

+The Florida Senate

BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: SPB 2502

INTRODUCER: Appropriations Committee

SUBJECT: Implementing the 2019-2020 General Appropriations Act

DATE: March 28, 2019

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
McSwain	Kynoch	_____	AP Submitted as Comm. Bill/Fav

I. Summary:

SPB 2502 provides the statutory authority necessary to implement and execute the General Appropriations Act for Fiscal Year 2019-2020. Statutory changes are temporary and expire on July 1, 2020.

The bill provides an effective date of July 1, 2019, except as otherwise provided.

II. Present Situation:

Article III, s. 12 of the Florida Constitution provides that “[l]aws making appropriations for salaries of public officers and other current expenses of the state shall contain provisions on no other subject.” This language has been interpreted to defeat proviso language attached to appropriations that have the effect of changing general law.¹ For this reason, when general law changes are required to effectuate appropriations, those changes are placed in a general bill implementing the appropriations act instead of in the general appropriations act. The statutory changes are effective only for one year and either expire on July 1 of the next fiscal year or the language of the amended statute reverts to the text that existed before the changes made by the bill.

III. Effect of Proposed Changes:

Section 1 provides legislative intent that the implementing and administering provisions of this act apply to the General Appropriations Act (GAA) for Fiscal Year 2019-2020.

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

Section 3 provides that funds provided for instructional materials shall be released and expended as required in the proviso language attached to Specific Appropriation 93.

¹ *Brown v. Firestone*, 382 So.2d 654 (Fla. 1980); *Chiles v. Milligan*, 659 So.2d 1055 (Fla. 1995).

Section 4 amends s. 1001.292, F.S., to remove the provision allowing undisbursed funds for Schools of Hope to be carried forward for up to 5 years. Any undisbursed funds would be reverted at the end of the fiscal year. Funding for each year would be provided annually in the appropriations act.

Section 5 amends s. 1002.333, F.S., to remove the traditional public school component from the Schools of Hope legislation, including the \$2,000 per FTE funding, and the provision allowing undisbursed funds to be carried forward for up to 5 years. Any undisbursed funds would be reverted at the end of the fiscal year. Funding for each year would be provided annually in the appropriations act.

Section 6 provides that the amendments to ss. 1001.292 and 1002.333, F.S., expire July 1, 2020, and the text of those sections reverts to that in existence on June 30, 2019.

Section 7 amends s. 1003.64, F.S., to create the Community School Grant Program to support the planning and implementation of community school programs. In prior years, the initiative was funded as a legislative project.

Section 8 amends s. 1008.33, F.S., to add that a district-managed turnaround plan may include extended day or a summer program.

Section 9 provides that the amendments to s. 1008.33, F.S., expire July 1, 2020, and the text of that section reverts to that in existence on June 30, 2019.

Section 10 amends s. 1009.215, F.S., to authorize fall term awards for University of Florida Innovation Academy students when summer funding is provided for other Bright Futures recipients.

Section 11 provides that the amendments to s. 1009.215, F.S., expire July 1, 2020, and the text of that section reverts to that in existence on June 30, 2018.

Section 12 amends s. 1011.62, F.S., to include the new Best and Brightest Teacher and Principal Allocation in the Virtual Education Contribution; removes the proration requirement for the Federally Connected Student Supplement so that the school districts can be fully funded for the supplement; modifies the formula for the Safe Schools Allocation funds to align more closely with school security needs; maintains the funding compression allocation within the FEFP to provide additional funding for school districts whose total funds per FTE in the prior year were less than the statewide average; adds The Best and Brightest Teacher and Principal Allocation within the FEFP (see also sections 17 and 18 of the bill); and adds the Turnaround School Supplemental Services Allocation within the FEFP.

The Turnaround School Supplemental Services Allocation provides schools with \$500 per-FTE, or as otherwise provided in the GAA, to offer services designed to improve the overall academic and community welfare of the school's students and families. Schools implementing a turnaround option may receive funding from the allocation for a maximum of four continuous fiscal years. A

school that exits turnaround with a grade of “C” or higher will remain eligible to receive the allocation for a maximum of two continuous fiscal years after exiting turnaround status.

Section 13 provides that the amendments to s. 1011.62(11), (13(d), and (15), F.S., expire July 1, 2020, and the text of those provisions reverts to that in existence on June 30, 2019.

Section 14 amends s. 1011.80, F.S., to remove the \$15 million annual performance funding appropriation limit for industry certifications for school district workforce education programs. As a result, school districts may be fully funded for earned certifications, subject to legislative appropriation.

Section 15 amends s. 1011.81, F.S., to remove the \$15 million annual performance funding appropriation limit for industry certifications for Florida College System institution programs. As a result, institutions may be fully funded for earned certifications, subject to legislative appropriation.

Section 16 provides that the amendments to ss. 1011.80 and 1011.81, F.S., expire July 1, 2020, and the text of those sections reverts to that in existence on June 30, 2019.

Section 17 amends s. 1012.731, F.S., to revise the criteria for a teacher to qualify for an award under The Florida Best and Brightest Teacher program. New teachers who are content experts in mathematics, science, computer science, reading, or civics can receive a one-time recruitment award. Teachers rated as highly effective or effective can receive a retention award if they teach in a school demonstrating improvement. Highly effective teachers can also receive a recognition award if the teacher is selected by his or her principal based on performance criteria adopted by the district school board.

Section 18 amends s. 1012.732, F.S., to revise the criteria for a principal to qualify for an award under The Florida Best and Brightest Principal program. Principals who are employed in schools that demonstrate improvement are eligible to receive an award.

Section 19 provides that the amendments to ss. 1012.731 and 1012.732, F.S., expire July 1, 2020, and the text of those sections shall revert to that in existence on June 30, 2019.

Section 20 amends s. 1013.62, F.S., to revise language relating to charter school capital outlay funding. Specifically, the revision provides that charter school capital outlay funding for Fiscal Year 2019-2020 will consist of state funds appropriated by the Legislature in the GAA (at a level of funding identified in the GAA). This change also removes the requirement that districts must share local millage revenues for Fiscal Year 2019-2020.

Section 21 provides that the amendments to s. 1013.62, F.S., expire July 1, 2020, and the text of that section reverts to that in existence on June 30, 2019.

Section 22 provides that the calculations of the Medicaid Disproportionate Share Hospital program for the 2019-2020 fiscal year contained in the document titled “Medicaid Disproportionate Share Hospital Program, Fiscal Year 2019-2020” dated March 28, 2019, and filed with the Secretary of the Senate, are incorporated by reference for the purpose of displaying

the calculations used by the Legislature, consistent with the requirements of state law, in making appropriations for the Medicaid Disproportionate Share Hospital program.

Section 23 authorizes the Agency for Health Care Administration (AHCA) to submit a budget amendment to realign funding between the AHCA and the Department of Health (DOH) for the Children's Medical Services (CMS) Network for the implementation of Statewide Medicaid Managed Care, to reflect actual enrollment changes due to the transition from fee-for-service into the capitated CMS Network.

Section 24 amends s. 409.908(23), F.S., relating to Medicaid rate setting for specified provider types, to specify the prospective payment system reimbursement for nursing home services will be governed by s. 409.908(2), F.S., and the GAA. Language relating to county health department reimbursement is restructured but not changed substantively.

Section 25 provides for the reversion of statute language for s. 409.908 (23), F.S., back to the language as it existed on October 1, 2018.

Section 26 directs the AHCA to seek federal authorization from the federal Centers for Medicare and Medicaid Services to modify the period of retroactive Medicaid eligibility for non-pregnant adults to be from the first day of the month in which the person applies for Medicaid.

Section 27 amends s. 893.055(18), F.S., relating to the prescription drug monitoring program to prohibit the use of any settlement agreement funds for the program for Fiscal Year 2019-2020.

Section 28 amends s. 409.911, F.S., to provide that, for the 2019-2020 fiscal year, the AHCA must distribute moneys to hospitals providing a disproportionate share of Medicaid or charity care services as provided in the GAA for Fiscal Year 2019-2020.

Section 29 amends s. 409.9113, F.S., to provide that, for the 2019-2020 fiscal year, the AHCA must make disproportionate share payments to teaching hospitals, as defined in s. 408.07, as provided in the GAA for Fiscal Year 2019-2020.

Section 30 amends s. 409.9119, F.S., to provides, that, for the 2019-2020 fiscal year, the AHCA must make disproportionate share payments to specialty hospitals for children as provided in the GAA for Fiscal Year 2019-2020.

Section 31 authorizes the AHCA to submit a budget amendment to realign funding priorities within appropriation, to address any projected surpluses and deficits.

Sections 32 and 33 amend ss. 381.986 and 381.988, F.S., to provide that rules relating to medical marijuana adopted prior to July 1, 2020 are exempt from the legislative ratification provision of s. 120.541(3), F.S.

Section 34 amends s. 383.14, F.S., to require the Department of Health Newborn Screening Program to begin screening all newborns in Florida for Spinal Muscular Atrophy, and to add such a test to the Newborn Screening Panel as soon as practicable after July 1, 2019, but no later than May, 3, 2020.

Section 35 amends section 28 of ch. 2016-65, Laws of Florida, to expand the catchment area of the authorized Program for All-Inclusive Care for the Elderly (PACE) organization in northeast Florida.

Section 36 allows the Department of Children and Families (DCF) to submit a budget amendment to realign funding within appropriations for the Guardianship Assistance Program.

Sections 37 and 38 authorizes the DCF to establish a formula to distribute funding for the Path Forward initiative due to the expiration of the federal Title IV-E Waiver.

Section 39 amends section 296.37, F.S., to increase the personal needs allowance from \$105 to \$130 for residents of Department of Veterans' Affairs nursing facilities.

Section 40 creates an eight-member task force charged with reviewing and making recommendations for changes to the Criminal Punishment Code. The task force will include the Secretary of the Department of Corrections or his designee, two members appointed by the Speaker of the House, two members appointed by the President of the Senate, and two members appointed by the Chief Justice of the Supreme Court. The Attorney General or her designee will chair the task force. This section expires July 1, 2020.

Section 41 amends s. 216.262, F.S., to allow the Executive Office of the Governor to request additional positions and appropriations from unallocated general revenue funds during the 2019-2020 fiscal year for the Department of Corrections (DOC), if the actual inmate population of the DOC exceeds the Criminal Justice Estimating Conference forecasts of February 22, 2019. The additional positions and appropriations may be used for essential staff, fixed capital improvements, and other resources to provide classification, security, food services, health services, and other variable expenses within the institutions to accommodate the estimated increase in the inmate population, and are subject to Legislative Budget Commission review and approval.

Section 42 amends s. 215.18, F.S., to provide the Chief Justice of the Florida Supreme Court the authority to request a trust fund loan to ensure the state court system has sufficient funds to meet its appropriations contained in the GAA for Fiscal Year 2019-2020.

Section 43 requires the Department of Juvenile Justice to ensure that counties are fulfilling their financial responsibilities required in s. 985.6865, F.S., and to report any deficiencies to the Department of Revenue. If the Department of Juvenile Justice determines that a county has not met its obligations, it must direct the Department of Revenue to deduct the amount owed to the Department of Juvenile Justice from shared revenue funds provided to the county under s. 218.23, F.S to be deposited into the Shared County/State Juvenile Detention Trust Fund in Department of Juvenile Justice. The section also includes procedures to provide assurance to holders of bonds for which shared revenue fund distributions are pledged.

Section 44 prohibits the payment of reimbursement or application of credits to a nonfiscally constrained county for any previous overpayment of juvenile detention costs to offset detention share costs owed pursuant to s. 985.686, F.S., or any other law during Fiscal Year 2019-2020.

Section 45 amends s. 27.40, F.S., to require written certification of conflict by a public defender. If the office of criminal conflict and civil regional counsel cannot accept a case from the public defender due to conflict, the office of civil regional counsel is required to specifically identify and describe the conflict of interest and certify the conflict to the court before a court-appointed counsel may be assigned.

Contracts with appointed counsel and forms for use in billing must be consistent with ss. 27.5304, and 216.311. The contract must specify that payment is contingent upon an appropriation by the Legislature. The flat fee established in s. 27.5304 is required to be presumed to be sufficient compensation.

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

Section 46 provides that the amendments to s. 47.40(1), (2)(a), (3)(a), (5), (6), and (7), F.S., expire on July 1, 2020, and the text of those provisions reverts to that in existence on June 30, 2019.

Section 47 amends s. 27.5304, F.S., to increase, for the 2019-2020 fiscal year, the statutory compensation limits for fees paid to court-appointed attorneys in noncapital, nonlife felony and life felony cases. The Legislature may establish the actual amounts paid to attorneys in these categories in the GAA for Fiscal Year 2019-2020.

Court-appointed counsel may be compensated only in compliance with s. 27.40(1), (2)(a), (7), this section, and the GAA. The JAC is required to review all billings and must contemporaneously document its review before authorizing payment to an attorney. Objections by the JAC to billings by an attorney are required to be presumed correct by a court unless the court determines, in writing, that competent and substantial evidence supports overcoming the presumption. Motions to exceed the flat fee are required to be served on the JAC at least 20 business days before the hearing date, and the JAC may appear at the hearing in person or telephonically.

Section 48 provides that the amendments to s. 27.5304(1), (3), (7), (11), and (12)(a) – (e), F.S., expire on July 1, 2020, and the text of those provisions reverts to that in existence on June 30, 2019.

Section 49 requires clerks to pay costs of compensation to jurors, for meals or lodging provided to jurors, and for jury-related personnel costs that exceed funding in the GAA for these purposes.

Section 50 amends s. 318.18, F.S., to require the deposit of certain funds into the Indigent Criminal Defense Trust Fund instead of the Public Defenders Revenue Trust Fund.

Section 51 amends s. 817.568, F.S., to require the deposit of certain funds into the Indigent Criminal Defense Trust Fund instead of the Public Defenders Revenue Trust Fund.

Section 52 provides that the amendments to ss. 318.18, F.S., and 817.568, F.S., expire July 1, 2020, and the text of those sections reverts to that in existence on June 30, 2018.

Section 53 permits a Supreme Court justice who resides outside of Leon County to designate an official headquarters in the district in which he or she resides. The justice is eligible to receive subsistence at a rate to be established by the Chief Justice for each day or partial day that the justice is at the headquarters of the Supreme Court (Leon County) to conduct court business. In addition, the justice is eligible for reimbursement of travel expenses for travel between the justice's official headquarters and the headquarters of the Supreme Court.

Section 54 requires the Department of Management Services (DMS) and agencies to utilize a tenant broker to renegotiate private lease agreements, in excess of 2,000 square feet, expiring before June 30, 2022.

Section 55 continues the online procurement system transaction fee authorized in ss. 287.042(1)(h)1. and 287.057(22)(c), F.S., at 0.7 percent for the 2019-2020 fiscal year only.

Section 56 prohibits an agency from transferring funds from a data processing category to any category other than another data processing category.

Section 57 authorizes the Executive Office of the Governor (EOG) to transfer funds in the specific appropriation category “Data Processing Assessment - Agency for State Technology” between agencies, in order to align the budget authority granted with the assessments that must be paid by each agency to the Agency for State Technology (AST).

Section 58 authorizes the EOG to transfer funds in the appropriation category “Special Categories-Risk Management Insurance” between departments in order to align the budget authority granted with the premiums paid by each department for risk management insurance.

Section 59 authorizes the EOG to transfer funds in the appropriation category “Special Categories - Transfer to DMS - Human Resources Services Purchased Per Statewide Contract” of the GAA for Fiscal Year 2019-2020 between departments, in order to align the budget authority granted with the assessments that must be paid by each agency to the DMS for human resources management services.

Section 60 defines the components of the Florida Accounting Information Resource subsystem (FLAIR) and Cash Management System (CMS) included in the Department of Financial Services Planning Accounting and Ledger Management (PALM) system. This section also provides the executive steering committee (ESC) membership and the process for ESC meetings and decisions.

Section 61 transfers the AST Budget and Policy Section, Cost Recovery Section, and administrative rules in chapter 74-3, F.A.C., to the DMS.

Section 62 amends s. 112.061, F.S., to authorize a lieutenant governor who permanently resides outside of Leon County to designate an official headquarters in his or her county as his or her official headquarters for purposes of s. 112.061, F.S. A lieutenant governor for whom an official headquarters in his or her county of residence is established may be paid travel and subsistence expenses when travelling between their official headquarters and the State Capitol to conduct state business.

Section 63 amends s. 20.22, F.S., and directs the DMS to provide financial management oversight and legislative budget request support to the AST.

Section 64 amends s. 20.255, F.S., and directs the Department of Environmental Protection to act as the primary point of contact for statewide geographic information systems and grants, coordinate and promote statewide geospatial data sharing.

Section 65 amends s. 20.61, F.S., to remove financial management duties from the AST provided by the DMS. The section removes the AST Chief Technology Officer position and specifies qualifications for the Chief Data Center Operations officer. The section also expands the duties and responsibilities of the strategic planning coordinators within the AST.

Section 66 provides that the amendment to s. 20.61, F.S., expires July 1, 2020, and the text of that section reverts to that in existence on June 30, 2018.

Section 67 reenacts s. 282.0041, F.S., as amended in s. 58, ch. 2018-10, L.O.F., to create a new definition and revise several current definitions to align with the assessment of administrative costs to customers.

Section 68 reenacts s. 282.0051, F.S., as amended in s. 59, ch. 2018-10, L.O.F., to remove specific financial management duties including annual reconciliation, billing and refunds, and estimating customer costs from the AST.

Section 69 reenacts s. 282.201, F.S., as amended in s. 60, ch. 2018-10, L.O.F., to remove customer-billing duties from the AST.

Section 70 provides that the amendments to ss. 282.0041(5), (20), and (28), 282.0051(11), and 282.201(2)(d), F.S., expire July 1, 2020, and the text of those provisions reverts to that in existence on June 30, 2018.

Section 71 amends s. 409.2567(1), F.S., to direct the Department of Revenue to pay the federally mandated increase to the federal fee that states must impose for child support services for cases in which an individual has never received temporary cash assistance, and to increase the minimum amount of support collected and disbursed before imposing the fee.

Section 72 provides that the amendment to s. 409.2567(1), F.S., expires July 1, 2019, and the text of that subsection reverts to that in existence on June 30, 2019.

Section 73 amends s. 216.181(11)(d), F.S., to authorize the Legislative Budget Commission to increase amounts appropriated to the Fish and Wildlife Conservation Commission or the DEP for fixed capital outlay projects. The increase in fixed capital outlay budget authority is authorized for funds provided to the state from the Gulf Environmental Benefit Fund administered by the National Fish and Wildlife Foundation, the Gulf Coast Restoration Trust Fund related to the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast Act of 2012 (RESTORE Act), or from British Petroleum Corporation (BP) for natural resources damage assessment early restoration projects. Any continuing commitment for future appropriations by the Legislature must be identified specifically.

Section 74 amends s. 215.18, F.S., to authorize the Governor to temporarily transfer moneys, from one or more of the trust funds in the State Treasury, to a land acquisition trust fund (LATF) within the Department of Agriculture and Consumer Services, the DEP, the Department of State, or the Fish and Wildlife Conservation Commission, whenever there is a deficiency that would render the LATF temporarily insufficient to meet its just requirements, including the timely payment of appropriations from that trust fund. These funds must be expended solely and exclusively in accordance with Art. X, s. 28 of the Florida Constitution. This transfer is a temporary loan, and the funds must be repaid to the trust funds from which the moneys are loaned by the end of the 2019-2020 fiscal year. Any action proposed pursuant to this subsection is subject to the notice, review, and objection procedures of s. 216.177, F.S., and the Governor shall provide notice of such action at least seven days before the effective date of the transfer of trust funds.

Section 75 provides that, in order to implement specific appropriations from the land acquisition trust funds within the Department of Agriculture and Consumer Services, the DEP, the Fish and Wildlife Conservation Commission, and the Department of State, the DEP will transfer a proportionate share of revenues in the Land Acquisition Trust Fund within the DEP on a monthly basis, after subtracting required debt service payments, to each agency and retain a proportionate share within the Land Acquisition Trust Fund within the DEP. Total distributions to a land acquisition trust fund within the other agencies may not exceed the total appropriations for the fiscal year. The section further provides that DEP may advance funds from the beginning unobligated fund balance in the Land Acquisition Trust Fund to LATF within the Fish and Wildlife Conservation Commission for cash flow purposes.

Section 76 amends s. 373.470(6)(a) to require the South Florida Water Management District to equally match state funding provided from Save Our Everglades Trust Fund or the Land Acquisition Trust Fund for Everglades restoration.

Section 77 provides that the amendment to s. 373.470(6)(a), F.S., expires July 1, 2020, and the text of that provision reverts to that in existence on June 30, 2017.

Section 78 amends s. 216.181, F.S., to authorize the Legislative Budget Commission to increase amounts appropriated to the Department of Environmental Protection for fixed capital outlay projects. The increase is authorized for funds provided to the state from the Trustee of the Environmental Mitigation Trust administered by Wilmington Trust for violation of the Clean Air Act by Volkswagen.

Section 79 amends s. 259.105, F.S., to provide for distribution a specified amount from the Florida Forever Trust to the Division of State Lands within the Department of Environmental Protection.

Section 80 amends s. 206.9935, F.S., and provides for a transfer of funds from the Inland Protection Trust Fund to the Water Protection and Sustainability Trust Fund to be used for alternative water supply.

Section 81 amends s. 373.707(6)(a), F.S., to require the water management districts to annually allocate the equivalent of 100 percent of state funds provided to the water management district for alternative water supply projects. The Suwannee River Water Management District and the Northwest Florida Water Management District are not required to meet the match requirements but shall try to achieve the match requirement to the greatest extent practicable.

Section 82 provides that the amendment to s. 373.707(6)(a), F.S., expires July 1, 2020, and the text of that provision reverts to that in existence on June 30, 2019.

Section 83 amends s. 321.04, F.S., to provide that for the 2018-2019 fiscal year, the Department of Highway Safety and Motor Vehicles may assign a patrol officer to a Cabinet member if the department deems such assignment appropriate or if requested by such Cabinet member in response to a threat. Additionally, the Governor may request the department to assign one or more highway patrol officers to the Lieutenant Governor for security services.

Section 84 amends s. 420.9079, F.S., relating to the Local Government Housing Trust Fund, to allow funds to be used as provided in the GAA for the 2018-2019 fiscal year.

Section 85 amends s. 420.0005, F.S., relating to the State Housing Trust Fund, to allow funds to be used as provided in the GAA for the 2018-2019 fiscal year.

Section 86 amends s. 339.135(7)(g), F.S., to authorize the chair and vice chair of the Legislative Budget Commission to approve, pursuant to s. 216.177, F.S., a work program amendment that transfers fixed capital outlay appropriations between categories or increases appropriation categories if a commission meeting cannot be held within 30 days of submittal of the amendment by the Department of Transportation.

Section 87 amends s. 339.2818, F.S., related to the Small County Outreach Program in the Department of Transportation, to provide grants to counties or municipalities named in the Hurricane Michael federal disaster declaration. The grants may fund 100 percent of the local road project's costs to repair damage due to Hurricane Michael, excluding road capacity improvements.

Section 88 amends s. 216.292(2)(a), F.S., to grant broader legislative review of any "five percent" budget transfers. For the 2018-2019 fiscal year, the review must ensure the proposed action maximizes the use of available and appropriate trust funds, does not exceed delegated authority and is not contrary to legislative policy and intent.

Section 89 requires the Department of Management Services to maintain and offer during Fiscal Year 2019-2020 the standard and high deductible PPO and HMO plans which are offered during Fiscal Year 2018-2019, notwithstanding s. 110.123(3)(f) and (j), F.S..

Section 90 provides that no state agency may initiate a competitive solicitation for a product or service if the completion of such competitive solicitation would require a change in law or require a change to the agency's budget other than a transfer authorized in s. 216.292(2) or (3), F.S., unless the initiation of such competitive solicitation is specifically authorized in law or in the GAA or by the Legislative Budget Commission.

Section 91 amends s. 112.24, F.S., to provide that the reassignment of an employee of a state agency may be made if recommended by the Governor or Chief Justice, as appropriate, and approved by the chairs of the Senate and House budget committees. Such actions shall be deemed approved if neither chair provides written notice of objection within 14 days after receiving notice of the action, pursuant to s. 216.177, F.S. This requirement applies to state employee reassessments regardless of which agency (sending or receiving) is responsible for pay and benefits of the assigned employee.

Section 92 maintains legislative salaries at the July 1, 2010, level.

Section 93 amends s. 215.32(2)(b), F.S., in order to implement the transfer of moneys to the General Revenue Fund from trust funds in the 2019-2020 GAA.

Section 94 reverts the language of s. 215.32(2)(b), F.S., to the text in effect on June 30, 2011.

Section 95 provides that funds appropriated for travel by state employees be limited to travel for activities that are critical to each state agency's mission. The section prohibits funds from being used to travel to foreign countries, other states, conferences, staff-training, or other administrative functions unless the agency head approves in writing. The agency head is required to consider the use of teleconferencing and electronic communication to meet needs of activity before approving travel.

Section 96 provides that a state agency may not enter into a contract containing a nondisclosure clause that prohibits a contractor from disclosing to members or staff of the Legislature information relevant to the performance of the contract.

Section 97 specifies that no section of the bill shall take effect if the appropriations and proviso to which it relates are vetoed.

Section 98 provides that a permanent change made by another law to any of the same statutes amended by this bill will take precedence over the provision in this bill.

Section 99 provides a severability clause.

Section 100 provides effective dates.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

Because SPB 2502 implements provisions of SPB 2500, the Senate Proposed GAA for Fiscal Year 2019-2020, no direct fiscal impacts are created by this bill.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 20.22, 20.255, 20.61, 27.40, 27.5304, 112.24, 112.061, 206.9935, 215.18, 215.32, 216.181, 216.262, 216.292, 259.105, 296.37, 318.18, 321.04, 339.135, 339.2818, 373.707, 377.470, 381.986, 381.988,

383.14, 420.0005, 420.9079, 409.2567, 409.908, 409.911, 409.9113, 409.9119, 409.991, 817.568, 893.055, 1001.292, 1002.333, 1008.33, 1009.215, 1011.62, 1011.80, 1011.81, 1012.731, 1012.732, and 1013.62.

This bill creates the following section of the Florida Statutes: 1003.64.

This bill amends the following Law of Florida: Chapter 20016-65.

This bill creates undesignated sections of Florida Law.

This bill reenacts the following sections of the Florida Statutes: 282.0041, 282.0051, and 282.201

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
