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1
2 An act implementing the 2019-2020 General
3 Appropriations Act; providing legislative intent;
4 incorporating by reference certain calculations of the
5 Florida Education Finance Program; providing that
6 funds for instructional materials must be released and
7 expended as required in specified proviso language;
8 amending s. 1009.215, F.S.; revising the academic
9 terms in which certain students are eligible to
10 receive Bright Futures Scholarships; providing that
11 such students may receive scholarships for the fall
12 term for specified coursework under certain
13 circumstances; providing for the expiration and
14 reversion of specified statutory text; amending s.
15 1011.62, F.S.; extending for 1 fiscal year provisions
16 governing the funding compression allocation;
17 reenacting s. 1001.26(1), F.S., relating to public
18 broadcasting program system; extending for 1 fiscal
19 year authorization for the Department of Education to
20 provide certain appropriated funds to public colleges
21 and universities for public broadcasting; providing
22 for the expiration and reversion of specified
23 statutory text; amending s. 1011.80, F.S.; removing a
24 limitation on the maximum amount of funding that may
25 be appropriated for performance funding relating to
26 funds for the operation of workforce education
27 programs; amending s. 1011.81, F.S.; removing a
28 limitation on the maximum amount of funding that may
29 be appropriated for performance funding relating to

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30 industry certifications for Florida College System
31 institutions; providing for the expiration and
32 reversion of specified statutory text; requiring the
33 State Board of Education to serve as the board of
34 trustees of the Florida Virtual School for the 2019-
35 2020 fiscal year; prescribing certain duties of the
36 board; requiring an audit of the Florida Virtual
37 School in accordance with specified requirements;
38 requiring the Department of Education to submit
39 certain recommendations regarding the Florida Virtual
40 School to the Governor and Legislature by a specified
41 date; requiring the Office of Economic and Demographic
42 Research to develop a methodology for calculating each
43 school district's wage level index; specifying
44 required duties of the office; requiring the office to
45 submit a transition plan to the Governor and
46 Legislature by a specified date; prohibiting the
47 transition plan's implementation unless specifically
48 enacted by the Legislature; incorporating by reference
49 certain calculations for the Medicaid Disproportionate
50 Share Hospital and Hospital Reimbursement programs;
51 authorizing the Agency for Health Care Administration,
52 in consultation with the Department of Health, to
53 submit a budget amendment to realign funding for a
54 component of the Children's Medical Services program
55 to reflect actual enrollment changes; specifying
56 requirements for such realignment; authorizing the
57 agency to request nonoperating budget authority for
58 transferring certain federal funds to the Department

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59 of Health; amending s. 409.908, F.S.; modifying
60 parameters governing prospective payment methodology
61 with respect to Medicaid provider reimbursement;
62 providing for the expiration and reversion of
63 specified statutory text; reenacting s. 409.908(23),
64 F.S., relating to the reimbursement of Medicaid
65 providers; providing for the future expiration and
66 reversion of specified statutory text; amending s.
67 409.908, F.S.; authorizing the Agency for Health Care
68 Administration to receive funds from specified sources
69 for purposes of making Low Income Pool Program
70 payments; providing for the expiration and reversion
71 of specified statutory text; amending s. 409.912,
72 F.S.; authorizing the Agency for Health Care
73 Administration to extend a specified contract for a
74 certain period; providing for the expiration and
75 reversion of specified statutory text; amending s.
76 409.904, F.S.; requiring the Agency for Health Care
77 Administration to make payments for Medicaid-covered
78 services in a specified manner; requiring the agency,
79 by a certain date, in consultation with the Department
80 of Children and Families and certain other entities,
81 to submit a certain report to the Governor and the
82 Legislature; specifying requirements for the report;
83 amending s. 393.0661, F.S.; authorizing the agency to
84 develop and submit a plan to the Legislature for
85 redesigning the Medicaid waiver program if certain
86 conditions exist; conforming provisions; providing for
87 the expiration and reversion of specified statutory

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88 text; amending s. 400.179, F.S.; revising conditions
89 under which a lease bond alternative exception
90 relating to the transfer of a nursing facility does
91 not apply; providing for the expiration and reversion
92 of specified statutory text; amending s. 624.91, F.S.;
93 requiring the Florida Healthy Kids Corporation to
94 validate the medical loss ratio and calculate a refund
95 amount for insurers and providers of health care
96 services who meet certain criteria; providing for the
97 deposit of any such refund; providing for the
98 expiration and reversion of specified statutory text;
99 amending s. 893.055, F.S.; extending for 1 fiscal year
100 a provision prohibiting the Attorney General and the
101 Department of Health from using certain settlement
102 agreement funds to administer the prescription drug
103 monitoring program; amending s. 409.911, F.S.;
104 updating the average of audited disproportionate share
105 data for purposes of calculating disproportionate
106 share payments; extending for 1 fiscal year the
107 requirement that the Agency for Health Care
108 Administration distribute moneys to hospitals that
109 provide a disproportionate share of Medicaid or
110 charity care services, as provided in the General
111 Appropriations Act; amending s. 409.9113, F.S.;
112 extending for 1 fiscal year the requirement that the
113 Agency for Health Care Administration make
114 disproportionate share payments to teaching hospitals
115 as provided in the General Appropriations Act;
116 amending s. 409.9119, F.S.; extending for 1 fiscal

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117 year the requirement that the Agency for Health Care
118 Administration make disproportionate share payments to
119 certain specialty hospitals for children; authorizing
120 the Agency for Health Care Administration to submit a
121 budget amendment to realign Medicaid funding for
122 specified purposes, subject to certain limitations;
123 authorizing the Agency for Health Care Administration
124 and the Department of Health to each submit a budget
125 amendment to realign funding within the Florida
126 Kidcare program appropriation categories or increase
127 budget authority for certain purposes; specifying the
128 time period within each such budget amendment must be
129 submitted; exempting entities that meet certain
130 criteria from the licensure requirements of part X of
131 ch. 400, F.S.; amending s. 381.986, F.S.; exempting
132 rules pertaining to the medical use of marijuana from
133 certain rulemaking requirements; amending s. 381.988,
134 F.S.; exempting rules pertaining to medical marijuana
135 testing laboratories from certain rulemaking
136 requirements; amending s. 14(1), ch. 2017-232, Laws of
137 Florida; exempting certain rules pertaining to medical
138 marijuana adopted to replace emergency rules from
139 specified rulemaking requirements; providing for the
140 expiration and reversion of specified law; amending s.
141 383.14, F.S.; requiring the Department of Health to
142 integrate screening for spinal muscular atrophy into
143 the newborn screening testing panel; authorizing the
144 Department of Children and Families to submit a budget
145 amendment to realign funding for implementation of the

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146 Guardianship Assistance Program; requiring the
147 Department of Children and Families to establish a
148 formula for the distribution of funds to implement the
149 Guardianship Assistance Program; amending s. 409.991,
150 F.S.; redefining the term "core services funds" to
151 include funds appropriated for the Guardianship
152 Assistance Program; amending s. 296.37, F.S.;
153 extending for 1 fiscal year a provision specifying the
154 monthly contribution to residents of a state veterans'
155 nursing home; authorizing the Department of Health to
156 submit a budget amendment to increase budget authority
157 for the HIV/AIDS Prevention and Treatment Program if
158 certain conditions are met; authorizing the Department
159 of Children and Families to submit a budget amendment
160 to increase budget authority for the Supplemental
161 Nutrition Assistance Program if certain conditions are
162 met; authorizing the Department of Children and
163 Families to submit a budget amendment to realign
164 funding within the Family Safety Program for specified
165 purposes; amending s. 216.262, F.S.; extending for 1
166 fiscal year the authority of the Department of
167 Corrections to submit a budget amendment for
168 additional positions and appropriations under certain
169 circumstances; amending s. 1011.80, F.S.; specifying
170 the manner by which state funds for postsecondary
171 workforce programs may be used for inmate education;
172 providing for the expiration and reversion of
173 specified statutory text; amending s. 215.18, F.S.;
174 extending for 1 fiscal year the authority and related

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175 repayment requirements for temporary trust fund loans
176 to the state court system which are sufficient to meet
177 the system's appropriation; requiring the Department
178 of Juvenile Justice to review county juvenile
179 detention payments to determine whether a county has
180 met specified financial responsibilities; requiring
181 amounts owed by the county for such financial
182 responsibilities to be deducted from certain county
183 funds; requiring the Department of Revenue to transfer
184 withheld funds to a specified trust fund; requiring
185 the Department of Revenue to ensure that such
186 reductions in amounts distributed do not reduce
187 distributions below amounts necessary for certain
188 payments due on bonds and to comply with bond
189 covenants; requiring the Department of Revenue to
190 notify the Department of Juvenile Justice if bond
191 payment requirements mandate a reduction in deductions
192 for amounts owed by a county; amending s. 27.40, F.S.;
193 revising circumstances under which the office of
194 criminal conflict and civil regional counsel or
195 private counsel may be appointed; requiring the public
196 defender and the office of criminal conflict and civil
197 regional counsel to report certain information to the
198 Justice Administrative Commission at specified
199 intervals; making a conforming change; requiring
200 inclusion of a specified statement on uniform
201 contracts and forms used for private court-appointed
202 counsel; modifying requirements for the notice of
203 appearance filed by a court-appointed attorney;

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204 modifying conditions under which a private attorney is
205 entitled to payment; providing that the flat fee for
206 compensation of private court-appointed counsel is
207 presumed to be sufficient; providing that certain
208 records and documents maintained by the court-
209 appointed attorney are subject to audit by the Auditor
210 General; requiring the Justice Administrative
211 Commission to review such records and documents before
212 authorizing payment to the court-appointed attorney;
213 providing a rebuttable presumption for certain
214 objections made by or on behalf of the Justice
215 Administrative Commission; revising the presumption in
216 favor of the commission regarding a court-appointed
217 attorney's waiver of the right to seek compensation in
218 excess of the flat fee; providing for the expiration
219 and reversion of specified statutory text; amending s.
220 27.5304, F.S.; providing a rebuttable presumption for
221 certain objections made by or on behalf of the Justice
222 Administrative Commission at the evidentiary hearing
223 regarding the private court-appointed counsel's
224 compensation; increasing the length of time before the
225 hearing that certain documents must be served on the
226 commission; authorizing the commission to appear in
227 person or telephonically at such hearing; establishing
228 certain limitations on compensation for private court-
229 appointed counsel for the 2019-2020 fiscal year;
230 conforming provisions to changes made by the act;
231 providing for the expiration and reversion of
232 specified statutory text; specifying that clerks of

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233 the circuit court are responsible for certain costs
234 related to juries which exceed a certain funding
235 level; reenacting s. 318.18(19)(c), F.S., relating to
236 penalty amounts for traffic infractions; extending for
237 1 fiscal year the redirection of revenues from the
238 Public Defenders Revenue Trust Fund to the Indigent
239 Criminal Defense Trust Fund; reenacting s.
240 817.568(12)(b), F.S., relating to the criminal use of
241 personal identification information; extending for 1
242 fiscal year the redirection of revenues from the
243 Public Defenders Revenue Trust Fund to the Indigent
244 Criminal Defense Trust Fund; providing for the
245 expiration and reversion of specified statutory text;
246 authorizing a Supreme Court Justice to designate an
247 alternate facility as his or her official headquarters
248 for purposes of travel reimbursement; specifying
249 expenses for which a justice may be reimbursed;
250 requiring the Chief Justice to coordinate with an
251 affected justice and other appropriate officials with
252 respect to implementation; providing construction;
253 prohibiting the Supreme Court from using state funds
254 to lease space in an alternate facility for use as a
255 justice's official headquarters; requiring the
256 Department of Management Services to use tenant broker
257 services to renegotiate or reprocure certain private
258 lease agreements for office or storage space;
259 requiring the Department of Management Services to
260 provide a report to the Governor and Legislature by a
261 specified date; specifying the amount of the

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262 transaction fee to be collected for use of the online
263 procurement system; prohibiting an agency from
264 transferring funds from a data processing category to
265 another category that is not a data processing
266 category; authorizing the Executive Office of the
267 Governor to transfer funds appropriated for data
268 processing assessment between departments for a
269 specified purpose; authorizing the Executive Office of
270 the Governor to transfer funds between departments for
271 purposes of aligning amounts paid for risk management
272 insurance and for human resources services; requiring
273 the Department of Financial Services to replace
274 specified components of the Florida Accounting
275 Information Resource Subsystem (FLAIR) and the Cash
276 Management Subsystem (CMS); specifying certain actions
277 to be taken by the Department of Financial Services
278 regarding FLAIR and CMS replacement; providing for the
279 composition of an executive steering committee to
280 oversee FLAIR and CMS replacement; prescribing duties
281 and responsibilities of the executive steering
282 committee; requiring executive branch state agencies
283 and the judicial branch to collaborate with the
284 Executive Office of the Governor regarding
285 implementation of the statewide travel management
286 system and to use such system; transferring specified
287 entities within the Agency for State Technology to the
288 Department of Management Services by a type two
289 transfer; amending s. 20.22, F.S.; extending for 1
290 fiscal year a provision requiring the Department of

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291 Management Services to provide certain financial
292 management oversight to the Agency for State
293 Technology; amending s. 20.255, F.S.; extending for 1
294 fiscal year a provision designating the Department of
295 Environmental Protection as the lead executive branch
296 agency regarding geospatial data; amending s. 20.61,
297 F.S.; providing exceptions to the requirement that the
298 Agency for State Technology is not subject to control,
299 supervision, or direction by the Department of
300 Management Services; removing provisions providing for
301 establishment of certain positions within the agency;
302 providing for the expiration and reversion of
303 specified statutory text; reenacting s. 282.0041(5),
304 (20), and (28), F.S., relating to definitions for ch.
305 282, F.S.; reenacting s. 282.0051(11), F.S., relating
306 to the powers, duties, and functions of the Agency for
307 State Technology; reenacting s. 282.201(2)(d), F.S.,
308 relating to the state data center; providing for the
309 expiration and reversion of specified statutory text;
310 specifying conditions under which certain sections of
311 the act regarding information technology
312 reorganization may not take effect; amending s.
313 216.181, F.S.; extending for 1 fiscal year the
314 authority for the Legislative Budget Commission to
315 increase amounts appropriated to the Fish and Wildlife
316 Conservation Commission or the Department of
317 Environmental Protection for certain fixed capital
318 outlay projects from specified sources; amending s.
319 215.18, F.S.; extending for 1 fiscal year the

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320 authority of the Governor, if there is a specified
321 temporary deficiency in a land acquisition trust fund
322 in the Department of Agriculture and Consumer
323 Services, the Department of Environmental Protection,
324 the Department of State, or the Fish and Wildlife
325 Conservation Commission, to transfer funds from other
326 trust funds in the State Treasury as a temporary loan
327 to such trust fund; providing a deadline for the
328 repayment of a temporary loan; requiring the
329 Department of Environmental Protection to transfer
330 designated proportions of the revenues deposited in
331 the Land Acquisition Trust Fund within the department
332 to land acquisition trust funds in the Department of
333 Agriculture and Consumer Services, the Department of
334 State, and the Fish and Wildlife Conservation
335 Commission according to specified parameters and
336 calculations; defining the term "department";
337 requiring the Department of Environmental Protection
338 to retain a proportionate share of revenues;
339 specifying a limit on distributions; requiring the
340 Department of Environmental Protection to make
341 transfers to land acquisition trust funds; specifying
342 the method of determining transfer amounts;
343 authorizing the Department of Environmental Protection
344 to advance funds from its land acquisition trust fund
345 to the Fish and Wildlife Conservation Commission's
346 land acquisition trust fund for specified purposes;
347 requiring the Department of Environmental Protection
348 to prorate amounts transferred to the Fish and

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349 Wildlife Conservation Commission; amending s. 375.041,
350 F.S.; specifying that certain funds for projects
351 dedicated to restoring Lake Apopka shall be
352 appropriated as provided in the General Appropriations
353 Act; amending s. 216.181, F.S.; authorizing the
354 Legislative Budget Commission to increase amounts
355 appropriated to the Department of Environmental
356 Protection for fixed capital outlay projects using
357 specified funds; specifying additional information to
358 be included in budget amendments for projects
359 requiring additional funding; authorizing the
360 Department of Agriculture and Consumer Services to
361 submit a budget amendment to increase budget authority
362 for a school lunch program under certain
363 circumstances; amending s. 570.441, F.S.; extending
364 for 1 fiscal year a provision authorizing the
365 Department of Agriculture and Consumer Services to use
366 certain funds for purposes related to the Division of
367 Agricultural Environmental Services; amending s.
368 570.93, F.S.; revising requirements for a cost-share
369 program administered by the Department of Agriculture
370 and Consumer Services; providing for the expiration
371 and reversion of specified statutory text; amending s.
372 525.07, F.S.; authorizing the Department of
373 Agriculture and Consumer Services to affix an
374 inspection sticker meeting specified requirements to
375 any petroleum measuring device; providing for the
376 expiration and reversion of specified statutory text;
377 amending s. 259.105, F.S.; providing for the

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378 distribution of proceeds from the Florida Forever
379 Trust Fund for the 2019-2020 fiscal year; amending s.
380 321.04, F.S.; requiring the Department of Highway
381 Safety and Motor Vehicles to assign one or more patrol
382 officers to the office of Lieutenant Governor for
383 security purposes, upon request of the Governor;
384 extending for 1 fiscal year the requirement that the
385 Department of Highway Safety and Motor Vehicles assign
386 a patrol officer to a Cabinet member under certain
387 circumstances; amending s. 420.9079, F.S.; authorizing
388 funds in the Local Government Housing Trust Fund to be
389 used as provided in the General Appropriations Act;
390 amending s. 420.0005, F.S.; authorizing certain funds
391 related to state housing to be used as provided in the
392 General Appropriations Act; amending s. 288.0655,
393 F.S.; specifying how funds appropriated for the grant
394 program under the Rural Infrastructure Fund for
395 Florida Panhandle counties are to be distributed;
396 amending s. 288.1226, F.S.; revising the scheduled
397 repeal of the Florida Tourism Industry Marketing
398 Corporation direct-support organization; amending s.
399 288.923, F.S.; revising the scheduled repeal of the
400 Division of Tourism Marketing of Enterprise Florida,
401 Inc.; amending s. 339.135, F.S.; authorizing the chair
402 and vice chair of the Legislative Budget Commission to
403 approve the Department of Transportation's budget
404 amendment under specified circumstances; amending s.
405 339.2818, F.S.; authorizing certain counties and
406 municipalities to compete for additional funds for

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407 specified purposes related to Hurricane Michael
408 recovery; amending s. 112.061, F.S.; authorizing the
409 Lieutenant Governor to designate an alternative
410 official headquarters if certain conditions are met;
411 specifying restrictions and limitations; specifying
412 eligibility for the subsistence allowance and the
413 reimbursement of transportation expenses, and
414 providing for the payment thereof; amending s.
415 216.292, F.S.; extending for 1 fiscal year a provision
416 prescribing requirements for the review of certain
417 transfers of appropriations; requiring the Department
418 of Management Services to maintain and offer the same
419 health insurance options for participants of the State
420 Group Health Insurance Program for the 2019-2020
421 fiscal year as for the preceding fiscal year;
422 prohibiting a state agency from initiating a
423 competitive solicitation for a product or service
424 under certain circumstances; providing an exception;
425 amending s. 112.24, F.S.; extending for 1 fiscal year
426 the authorization, subject to specified requirements,
427 for the assignment of an employee of a state agency
428 under an employee interchange agreement; providing
429 that the annual salaries of the members of the
430 Legislature be maintained at a specified level;
431 reenacting s. 215.32(2)(b), F.S., relating to the
432 source and use of certain trust funds; providing for
433 the future expiration and reversion of statutory text;
434 limiting the use of travel funds to activities that
435 are critical to an agency's mission; providing

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436 exceptions; placing a monetary cap on lodging expenses
437 for state employee travel to certain meetings
438 organized or sponsored by a state agency or the
439 judicial branch; authorizing employees to expend their
440 own funds for lodging expenses in excess of the
441 monetary caps; prohibiting state agencies from
442 entering into contracts containing certain
443 nondisclosure agreements; providing conditions under
444 which the veto of certain appropriations or proviso
445 language in the General Appropriations Act voids
446 language that implements such appropriation; providing
447 for the continued operation of certain provisions
448 notwithstanding a future repeal or expiration provided
449 by the act; providing severability; providing
450 effective dates.

451

452 Be It Enacted by the Legislature of the State of Florida:

453

454 Section 1. It is the intent of the Legislature that the
455 implementing and administering provisions of this act apply to
456 the General Appropriations Act for the 2019-2020 fiscal year.

457 Section 2. In order to implement Specific Appropriations 6,
458 7, 8, 93, and 94 of the 2019-2020 General Appropriations Act,
459 the calculations of the Florida Education Finance Program for
460 the 2019-2020 fiscal year included in the document titled
461 "Public School Funding: The Florida Education Finance Program,"
462 dated May 1, 2019, and filed with the Secretary of the Senate,
463 are incorporated by reference for the purpose of displaying the
464 calculations used by the Legislature, consistent with the

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465 requirements of state law, in making appropriations for the
466 Florida Education Finance Program. This section expires July 1,
467 2020.

468 Section 3. In order to implement Specific Appropriations 6
469 and 93 of the 2019-2020 General Appropriations Act, and
470 notwithstanding ss. 1002.20, 1003.02, 1006.28-1006.42,
471 1011.62(6)(b)3., and 1011.67, Florida Statutes, relating to the
472 expenditure of funds provided for instructional materials, for
473 the 2019-2020 fiscal year, funds provided for instructional
474 materials shall be released and expended as required in the
475 proviso language for Specific Appropriation 93 of the 2019-2020
476 General Appropriations Act. This section expires July 1, 2020.

477 Section 4. Effective July 1, 2019, upon the expiration and
478 reversion of the amendment made to section 1009.215, Florida
479 Statutes, pursuant to section 13 of chapter 2018-10, Laws of
480 Florida, and in order to implement Specific Appropriation 4 of
481 the 2019-2020 General Appropriations Act, subsection (3) of
482 section 1009.215, Florida Statutes, is amended to read:

483 1009.215 Student enrollment pilot program for the spring
484 and summer terms.—

485 (3) Students who are enrolled in the pilot program and who
486 are eligible to receive Bright Futures Scholarships under ss.
487 1009.53-1009.536 are ~~shall be~~ eligible to receive the
488 scholarship award for attendance during the spring and summer
489 terms. This student cohort is also eligible to receive Bright
490 Futures Scholarships during the fall term, which may be used for
491 off-campus or online coursework, if Bright Futures Scholarship
492 funding is provided by the Legislature for three terms for other
493 eligible students during that academic year ~~no more than 2~~

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494 ~~semesters or the equivalent in any fiscal year, including the~~
495 ~~summer term.~~

496 Section 5. The amendment to s. 1009.215(3), Florida
497 Statutes, by this act expires July 1, 2020, and the text of that
498 subsection shall revert to that in existence on June 30, 2018,
499 except that any amendments to such text enacted other than by
500 this act shall be preserved and continue to operate to the
501 extent that such amendments are not dependent upon the portions
502 of text which expire pursuant to this section.

503 Section 6. In order to implement Specific Appropriations 6
504 and 93 of the 2019-2020 General Appropriations Act, subsection
505 (17) of section 1011.62, Florida Statutes, is amended to read:

506 1011.62 Funds for operation of schools.—If the annual
507 allocation from the Florida Education Finance Program to each
508 district for operation of schools is not determined in the
509 annual appropriations act or the substantive bill implementing
510 the annual appropriations act, it shall be determined as
511 follows:

512 (17) FUNDING COMPRESSION ALLOCATION.—The Legislature may
513 provide an annual funding compression allocation in the General
514 Appropriations Act. The allocation is created to provide
515 additional funding to school districts and developmental
516 research schools whose total funds per FTE in the prior year
517 were less than the statewide average. Using the most recent
518 prior year FEFP calculation for each eligible school district,
519 the total funds per FTE shall be subtracted from the state
520 average funds per FTE, not including any adjustments made
521 pursuant to paragraph (18) (b). The resulting funds per FTE
522 difference, or a portion thereof, as designated in the General

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523 Appropriations Act, shall then be multiplied by the school
524 district's total unweighted FTE to provide the allocation. If
525 the calculated funds are greater than the amount included in the
526 General Appropriations Act, they must be prorated to the
527 appropriation amount based on each participating school
528 district's share. This subsection expires July 1, 2020 ~~2019~~.

529 Section 7. In order to implement Specific Appropriation 122
530 of the 2019-2020 General Appropriations Act, and notwithstanding
531 the expiration date in section 6 of chapter 2018-10, Laws of
532 Florida, subsection (1) of section 1001.26, Florida Statutes, is
533 reenacted to read:

534 1001.26 Public broadcasting program system.—

535 (1) There is created a public broadcasting program system
536 for the state. The department shall provide funds, as
537 specifically appropriated in the General Appropriations Act, to
538 educational television stations qualified by the Corporation for
539 Public Broadcasting or public colleges and universities that are
540 part of the public broadcasting program system. The program
541 system must include:

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

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

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

551 (d) Establishment and maintenance of a capability for

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552 statewide program distribution with facilities and staff,
553 provided such facilities and staff complement and strengthen
554 existing educational television stations.

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

564 Section 8. The text of s. 1001.26(1), Florida Statutes, as
565 carried forward from chapter 2018-10, Laws of Florida, by this
566 act, expires July 1, 2020, and the text of that subsection shall
567 revert to that in existence on June 30, 2018, except that any
568 amendments enacted other than by this act shall be preserved and
569 continue to operate to the extent that such amendments are not
570 dependent upon the portions of text which expire pursuant to
571 this section.

572 Section 9. In order to implement Specific Appropriation 123
573 of the 2019-2020 General Appropriations Act, paragraph (b) of
574 subsection (6) of section 1011.80, Florida Statutes, is amended
575 to read:

576 1011.80 Funds for operation of workforce education
577 programs.—

578 (6)

579 (b) Performance funding for industry certifications for
580 school district workforce education programs is contingent upon

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581 specific appropriation in the General Appropriations Act and
582 shall be determined as follows:

583 1. Occupational areas for which industry certifications may
584 be earned, as established in the General Appropriations Act, are
585 eligible for performance funding. Priority shall be given to the
586 occupational areas emphasized in state, national, or corporate
587 grants provided to Florida educational institutions.

588 2. The Chancellor of Career and Adult Education shall
589 identify the industry certifications eligible for funding on the
590 CAPE Postsecondary Industry Certification Funding List approved
591 by the State Board of Education pursuant to s. 1008.44, based on
592 the occupational areas specified in the General Appropriations
593 Act.

594 3. Each school district shall be provided \$1,000 for each
595 industry certification earned by a workforce education student.
596 ~~The maximum amount of funding appropriated for performance~~
597 ~~funding pursuant to this paragraph shall be limited to \$15~~
598 ~~million annually.~~ If funds are insufficient to fully fund the
599 calculated total award, such funds shall be prorated.

600 Section 10. In order to implement Specific Appropriation
601 128 of the 2019-2020 General Appropriations Act, paragraph (c)
602 of subsection (2) of section 1011.81, Florida Statutes, is
603 amended to read:

604 1011.81 Florida College System Program Fund.—

605 (2) Performance funding for industry certifications for
606 Florida College System institutions is contingent upon specific
607 appropriation in the General Appropriations Act and shall be
608 determined as follows:

609 (c) Each Florida College System institution shall be

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610 provided \$1,000 for each industry certification earned by a
611 student. ~~The maximum amount of funding appropriated for~~
612 ~~performance funding pursuant to this subsection shall be limited~~
613 ~~to \$15 million annually.~~ If funds are insufficient to fully fund
614 the calculated total award, such funds shall be prorated.

615 Section 11. The amendments to s. 1011.80(6)(b) and s.
616 1011.81(2)(c), Florida Statutes, by this act expire July 1,
617 2020, and the text of those paragraphs shall revert to that in
618 existence on June 30, 2019, except that any amendments to such
619 text enacted other than by this act shall be preserved and
620 continue to operate to the extent that such amendments are not
621 dependent upon the portions of text which expire pursuant to
622 this section.

623 Section 12. Effective upon becoming a law, in order to
624 implement Specific Appropriations 6 and 93 of the 2019-2020
625 General Appropriations Act, notwithstanding the requirements of
626 s. 1002.37(2), Florida Statutes, the State Board of Education
627 shall serve as the board of trustees of the Florida Virtual
628 School established pursuant to s. 1002.37, Florida Statutes.

629 (1) The State Board of Education sitting as the board of
630 trustees of the Florida Virtual School shall appoint an
631 executive director, who will report directly to the Commissioner
632 of Education. In this capacity, the board may only take actions
633 to conserve and maintain the Florida Virtual School by ensuring
634 the execution of programs, contracts, services, and agreements
635 in place on or before May 1, 2019. The board may extend or renew
636 contracts as necessary to maintain and operate existing programs
637 and services. In addition, the board shall administer personnel
638 programs for all employees of the Florida Virtual School in

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639 accordance with s. 1002.37(2)(f), Florida Statutes.

640 (2) The executive director shall, within existing
641 resources, competitively award a contract for an independent
642 third-party consulting firm to conduct financial, operational,
643 or performance audits, as defined by s. 11.45, Florida Statutes,
644 of the Florida Virtual School in accordance with generally-
645 accepted government auditing standards. The Office of the
646 Inspector General of the Department of Education shall oversee
647 the audit. The consulting firm shall submit the results of the
648 audit along with recommendations in accordance with s. 1002.37,
649 Florida Statutes, to the Commissioner of Education by October 1,
650 2019. The Department of Education shall provide recommendations
651 regarding the governance, operation, and organization of the
652 Florida Virtual School to the Governor, the President of the
653 Senate, and the Speaker of the House of Representatives by
654 November 1, 2019.

655 (3) This section expires July 1, 2020.

656 Section 13. In order to implement Specific Appropriations
657 2753 and 2754 of the 2019-2020 General Appropriations Act, the
658 Office of Economic and Demographic Research shall develop a
659 methodology for calculating each school district's wage level
660 index using appropriate county-level and occupational-level wage
661 data. In developing the methodology, the office shall seek the
662 input from a broad range of stakeholders, including but not
663 limited to, school districts and the Department of Economic
664 Opportunity, to identify the key factors that result in cost
665 differences among counties and their relative magnitude. To the
666 maximum extent feasible, the office shall develop a methodology
667 for calculating each school district's wage level index that

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668 minimizes the effects of temporary disruptions in the data due
669 to adverse events or disturbances. The office shall compare the
670 district-level impact of each school district's wage level index
671 as calculated by the office versus the Florida Price Level Index
672 used for each school district for the 2019-2020 fiscal year
673 district cost differential and provide a transition plan that
674 minimizes any negative impacts for beginning with the 2020-2021
675 fiscal year using the wage level index as calculated by the
676 office. The office shall submit the transition plan to the
677 President of the Senate, the Speaker of the House of
678 Representatives, and the Governor by October 1, 2019. The
679 implementation of the transition plan may not occur unless
680 affirmatively enacted by the Legislature. This section expires
681 July 1, 2020.

682 Section 14. In order to implement Specific Appropriations
683 203, 204, 207, and 211 of the 2019-2020 General Appropriations
684 Act, the calculations for the Medicaid Disproportionate Share
685 Hospital and Hospital Reimbursement programs for the 2019-2020
686 fiscal year contained in the document titled "Medicaid
687 Disproportionate Share Hospital and Hospital Reimbursement
688 Programs, Fiscal Year 2019-2020," dated May 1, 2019, and filed
689 with the Secretary of the Senate, are incorporated by reference
690 for the purpose of displaying the calculations used by the
691 Legislature, consistent with the requirements of state law, in
692 making appropriations for the Medicaid Disproportionate Share
693 Hospital and Hospital Reimbursement programs. This section
694 expires July 1, 2020.

695 Section 15. In order to implement Specific Appropriations
696 197 through 224 and 523 of the 2019-2020 General Appropriations

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697 Act, and notwithstanding ss. 216.181 and 216.292, Florida
698 Statutes, the Agency for Health Care Administration, in
699 consultation with the Department of Health, may submit a budget
700 amendment, subject to the notice, review, and objection
701 procedures of s. 216.177, Florida Statutes, to realign funding
702 within and between agencies based on implementation of the
703 Managed Medical Assistance component of the Statewide Medicaid
704 Managed Care program for the Children's Medical Services program
705 of the Department of Health. The funding realignment shall
706 reflect the actual enrollment changes due to the transfer of
707 beneficiaries from fee-for-service to the capitated Children's
708 Medical Services Network. The Agency for Health Care
709 Administration may submit a request for nonoperating budget
710 authority to transfer the federal funds to the Department of
711 Health pursuant to s. 216.181(12), Florida Statutes. This
712 section expires July 1, 2020.

713 Section 16. Effective October 1, 2019, in order to
714 implement Specific Appropriations 221 and 222 of the 2019-2020
715 General Appropriations Act, subsection (2) of section 409.908,
716 Florida Statutes, as amended by section 19 of chapter 2018-10,
717 Laws of Florida, is amended to read:

718 409.908 Reimbursement of Medicaid providers.—Subject to
719 specific appropriations, the agency shall reimburse Medicaid
720 providers, in accordance with state and federal law, according
721 to methodologies set forth in the rules of the agency and in
722 policy manuals and handbooks incorporated by reference therein.
723 These methodologies may include fee schedules, reimbursement
724 methods based on cost reporting, negotiated fees, competitive
725 bidding pursuant to s. 287.057, and other mechanisms the agency

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726 considers efficient and effective for purchasing services or
727 goods on behalf of recipients. If a provider is reimbursed based
728 on cost reporting and submits a cost report late and that cost
729 report would have been used to set a lower reimbursement rate
730 for a rate semester, then the provider's rate for that semester
731 shall be retroactively calculated using the new cost report, and
732 full payment at the recalculated rate shall be effected
733 retroactively. Medicare-granted extensions for filing cost
734 reports, if applicable, shall also apply to Medicaid cost
735 reports. Payment for Medicaid compensable services made on
736 behalf of Medicaid eligible persons is subject to the
737 availability of moneys and any limitations or directions
738 provided for in the General Appropriations Act or chapter 216.
739 Further, nothing in this section shall be construed to prevent
740 or limit the agency from adjusting fees, reimbursement rates,
741 lengths of stay, number of visits, or number of services, or
742 making any other adjustments necessary to comply with the
743 availability of moneys and any limitations or directions
744 provided for in the General Appropriations Act, provided the
745 adjustment is consistent with legislative intent.

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

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

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755 under part I of chapter 395 for the provision of skilled nursing
756 services must be made on the basis of the average nursing home
757 payment for those services in the county in which the hospital
758 is located. When a hospital is located in a county that does not
759 have any community nursing homes, reimbursement shall be
760 determined by averaging the nursing home payments in counties
761 that surround the county in which the hospital is located.
762 Reimbursement to hospitals, including Medicaid payment of
763 Medicare copayments, for skilled nursing services shall be
764 limited to 30 days, unless a prior authorization has been
765 obtained from the agency. Medicaid reimbursement may be extended
766 by the agency beyond 30 days, and approval must be based upon
767 verification by the patient's physician that the patient
768 requires short-term rehabilitative and recuperative services
769 only, in which case an extension of no more than 15 days may be
770 approved. Reimbursement to a hospital licensed under part I of
771 chapter 395 for the temporary provision of skilled nursing
772 services to nursing home residents who have been displaced as
773 the result of a natural disaster or other emergency may not
774 exceed the average county nursing home payment for those
775 services in the county in which the hospital is located and is
776 limited to the period of time which the agency considers
777 necessary for continued placement of the nursing home residents
778 in the hospital.

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

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784 and quality and safety standards and to ensure that individuals
785 eligible for medical assistance have reasonable geographic
786 access to such care.

787 1. The agency shall amend the long-term care reimbursement
788 plan and cost reporting system to create direct care and
789 indirect care subcomponents of the patient care component of the
790 per diem rate. These two subcomponents together shall equal the
791 patient care component of the per diem rate. Separate prices
792 shall be calculated for each patient care subcomponent,
793 initially based on the September 2016 rate setting cost reports
794 and subsequently based on the most recently audited cost report
795 used during a rebasing year. The direct care subcomponent of the
796 per diem rate for any providers still being reimbursed on a cost
797 basis shall be limited by the cost-based class ceiling, and the
798 indirect care subcomponent may be limited by the lower of the
799 cost-based class ceiling, the target rate class ceiling, or the
800 individual provider target. The ceilings and targets apply only
801 to providers being reimbursed on a cost-based system. Effective
802 October 1, 2018, a prospective payment methodology shall be
803 implemented for rate setting purposes with the following
804 parameters:

805 a. Peer Groups, including:

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

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

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

812 (I) Direct Care Costs.....100 percent.

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813 (II) Indirect Care Costs.....92 percent.
814 (III) Operating Costs.....86 percent.
815 c. Floors:
816 (I) Direct Care Component.....95 percent.
817 (II) Indirect Care Component.....92.5 percent.
818 (III) Operating Component.....None.
819 d. Pass-through Payments...Real Estate and Personal Property
820 Taxes and Property Insurance.
821 e. Quality Incentive Program Payment Pool...6.5 ~~6~~ percent of
822 September
823 2016 non-property related payments of included facilities.
824 f. Quality Score Threshold to Quality for Quality Incentive
825 Payment.....20th percentile of included facilities.
826 g. Fair Rental Value System Payment Parameters:
827 (I) Building Value per Square Foot based on 2018 RS Means.
828 (II) Land Valuation.....10 percent of Gross Building value.
829 (III) Facility Square Footage.....Actual Square Footage.
830 (IV) Moveable Equipment Allowance.....\$8,000 per bed.
831 (V) Obsolescence Factor.....1.5 percent.
832 (VI) Fair Rental Rate of Return.....8 percent.
833 (VII) Minimum Occupancy.....90 percent.
834 (VIII) Maximum Facility Age.....40 years.
835 (IX) Minimum Square Footage per Bed.....350.
836 (X) Maximum Square Footage for Bed.....500.
837 (XI) Minimum Cost of a renovation/replacements.\$500 per bed.
838 h. Ventilator Supplemental payment of \$200 per Medicaid day
839 of 40,000 ventilator Medicaid days per fiscal year.
840 2. The direct care subcomponent shall include salaries and
841 benefits of direct care staff providing nursing services

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842 including registered nurses, licensed practical nurses, and
843 certified nursing assistants who deliver care directly to
844 residents in the nursing home facility, allowable therapy costs,
845 and dietary costs. This excludes nursing administration, staff
846 development, the staffing coordinator, and the administrative
847 portion of the minimum data set and care plan coordinators. The
848 direct care subcomponent also includes medically necessary
849 dental care, vision care, hearing care, and podiatric care.

850 3. All other patient care costs shall be included in the
851 indirect care cost subcomponent of the patient care per diem
852 rate, including complex medical equipment, medical supplies, and
853 other allowable ancillary costs. Costs may not be allocated
854 directly or indirectly to the direct care subcomponent from a
855 home office or management company.

856 4. On July 1 of each year, the agency shall report to the
857 Legislature direct and indirect care costs, including average
858 direct and indirect care costs per resident per facility and
859 direct care and indirect care salaries and benefits per category
860 of staff member per facility.

861 5. Every fourth year, the agency shall rebase nursing home
862 prospective payment rates to reflect changes in cost based on
863 the most recently audited cost report for each participating
864 provider.

865 6. A direct care supplemental payment may be made to
866 providers whose direct care hours per patient day are above the
867 80th percentile and who provide Medicaid services to a larger
868 percentage of Medicaid patients than the state average.

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

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871 greater of their September 2016 cost-based rate or their
872 prospective payment rate. Effective October 1, 2021, the agency
873 shall reimburse providers the greater of 95 percent of their
874 cost-based rate or their rebased prospective payment rate, using
875 the most recently audited cost report for each facility. This
876 subparagraph shall expire September 30, 2023.

877 8. Pediatric, Florida Department of Veterans Affairs, and
878 government-owned facilities are exempt from the pricing model
879 established in this subsection and shall remain on a cost-based
880 prospective payment system. Effective October 1, 2018, the
881 agency shall set rates for all facilities remaining on a cost-
882 based prospective payment system using each facility's most
883 recently audited cost report, eliminating retroactive
884 settlements.

885
886 It is the intent of the Legislature that the reimbursement plan
887 achieve the goal of providing access to health care for nursing
888 home residents who require large amounts of care while
889 encouraging diversion services as an alternative to nursing home
890 care for residents who can be served within the community. The
891 agency shall base the establishment of any maximum rate of
892 payment, whether overall or component, on the available moneys
893 as provided for in the General Appropriations Act. The agency
894 may base the maximum rate of payment on the results of
895 scientifically valid analysis and conclusions derived from
896 objective statistical data pertinent to the particular maximum
897 rate of payment.

898 Section 17. The amendment made by this act to s.
899 409.908(2), Florida Statutes, by this act expires July 1, 2020,

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900 and the text of that subsection shall revert to that in
901 existence on July 1, 2019, except that any amendments to such
902 text enacted other than by this act shall be preserved and
903 continue to operate to the extent that such amendments are not
904 dependent upon the portions of text which expire pursuant to
905 this section.

906 Section 18. In order to implement Specific Appropriations
907 221 and 222 of the 2019-2020 General Appropriations Act, and
908 notwithstanding the expiration date in section 19 of chapter
909 2018-10, Laws of Florida, subsection (23) of section 409.908,
910 Florida Statutes, is reenacted to read:

911 409.908 Reimbursement of Medicaid providers.—Subject to
912 specific appropriations, the agency shall reimburse Medicaid
913 providers, in accordance with state and federal law, according
914 to methodologies set forth in the rules of the agency and in
915 policy manuals and handbooks incorporated by reference therein.
916 These methodologies may include fee schedules, reimbursement
917 methods based on cost reporting, negotiated fees, competitive
918 bidding pursuant to s. 287.057, and other mechanisms the agency
919 considers efficient and effective for purchasing services or
920 goods on behalf of recipients. If a provider is reimbursed based
921 on cost reporting and submits a cost report late and that cost
922 report would have been used to set a lower reimbursement rate
923 for a rate semester, then the provider's rate for that semester
924 shall be retroactively calculated using the new cost report, and
925 full payment at the recalculated rate shall be effected
926 retroactively. Medicare-granted extensions for filing cost
927 reports, if applicable, shall also apply to Medicaid cost
928 reports. Payment for Medicaid compensable services made on

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929 behalf of Medicaid eligible persons is subject to the
930 availability of moneys and any limitations or directions
931 provided for in the General Appropriations Act or chapter 216.
932 Further, nothing in this section shall be construed to prevent
933 or limit the agency from adjusting fees, reimbursement rates,
934 lengths of stay, number of visits, or number of services, or
935 making any other adjustments necessary to comply with the
936 availability of moneys and any limitations or directions
937 provided for in the General Appropriations Act, provided the
938 adjustment is consistent with legislative intent.

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

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

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

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

953 Section 19. The text of s. 409.908(23), Florida Statutes,
954 as carried forward from chapter 2018-10, Laws of Florida, by
955 this act, expires July 1, 2020, and the text of that subsection
956 shall revert to that in existence on October 1, 2018, not
957 including any amendments made by chapter 2018-10, Laws of

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958 Florida, except that any amendments to such text enacted other
959 than by this act and chapter 2018-10, Laws of Florida, shall be
960 preserved and continue to operate to the extent that such
961 amendments are not dependent upon the portions of text which
962 expire pursuant to this section.

963 Section 20. In order to implement Specific Appropriation
964 205 of the 2019-2020 General Appropriations Act, subsection (26)
965 of section 409.908, Florida Statutes, is amended to read:

966 409.908 Reimbursement of Medicaid providers.—Subject to
967 specific appropriations, the agency shall reimburse Medicaid
968 providers, in accordance with state and federal law, according
969 to methodologies set forth in the rules of the agency and in
970 policy manuals and handbooks incorporated by reference therein.
971 These methodologies may include fee schedules, reimbursement
972 methods based on cost reporting, negotiated fees, competitive
973 bidding pursuant to s. 287.057, and other mechanisms the agency
974 considers efficient and effective for purchasing services or
975 goods on behalf of recipients. If a provider is reimbursed based
976 on cost reporting and submits a cost report late and that cost
977 report would have been used to set a lower reimbursement rate
978 for a rate semester, then the provider's rate for that semester
979 shall be retroactively calculated using the new cost report, and
980 full payment at the recalculated rate shall be effected
981 retroactively. Medicare-granted extensions for filing cost
982 reports, if applicable, shall also apply to Medicaid cost
983 reports. Payment for Medicaid compensable services made on
984 behalf of Medicaid eligible persons is subject to the
985 availability of moneys and any limitations or directions
986 provided for in the General Appropriations Act or chapter 216.

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987 Further, nothing in this section shall be construed to prevent
988 or limit the agency from adjusting fees, reimbursement rates,
989 lengths of stay, number of visits, or number of services, or
990 making any other adjustments necessary to comply with the
991 availability of moneys and any limitations or directions
992 provided for in the General Appropriations Act, provided the
993 adjustment is consistent with legislative intent.

994 (26) The agency may receive funds from state entities,
995 including, but not limited to, the Department of Health, local
996 governments, and other local political subdivisions, for the
997 purpose of making special exception payments and Low Income Pool
998 Program payments, including federal matching funds. Funds
999 received for this purpose shall be separately accounted for and
1000 may not be commingled with other state or local funds in any
1001 manner. The agency may certify all local governmental funds used
1002 as state match under Title XIX of the Social Security Act to the
1003 extent and in the manner authorized under the General
1004 Appropriations Act and pursuant to an agreement between the
1005 agency and the local governmental entity. In order for the
1006 agency to certify such local governmental funds, a local
1007 governmental entity must submit a final, executed letter of
1008 agreement to the agency, which must be received by October 1 of
1009 each fiscal year and provide the total amount of local
1010 governmental funds authorized by the entity for that fiscal year
1011 under the General Appropriations Act. The local governmental
1012 entity shall use a certification form prescribed by the agency.
1013 At a minimum, the certification form must identify the amount
1014 being certified and describe the relationship between the
1015 certifying local governmental entity and the local health care

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1016 provider. Local governmental funds outlined in the letters of
1017 agreement must be received by the agency no later than October
1018 31 of each fiscal year in which such funds are pledged, unless
1019 an alternative plan is specifically approved by the agency.

1020 Section 21. The amendment to s. 409.908(26), Florida
1021 Statutes, by this act expires July 1, 2020, and the text of that
1022 subsection shall revert to that in existence on June 30, 2019,
1023 except that any amendments to such text enacted other than by
1024 this act shall be preserved and continue to operate to the
1025 extent that such amendments are not dependent upon the portions
1026 of text which expire pursuant to this section.

1027 Section 22. In order to implement Specific Appropriation
1028 192 of the 2019-2020 General Appropriations Act, subsection (6)
1029 of section 409.912, Florida Statutes, is amended to read:

1030 409.912 Cost-effective purchasing of health care.—The
1031 agency shall purchase goods and services for Medicaid recipients
1032 in the most cost-effective manner consistent with the delivery
1033 of quality medical care. To ensure that medical services are
1034 effectively utilized, the agency may, in any case, require a
1035 confirmation or second physician's opinion of the correct
1036 diagnosis for purposes of authorizing future services under the
1037 Medicaid program. This section does not restrict access to
1038 emergency services or poststabilization care services as defined
1039 in 42 C.F.R. s. 438.114. Such confirmation or second opinion
1040 shall be rendered in a manner approved by the agency. The agency
1041 shall maximize the use of prepaid per capita and prepaid
1042 aggregate fixed-sum basis services when appropriate and other
1043 alternative service delivery and reimbursement methodologies,
1044 including competitive bidding pursuant to s. 287.057, designed

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1045 to facilitate the cost-effective purchase of a case-managed
1046 continuum of care. The agency shall also require providers to
1047 minimize the exposure of recipients to the need for acute
1048 inpatient, custodial, and other institutional care and the
1049 inappropriate or unnecessary use of high-cost services. The
1050 agency shall contract with a vendor to monitor and evaluate the
1051 clinical practice patterns of providers in order to identify
1052 trends that are outside the normal practice patterns of a
1053 provider's professional peers or the national guidelines of a
1054 provider's professional association. The vendor must be able to
1055 provide information and counseling to a provider whose practice
1056 patterns are outside the norms, in consultation with the agency,
1057 to improve patient care and reduce inappropriate utilization.
1058 The agency may mandate prior authorization, drug therapy
1059 management, or disease management participation for certain
1060 populations of Medicaid beneficiaries, certain drug classes, or
1061 particular drugs to prevent fraud, abuse, overuse, and possible
1062 dangerous drug interactions. The Pharmaceutical and Therapeutics
1063 Committee shall make recommendations to the agency on drugs for
1064 which prior authorization is required. The agency shall inform
1065 the Pharmaceutical and Therapeutics Committee of its decisions
1066 regarding drugs subject to prior authorization. The agency is
1067 authorized to limit the entities it contracts with or enrolls as
1068 Medicaid providers by developing a provider network through
1069 provider credentialing. The agency may competitively bid single-
1070 source-provider contracts if procurement of goods or services
1071 results in demonstrated cost savings to the state without
1072 limiting access to care. The agency may limit its network based
1073 on the assessment of beneficiary access to care, provider

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1074 availability, provider quality standards, time and distance
1075 standards for access to care, the cultural competence of the
1076 provider network, demographic characteristics of Medicaid
1077 beneficiaries, practice and provider-to-beneficiary standards,
1078 appointment wait times, beneficiary use of services, provider
1079 turnover, provider profiling, provider licensure history,
1080 previous program integrity investigations and findings, peer
1081 review, provider Medicaid policy and billing compliance records,
1082 clinical and medical record audits, and other factors. Providers
1083 are not entitled to enrollment in the Medicaid provider network.
1084 The agency shall determine instances in which allowing Medicaid
1085 beneficiaries to purchase durable medical equipment and other
1086 goods is less expensive to the Medicaid program than long-term
1087 rental of the equipment or goods. The agency may establish rules
1088 to facilitate purchases in lieu of long-term rentals in order to
1089 protect against fraud and abuse in the Medicaid program as
1090 defined in s. 409.913. The agency may seek federal waivers
1091 necessary to administer these policies.

1092 (6) Notwithstanding the provisions of chapter 287, the
1093 agency may, at its discretion, renew a contract or contracts for
1094 fiscal intermediary services one or more times for such periods
1095 as the agency may decide; however, all such renewals may not
1096 combine to exceed a total period longer than the term of the
1097 original contract, with the exception of the fiscal agent
1098 contract scheduled to end in calendar year 2020, which may be
1099 extended by the agency through December 31, 2024.

1100 Section 23. The amendment to s. 409.912(6), Florida
1101 Statutes, by this act expires July 1, 2020, and the text of that
1102 subsection shall revert to that in existence on June 30, 2019,

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1103 except that any amendments to such text enacted other than by
1104 this act shall be preserved and continue to operate to the
1105 extent that such amendments are not dependent upon the portions
1106 of text which expire pursuant to this section.

1107 Section 24. In order to implement Specific Appropriations
1108 203, 207, 208, 210, 212, and 221 of the 2019-2020 General
1109 Appropriations Act, subsection (12) is added to section 409.904,
1110 Florida Statutes, to read:

1111 409.904 Optional payments for eligible persons.—The agency
1112 may make payments for medical assistance and related services on
1113 behalf of the following persons who are determined to be
1114 eligible subject to the income, assets, and categorical
1115 eligibility tests set forth in federal and state law. Payment on
1116 behalf of these Medicaid eligible persons is subject to the
1117 availability of moneys and any limitations established by the
1118 General Appropriations Act or chapter 216.

1119 (12) Effective July 1, 2019, the agency shall make payments
1120 to Medicaid-covered services:

1121 (a) For eligible children and pregnant women, retroactive
1122 for a period of no more than 90 days before the month in which
1123 an application for Medicaid is submitted.

1124 (b) For eligible nonpregnant adults, retroactive to the
1125 first day of the month in which an application for Medicaid is
1126 submitted.

1127

1128 This subsection expires July 1, 2020.

1129 Section 25. In order to implement Specific Appropriations
1130 203, 207, 208, 210, 212, and 221 of the 2019-2020 General
1131 Appropriations Act:

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1132 (1) By January 10, 2020, the Agency for Health Care
1133 Administration, in consultation with the Department of Children
1134 and Families, the Florida Hospital Association, the Safety Net
1135 Hospital Alliance of Florida, the Florida Health Care
1136 Association, and LeadingAge Florida, shall submit a report to
1137 the Governor, the President of the Senate, and the Speaker of
1138 the House of Representatives regarding the impact of the waiver
1139 of Medicaid retroactive eligibility on beneficiaries and
1140 providers. The report must include, but is not limited to:

1141 (a) The total unduplicated number of nonpregnant adults who
1142 applied for Medicaid at a hospital site from February 1, 2019,
1143 through December 6, 2019; and, of those applicants, the number
1144 whose Medicaid applications were approved, the number whose
1145 Medicaid applications were denied, and the reasons for denial
1146 ranked by frequency.

1147 (b) The total unduplicated number of nonpregnant adults who
1148 applied for Medicaid at a nursing home site from February 1,
1149 2019, through December 6, 2019; and, of those applicants, the
1150 number whose Medicaid applications were approved, the number
1151 whose Medicaid applications were denied, and the reasons for
1152 denial ranked by frequency.

1153 (c) The estimated impact of medical debt on people for whom
1154 a Medicaid application was not submitted in the same month when
1155 the individual became an inpatient of a hospital or a resident
1156 of a nursing home.

1157 (d) Recommendations to improve outreach and Medicaid
1158 coverage for nonpregnant adults who would be eligible for
1159 Medicaid if they applied before an event that requires hospital
1160 or nursing home care.

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1161 (2) The Agency for Health Care Administration shall also
1162 include, as part of the report required by this section, a copy
1163 of the evaluation design and performance metrics submitted to
1164 the federal Centers for Medicare and Medicaid Services relating
1165 to the waiver of Medicaid retroactive eligibility, in conformity
1166 with the Special Terms and Conditions of this state's Section
1167 1115 demonstration project, titled Managed Medical Assistance
1168 (MMA) Program (Project No. 11-W-00206/4).

1169
1170 This section expires July 1, 2020.

1171 Section 26. In order to implement Specific Appropriation
1172 245 of the 2019-2020 General Appropriations Act, subsection (10)
1173 of section 393.0661, Florida Statutes, is amended to read:

1174 393.0661 Home and community-based services delivery system;
1175 comprehensive redesign.—The Legislature finds that the home and
1176 community-based services delivery system for persons with
1177 developmental disabilities and the availability of appropriated
1178 funds are two of the critical elements in making services
1179 available. Therefore, it is the intent of the Legislature that
1180 the Agency for Persons with Disabilities shall develop and
1181 implement a comprehensive redesign of the system.

1182 (10) Implementation of Medicaid waiver programs and
1183 services authorized under this chapter is limited by the funds
1184 appropriated for the individual budgets pursuant to s. 393.0662
1185 and the four-tiered waiver system pursuant to subsection (3).
1186 Contracts with independent support coordinators and service
1187 providers must include provisions requiring compliance with
1188 agency cost containment initiatives. The agency shall implement
1189 monitoring and accounting procedures necessary to track actual

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1190 expenditures and project future spending compared to available
1191 appropriations for Medicaid waiver programs. When necessary
1192 based on projected deficits, the agency must establish specific
1193 corrective action plans that incorporate corrective actions of
1194 contracted providers that are sufficient to align program
1195 expenditures with annual appropriations. If deficits continue
1196 during the 2018-2019 ~~2012-2013~~ fiscal year, the agency in
1197 conjunction with the Agency for Health Care Administration shall
1198 develop a plan to redesign the waiver program and submit the
1199 plan to the President of the Senate and the Speaker of the House
1200 of Representatives by September 30, 2019 ~~2013~~. At a minimum, the
1201 plan must include the following elements:

1202 (a) *Budget predictability*.—Agency budget recommendations
1203 must include specific steps to restrict spending to budgeted
1204 amounts based on alternatives to the iBudget and four-tiered
1205 Medicaid waiver models.

1206 (b) *Services*.—The agency shall identify core services that
1207 are essential to provide for client health and safety and
1208 recommend elimination of coverage for other services that are
1209 not affordable based on available resources.

1210 (c) *Flexibility*.—The redesign shall be responsive to
1211 individual needs and to the extent possible encourage client
1212 control over allocated resources for their needs.

1213 (d) *Support coordination services*.—The plan shall modify
1214 the manner of providing support coordination services to improve
1215 management of service utilization and increase accountability
1216 and responsiveness to agency priorities.

1217 (e) *Reporting*.—The agency shall provide monthly reports to
1218 the President of the Senate and the Speaker of the House of

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1219 Representatives on plan progress and development on July 31,
1220 2019 ~~2013~~, and August 31, 2019 ~~2013~~.

1221 (f) *Implementation.*—The implementation of a redesigned
1222 program is subject to legislative approval ~~and shall occur no~~
1223 ~~later than July 1, 2014~~. The Agency for Health Care
1224 Administration shall seek federal waivers as needed to implement
1225 the redesigned plan once approved by the Legislature.

1226 Section 27. The amendment made to s. 393.0661(10), Florida
1227 Statutes, by this act expires July 1, 2020, and the text of that
1228 subsection shall revert to that in existence on June 30, 2019,
1229 except that any amendments to such text enacted other than by
1230 this act shall be preserved and continue to operate to the
1231 extent that such amendments are not dependent upon the portions
1232 of text which expire pursuant to this section.

1233 Section 28. In order to implement Specific Appropriations
1234 221 and 222 of the 2019-2020 General Appropriations Act,
1235 paragraph (d) of subsection (2) of section 400.179, Florida
1236 Statutes, is amended to read:

1237 400.179 Liability for Medicaid underpayments and
1238 overpayments.—

1239 (2) Because any transfer of a nursing facility may expose
1240 the fact that Medicaid may have underpaid or overpaid the
1241 transferor, and because in most instances, any such underpayment
1242 or overpayment can only be determined following a formal field
1243 audit, the liabilities for any such underpayments or
1244 overpayments shall be as follows:

1245 (d) Where the transfer involves a facility that has been
1246 leased by the transferor:

1247 1. The transferee shall, as a condition to being issued a

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1248 license by the agency, acquire, maintain, and provide proof to
1249 the agency of a bond with a term of 30 months, renewable
1250 annually, in an amount not less than the total of 3 months'
1251 Medicaid payments to the facility computed on the basis of the
1252 preceding 12-month average Medicaid payments to the facility.

1253 2. A leasehold licensee may meet the requirements of
1254 subparagraph 1. by payment of a nonrefundable fee, paid at
1255 initial licensure, paid at the time of any subsequent change of
1256 ownership, and paid annually thereafter, in the amount of 1
1257 percent of the total of 3 months' Medicaid payments to the
1258 facility computed on the basis of the preceding 12-month average
1259 Medicaid payments to the facility. If a preceding 12-month
1260 average is not available, projected Medicaid payments may be
1261 used. The fee shall be deposited into the Grants and Donations
1262 Trust Fund and shall be accounted for separately as a Medicaid
1263 nursing home overpayment account. These fees shall be used at
1264 the sole discretion of the agency to repay nursing home Medicaid
1265 overpayments or for enhanced payments to nursing facilities as
1266 specified in the General Appropriations Act or other law.

1267 Payment of this fee shall not release the licensee from any
1268 liability for any Medicaid overpayments, nor shall payment bar
1269 the agency from seeking to recoup overpayments from the licensee
1270 and any other liable party. As a condition of exercising this
1271 lease bond alternative, licensees paying this fee must maintain
1272 an existing lease bond through the end of the 30-month term
1273 period of that bond. The agency is herein granted specific
1274 authority to promulgate all rules pertaining to the
1275 administration and management of this account, including
1276 withdrawals from the account, subject to federal review and

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1277 approval. This provision shall take effect upon becoming law and
1278 shall apply to any leasehold license application. The financial
1279 viability of the Medicaid nursing home overpayment account shall
1280 be determined by the agency through annual review of the account
1281 balance and the amount of total outstanding, unpaid Medicaid
1282 overpayments owing from leasehold licensees to the agency as
1283 determined by final agency audits. By March 31 of each year, the
1284 agency shall assess the cumulative fees collected under this
1285 subparagraph, minus any amounts used to repay nursing home
1286 Medicaid overpayments and amounts transferred to contribute to
1287 the General Revenue Fund pursuant to s. 215.20. If the net
1288 cumulative collections, minus amounts utilized to repay nursing
1289 home Medicaid overpayments, exceed \$10 ~~\$25~~ million, the
1290 provisions of this subparagraph shall not apply for the
1291 subsequent fiscal year.

1292 3. The leasehold licensee may meet the bond requirement
1293 through other arrangements acceptable to the agency. The agency
1294 is herein granted specific authority to promulgate rules
1295 pertaining to lease bond arrangements.

1296 4. All existing nursing facility licensees, operating the
1297 facility as a leasehold, shall acquire, maintain, and provide
1298 proof to the agency of the 30-month bond required in
1299 subparagraph 1., above, on and after July 1, 1993, for each
1300 license renewal.

1301 5. It shall be the responsibility of all nursing facility
1302 operators, operating the facility as a leasehold, to renew the
1303 30-month bond and to provide proof of such renewal to the agency
1304 annually.

1305 6. Any failure of the nursing facility operator to acquire,

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1306 maintain, renew annually, or provide proof to the agency shall
1307 be grounds for the agency to deny, revoke, and suspend the
1308 facility license to operate such facility and to take any
1309 further action, including, but not limited to, enjoining the
1310 facility, asserting a moratorium pursuant to part II of chapter
1311 408, or applying for a receiver, deemed necessary to ensure
1312 compliance with this section and to safeguard and protect the
1313 health, safety, and welfare of the facility's residents. A lease
1314 agreement required as a condition of bond financing or
1315 refinancing under s. 154.213 by a health facilities authority or
1316 required under s. 159.30 by a county or municipality is not a
1317 leasehold for purposes of this paragraph and is not subject to
1318 the bond requirement of this paragraph.

1319 Section 29. The amendment to s. 400.179(2)(d), Florida
1320 Statutes, made by this act expires July 1, 2020, and the text of
1321 that paragraph shall revert to that in existence on June 30,
1322 2019, except that any amendments to such text enacted other than
1323 by this act shall be preserved and continue to operate to the
1324 extent that such amendments are not dependent upon the portions
1325 of text which expire pursuant to this section.

1326 Section 30. In order to implement Specific Appropriations
1327 178 through 181 of the 2019-2020 General Appropriations Act,
1328 paragraph (b) of subsection (5) of section 624.91, Florida
1329 Statutes, is amended to read:

1330 624.91 The Florida Healthy Kids Corporation Act.—

1331 (5) CORPORATION AUTHORIZATION, DUTIES, POWERS.—

1332 (b) The Florida Healthy Kids Corporation shall:

1333 1. Arrange for the collection of any family, local
1334 contributions, or employer payment or premium, in an amount to

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1335 be determined by the board of directors, to provide for payment
1336 of premiums for comprehensive insurance coverage and for the
1337 actual or estimated administrative expenses.

1338 2. Arrange for the collection of any voluntary
1339 contributions to provide for payment of Florida Kidcare program
1340 premiums for children who are not eligible for medical
1341 assistance under Title XIX or Title XXI of the Social Security
1342 Act.

1343 3. Subject to the provisions of s. 409.8134, accept
1344 voluntary supplemental local match contributions that comply
1345 with the requirements of Title XXI of the Social Security Act
1346 for the purpose of providing additional Florida Kidcare coverage
1347 in contributing counties under Title XXI.

1348 4. Establish the administrative and accounting procedures
1349 for the operation of the corporation.

1350 5. Establish, with consultation from appropriate
1351 professional organizations, standards for preventive health
1352 services and providers and comprehensive insurance benefits
1353 appropriate to children, provided that such standards for rural
1354 areas shall not limit primary care providers to board-certified
1355 pediatricians.

1356 6. Determine eligibility for children seeking to
1357 participate in the Title XXI-funded components of the Florida
1358 Kidcare program consistent with the requirements specified in s.
1359 409.814, as well as the non-Title-XXI-eligible children as
1360 provided in subsection (3).

1361 7. Establish procedures under which providers of local
1362 match to, applicants to and participants in the program may have
1363 grievances reviewed by an impartial body and reported to the

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1364 board of directors of the corporation.

1365 8. Establish participation criteria and, if appropriate,
1366 contract with an authorized insurer, health maintenance
1367 organization, or third-party administrator to provide
1368 administrative services to the corporation.

1369 9. Establish enrollment criteria that include penalties or
1370 waiting periods of 30 days for reinstatement of coverage upon
1371 voluntary cancellation for nonpayment of family premiums.

1372 10. Contract with authorized insurers or any provider of
1373 health care services, meeting standards established by the
1374 corporation, for the provision of comprehensive insurance
1375 coverage to participants. Such standards shall include criteria
1376 under which the corporation may contract with more than one
1377 provider of health care services in program sites. Health plans
1378 shall be selected through a competitive bid process. The Florida
1379 Healthy Kids Corporation shall purchase goods and services in
1380 the most cost-effective manner consistent with the delivery of
1381 quality medical care. The maximum administrative cost for a
1382 Florida Healthy Kids Corporation contract shall be 15 percent.
1383 For health care contracts, the minimum medical loss ratio for a
1384 Florida Healthy Kids Corporation contract shall be 85 percent.
1385 For dental contracts, the remaining compensation to be paid to
1386 the authorized insurer or provider under a Florida Healthy Kids
1387 Corporation contract shall be no less than an amount which is 85
1388 percent of premium; to the extent any contract provision does
1389 not provide for this minimum compensation, this section shall
1390 prevail. For an insurer or any provider of health care services
1391 which achieves an annual medical loss ratio below 85 percent,
1392 the Florida Healthy Kids Corporation shall validate the medical

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1393 loss ratio and calculate an amount to be refunded by the insurer
1394 or any provider of health care services to the state which shall
1395 be deposited into the General Revenue Fund unallocated. The
1396 health plan selection criteria and scoring system, and the
1397 scoring results, shall be available upon request for inspection
1398 after the bids have been awarded.

1399 11. Establish disenrollment criteria in the event local
1400 matching funds are insufficient to cover enrollments.

1401 12. Develop and implement a plan to publicize the Florida
1402 Kidcare program, the eligibility requirements of the program,
1403 and the procedures for enrollment in the program and to maintain
1404 public awareness of the corporation and the program.

1405 13. Secure staff necessary to properly administer the
1406 corporation. Staff costs shall be funded from state and local
1407 matching funds and such other private or public funds as become
1408 available. The board of directors shall determine the number of
1409 staff members necessary to administer the corporation.

1410 14. In consultation with the partner agencies, provide a
1411 report on the Florida Kidcare program annually to the Governor,
1412 the Chief Financial Officer, the Commissioner of Education, the
1413 President of the Senate, the Speaker of the House of
1414 Representatives, and the Minority Leaders of the Senate and the
1415 House of Representatives.

1416 15. Provide information on a quarterly basis to the
1417 Legislature and the Governor which compares the costs and
1418 utilization of the full-pay enrolled population and the Title
1419 XXI-subsidized enrolled population in the Florida Kidcare
1420 program. The information, at a minimum, must include:

1421 a. The monthly enrollment and expenditure for full-pay

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1422 enrollees in the Medikids and Florida Healthy Kids programs
1423 compared to the Title XXI-subsidized enrolled population; and

1424 b. The costs and utilization by service of the full-pay
1425 enrollees in the Medikids and Florida Healthy Kids programs and
1426 the Title XXI-subsidized enrolled population.

1427 16. Establish benefit packages that conform to the
1428 provisions of the Florida Kidcare program, as created in ss.
1429 409.810-409.821.

1430 Section 31. The amendment made to s. 624.91(5)(b), Florida
1431 Statutes, by this act expires July 1, 2020, and the text of that
1432 paragraph shall revert to that in existence on June 30, 2019,
1433 except that any amendments to such text enacted other than by
1434 this act shall be preserved and continue to operate to the
1435 extent that such amendments are not dependent upon the portions
1436 of text which expire pursuant to this section.

1437 Section 32. In order to implement Specific Appropriations
1438 533, 534, 539, and 542 of the 2019-2020 General Appropriations
1439 Act, subsection (17) of section 893.055, Florida Statutes, is
1440 amended to read:

1441 893.055 Prescription drug monitoring program.—

1442 (17) For the 2019-2020 ~~2018-2019~~ fiscal year only, neither
1443 the Attorney General nor the department may use funds received
1444 as part of a settlement agreement to administer the prescription
1445 drug monitoring program. This subsection expires July 1, 2020
1446 ~~2019~~.

1447 Section 33. In order to implement Specific Appropriation
1448 204 of the 2019-2020 General Appropriations Act, subsections (2)
1449 and (10) of section 409.911, Florida Statutes, are amended to
1450 read:

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1451 409.911 Disproportionate share program.—Subject to specific
1452 allocations established within the General Appropriations Act
1453 and any limitations established pursuant to chapter 216, the
1454 agency shall distribute, pursuant to this section, moneys to
1455 hospitals providing a disproportionate share of Medicaid or
1456 charity care services by making quarterly Medicaid payments as
1457 required. Notwithstanding the provisions of s. 409.915, counties
1458 are exempt from contributing toward the cost of this special
1459 reimbursement for hospitals serving a disproportionate share of
1460 low-income patients.

1461 (2) The Agency for Health Care Administration shall use the
1462 following actual audited data to determine the Medicaid days and
1463 charity care to be used in calculating the disproportionate
1464 share payment:

1465 (a) The average of the 2011, 2012, and 2013 ~~2010, 2011, and~~
1466 ~~2012~~ audited disproportionate share data to determine each
1467 hospital's Medicaid days and charity care for the 2019-2020
1468 ~~2018-2019~~ state fiscal year.

1469 (b) If the Agency for Health Care Administration does not
1470 have the prescribed 3 years of audited disproportionate share
1471 data as noted in paragraph (a) for a hospital, the agency shall
1472 use the average of the years of the audited disproportionate
1473 share data as noted in paragraph (a) which is available.

1474 (c) In accordance with s. 1923(b) of the Social Security
1475 Act, a hospital with a Medicaid inpatient utilization rate
1476 greater than one standard deviation above the statewide mean or
1477 a hospital with a low-income utilization rate of 25 percent or
1478 greater shall qualify for reimbursement.

1479 (10) Notwithstanding any provision of this section to the

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1480 contrary, for the 2019-2020 ~~2018-2019~~ state fiscal year, the
1481 agency shall distribute moneys to hospitals providing a
1482 disproportionate share of Medicaid or charity care services as
1483 provided in the 2019-2020 ~~2018-2019~~ General Appropriations Act.
1484 This subsection expires July 1, 2020 ~~2019~~.

1485 Section 34. In order to implement Specific Appropriation
1486 204 of the 2019-2020 General Appropriations Act, subsection (3)
1487 of section 409.9113, Florida Statutes, is amended to read:

1488 409.9113 Disproportionate share program for teaching
1489 hospitals.—In addition to the payments made under s. 409.911,
1490 the agency shall make disproportionate share payments to
1491 teaching hospitals, as defined in s. 408.07, for their increased
1492 costs associated with medical education programs and for
1493 tertiary health care services provided to the indigent. This
1494 system of payments must conform to federal requirements and
1495 distribute funds in each fiscal year for which an appropriation
1496 is made by making quarterly Medicaid payments. Notwithstanding
1497 s. 409.915, counties are exempt from contributing toward the
1498 cost of this special reimbursement for hospitals serving a
1499 disproportionate share of low-income patients. The agency shall
1500 distribute the moneys provided in the General Appropriations Act
1501 to statutorily defined teaching hospitals and family practice
1502 teaching hospitals, as defined in s. 395.805, pursuant to this
1503 section. The funds provided for statutorily defined teaching
1504 hospitals shall be distributed as provided in the General
1505 Appropriations Act. The funds provided for family practice
1506 teaching hospitals shall be distributed equally among family
1507 practice teaching hospitals.

1508 (3) Notwithstanding any provision of this section to the

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1509 contrary, for the 2019-2020 ~~2018-2019~~ state fiscal year, the
1510 agency shall make disproportionate share payments to teaching
1511 hospitals, as defined in s. 408.07, as provided in the 2019-2020
1512 ~~2018-2019~~ General Appropriations Act. This subsection expires
1513 July 1, 2020 ~~2019~~.

1514 Section 35. In order to implement Specific Appropriation
1515 204 of the 2019-2020 General Appropriations Act, subsection (4)
1516 of section 409.9119, Florida Statutes, is amended to read:

1517 409.9119 Disproportionate share program for specialty
1518 hospitals for children.—In addition to the payments made under
1519 s. 409.911, the Agency for Health Care Administration shall
1520 develop and implement a system under which disproportionate
1521 share payments are made to those hospitals that are separately
1522 licensed by the state as specialty hospitals for children, have
1523 a federal Centers for Medicare and Medicaid Services
1524 certification number in the 3300-3399 range, have Medicaid days
1525 that exceed 55 percent of their total days and Medicare days
1526 that are less than 5 percent of their total days, and were
1527 licensed on January 1, 2013, as specialty hospitals for
1528 children. This system of payments must conform to federal
1529 requirements and must distribute funds in each fiscal year for
1530 which an appropriation is made by making quarterly Medicaid
1531 payments. Notwithstanding s. 409.915, counties are exempt from
1532 contributing toward the cost of this special reimbursement for
1533 hospitals that serve a disproportionate share of low-income
1534 patients. The agency may make disproportionate share payments to
1535 specialty hospitals for children as provided for in the General
1536 Appropriations Act.

1537 (4) Notwithstanding any provision of this section to the

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1538 contrary, for the 2019-2020 ~~2018-2019~~ state fiscal year, for
1539 hospitals achieving full compliance under subsection (3), the
1540 agency shall make disproportionate share payments to specialty
1541 hospitals for children as provided in the 2019-2020 ~~2018-2019~~
1542 General Appropriations Act. This subsection expires July 1, 2020
1543 ~~2019~~.

1544 Section 36. In order to implement Specific Appropriations
1545 197 through 224 of the 2019-2020 General Appropriations Act, and
1546 notwithstanding ss. 216.181 and 216.292, Florida Statutes, the
1547 Agency for Health Care Administration may submit a budget
1548 amendment, subject to the notice, review, and objection
1549 procedures of s. 216.177, Florida Statutes, to realign funding
1550 within the Medicaid program appropriation categories to address
1551 projected surpluses and deficits within the program and to
1552 maximize the use of state trust funds. A single budget amendment
1553 shall be submitted in the last quarter of the 2019-2020 fiscal
1554 year only. This section expires July 1, 2020.

1555 Section 37. In order to implement Specific Appropriations
1556 178 through 183 and 523 of the 2019-2020 General Appropriations
1557 Act, and notwithstanding ss. 216.181 and 216.292, Florida
1558 Statutes, the Agency for Health Care Administration and the
1559 Department of Health may each submit a budget amendment, subject
1560 to the notice, review, and objection procedures of s. 216.177,
1561 Florida Statutes, to realign funding within the Florida Kidcare
1562 program appropriation categories, or to increase budget
1563 authority in the Children's Medical Services Network category,
1564 to address projected surpluses and deficits within the program
1565 or to maximize the use of state trust funds. A single budget
1566 amendment must be submitted by each agency in the last quarter

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1567 of the 2019-2020 fiscal year only. This section expires July 1,
1568 2020.

1569 Section 38. In order to implement Specific Appropriations
1570 208, 225 through 236, and 368 of the 2019-2020 General
1571 Appropriations Act and notwithstanding s. 400.9905, Florida
1572 Statutes, the following entities are exempt from the licensure
1573 requirements of part X of chapter 400, Florida Statutes:

1574 (1) Entities that are under the common ownership or control
1575 by a mutual insurance holding company, as defined in s. 628.703,
1576 Florida Statutes, with an entity licensed or certified under
1577 chapter 624, Florida Statutes, or chapter 641, Florida Statutes,
1578 that has \$1 billion or more in total annual sales in this state.

1579 (2) Entities that are owned by an entity who is a
1580 behavioral health service provider in at least 5 states other
1581 than Florida and that, together with its affiliates, have \$90
1582 million or more in total annual revenues associated with the
1583 provision of behavioral health care services and where one or
1584 more of the persons responsible for the operations of the entity
1585 is a health care practitioner who is licensed in this state and
1586 who is responsible for supervising the business activities of
1587 the entity and is responsible for the entity's compliance with
1588 state law for purposes of part X of chapter 400, Florida
1589 Statutes.

1590
1591 This section expires July 1, 2020.

1592 Section 39. In order to implement Specific Appropriations
1593 467, 468, and 474 of the 2019-2020 General Appropriations Act,
1594 subsection (17) of section 381.986, Florida Statutes, is amended
1595 to read:

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1596 381.986 Medical use of marijuana.—

1597 (17) Rules adopted pursuant to this section before July 1,
1598 2020 ~~2019~~, are not subject to ss. 120.54(3)(b) and 120.541 s-
1599 ~~120.541(3)~~. Notwithstanding paragraph (8)(e), a medical
1600 marijuana treatment center may use a laboratory that has not
1601 been certified by the department under s. 381.988 until such
1602 time as at least one laboratory holds the required certification
1603 pursuant to s. 381.988, but in no event later than July 1, 2020
1604 ~~2019~~. This subsection expires July 1, 2020 ~~2019~~.

1605 Section 40. In order to implement Specific Appropriations
1606 467, 468, and 474 of the 2019-2020 General Appropriations Act,
1607 subsection (11) of section 381.988, Florida Statutes, is amended
1608 to read:

1609 381.988 Medical marijuana testing laboratories; marijuana
1610 tests conducted by a certified laboratory.—

1611 (11) Rules adopted under subsection (9) before July 1, 2020
1612 ~~2019~~, are not subject to ss. 120.54(3)(b) and 120.541 s-
1613 ~~120.541(3)~~. This subsection expires July 1, 2020 ~~2019~~.

1614 Section 41. In order to implement Specific Appropriations
1615 467, 468, and 474 of the 2019-2020 General Appropriations Act,
1616 subsection (1) of section 14 of chapter 2017-232, Laws of
1617 Florida, is amended to read:

1618 Section 14. Department of Health; authority to adopt rules;
1619 cause of action.—

1620 (1) EMERGENCY RULEMAKING.—

1621 (a) The Department of Health and the applicable boards
1622 shall adopt emergency rules pursuant to s. 120.54(4), Florida
1623 Statutes, and this section necessary to implement ss. 381.986
1624 and 381.988, Florida Statutes. If an emergency rule adopted

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1625 under this section is held to be unconstitutional or an invalid
1626 exercise of delegated legislative authority, and becomes void,
1627 the department or the applicable boards may adopt an emergency
1628 rule pursuant to this section to replace the rule that has
1629 become void. If the emergency rule adopted to replace the void
1630 emergency rule is also held to be unconstitutional or an invalid
1631 exercise of delegated legislative authority and becomes void,
1632 the department and the applicable boards must follow the
1633 nonemergency rulemaking procedures of the Administrative
1634 Procedures Act to replace the rule that has become void.

1635 (b) For emergency rules adopted under this section, the
1636 department and the applicable boards need not make the findings
1637 required by s. 120.54(4)(a), Florida Statutes. Emergency rules
1638 adopted under this section are exempt from ss. 120.54(3)(b) and
1639 120.541, Florida Statutes. The department and the applicable
1640 boards shall meet the procedural requirements in s. 120.54(4)(a)
1641 ~~s. 120.54(a)~~, Florida Statutes, if the department or the
1642 applicable boards have, before July 1, 2019 ~~the effective date~~
1643 ~~of this act~~, held any public workshops or hearings on the
1644 subject matter of the emergency rules adopted under this
1645 subsection. Challenges to emergency rules adopted under this
1646 subsection are subject to the time schedules provided in s.
1647 120.56(5), Florida Statutes.

1648 (c) Emergency rules adopted under this section are exempt
1649 from s. 120.54(4)(c), Florida Statutes, and shall remain in
1650 effect until replaced by rules adopted under the nonemergency
1651 rulemaking procedures of the Administrative Procedures Act.
1652 Rules adopted under the nonemergency rulemaking procedures of
1653 the Administrative Procedures Act to replace emergency rules

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1654 adopted under this section are exempt from ss. 120.54(3)(b) and
1655 120.541, Florida Statutes. By July 1, 2020 ~~January 1, 2018,~~ the
1656 department and the applicable boards shall initiate nonemergency
1657 rulemaking pursuant to the Administrative Procedures Act to
1658 replace all emergency rules adopted under this section by
1659 publishing a notice of rule development in the Florida
1660 Administrative Register. Except as provided in paragraph (a),
1661 after July 1, 2020 ~~January 1, 2018,~~ the department and
1662 applicable boards may not adopt rules pursuant to the emergency
1663 rulemaking procedures provided in this section.

1664 Section 42. The amendment to s. 14(1) of chapter 2017-232,
1665 Laws of Florida, by this act expires July 1, 2020, and the text
1666 of that subsection shall revert to that in existence on June 30,
1667 2019, except that any amendments to such text enacted other than
1668 by this act shall be preserved and continue to operate to the
1669 extent that such amendments are not dependent upon the portions
1670 of text which expire pursuant to this section.

1671 Section 43. In order to implement Specific Appropriations
1672 474 and 525 of the 2019-2020 General Appropriations Act,
1673 paragraph (a) of subsection (2) of section 383.14, Florida
1674 Statutes, is amended to read:

1675 383.14 Screening for metabolic disorders, other hereditary
1676 and congenital disorders, and environmental risk factors.-

1677 (2) RULES.-

1678 (a) After consultation with the Genetics and Newborn
1679 Screening Advisory Council, the department shall adopt and
1680 enforce rules requiring that every newborn in this state shall:

1681 1. Before becoming 1 week of age, be subjected to a test
1682 for phenylketonuria;

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1683 2. Be tested for any condition included on the federal
1684 Recommended Uniform Screening Panel which the council advises
1685 the department should be included under the state's screening
1686 program. After the council recommends that a condition be
1687 included, the department shall submit a legislative budget
1688 request to seek an appropriation to add testing of the condition
1689 to the newborn screening program. The department shall expand
1690 statewide screening of newborns to include screening for such
1691 conditions within 18 months after the council renders such
1692 advice, if a test approved by the United States Food and Drug
1693 Administration or a test offered by an alternative vendor is
1694 available. If such a test is not available within 18 months
1695 after the council makes its recommendation, the department shall
1696 implement such screening as soon as a test offered by the United
1697 States Food and Drug Administration or by an alternative vendor
1698 is available; ~~and~~

1699 3. At the appropriate age, be tested for such other
1700 metabolic diseases and hereditary or congenital disorders as the
1701 department may deem necessary from time to time; and

1702 4. Notwithstanding subparagraph 2., be screened for spinal
1703 muscular atrophy following integration of such a test into the
1704 newborn screening testing panel. The department shall implement
1705 such screening using a test offered by the United States Food
1706 and Drug Administration or by an alternative vendor as soon as
1707 practicable after July 1, 2019, but no later than May 3, 2020.
1708 This subparagraph expires July 1, 2020.

1709 Section 44. In order to implement Specific Appropriations
1710 326, 327A, 358, and 359 of the 2019-2020 General Appropriations
1711 Act, and notwithstanding ss. 216.181 and 216.292, Florida

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1712 Statutes, the Department of Children and Families may submit a
1713 budget amendment, subject to the notice, review, and objection
1714 procedures of s. 216.177, Florida Statutes, to realign funding
1715 within the department based on the implementation of the
1716 Guardianship Assistance Program, between and among the specific
1717 appropriations for guardianship assistance payments, foster care
1718 Level 1 room and board payments, relative caregiver payments,
1719 and nonrelative caregiver payments. This section expires July 1,
1720 2020.

1721 Section 45. In order to implement Specific Appropriations
1722 326 and 327A of the 2019-2020 General Appropriations Act, the
1723 Department of Children and Families shall establish a formula to
1724 distribute the recurring sums of \$10,597,824 from the General
1725 Revenue Fund and \$11,922,238 from the Federal Grants Trust Fund
1726 for actual and direct costs to implement the Guardianship
1727 Assistance Program, including Level 1 foster care board
1728 payments, licensing staff for community-based care lead
1729 agencies, and guardianship assistance payments. This section
1730 expires July 1, 2020.

1731 Section 46. In order to implement Specific Appropriations
1732 326 and 327A of the 2019-2020 General Appropriations Act,
1733 paragraph (a) of subsection (1) of section 409.991, Florida
1734 Statutes, is amended to read:

1735 409.991 Allocation of funds for community-based care lead
1736 agencies.—

1737 (1) As used in this section, the term:

1738 (a) "Core services funds" means all funds allocated to
1739 community-based care lead agencies operating under contract with
1740 the department pursuant to s. 409.987, with the following

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1741 exceptions:

1742 1. Funds appropriated for independent living.~~†~~

1743 2. Funds appropriated for maintenance adoption subsidies.~~†~~

1744 3. Funds appropriated for actual and direct costs to
1745 implement the Guardianship Assistance Program, including Level 1
1746 foster care board payments, licensing staff for community-based
1747 care lead agencies, and guardianship assistance payments. This
1748 subparagraph expires July 1, 2020.

1749 4. Funds allocated by the department for protective
1750 investigations training.~~†~~

1751 ~~5.4.~~ Nonrecurring funds.~~†~~

1752 ~~6.5.~~ Designated mental health wrap-around services funds.~~†~~
1753 and

1754 ~~7.6.~~ Funds for special projects for a designated community-
1755 based care lead agency.

1756 Section 47. In order to implement Specific Appropriations
1757 551 through 558 and 560 of the 2019-2020 General Appropriations
1758 Act, subsection (3) of section 296.37, Florida Statutes, is
1759 amended to read:

1760 296.37 Residents; contribution to support.-

1761 (3) Notwithstanding subsection (1), each resident of the
1762 home who receives a pension, compensation, or gratuity from the
1763 United States Government, or income from any other source, of
1764 more than \$130 per month shall contribute to his or her
1765 maintenance and support while a resident of the home in
1766 accordance with a payment schedule determined by the
1767 administrator and approved by the director. The total amount of
1768 such contributions shall be to the fullest extent possible, but,
1769 in no case, shall exceed the actual cost of operating and

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1770 maintaining the home. This subsection expires July 1, ~~2020~~ 2019.

1771 Section 48. In order to implement Specific Appropriations
1772 470 and 507 of the 2019-2020 General Appropriations Act, and
1773 notwithstanding ss. 216.181 and 216.292, Florida Statutes, the
1774 Department of Health may submit a budget amendment, subject to
1775 the notice, review, and objection procedures of s. 216.177,
1776 Florida Statutes, to increase budget authority for the HIV/AIDS
1777 Prevention and Treatment Program if additional federal revenues
1778 specific to HIV/AIDS prevention and treatment become available
1779 in the 2019-2020 fiscal year. This section expires July 1, 2020.

1780 Section 49. In order to implement Specific Appropriations
1781 349 and 350 of the 2019-2020 General Appropriations Act, and
1782 notwithstanding ss. 216.181 and 216.292, Florida Statutes, the
1783 Department of Children and Families may submit a budget
1784 amendment, subject to the notice, review, and objection
1785 procedures of s. 216.177, Florida Statutes, to increase budget
1786 authority for the Supplemental Nutrition Assistance Program if
1787 additional federal revenue specific to the program becomes
1788 available for the program in the 2019-2020 fiscal year. This
1789 section expires July 1, 2020.

1790 Section 50. In order to implement Specific Appropriations
1791 307 through 310, 314, 315, 318, 323 through 326, and 327A of the
1792 2019-2020 General Appropriations Act, and notwithstanding ss.
1793 216.181 and 216.292, Florida Statutes, the Department of
1794 Children and Families may submit a budget amendment, subject to
1795 the notice, review, and objection procedures of s. 216.177,
1796 Florida Statutes, to realign funding within the Family Safety
1797 Program to maximize the use of Title IV-E and other federal
1798 funds. This section expires July 1, 2020.

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1799 Section 51. In order to implement Specific Appropriations
1800 581 through 704A and 716 through 750 of the 2019-2020 General
1801 Appropriations Act, subsection (4) of section 216.262, Florida
1802 Statutes, is amended to read:

1803 216.262 Authorized positions.—

1804 (4) Notwithstanding the provisions of this chapter relating
1805 to increasing the number of authorized positions, and for the
1806 2019-2020 ~~2018-2019~~ fiscal year only, if the actual inmate
1807 population of the Department of Corrections exceeds the inmate
1808 population projections of the February 22, 2019 ~~December 20,~~
1809 ~~2017~~, Criminal Justice Estimating Conference by 1 percent for 2
1810 consecutive months or 2 percent for any month, the Executive
1811 Office of the Governor, with the approval of the Legislative
1812 Budget Commission, shall immediately notify the Criminal Justice
1813 Estimating Conference, which shall convene as soon as possible
1814 to revise the estimates. The Department of Corrections may then
1815 submit a budget amendment requesting the establishment of
1816 positions in excess of the number authorized by the Legislature
1817 and additional appropriations from unallocated general revenue
1818 sufficient to provide for essential staff, fixed capital
1819 improvements, and other resources to provide classification,
1820 security, food services, health services, and other variable
1821 expenses within the institutions to accommodate the estimated
1822 increase in the inmate population. All actions taken pursuant to
1823 this subsection are subject to review and approval by the
1824 Legislative Budget Commission. This subsection expires July 1,
1825 2020 ~~2019~~.

1826 Section 52. In order to implement Specific Appropriation
1827 737 of the 2019-2020 General Appropriations Act, and upon the

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1828 expiration and reversion of the amendments made by section 44 of
1829 chapter 2018-10, Laws of Florida, paragraph (b) of subsection
1830 (7) of section 1011.80, Florida Statutes, is amended to read:

1831 1011.80 Funds for operation of workforce education
1832 programs.—

1833 (7)

1834 (b) State funds provided for the operation of postsecondary
1835 workforce programs may not be expended for the education of
1836 state or federal inmates, except to the extent that such funds
1837 are specifically appropriated for such purpose in the 2019-2020
1838 General Appropriations Act ~~with more than 24 months of time~~
1839 ~~remaining to serve on their sentences or federal inmates.~~

1840 Section 53. The amendment made to s. 1011.80(7)(b), Florida
1841 Statutes, by this act expires July 1, 2020, and the text of that
1842 paragraph shall revert to that in existence on July 1, 2019, but
1843 not including any amendments made by this act, and any
1844 amendments to such text enacted other than by this act shall be
1845 preserved and continue to operate to the extent that such
1846 amendments are not dependent upon the portions of text which
1847 expire pursuant to this section.

1848 Section 54. In order to implement Specific Appropriations
1849 3208 through 3274 of the 2019-2020 General Appropriations Act,
1850 subsection (2) of section 215.18, Florida Statutes, is amended
1851 to read:

1852 215.18 Transfers between funds; limitation.—

1853 (2) The Chief Justice of the Supreme Court may receive one
1854 or more trust fund loans to ensure that the state court system
1855 has funds sufficient to meet its appropriations in the 2019-2020
1856 ~~2018-2019~~ General Appropriations Act. If the Chief Justice

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1857 accesses the loan, he or she must notify the Governor and the
1858 chairs of the legislative appropriations committees in writing.
1859 The loan must come from other funds in the State Treasury which
1860 are for the time being or otherwise in excess of the amounts
1861 necessary to meet the just requirements of such last-mentioned
1862 funds. The Governor shall order the transfer of funds within 5
1863 days after the written notification from the Chief Justice. If
1864 the Governor does not order the transfer, the Chief Financial
1865 Officer shall transfer the requested funds. The loan of funds
1866 from which any money is temporarily transferred must be repaid
1867 by the end of the 2019-2020 ~~2018-2019~~ fiscal year. This
1868 subsection expires July 1, 2020 ~~2019~~.

1869 Section 55. (1) In order to implement Specific
1870 Appropriations 1153 through 1164 of the 2019-2020 General
1871 Appropriations Act, the Department of Juvenile Justice is
1872 required to review county juvenile detention payments to ensure
1873 that counties fulfill their financial responsibilities required
1874 in s. 985.6865, Florida Statutes. If the Department of Juvenile
1875 Justice determines that a county has not met its obligations,
1876 the department shall direct the Department of Revenue to deduct
1877 the amount owed to the Department of Juvenile Justice from the
1878 funds provided to the county under s. 218.23, Florida Statutes.
1879 The Department of Revenue shall transfer the funds withheld to
1880 the Shared County/State Juvenile Detention Trust Fund.

1881 (2) As an assurance to holders of bonds issued by counties
1882 before July 1, 2019, for which distributions made pursuant to s.
1883 218.23, Florida Statutes, are pledged, or bonds issued to refund
1884 such bonds which mature no later than the bonds they refunded
1885 and which result in a reduction of debt service payable in each

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1886 fiscal year, the amount available for distribution to a county
1887 shall remain as provided by law and continue to be subject to
1888 any lien or claim on behalf of the bondholders. The Department
1889 of Revenue must ensure, based on information provided by an
1890 affected county, that any reduction in amounts distributed
1891 pursuant to subsection (1) does not reduce the amount of
1892 distribution to a county below the amount necessary for the
1893 timely payment of principal and interest when due on the bonds
1894 and the amount necessary to comply with any covenant under the
1895 bond resolution or other documents relating to the issuance of
1896 the bonds. If a reduction to a county's monthly distribution
1897 must be decreased in order to comply with this section, the
1898 Department of Revenue must notify the Department of Juvenile
1899 Justice of the amount of the decrease, and the Department of
1900 Juvenile Justice must send a bill for payment of such amount to
1901 the affected county.

1902 (3) This section expires July 1, 2020.

1903 Section 56. In order to implement Specific Appropriations
1904 761 through 784A, 952 through 1097, and 1118 through 1152 of the
1905 2019-2020 General Appropriations Act, subsection (1), paragraph
1906 (a) of subsection (2), paragraph (a) of subsection (3), and
1907 subsections (5), (6), and (7) of section 27.40, Florida
1908 Statutes, are amended to read:

1909 27.40 Court-appointed counsel; circuit registries; minimum
1910 requirements; appointment by court.—

1911 (1) Counsel shall be appointed to represent any individual
1912 in a criminal or civil proceeding entitled to court-appointed
1913 counsel under the Federal or State Constitution or as authorized
1914 by general law. The court shall appoint a public defender to

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1915 represent indigent persons as authorized in s. 27.51. The office
1916 of criminal conflict and civil regional counsel shall be
1917 appointed to represent persons in those cases in which provision
1918 is made for court-appointed counsel, but only after the public
1919 defender has certified to the court in writing that the public
1920 defender is unable to provide representation due to a conflict
1921 of interest or is not authorized to provide representation. The
1922 public defender shall report, in the aggregate, the specific
1923 basis of all conflicts of interest certified to the court. On a
1924 quarterly basis, the public defender shall submit this
1925 information to the Justice Administrative Commission.

1926 (2) (a) Private counsel shall be appointed to represent
1927 persons in those cases in which provision is made for court-
1928 appointed counsel but only after the office of criminal conflict
1929 and civil regional counsel has been appointed and has certified
1930 to the court in writing that the criminal conflict and civil
1931 regional counsel is unable to provide representation due to a
1932 conflict of interest. The criminal conflict and civil regional
1933 counsel shall report, in the aggregate, the specific basis of
1934 all conflicts of interest certified to the court. On a quarterly
1935 basis, the criminal conflict and civil regional counsel shall
1936 submit this information to the Justice Administrative
1937 Commission.

1938 (3) In using a registry:

1939 (a) The chief judge of the circuit shall compile a list of
1940 attorneys in private practice, by county and by category of
1941 cases, and provide the list to the clerk of court in each
1942 county. The chief judge of the circuit may restrict the number
1943 of attorneys on the general registry list. To be included on a

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1944 registry, an attorney must certify that he or she:

1945 1. Meets any minimum requirements established by the chief
1946 judge and by general law for court appointment;

1947 2. Is available to represent indigent defendants in cases
1948 requiring court appointment of private counsel; and

1949 3. Is willing to abide by the terms of the contract for
1950 services, s. 27.5304, and this section.

1951
1952 To be included on a registry, an attorney must enter into a
1953 contract for services with the Justice Administrative
1954 Commission. Failure to comply with the terms of the contract for
1955 services may result in termination of the contract and removal
1956 from the registry. Each attorney on the registry is responsible
1957 for notifying the clerk of the court and the Justice
1958 Administrative Commission of any change in his or her status.
1959 Failure to comply with this requirement is cause for termination
1960 of the contract for services and removal from the registry until
1961 the requirement is fulfilled.

1962 (5) The Justice Administrative Commission shall approve
1963 uniform contract forms for use in procuring the services of
1964 private court-appointed counsel and uniform procedures and forms
1965 for use by a court-appointed attorney in support of billing for
1966 attorney's fees, costs, and related expenses to demonstrate the
1967 attorney's completion of specified duties. Such uniform
1968 contracts and forms for use in billing must be consistent with
1969 s. 27.5304, s. 216.311, and the General Appropriations Act and
1970 must contain the following statement: "The State of Florida's
1971 performance and obligation to pay under this contract is
1972 contingent upon an annual appropriation by the Legislature."

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1973 (6) After court appointment, the attorney must immediately
1974 file a notice of appearance with the court indicating acceptance
1975 of the appointment to represent the defendant and of the terms
1976 of the uniform contract as specified in subsection (5).

1977 (7) (a) A private attorney appointed by the court from the
1978 registry to represent a client is entitled to payment as
1979 provided in s. 27.5304 so long as the requirements of subsection
1980 (1) and paragraph (2) (a) are met. An attorney appointed by the
1981 court who is not on the registry list may be compensated under
1982 s. 27.5304 only if the court finds in the order of appointment
1983 that there were no registry attorneys available for
1984 representation for that case and only if the requirements of
1985 subsection (1) and paragraph (2) (a) are met.

1986 (b)1. The flat fee established in s. 27.5304 and the
1987 General Appropriations Act shall be presumed by the court to be
1988 sufficient compensation. The attorney shall maintain appropriate
1989 documentation, including contemporaneous and detailed hourly
1990 accounting of time spent representing the client. If the
1991 attorney fails to maintain such contemporaneous and detailed
1992 hourly records, the attorney waives the right to seek
1993 compensation in excess of the flat fee established in s. 27.5304
1994 and the General Appropriations Act. These records and documents
1995 are subject to review by the Justice Administrative Commission
1996 and audit by the Auditor General, subject to the attorney-client
1997 privilege and work-product privilege. The attorney shall
1998 maintain the records and documents in a manner that enables the
1999 attorney to redact any information subject to a privilege in
2000 order to facilitate the commission's review of the records and
2001 documents and not to impede such review. The attorney may redact

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2002 information from the records and documents only to the extent
2003 necessary to comply with the privilege. The Justice
2004 Administrative Commission shall review such records and shall
2005 contemporaneously document such review before authorizing
2006 payment to an attorney. Objections by or on behalf of the
2007 Justice Administrative Commission to records or documents or to
2008 claims for payment by the attorney shall be presumed correct by
2009 the court unless the court determines in writing competent and
2010 substantial evidence exists to justify overcoming the
2011 presumption.

2012 2. If an attorney fails, refuses, or declines to permit the
2013 commission or the Auditor General to review documentation for a
2014 case as provided in this paragraph, the attorney waives the
2015 right to seek, and the commission may not pay, compensation in
2016 excess of the flat fee established in s. 27.5304 and the General
2017 Appropriations Act for that case.

2018 3. A finding by the commission that an attorney has waived
2019 the right to seek compensation in excess of the flat fee
2020 established in s. 27.5304 and the General Appropriations Act, as
2021 provided in this paragraph, shall be is presumed to be correct
2022 valid, unless the, as determined by a court determines, in
2023 writing, that competent and substantial evidence exists to
2024 justify overcoming the presumption, the commission's finding is
2025 not supported by competent and substantial evidence.

2026 Section 57. The amendments to s. 27.40(1), (2)(a), (3)(a),
2027 (5), (6), and (7), Florida Statutes, by this act expire July 1,
2028 2020, and the text of those subsections and paragraphs, as
2029 applicable, shall revert to that in existence on June 30, 2019,
2030 except that any amendments to such text enacted other than by

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2031 this act shall be preserved and continue to operate to the
2032 extent that such amendments are not dependent upon the portions
2033 of text which expire pursuant to this section.

2034 Section 58. In order to implement Specific Appropriations
2035 761 through 784A, 952 through 1097, and 1118 through 1152 of the
2036 2019-2020 General Appropriations Act, subsections (1), (3), (7),
2037 and (11), paragraphs (a) through (e) of subsection (12), and
2038 subsection (13) of section 27.5304, Florida Statutes, are
2039 amended to read:

2040 27.5304 Private court-appointed counsel; compensation;
2041 notice.—

2042 (1) Private court-appointed counsel appointed in the manner
2043 prescribed in s. 27.40(1) and (2)(a) shall be compensated by the
2044 Justice Administrative Commission only as provided in this
2045 section and the General Appropriations Act. The flat fees
2046 prescribed in this section are limitations on compensation. The
2047 specific flat fee amounts for compensation shall be established
2048 annually in the General Appropriations Act. The attorney also
2049 shall be reimbursed for reasonable and necessary expenses in
2050 accordance with s. 29.007. If the attorney is representing a
2051 defendant charged with more than one offense in the same case,
2052 the attorney shall be compensated at the rate provided for the
2053 most serious offense for which he or she represented the
2054 defendant. This section does not allow stacking of the fee
2055 limits established by this section.

2056 (3) The court retains primary authority and responsibility
2057 for determining the reasonableness of all billings for attorney
2058 fees, costs, and related expenses, subject to statutory
2059 limitations and the requirements of s. 27.40(7). Private court-

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2060 appointed counsel is entitled to compensation upon final
2061 disposition of a case.

2062 (7) Counsel eligible ~~entitled~~ to receive compensation from
2063 the state for representation pursuant to court appointment made
2064 in accordance with the requirements of s. 27.40(1) and (2)(a) in
2065 a proceeding under chapter 384, chapter 390, chapter 392,
2066 chapter 393, chapter 394, chapter 397, chapter 415, chapter 743,
2067 chapter 744, or chapter 984 shall receive compensation not to
2068 exceed the limits prescribed in the General Appropriations Act.
2069 Any such compensation must be determined as provided in s.
2070 27.40(7).

2071 (11) It is the intent of the Legislature that the flat fees
2072 prescribed under this section and the General Appropriations Act
2073 comprise the full and complete compensation for private court-
2074 appointed counsel. It is further the intent of the Legislature
2075 that the fees in this section are prescribed for the purpose of
2076 providing counsel with notice of the limit on the amount of
2077 compensation for representation in particular proceedings and
2078 the sole procedure and requirements for obtaining payment for
2079 the same.

2080 (a) If court-appointed counsel moves to withdraw prior to
2081 the full performance of his or her duties through the completion
2082 of the case, the court shall presume that the attorney is not
2083 entitled to the payment of the full flat fee established under
2084 this section and the General Appropriations Act.

2085 (b) If court-appointed counsel is allowed to withdraw from
2086 representation prior to the full performance of his or her
2087 duties through the completion of the case and the court appoints
2088 a subsequent attorney, the total compensation for the initial

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2089 and any and all subsequent attorneys may not exceed the flat fee
2090 established under this section and the General Appropriations
2091 Act, except as provided in subsection (12).

2092
2093 This subsection constitutes notice to any subsequently appointed
2094 attorney that he or she will not be compensated the full flat
2095 fee.

2096 (12) The Legislature recognizes that on rare occasions an
2097 attorney may receive a case that requires extraordinary and
2098 unusual effort.

2099 (a) If counsel seeks compensation that exceeds the limits
2100 prescribed by law, he or she must file a motion with the chief
2101 judge for an order approving payment of attorney fees in excess
2102 of these limits.

2103 1. Before filing the motion, the counsel shall deliver a
2104 copy of the intended billing, together with supporting
2105 affidavits and all other necessary documentation, to the Justice
2106 Administrative Commission.

2107 2. The Justice Administrative Commission shall review the
2108 billings, affidavit, and documentation for completeness and
2109 compliance with contractual and statutory requirements and shall
2110 contemporaneously document such review before authorizing
2111 payment to an attorney. If the Justice Administrative Commission
2112 objects to any portion of the proposed billing, the objection
2113 and supporting reasons must be communicated in writing to the
2114 private court-appointed counsel. The counsel may thereafter file
2115 his or her motion, which must specify whether the commission
2116 objects to any portion of the billing or the sufficiency of
2117 documentation, and shall attach the commission's letter stating

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2118 its objection.

2119 (b) Following receipt of the motion to exceed the fee
2120 limits, the chief judge or a single designee shall hold an
2121 evidentiary hearing. The chief judge may select only one judge
2122 per circuit to hear and determine motions pursuant to this
2123 subsection, except multicounty circuits and the eleventh circuit
2124 may have up to two designees.

2125 1. At the hearing, the attorney seeking compensation must
2126 prove by competent and substantial evidence that the case
2127 required extraordinary and unusual efforts. The chief judge or
2128 single designee shall consider criteria such as the number of
2129 witnesses, the complexity of the factual and legal issues, and
2130 the length of trial. The fact that a trial was conducted in a
2131 case does not, by itself, constitute competent substantial
2132 evidence of an extraordinary and unusual effort. In a criminal
2133 case, relief under this section may not be granted if the number
2134 of work hours does not exceed 75 or the number of the state's
2135 witnesses deposed does not exceed 20.

2136 2. Objections by or on behalf of the Justice Administrative
2137 Commission to records or documents or to claims for payment by
2138 the attorney shall be presumed correct by the court unless the
2139 court determines, in writing, that competent and substantial
2140 evidence exists to justify overcoming the presumption. The chief
2141 judge or single designee shall enter a written order detailing
2142 his or her findings and identifying the extraordinary nature of
2143 the time and efforts of the attorney in the case which warrant
2144 exceeding the flat fee established by this section and the
2145 General Appropriations Act.

2146 (c) A copy of the motion and attachments shall be served on

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2147 the Justice Administrative Commission at least 20 ~~5~~ business
2148 days before the date of a hearing. The Justice Administrative
2149 Commission has standing to appear before the court, and may
2150 appear in person or telephonically, including at the hearing
2151 under paragraph (b), to contest any motion for an order
2152 approving payment of attorney fees, costs, or related expenses
2153 and may participate in a hearing on the motion by use of
2154 telephonic or other communication equipment. The Justice
2155 Administrative Commission may contract with other public or
2156 private entities or individuals to appear before the court for
2157 the purpose of contesting any motion for an order approving
2158 payment of attorney fees, costs, or related expenses. The fact
2159 that the Justice Administrative Commission has not objected to
2160 any portion of the billing or to the sufficiency of the
2161 documentation is not binding on the court.

2162 (d) If the chief judge or a single designee finds that
2163 counsel has proved by competent and substantial evidence that
2164 the case required extraordinary and unusual efforts, the chief
2165 judge or single designee shall order the compensation to be paid
2166 to the attorney at a percentage above the flat fee rate,
2167 depending on the extent of the unusual and extraordinary effort
2168 required. The percentage must be only the rate necessary to
2169 ensure that the fees paid are not confiscatory under common law.
2170 The percentage may not exceed 200 percent of the established
2171 flat fee, absent a specific finding that 200 percent of the flat
2172 fee in the case would be confiscatory. If the chief judge or
2173 single designee determines that 200 percent of the flat fee
2174 would be confiscatory, he or she shall order the amount of
2175 compensation using an hourly rate not to exceed \$75 per hour for

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2176 a noncapital case and \$100 per hour for a capital case. However,
2177 the compensation calculated by using the hourly rate shall be
2178 only that amount necessary to ensure that the total fees paid
2179 are not confiscatory, subject to the requirements of s.
2180 27.40(7).

2181 (e) Any order granting relief under this subsection must be
2182 attached to the final request for a payment submitted to the
2183 Justice Administrative Commission and must satisfy the
2184 requirements of subparagraph (b)2.

2185 (13) Notwithstanding the limitation set forth in subsection
2186 (5) and for the 2019-2020 ~~2018-2019~~ fiscal year only, the
2187 compensation for representation in a criminal proceeding may not
2188 exceed the following:

2189 (a) For misdemeanors and juveniles represented at the trial
2190 level: \$1,000.

2191 (b) For noncapital, nonlife felonies represented at the
2192 trial level: \$15,000.

2193 (c) For life felonies represented at the trial level:
2194 \$15,000.

2195 (d) For capital cases represented at the trial level:
2196 \$25,000. For purposes of this paragraph, a "capital case" is any
2197 offense for which the potential sentence is death and the state
2198 has not waived seeking the death penalty.

2199 (e) For representation on appeal: \$9,000.

2200 (f) This subsection expires July 1, 2020 ~~2019~~.

2201 Section 59. The amendments to s. 27.5304(1), (3), (7),
2202 (11), and (12)(a)-(e), Florida Statutes, by this act expire July
2203 1, 2020, and the text of those subsections and paragraphs, as
2204 applicable, shall revert to that in existence on June 30, 2019,

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2205 except that any amendments to such text enacted other than by
2206 this act shall be preserved and continue to operate to the
2207 extent that such amendments are not dependent upon the portions
2208 of text which expire pursuant to this section.

2209 Section 60. In order to implement Specific Appropriation
2210 770 of the 2019-2020 General Appropriations Act, and
2211 notwithstanding s. 28.35, Florida Statutes, the clerks of the
2212 circuit court are responsible for any costs of compensation to
2213 jurors, for meals or lodging provided to jurors, and for jury-
2214 related personnel costs that exceed the funding provided in the
2215 General Appropriations Act for these purposes. This section
2216 expires July 1, 2020.

2217 Section 61. In order to implement Specific Appropriations
2218 952 through 1097 of the 2019-2020 General Appropriations Act,
2219 and notwithstanding the expiration date in section 40 of chapter
2220 2018-10, Laws of Florida, paragraph (c) of subsection (19) of
2221 section 318.18, Florida Statutes, is reenacted to read:

2222 318.18 Amount of penalties.—The penalties required for a
2223 noncriminal disposition pursuant to s. 318.14 or a criminal
2224 offense listed in s. 318.17 are as follows:

2225 (19) In addition to any penalties imposed, an Article V
2226 assessment of \$10 must be paid for all noncriminal moving and
2227 nonmoving violations under chapters 316, 320, and 322. The
2228 assessment is not revenue for purposes of s. 28.36 and may not
2229 be used in establishing the budget of the clerk of the court
2230 under that section or s. 28.35. Of the funds collected under
2231 this subsection:

2232 (c) The sum of \$1.67 shall be deposited in the Indigent
2233 Criminal Defense Trust Fund for use by the public defenders.

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2234 Section 62. In order to implement Specific Appropriations
2235 952 through 1097 of the 2019-2020 General Appropriations Act,
2236 and notwithstanding the expiration date in section 42 of chapter
2237 2018-10, Laws of Florida, paragraph (b) of subsection (12) of
2238 section 817.568, Florida Statutes, is reenacted to read:

2239 817.568 Criminal use of personal identification
2240 information.—

2241 (12) In addition to any sanction imposed when a person
2242 pleads guilty or nolo contendere to, or is found guilty of,
2243 regardless of adjudication, a violation of this section, the
2244 court shall impose a surcharge of \$1,001.

2245 (b) The sum of \$250 of the surcharge shall be deposited
2246 into the State Attorneys Revenue Trust Fund for the purpose of
2247 funding prosecutions of offenses relating to the criminal use of
2248 personal identification information. The sum of \$250 of the
2249 surcharge shall be deposited into the Indigent Criminal Defense
2250 Trust Fund for the purposes of indigent criminal defense related
2251 to the criminal use of personal identification information.

2252 Section 63. The text of ss. 318.18(19)(c) and
2253 817.568(12)(b), Florida Statutes, as carried forward from
2254 chapter 2018-10, Laws of Florida, by this act, expires July 1,
2255 2020, and the text of those paragraphs shall revert to that in
2256 existence on June 30, 2018, except that any amendments to such
2257 text enacted other than by this act shall be preserved and
2258 continue to operate to the extent that such amendments are not
2259 dependent upon the portions of text which expire pursuant to
2260 this section.

2261 Section 64. In order to implement Specific Appropriation
2262 3210 of the 2019-2020 General Appropriations Act, and

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2263 notwithstanding s. 112.061(4), Florida Statutes:

2264 (1) (a) A Supreme Court justice who permanently resides
2265 outside Leon County is eligible for the designation of a
2266 district court of appeal courthouse, a county courthouse, or
2267 other appropriate facility in his or her district of residence
2268 as his or her official headquarters for purposes of s. 112.061,
2269 Florida Statutes. This official headquarters may serve only as
2270 the justice's private chambers.

2271 (b)1. A justice for whom an official headquarters is
2272 designated in his or her district of residence under this
2273 subsection is eligible for subsistence at a rate to be
2274 established by the Chief Justice for each day or partial day
2275 that the justice is at the headquarters of the Supreme Court to
2276 conduct court business, as authorized by the Chief Justice. The
2277 Chief Justice may authorize a justice to choose between
2278 subsistence based on lodging at a single-occupancy rate and meal
2279 reimbursement as provided in s. 112.061, Florida Statutes, and
2280 subsistence at a fixed rate prescribed by the Chief Justice.

2281 2. In addition to subsistence, a justice is eligible for
2282 reimbursement for travel expenses as provided in s. 112.061(7)
2283 and (8), Florida Statutes, for travel between the justice's
2284 official headquarters and the headquarters of the Supreme Court
2285 to conduct court business.

2286 (c) Payment of subsistence and reimbursement for travel
2287 expenses relating to travel between a justice's official
2288 headquarters and the headquarters of the Supreme Court shall be
2289 made to the extent appropriated funds are available, as
2290 determined by the Chief Justice.

2291 (2) The Chief Justice shall coordinate with each affected

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2292 justice and other state and local officials as necessary to
2293 implement subsection (1).

2294 (3) (a) This section does not require a county to provide
2295 space in a county courthouse for a justice. A county may enter
2296 into an agreement with the Supreme Court governing the use of
2297 space in a county courthouse.

2298 (b) The Supreme Court may not use state funds to lease
2299 space in a district court of appeal courthouse, a county
2300 courthouse, or another facility to allow a justice to establish
2301 an official headquarters pursuant to subsection (1).

2302 (4) The Chief Justice may establish parameters governing
2303 the authority provided in this section, including specifying
2304 minimum operational requirements for the designated
2305 headquarters, limiting the number of days for which subsistence
2306 and travel reimbursement may be provided, and prescribing
2307 activities that qualify as the conduct of court business.

2308 (5) This section expires July 1, 2020.

2309 Section 65. In order to implement appropriations used to
2310 pay existing lease contracts for private lease space in excess
2311 of 2,000 square feet in the 2019-2020 General Appropriations
2312 Act, the Department of Management Services, with the cooperation
2313 of the agencies having the existing lease contracts for office
2314 or storage space, shall use tenant broker services to
2315 renegotiate or reprocur all private lease agreements for office
2316 or storage space expiring between July 1, 2020, and June 30,
2317 2022, in order to reduce costs in future years. The department
2318 shall incorporate this initiative into its 2019 master leasing
2319 report required under s. 255.249(7), Florida Statutes, and may
2320 use tenant broker services to explore the possibilities of

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2321 collocating office or storage space, to review the space needs
2322 of each agency, and to review the length and terms of potential
2323 renewals or renegotiations. The department shall provide a
2324 report to the Executive Office of the Governor, the President of
2325 the Senate, and the Speaker of the House of Representatives by
2326 November 1, 2019, which lists each lease contract for private
2327 office or storage space, the status of renegotiations, and the
2328 savings achieved. This section expires July 1, 2020.

2329 Section 66. In order to implement Specific Appropriations
2330 2839 through 2850A of the 2019-2020 General Appropriations Act,
2331 and notwithstanding rule 60A-1.031, Florida Administrative Code,
2332 the transaction fee collected for use of the online procurement
2333 system, authorized in ss. 287.042(1)(h)1. and 287.057(22)(c),
2334 Florida Statutes, is seven-tenths of 1 percent for the 2019-2020
2335 fiscal year only. This section expires July 1, 2020.

2336 Section 67. In order to implement appropriations authorized
2337 in the 2019-2020 General Appropriations Act for data center
2338 services, and notwithstanding s. 216.292(2)(a), Florida
2339 Statutes, an agency may not transfer funds from a data
2340 processing category to a category other than another data
2341 processing category. This section expires July 1, 2020.

2342 Section 68. In order to implement the appropriation of
2343 funds in the appropriation category "Data Processing Assessment-
2344 Agency for State Technology" in the 2019-2020 General
2345 Appropriations Act, and pursuant to the notice, review, and
2346 objection procedures of s. 216.177, Florida Statutes, the
2347 Executive Office of the Governor may transfer funds appropriated
2348 in that category between departments in order to align the
2349 budget authority granted based on the estimated billing cycle

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2350 and methodology used by the Agency for State Technology for data
2351 processing services provided. This section expires July 1, 2020.

2352 Section 69. In order to implement the appropriation of
2353 funds in the appropriation category "Special Categories-Risk
2354 Management Insurance" in the 2019-2020 General Appropriations
2355 Act, and pursuant to the notice, review, and objection
2356 procedures of s. 216.177, Florida Statutes, the Executive Office
2357 of the Governor may transfer funds appropriated in that category
2358 between departments in order to align the budget authority
2359 granted with the premiums paid by each department for risk
2360 management insurance. This section expires July 1, 2020.

2361 Section 70. In order to implement the appropriation of
2362 funds in the appropriation category "Special Categories-Transfer
2363 to Department of Management Services-Human Resources Services
2364 Purchased per Statewide Contract" in the 2019-2020 General
2365 Appropriations Act, and pursuant to the notice, review, and
2366 objection procedures of s. 216.177, Florida Statutes, the
2367 Executive Office of the Governor may transfer funds appropriated
2368 in that category between departments in order to align the
2369 budget authority granted with the assessments that must be paid
2370 by each agency to the Department of Management Services for
2371 human resource management services. This section expires July 1,
2372 2020.

2373 Section 71. In order to implement Specific Appropriations
2374 2421 through 2424 of the 2019-2020 General Appropriations Act:

2375 (1) The Department of Financial Services shall replace the
2376 four main components of the Florida Accounting Information
2377 Resource Subsystem (FLAIR), which include central FLAIR,
2378 departmental FLAIR, payroll, and information warehouse, and

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2379 shall replace the cash management and accounting management
2380 components of the Cash Management Subsystem (CMS) with an
2381 integrated enterprise system that allows the state to organize,
2382 define, and standardize its financial management business
2383 processes and that complies with ss. 215.90-215.96, Florida
2384 Statutes. The department may not include in the replacement of
2385 FLAIR and CMS:

2386 (a) Functionality that duplicates any of the other
2387 information subsystems of the Florida Financial Management
2388 Information System; or

2389 (b) Agency business processes related to any of the
2390 functions included in the Personnel Information System, the
2391 Purchasing Subsystem, or the Legislative Appropriations
2392 System/Planning and Budgeting Subsystem.

2393 (2) For purposes of replacing FLAIR and CMS, the Department
2394 of Financial Services shall:

2395 (a) Take into consideration the cost and implementation
2396 data identified for Option 3 as recommended in the March 31,
2397 2014, Florida Department of Financial Services FLAIR Study,
2398 version 031.

2399 (b) Ensure that all business requirements and technical
2400 specifications have been provided to all state agencies for
2401 their review and input and approved by the executive steering
2402 committee established in paragraph (c).

2403 (c) Implement a project governance structure that includes
2404 an executive steering committee composed of:

2405 1. The Chief Financial Officer or the executive sponsor of
2406 the project.

2407 2. A representative of the Division of Treasury of the

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2408 Department of Financial Services, appointed by the Chief
2409 Financial Officer.

2410 3. A representative of the Division of Information Systems
2411 of the Department of Financial Services, appointed by the Chief
2412 Financial Officer.

2413 4. Four employees from the Division of Accounting and
2414 Auditing of the Department of Financial Services, appointed by
2415 the Chief Financial Officer. Each employee must have experience
2416 relating to at least one of the four main components that
2417 compose FLAIR.

2418 5. Two employees from the Executive Office of the Governor,
2419 appointed by the Governor. One employee must have experience
2420 relating to the Legislative Appropriations System/Planning and
2421 Budgeting Subsystem.

2422 6. One employee from the Department of Revenue, appointed
2423 by the executive director, who has experience relating to the
2424 department's SUNTAX system.

2425 7. Two employees from the Department of Management
2426 Services, appointed by the Secretary of Management Services. One
2427 employee must have experience relating to the department's
2428 personnel information subsystem, and one employee must have
2429 experience relating to the department's purchasing subsystem.

2430 8. Three state agency administrative services directors,
2431 appointed by the Governor. One director must represent a
2432 regulatory and licensing state agency, and one director must
2433 represent a health care-related state agency.

2434 (3) The Chief Financial Officer or the executive sponsor of
2435 the project shall serve as chair of the executive steering
2436 committee, and the committee shall take action by a vote of at

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2437 least eight affirmative votes with the Chief Financial Officer
2438 or the executive sponsor of the project voting on the prevailing
2439 side. A quorum of the executive steering committee consists of
2440 at least 10 members.

2441 (4) The executive steering committee has the overall
2442 responsibility for ensuring that the project to replace FLAIR
2443 and CMS meets its primary business objectives and shall:

2444 (a) Identify and recommend to the Executive Office of the
2445 Governor, the President of the Senate, and the Speaker of the
2446 House of Representatives any statutory changes needed to
2447 implement the replacement subsystem that will standardize, to
2448 the fullest extent possible, the state's financial management
2449 business processes.

2450 (b) Review and approve any changes to the project's scope,
2451 schedule, and budget which do not conflict with the requirements
2452 of subsection (1).

2453 (c) Ensure that adequate resources are provided throughout
2454 all phases of the project.

2455 (d) Approve all major project deliverables.

2456 (e) Approve all solicitation-related documents associated
2457 with the replacement of FLAIR and CMS.

2458 (5) This section expires July 1, 2020.

2459 Section 72. In order to implement appropriations in the
2460 2019-2020 General Appropriations Act for executive branch and
2461 judicial branch employee travel, the executive branch state
2462 agencies and the judicial branch must collaborate with the
2463 Executive Office of the Governor and the Department of
2464 Management Services to implement the statewide travel management
2465 system funded in Specific Appropriation 2788 in the 2019-2020

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2466 General Appropriations Act. For the purpose of complying with s.
2467 112.061, Florida Statutes, all executive branch state agencies
2468 and the judicial branch must use the statewide travel management
2469 system. This section expires July 1, 2020.

2470 Section 73. In order to implement Specific Appropriations
2471 2782 through 2793A of the 2019-2020 General Appropriations Act,
2472 all powers, duties, functions, records, personnel, property,
2473 pending issues and existing contracts, administrative authority,
2474 and administrative rules in chapter 74-3, Florida Administrative
2475 Code, of the Budget and Policy Section and the Cost Recovery and
2476 Billing Section within the Agency for State Technology are
2477 transferred by a type two transfer, as defined in s. 20.06(2),
2478 Florida Statutes, to the Department of Management Services. This
2479 section expires July 1, 2020.

2480 Section 74. In order to implement Specific Appropriations
2481 2782 through 2793A of the 2019-2020 General Appropriations Act,
2482 subsection (4) of section 20.22, Florida Statutes, is amended to
2483 read:

2484 20.22 Department of Management Services.—There is created a
2485 Department of Management Services.

2486 (4) The Department of Management Services shall provide the
2487 Agency for State Technology with financial management oversight.
2488 The agency shall provide the department all documents and
2489 necessary information, as requested, to meet the requirements of
2490 this section. The department's financial management oversight
2491 includes:

2492 (a) Developing and implementing cost-recovery mechanisms
2493 for the administrative and data center costs of services through
2494 agency assessments of applicable customer entities. Such cost-

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2495 recovery mechanisms must comply with applicable state and
2496 federal regulations concerning the distribution and use of funds
2497 and must ensure that, for each fiscal year, no service or
2498 customer entity subsidizes another service or customer entity.

2499 (b) Implementing an annual reconciliation process to ensure
2500 that each customer entity is paying for the full direct and
2501 indirect cost of each service as determined by the customer
2502 entity's use of each service.

2503 (c) Providing rebates that may be credited against future
2504 billings to customer entities when revenues exceed costs.

2505 (d) Requiring each customer entity to transfer sufficient
2506 funds into the appropriate data processing appropriation
2507 category before implementing a customer entity's request for a
2508 change in the type or level of service provided, if such change
2509 results in a net increase to the customer entity's costs for
2510 that fiscal year.

2511 (e) By October 1, 2019 ~~2018~~, providing to each customer
2512 entity's agency head the estimated agency assessment cost by the
2513 Agency for State Technology for the following fiscal year. The
2514 agency assessment cost of each customer entity includes
2515 administrative and data center services costs of the agency.

2516 (f) Preparing the legislative budget request for the Agency
2517 for State Technology based on the issues requested and approved
2518 by the executive director of the Agency for State Technology.
2519 Upon the approval of the agency's executive director, the
2520 Department of Management Services shall transmit the agency's
2521 legislative budget request to the Governor and the Legislature
2522 pursuant to s. 216.023.

2523 (g) Providing a plan for consideration by the Legislative

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2524 Budget Commission if the Agency for State Technology increases
2525 the cost of a service for a reason other than a customer
2526 entity's request made under paragraph (d). Such a plan is
2527 required only if the service cost increase results in a net
2528 increase to a customer entity.

2529 (h) Providing a timely invoicing methodology to recover the
2530 cost of services provided to the customer entity pursuant to s.
2531 215.422.

2532 (i) Providing an annual reconciliation process of prior
2533 year expenditures completed on a timely basis and overall budget
2534 management pursuant to chapter 216.

2535

2536 ~~(j)~~ This subsection expires July 1, 2020 ~~2019~~.

2537 Section 75. In order to implement Specific Appropriations
2538 1573 through 1579A of the 2019-2020 General Appropriations Act,
2539 subsection (9) of section 20.255, Florida Statutes, is amended
2540 to read:

2541 20.255 Department of Environmental Protection.—There is
2542 created a Department of Environmental Protection.

2543 (9) The department shall act as the lead agency of the
2544 executive branch for the development and review of policies,
2545 practices, and standards related to geospatial data. The
2546 department shall coordinate and promote geospatial data sharing
2547 throughout the state government and serve as the primary point
2548 of contact for statewide geographic information systems
2549 projects, grants, and resources. This subsection expires July 1,
2550 2020 ~~2019~~.

2551 Section 76. Effective July 1, 2019, and upon the expiration
2552 and reversion of the amendments made to section 20.61, Florida

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2553 Statutes, pursuant to section 61 of chapter 2018-10, Laws of
2554 Florida, and in order to implement Specific Appropriation 3008F
2555 of the 2019-2020 General Appropriations Act, section 20.61,
2556 Florida Statutes, is amended to read:

2557 20.61 Agency for State Technology.—The Agency for State
2558 Technology is created within the Department of Management
2559 Services. The agency is a separate budget program and is not
2560 subject to control, supervision, or direction by the Department
2561 of Management Services, including, but not limited to,
2562 purchasing, transactions involving real or personal property, or
2563 personnel, with the exception of financial management, which
2564 shall be provided by the Department of Management Services
2565 pursuant to s. 20.22 ~~or budgetary matters.~~

2566 (1) (a) The executive director of the agency shall serve as
2567 the state's chief information officer and shall be appointed by
2568 the Governor, subject to confirmation by the Senate.

2569 (b) The executive director must be a proven, effective
2570 administrator who preferably has executive-level experience in
2571 both the public and private sectors in development and
2572 implementation of information technology strategic planning;
2573 management of enterprise information technology projects,
2574 particularly management of large-scale consolidation projects;
2575 and development and implementation of fiscal and substantive
2576 information technology policy.

2577 ~~(2) The following positions are established within the~~
2578 ~~agency, all of whom shall be appointed by the executive~~
2579 ~~director:~~

2580 ~~(a) Deputy executive director, who shall serve as the~~
2581 ~~deputy chief information officer.~~

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2582 ~~(b) Chief planning officer and six strategic planning~~
2583 ~~coordinators. One coordinator shall be assigned to each of the~~
2584 ~~following major program areas: health and human services,~~
2585 ~~education, government operations, criminal and civil justice,~~
2586 ~~agriculture and natural resources, and transportation and~~
2587 ~~economic development.~~

2588 ~~(c) Chief operations officer.~~

2589 ~~(d) Chief information security officer.~~

2590 ~~(e) Chief technology officer.~~

2591 (2)~~(3)~~ The Technology Advisory Council, consisting of seven
2592 members, is established within the Agency for State Technology
2593 and shall be maintained pursuant to s. 20.052. Four members of
2594 the council shall be appointed by the Governor, two of whom must
2595 be from the private sector and one of whom must be a
2596 cybersecurity expert. The President of the Senate and the
2597 Speaker of the House of Representatives shall each appoint one
2598 member of the council. The Attorney General, the Commissioner of
2599 Agriculture and Consumer Services, and the Chief Financial
2600 Officer shall jointly appoint one member by agreement of a
2601 majority of these officers. Upon initial establishment of the
2602 council, two of the Governor's appointments shall be for 2-year
2603 terms. Thereafter, all appointments shall be for 4-year terms.

2604 (a) The council shall consider and make recommendations to
2605 the executive director on such matters as enterprise information
2606 technology policies, standards, services, and architecture. The
2607 council may also identify and recommend opportunities for the
2608 establishment of public-private partnerships when considering
2609 technology infrastructure and services in order to accelerate
2610 project delivery and provide a source of new or increased

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2611 project funding.

2612 (b) The executive director shall consult with the council
2613 with regard to executing the duties and responsibilities of the
2614 agency related to statewide information technology strategic
2615 planning and policy.

2616 (c) The council shall be governed by the Code of Ethics for
2617 Public Officers and Employees as set forth in part III of
2618 chapter 112, and each member must file a statement of financial
2619 interests pursuant to s. 112.3145.

2620 Section 77. The amendment to s. 20.61, Florida Statutes, by
2621 this act expires July 1, 2020, and the text of that section
2622 shall revert to that in existence on June 30, 2018, except that
2623 any amendments to such text enacted other than by this act shall
2624 be preserved and continue to operate to the extent that such
2625 amendments are not dependent upon the portions of text which
2626 expire pursuant to this section.

2627 Section 78. In order to implement Specific Appropriations
2628 3008A through 3008AA of the 2019-2020 General Appropriations
2629 Act, and notwithstanding the expiration date in section 61 of
2630 chapter 2018-10, Laws of Florida, subsections (5), (20), and
2631 (28) of section 282.0041, Florida Statutes, are reenacted to
2632 read:

2633 282.0041 Definitions.—As used in this chapter, the term:

2634 (5) "Customer entity" means an entity that obtains services
2635 from the Agency for State Technology.

2636 (20) "Service-level agreement" means a written contract
2637 between the Agency for State Technology and a customer entity
2638 which specifies the scope of services provided, service level,
2639 the duration of the agreement, the responsible parties, and

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2640 agency assessment costs, which include administrative and data
2641 center costs. A service-level agreement is not a rule pursuant
2642 to chapter 120.

2643 (28) "Agency assessment" means the amount each customer
2644 entity must pay annually for services from the Agency for State
2645 Technology and includes administrative and data center services
2646 costs.

2647 Section 79. In order to implement Specific Appropriations
2648 3008I through 3008AA of the 2019-2020 General Appropriations
2649 Act, and notwithstanding the expiration date in section 61 of
2650 chapter 2018-10, Laws of Florida, subsection (11) of section
2651 282.0051, Florida Statutes, is reenacted to read:

2652 282.0051 Agency for State Technology; powers, duties, and
2653 functions.—The Agency for State Technology shall have the
2654 following powers, duties, and functions:

2655 (11) Provide operational management and oversight of the
2656 state data center established pursuant to s. 282.201, which
2657 includes:

2658 (a) Implementing industry standards and best practices for
2659 the state data center's facilities, operations, maintenance,
2660 planning, and management processes.

2661 (b) Developing and implementing appropriate operating
2662 guidelines and procedures necessary for the state data center to
2663 perform its duties pursuant to s. 282.201. The guidelines and
2664 procedures must comply with applicable state and federal laws,
2665 regulations, and policies and conform to generally accepted
2666 governmental accounting and auditing standards. The guidelines
2667 and procedures must include, but not be limited to:

2668 1. Implementing a consolidated administrative support

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2669 structure responsible for providing procurement, transactions
2670 involving real or personal property, human resources, and
2671 operational support.

2672 2. Standardizing and consolidating procurement and
2673 contracting practices.

2674 (c) In collaboration with the Department of Law
2675 Enforcement, developing and implementing a process for
2676 detecting, reporting, and responding to information technology
2677 security incidents, breaches, and threats.

2678 (d) Adopting rules relating to the operation of the state
2679 data center.

2680 (e) Beginning May 1, 2016, and annually thereafter,
2681 conducting a market analysis to determine whether the state's
2682 approach to the provision of data center services is the most
2683 effective and efficient manner by which its customer entities
2684 can acquire such services, based on federal, state, and local
2685 government trends; best practices in service provision; and the
2686 acquisition of new and emerging technologies. The results of the
2687 market analysis shall assist the state data center in making
2688 adjustments to its data center service offerings.

2689 Section 80. In order to implement Specific Appropriation
2690 3008F of the 2019-2020 General Appropriations Act, and
2691 notwithstanding the expiration date in section 61 of chapter
2692 2018-10, Laws of Florida, paragraph (d) of subsection (2) of
2693 section 282.201, Florida Statutes, is reenacted to read:

2694 282.201 State data center.—The state data center is
2695 established within the Agency for State Technology and shall
2696 provide data center services that are hosted on premises or
2697 externally through a third-party provider as an enterprise

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2698 information technology service. The provision of data center
2699 services must comply with applicable state and federal laws,
2700 regulations, and policies, including all applicable security,
2701 privacy, and auditing requirements.

2702 (2) STATE DATA CENTER DUTIES.—The state data center shall:

2703 (d) Enter into a service-level agreement with each customer
2704 entity to provide the required type and level of service or
2705 services. If a customer entity fails to execute an agreement
2706 within 60 days after commencement of a service, the state data
2707 center may cease service. A service-level agreement may not have
2708 a term exceeding 3 years and at a minimum must:

2709 1. Identify the parties and their roles, duties, and
2710 responsibilities under the agreement.

2711 2. State the duration of the contract term and specify the
2712 conditions for renewal.

2713 3. Identify the scope of work.

2714 4. Identify the products or services to be delivered with
2715 sufficient specificity to permit an external financial or
2716 performance audit.

2717 5. Establish the services to be provided, the business
2718 standards that must be met for each service, the cost of each
2719 service, and the metrics and processes by which the business
2720 standards for each service are to be objectively measured and
2721 reported.

2722 6. Provide a procedure for modifying the service-level
2723 agreement based on changes in the type, level, and cost of a
2724 service.

2725 7. Include a right-to-audit clause to ensure that the
2726 parties to the agreement have access to records for audit

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2727 purposes during the term of the service-level agreement.

2728 8. Provide that a service-level agreement may be terminated
2729 by either party for cause only after giving the other party and
2730 the Agency for State Technology notice in writing of the cause
2731 for termination and an opportunity for the other party to
2732 resolve the identified cause within a reasonable period.

2733 9. Provide for mediation of disputes by the Division of
2734 Administrative Hearings pursuant to s. 120.573.

2735 Section 81. The text of s. 282.0041(5), (20), and (28),
2736 Florida Statutes; s. 282.0051(11), Florida Statutes; and s.
2737 282.201(2)(d), Florida Statutes, as carried forward from chapter
2738 2018-10, Laws of Florida, by this act, expire July 1, 2020, and
2739 the text of those subsections and paragraph, as applicable,
2740 shall revert to that in existence on June 30, 2018, except that
2741 any amendments to such text enacted other than by this act shall
2742 be preserved and continue to operate to the extent that such
2743 amendments are not dependent upon the portions of text which
2744 expire pursuant to this section.

2745 Section 82. If legislation substantially similar to the
2746 amendments made in this act to ss. 20.22, 20.255, 20.61,
2747 282.0041, 282.0051, and 282.201, Florida Statutes, as contained
2748 in SB 1570, HB 5301, or similar legislation, is passed during
2749 the 2019 Regular Session of the Legislature or an extension
2750 thereof and becomes a law, then the provisions of sections 73,
2751 74, 75, 76, 77, 78, 79, 80, and 81 of this act shall not take
2752 effect.

2753 Section 83. In order to implement Specific Appropriations
2754 1654 through 1656 of the 2019-2020 General Appropriations Act,
2755 paragraph (d) of subsection (11) of section 216.181, Florida

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2756 Statutes, is amended to read:

2757 216.181 Approved budgets for operations and fixed capital
2758 outlay.—

2759 (11)

2760 (d) Notwithstanding paragraph (b) and paragraph (2)(b), and
2761 for the 2019-2020 ~~2018-2019~~ fiscal year only, the Legislative
2762 Budget Commission may increase the amounts appropriated to the
2763 Fish and Wildlife Conservation Commission or the Department of
2764 Environmental Protection for fixed capital outlay projects,
2765 including additional fixed capital outlay projects, using funds
2766 provided to the state from the Gulf Environmental Benefit Fund
2767 administered by the National Fish and Wildlife Foundation; funds
2768 provided to the state from the Gulf Coast Restoration Trust Fund
2769 related to the Resources and Ecosystems Sustainability, Tourist
2770 Opportunities, and Revived Economies of the Gulf Coast Act of
2771 2012 (RESTORE Act); or funds provided by the British Petroleum
2772 Corporation (BP) for natural resource damage assessment
2773 restoration projects. Concurrent with submission of an amendment
2774 to the Legislative Budget Commission pursuant to this paragraph,
2775 any project that carries a continuing commitment for future
2776 appropriations by the Legislature must be specifically
2777 identified, together with the projected amount of the future
2778 commitment associated with the project and the fiscal years in
2779 which the commitment is expected to commence. This paragraph
2780 expires July 1, 2020 ~~2019~~.

2781

2782 The provisions of this subsection are subject to the notice and
2783 objection procedures set forth in s. 216.177.

2784 Section 84. In order to implement specific appropriations

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2785 from the land acquisition trust funds within the Department of
2786 Agriculture and Consumer Services, the Department of
2787 Environmental Protection, the Department of State, and the Fish
2788 and Wildlife Conservation Commission, which are contained in the
2789 2019-2020 General Appropriations Act, subsection (3) of section
2790 215.18, Florida Statutes, is amended to read:

2791 215.18 Transfers between funds; limitation.—

2792 (3) Notwithstanding subsection (1) and only with respect to
2793 a land acquisition trust fund in the Department of Agriculture
2794 and Consumer Services, the Department of Environmental
2795 Protection, the Department of State, or the Fish and Wildlife
2796 Conservation Commission, whenever there is a deficiency in a
2797 land acquisition trust fund which would render that trust fund
2798 temporarily insufficient to meet its just requirements,
2799 including the timely payment of appropriations from that trust
2800 fund, and other trust funds in the State Treasury have moneys
2801 that are for the time being or otherwise in excess of the
2802 amounts necessary to meet the just requirements, including
2803 appropriated obligations, of those other trust funds, the
2804 Governor may order a temporary transfer of moneys from one or
2805 more of the other trust funds to a land acquisition trust fund
2806 in the Department of Agriculture and Consumer Services, the
2807 Department of Environmental Protection, the Department of State,
2808 or the Fish and Wildlife Conservation Commission. Any action
2809 proposed pursuant to this subsection is subject to the notice,
2810 review, and objection procedures of s. 216.177, and the Governor
2811 shall provide notice of such action at least 7 days before the
2812 effective date of the transfer of trust funds, except that
2813 during July 2019 ~~2018~~, notice of such action shall be provided

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2814 at least 3 days before the effective date of a transfer unless
2815 such 3-day notice is waived by the chair and vice-chair of the
2816 Legislative Budget Commission. Any transfer of trust funds to a
2817 land acquisition trust fund in the Department of Agriculture and
2818 Consumer Services, the Department of Environmental Protection,
2819 the Department of State, or the Fish and Wildlife Conservation
2820 Commission must be repaid to the trust funds from which the
2821 moneys were loaned by the end of the 2019-2020 ~~2018-2019~~ fiscal
2822 year. The Legislature has determined that the repayment of the
2823 other trust fund moneys temporarily loaned to a land acquisition
2824 trust fund in the Department of Agriculture and Consumer
2825 Services, the Department of Environmental Protection, the
2826 Department of State, or the Fish and Wildlife Conservation
2827 Commission pursuant to this subsection is an allowable use of
2828 the moneys in a land acquisition trust fund because the moneys
2829 from other trust funds temporarily loaned to a land acquisition
2830 trust fund shall be expended solely and exclusively in
2831 accordance with s. 28, Art. X of the State Constitution. This
2832 subsection expires July 1, 2020 ~~2019~~.

2833 Section 85. (1) In order to implement specific
2834 appropriations from the land acquisition trust funds within the
2835 Department of Agriculture and Consumer Services, the Department
2836 of Environmental Protection, the Department of State, and the
2837 Fish and Wildlife Conservation Commission, which are contained
2838 in the 2019-2020 General Appropriations Act, the Department of
2839 Environmental Protection shall transfer revenues from the Land
2840 Acquisition Trust Fund within the department to the land
2841 acquisition trust funds within the Department of Agriculture and
2842 Consumer Services, the Department of State, and the Fish and

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2843 Wildlife Conservation Commission, as provided in this section.
2844 As used in this section, the term "department" means the
2845 Department of Environmental Protection.

2846 (2) After subtracting any required debt service payments,
2847 the proportionate share of revenues to be transferred to each
2848 land acquisition trust fund shall be calculated by dividing the
2849 appropriations from each of the land acquisition trust funds for
2850 the fiscal year by the total appropriations from the Land
2851 Acquisition Trust Fund within the department and the land
2852 acquisition trust funds within the Department of Agriculture and
2853 Consumer Services, the Department of State, and the Fish and
2854 Wildlife Conservation Commission for the fiscal year. The
2855 department shall transfer the proportionate share of the
2856 revenues in the Land Acquisition Trust Fund within the
2857 department on a monthly basis to the appropriate land
2858 acquisition trust funds within the Department of Agriculture and
2859 Consumer Services, the Department of State, and the Fish and
2860 Wildlife Conservation Commission and shall retain its
2861 proportionate share of the revenues in the Land Acquisition
2862 Trust Fund within the department. Total distributions to a land
2863 acquisition trust fund within the Department of Agriculture and
2864 Consumer Services, the Department of State, and the Fish and
2865 Wildlife Conservation Commission may not exceed the total
2866 appropriations from such trust fund for the fiscal year.

2867 (3) In addition, the department shall transfer from the
2868 Land Acquisition Trust Fund to land acquisition trust funds
2869 within the Department of Agriculture and Consumer Services, the
2870 Department of State, and the Fish and Wildlife Conservation
2871 Commission amounts equal to the difference between the amounts

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2872 appropriated in chapter 2018-9, Laws of Florida, to the
2873 department's Land Acquisition Trust Fund and the other land
2874 acquisition trust funds, and the amounts actually transferred
2875 between those trust funds during the 2018-2019 fiscal year.

2876 (4) The department may advance funds from the beginning
2877 unobligated fund balance in the Land Acquisition Trust Fund to
2878 the Land Acquisition Trust Fund within the Fish and Wildlife
2879 Conservation Commission needed for cash flow purposes based on a
2880 detailed expenditure plan. The department shall prorate amounts
2881 transferred quarterly to the Fish and Wildlife Conservation
2882 Commission to recoup the amount of funds advanced by June 30,
2883 2020.

2884 (5) This section expires July 1, 2020.

2885 Section 86. In order to implement appropriations from the
2886 Land Acquisition Trust Fund within the Department of
2887 Environmental Protection, paragraph (b) of subsection (3) of
2888 section 375.041, Florida Statutes, is amended to read:

2889 375.041 Land Acquisition Trust Fund.—

2890 (3) Funds distributed into the Land Acquisition Trust Fund
2891 pursuant to s. 201.15 shall be applied:

2892 (b) Of the funds remaining after the payments required
2893 under paragraph (a), but before funds may be appropriated,
2894 pledged, or dedicated for other uses:

2895 1. A minimum of the lesser of 25 percent or \$200 million
2896 shall be appropriated annually for Everglades projects that
2897 implement the Comprehensive Everglades Restoration Plan as set
2898 forth in s. 373.470, including the Central Everglades Planning
2899 Project subject to Congressional authorization; the Long-Term
2900 Plan as defined in s. 373.4592(2); and the Northern Everglades

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2901 and Estuaries Protection Program as set forth in s. 373.4595.
2902 From these funds, \$32 million shall be distributed each fiscal
2903 year through the 2023-2024 fiscal year to the South Florida
2904 Water Management District for the Long-Term Plan as defined in
2905 s. 373.4592(2). After deducting the \$32 million distributed
2906 under this subparagraph, from the funds remaining, a minimum of
2907 the lesser of 76.5 percent or \$100 million shall be appropriated
2908 each fiscal year through the 2025-2026 fiscal year for the
2909 planning, design, engineering, and construction of the
2910 Comprehensive Everglades Restoration Plan as set forth in s.
2911 373.470, including the Central Everglades Planning Project, the
2912 Everglades Agricultural Area Storage Reservoir Project, the Lake
2913 Okeechobee Watershed Project, the C-43 West Basin Storage
2914 Reservoir Project, the Indian River Lagoon-South Project, the
2915 Western Everglades Restoration Project, and the Picayune Strand
2916 Restoration Project. The Department of Environmental Protection
2917 and the South Florida Water Management District shall give
2918 preference to those Everglades restoration projects that reduce
2919 harmful discharges of water from Lake Okeechobee to the St.
2920 Lucie or Caloosahatchee estuaries in a timely manner. For the
2921 purpose of performing the calculation provided in this
2922 subparagraph, the amount of debt service paid pursuant to
2923 paragraph (a) for bonds issued after July 1, 2016, for the
2924 purposes set forth under paragraph (b) shall be added to the
2925 amount remaining after the payments required under paragraph
2926 (a). The amount of the distribution calculated shall then be
2927 reduced by an amount equal to the debt service paid pursuant to
2928 paragraph (a) on bonds issued after July 1, 2016, for the
2929 purposes set forth under this subparagraph.

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2930 2. A minimum of the lesser of 7.6 percent or \$50 million
2931 shall be appropriated annually for spring restoration,
2932 protection, and management projects. For the purpose of
2933 performing the calculation provided in this subparagraph, the
2934 amount of debt service paid pursuant to paragraph (a) for bonds
2935 issued after July 1, 2016, for the purposes set forth under
2936 paragraph (b) shall be added to the amount remaining after the
2937 payments required under paragraph (a). The amount of the
2938 distribution calculated shall then be reduced by an amount equal
2939 to the debt service paid pursuant to paragraph (a) on bonds
2940 issued after July 1, 2016, for the purposes set forth under this
2941 subparagraph.

2942 3. The sum of \$5 million shall be appropriated annually
2943 each fiscal year through the 2025-2026 fiscal year to the St.
2944 Johns River Water Management District for projects dedicated to
2945 the restoration of Lake Apopka. This distribution shall be
2946 reduced by an amount equal to the debt service paid pursuant to
2947 paragraph (a) on bonds issued after July 1, 2016, for the
2948 purposes set forth in this subparagraph.

2949 4. The sum of \$64 million is appropriated and shall be
2950 transferred to the Everglades Trust Fund for the 2018-2019
2951 fiscal year, and each fiscal year thereafter, for the EAA
2952 reservoir project pursuant to s. 373.4598. Any funds remaining
2953 in any fiscal year shall be made available only for Phase II of
2954 the C-51 reservoir project or projects identified in
2955 subparagraph 1. and must be used in accordance with laws
2956 relating to such projects. Any funds made available for such
2957 purposes in a fiscal year are in addition to the amount
2958 appropriated under subparagraph 1. This distribution shall be

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2959 reduced by an amount equal to the debt service paid pursuant to
2960 paragraph (a) on bonds issued after July 1, 2017, for the
2961 purposes set forth in this subparagraph.

2962 5. Notwithstanding subparagraph 3., for the 2019-2020 ~~2018-~~
2963 ~~2019~~ fiscal year, funds shall be appropriated as provided in the
2964 General Appropriations Act. This subparagraph expires July 1,
2965 2020 ~~2019~~.

2966 Section 87. In order to implement Specific Appropriation
2967 1781 of the 2019-2020 General Appropriations Act, paragraph (e)
2968 of subsection (11) of section 216.181, Florida Statutes, is
2969 amended to read:

2970 216.181 Approved budgets for operations and fixed capital
2971 outlay.—

2972 (11)

2973 (e) Notwithstanding paragraph (b) and paragraph (2)(b), and
2974 for the 2019-2020 ~~2018-2019~~ fiscal year only, the Legislative
2975 Budget Commission may increase the amounts appropriated to the
2976 Department of Environmental Protection for fixed capital outlay
2977 projects using funds provided to the state from the
2978 environmental mitigation trust administered by a trustee
2979 designated by the United States District Court for the Northern
2980 District of California for eligible mitigation actions and
2981 mitigation action expenditures described in the partial consent
2982 decree entered into between the United States of America and
2983 Volkswagen relating to violations of the Clean Air Act.
2984 Concurrent with submission of an amendment to the Legislative
2985 Budget Commission pursuant to this paragraph, any project that
2986 carries a continuing commitment for future appropriations by the
2987 Legislature must be specifically identified, together with the

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2988 projected amount of the future commitment associated with the
2989 project and the fiscal years in which the commitment is expected
2990 to commence. This paragraph expires July 1, 2020 ~~2019~~.

2991
2992 The provisions of this subsection are subject to the notice and
2993 objection procedures set forth in s. 216.177.

2994 Section 88. In order to implement Specific Appropriation
2995 1542 of the 2019-2020 General Appropriations Act, and
2996 notwithstanding ss. 216.181 and 216.292, Florida Statutes, the
2997 Department of Agriculture and Consumer Services may submit a
2998 budget amendment, subject to the notice, review, and objection
2999 procedures of s. 216.177, Florida Statutes, to increase budget
3000 authority for the National School Lunch Program when necessary.
3001 This section expires July 1, 2020.

3002 Section 89. Effective upon becoming a law and in order to
3003 implement Specific Appropriation 1464 through 1473 of the 2019-
3004 2020 General Appropriations Act, subsection (4) of section
3005 570.441, Florida Statutes, is amended to read:

3006 570.441 Pest Control Trust Fund.—

3007 (4) In addition to the uses authorized under subsection
3008 (2), moneys collected or received by the department under
3009 chapter 482 may be used to carry out the provisions of s.
3010 570.44. This subsection expires June 30, 2020 ~~2019~~.

3011 Section 90. In order to implement Specific Appropriation
3012 1401 of the 2019-2020 General Appropriations Act, paragraph (a)
3013 of subsection (1) of section 570.93, Florida Statutes, is
3014 amended to read:

3015 570.93 Department of Agriculture and Consumer Services;
3016 agricultural water conservation and agricultural water supply

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3017 planning.—

3018 (1) The department shall establish an agricultural water
3019 conservation program that includes the following:

3020 (a) A cost-share program, coordinated ~~where appropriate~~
3021 with the United States Department of Agriculture and other
3022 federal, state, regional, and local agencies when appropriate,
3023 for irrigation system retrofit and application of mobile
3024 irrigation laboratory evaluations, and for water conservation
3025 and as provided in this section and, where applicable, for water
3026 quality improvement pursuant to s. 403.067(7)(c).

3027 Section 91. The amendment to s. 570.93(1)(a), Florida
3028 Statutes, by this act expires July 1, 2020, and the text of that
3029 paragraph shall revert to that in existence on June 30, 2019,
3030 except that any amendments to such text enacted other than by
3031 this act shall be preserved and continue to operate to the
3032 extent that such amendments are not dependent upon the portions
3033 of text which expire pursuant to this section.

3034 Section 92. In order to implement Specific Appropriations
3035 1474 through 1481 of the 2019-2020 General Appropriations Act,
3036 subsection (1) of section 525.07, Florida Statutes, is amended
3037 to read:

3038 525.07 Powers and duties of department; inspections;
3039 unlawful acts.—

3040 (1) The department shall inspect all measuring devices used
3041 in selling or distributing petroleum fuel at wholesale and
3042 retail. The department may affix a sticker to each petroleum
3043 measuring device. Using only a combination of lettering,
3044 numbering, words, or the department logo, the sticker must
3045 signify that the device has been inspected by the department and

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3046 that the device owner is responsible for its proper use and
3047 maintenance.

3048 Section 93. The amendment to s. 525.07(1), Florida
3049 Statutes, by this act expires July 1, 2020, and the text of that
3050 subsection shall revert to that in existence on June 30, 2019,
3051 except that any amendments to such text enacted other than by
3052 this act shall be preserved and continue to operate to the
3053 extent that such amendments are not dependent upon the portions
3054 of text which expire pursuant to this section.

3055 Section 94. In order to implement Specific Appropriation
3056 1607 of the 2019-2020 General Appropriations Act, paragraph (m)
3057 of subsection (3) of section 259.105, Florida Statutes, is
3058 amended to read:

3059 259.105 The Florida Forever Act.—

3060 (3) Less the costs of issuing and the costs of funding
3061 reserve accounts and other costs associated with bonds, the
3062 proceeds of cash payments or bonds issued pursuant to this
3063 section shall be deposited into the Florida Forever Trust Fund
3064 created by s. 259.1051. The proceeds shall be distributed by the
3065 Department of Environmental Protection in the following manner:

3066 (m) Notwithstanding paragraphs (a)-(j) and for the 2019-
3067 2020 ~~2018-2019~~ fiscal year, only:

3068 ~~1.~~ 1. the amount of \$33 million ~~\$77 million~~ to only the
3069 Division of State Lands within the Department of Environmental
3070 Protection for the Board of Trustees Florida Forever Priority
3071 List land acquisition projects. This paragraph expires July 1,
3072 2020.

3073 ~~2. The amount of \$10 million to the Department of~~
3074 ~~Environmental Protection for use by the Florida Communities~~

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3075 ~~Trust for the purposes of part III of chapter 380, as described~~
3076 ~~and limited by this subsection, and grants to local governments~~
3077 ~~or nonprofit environmental organizations that are tax-exempt~~
3078 ~~under s. 501(c)(3) of the United States Internal Revenue Code~~
3079 ~~for the acquisition of community-based projects, urban open~~
3080 ~~spaces, parks, and greenways to implement local government~~
3081 ~~comprehensive plans. From funds available to the trust and used~~
3082 ~~for land acquisition, 75 percent shall be matched by local~~
3083 ~~governments on a dollar-for-dollar basis. The Legislature~~
3084 ~~intends that the Florida Communities Trust emphasize funding~~
3085 ~~projects in low-income or otherwise disadvantaged communities~~
3086 ~~and projects that provide areas for direct water access and~~
3087 ~~water-dependent facilities that are open to the public and offer~~
3088 ~~public access by vessels to waters of the state, including boat~~
3089 ~~ramps and associated parking and other support facilities. At~~
3090 ~~least 30 percent of the total allocation provided to the trust~~
3091 ~~shall be used in Standard Metropolitan Statistical Areas, but~~
3092 ~~one-half of that amount shall be used in localities in which the~~
3093 ~~project site is located in built-up commercial, industrial, or~~
3094 ~~mixed-use areas and functions to intersperse open spaces within~~
3095 ~~congested urban core areas. From funds allocated to the trust,~~
3096 ~~no less than 5 percent shall be used to acquire lands for~~
3097 ~~recreational trail systems, provided that in the event these~~
3098 ~~funds are not needed for such projects, they will be available~~
3099 ~~for other trust projects. Local governments may use federal~~
3100 ~~grants or loans, private donations, or environmental mitigation~~
3101 ~~funds for any part or all of any local match required for~~
3102 ~~acquisitions funded through the Florida Communities Trust. Any~~
3103 ~~lands purchased by nonprofit organizations using funds allocated~~

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3104 ~~under this paragraph must provide for such lands to remain~~
3105 ~~permanently in public use through a reversion of title to local~~
3106 ~~or state government, conservation easement, or other appropriate~~
3107 ~~mechanism. Projects funded with funds allocated to the trust~~
3108 ~~shall be selected in a competitive process measured against~~
3109 ~~criteria adopted in rule by the trust.~~

3110 ~~3. The sum of \$2 million to the Department of Environmental~~
3111 ~~Protection for the acquisition of land and capital project~~
3112 ~~expenditures necessary to implement the Stan Mayfield Working~~
3113 ~~Waterfronts Program within the Florida Communities Trust~~
3114 ~~pursuant to s. 380.5105.~~

3115 ~~4. The sum of \$2 million to the Department of Environmental~~
3116 ~~Protection for grants pursuant to s. 375.075(1)-(4).~~

3117
3118 ~~This paragraph expires July 1, 2019.~~

3119 Section 95. In order to implement Specific Appropriation
3120 2682 of the 2019-2020 General Appropriations Act, paragraph (b)
3121 of subsection (3) and subsection (5) of section 321.04, Florida
3122 Statutes, are amended to read:

3123 321.04 Personnel of the highway patrol; rank
3124 classifications; probationary status of new patrol officers;
3125 subsistence; special assignments.-

3126 (3)

3127 (b) For the 2019-2020 ~~2018-2019~~ fiscal year only, upon the
3128 request of the Governor, the Department of Highway Safety and
3129 Motor Vehicles shall assign one or more patrol officers to the
3130 office of the patrol officer shall be assigned to the Lieutenant
3131 Governor for security services. This paragraph expires July 1,
3132 2020 ~~2019~~.

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3133 (5) For the 2019-2020 ~~2018-2019~~ fiscal year only, the
3134 assignment of a patrol officer by the department shall include a
3135 Cabinet member specified in s. 4, Art. IV of the State
3136 Constitution if deemed appropriate by the department or in
3137 response to a threat and upon written request of such Cabinet
3138 member. This subsection expires July 1, 2020 ~~2019~~.

3139 Section 96. In order to implement Specific Appropriations
3140 2316 and 2316A of the 2019-2020 General Appropriations Act,
3141 subsection (3) of section 420.9079, Florida Statutes, is amended
3142 to read:

3143 420.9079 Local Government Housing Trust Fund.—

3144 (3) For the 2019-2020 ~~2018-2019~~ fiscal year, funds may be
3145 used as provided in the General Appropriations Act. This
3146 subsection expires July 1, 2020 ~~2019~~.

3147 Section 97. In order to implement Specific Appropriations
3148 2315 and 2316A of the 2019-2020 General Appropriations Act,
3149 subsection (2) of section 420.0005, Florida Statutes, is amended
3150 to read:

3151 420.0005 State Housing Trust Fund; State Housing Fund.—

3152 (2) For the 2019-2020 ~~2018-2019~~ fiscal year, funds may be
3153 used as provided in the General Appropriations Act. This
3154 subsection expires July 1, 2020 ~~2019~~.

3155 Section 98. In order to implement Specific Appropriation
3156 2314 of the 2019-2020 General Appropriations Act, subsection (6)
3157 is added to section 288.0655, Florida Statutes, to read:

3158 288.0655 Rural Infrastructure Fund.—

3159 (6) For the 2019-2020 fiscal year, the funds appropriated
3160 for the grant program for Florida Panhandle counties shall be
3161 distributed pursuant to and for the purposes described in the

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3162 proviso language associated with Specific Appropriation 2314 of
3163 the 2019-2020 General Appropriations Act. This subsection
3164 expires July 1, 2020.

3165 Section 99. In order to implement Specific Appropriation
3166 2328 of the 2019-2020 General Appropriations Act, subsection
3167 (14) of section 288.1226, Florida Statutes, is amended to read:
3168 288.1226 Florida Tourism Industry Marketing Corporation;
3169 use of property; board of directors; duties; audit.-

3170 (14) REPEAL.-This section is repealed July 1, 2020 ~~October~~
3171 ~~1, 2019~~, unless reviewed and saved from repeal by the
3172 Legislature.

3173 Section 100. In order to implement Specific Appropriation
3174 2328 of the 2019-2020 General Appropriations Act, subsection (6)
3175 of section 288.923, Florida Statutes, is amended to read:

3176 288.923 Division of Tourism Marketing; definitions;
3177 responsibilities.-

3178 (6) This section is repealed July 1, 2020 ~~October 1, 2019~~,
3179 unless reviewed and saved from repeal by the Legislature.

3180 Section 101. In order to implement Specific Appropriations
3181 1939 through 1952, 1958 through 1961, 1974 through 1982, 1984
3182 through 1993, and 2033 through 2045 of the 2019-2020 General
3183 Appropriations Act, paragraph (g) of subsection (7) of section
3184 339.135, Florida Statutes, is amended to read:

3185 339.135 Work program; legislative budget request;
3186 definitions; preparation, adoption, execution, and amendment.-

3187 (7) AMENDMENT OF THE ADOPTED WORK PROGRAM.-

3188 (g)1. Any work program amendment which also requires the
3189 transfer of fixed capital outlay appropriations between
3190 categories within the department or the increase of an

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3191 appropriation category is subject to the approval of the
3192 Legislative Budget Commission.

3193 2. If a meeting of the Legislative Budget Commission cannot
3194 be held within 30 days after the department submits an amendment
3195 to the Legislative Budget Commission, the chair and vice chair
3196 of the Legislative Budget Commission may authorize such
3197 amendment to be approved pursuant to s. 216.177. This
3198 subparagraph expires July 1, 2020.

3199 Section 102. In order to implement Specific Appropriation
3200 1975 of the 2019-2020 General Appropriations Act, subsection (8)
3201 is added to section 339.2818, Florida Statutes, to read:

3202 339.2818 Small County Outreach Program.—

3203 (8) Subject to a specific appropriation in addition to
3204 funds annually appropriated for projects under this section, a
3205 county or a municipality that is within a county designated in
3206 the Federal Emergency Management Agency disaster declaration DR-
3207 4399 may compete for the additional project funding using the
3208 criteria listed in subsection (4) at up to 100 percent of
3209 project costs to repair damage due to Hurricane Michael,
3210 excluding capacity improvement projects. This subsection expires
3211 July 1, 2020.

3212 Section 103. In order to implement Specific Appropriation
3213 2624 of the 2019-2020 General Appropriations Act, paragraph (d)
3214 is added to subsection (4) of section 112.061, Florida Statutes,
3215 to read:

3216 112.061 Per diem and travel expenses of public officers,
3217 employees, and authorized persons.—

3218 (4) OFFICIAL HEADQUARTERS.—The official headquarters of an
3219 officer or employee assigned to an office shall be the city or

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3220 town in which the office is located except that:

3221 (d) A Lieutenant Governor who permanently resides outside
3222 of Leon County, may, if he or she so requests, have an
3223 appropriate facility in his or her county designated as his or
3224 her official headquarters for purposes of this section. This
3225 official headquarters may only serve as the Lieutenant
3226 Governor's personal office. The Lieutenant Governor may not use
3227 state funds to lease space in any facility for his or her
3228 official headquarters.

3229 1. A Lieutenant Governor for whom an official headquarters
3230 is established in his or her county of residence pursuant to
3231 this paragraph is eligible for subsistence at a rate to be
3232 established by the Governor for each day or partial day that the
3233 Lieutenant Governor is at the State Capitol to conduct official
3234 state business. In addition to the subsistence allowance, a
3235 Lieutenant Governor is eligible for reimbursement for
3236 transportation expenses as provided in subsection (7) for travel
3237 between the Lieutenant Governor's official headquarters and the
3238 State Capitol to conduct state business.

3239 2. Payment of subsistence and reimbursement for
3240 transportation between a Lieutenant Governor's official
3241 headquarters and the State Capitol shall be made to the extent
3242 appropriated funds are available, as determined by the Governor.

3243 3. This paragraph expires July 1, 2020.

3244 Section 104. In order to implement the salaries and
3245 benefits, expenses, other personal services, contracted
3246 services, special categories, and operating capital outlay
3247 categories of the 2019-2020 General Appropriations Act,
3248 paragraph (a) of subsection (2) of section 216.292, Florida

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3249 Statutes, is amended to read:

3250 216.292 Appropriations nontransferable; exceptions.—

3251 (2) The following transfers are authorized to be made by
3252 the head of each department or the Chief Justice of the Supreme
3253 Court whenever it is deemed necessary by reason of changed
3254 conditions:

3255 (a) The transfer of appropriations funded from identical
3256 funding sources, except appropriations for fixed capital outlay,
3257 and the transfer of amounts included within the total original
3258 approved budget and plans of releases of appropriations as
3259 furnished pursuant to ss. 216.181 and 216.192, as follows:

3260 1. Between categories of appropriations within a budget
3261 entity, if no category of appropriation is increased or
3262 decreased by more than 5 percent of the original approved budget
3263 or \$250,000, whichever is greater, by all action taken under
3264 this subsection.

3265 2. Between budget entities within identical categories of
3266 appropriations, if no category of appropriation is increased or
3267 decreased by more than 5 percent of the original approved budget
3268 or \$250,000, whichever is greater, by all action taken under
3269 this subsection.

3270 3. Any agency exceeding salary rate established pursuant to
3271 s. 216.181(8) on June 30th of any fiscal year shall not be
3272 authorized to make transfers pursuant to subparagraphs 1. and 2.
3273 in the subsequent fiscal year.

3274 4. Notice of proposed transfers under subparagraphs 1. and
3275 2. shall be provided to the Executive Office of the Governor and
3276 the chairs of the legislative appropriations committees at least
3277 3 days prior to agency implementation in order to provide an

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3278 opportunity for review. The review shall be limited to ensuring
3279 that the transfer is in compliance with the requirements of this
3280 paragraph.

3281 5. For the 2019-2020 ~~2018-2019~~ fiscal year, the review
3282 shall ensure that transfers proposed pursuant to this paragraph
3283 comply with this chapter, maximize the use of available and
3284 appropriate trust funds, and are not contrary to legislative
3285 policy and intent. This subparagraph expires July 1, 2020 ~~2019~~.

3286 Section 105. In order to implement section 8 of the 2019-
3287 2020 General Appropriations Act, notwithstanding s.
3288 110.123(3)(f) and (j), Florida Statutes, the Department of
3289 Management Services shall maintain and offer the same PPO and
3290 HMO health plan alternatives to the participants of the State
3291 Group Health Insurance Program during the 2019-2020 fiscal year
3292 which were in effect for the 2018-2019 fiscal year. This section
3293 expires July 1, 2020.

3294 Section 106. In order to implement the appropriation of
3295 funds in the special categories, contracted services, and
3296 expenses categories of the 2019-2020 General Appropriations Act,
3297 a state agency may not initiate a competitive solicitation for a
3298 product or service if the completion of such competitive
3299 solicitation would:

3300 (1) Require a change in law; or

3301 (2) Require a change to the agency's budget other than a
3302 transfer authorized in s. 216.292(2) or (3), Florida Statutes,
3303 unless the initiation of such competitive solicitation is
3304 specifically authorized in law, in the General Appropriations
3305 Act, or by the Legislative Budget Commission.

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3307 This section does not apply to a competitive solicitation for
3308 which the agency head certifies that a valid emergency exists.
3309 This section expires July 1, 2020.

3310 Section 107. In order to implement appropriations for
3311 salaries and benefits in the 2019-2020 General Appropriations
3312 Act, subsection (6) of section 112.24, Florida Statutes, is
3313 amended to read:

3314 112.24 Intergovernmental interchange of public employees.—
3315 To encourage economical and effective utilization of public
3316 employees in this state, the temporary assignment of employees
3317 among agencies of government, both state and local, and
3318 including school districts and public institutions of higher
3319 education is authorized under terms and conditions set forth in
3320 this section. State agencies, municipalities, and political
3321 subdivisions are authorized to enter into employee interchange
3322 agreements with other state agencies, the Federal Government,
3323 another state, a municipality, or a political subdivision
3324 including a school district, or with a public institution of
3325 higher education. State agencies are also authorized to enter
3326 into employee interchange agreements with private institutions
3327 of higher education and other nonprofit organizations under the
3328 terms and conditions provided in this section. In addition, the
3329 Governor or the Governor and Cabinet may enter into employee
3330 interchange agreements with a state agency, the Federal
3331 Government, another state, a municipality, or a political
3332 subdivision including a school district, or with a public
3333 institution of higher learning to fill, subject to the
3334 requirements of chapter 20, appointive offices which are within
3335 the executive branch of government and which are filled by

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3336 appointment by the Governor or the Governor and Cabinet. Under
3337 no circumstances shall employee interchange agreements be
3338 utilized for the purpose of assigning individuals to participate
3339 in political campaigns. Duties and responsibilities of
3340 interchange employees shall be limited to the mission and goals
3341 of the agencies of government.

3342 (6) For the 2019-2020 ~~2018-2019~~ fiscal year only, the
3343 assignment of an employee of a state agency as provided in this
3344 section may be made if recommended by the Governor or Chief
3345 Justice, as appropriate, and approved by the chairs of the
3346 legislative appropriations committees. Such actions shall be
3347 deemed approved if neither chair provides written notice of
3348 objection within 14 days after receiving notice of the action
3349 pursuant to s. 216.177. This subsection expires July 1, 2020
3350 ~~2019~~.

3351 Section 108. In order to implement Specific Appropriations
3352 2751 and 2752 of the 2019-2020 General Appropriations Act, and
3353 notwithstanding s. 11.13(1), Florida Statutes, the authorized
3354 salaries for members of the Legislature for the 2019-2020 fiscal
3355 year shall be set at the same level in effect on July 1, 2010.
3356 This section expires July 1, 2020.

3357 Section 109. In order to implement the transfer of funds to
3358 the General Revenue Fund from trust funds for the 2019-2020
3359 General Appropriations Act, and notwithstanding the expiration
3360 date in section 83 of chapter 2018-10, Laws of Florida,
3361 paragraph (b) of subsection (2) of section 215.32, Florida
3362 Statutes, is reenacted to read:

3363 215.32 State funds; segregation.—

3364 (2) The source and use of each of these funds shall be as

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3365 follows:

3366 (b)1. The trust funds shall consist of moneys received by
3367 the state which under law or under trust agreement are
3368 segregated for a purpose authorized by law. The state agency or
3369 branch of state government receiving or collecting such moneys
3370 is responsible for their proper expenditure as provided by law.
3371 Upon the request of the state agency or branch of state
3372 government responsible for the administration of the trust fund,
3373 the Chief Financial Officer may establish accounts within the
3374 trust fund at a level considered necessary for proper
3375 accountability. Once an account is established, the Chief
3376 Financial Officer may authorize payment from that account only
3377 upon determining that there is sufficient cash and releases at
3378 the level of the account.

3379 2. In addition to other trust funds created by law, to the
3380 extent possible, each agency shall use the following trust funds
3381 as described in this subparagraph for day-to-day operations:

3382 a. Operations or operating trust fund, for use as a
3383 depository for funds to be used for program operations funded by
3384 program revenues, with the exception of administrative
3385 activities when the operations or operating trust fund is a
3386 proprietary fund.

3387 b. Operations and maintenance trust fund, for use as a
3388 depository for client services funded by third-party payors.

3389 c. Administrative trust fund, for use as a depository for
3390 funds to be used for management activities that are departmental
3391 in nature and funded by indirect cost earnings and assessments
3392 against trust funds. Proprietary funds are excluded from the
3393 requirement of using an administrative trust fund.

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3394 d. Grants and donations trust fund, for use as a depository
3395 for funds to be used for allowable grant or donor agreement
3396 activities funded by restricted contractual revenue from private
3397 and public nonfederal sources.

3398 e. Agency working capital trust fund, for use as a
3399 depository for funds to be used pursuant to s. 216.272.

3400 f. Clearing funds trust fund, for use as a depository for
3401 funds to account for collections pending distribution to lawful
3402 recipients.

3403 g. Federal grant trust fund, for use as a depository for
3404 funds to be used for allowable grant activities funded by
3405 restricted program revenues from federal sources.

3406
3407 To the extent possible, each agency must adjust its internal
3408 accounting to use existing trust funds consistent with the
3409 requirements of this subparagraph. If an agency does not have
3410 trust funds listed in this subparagraph and cannot make such
3411 adjustment, the agency must recommend the creation of the
3412 necessary trust funds to the Legislature no later than the next
3413 scheduled review of the agency's trust funds pursuant to s.
3414 215.3206.

3415 3. All such moneys are hereby appropriated to be expended
3416 in accordance with the law or trust agreement under which they
3417 were received, subject always to the provisions of chapter 216
3418 relating to the appropriation of funds and to the applicable
3419 laws relating to the deposit or expenditure of moneys in the
3420 State Treasury.

3421 4.a. Notwithstanding any provision of law restricting the
3422 use of trust funds to specific purposes, unappropriated cash

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3423 balances from selected trust funds may be authorized by the
3424 Legislature for transfer to the Budget Stabilization Fund and
3425 General Revenue Fund in the General Appropriations Act.

3426 b. This subparagraph does not apply to trust funds required
3427 by federal programs or mandates; trust funds established for
3428 bond covenants, indentures, or resolutions whose revenues are
3429 legally pledged by the state or public body to meet debt service
3430 or other financial requirements of any debt obligations of the
3431 state or any public body; the Division of Licensing Trust Fund
3432 in the Department of Agriculture and Consumer Services; the
3433 State Transportation Trust Fund; the trust fund containing the
3434 net annual proceeds from the Florida Education Lotteries; the
3435 Florida Retirement System Trust Fund; trust funds under the
3436 management of the State Board of Education or the Board of
3437 Governors of the State University System, where such trust funds
3438 are for auxiliary enterprises, self-insurance, and contracts,
3439 grants, and donations, as those terms are defined by general
3440 law; trust funds that serve as clearing funds or accounts for
3441 the Chief Financial Officer or state agencies; trust funds that
3442 account for assets held by the state in a trustee capacity as an
3443 agent or fiduciary for individuals, private organizations, or
3444 other governmental units; and other trust funds authorized by
3445 the State Constitution.

3446 Section 110. The text of s. 215.32(2)(b), Florida Statutes,
3447 as carried forward from chapter 2011-47, Laws of Florida, by
3448 this act, expires July 1, 2020, and the text of that paragraph
3449 shall revert to that in existence on June 30, 2011, except that
3450 any amendments to such text enacted other than by this act shall
3451 be preserved and continue to operate to the extent that such

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3452 amendments are not dependent upon the portions of text which
3453 expire pursuant to this section.

3454 Section 111. In order to implement appropriations in the
3455 2019-2020 General Appropriations Act for state employee travel,
3456 the funds appropriated to each state agency which may be used
3457 for travel by state employees are limited during the 2019-2020
3458 fiscal year to travel for activities that are critical to each
3459 state agency's mission. Funds may not be used for travel by
3460 state employees to foreign countries, other states, conferences,
3461 staff training activities, or other administrative functions
3462 unless the agency head has approved, in writing, that such
3463 activities are critical to the agency's mission. The agency head
3464 shall consider using teleconferencing and other forms of
3465 electronic communication to meet the needs of the proposed
3466 activity before approving mission-critical travel. This section
3467 does not apply to travel for law enforcement purposes, military
3468 purposes, emergency management activities, or public health
3469 activities. This section expires July 1, 2020.

3470 Section 112. In order to implement appropriations in the
3471 2019-2020 General Appropriations Act for state employee travel
3472 and notwithstanding s. 112.061, Florida Statutes, costs for
3473 lodging associated with a meeting, conference, or convention
3474 organized or sponsored in whole or in part by a state agency or
3475 the judicial branch may not exceed \$150 per day. An employee may
3476 expend his or her own funds for any lodging expenses in excess
3477 of \$150 per day. For purposes of this section, a meeting does
3478 not include travel activities for conducting an audit,
3479 examination, inspection, or investigation or travel activities
3480 related to a litigation or emergency response. This section

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3481 expires July 1, 2020.

3482 Section 113. In order to implement the appropriation of
3483 funds in the special categories, contracted services, and
3484 expenses categories of the 2019-2020 General Appropriations Act,
3485 a state agency may not enter into a contract containing a
3486 nondisclosure clause that prohibits the contractor from
3487 disclosing information relevant to the performance of the
3488 contract to members or staff of the Senate or the House of
3489 Representatives. This section expires July 1, 2020.

3490 Section 114. Any section of this act which implements a
3491 specific appropriation or specifically identified proviso
3492 language in the 2019-2020 General Appropriations Act is void if
3493 the specific appropriation or specifically identified proviso
3494 language is vetoed. Any section of this act which implements
3495 more than one specific appropriation or more than one portion of
3496 specifically identified proviso language in the 2019-2020
3497 General Appropriations Act is void if all the specific
3498 appropriations or portions of specifically identified proviso
3499 language are vetoed.

3500 Section 115. If any other act passed during the 2019
3501 Regular Session of the Legislature contains a provision that is
3502 substantively the same as a provision in this act, but that
3503 removes or is otherwise not subject to the future repeal applied
3504 to such provision by this act, the Legislature intends that the
3505 provision in the other act takes precedence and continues to
3506 operate, notwithstanding the future repeal provided by this act.

3507 Section 116. If any provision of this act or its
3508 application to any person or circumstance is held invalid, the
3509 invalidity does not affect other provisions or applications of

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3510 the act which can be given effect without the invalid provision
3511 or application, and to this end the provisions of this act are
3512 severable.

3513 Section 117. Except as otherwise expressly provided in this
3514 act and except for this section, which shall take effect upon
3515 this act becoming a law, this act shall take effect July 1,
3516 2019; or, if this act fails to become a law until after that
3517 date, it shall take effect upon becoming a law and shall operate
3518 retroactively to July 1, 2019.