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LEGISLATIVE ACTION

Senate

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House

Senator Bradley moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. It is the intent of the Legislature that the
implementing and administering provisions of this act apply to
the General Appropriations Act for the 2018-2019 fiscal year.

Section 2. In order to implement Specific Appropriations 6,
7, 8, 92, and 93 of the 2018-2019 General Appropriations Act,
the calculations of the Florida Education Finance Program for
the 2018-2019 fiscal year included in the document titled



12 "Public School Funding: The Florida Education Finance Program,"
13 dated February 1, 2018, and filed with the Secretary of the
14 Senate, are incorporated by reference for the purpose of
15 displaying the calculations used by the Legislature, consistent
16 with the requirements of state law, in making appropriations for
17 the Florida Education Finance Program. This section expires July
18 1, 2019.

19 Section 3. In order to implement Specific Appropriations 6
20 and 92 of the 2018-2019 General Appropriations Act, and
21 notwithstanding ss. 1002.20, 1003.02, 1006.28-1006.42,
22 1011.62(6)(b)5., and 1011.67, Florida Statutes, relating to the
23 expenditure of funds provided for instructional materials, for
24 the 2018-2019 fiscal year, funds provided for instructional
25 materials shall be released and expended as required in the
26 proviso language for Specific Appropriation 92 of the 2018-2019
27 General Appropriations Act. This section expires July 1, 2019.

28 Section 4. In order to implement Specific Appropriations 6
29 and 92 of the 2018-2019 General Appropriations Act, paragraphs
30 (b) and (c) of subsection (10) of section 1002.333, Florida
31 Statutes, are amended to read:

32 1002.333 Persistently low-performing schools.—

33 (10) SCHOOLS OF HOPE PROGRAM.—The Schools of Hope Program
34 is created within the Department of Education.

35 (b) A traditional public school that is required to submit
36 a plan for implementation pursuant to s. 1008.33(4) is eligible
37 to receive ~~funding for services authorized up to \$2,000 per~~
38 ~~full-time equivalent student~~ from the hope supplemental services
39 allocation established under s. 1011.62(16) ~~Schools of Hope~~
40 Program based upon the strength of the school's plan for



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41 ~~implementation and its focus on evidence-based interventions~~
42 ~~that lead to student success by providing wrap-around services~~
43 ~~that leverage community assets, improve school and community~~
44 ~~collaboration, and develop family and community partnerships.~~
45 ~~Wrap-around services include, but are not limited to, tutorial~~
46 ~~and after-school programs, student counseling, nutrition~~
47 ~~education, parental counseling, and adult education. Plans for~~
48 ~~implementation may also include models that develop a culture of~~
49 ~~attending college, high academic expectations, character~~
50 ~~development, dress codes, and an extended school day and school~~
51 ~~year. At a minimum, a plan for implementation must:~~

52 ~~1. Establish wrap-around services that develop family and~~
53 ~~community partnerships.~~

54 ~~2. Establish clearly defined and measurable high academic~~
55 ~~and character standards.~~

56 ~~3. Increase parental involvement and engagement in the~~
57 ~~child's education.~~

58 ~~4. Describe how the school district will identify, recruit,~~
59 ~~retain, and reward instructional personnel. The state board may~~
60 ~~waive the requirements of s. 1012.22(1)(c)5., and suspend the~~
61 ~~requirements of s. 1012.34, to facilitate implementation of the~~
62 ~~plan.~~

63 ~~5. Identify a knowledge-rich curriculum that the school~~
64 ~~will use that focuses on developing a student's background~~
65 ~~knowledge.~~

66 ~~6. Provide professional development that focuses on~~
67 ~~academic rigor, direct instruction, and creating high academic~~
68 ~~and character standards.~~

69 ~~(c) For the 2017-2018 fiscal year, the state board shall:~~



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70 1. Provide awards for up to 25 schools and prioritize
71 awards for implementation plans ~~submitted pursuant to paragraph~~
72 ~~(b)~~ that are based on whole school transformation and that are
73 developed in consultation with the school's principal.

74 2. Annually report on the implementation of this subsection
75 in the report required by s. 1008.345(5), and provide summarized
76 academic performance reports of each traditional public school
77 receiving funds.

78 Section 5. The amendments made by this act to s.
79 1002.333(10)(b)-(c), Florida Statutes, expire July 1, 2019, and
80 the text of those paragraphs shall revert to that in existence
81 on June 30, 2018, except that any amendments to such text
82 enacted other than by this act shall be preserved and continue
83 to operate to the extent that such amendments are not dependent
84 upon the portions of text which expire pursuant to this section.

85 Section 6. In order to implement Specific Appropriations 6
86 and 92 of the 2018-2019 General Appropriations Act, present
87 subsections (16) and (17) of section 1011.62, Florida Statutes,
88 are renumbered as subsections (19) and (20), respectively, new
89 subsections (16) and (17) and subsection (18) are added to that
90 section, and paragraph (a) of subsection (4) and subsection (14)
91 of that section are amended, to read:

92 1011.62 Funds for operation of schools.—If the annual
93 allocation from the Florida Education Finance Program to each
94 district for operation of schools is not determined in the
95 annual appropriations act or the substantive bill implementing
96 the annual appropriations act, it shall be determined as
97 follows:

98 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The



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99 Legislature shall prescribe the aggregate required local effort
100 for all school districts collectively as an item in the General
101 Appropriations Act for each fiscal year. The amount that each
102 district shall provide annually toward the cost of the Florida
103 Education Finance Program for kindergarten through grade 12
104 programs shall be calculated as follows:

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

106 1.a. Not later than 2 working days before July 19, the
107 Department of Revenue shall certify to the Commissioner of
108 Education its most recent estimate of the taxable value for
109 school purposes in each school district and the total for all
110 school districts in the state for the current calendar year
111 based on the latest available data obtained from the local
112 property appraisers. The value certified shall be the taxable
113 value for school purposes for that year, and no further
114 adjustments shall be made, except those made pursuant to
115 paragraphs (c) and (d), or an assessment roll change required by
116 final judicial decisions as specified in paragraph (19) (b)
117 ~~(16) (b)~~. Not later than July 19, the Commissioner of Education
118 shall compute a millage rate, rounded to the next highest one
119 one-thousandth of a mill, which, when applied to 96 percent of
120 the estimated state total taxable value for school purposes,
121 would generate the prescribed aggregate required local effort
122 for that year for all districts. The Commissioner of Education
123 shall certify to each district school board the millage rate,
124 computed as prescribed in this subparagraph, as the minimum
125 millage rate necessary to provide the district required local
126 effort for that year.

127 b. The General Appropriations Act shall direct the



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128 computation of the statewide adjusted aggregate amount for
129 required local effort for all school districts collectively from
130 ad valorem taxes to ensure that no school district's revenue
131 from required local effort millage will produce more than 90
132 percent of the district's total Florida Education Finance
133 Program calculation as calculated and adopted by the
134 Legislature, and the adjustment of the required local effort
135 millage rate of each district that produces more than 90 percent
136 of its total Florida Education Finance Program entitlement to a
137 level that will produce only 90 percent of its total Florida
138 Education Finance Program entitlement in the July calculation.

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

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

146 b. For each year identified in sub-subparagraph a., the
147 taxable value certified by the appraiser pursuant to s.
148 193.122(2) or (3), if applicable, since the prior certification
149 under sub-subparagraph 1.a. This is the certification that
150 reflects all final administrative actions of the value
151 adjustment board.

152 (14) QUALITY ASSURANCE GUARANTEE.—The Legislature may
153 annually in the General Appropriations Act determine a
154 percentage increase in funds per K-12 unweighted FTE as a
155 minimum guarantee to each school district. The guarantee shall
156 be calculated from prior year base funding per unweighted FTE



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157 student which shall include the adjusted FTE dollars as provided
158 in subsection (19) ~~(16)~~, quality guarantee funds, and actual
159 nonvoted discretionary local effort from taxes. From the base
160 funding per unweighted FTE, the increase shall be calculated for
161 the current year. The current year funds from which the
162 guarantee shall be determined shall include the adjusted FTE
163 dollars as provided in subsection (19) ~~(16)~~ and potential
164 nonvoted discretionary local effort from taxes. A comparison of
165 current year funds per unweighted FTE to prior year funds per
166 unweighted FTE shall be computed. For those school districts
167 which have less than the legislatively assigned percentage
168 increase, funds shall be provided to guarantee the assigned
169 percentage increase in funds per unweighted FTE student. Should
170 appropriated funds be less than the sum of this calculated
171 amount for all districts, the commissioner shall prorate each
172 district's allocation. This provision shall be implemented to
173 the extent specifically funded.

174 (16) HOPE SUPPLEMENTAL SERVICES ALLOCATION.—The hope
175 supplemental services allocation is created to provide district-
176 managed turnaround schools, as required under s. 1008.33(4)(a),
177 and charter schools authorized under s. 1008.33(4)(b), with
178 funds to offer services designed to improve the overall academic
179 and community welfare of the schools' students and their
180 families.

181 (a) Services funded by the allocation may include, but are
182 not limited to, tutorial and after-school programs, student
183 counseling, nutrition education, and parental counseling. In
184 addition, services may also include models that develop a
185 culture that encourages students to complete high school and to



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186 attend college or career training, set high academic
187 expectations, inspire character development, and include an
188 extended school day and school year.

189 (b) Prior to distribution of the allocation, a school
190 district, for a district turnaround school, or the charter
191 school governing board for a charter school, as applicable,
192 shall develop and submit a plan for implementation to its
193 respective governing body for approval no later than August 1 of
194 the fiscal year.

195 (c) At a minimum, the plans required under paragraph (b)
196 must:

197 1. Establish comprehensive support services that develop
198 family and community partnerships;

199 2. Establish clearly defined and measurable high academic
200 and character standards;

201 3. Increase parental involvement and engagement in the
202 child's education;

203 4. Describe how instructional personnel will be identified,
204 recruited, retained, and rewarded;

205 5. Provide professional development that focuses on
206 academic rigor, direct instruction, and creating high academic
207 and character standards; and

208 6. Provide focused instruction to improve student academic
209 proficiency, which may include additional instruction time
210 beyond the normal school day or school year.

211 (d) Each school district and hope operator shall submit
212 approved plans to the commissioner by September 1 of each fiscal
213 year.

214 (e) For the 2018-2019 fiscal year, a school that is



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215 selected to receive funding in the 2017-2018 fiscal year
216 pursuant to s. 1002.333(10)(c) shall receive \$2,000 per FTE. A
217 district-managed turnaround school required under s.
218 1008.33(4)(a) and a charter school authorized under s.
219 1008.33(4)(b) are eligible for the remaining funds based on the
220 school's unweighted FTE, up to \$2,000 per FTE or as provided in
221 the General Appropriations Act.

222

223 This subsection expires July 1, 2019.

224 (17) MENTAL HEALTH ASSISTANCE ALLOCATION.—The mental health
225 assistance allocation is created to provide supplemental funding
226 to assist school districts in establishing or expanding
227 comprehensive school-based mental health programs that increase
228 awareness of mental health issues among children and school-age
229 youth; train educators and other school staff in detecting and
230 responding to mental health issues; and connect children, youth,
231 and families who may experience behavioral health issues with
232 appropriate services. These funds may be allocated annually in
233 the General Appropriations Act to each eligible school district
234 and developmental research school based on each entity's
235 proportionate share of Florida Education Finance Program base
236 funding. The district funding allocation must include a minimum
237 amount as specified in the General Appropriations Act. Upon
238 submission and approval of a plan that includes the elements
239 specified in paragraph (b), charter schools are also entitled to
240 a proportionate share of district funding for this program. The
241 allocated funds may not supplant funds that are provided for
242 this purpose from other operating funds and may not be used to
243 increase salaries or provide bonuses.



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- 244 (a) Prior to distribution of the allocation:
- 245 1. The district must annually develop and submit a detailed
- 246 plan outlining the local program and planned expenditures to the
- 247 district school board for approval.
- 248 2. A charter school must annually develop and submit a
- 249 detailed plan outlining the local program and planned
- 250 expenditures of the funds in the plan to its governing body for
- 251 approval. After the plan is approved by the governing body, it
- 252 must be provided to its school district for submission to the
- 253 commissioner.
- 254 (b) The plans required under paragraph (a) must include, at
- 255 a minimum, all of the following elements:
- 256 1. A collaborative effort or partnership between the school
- 257 district and at least one local community program or agency
- 258 involved in mental health to provide or to improve prevention,
- 259 diagnosis, and treatment services for students;
- 260 2. Programs to assist students in dealing with bullying,
- 261 trauma, and violence;
- 262 3. Strategies or programs to reduce the likelihood of at-
- 263 risk students developing social, emotional, or behavioral health
- 264 problems or substance use disorders;
- 265 4. Strategies to improve the early identification of
- 266 social, emotional, or behavioral problems or substance use
- 267 disorders and to improve the provision of early intervention
- 268 services;
- 269 5. Strategies to enhance the availability of school-based
- 270 crisis intervention services and appropriate referrals for
- 271 students in need of mental health services; and
- 272 6. Training opportunities for school personnel in the



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273 techniques and supports needed to identify students who have
274 trauma histories and who have or are at risk of having a mental
275 illness, and in the use of referral mechanisms that effectively
276 link such students to appropriate treatment and intervention
277 services in the school and in the community.

278 (c) The districts shall submit approved plans to the
279 commissioner by August 1 of each fiscal year.

280

281 This subsection expires July 1, 2019.

282 (18) FUNDING COMPRESSION ALLOCATION.—The Legislature may
283 provide an annual funding compression allocation in the General
284 Appropriations Act. The allocation is created to provide
285 additional funding to school districts and developmental
286 research schools whose total funds per FTE in the prior year
287 were less than the statewide average. Using the most recent
288 prior year FEFP calculation for each eligible school district,
289 the total funds per FTE shall be subtracted from the state
290 average funds per FTE, not including any adjustments made
291 pursuant to paragraph (19) (b). The resulting funds per FTE
292 difference, or a portion thereof, as designated in the General
293 Appropriations Act, shall then be multiplied by the school
294 district's total unweighted FTE to provide the allocation. If
295 the calculated funds are greater than the amount included in the
296 General Appropriations Act, they must be prorated to the
297 appropriation amount based on each participating school
298 district's share. This subsection expires July 1, 2019.

299 Section 7. In order to implement Specific Appropriations 6
300 and 92 of the 2018-2019 General Appropriations Act, paragraph
301 (c) of subsection (3) of section 1012.731, Florida Statutes, is



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302 amended to read:

303 1012.731 The Florida Best and Brightest Teacher Scholarship
304 Program.—

305 (3)

306 (c) Notwithstanding the requirements of this subsection,
307 for the 2017-2018, ~~2018-2019~~, and 2019-2020 school years, any
308 classroom teacher who:

309 1. Was evaluated as highly effective pursuant to s. 1012.34
310 in the school year immediately preceding the year in which the
311 scholarship will be awarded shall receive a scholarship of
312 \$1200, including a classroom teacher who received an award
313 pursuant to paragraph (a).

314 2. Was evaluated as effective pursuant to s. 1012.34 in the
315 school year immediately preceding the year in which the
316 scholarship will be awarded a scholarship of up to \$800. If the
317 number of eligible classroom teachers under this subparagraph
318 exceeds the total allocation, the department shall prorate the
319 per-teacher scholarship amount.

320

321 This paragraph expires July 1, 2020.

322 Section 8. In order to implement Specific Appropriation 200
323 of the 2018-2019 General Appropriations Act, the calculations
324 for the Medicaid Disproportionate Share Hospital program for the
325 2018-2019 fiscal year contained in the document titled "Medicaid
326 Hospital Funding Program," dated January 26, 2018, and filed
327 with the Secretary of the Senate, are incorporated by reference
328 for the purpose of displaying the calculations used by the
329 Legislature, consistent with the requirements of state law, in
330 making appropriations for the Medicaid Disproportionate Share



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331 Hospital program. This section expires July 1, 2019.

332 Section 9. In order to implement Specific Appropriations
333 193 through 220 and 524 of the 2018-2019 General Appropriations
334 Act, and notwithstanding ss. 216.181 and 216.292, Florida
335 Statutes, the Agency for Health Care Administration, in
336 consultation with the Department of Health, may submit a budget
337 amendment, subject to the notice, review, and objection
338 procedures of s. 216.177, Florida Statutes, to realign funding
339 within and between agencies based on implementation of the
340 Managed Medical Assistance component of the Statewide Medicaid
341 Managed Care program for the Children's Medical Services program
342 of the Department of Health. The funding realignment shall
343 reflect the actual enrollment changes due to the transfer of
344 beneficiaries from fee-for-service to the capitated Children's
345 Medical Services Network. The Agency for Health Care
346 Administration may submit a request for nonoperating budget
347 authority to transfer the federal funds to the Department of
348 Health pursuant to s. 216.181(12), Florida Statutes. This
349 section expires July 1, 2019.

350 Section 10. In order to implement Specific Appropriation
351 242 of the 2018-2019 General Appropriations Act:

352 (1) If during the 2018-2019 fiscal year, the Agency for
353 Persons with Disabilities ceases to have an allocation algorithm
354 and methodology adopted by valid rule pursuant to s. 393.0662,
355 Florida Statutes, the agency shall use the following until it
356 adopts a new allocation algorithm and methodology:

357 (a) Each client's iBudget in effect as of the date the
358 agency ceases to have an allocation algorithm and methodology
359 adopted by valid rule pursuant to s. 393.0662, Florida Statutes,



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360 shall remain at that funding level.

361 (b) The Agency for Persons with Disabilities shall
362 determine the iBudget for a client newly enrolled in the home
363 and community-based services waiver program using the same
364 allocation algorithm and methodology used for the iBudgets
365 determined between January 1, 2017, and December 31, 2017.

366 (2) After a new allocation algorithm and methodology is
367 adopted by final rule, a client's new iBudget shall be
368 determined based on the new allocation algorithm and methodology
369 and shall take effect as of the client's next support plan
370 update.

371 (3) Funding allocated under subsections (1) and (2) may be
372 increased pursuant to s. 393.0662(1)(b), Florida Statutes, or as
373 necessary to comply with federal regulations.

374 (4) This section expires July 1, 2019.

375 Section 11. Effective October 1, 2018, in order to
376 implement Specific Appropriations 217 and 218 of the 2018-2019
377 General Appropriations Act, section 8 of chapter 2017-129, Laws
378 of Florida, is amended to read:

379 Section 8. Effective October 1, 2018, subsection (2) of
380 section 409.908, Florida Statutes, is amended to read:

381 409.908 Reimbursement of Medicaid providers.—Subject to
382 specific appropriations, the agency shall reimburse Medicaid
383 providers, in accordance with state and federal law, according
384 to methodologies set forth in the rules of the agency and in
385 policy manuals and handbooks incorporated by reference therein.
386 These methodologies may include fee schedules, reimbursement
387 methods based on cost reporting, negotiated fees, competitive
388 bidding pursuant to s. 287.057, and other mechanisms the agency



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389 considers efficient and effective for purchasing services or
390 goods on behalf of recipients. If a provider is reimbursed based
391 on cost reporting and submits a cost report late and that cost
392 report would have been used to set a lower reimbursement rate
393 for a rate semester, then the provider's rate for that semester
394 shall be retroactively calculated using the new cost report, and
395 full payment at the recalculated rate shall be effected
396 retroactively. Medicare-granted extensions for filing cost
397 reports, if applicable, shall also apply to Medicaid cost
398 reports. Payment for Medicaid compensable services made on
399 behalf of Medicaid eligible persons is subject to the
400 availability of moneys and any limitations or directions
401 provided for in the General Appropriations Act or chapter 216.
402 Further, nothing in this section shall be construed to prevent
403 or limit the agency from adjusting fees, reimbursement rates,
404 lengths of stay, number of visits, or number of services, or
405 making any other adjustments necessary to comply with the
406 availability of moneys and any limitations or directions
407 provided for in the General Appropriations Act, provided the
408 adjustment is consistent with legislative intent.

409 (2) (a) 1. Reimbursement to nursing homes licensed under part
410 II of chapter 400 and state-owned-and-operated intermediate care
411 facilities for the developmentally disabled licensed under part
412 VIII of chapter 400 must be made prospectively.

413 2. Unless otherwise limited or directed in the General
414 Appropriations Act, reimbursement to hospitals licensed under
415 part I of chapter 395 for the provision of swing-bed nursing
416 home services must be made on the basis of the average statewide
417 nursing home payment, and reimbursement to a hospital licensed



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418 under part I of chapter 395 for the provision of skilled nursing
419 services must be made on the basis of the average nursing home
420 payment for those services in the county in which the hospital
421 is located. When a hospital is located in a county that does not
422 have any community nursing homes, reimbursement shall be
423 determined by averaging the nursing home payments in counties
424 that surround the county in which the hospital is located.
425 Reimbursement to hospitals, including Medicaid payment of
426 Medicare copayments, for skilled nursing services shall be
427 limited to 30 days, unless a prior authorization has been
428 obtained from the agency. Medicaid reimbursement may be extended
429 by the agency beyond 30 days, and approval must be based upon
430 verification by the patient's physician that the patient
431 requires short-term rehabilitative and recuperative services
432 only, in which case an extension of no more than 15 days may be
433 approved. Reimbursement to a hospital licensed under part I of
434 chapter 395 for the temporary provision of skilled nursing
435 services to nursing home residents who have been displaced as
436 the result of a natural disaster or other emergency may not
437 exceed the average county nursing home payment for those
438 services in the county in which the hospital is located and is
439 limited to the period of time which the agency considers
440 necessary for continued placement of the nursing home residents
441 in the hospital.

442 (b) Subject to any limitations or directions in the General
443 Appropriations Act, the agency shall establish and implement a
444 state Title XIX Long-Term Care Reimbursement Plan for nursing
445 home care in order to provide care and services in conformance
446 with the applicable state and federal laws, rules, regulations,



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447 and quality and safety standards and to ensure that individuals
448 eligible for medical assistance have reasonable geographic
449 access to such care.

450 1. The agency shall amend the long-term care reimbursement
451 plan and cost reporting system to create direct care and
452 indirect care subcomponents of the patient care component of the
453 per diem rate. These two subcomponents together shall equal the
454 patient care component of the per diem rate. Separate prices
455 shall be calculated for each patient care subcomponent,
456 initially based on the September 2016 rate setting cost reports
457 and subsequently based on the most recently audited cost report
458 used during a rebasing year. The direct care subcomponent of the
459 per diem rate for any providers still being reimbursed on a cost
460 basis shall be limited by the cost-based class ceiling, and the
461 indirect care subcomponent may be limited by the lower of the
462 cost-based class ceiling, the target rate class ceiling, or the
463 individual provider target. The ceilings and targets apply only
464 to providers being reimbursed on a cost-based system. Effective
465 October 1, 2018, a prospective payment methodology shall be
466 implemented for rate setting purposes with the following
467 parameters:

468 a. Peer Groups, including:

469 (I) North-SMMC Regions 1-9, less Palm Beach and Okeechobee
470 Counties; and

471 (II) South-SMMC Regions 10-11, plus Palm Beach and
472 Okeechobee Counties.

473 b. Percentage of Median Costs based on the cost reports
474 used for September 2016 rate setting:

475 (I) Direct Care Costs.....105 ~~100~~ percent.



476 (II) Indirect Care Costs.....92 percent.
477 (III) Operating Costs.....86 percent.
478 c. Floors:
479 (I) Direct Care Component.....95 percent.
480 (II) Indirect Care Component.....92.5 percent.
481 (III) Operating Component.....None.
482 d. Pass-through Payments...Real Estate and Personal Property
483 Taxes and Property Insurance.
484 e. Quality Incentive Program Payment Pool...7.5 ~~6~~ percent of
485 September 2016 non-property related payments of included
486 facilities.
487 f. Quality Score Threshold to Quality for Quality Incentive
488 Payment.....20th percentile of included facilities.
489 g. Fair Rental Value System Payment Parameters:
490 (I) Building Value per Square Foot based on 2018 RS Means.
491 (II) Land Valuation.....10 percent of Gross Building value.
492 (III) Facility Square Footage.....Actual Square Footage.
493 (IV) Moveable Equipment Allowance.....\$8,000 per bed.
494 (V) Obsolescence Factor.....1.5 percent.
495 (VI) Fair Rental Rate of Return.....8 percent.
496 (VII) Minimum Occupancy.....90 percent.
497 (VIII) Maximum Facility Age.....40 years.
498 (IX) Minimum Square Footage per Bed.....350.
499 (X) Maximum Square Footage for Bed.....500.
500 (XI) Minimum Cost of a renovation/replacements.\$500 per bed.
501 h. Ventilator Supplemental payment of \$200 per Medicaid day
502 of 40,000 ventilator Medicaid days per fiscal year.
503 2. The direct care subcomponent shall include salaries and
504 benefits of direct care staff providing nursing services



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505 including registered nurses, licensed practical nurses, and
506 certified nursing assistants who deliver care directly to
507 residents in the nursing home facility, allowable therapy costs,
508 and dietary costs. This excludes nursing administration, staff
509 development, the staffing coordinator, and the administrative
510 portion of the minimum data set and care plan coordinators. The
511 direct care subcomponent also includes medically necessary
512 dental care, vision care, hearing care, and podiatric care.

513 3. All other patient care costs shall be included in the
514 indirect care cost subcomponent of the patient care per diem
515 rate, including complex medical equipment, medical supplies, and
516 other allowable ancillary costs. Costs may not be allocated
517 directly or indirectly to the direct care subcomponent from a
518 home office or management company.

519 4. On July 1 of each year, the agency shall report to the
520 Legislature direct and indirect care costs, including average
521 direct and indirect care costs per resident per facility and
522 direct care and indirect care salaries and benefits per category
523 of staff member per facility.

524 5. Every fourth year, the agency shall rebase nursing home
525 prospective payment rates to reflect changes in cost based on
526 the most recently audited cost report for each participating
527 provider.

528 6. A direct care supplemental payment may be made to
529 providers whose direct care hours per patient day are above the
530 80th percentile and who provide Medicaid services to a larger
531 percentage of Medicaid patients than the state average.

532 7. For the period beginning on October 1, 2018, and ending
533 on September 30, 2021, the agency shall reimburse providers the



534 greater of their September 2016 cost-based rate or their
535 prospective payment rate. Effective October 1, 2021, the agency
536 shall reimburse providers the greater of 95 percent of their
537 cost-based rate or their rebased prospective payment rate, using
538 the most recently audited cost report for each facility. This
539 subparagraph shall expire September 30, 2023.

540 8. Pediatric, Florida Department of Veterans Affairs, and
541 government-owned facilities are exempt from the pricing model
542 established in this subsection and shall remain on a cost-based
543 prospective payment system. Effective October 1, 2018, the
544 agency shall set rates for all facilities remaining on a cost-
545 based prospective payment system using each facility's most
546 recently audited cost report, eliminating retroactive
547 settlements.

548
549 It is the intent of the Legislature that the reimbursement plan
550 achieve the goal of providing access to health care for nursing
551 home residents who require large amounts of care while
552 encouraging diversion services as an alternative to nursing home
553 care for residents who can be served within the community. The
554 agency shall base the establishment of any maximum rate of
555 payment, whether overall or component, on the available moneys
556 as provided for in the General Appropriations Act. The agency
557 may base the maximum rate of payment on the results of
558 scientifically valid analysis and conclusions derived from
559 objective statistical data pertinent to the particular maximum
560 rate of payment.

561 Section 12. Effective October 1, 2018, in order to
562 implement Specific Appropriations 217 and 218 of the 2018-2019



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563 General Appropriations Act, subsection (23) of section 409.908,
564 Florida Statutes, is amended to read:

565 409.908 Reimbursement of Medicaid providers.—Subject to
566 specific appropriations, the agency shall reimburse Medicaid
567 providers, in accordance with state and federal law, according
568 to methodologies set forth in the rules of the agency and in
569 policy manuals and handbooks incorporated by reference therein.
570 These methodologies may include fee schedules, reimbursement
571 methods based on cost reporting, negotiated fees, competitive
572 bidding pursuant to s. 287.057, and other mechanisms the agency
573 considers efficient and effective for purchasing services or
574 goods on behalf of recipients. If a provider is reimbursed based
575 on cost reporting and submits a cost report late and that cost
576 report would have been used to set a lower reimbursement rate
577 for a rate semester, then the provider's rate for that semester
578 shall be retroactively calculated using the new cost report, and
579 full payment at the recalculated rate shall be effected
580 retroactively. Medicare-granted extensions for filing cost
581 reports, if applicable, shall also apply to Medicaid cost
582 reports. Payment for Medicaid compensable services made on
583 behalf of Medicaid eligible persons is subject to the
584 availability of moneys and any limitations or directions
585 provided for in the General Appropriations Act or chapter 216.
586 Further, nothing in this section shall be construed to prevent
587 or limit the agency from adjusting fees, reimbursement rates,
588 lengths of stay, number of visits, or number of services, or
589 making any other adjustments necessary to comply with the
590 availability of moneys and any limitations or directions
591 provided for in the General Appropriations Act, provided the



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592 adjustment is consistent with legislative intent.

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

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

601 2. ~~(e)~~ Base rate reimbursement for outpatient services under
602 an enhanced ambulatory payment group methodology shall be
603 provided in the General Appropriations Act.

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

607 ~~(d) This subsection applies to the following provider~~
608 ~~types:~~

609 ~~1. Nursing homes.~~

610 ~~2. County health departments.~~

611 ~~(e) The agency shall apply the effect of this subsection to~~
612 ~~the reimbursement rates for nursing home diversion programs.~~

613 Section 13. The amendments made by this act to ss.
614 409.908(2) and (23), Florida Statutes, expire July 1, 2019, and
615 the text of those subsections shall revert to that in existence
616 on October 1, 2018, not including any amendments made by this
617 act, except that any amendments to such text enacted other than
618 by this act shall be preserved and continue to operate to the
619 extent that such amendments are not dependent upon the portions
620 of text which expire pursuant to this section.



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621 Section 14. Effective upon this act becoming a law, in
622 order to implement Specific Appropriations 199, 203, 204, 206,
623 208, and 217 of the 2018-2019 General Appropriations Act, the
624 Agency for Health Care Administration shall seek authorization
625 from the federal Centers for Medicare and Medicaid Services to
626 modify the period of retroactive Medicaid eligibility from 90
627 days to 30 days in a manner that ensures that the modification
628 becomes effective on July 1, 2018.

629 Section 15. In order to implement Specific Appropriation
630 200 of the 2018-2019 General Appropriations Act, subsections (2)
631 and (10) of section 409.911, Florida Statutes, are amended to
632 read:

633 409.911 Disproportionate share program.—Subject to specific
634 allocations established within the General Appropriations Act
635 and any limitations established pursuant to chapter 216, the
636 agency shall distribute, pursuant to this section, moneys to
637 hospitals providing a disproportionate share of Medicaid or
638 charity care services by making quarterly Medicaid payments as
639 required. Notwithstanding the provisions of s. 409.915, counties
640 are exempt from contributing toward the cost of this special
641 reimbursement for hospitals serving a disproportionate share of
642 low-income patients.

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

647 (a) The average of the 2010, 2011, and 2012 ~~2009, 2010, and~~
648 ~~2011~~ audited disproportionate share data to determine each
649 hospital's Medicaid days and charity care for the 2018-2019



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650 ~~2017-2018~~ state fiscal year.

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

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

661 (10) Notwithstanding any provision of this section to the
662 contrary, for the 2018-2019 ~~2017-2018~~ state fiscal year, the
663 agency shall distribute moneys to hospitals providing a
664 disproportionate share of Medicaid or charity care services as
665 provided in the 2018-2019 ~~2017-2018~~ General Appropriations Act.
666 This subsection expires July 1, 2019 ~~2018~~.

667 Section 16. In order to implement Specific Appropriation
668 200 of the 2018-2019 General Appropriations Act, subsection (3)
669 of section 409.9113, Florida Statutes, is amended to read:

670 409.9113 Disproportionate share program for teaching
671 hospitals.—In addition to the payments made under s. 409.911,
672 the agency shall make disproportionate share payments to
673 teaching hospitals, as defined in s. 408.07, for their increased
674 costs associated with medical education programs and for
675 tertiary health care services provided to the indigent. This
676 system of payments must conform to federal requirements and
677 distribute funds in each fiscal year for which an appropriation
678 is made by making quarterly Medicaid payments. Notwithstanding



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679 s. 409.915, counties are exempt from contributing toward the
680 cost of this special reimbursement for hospitals serving a
681 disproportionate share of low-income patients. The agency shall
682 distribute the moneys provided in the General Appropriations Act
683 to statutorily defined teaching hospitals and family practice
684 teaching hospitals, as defined in s. 395.805, pursuant to this
685 section. The funds provided for statutorily defined teaching
686 hospitals shall be distributed as provided in the General
687 Appropriations Act. The funds provided for family practice
688 teaching hospitals shall be distributed equally among family
689 practice teaching hospitals.

690 (3) Notwithstanding any provision of this section to the
691 contrary, for the 2018-2019 ~~2017-2018~~ state fiscal year, the
692 agency shall make disproportionate share payments to teaching
693 hospitals, as defined in s. 408.07, as provided in the 2018-2019
694 ~~2017-2018~~ General Appropriations Act. This subsection expires
695 July 1, 2019 ~~2018~~.

696 Section 17. In order to implement Specific Appropriation
697 200 of the 2018-2019 General Appropriations Act, subsection (4)
698 of section 409.9119, Florida Statutes, is amended to read:

699 409.9119 Disproportionate share program for specialty
700 hospitals for children.—In addition to the payments made under
701 s. 409.911, the Agency for Health Care Administration shall
702 develop and implement a system under which disproportionate
703 share payments are made to those hospitals that are separately
704 licensed by the state as specialty hospitals for children, have
705 a federal Centers for Medicare and Medicaid Services
706 certification number in the 3300-3399 range, have Medicaid days
707 that exceed 55 percent of their total days and Medicare days



708 that are less than 5 percent of their total days, and were
709 licensed on January 1, 2013, as specialty hospitals for
710 children. This system of payments must conform to federal
711 requirements and must distribute funds in each fiscal year for
712 which an appropriation is made by making quarterly Medicaid
713 payments. Notwithstanding s. 409.915, counties are exempt from
714 contributing toward the cost of this special reimbursement for
715 hospitals that serve a disproportionate share of low-income
716 patients. The agency may make disproportionate share payments to
717 specialty hospitals for children as provided for in the General
718 Appropriations Act.

719 (4) Notwithstanding any provision of this section to the
720 contrary, for the 2018-2019 ~~2017-2018~~ state fiscal year, for
721 hospitals achieving full compliance under subsection (3), the
722 agency shall make disproportionate share payments to specialty
723 hospitals for children as provided in the 2018-2019 ~~2017-2018~~
724 General Appropriations Act. This subsection expires July 1, 2019
725 ~~2018~~.

726 Section 18. In order to implement Specific Appropriations
727 583 through 692 and 711 through 745 of the 2018-2019 General
728 Appropriations Act, subsection (4) of section 216.262, Florida
729 Statutes, is amended to read:

730 216.262 Authorized positions.—

731 (4) Notwithstanding the provisions of this chapter relating
732 to increasing the number of authorized positions, and for the
733 2018-2019 ~~2017-2018~~ fiscal year only, if the actual inmate
734 population of the Department of Corrections exceeds the inmate
735 population projections of the December 20, 2017 ~~February 23,~~
736 ~~2017~~, Criminal Justice Estimating Conference by 1 percent for 2



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737 consecutive months or 2 percent for any month, the Executive
738 Office of the Governor, with the approval of the Legislative
739 Budget Commission, shall immediately notify the Criminal Justice
740 Estimating Conference, which shall convene as soon as possible
741 to revise the estimates. The Department of Corrections may then
742 submit a budget amendment requesting the establishment of
743 positions in excess of the number authorized by the Legislature
744 and additional appropriations from unallocated general revenue
745 sufficient to provide for essential staff, fixed capital
746 improvements, and other resources to provide classification,
747 security, food services, health services, and other variable
748 expenses within the institutions to accommodate the estimated
749 increase in the inmate population. All actions taken pursuant to
750 this subsection are subject to review and approval by the
751 Legislative Budget Commission. This subsection expires July 1,
752 2019 ~~2018~~.

753 Section 19. In order to implement Specific Appropriations
754 3127 through 3194 of the 2018-2019 General Appropriations Act,
755 subsection (2) of section 215.18, Florida Statutes, is amended
756 to read:

757 215.18 Transfers between funds; limitation.—

758 (2) The Chief Justice of the Supreme Court may receive one
759 or more trust fund loans to ensure that the state court system
760 has funds sufficient to meet its appropriations in the 2018-2019
761 ~~2017-2018~~ General Appropriations Act. If the Chief Justice
762 accesses the loan, he or she must notify the Governor and the
763 chairs of the legislative appropriations committees in writing.
764 The loan must come from other funds in the State Treasury which
765 are for the time being or otherwise in excess of the amounts



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766 necessary to meet the just requirements of such last-mentioned
767 funds. The Governor shall order the transfer of funds within 5
768 days after the written notification from the Chief Justice. If
769 the Governor does not order the transfer, the Chief Financial
770 Officer shall transfer the requested funds. The loan of funds
771 from which any money is temporarily transferred must be repaid
772 by the end of the 2018-2019 ~~2017-2018~~ fiscal year. This
773 subsection expires July 1, 2019 ~~2018~~.

774 Section 20. In order to implement Specific Appropriation
775 716 of the 2018-2019 General Appropriations Act, and
776 notwithstanding s. 216.292, Florida Statutes, the Department of
777 Corrections is authorized to submit budget amendments to
778 transfer funds from categories within the department other than
779 fixed capital outlay categories into the Inmate Health Services
780 category in order to continue the current level of care in the
781 provision of health services. Such transfers are subject to the
782 notice, review, and objection procedures of s. 216.177, Florida
783 Statutes. This section expires July 1, 2019.

784 Section 21. (1) In order to implement Specific
785 Appropriations 1104 through 1114 of the 2018-2019 General
786 Appropriations Act, the Department of Juvenile Justice must
787 review county juvenile detention payments to ensure that
788 counties fulfill their financial responsibilities required in s.
789 985.6865, Florida Statutes. If the Department of Juvenile
790 Justice determines that a county has not met its obligations,
791 the department must direct the Department of Revenue to deduct
792 the amount owed to the Department of Juvenile Justice from the
793 funds provided to the county under s. 218.23, Florida Statutes.
794 The Department of Revenue shall transfer the funds withheld to



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795 the Shared County/State Juvenile Detention Trust Fund.
796 (2) As an assurance to holders of bonds issued by counties
797 before July 1, 2018, for which distributions made pursuant to s.
798 218.23, Florida Statutes, are pledged, or bonds issued to refund
799 such bonds which mature no later than the bonds they refunded
800 and which result in a reduction of debt service payable in each
801 fiscal year, the amount available for distribution to a county
802 shall remain as provided by law and continue to be subject to
803 any lien or claim on behalf of the bondholders. The Department
804 of Revenue must ensure, based on information provided by an
805 affected county, that any reduction in amounts distributed
806 pursuant to subsection (1) does not reduce the amount of
807 distribution to a county below the amount necessary for the
808 timely payment of principal and interest when due on the bonds
809 and the amount necessary to comply with any covenant under the
810 bond resolution or other documents relating to the issuance of
811 the bonds. If a reduction to a county's monthly distribution
812 must be decreased in order to comply with this subsection, the
813 Department of Revenue must notify the Department of Juvenile
814 Justice of the amount of the decrease, and the Department of
815 Juvenile Justice must send a bill for payment of such amount to
816 the affected county.
817 (3) This section expires July 1, 2019.
818 Section 22. In order to implement Specific Appropriations
819 1104 through 1114 of the 2018-2019 General Appropriations Act,
820 the Department of Juvenile Justice may not provide, make, pay,
821 or deduct, and a nonfiscally constrained county may not apply,
822 deduct, or receive any reimbursement or any credit for any
823 previous overpayment of juvenile detention care costs related to



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824 or for any previous state fiscal year, against the juvenile
825 detention care costs due from the nonfiscally constrained county
826 in the 2018-2019 fiscal year pursuant to s. 985.686, Florida
827 Statutes, or any other law. This section expires July 1, 2019.

828 Section 23. In order to implement Specific Appropriation
829 772 of the 2018-2019 General Appropriations Act, subsection (13)
830 of section 27.5304, Florida Statutes, is amended to read:

831 27.5304 Private court-appointed counsel; compensation;
832 notice.—

833 (13) Notwithstanding the limitation set forth in subsection
834 (5) and for the 2018-2019 ~~2017-2018~~ fiscal year only, the
835 compensation for representation in a criminal proceeding may not
836 exceed the following:

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

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

841 (c) For life felonies represented at the trial level:
842 \$15,000.

843 (d) For capital cases represented at the trial level:
844 \$25,000. For purposes of this paragraph, a "capital case" is any
845 offense for which the potential sentence is death and the state
846 has not waived seeking the death penalty.

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

848
849 ~~(f)~~ This subsection expires July 1, 2019 ~~2018~~.

850 Section 24. In order to implement Specific Appropriation
851 732 of the 2018-2019 General Appropriations Act, paragraph (b)
852 of subsection (7) of section 1011.80, Florida Statutes, is



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853 amended to read:

854 1011.80 Funds for operation of workforce education
855 programs.—

856 (7)

857 (b) State funds provided for the operation of postsecondary
858 workforce programs may not be expended for the education of
859 state or federal inmates, except to the extent that such funds
860 are specifically appropriated for such purpose in the 2018-2019
861 General Appropriations Act.

862 Section 25. In order to implement Specific Appropriation
863 3129 of the 2018-2019 General Appropriations Act, and
864 notwithstanding s. 112.061(4), Florida Statutes:

865 (1) (a) A Supreme Court justice who permanently resides
866 outside Leon County may, if he or she so requests, have a
867 district court of appeal courthouse, a county courthouse, or
868 other appropriate facility in his or her district of residence
869 designated as his or her official headquarters for purposes of
870 s. 112.061, Florida Statutes. This official headquarters may
871 serve only as the justice's private chambers.

872 (b) A justice for whom an official headquarters is
873 designated in his or her district of residence under this
874 subsection is eligible for subsistence at a rate to be
875 established by the Chief Justice for each day or partial day
876 that the justice is at the headquarters of the Supreme Court to
877 conduct court business. In addition to the subsistence
878 allowance, a justice is eligible for reimbursement for
879 transportation expenses as provided in s. 112.061(7), Florida
880 Statutes, for travel between the justice's official headquarters
881 and the headquarters of the Supreme Court to conduct court



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882 business.

883 (c) Payment of subsistence and reimbursement for
884 transportation expenses relating to travel between a justice's
885 official headquarters and the headquarters of the Supreme Court
886 shall be made to the extent appropriated funds are available, as
887 determined by the Chief Justice.

888 (2) The Chief Justice shall coordinate with each affected
889 justice and other state and local officials as necessary to
890 implement paragraph (1)(a).

891 (3)(a) This section does not require a county to provide
892 space in a county courthouse for a justice. A county may enter
893 into an agreement with the Supreme Court governing the use of
894 space in a county courthouse.

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

899 (4) This section expires July 1, 2019.

900 Section 26. In order to implement appropriations used to
901 pay existing lease contracts for private lease space in excess
902 of 2,000 square feet in the 2018-2019 General Appropriations
903 Act, the Department of Management Services, with the cooperation
904 of the agencies having the existing lease contracts for office
905 or storage space, shall use tenant broker services to
906 renegotiate or reprocure all private lease agreements for office
907 or storage space expiring between July 1, 2019, and June 30,
908 2021, in order to reduce costs in future years. The department
909 shall incorporate this initiative into its 2018 master leasing
910 report required under s. 255.249(7), Florida Statutes, and may



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911 use tenant broker services to explore the possibilities of
912 collocating office or storage space, to review the space needs
913 of each agency, and to review the length and terms of potential
914 renewals or renegotiations. The department shall provide a
915 report to the Executive Office of the Governor, the President of
916 the Senate, and the Speaker of the House of Representatives by
917 November 1, 2018, which lists each lease contract for private
918 office or storage space, the status of renegotiations, and the
919 savings achieved. This section expires July 1, 2019.

920 Section 27. In order to implement Specific Appropriations
921 2758 through 2770 of the 2018-2019 General Appropriations Act,
922 and notwithstanding rule 60A-1.031, Florida Administrative Code,
923 the transaction fee collected for use of the online procurement
924 system, authorized in ss. 287.042(1)(h)1. and 287.057(22)(c),
925 Florida Statutes, is seven-tenths of 1 percent for the 2018-2019
926 fiscal year only. This section expires July 1, 2019.

927 Section 28. In order to implement appropriations authorized
928 in the 2018-2019 General Appropriations Act for data center
929 services, and notwithstanding s. 216.292(2)(a), Florida
930 Statutes, an agency may not transfer funds from a data
931 processing category to a category other than another data
932 processing category. This section expires July 1, 2019.

933 Section 29. In order to implement the appropriation of
934 funds in the appropriation category "Data Processing Assessment-
935 Agency for State Technology" in the 2018-2019 General
936 Appropriations Act, and pursuant to the notice, review, and
937 objection procedures of s. 216.177, Florida Statutes, the
938 Executive Office of the Governor may transfer funds appropriated
939 in that category between departments in order to align the



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940 budget authority granted based on the estimated billing cycle
941 and methodology used by the Agency for State Technology for data
942 processing services provided. This section expires July 1, 2019.

943 Section 30. In order to implement the appropriation of
944 funds in the appropriation category "Special Categories-Risk
945 Management Insurance" in the 2018-2019 General Appropriations
946 Act, and pursuant to the notice, review, and objection
947 procedures of s. 216.177, Florida Statutes, the Executive Office
948 of the Governor may transfer funds appropriated in that category
949 between departments in order to align the budget authority
950 granted with the premiums paid by each department for risk
951 management insurance. This section expires July 1, 2019.

952 Section 31. In order to implement the appropriation of
953 funds in the appropriation category "Special Categories-Transfer
954 to Department of Management Services-Human Resources Services
955 Purchased per Statewide Contract" in the 2018-2019 General
956 Appropriations Act, and pursuant to the notice, review, and
957 objection procedures of s. 216.177, Florida Statutes, the
958 Executive Office of the Governor may transfer funds appropriated
959 in that category between departments in order to align the
960 budget authority granted with the assessments that must be paid
961 by each agency to the Department of Management Services for
962 human resource management services. This section expires July 1,
963 2019.

964 Section 32. In order to implement Specific Appropriation
965 2333 of the 2018-2019 General Appropriations Act:

966 (1) The Department of Financial Services shall replace the
967 four main components of the Florida Accounting Information
968 Resource Subsystem (FLAIR), which include central FLAIR,



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969 departmental FLAIR, payroll, and information warehouse, and
970 shall replace the cash management and accounting management
971 components of the Cash Management Subsystem (CMS) with an
972 integrated enterprise system that allows the state to organize,
973 define, and standardize its financial management business
974 processes and that complies with ss. 215.90-215.96, Florida
975 Statutes. The department may not include in the replacement of
976 FLAIR and CMS:

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

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

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

986 (a) Take into consideration the cost and implementation
987 data identified for Option 3 as recommended in the March 31,
988 2014, Florida Department of Financial Services FLAIR Study,
989 version 031.

990 (b) Ensure that all business requirements and technical
991 specifications have been provided to all state agencies for
992 their review and input and approved by the executive steering
993 committee established in paragraph (c).

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

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



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998 2. A representative of the Division of Treasury of the
999 Department of Financial Services, appointed by the Chief
1000 Financial Officer.

1001 3. A representative of the Division of Information Systems
1002 of the Department of Financial Services, appointed by the Chief
1003 Financial Officer.

1004 4. Four employees from the Division of Accounting and
1005 Auditing of the Department of Financial Services, appointed by
1006 the Chief Financial Officer. Each employee must have experience
1007 relating to at least one of the four main components that
1008 comprise FLAIR.

1009 5. Two employees from the Executive Office of the Governor,
1010 appointed by the Governor. One employee must have experience
1011 relating to the Legislative Appropriations System/Planning and
1012 Budgeting Subsystem.

1013 6. One employee from the Department of Revenue, appointed
1014 by the executive director, who has experience relating to the
1015 department's SUNTAX system.

1016 7. Two employees from the Department of Management
1017 Services, appointed by the Secretary of Management Services. One
1018 employee must have experience relating to the department's
1019 personnel information subsystem, and one employee must have
1020 experience relating to the department's purchasing subsystem.

1021 8. Three state agency administrative services directors,
1022 appointed by the Governor. One director must represent a
1023 regulatory and licensing state agency, and one director must
1024 represent a health care-related state agency.

1025 (3) The Chief Financial Officer or the executive sponsor of
1026 the project shall serve as chair of the executive steering



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1027 committee, and the committee shall take action by a vote of at
1028 least eight affirmative votes with the Chief Financial Officer
1029 or the executive sponsor of the project voting on the prevailing
1030 side. A quorum of the executive steering committee consists of
1031 at least 10 members.

1032 (4) The executive steering committee has the overall
1033 responsibility for ensuring that the project to replace FLAIR
1034 and CMS meets its primary business objectives and shall:

1035 (a) Identify and recommend to the Executive Office of the
1036 Governor, the President of the Senate, and the Speaker of the
1037 House of Representatives any statutory changes needed to
1038 implement the replacement subsystem that will standardize, to
1039 the fullest extent possible, the state's financial management
1040 business processes.

1041 (b) Review and approve any changes to the project's scope,
1042 schedule, and budget which do not conflict with the requirements
1043 of subsection (1).

1044 (c) Ensure that adequate resources are provided throughout
1045 all phases of the project.

1046 (d) Approve all major project deliverables.

1047 (e) Approve all solicitation-related documents associated
1048 with the replacement of FLAIR and CMS.

1049 (5) This section expires July 1, 2019.

1050 Section 33. In order to implement Specific Appropriation
1051 2908 of the 2018-2019 General Appropriations Act, paragraph (b)
1052 of subsection (11) of section 282.0051, Florida Statutes, is
1053 amended to read:

1054 282.0051 Agency for State Technology; powers, duties, and
1055 functions.—The Agency for State Technology shall have the



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1056 following powers, duties, and functions:

1057 (11) Provide operational management and oversight of the
1058 state data center established pursuant to s. 282.201, which
1059 includes:

1060 (b) Procuring budget support and customer billing services
1061 from the department to develop and implement ~~Developing and~~
1062 ~~implementing~~ cost-recovery mechanisms that recover the full
1063 direct and indirect cost of services through charges to
1064 applicable customer entities. Such cost-recovery mechanisms must
1065 comply with applicable state and federal regulations concerning
1066 distribution and use of funds and must ensure that, for any
1067 fiscal year, no service or customer entity subsidizes another
1068 service or customer entity.

1069 Section 34. The amendment made by this act to s.
1070 282.0051(11)(b), Florida Statutes, expires July 1, 2019, and the
1071 text of that paragraph shall revert to that in existence on June
1072 30, 2018, except that any amendments to such text enacted other
1073 than by this act shall be preserved and continue to operate to
1074 the extent that such amendments are not dependent upon the
1075 portions of text which expire pursuant to this section.

1076 Section 35. In order to implement Specific Appropriations
1077 1591, 1592, and 1593 of the 2018-2019 General Appropriations
1078 Act, paragraph (d) of subsection (11) of section 216.181,
1079 Florida Statutes, is amended to read:

1080 216.181 Approved budgets for operations and fixed capital
1081 outlay.—

1082 (11)

1083 (d) Notwithstanding paragraph (b) and paragraph (2)(b), and
1084 for the 2018-2019 ~~2017-2018~~ fiscal year only, the Legislative



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1085 Budget Commission may increase the amounts appropriated to the
1086 Fish and Wildlife Conservation Commission or the Department of
1087 Environmental Protection for fixed capital outlay projects,
1088 including additional fixed capital outlay projects, using funds
1089 provided to the state from the Gulf Environmental Benefit Fund
1090 administered by the National Fish and Wildlife Foundation; funds
1091 provided to the state from the Gulf Coast Restoration Trust Fund
1092 related to the Resources and Ecosystems Sustainability, Tourist
1093 Opportunities, and Revived Economies of the Gulf Coast Act of
1094 2012 (RESTORE Act); or funds provided by the British Petroleum
1095 Corporation (BP) for natural resource damage assessment
1096 restoration projects. Concurrent with submission of an amendment
1097 to the Legislative Budget Commission pursuant to this paragraph,
1098 any project that carries a continuing commitment for future
1099 appropriations by the Legislature must be specifically
1100 identified, together with the projected amount of the future
1101 commitment associated with the project and the fiscal years in
1102 which the commitment is expected to commence. This paragraph
1103 expires July 1, 2019 ~~2018~~.

1104
1105 The provisions of this subsection are subject to the notice and
1106 objection procedures set forth in s. 216.177.

1107 Section 36. In order to implement specific appropriations
1108 from the land acquisition trust funds within the Department of
1109 Agriculture and Consumer Services, the Department of
1110 Environmental Protection, the Department of State, and the Fish
1111 and Wildlife Conservation Commission, which are contained in the
1112 2018-2019 General Appropriations Act, subsection (3) of section
1113 215.18, Florida Statutes, is amended to read:



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1114 215.18 Transfers between funds; limitation.—
1115 (3) Notwithstanding subsection (1) and only with respect to
1116 a land acquisition trust fund in the Department of Agriculture
1117 and Consumer Services, the Department of Environmental
1118 Protection, the Department of State, or the Fish and Wildlife
1119 Conservation Commission, whenever there is a deficiency in a
1120 land acquisition trust fund which would render that trust fund
1121 temporarily insufficient to meet its just requirements,
1122 including the timely payment of appropriations from that trust
1123 fund, and other trust funds in the State Treasury have moneys
1124 that are for the time being or otherwise in excess of the
1125 amounts necessary to meet the just requirements, including
1126 appropriated obligations, of those other trust funds, the
1127 Governor may order a temporary transfer of moneys from one or
1128 more of the other trust funds to a land acquisition trust fund
1129 in the Department of Agriculture and Consumer Services, the
1130 Department of Environmental Protection, the Department of State,
1131 or the Fish and Wildlife Conservation Commission. Any action
1132 proposed pursuant to this subsection is subject to the notice,
1133 review, and objection procedures of s. 216.177, and the Governor
1134 shall provide notice of such action at least 7 days before the
1135 effective date of the transfer of trust funds, except that
1136 during July 2018 ~~2017~~, notice of such action shall be provided
1137 at least 3 days before the effective date of a transfer unless
1138 such 3-day notice is waived by the chair and vice-chair of the
1139 Legislative Budget Commission. Any transfer of trust funds to a
1140 land acquisition trust fund in the Department of Agriculture and
1141 Consumer Services, the Department of Environmental Protection,
1142 the Department of State, or the Fish and Wildlife Conservation



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1143 Commission must be repaid to the trust funds from which the
1144 moneys were loaned by the end of the 2018-2019 ~~2017-2018~~ fiscal
1145 year. The Legislature has determined that the repayment of the
1146 other trust fund moneys temporarily loaned to a land acquisition
1147 trust fund in the Department of Agriculture and Consumer
1148 Services, the Department of Environmental Protection, the
1149 Department of State, or the Fish and Wildlife Conservation
1150 Commission pursuant to this subsection is an allowable use of
1151 the moneys in a land acquisition trust fund because the moneys
1152 from other trust funds temporarily loaned to a land acquisition
1153 trust fund shall be expended solely and exclusively in
1154 accordance with s. 28, Art. X of the State Constitution. This
1155 subsection expires July 1, 2019 ~~2018~~.

1156 Section 37. In order to implement Section 63 of the 2018-
1157 2019 General Appropriations Act, paragraph (b) of subsection (3)
1158 of section 375.041, Florida Statutes, is amended to read:

1159 375.041 Land Acquisition Trust Fund.—

1160 (3) Funds distributed into the Land Acquisition Trust Fund
1161 pursuant to s. 201.15 shall be applied:

1162 (b) Of the funds remaining after the payments required
1163 under paragraph (a), but before funds may be appropriated,
1164 pledged, or dedicated for other uses:

1165 1. A minimum of the lesser of 25 percent or \$200 million
1166 shall be appropriated annually for Everglades projects that
1167 implement the Comprehensive Everglades Restoration Plan as set
1168 forth in s. 373.470, including the Central Everglades Planning
1169 Project subject to Congressional authorization; the Long-Term
1170 Plan as defined in s. 373.4592(2); and the Northern Everglades
1171 and Estuaries Protection Program as set forth in s. 373.4595.



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1172 From these funds, \$32 million shall be distributed each fiscal
1173 year through the 2023-2024 fiscal year to the South Florida
1174 Water Management District for the Long-Term Plan as defined in
1175 s. 373.4592(2). After deducting the \$32 million distributed
1176 under this subparagraph, from the funds remaining, a minimum of
1177 the lesser of 76.5 percent or \$100 million shall be appropriated
1178 each fiscal year through the 2025-2026 fiscal year for the
1179 planning, design, engineering, and construction of the
1180 Comprehensive Everglades Restoration Plan as set forth in s.
1181 373.470, including the Central Everglades Planning Project, the
1182 Everglades Agricultural Area Storage Reservoir Project, the Lake
1183 Okeechobee Watershed Project, the C-43 West Basin Storage
1184 Reservoir Project, the Indian River Lagoon-South Project, the
1185 Western Everglades Restoration Project, and the Picayune Strand
1186 Restoration Project. The Department of Environmental Protection
1187 and the South Florida Water Management District shall give
1188 preference to those Everglades restoration projects that reduce
1189 harmful discharges of water from Lake Okeechobee to the St.
1190 Lucie or Caloosahatchee estuaries in a timely manner. For the
1191 purpose of performing the calculation provided in this
1192 subparagraph, the amount of debt service paid pursuant to
1193 paragraph (a) for bonds issued after July 1, 2016, for the
1194 purposes set forth under paragraph (b) shall be added to the
1195 amount remaining after the payments required under paragraph
1196 (a). The amount of the distribution calculated shall then be
1197 reduced by an amount equal to the debt service paid pursuant to
1198 paragraph (a) on bonds issued after July 1, 2016, for the
1199 purposes set forth under this subparagraph.

1200 2. A minimum of the lesser of 7.6 percent or \$50 million



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1201 shall be appropriated annually for spring restoration,
1202 protection, and management projects. For the purpose of
1203 performing the calculation provided in this subparagraph, the
1204 amount of debt service paid pursuant to paragraph (a) for bonds
1205 issued after July 1, 2016, for the purposes set forth under
1206 paragraph (b) shall be added to the amount remaining after the
1207 payments required under paragraph (a). The amount of the
1208 distribution calculated shall then be reduced by an amount equal
1209 to the debt service paid pursuant to paragraph (a) on bonds
1210 issued after July 1, 2016, for the purposes set forth under this
1211 subparagraph.

1212 3. The sum of \$5 million shall be appropriated annually
1213 each fiscal year through the 2025-2026 fiscal year to the St.
1214 Johns River Water Management District for projects dedicated to
1215 the restoration of Lake Apopka. This distribution shall be
1216 reduced by an amount equal to the debt service paid pursuant to
1217 paragraph (a) on bonds issued after July 1, 2016, for the
1218 purposes set forth in this subparagraph.

1219 4. The sum of \$64 million is appropriated and shall be
1220 transferred to the Everglades Trust Fund for the 2018-2019
1221 fiscal year, and each fiscal year thereafter, for the EAA
1222 reservoir project pursuant to s. 373.4598. Any funds remaining
1223 in any fiscal year shall be made available only for Phase II of
1224 the C-51 reservoir project or projects identified in
1225 subparagraph 1. and must be used in accordance with laws
1226 relating to such projects. Any funds made available for such
1227 purposes in a fiscal year are in addition to the amount
1228 appropriated under subparagraph 1. This distribution shall be
1229 reduced by an amount equal to the debt service paid pursuant to



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1230 paragraph (a) on bonds issued after July 1, 2017, for the
1231 purposes set forth in this subparagraph.

1232 5. Notwithstanding subparagraph 3., for the 2018-2019 ~~2017-~~
1233 ~~2018~~ fiscal year, funds shall be appropriated as provided in the
1234 General Appropriations Act. This subparagraph expires July 1,
1235 2019 ~~2018~~.

1236 Section 38. In order to implement Specific Appropriation
1237 1581 of the 2018-2019 General Appropriations Act, and
1238 notwithstanding the expiration date contained in section 39 of
1239 chapter 2017-71, Laws of Florida, paragraph (a) of subsection
1240 (6) of section 373.470, Florida Statutes, is reenacted to read:

1241 373.470 Everglades restoration.—

1242 (6) DISTRIBUTIONS FROM SAVE OUR EVERGLADES TRUST FUND.—

1243 (a) Except as provided in paragraphs (d) and (e) and for
1244 funds appropriated for debt service, the department shall
1245 distribute funds in the Save Our Everglades Trust Fund to the
1246 district in accordance with a legislative appropriation and s.
1247 373.026(8)(b). Distribution of funds to the district from the
1248 Save Our Everglades Trust Fund or the Land Acquisition Trust
1249 Fund shall be equally matched by the cumulative contributions
1250 from the district by fiscal year 2019-2020 by providing funding
1251 or credits toward project components. The dollar value of in-
1252 kind project design and construction work by the district in
1253 furtherance of the comprehensive plan and existing interest in
1254 public lands needed for a project component are credits towards
1255 the district's contributions.

1256 Section 39. The amendment to s. 373.470(6)(a), Florida
1257 Statutes, as carried forward by this act from chapter 2017-71,
1258 Laws of Florida, expires July 1, 2019, and the text of that



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1259 paragraph shall revert to that in existence on June 30, 2017,
1260 except that any amendments to such text enacted other than by
1261 this act shall be preserved and continue to operate to the
1262 extent that such amendments are not dependent upon the portions
1263 of text which expire pursuant to this section.

1264 Section 40. In order to implement Specific Appropriation
1265 1719 of the 2018-2019 General Appropriations Act, paragraph (e)
1266 of subsection (11) of section 216.181, Florida Statutes, is
1267 amended to read:

1268 216.181 Approved budgets for operations and fixed capital
1269 outlay.-

1270 (11)

1271 (e) Notwithstanding paragraph (b) and paragraph (2)(b), and
1272 for the 2018-2019 ~~2017-2018~~ fiscal year only, the Legislative
1273 Budget Commission may increase the amounts appropriated to the
1274 Department of Environmental Protection for fixed capital outlay
1275 projects using funds provided to the state from the
1276 environmental mitigation trust administered by a trustee
1277 designated by the United States District Court for the Northern
1278 District of California for eligible mitigation actions and
1279 mitigation action expenditures described in the partial consent
1280 decree entered into between the United States of America and
1281 Volkswagen relating to violations of the Clean Air Act.

1282 Concurrent with submission of an amendment to the Legislative
1283 Budget Commission pursuant to this paragraph, any project that
1284 carries a continuing commitment for future appropriations by the
1285 Legislature must be specifically identified, together with the
1286 projected amount of the future commitment associated with the
1287 project and the fiscal years in which the commitment is expected



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1288 to commence. This paragraph expires July 1, 2019 ~~2018~~.

1289

1290 The provisions of this subsection are subject to the notice and
1291 objection procedures set forth in s. 216.177.

1292 Section 41. (1) In order to implement specific
1293 appropriations from the land acquisition trust funds within the
1294 Department of Agriculture and Consumer Services, the Department
1295 of Environmental Protection, the Department of State, and the
1296 Fish and Wildlife Conservation Commission, which are contained
1297 in the 2018-2019 General Appropriations Act, the Department of
1298 Environmental Protection shall transfer revenues from the Land
1299 Acquisition Trust Fund within the department to the land
1300 acquisition trust funds within the Department of Agriculture and
1301 Consumer Services, the Department of State, and the Fish and
1302 Wildlife Conservation Commission, as provided in this section.
1303 As used in this section, the term "department" means the
1304 Department of Environmental Protection.

1305 (2) After subtracting any required debt service payments,
1306 the proportionate share of revenues to be transferred to each
1307 land acquisition trust fund shall be calculated by dividing the
1308 appropriations from each of the land acquisition trust funds for
1309 the fiscal year by the total appropriations from the Land
1310 Acquisition Trust Fund within the department and the land
1311 acquisition trust funds within the Department of Agriculture and
1312 Consumer Services, the Department of State, and the Fish and
1313 Wildlife Conservation Commission for the fiscal year. The
1314 department shall transfer the proportionate share of the
1315 revenues in the Land Acquisition Trust Fund within the
1316 department on a monthly basis to the appropriate land



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1317 acquisition trust funds within the Department of Agriculture and
1318 Consumer Services, the Department of State, and the Fish and
1319 Wildlife Conservation Commission and shall retain its
1320 proportionate share of the revenues in the Land Acquisition
1321 Trust Fund within the department. Total distributions to a land
1322 acquisition trust fund within the Department of Agriculture and
1323 Consumer Services, the Department of State, and the Fish and
1324 Wildlife Conservation Commission may not exceed the total
1325 appropriations from such trust fund for the fiscal year.

1326 (3) In addition, the department shall transfer from the
1327 Land Acquisition Trust Fund to land acquisition trust funds
1328 within the Department of Agriculture and Consumer Services, the
1329 Department of State, and the Fish and Wildlife Conservation
1330 Commission amounts equal to the difference between the amounts
1331 appropriated in chapter 2017-70, Laws of Florida, to the
1332 department's Land Acquisition Trust Fund and the other land
1333 acquisition trust funds, and the amounts actually transferred
1334 between those trust funds during the 2017-2018 fiscal year.

1335 (4) The department may advance funds from the beginning
1336 unobligated fund balance in the Land Acquisition Trust Fund to
1337 the Land Acquisition Trust Fund within the Fish and Wildlife
1338 Conservation Commission needed for cash flow purposes based on a
1339 detailed expenditure plan. The department shall prorate amounts
1340 transferred quarterly to the Fish and Wildlife Conservation
1341 Commission to recoup the amount of funds advanced by June 30,
1342 2019.

1343 (5) This section expires July 1, 2019.

1344 Section 42. In order to implement Specific Appropriations
1345 1393A, 1393B, 1549, 1549A, 1549B, 1550A, 1681A, 1681B, 1686A,



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1346 and 1802A of the 2018-2019 General Appropriations Act, the
1347 Department of Environmental Protection shall distribute any
1348 moneys transferred from the Land Acquisition Trust Fund into the
1349 Florida Forever Trust Fund using the distribution formula
1350 specified in s. 259.105(3), Florida Statutes. This section
1351 expires July 1, 2019.

1352 Section 43. In order to implement Specific Appropriation
1353 1686A of the 2018-2019 General Appropriations Act, subsection
1354 (5) is added to section 375.075, Florida Statutes, to read:

1355 375.075 Outdoor recreation; financial assistance to local
1356 governments.-

1357 (5) (a) For the 2018-2019 fiscal year:

1358 1. Notwithstanding any other provision of this section, \$4
1359 million of funds for projects must be used exclusively for
1360 projects that provide recreational enhancements and
1361 opportunities for children. The department shall conduct a
1362 separate grant application process exclusively for such
1363 projects. The department shall establish the schedule for the
1364 grant application process for projects that provide publicly
1365 available recreational enhancements and opportunities for
1366 children and shall award the grants for such projects by
1367 December 31, 2018, and each year thereafter.

1368 2. Notwithstanding subsection (3), a local government may
1369 submit up to three grant applications for projects if at least
1370 one of those projects provides recreational enhancements and
1371 opportunities for children. The maximum project grant for each
1372 project application that provides recreational enhancements and
1373 opportunities for children may not exceed \$250,000 in state
1374 funds, which the local government must match on a dollar-for-



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1375 dollar basis.

1376 (b) The selection criteria used by the department for grant
1377 applications submitted pursuant to this subsection must give
1378 priority to projects geared toward children under the age of 12,
1379 but which also provide educational opportunities and have
1380 established safety standards. The department shall give the
1381 highest priority to those project applications that further
1382 demonstrate they will serve the needs of children with unique
1383 abilities and will be accessible and usable to those with
1384 physical and developmental disabilities. All projects must be
1385 required to have playground equipment and lighting that is
1386 adequate for evening use.

1387 (c) The playground equipment should be designed in a manner
1388 to serve children under the age of 12 with unique abilities,
1389 including those with physical and developmental disabilities.
1390 The criteria must also establish a minimum lot size for such
1391 project.

1392 (d) This subsection expires July 1, 2019.

1393 Section 44. In order to implement Specific Appropriation
1394 1660 of the 2018-2019 General Appropriations Act, paragraph (r)
1395 is added to subsection (4) of section 376.3071, Florida
1396 Statutes, to read:

1397 376.3071 Inland Protection Trust Fund; creation; purposes;
1398 funding.—

1399 (4) USES.—Whenever, in its determination, incidents of
1400 inland contamination related to the storage of petroleum or
1401 petroleum products may pose a threat to the public health,
1402 safety, or welfare, water resources, or the environment, the
1403 department shall obligate moneys available in the fund to



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1404 provide for:

1405 (r) Notwithstanding paragraph (j), \$10 million is allocated
1406 for the 2018-2019 fiscal year for the payment of the repair or
1407 the replacement of, or other preventive measures for, storage
1408 tanks, piping, or system components. Such costs may include
1409 equipment, preventive measures, excavation, electrical work,
1410 site restoration, and maintenance protocols. Owners or operators
1411 may submit an application for funding on forms developed by the
1412 department.

1413 1. The application must include:

1414 a. An affidavit by a petroleum storage system specialty
1415 contractor and supporting documentation demonstrating that the
1416 storage tank system may have been damaged or is subject to
1417 damage by incompatibility with fuel blended with ethanol or
1418 biodiesel;

1419 b. A proposed scope of work and cost; and

1420 c. For proposals to replace tanks or piping, a statement
1421 from a certified public accountant which indicates the
1422 depreciated value of the equipment. The depreciated value is the
1423 maximum allowable replacement cost. Tanks and piping that are 20
1424 years old or older are deemed to have no replacement value.

1425 2. The department must review the application for
1426 completeness, accuracy, and reasonableness of costs and scope of
1427 work. Upon approval of an application, the department must issue
1428 a purchase order to the applicant. The department may not issue
1429 a purchase order unless funds remain for the current fiscal
1430 year. The purchase order must include a deductible of 25 percent
1431 of the total cost. Except for preventative maintenance
1432 contracts, the specified work must be substantially completed



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1433 within 180 days after the date of issuance of the purchase
1434 order.

1435 3. Applications shall be funded on a first-come, first-
1436 served basis. Except for preventative maintenance contracts, the
1437 specified work must be substantially completed within 180 days
1438 after the date of issuance of the purchase order. After such
1439 time, the purchase order is void. An owner or operator may not
1440 cancel a preventative maintenance contract without cause.
1441 Following submission of proof to the department that the
1442 approved scope of work; or, in the case of preventative
1443 maintenance contracts, the first service event is complete; the
1444 applicant may request payment. A petroleum storage system owner
1445 or operator may not receive more than \$200,000 per fiscal year
1446 for any single facility or \$500,000 per fiscal year for all the
1447 facilities it owns or operates.

1448 4. Owners or operators who have incurred costs for repair,
1449 replacement, or other preventative measures as described in this
1450 paragraph from July 1, 2015, through June 30, 2018, may apply to
1451 request payment for such costs from the department using the
1452 procedure specified in this paragraph. The department may not
1453 disburse payments for approved applications for such work until
1454 all purchase orders for previously approved applications
1455 submitted after July 1, 2018, have been paid and funds remain
1456 available for the fiscal year. Such payment is subject to a
1457 deductible of 25 percent of the approved cost.

1458 5. Payment may not be provided for:

1459 a. Any costs for which an application for repair,
1460 replacement, or preventative measures is not approved in
1461 accordance with this paragraph;



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- 1462 b. Proposal costs or costs related to preparation of the
1463 application and required documentation;
- 1464 c. Costs associated with the services of a certified public
1465 accountant;
- 1466 d. Costs associated with storage tanks, piping, or
1467 ancillary equipment that has been previously repaired or
1468 replaced with funds that have been paid pursuant to this
1469 section;
- 1470 e. Facilities that are not in compliance with department
1471 storage tank rules, until the facility has been brought into
1472 compliance with such rules; or
- 1473 f. Costs associated with damage to petroleum storage
1474 systems caused in whole or in part by causes other than the
1475 storage of fuels blended with ethanol or biodiesel.
- 1476 6. This paragraph does not affect the obligations of
1477 facility owners or operators or petroleum storage system owners
1478 or operators to timely comply with department rules regarding
1479 the maintenance, replacement, and repair of petroleum storage
1480 systems in order to prevent a release or discharge of
1481 pollutants. This paragraph does not prevent the department from
1482 issuing a purchase order in accordance with this paragraph based
1483 on grounds that work had commenced before the issuance of the
1484 purchase order.
- 1485 7. The department shall ensure that petroleum storage
1486 systems approved after July 1, 2018, meet applicable standards
1487 for compatibility for ethanol blends, biodiesel blends, and
1488 other alternative fuels that are likely to be installed in such
1489 systems.
- 1490 8. This paragraph expires July 1, 2019.



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1491
1492 The issuance of a site rehabilitation completion order pursuant
1493 to subsection (5) or paragraph (12)(b) for contamination
1494 eligible for programs funded by this section does not alter the
1495 project's eligibility for state-funded remediation if the
1496 department determines that site conditions are not protective of
1497 human health under actual or proposed circumstances of exposure
1498 under subsection (5). The Inland Protection Trust Fund may be
1499 used only to fund the activities in ss. 376.30-376.317 except
1500 ss. 376.3078 and 376.3079. Amounts on deposit in the fund in
1501 each fiscal year must first be applied or allocated for the
1502 payment of amounts payable by the department pursuant to
1503 paragraph (n) under a service contract entered into by the
1504 department pursuant to s. 376.3075 and appropriated in each year
1505 by the Legislature before making or providing for other
1506 disbursements from the fund. This subsection does not authorize
1507 the use of the fund for cleanup of contamination caused
1508 primarily by a discharge of solvents as defined in s.
1509 206.9925(6), or polychlorinated biphenyls when their presence
1510 causes them to be hazardous wastes, except solvent contamination
1511 which is the result of chemical or physical breakdown of
1512 petroleum products and is otherwise eligible. Facilities used
1513 primarily for the storage of motor or diesel fuels as defined in
1514 ss. 206.01 and 206.86 are not excluded from eligibility pursuant
1515 to this section.

1516 Section 45. In order to implement Specific Appropriation
1517 582 of the 2018-2019 General Appropriations Act, section 295.23,
1518 Florida Statutes, is amended to read:

1519 295.23 Veterans research and marketing campaign.-



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1520 (1) Florida Is For Veterans, Inc., may request the Florida
1521 Tourism Industry Marketing Corporation for assistance in the
1522 following research and marketing activities shall:

1523 (a) ~~Provide input to Florida Is For Veterans, Inc., on~~
1524 ~~Research to identify the target market and the educational and~~
1525 ~~employment needs of those in the target market.~~

1526 (b) Development and administration of Develop and ~~conduct~~ a
1527 marketing campaign to encourage retired and recently separated
1528 military personnel to remain in the state or to make the state
1529 their permanent residence.

1530 (c) Development of Develop a process for the dissemination
1531 of information to the target market and targeting that
1532 information to the interests and needs of veterans of all ages
1533 to facilitate veterans' knowledge of and access to benefits.

1534 ~~(2) The Florida Tourism Industry Marketing Corporation~~
1535 ~~shall seek advice from Florida Is For Veterans, Inc., on the~~
1536 ~~scope, process, and focus of the marketing campaign. Input must~~
1537 ~~be received before invitations to bid, requests for proposals,~~
1538 ~~or invitations to negotiate for contracted services are~~
1539 ~~advertised. Florida Is For Veterans, Inc., shall be kept~~
1540 ~~informed at each stage of the marketing campaign and may provide~~
1541 ~~recommendations to the Florida Tourism Industry Marketing~~
1542 ~~Corporation to ensure that the effort effectively reaches~~
1543 ~~veterans.~~

1544 ~~(2)-(3)~~ For the purposes of this section, Florida Is For
1545 Veterans, Inc., ~~the Florida Tourism Industry Marketing~~
1546 ~~Corporation~~ shall expend the amount appropriated in the General
1547 Appropriations Act \$1 million annually on marketing the state to
1548 veterans as a permanent home and on information dissemination to



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1549 improve veterans' knowledge of and access to benefits ~~through a~~
1550 ~~combination of existing funds appropriated to the Florida~~
1551 ~~Tourism Industry Marketing Corporation by the Legislature and~~
1552 ~~private funds.~~

1553 Section 46. In order to implement Specific Appropriation
1554 582 of the 2018-2019 General Appropriations Act, paragraphs (a)
1555 and (b) of subsection (3) of section 295.21, Florida Statutes,
1556 are amended to read:

1557 295.21 Florida Is For Veterans, Inc.—

1558 (3) DUTIES.—The corporation shall:

1559 (a) Conduct research to identify the target market and the
1560 educational and employment needs of those in the target market.
1561 The corporation shall contract with at least one entity pursuant
1562 to the competitive bidding requirements in s. 287.057 and the
1563 provisions of s. 295.187 to perform the research. Such entity
1564 must have experience conducting market research on the veteran
1565 demographic. The corporation may ~~shall~~ seek input from the
1566 Florida Tourism Industry Marketing Corporation on the scope,
1567 process, and focus of such research.

1568 (b) Develop and implement a marketing campaign for ~~Advise~~
1569 ~~the Florida Tourism Industry Marketing Corporation, pursuant to~~
1570 ~~s. 295.23, on:~~

1571 ~~1. the target market as identified in paragraph (a). The~~
1572 ~~2. Development and implementation of a marketing campaign~~
1573 ~~must~~ ~~to~~ encourage members of the target market to remain in the
1574 state or to make the state their permanent residence. The
1575 corporation must establish

1576 ~~3. methods for disseminating information to the target~~
1577 market that relates to the interests and needs of veterans of



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1578 all ages and facilitates veterans' knowledge of and access to
1579 benefits. The corporation may request assistance from the
1580 Florida Tourism Industry Marketing Corporation pursuant to s.
1581 295.23.

1582 Section 47. The amendments made by this act to ss. 295.21
1583 and 295.23, Florida Statutes, expire July 1, 2019, and the text
1584 of those sections shall revert to that in existence on June 30,
1585 2018, except that any amendments to such text enacted other than
1586 by this act shall be preserved and continue to operate to the
1587 extent that such amendments are not dependent upon the portions
1588 of text which expire pursuant to this section.

1589 Section 48. In order to implement Specific Appropriation
1590 1855 of the 2018-2019 General Appropriations Act, subsection
1591 (30) of section 427.013, Florida Statutes, is amended to read:
1592 427.013 The Commission for the Transportation
1593 Disadvantaged; purpose and responsibilities.—The purpose of the
1594 commission is to accomplish the coordination of transportation
1595 services provided to the transportation disadvantaged. The goal
1596 of this coordination is to assure the cost-effective provision
1597 of transportation by qualified community transportation
1598 coordinators or transportation operators for the transportation
1599 disadvantaged without any bias or presumption in favor of
1600 multioperator systems or not-for-profit transportation operators
1601 over single operator systems or for-profit transportation
1602 operators. In carrying out this purpose, the commission shall:

1603 (30) For the 2018-2019 ~~2017-2018~~ fiscal year and
1604 notwithstanding any other provision of this section:

1605 (a) Allocate, from funds provided in the General
1606 Appropriations Act, to community transportation coordinators who



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1607 operate in counties that are not direct recipients of ~~do not~~
1608 ~~receive~~ Urbanized Area Formula funds pursuant to 49 U.S.C. s.
1609 5307 to provide transportation services for persons with
1610 disabilities, older adults, and low-income persons so they may
1611 access health care, employment, education, and other life-
1612 sustaining activities. Funds allocated for this purpose shall be
1613 distributed among community transportation coordinators based
1614 upon the Transportation Disadvantaged Trip and Equipment
1615 allocation methodology established by the commission.

1616 (b) Award, from funds provided in the General
1617 Appropriations Act, competitive grants to community
1618 transportation coordinators to support transportation projects
1619 to:

1620 1. Enhance access to health care, shopping, education,
1621 employment, public services, and recreation;

1622 2. Assist in the development, improvement, and use of
1623 transportation systems in nonurbanized areas;

1624 3. Promote the efficient coordination of services;

1625 4. Support inner-city bus transportation; and

1626 5. Encourage private transportation providers to
1627 participate.

1628 (c) This subsection expires July 1, 2019 ~~2018~~.

1629 Section 49. In order to implement Specific Appropriation
1630 2296 of the 2018-2019 General Appropriations Act, subsections
1631 (3) and (5) of section 321.04, Florida Statutes, are amended to
1632 read:

1633 321.04 Personnel of the highway patrol; rank
1634 classifications; probationary status of new patrol officers;
1635 subsistence; special assignments.-



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1636 (3) (a) The Department of Highway Safety and Motor Vehicles
1637 shall assign one patrol officer to the office of the Governor;
1638 said patrol officer so assigned shall be selected by the
1639 Governor and shall have rank and pay not less than that of a
1640 lieutenant of the Florida Highway Patrol, and said patrol
1641 officer so assigned shall be paid by said department from the
1642 appropriation made to said department; said patrol officer shall
1643 have and receive all other benefits provided for in this chapter
1644 or any other statute now in existence or hereinafter enacted.

1645 (b) For the 2018-2019 ~~2017-2018~~ fiscal year only, the
1646 patrol officer shall be assigned to the Lieutenant Governor.
1647 This paragraph expires July 1, 2019 ~~2018~~.

1648 (5) For the 2018-2019 ~~2017-2018~~ fiscal year only, the
1649 assignment of a patrol officer by the department shall include a
1650 Cabinet member specified in s. 4, Art. IV of the State
1651 Constitution if deemed appropriate by the department or in
1652 response to a threat and upon written request of such Cabinet
1653 member. This subsection expires July 1, 2019 ~~2018~~.

1654 Section 50. In order to implement Specific Appropriations
1655 1856 through 1869, 1875 through 1878, 1891 through 1910, and
1656 1948 through 1959 of the 2018-2019 General Appropriations Act,
1657 paragraphs (d), (e), and (f) of subsection (5) of section
1658 339.135, Florida Statutes, are amended to read:

1659 339.135 Work program; legislative budget request;
1660 definitions; preparation, adoption, execution, and amendment.—

1661 (5) ADOPTION OF THE WORK PROGRAM.—

1662 (d) It is the intent of the Legislature that the department
1663 maintain fiscal solvency and make prudent use of all available
1664 fiscal resources to minimize any project, or a phase thereof,



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1665 from being deferred within the work program. It is further the
1666 intent of the Legislature that the department, to the maximum
1667 extent feasible, reduce financial projects not programmed for
1668 contract letting as identified with a work program contract
1669 class code 8 and the box code RV to add projects to the 2018-
1670 2019 ~~2017-2018~~ work program which are identified by a specific
1671 appropriation in the 2018-2019 ~~2017-2018~~ General Appropriations
1672 Act. This paragraph expires July 1, 2019 ~~2018~~.

1673 (e) For the 2018-2019 ~~2017-2018~~ fiscal year only, the
1674 department is authorized to realign budget authority among
1675 appropriation categories to support the implementation of the
1676 2018-2019 ~~2017-2018~~ General Appropriations Act. The notice,
1677 review, and objection procedures under s. 216.177 apply only
1678 when projects, or a phase thereof, are not deferred or deleted
1679 from the work program. The request to realign budget authority
1680 among work program categories must be supported by documented
1681 production and financial goals within the parameters of finance,
1682 available cash, and total authorized budget. This paragraph
1683 expires July 1, 2019 ~~2018~~.

1684 (f) For the 2018-2019 ~~2017-2018~~ fiscal year only, if the
1685 department submits a work program amendment to realign work
1686 program categories to the 2018-2019 ~~2017-2018~~ General
1687 Appropriations Act that defers or deletes any project, or a
1688 phase thereof, the work program amendment is subject to approval
1689 by the Legislative Budget Commission. The department shall
1690 provide to the Legislative Budget Commission the documents
1691 specified in subparagraphs 1.-8. when submitting the
1692 department's work program amendment to request approval to
1693 realign the work program appropriation categories to the 2018-



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1694 2019 ~~2017-2018~~ General Appropriations Act. In addition, any work
1695 program amendment submitted to the Legislative Budget Commission
1696 which results in a reduced project commitment level for the
1697 2018-2019 ~~2017-2018~~ fiscal year must include the following
1698 documents:

1699 1. A proposed finance plan, as balanced to the requested
1700 work program amendment to realign the work program categories to
1701 the 2018-2019 ~~2017-2018~~ General Appropriations Act, or any other
1702 amendments that reduce work program commitments;

1703 2. A proposed cash forecast, as balanced to the requested
1704 work program amendment to realign the work program categories to
1705 the 2018-2019 ~~2017-2018~~ General Appropriations Act, or any other
1706 amendments that reduce work program commitments;

1707 3. An adopted finance plan, as of July 1, 2018 ~~2017~~;

1708 4. An adopted cash forecast, as of July 1, 2018 ~~2017~~;

1709 5. A complete list of projects, or phases thereof, deferred
1710 or deleted from the impact of the projects identified by a
1711 specific appropriation in the 2018-2019 ~~2017-2018~~ General
1712 Appropriations Act for the 2018-2019 ~~2017-2018~~ through 2022-2023
1713 ~~2021-2022~~ work program;

1714 6. The department's methodology for identifying projects,
1715 or phases thereof, for deferral or deletion for the 2018-2019
1716 ~~2017-2018~~ through 2022-2023 ~~2021-2022~~ work program;

1717 7. A letter of concurrence or nonconcurrence from the
1718 affected metropolitan planning organization or, for
1719 nonmetropolitan areas, the board of county commissioners with
1720 impacted project selections; and

1721 8. A complete list of financial projects not programmed for
1722 contract letting as identified with a work program contract



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1723 class code 8 and the box code RV included in fiscal years 2018-
1724 2019 ~~2017-2018~~ through 2022-2023 ~~2021-2022~~, as of July 1, 2018
1725 2017.

1726

1727 This paragraph expires July 1, 2019 ~~2018~~.

1728

1729 Section 51. In order to implement the salaries and
1730 benefits, expenses, other personal services, contracted
1731 services, special categories, and operating capital outlay
1732 categories of the 2018-2019 General Appropriations Act,
1733 paragraph (a) of subsection (2) of section 216.292, Florida
Statutes, is amended to read:

1734

216.292 Appropriations nontransferable; exceptions.—

1735

1736 (2) The following transfers are authorized to be made by
1737 the head of each department or the Chief Justice of the Supreme
1738 Court whenever it is deemed necessary by reason of changed
conditions:

1739

(a) The transfer of appropriations funded from identical
1740 funding sources, except appropriations for fixed capital outlay,
1741 and the transfer of amounts included within the total original
1742 approved budget and plans of releases of appropriations as
1743 furnished pursuant to ss. 216.181 and 216.192, as follows:

1744

1. Between categories of appropriations within a budget
1745 entity, if no category of appropriation is increased or
1746 decreased by more than 5 percent of the original approved budget
1747 or \$250,000, whichever is greater, by all action taken under
1748 this subsection.

1749

2. Between budget entities within identical categories of
1750 appropriations, if no category of appropriation is increased or
1751 decreased by more than 5 percent of the original approved budget



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1752 or \$250,000, whichever is greater, by all action taken under
1753 this subsection.

1754 3. Any agency exceeding salary rate established pursuant to
1755 s. 216.181(8) on June 30th of any fiscal year shall not be
1756 authorized to make transfers pursuant to subparagraphs 1. and 2.
1757 in the subsequent fiscal year.

1758 4. Notice of proposed transfers under subparagraphs 1. and
1759 2. shall be provided to the Executive Office of the Governor and
1760 the chairs of the legislative appropriations committees at least
1761 3 days prior to agency implementation in order to provide an
1762 opportunity for review. The review shall be limited to ensuring
1763 that the transfer is in compliance with the requirements of this
1764 paragraph.

1765 5. For the 2018-2019 ~~2017-2018~~ fiscal year, the review
1766 shall ensure that transfers proposed pursuant to this paragraph
1767 comply with this chapter and are not contrary to legislative
1768 policy and intent. This subparagraph expires July 1, 2019 ~~2018~~.

1769 Section 52. In order to implement the salaries and
1770 benefits, expenses, other personal services, contracted
1771 services, special categories, and operating capital outlay
1772 categories of the 2018-2019 General Appropriations Act,
1773 subsection (6) of section 112.24, Florida Statutes, is amended
1774 to read:

1775 112.24 Intergovernmental interchange of public employees.-
1776 To encourage economical and effective utilization of public
1777 employees in this state, the temporary assignment of employees
1778 among agencies of government, both state and local, and
1779 including school districts and public institutions of higher
1780 education is authorized under terms and conditions set forth in



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1781 this section. State agencies, municipalities, and political
1782 subdivisions are authorized to enter into employee interchange
1783 agreements with other state agencies, the Federal Government,
1784 another state, a municipality, or a political subdivision
1785 including a school district, or with a public institution of
1786 higher education. State agencies are also authorized to enter
1787 into employee interchange agreements with private institutions
1788 of higher education and other nonprofit organizations under the
1789 terms and conditions provided in this section. In addition, the
1790 Governor or the Governor and Cabinet may enter into employee
1791 interchange agreements with a state agency, the Federal
1792 Government, another state, a municipality, or a political
1793 subdivision including a school district, or with a public
1794 institution of higher learning to fill, subject to the
1795 requirements of chapter 20, appointive offices which are within
1796 the executive branch of government and which are filled by
1797 appointment by the Governor or the Governor and Cabinet. Under
1798 no circumstances shall employee interchange agreements be
1799 utilized for the purpose of assigning individuals to participate
1800 in political campaigns. Duties and responsibilities of
1801 interchange employees shall be limited to the mission and goals
1802 of the agencies of government.

1803 (6) For the 2018-2019 ~~2017-2018~~ fiscal year only, the
1804 assignment of an employee of a state agency as provided in this
1805 section may be made if recommended by the Governor or Chief
1806 Justice, as appropriate, and approved by the chairs of the
1807 legislative appropriations committees. Such actions shall be
1808 deemed approved if neither chair provides written notice of
1809 objection within 14 days after receiving notice of the action



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1810 pursuant to s. 216.177. This subsection expires July 1, 2019
1811 ~~2018~~.

1812 Section 53. In order to implement Specific Appropriations
1813 2670 and 2671 of the 2018-2019 General Appropriations Act, and
1814 notwithstanding s. 11.13(1), Florida Statutes, the authorized
1815 salaries for members of the Legislature for the 2018-2019 fiscal
1816 year shall be set at the same level in effect on July 1, 2010.
1817 This section expires July 1, 2019.

1818 Section 54. In order to implement the transfer of funds to
1819 the General Revenue Fund from trust funds for the 2018-2019
1820 General Appropriations Act, paragraph (b) of subsection (2) of
1821 section 215.32, Florida Statutes, is reenacted to read:

1822 215.32 State funds; segregation.—

1823 (2) The source and use of each of these funds shall be as
1824 follows:

1825 (b)1. The trust funds shall consist of moneys received by
1826 the state which under law or under trust agreement are
1827 segregated for a purpose authorized by law. The state agency or
1828 branch of state government receiving or collecting such moneys
1829 is responsible for their proper expenditure as provided by law.
1830 Upon the request of the state agency or branch of state
1831 government responsible for the administration of the trust fund,
1832 the Chief Financial Officer may establish accounts within the
1833 trust fund at a level considered necessary for proper
1834 accountability. Once an account is established, the Chief
1835 Financial Officer may authorize payment from that account only
1836 upon determining that there is sufficient cash and releases at
1837 the level of the account.

1838 2. In addition to other trust funds created by law, to the



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1839 extent possible, each agency shall use the following trust funds
1840 as described in this subparagraph for day-to-day operations:

1841 a. Operations or operating trust fund, for use as a
1842 depository for funds to be used for program operations funded by
1843 program revenues, with the exception of administrative
1844 activities when the operations or operating trust fund is a
1845 proprietary fund.

1846 b. Operations and maintenance trust fund, for use as a
1847 depository for client services funded by third-party payors.

1848 c. Administrative trust fund, for use as a depository for
1849 funds to be used for management activities that are departmental
1850 in nature and funded by indirect cost earnings and assessments
1851 against trust funds. Proprietary funds are excluded from the
1852 requirement of using an administrative trust fund.

1853 d. Grants and donations trust fund, for use as a depository
1854 for funds to be used for allowable grant or donor agreement
1855 activities funded by restricted contractual revenue from private
1856 and public nonfederal sources.

1857 e. Agency working capital trust fund, for use as a
1858 depository for funds to be used pursuant to s. 216.272.

1859 f. Clearing funds trust fund, for use as a depository for
1860 funds to account for collections pending distribution to lawful
1861 recipients.

1862 g. Federal grant trust fund, for use as a depository for
1863 funds to be used for allowable grant activities funded by
1864 restricted program revenues from federal sources.

1865

1866 To the extent possible, each agency must adjust its internal
1867 accounting to use existing trust funds consistent with the



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1868 requirements of this subparagraph. If an agency does not have
1869 trust funds listed in this subparagraph and cannot make such
1870 adjustment, the agency must recommend the creation of the
1871 necessary trust funds to the Legislature no later than the next
1872 scheduled review of the agency's trust funds pursuant to s.
1873 215.3206.

1874 3. All such moneys are hereby appropriated to be expended
1875 in accordance with the law or trust agreement under which they
1876 were received, subject always to the provisions of chapter 216
1877 relating to the appropriation of funds and to the applicable
1878 laws relating to the deposit or expenditure of moneys in the
1879 State Treasury.

1880 4.a. Notwithstanding any provision of law restricting the
1881 use of trust funds to specific purposes, unappropriated cash
1882 balances from selected trust funds may be authorized by the
1883 Legislature for transfer to the Budget Stabilization Fund and
1884 General Revenue Fund in the General Appropriations Act.

1885 b. This subparagraph does not apply to trust funds required
1886 by federal programs or mandates; trust funds established for
1887 bond covenants, indentures, or resolutions whose revenues are
1888 legally pledged by the state or public body to meet debt service
1889 or other financial requirements of any debt obligations of the
1890 state or any public body; the Division of Licensing Trust Fund
1891 in the Department of Agriculture and Consumer Services; the
1892 State Transportation Trust Fund; the trust fund containing the
1893 net annual proceeds from the Florida Education Lotteries; the
1894 Florida Retirement System Trust Fund; trust funds under the
1895 management of the State Board of Education or the Board of
1896 Governors of the State University System, where such trust funds



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1897 are for auxiliary enterprises, self-insurance, and contracts,
1898 grants, and donations, as those terms are defined by general
1899 law; trust funds that serve as clearing funds or accounts for
1900 the Chief Financial Officer or state agencies; trust funds that
1901 account for assets held by the state in a trustee capacity as an
1902 agent or fiduciary for individuals, private organizations, or
1903 other governmental units; and other trust funds authorized by
1904 the State Constitution.

1905 Section 55. The amendment to s. 215.32(2)(b), Florida
1906 Statutes, as carried forward by this act from chapter 2011-47,
1907 Laws of Florida, expires July 1, 2019, and the text of that
1908 paragraph shall revert to that in existence on June 30, 2011,
1909 except that any amendments to such text enacted other than by
1910 this act and chapter 2011-47, Laws of Florida, shall be
1911 preserved and continue to operate to the extent that such
1912 amendments are not dependent upon the portions of text which
1913 expire pursuant to this section.

1914 Section 56. In order to implement the appropriation of
1915 funds in the special categories, contracted services, and
1916 expenses categories of the 2018-2019 General Appropriations Act,
1917 a state agency may not enter into a contract containing a
1918 nondisclosure clause that prohibits the contractor from
1919 disclosing information relevant to the performance of the
1920 contract to members or staff of the Senate or the House of
1921 Representatives. This section expires July 1, 2019.

1922 Section 57. Any section of this act which implements a
1923 specific appropriation or specifically identified proviso
1924 language in the 2018-2019 General Appropriations Act is void if
1925 the specific appropriation or specifically identified proviso



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1926 language is vetoed. Any section of this act which implements
1927 more than one specific appropriation or more than one portion of
1928 specifically identified proviso language in the 2018-2019
1929 General Appropriations Act is void if all the specific
1930 appropriations or portions of specifically identified proviso
1931 language are vetoed.

1932 Section 58. If any other act passed during the 2018 Regular
1933 Session of the Legislature contains a provision that is
1934 substantively the same as a provision in this act, but that
1935 removes or is otherwise not subject to the future repeal applied
1936 to such provision by this act, the Legislature intends that the
1937 provision in the other act takes precedence and continues to
1938 operate, notwithstanding the future repeal provided by this act.

1939 Section 59. If any provision of this act or its application
1940 to any person or circumstance is held invalid, the invalidity
1941 does not affect other provisions or applications of the act
1942 which can be given effect without the invalid provision or
1943 application, and to this end the provisions of this act are
1944 severable.

1945 Section 60. Except as otherwise expressly provided in this
1946 act and except for this section, which shall take effect upon
1947 this act becoming a law, this act shall take effect July 1,
1948 2018; or, if this act fails to become a law until after that
1949 date, it shall take effect upon becoming a law and shall operate
1950 retroactively to July 1, 2018.

1951
1952 ===== T I T L E A M E N D M E N T =====

1953 And the title is amended as follows:

1954 Delete everything before the enacting clause



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1955 and insert:

1956 A bill to be entitled
1957 An act implementing the 2018-2019 General
1958 Appropriations Act; providing legislative intent;
1959 incorporating by reference certain calculations of the
1960 Florida Education Finance Program; providing that
1961 funds for instructional materials must be released and
1962 expended as required in specified proviso language;
1963 amending s. 1002.333, F.S.; specifying that certain
1964 schools of hope are eligible to receive hope
1965 supplemental service allocation funds; specifying
1966 required duties of the State Board of Education for
1967 the 2017-2018 fiscal year; providing for the future
1968 expiration and reversion of specified statutory text;
1969 amending s. 1011.62, F.S.; creating the hope
1970 supplemental services allocation; providing the
1971 purpose of the allocation; specifying the services
1972 that may be funded by the allocation; requiring a plan
1973 for implementation to be developed and submitted to
1974 the appropriate governing body before distribution of
1975 the allocation; providing requirements for
1976 implementation plans; requiring approved plans to be
1977 submitted to the Commissioner of Education by a
1978 specified date; providing for the allocation of funds
1979 for the 2018-2019 fiscal year; creating the mental
1980 health assistance allocation; providing the purpose of
1981 the allocation; providing for the annual allocation of
1982 such funds on a specified basis; prohibiting the use
1983 of allocated funds to supplant funds provided from



1984 other operating funds, to increase salaries, or to
1985 provide bonuses; providing requirements for school
1986 districts and charter schools; providing that required
1987 plans must include certain elements; requiring school
1988 districts to annually submit approved plans to the
1989 commissioner by a specified date; creating the funding
1990 compression allocation; providing the purpose of the
1991 allocation; authorizing funding for the annual
1992 allocation for specified purposes; providing the
1993 calculation for the allocation; amending s. 1012.731,
1994 F.S.; deleting Florida Best and Brightest Teacher
1995 Scholarship Program scholarship awards authorized for
1996 the 2018-2019 school year; incorporating by reference
1997 certain calculations of the Medicaid Disproportionate
1998 Share Hospital program; authorizing the Agency for
1999 Health Care Administration, in consultation with the
2000 Department of Health, to submit a budget amendment to
2001 realign funding for a component of the Children's
2002 Medical Services program; specifying requirements for
2003 such realignment; authorizing the agency to request
2004 nonoperating budget authority for transferring certain
2005 federal funds to the department; specifying criteria
2006 to be used by the Agency for Persons with Disabilities
2007 in the event that an allocation algorithm and
2008 methodology for the iBudget system is no longer in
2009 effect; providing for the implementation of any new
2010 iBudget allocation algorithm and methodology;
2011 authorizing increased funding for an iBudget under
2012 certain circumstances; amending s. 409.908, F.S.;



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2013 revising parameters relating to the prospective
2014 payment methodology for the reimbursement of Medicaid
2015 providers to be implemented for rate-setting purposes;
2016 requiring the agency to establish prospective payment
2017 reimbursement rates for nursing home services as
2018 provided in this act and in the General Appropriations
2019 Act; providing for the future expiration and reversion
2020 of specified statutory text; requiring the Agency for
2021 Health Care Administration to seek authorization from
2022 the federal Centers for Medicare and Medicaid Services
2023 to modify the period of retroactive Medicaid
2024 eligibility in a manner that ensures that the
2025 modification becomes effective by a certain date;
2026 amending s. 409.911, F.S.; updating the average of
2027 audited disproportionate share data for purposes of
2028 calculating disproportionate share payments; extending
2029 for 1 fiscal year the requirement that the Agency for
2030 Health Care Administration distribute moneys to
2031 hospitals that provide a disproportionate share of
2032 Medicaid or charity care services as set forth in the
2033 General Appropriations Act; amending s. 409.9113,
2034 F.S.; extending for 1 fiscal year the requirement that
2035 the Agency for Health Care Administration make
2036 disproportionate share payments to teaching hospitals
2037 as set forth in the General Appropriations Act;
2038 amending s. 409.9119, F.S.; extending for 1 fiscal
2039 year the requirement that the Agency for Health Care
2040 Administration make disproportionate share payments to
2041 certain specialty hospitals for children as set forth



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2042 in the General Appropriations Act; amending s.
2043 216.262, F.S.; extending for 1 fiscal year the
2044 authority of the Department of Corrections to submit a
2045 budget amendment for additional positions and
2046 appropriations under certain circumstances; amending
2047 s. 215.18, F.S.; extending for 1 fiscal year the
2048 authority, and related repayment requirements, for
2049 temporary trust fund loans to the state court system
2050 which are sufficient to meet the system's
2051 appropriation; authorizing the Department of
2052 Corrections to submit certain budget amendments to
2053 transfer funds into the Inmate Health Services
2054 category; providing that such transfers are subject to
2055 notice, review, and objection procedures; requiring
2056 the Department of Juvenile Justice to review county
2057 juvenile detention payments to ensure that counties
2058 fulfill specified financial responsibilities;
2059 requiring amounts owed by a county for such financial
2060 responsibilities to be deducted from certain county
2061 funds; requiring the Department of Revenue to transfer
2062 withheld funds to a specified trust fund; requiring
2063 the Department of Revenue to ensure that such
2064 reductions in amounts distributed do not reduce
2065 distributions below amounts necessary for certain
2066 payments due on bonds and to comply with bond
2067 covenants; requiring the Department of Revenue to
2068 notify the Department of Juvenile Justice if bond
2069 payment requirements require a reduction in deductions
2070 for amounts owed by a county; prohibiting the



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2071 Department of Juvenile Justice from providing to
2072 certain nonfiscally constrained counties
2073 reimbursements or credits against identified juvenile
2074 detention center costs under specified circumstances;
2075 prohibiting a nonfiscally constrained county from
2076 applying, deducting, or receiving such reimbursements
2077 or credits; amending s. 27.5304, F.S.; extending for 1
2078 fiscal year certain limitations on compensation for
2079 private court-appointed counsel; amending s. 1011.80,
2080 F.S.; providing that state funds provided for
2081 postsecondary workforce program operations may be used
2082 for inmate education if specifically appropriated for
2083 such purpose; authorizing a Supreme Court Justice to
2084 designate an alternate facility as his or her official
2085 headquarters for purposes of travel reimbursement;
2086 specifying which expenses may be reimbursed to a
2087 justice; requiring the Chief Justice to coordinate
2088 with an affected justice and other appropriate
2089 officials with respect to implementation; providing
2090 for construction; prohibiting the Supreme Court from
2091 using state funds to lease space in an alternate
2092 facility for use as a justice's official headquarters;
2093 requiring the Department of Management Services to use
2094 tenant broker services to renegotiate or reprocure
2095 certain private lease agreements for office or storage
2096 space; requiring the Department of Management Services
2097 to provide a report to the Executive Office of the
2098 Governor and the Legislature by a specified date;
2099 specifying the amount of the transaction fee to be



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2100 collected for use of the state's online procurement
2101 system; prohibiting an agency from transferring funds
2102 from a data processing category to another category
2103 that is not a data processing category; authorizing
2104 the Executive Office of the Governor to transfer funds
2105 appropriated in certain appropriation categories
2106 between departments for specified purposes; requiring
2107 the Department of Financial Services to replace
2108 specified components of the Florida Accounting
2109 Information Resource Subsystem (FLAIR) and the Cash
2110 Management Subsystem (CMS); specifying certain actions
2111 to be taken by the Department of Financial Services
2112 regarding FLAIR and CMS replacement; providing for the
2113 composition of an executive steering committee to
2114 oversee FLAIR and CMS replacement; prescribing duties
2115 and responsibilities of the executive steering
2116 committee; amending s. 282.0051, F.S.; revising the
2117 powers, duties, and functions of the Agency for State
2118 Technology with respect to the operational management
2119 and oversight of the state data center; providing for
2120 the future expiration and reversion of specified
2121 statutory text; amending s. 216.181, F.S.; extending
2122 for 1 fiscal year the authority for the Legislative
2123 Budget Commission to increase amounts appropriated to
2124 the Fish and Wildlife Conservation Commission or the
2125 Department of Environmental Protection for certain
2126 fixed capital outlay projects from specified sources;
2127 amending s. 215.18, F.S.; extending for 1 fiscal year
2128 the authority of the Governor, if there is a specified



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2129 deficiency in a land acquisition trust fund in the
2130 Department of Agriculture and Consumer Services, the
2131 Department of Environmental Protection, the Department
2132 of State, or the Fish and Wildlife Conservation
2133 Commission, to transfer funds from other trust funds
2134 in the State Treasury as a temporary loan to such
2135 trust fund; providing procedures for the repayment of
2136 the temporary loan; amending s. 375.041, F.S.;
2137 specifying that certain funds for projects dedicated
2138 to restoring Lake Apopka shall be appropriated as
2139 provided under the General Appropriations Act;
2140 reenacting s. 373.470(6)(a), F.S., relating to
2141 Everglades restoration; providing for the future
2142 expiration and reversion of specified statutory text;
2143 amending s. 216.181, F.S.; extending for 1 fiscal year
2144 the authority of the Legislative Budget Commission to
2145 increase amounts appropriated to the Department of
2146 Environmental Protection for fixed capital outlay
2147 projects using specified funds; specifying additional
2148 information to be included in budget amendments for
2149 projects requiring additional funding; requiring the
2150 Department of Environmental Protection to transfer a
2151 designated proportionate share of the revenues
2152 deposited in the Land Acquisition Trust Fund within
2153 the department to land acquisition trust funds in the
2154 Department of Agriculture and Consumer Services, the
2155 Department of State, and the Fish and Wildlife
2156 Conservation Commission, according to specified
2157 parameters and calculations; defining the term



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2158 "department"; requiring the Department of
2159 Environmental Protection to retain a proportionate
2160 share of revenues; specifying a limit on
2161 distributions; requiring the Department of
2162 Environmental Protection to make transfers to land
2163 acquisition trust funds; specifying the method of
2164 determining transfer amounts; authorizing the
2165 Department of Environmental Protection to advance
2166 funds from its land acquisition trust fund to the Fish
2167 and Wildlife Conservation Commission's land
2168 acquisition trust fund for specified purposes;
2169 requiring the Department of Environmental Protection
2170 to prorate amounts transferred to the Fish and
2171 Wildlife Conservation Commission; requiring the
2172 Department of Environmental Protection to distribute
2173 moneys transferred from the Land Acquisition Trust
2174 Fund into the Florida Forever Trust Fund in accordance
2175 with a specified distribution formula; amending s.
2176 375.075, F.S.; requiring that a minimum amount of
2177 funds for the Florida Recreation Development
2178 Assistance Program be used for projects that provide
2179 recreational enhancements and opportunities for
2180 children; requiring the Department of Environmental
2181 Protection to award grants by a specified date;
2182 providing limitations with respect to the number of
2183 grant applications a local government may submit and
2184 the maximum project grant amount; specifying
2185 requirements for the selection criteria used by the
2186 department; amending s. 376.3071, F.S.; allocating a



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2187 specified sum from the Inland Protection Trust Fund
2188 for the payment of repair, replacement, and
2189 preventative measure costs for storage tanks, piping,
2190 or system components; requiring an owner or operator
2191 to submit an application to the department to receive
2192 funding; prescribing requirements for such
2193 application; specifying requirements, restrictions,
2194 and limitations regarding applications and payments;
2195 prohibiting payments for specified expenses; providing
2196 construction; requiring the department to ensure that
2197 petroleum storage systems approved after a specified
2198 date meet certain standards; amending s. 295.23, F.S.;
2199 transferring duties relating to the administration of
2200 the veterans research and marketing campaign from the
2201 Florida Tourism Industry Marketing Corporation to
2202 Florida Is For Veterans, Inc.; revising the annual
2203 appropriation for the veterans research and marketing
2204 campaign; amending s. 295.21, F.S.; revising the
2205 duties of Florida Is For Veterans, Inc., regarding the
2206 veterans research and marketing campaign to conform to
2207 changes made by the act; providing for the future
2208 expiration and reversion of specified statutory text;
2209 amending s. 427.013, F.S.; extending for 1 fiscal year
2210 a requirement that the Commission for the
2211 Transportation Disadvantaged allocate and award
2212 appropriated funds for specified purposes; amending s.
2213 321.04, F.S.; extending for 1 fiscal year provisions
2214 requiring the Department of Highway Safety and Motor
2215 Vehicles to assign the patrol officer assigned to the



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2216 Office of the Governor to the Lieutenant Governor and
2217 to assign a patrol officer to a Cabinet member under
2218 certain circumstances; amending s. 339.135, F.S.;
2219 extending for 1 fiscal year provisions authorizing the
2220 Department of Transportation to realign budget
2221 authority to carry out the department's work program;
2222 amending s. 216.292, F.S.; extending for 1 fiscal year
2223 a provision that requires a review of certain
2224 transfers of appropriations to ensure compliance with
2225 ch. 216, F.S., and that such transfers are not
2226 contrary to legislative policy and intent; amending s.
2227 112.24, F.S.; extending for 1 fiscal year the
2228 authorization, subject to specified requirements, for
2229 the assignment of an employee of a state agency under
2230 an employee interchange agreement; providing that the
2231 annual salaries of the members of the Legislature
2232 shall be maintained at a specified level; reenacting
2233 s. 215.32(2)(b), F.S., relating to the source and use
2234 of certain trust funds; providing for the future
2235 expiration and reversion of specified statutory text;
2236 prohibiting state agencies from entering into
2237 contracts containing certain nondisclosure agreements;
2238 providing conditions under which the veto of certain
2239 appropriations or proviso language in the General
2240 Appropriations Act voids language that implements such
2241 appropriations; providing for the continued operation
2242 of certain provisions notwithstanding a future repeal
2243 or expiration provided by the act; providing
2244 severability; providing effective dates.