishment of a state agency does
31 not affect rights and duties that matured, penalties that were

1 incurred, civil or criminal liabilities that arose, or
2 proceedings that were begun before the effective date of the
3 abolishment.

4 Section 2. Notwithstanding section 216.351, Florida
5 Statutes, subsection (4) of section 216.023, Florida Statutes,
6 is amended to read:

7 216.023 Legislative budget requests to be furnished to
8 Legislature by agencies.--

9 (4)(a) The legislative budget request must contain for
10 each program:

11 1. The constitutional or statutory authority for a
12 program, a brief purpose statement, and approved program
13 components.

14 2. Information on expenditures for 3 fiscal years
15 (actual prior-year expenditures, current-year estimated
16 expenditures, and agency budget requested expenditures for the
17 next fiscal year) by appropriation category.

18 3. Details on trust funds and fees.

19 4. The total number of positions (authorized, fixed,
20 and requested).

21 5. An issue narrative describing and justifying
22 changes in amounts and positions requested for current and
23 proposed programs for the next fiscal year.

24 6. Information resource requests.

25 7. Legislatively approved output and outcome
26 performance measures and any proposed revisions to measures.

27 Each performance measure must identify the associated activity
28 contributing to the measure from those identified in
29 accordance with paragraph (b).

30 8. Proposed performance standards for each performance
31 measure and justification for the standards and the sources of

1 data to be used for measurement. Performance standards must
2 include standards for each affected activity and be expressed
3 in terms of the associated unit of activity.

4 9. Prior-year performance data on approved performance
5 measures and an explanation of deviation from expected
6 performance. Performance data must be assessed for reliability
7 in accordance with s. 20.055.

8 10. Proposed performance incentives and disincentives.

9 11. Supporting information, including applicable
10 cost-benefit analyses, business case analyses, performance
11 contracting procedures, service comparisons, and impacts on
12 performance standards for any request to outsource or
13 privatize agency functions. The cost-benefit and business case
14 analyses must include an assessment of the impact on each
15 affected activity from those identified in accordance with
16 paragraph (b). Performance standards must include standards
17 for each affected activity and be expressed in terms of the
18 associated unit of activity.

19 12. An evaluation of any major outsourcing and
20 privatization initiatives undertaken during the last 5 fiscal
21 years having aggregate expenditures exceeding \$10 million
22 during the term of the contract. The evaluation shall include
23 an assessment of contractor performance, a comparison of
24 anticipated service levels to actual service levels, and a
25 comparison of estimated savings to actual savings achieved.
26 Consolidated reports issued by the Department of Management
27 Services may be used to satisfy this requirement.

28 (b) It is the intent of the Legislature that total
29 accountability measures, including unit-cost data, serve not
30 only as a budgeting tool but also as a policymaking tool and
31 an accountability tool. Therefore, each state agency and the

1 judicial branch must submit a ~~one-page~~ summary of information
2 for the preceding year in accordance with the legislative
3 budget instructions. Each ~~one-page~~ summary must provide a
4 one-page overview and must contain:

5 1. The final budget for the agency and the judicial
6 branch.

7 2. Total funds from the General Appropriations Act.

8 3. Adjustments to the General Appropriations Act.

9 4. The line-item listings of all activities.

10 5. The number of activity units performed or
11 accomplished.

12 6. Total expenditures for each activity, including
13 amounts paid to contractors and subordinate entities.
14 Expenditures related to administrative activities not aligned
15 with output measures must consistently be allocated to
16 activities with output measures prior to computing unit costs.

17 7. The cost per unit for each activity, including the
18 costs allocated to contractors and subordinate entities.

19 8. The total amount of reversions and pass-through
20 expenditures omitted from unit-cost calculations.

21
22 At the regular session immediately following the submission of
23 the agency unit cost summary, the Legislature shall reduce in
24 the General Appropriations Act for the ensuing fiscal year, by
25 an amount equal to at least 10 percent of the allocation for
26 the fiscal year preceding the current fiscal year, the funding
27 of each state agency that fails to submit the report required
28 under this paragraph.

29 Section 3. To assist in the development of legislative
30 budget request instructions for agencies regarding the
31 computation of activity and unit cost information required to

1 be included in legislative budget requests under s. 216.023
2 (4)(b), Florida Statutes, a working group consisting of
3 representatives from the Executive Office of the Governor, the
4 Office of Program Policy Analysis and Government
5 Accountability, the Auditor General, the Department of
6 Financial Services, and legislative appropriations committees
7 shall be created, effective July 1, 2006, to develop a
8 cost-allocation methodology for agencies to use in the
9 computation of activity and unit costs. The cost-allocation
10 methodology shall be based on the standards and guidelines
11 identified in the Federal Office of Management and Budget
12 Circular A-87. In addition, this working group shall produce
13 procedures to ensure that the recommended cost-allocation
14 methodology produces auditable activity and unit cost
15 information that can be used to compare the performance of
16 each reported activity over time and of agencies and private
17 entities that perform similar activities. The working group
18 shall submit its recommendations, including the associated
19 implementation and operating costs, to the Governor, the
20 President of the Senate, and the Speaker of the House of
21 Representatives by December 31, 2006.

22 Section 4. This act shall take effect July 1, 2006.
23

24 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
25 COMMITTEE SUBSTITUTE FOR
26 SB 2460

27 The CS changes the location of the act from a newly designated
28 chapter 21, F.S. to a Part II of existing Chapter 11, F.S. It
29 further removes two provisions of the bill which had the
30 effect of placing the advisory committee in a supervisory
31 relationship to the presiding officers of the Legislative
Branch.