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LEGISLATIVE ACTION

Senate

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House

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Senator Bradley moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. It is the intent of the Legislature that the
implementing and administering provisions of this act apply to
the General Appropriations Act for the 2020-2021 fiscal year.

Section 2. In order to implement Specific Appropriations 8,
9, 10, 92, and 93 of the 2020-2021 General Appropriations Act,
the calculations of the Florida Education Finance Program for
the 2020-2021 fiscal year included in the document titled



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12 "Public School Funding: The Florida Education Finance Program,"
13 dated February 6, 2020, and filed with the Secretary of the
14 Senate, are incorporated by reference for the purpose of
15 displaying the calculations used by the Legislature, consistent
16 with the requirements of state law, in making appropriations for
17 the Florida Education Finance Program. This section expires July
18 1, 2021.

19 Section 3. In order to implement Specific Appropriations 8
20 and 92 of the 2020-2021 General Appropriations Act, and
21 notwithstanding ss. 1002.20, 1003.02, 1006.28-1006.42,
22 1011.62(6)(b)3., and 1011.67, Florida Statutes, relating to the
23 expenditure of funds provided for instructional materials, for
24 the 2020-2021 fiscal year, funds provided for instructional
25 materials shall be released and expended as required in the
26 proviso language for Specific Appropriation 92 of the 2020-2021
27 General Appropriations Act. This section expires July 1, 2021.

28 Section 4. In order to implement Specific Appropriations 8
29 and 92 of the 2020-2021 General Appropriations Act, subsections
30 (11), (17), and (18) of section 1011.62, Florida Statutes, are
31 amended, and subsection (22) is added to that section, to read:

32 1011.62 Funds for operation of schools.—If the annual
33 allocation from the Florida Education Finance Program to each
34 district for operation of schools is not determined in the
35 annual appropriations act or the substantive bill implementing
36 the annual appropriations act, it shall be determined as
37 follows:

38 (11) VIRTUAL EDUCATION CONTRIBUTION.—The Legislature may
39 annually provide in the Florida Education Finance Program a
40 virtual education contribution. The amount of the virtual



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41 education contribution shall be the difference between the
42 amount per FTE established in the General Appropriations Act for
43 virtual education and the amount per FTE for each district and
44 the Florida Virtual School, which may be calculated by taking
45 the sum of the base FEFP allocation, the discretionary local
46 effort, the state-funded discretionary contribution, the
47 discretionary millage compression supplement, the research-based
48 reading instruction allocation, the best and brightest teacher
49 and principal allocation, the teacher salary increase
50 allocation, and the instructional materials allocation, and then
51 dividing by the total unweighted FTE. This difference shall be
52 multiplied by the virtual education unweighted FTE for programs
53 and options identified in s. 1002.455 and the Florida Virtual
54 School and its franchises to equal the virtual education
55 contribution and shall be included as a separate allocation in
56 the funding formula.

57 (17) FUNDING COMPRESSION ALLOCATION.—The Legislature may
58 provide an annual funding compression allocation in the General
59 Appropriations Act. The allocation is created to provide
60 additional funding to school districts and developmental
61 research schools whose total funds per FTE in the prior year
62 were less than the statewide average. Using the most recent
63 prior year FEFP calculation for each eligible school district,
64 the total funds per FTE shall be subtracted from the state
65 average funds per FTE, not including any adjustments made
66 pursuant to paragraph (19) (b). The resulting funds per FTE
67 difference, or a portion thereof, as designated in the General
68 Appropriations Act, shall then be multiplied by the school
69 district's total unweighted FTE to provide the allocation. If



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70 the calculated funds are greater than the amount included in the
71 General Appropriations Act, they must be prorated to the
72 appropriation amount based on each participating school
73 district's share. This subsection expires July 1, 2021 ~~2020~~.

74 (18) THE FLORIDA BEST AND BRIGHTEST TEACHER AND PRINCIPAL
75 ALLOCATION.—

76 (a) The Florida Best and Brightest Teacher and Principal
77 Allocation is created to recruit, retain, and recognize
78 classroom teachers and instructional personnel who meet the
79 criteria established in s. 1012.731 and reward principals who
80 meet the criteria established in s. 1012.732. Subject to annual
81 appropriation, each school district shall receive an allocation
82 based on the district's proportionate share of FEFP base
83 funding. The Legislature may specify a minimum allocation for
84 all districts in the General Appropriations Act.

85 (b) From the allocation, each district shall provide the
86 following:

87 1. A one-time recruitment award, as provided in s.
88 1012.731(3)(a);

89 2. A retention award, as provided in s. 1012.731(3)(b); and

90 3. A recognition award, as provided in s. 1012.731(3)(c)
91 from the remaining balance of the appropriation after the
92 payment of all other awards authorized under ss. 1012.731 and
93 1012.732.

94 (c) From the allocation, each district shall provide
95 eligible principals an award as provided in s. 1012.732(3).
96

97 If a district's calculated awards exceed the allocation, the
98 district may prorate the awards.



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99 (d) The allocation authorized in this subsection is
100 suspended for the 2020-2021 fiscal year and does not apply
101 during such fiscal year. This paragraph expires July 1, 2021.

102 (22) TEACHER SALARY INCREASE ALLOCATION.-

103 (a) The Teacher Salary Increase Allocation is created to
104 increase teacher salaries and improve this state's relative
105 teacher salary position when compared with teacher salaries in
106 other states.

107 (b) Subject to annual appropriation, funds may be provided
108 for each school district to increase the minimum base salary for
109 full-time classroom teachers as defined in s. 1012.01(2)(a) or
110 all instructional personnel as defined by s. 1012.01(2)(a)-(d),
111 plus certified prekindergarten teachers, but not including
112 substitute teachers, by no less than the amount designated in
113 the General Appropriations Act. In addition, funds may also be
114 provided in an amount designated in the General Appropriations
115 Act for salary increases for all full-time instructional
116 personnel as determined by the school board and the local
117 bargaining unit.

118 (c) Funds for this purpose shall be allocated on each
119 district's share of the base FEFP allocation. Funds for the
120 minimum base salary increase may be provided in multiple years
121 in order to achieve a particular salary goal. The minimum base
122 salary is the base annual salary before payroll deductions and
123 excluding additional compensation.

124 (d) This subsection expires July 1, 2021.

125 Section 5. The amendment to s. 1011.62(11), Florida
126 Statutes, by this act, expires July 1, 2021, and the text of
127 that subsection shall revert to that in existence on June 30,



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128 2020, except that any amendments to such text enacted other than
129 by this act shall be preserved and continue to operate to the
130 extent that such amendments are not dependent upon the portions
131 of text which expire pursuant to this section.

132 Section 6. In order to implement Specific Appropriations 8
133 and 92 of the 2020-2021 General Appropriations Act, subsection
134 (4) is added to section 1012.731, Florida Statutes, to read:

135 1012.731 The Florida Best and Brightest Teacher Program.—

136 (4) No awards may be made pursuant to this section and the
137 operation of the program is suspended for the 2020-2021 fiscal
138 year. This subsection expires July 1, 2021.

139 Section 7. In order to implement Specific Appropriations 8
140 and 92 of the 2020-2021 General Appropriations Act, subsection
141 (4) is added to section 1012.732, Florida Statutes, to read:

142 1012.732 The Florida Best and Brightest Principal Program.—

143 (4) No awards may be made pursuant to this section and the
144 operation of the program is suspended for the 2020-2021 fiscal
145 year. This subsection expires July 1, 2021.

146 Section 8. In order to implement Specific Appropriation 21
147 of the 2020-2021 General Appropriations Act, subsection (1) of
148 section 1013.62, Florida Statutes, is amended to read:

149 1013.62 Charter schools capital outlay funding.—

150 (1) For the 2020-2021 ~~2018-2019~~ fiscal year, charter school
151 capital outlay funding shall consist of state funds appropriated
152 in the 2020-2021 ~~2018-2019~~ General Appropriations Act. Beginning
153 in fiscal year 2021-2022 ~~2019-2020~~, charter school capital
154 outlay funding shall consist of state funds when such funds are
155 appropriated in the General Appropriations Act and revenue
156 resulting from the discretionary millage authorized in s.



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157 1011.71(2) if the amount of state funds appropriated for charter
158 school capital outlay in any fiscal year is less than the
159 average charter school capital outlay funds per unweighted full-
160 time equivalent student for the 2018-2019 fiscal year,
161 multiplied by the estimated number of charter school students
162 for the applicable fiscal year, and adjusted by changes in the
163 Consumer Price Index issued by the United States Department of
164 Labor from the previous fiscal year. Nothing in this subsection
165 prohibits a school district from distributing to charter schools
166 funds resulting from the discretionary millage authorized in s.
167 1011.71(2).

168 (a) To be eligible to receive capital outlay funds, a
169 charter school must:

170 1.a. Have been in operation for 2 or more years;

171 b. Be governed by a governing board established in the
172 state for 2 or more years which operates both charter schools
173 and conversion charter schools within the state;

174 c. Be an expanded feeder chain of a charter school within
175 the same school district that is currently receiving charter
176 school capital outlay funds;

177 d. Have been accredited by a regional accrediting
178 association as defined by State Board of Education rule; or

179 e. Serve students in facilities that are provided by a
180 business partner for a charter school-in-the-workplace pursuant
181 to s. 1002.33(15)(b).

182 2. Have an annual audit that does not reveal any of the
183 financial emergency conditions provided in s. 218.503(1) for the
184 most recent fiscal year for which such audit results are
185 available.



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186 3. Have satisfactory student achievement based on state
187 accountability standards applicable to the charter school.

188 4. Have received final approval from its sponsor pursuant
189 to s. 1002.33 for operation during that fiscal year.

190 5. Serve students in facilities that are not provided by
191 the charter school's sponsor.

192 (b) A charter school is not eligible to receive capital
193 outlay funds if it was created by the conversion of a public
194 school and operates in facilities provided by the charter
195 school's sponsor for a nominal fee, or at no charge, or if it is
196 directly or indirectly operated by the school district.

197 Section 9. The amendments to s. 1013.62(1), Florida
198 Statutes, by this act expire July 1, 2021, and the text of that
199 subsection shall revert to that in existence on June 30, 2020,
200 except that any amendments to such text enacted other than by
201 this act shall be preserved and continue to operate to the
202 extent that such amendments are not dependent upon the portions
203 of text which expire pursuant to this section.

204 Section 10. In order to implement Specific Appropriation
205 123 of the 2020-2021 General Appropriations Act, and
206 notwithstanding the expiration date in section 8 of chapter
207 2019-116, Laws of Florida, subsection (1) of section 1001.26,
208 Florida Statutes, is reenacted to read:

209 1001.26 Public broadcasting program system.—

210 (1) There is created a public broadcasting program system
211 for the state. The department shall provide funds, as
212 specifically appropriated in the General Appropriations Act, to
213 educational television stations qualified by the Corporation for
214 Public Broadcasting or public colleges and universities that are



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215 part of the public broadcasting program system. The program
216 system must include:

217 (a) Support for existing Corporation for Public
218 Broadcasting qualified program system educational television
219 stations.

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

222 (c) Interconnection of all educational stations that are
223 part of the program system for simultaneous broadcast and of
224 such stations with all universities and other institutions as
225 necessary for sharing of resources and delivery of programming.

226 (d) Establishment and maintenance of a capability for
227 statewide program distribution with facilities and staff,
228 provided such facilities and staff complement and strengthen
229 existing educational television stations.

230 (e) Provision of both statewide programming funds and
231 station programming support for educational television to meet
232 statewide priorities. Priorities for station programming need
233 not be the same as priorities for programming to be used
234 statewide. Station programming may include, but shall not be
235 limited to, citizens' participation programs, music and fine
236 arts programs, coverage of public hearings and governmental
237 meetings, equal air time for political candidates, and other
238 public interest programming.

239 Section 11. The text of s. 1001.26(1), Florida Statutes, as
240 carried forward from chapter 2019-116, Laws of Florida, by this
241 act, expires July 1, 2021, and the text of that subsection shall
242 revert to that in existence on June 30, 2018, except that any
243 amendments enacted other than by this act shall be preserved and



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244 continue to operate to the extent that such amendments are not
245 dependent upon the portions of text which expire pursuant to
246 this section.

247 Section 12. In order to implement Specific Appropriation
248 150 of the 2020-2021 General Appropriations Act, section
249 1004.6499, Florida Statutes, is created to read:

250 1004.6499 Florida Institute of Politics.-

251 (1) The Florida Institute of Politics is established at the
252 Florida State University within the College of Social Sciences
253 and Public Policy. The purpose of the institute is to provide
254 the southeastern region of the United States with a world class,
255 bipartisan, nationally-renowned institute of politics.

256 (2) The goals of the institute are to:

257 (a) Motivate students across the Florida State University
258 to become aware of the significance of government and civic
259 engagement at all levels and politics in general.

260 (b) Provide students with an opportunity to be politically
261 active and civically engaged.

262 (c) Nurture a state of consciousness and passion for public
263 service and politics.

264 (d) Plan and host forums to allow students and guests to
265 hear from and interact with experts from government, politics,
266 policy, and journalism on a frequent basis.

267 (e) Become a national and state resource on polling
268 information and survey methodology.

269 (f) Provide fellowships and internship opportunities to
270 students in government, non-profit organizations, and community
271 organizations.

272 (g) Provide training sessions for newly elected state and



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273 local public officials.

274 (h) Organize and sponsor conferences, symposia and
275 workshops throughout Florida to educate and inform citizens,
276 elected officials, and appointed policymakers regarding
277 effective policymaking techniques and processes.

278 (i) Create and promote research and awareness regarding
279 politics, citizen involvement and public service.

280 (j) Collaborate with related policy institutes and research
281 activities at Florida State University and other institutions of
282 higher education to motivate, increase and sustain citizen
283 involvement in public affairs.

284 (3) This section expires July 1, 2021.

285 Section 13. In order to implement Specific Appropriations
286 207, 208, 211, and 215 of the 2020-2021 General Appropriations
287 Act, the calculations for the Medicaid Disproportionate Share
288 Hospital and Hospital Reimbursement programs for the 2020-2021
289 fiscal year contained in the document titled "Medicaid
290 Disproportionate Share Hospital and Hospital Reimbursement
291 Programs, Fiscal Year 2020-2021," dated February 6, 2020, and
292 filed with the Secretary of the Senate, are incorporated by
293 reference for the purpose of displaying the calculations used by
294 the Legislature, consistent with the requirements of state law,
295 in making appropriations for the Medicaid Disproportionate Share
296 Hospital and Hospital Reimbursement programs. This section
297 expires July 1, 2021.

298 Section 14. In order to implement Specific Appropriations
299 201 through 228 and 526 of the 2020-2021 General Appropriations
300 Act, and notwithstanding ss. 216.181 and 216.292, Florida
301 Statutes, the Agency for Health Care Administration, in



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302 consultation with the Department of Health, may submit a budget
303 amendment, subject to the notice, review, and objection
304 procedures of s. 216.177, Florida Statutes, to realign funding
305 within and between agencies based on implementation of the
306 Managed Medical Assistance component of the Statewide Medicaid
307 Managed Care program for the Children's Medical Services program
308 of the Department of Health. The funding realignment shall
309 reflect the actual enrollment changes due to the transfer of
310 beneficiaries from fee-for-service to the capitated Children's
311 Medical Services Network. The Agency for Health Care
312 Administration may submit a request for nonoperating budget
313 authority to transfer the federal funds to the Department of
314 Health pursuant to s. 216.181(12), Florida Statutes. This
315 section expires July 1, 2021.

316 Section 15. In order to implement Specific Appropriations
317 225 and 226 of the 2020-2021 General Appropriations Act, and
318 notwithstanding the expiration date in section 19 of chapter
319 2019-116, Laws of Florida, subsection (23) of section 409.908,
320 Florida Statutes, is reenacted to read:

321 409.908 Reimbursement of Medicaid providers.—Subject to
322 specific appropriations, the agency shall reimburse Medicaid
323 providers, in accordance with state and federal law, according
324 to methodologies set forth in the rules of the agency and in
325 policy manuals and handbooks incorporated by reference therein.
326 These methodologies may include fee schedules, reimbursement
327 methods based on cost reporting, negotiated fees, competitive
328 bidding pursuant to s. 287.057, and other mechanisms the agency
329 considers efficient and effective for purchasing services or
330 goods on behalf of recipients. If a provider is reimbursed based



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331 on cost reporting and submits a cost report late and that cost
332 report would have been used to set a lower reimbursement rate
333 for a rate semester, then the provider's rate for that semester
334 shall be retroactively calculated using the new cost report, and
335 full payment at the recalculated rate shall be effected
336 retroactively. Medicare-granted extensions for filing cost
337 reports, if applicable, shall also apply to Medicaid cost
338 reports. Payment for Medicaid compensable services made on
339 behalf of Medicaid eligible persons is subject to the
340 availability of moneys and any limitations or directions
341 provided for in the General Appropriations Act or chapter 216.
342 Further, nothing in this section shall be construed to prevent
343 or limit the agency from adjusting fees, reimbursement rates,
344 lengths of stay, number of visits, or number of services, or
345 making any other adjustments necessary to comply with the
346 availability of moneys and any limitations or directions
347 provided for in the General Appropriations Act, provided the
348 adjustment is consistent with legislative intent.

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

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

357 2. Base rate reimbursement for outpatient services under an
358 enhanced ambulatory payment group methodology shall be provided
359 in the General Appropriations Act.



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

363 Section 16. The text of s. 409.908(23), Florida Statutes,
364 as carried forward from chapter 2018-10, Laws of Florida, by
365 this act, expires July 1, 2021, and the text of that subsection
366 shall revert to that in existence on October 1, 2018, not
367 including any amendments made by chapter 2018-10, Laws of
368 Florida, except that any amendments to such text enacted other
369 than by this act and chapters 2019-116 and 2018-10, Laws of
370 Florida, shall be preserved and continue to operate to the
371 extent that such amendments are not dependent upon the portions
372 of text which expire pursuant to this section.

373 Section 17. In order to implement Specific Appropriation
374 209 of the 2020-2021 General Appropriations Act, and
375 notwithstanding the expiration date in section 21 of chapter
376 2019-116, Laws of Florida, subsection (26) of section 409.908,
377 Florida Statutes, is reenacted to read:

378 409.908 Reimbursement of Medicaid providers.—Subject to
379 specific appropriations, the agency shall reimburse Medicaid
380 providers, in accordance with state and federal law, according
381 to methodologies set forth in the rules of the agency and in
382 policy manuals and handbooks incorporated by reference therein.
383 These methodologies may include fee schedules, reimbursement
384 methods based on cost reporting, negotiated fees, competitive
385 bidding pursuant to s. 287.057, and other mechanisms the agency
386 considers efficient and effective for purchasing services or
387 goods on behalf of recipients. If a provider is reimbursed based
388 on cost reporting and submits a cost report late and that cost



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

406 (26) The agency may receive funds from state entities,
407 including, but not limited to, the Department of Health, local
408 governments, and other local political subdivisions, for the
409 purpose of making special exception payments and Low Income Pool
410 Program payments, including federal matching funds. Funds
411 received for this purpose shall be separately accounted for and
412 may not be commingled with other state or local funds in any
413 manner. The agency may certify all local governmental funds used
414 as state match under Title XIX of the Social Security Act to the
415 extent and in the manner authorized under the General
416 Appropriations Act and pursuant to an agreement between the
417 agency and the local governmental entity. In order for the



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418 agency to certify such local governmental funds, a local
419 governmental entity must submit a final, executed letter of
420 agreement to the agency, which must be received by October 1 of
421 each fiscal year and provide the total amount of local
422 governmental funds authorized by the entity for that fiscal year
423 under the General Appropriations Act. The local governmental
424 entity shall use a certification form prescribed by the agency.
425 At a minimum, the certification form must identify the amount
426 being certified and describe the relationship between the
427 certifying local governmental entity and the local health care
428 provider. Local governmental funds outlined in the letters of
429 agreement must be received by the agency no later than October
430 31 of each fiscal year in which such funds are pledged, unless
431 an alternative plan is specifically approved by the agency.

432 Section 18. The text of s. 409.908(26), Florida Statutes,
433 as carried forward from chapter 2019-116, Laws of Florida, by
434 this act, expires July 1, 2021, and the text of that subsection
435 shall revert to that in existence on June 30, 2019, except that
436 any amendments to such text enacted other than by this act shall
437 be preserved and continue to operate to the extent that such
438 amendments are not dependent upon the portions of text which
439 expire pursuant to this section.

440 Section 19. In order to implement Specific Appropriations
441 207, 211, 212, 214, 216, and 225 of the 2020-2021 General
442 Appropriations Act, subsection (12) of section 409.904, Florida
443 Statutes, is amended to read:

444 409.904 Optional payments for eligible persons.—The agency
445 may make payments for medical assistance and related services on
446 behalf of the following persons who are determined to be



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447 eligible subject to the income, assets, and categorical
448 eligibility tests set forth in federal and state law. Payment on
449 behalf of these Medicaid eligible persons is subject to the
450 availability of moneys and any limitations established by the
451 General Appropriations Act or chapter 216.

452 (12) Effective July 1, 2020 ~~2019~~, the agency shall make
453 payments to Medicaid-covered services:

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

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

460
461 This subsection expires July 1, 2021 ~~2020~~.

462 Section 20. In order to implement Specific Appropriations
463 207, 211, 212, 214, 216, and 225 of the 2020-2021 General
464 Appropriations Act, by March 1, 2021, the Agency for Health Care
465 Administration, in consultation with the Department of Children
466 and Families, the Florida Hospital Association, the Safety Net
467 Hospital Alliance of Florida, the Florida Health Care
468 Association, and LeadingAge Florida, shall submit a report to
469 the Governor, the President of the Senate, and the Speaker of
470 the House of Representatives regarding the impact of the waiver
471 of Medicaid retroactive eligibility on beneficiaries and
472 providers. The report must include, but is not limited to:

473 (1) The total unduplicated number of nonpregnant adults who
474 applied for Medicaid at a hospital site from May 1, 2020,
475 through January 31, 2021; and, of those applicants, the number



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476 whose Medicaid applications were approved, the number whose
477 Medicaid applications were denied, and the reasons for denial
478 ranked by frequency.

479 (2) The total unduplicated number of nonpregnant adults who
480 applied for Medicaid at a nursing home site from May 1, 2020,
481 through January 31, 2021; and, of those applicants, the number
482 whose Medicaid applications were approved, the number whose
483 Medicaid applications were denied, and the reasons for denial
484 ranked by frequency.

485 (3) The estimated impact of medical debt on nonpregnant
486 adults for whom a Medicaid application was not submitted in the
487 same month when the individual became an inpatient of a hospital
488 or a resident of a nursing home.

489 (4) Additional recommendations to improve outreach and
490 Medicaid coverage for nonpregnant adults who would be eligible
491 for Medicaid if they applied before an event that requires
492 hospital or nursing home care.

493
494 This section expires July 1, 2021.

495 Section 21. In order to implement Specific Appropriations
496 181 through 184 of the 2020-2021 General Appropriations Act, and
497 notwithstanding the expiration date in section 31 of chapter
498 2019-116, Laws of Florida, paragraph (b) of subsection (5) of
499 section 624.91, Florida Statutes, is reenacted to read:

500 624.91 The Florida Healthy Kids Corporation Act.—

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

502 (b) The Florida Healthy Kids Corporation shall:

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



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505 be determined by the board of directors, to provide for payment
506 of premiums for comprehensive insurance coverage and for the
507 actual or estimated administrative expenses.

508 2. Arrange for the collection of any voluntary
509 contributions to provide for payment of Florida Kidcare program
510 premiums for children who are not eligible for medical
511 assistance under Title XIX or Title XXI of the Social Security
512 Act.

513 3. Subject to the provisions of s. 409.8134, accept
514 voluntary supplemental local match contributions that comply
515 with the requirements of Title XXI of the Social Security Act
516 for the purpose of providing additional Florida Kidcare coverage
517 in contributing counties under Title XXI.

518 4. Establish the administrative and accounting procedures
519 for the operation of the corporation.

520 5. Establish, with consultation from appropriate
521 professional organizations, standards for preventive health
522 services and providers and comprehensive insurance benefits
523 appropriate to children, provided that such standards for rural
524 areas shall not limit primary care providers to board-certified
525 pediatricians.

526 6. Determine eligibility for children seeking to
527 participate in the Title XXI-funded components of the Florida
528 Kidcare program consistent with the requirements specified in s.
529 409.814, as well as the non-Title-XXI-eligible children as
530 provided in subsection (3).

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



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534 board of directors of the corporation.

535 8. Establish participation criteria and, if appropriate,
536 contract with an authorized insurer, health maintenance
537 organization, or third-party administrator to provide
538 administrative services to the corporation.

539 9. Establish enrollment criteria that include penalties or
540 waiting periods of 30 days for reinstatement of coverage upon
541 voluntary cancellation for nonpayment of family premiums.

542 10. Contract with authorized insurers or any provider of
543 health care services, meeting standards established by the
544 corporation, for the provision of comprehensive insurance
545 coverage to participants. Such standards shall include criteria
546 under which the corporation may contract with more than one
547 provider of health care services in program sites. Health plans
548 shall be selected through a competitive bid process. The Florida
549 Healthy Kids Corporation shall purchase goods and services in
550 the most cost-effective manner consistent with the delivery of
551 quality medical care. The maximum administrative cost for a
552 Florida Healthy Kids Corporation contract shall be 15 percent.
553 For health care contracts, the minimum medical loss ratio for a
554 Florida Healthy Kids Corporation contract shall be 85 percent.
555 For dental contracts, the remaining compensation to be paid to
556 the authorized insurer or provider under a Florida Healthy Kids
557 Corporation contract shall be no less than an amount which is 85
558 percent of premium; to the extent any contract provision does
559 not provide for this minimum compensation, this section shall
560 prevail. For an insurer or any provider of health care services
561 which achieves an annual medical loss ratio below 85 percent,
562 the Florida Healthy Kids Corporation shall validate the medical



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563 loss ratio and calculate an amount to be refunded by the insurer
564 or any provider of health care services to the state which shall
565 be deposited into the General Revenue Fund unallocated. The
566 health plan selection criteria and scoring system, and the
567 scoring results, shall be available upon request for inspection
568 after the bids have been awarded.

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

571 12. Develop and implement a plan to publicize the Florida
572 Kidcare program, the eligibility requirements of the program,
573 and the procedures for enrollment in the program and to maintain
574 public awareness of the corporation and the program.

575 13. Secure staff necessary to properly administer the
576 corporation. Staff costs shall be funded from state and local
577 matching funds and such other private or public funds as become
578 available. The board of directors shall determine the number of
579 staff members necessary to administer the corporation.

580 14. In consultation with the partner agencies, provide a
581 report on the Florida Kidcare program annually to the Governor,
582 the Chief Financial Officer, the Commissioner of Education, the
583 President of the Senate, the Speaker of the House of
584 Representatives, and the Minority Leaders of the Senate and the
585 House of Representatives.

586 15. Provide information on a quarterly basis to the
587 Legislature and the Governor which compares the costs and
588 utilization of the full-pay enrolled population and the Title
589 XXI-subsidized enrolled population in the Florida Kidcare
590 program. The information, at a minimum, must include:

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



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

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

597 16. Establish benefit packages that conform to the
598 provisions of the Florida Kidcare program, as created in ss.
599 409.810-409.821.

600 Section 22. The text of s. 624.91(5)(b), Florida Statutes,
601 as carried forward from chapter 2019-116, Laws of Florida, by
602 this act, expires July 1, 2021, and the text of that paragraph
603 shall revert to that in existence on June 30, 2019, except that
604 any amendments to such text enacted other than by this act shall
605 be preserved and continue to operate to the extent that such
606 amendments are not dependent upon the portions of text which
607 expire pursuant to this section.

608 Section 23. In order to implement Specific Appropriation
609 458 of the 2020-2021 General Appropriations Act, subsection (4)
610 of section 381.915, Florida Statutes, is amended to read:

611 381.915 Florida Consortium of National Cancer Institute
612 Centers Program.—

613 (4) Tier designations and corresponding weights within the
614 Florida Consortium of National Cancer Institute Centers Program
615 are as follows:

616 (a) Tier 1: Florida-based NCI-designated comprehensive
617 cancer centers, which shall be weighted at 1.5.

618 (b) Tier 2: Florida-based NCI-designated cancer centers,
619 which shall be weighted at 1.25.

620 (c) Tier 3: Florida-based cancer centers seeking



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621 designation as either a NCI-designated cancer center or NCI-
622 designated comprehensive cancer center, which shall be weighted
623 at 1.0.

624 1. A cancer center shall meet the following minimum
625 criteria to be considered eligible for Tier 3 designation in any
626 given fiscal year:

627 a. Conducting cancer-related basic scientific research and
628 cancer-related population scientific research;

629 b. Offering and providing the full range of diagnostic and
630 treatment services on site, as determined by the Commission on
631 Cancer of the American College of Surgeons;

632 c. Hosting or conducting cancer-related interventional
633 clinical trials that are registered with the NCI's Clinical
634 Trials Reporting Program;

635 d. Offering degree-granting programs or affiliating with
636 universities through degree-granting programs accredited or
637 approved by a nationally recognized agency and offered through
638 the center or through the center in conjunction with another
639 institution accredited by the Commission on Colleges of the
640 Southern Association of Colleges and Schools;

641 e. Providing training to clinical trainees, medical
642 trainees accredited by the Accreditation Council for Graduate
643 Medical Education or the American Osteopathic Association, and
644 postdoctoral fellows recently awarded a doctorate degree; and

645 f. Having more than \$5 million in annual direct costs
646 associated with their total NCI peer-reviewed grant funding.

647 2. The General Appropriations Act or accompanying
648 legislation may limit the number of cancer centers which shall
649 receive Tier 3 designations or provide additional criteria for



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650 such designation.

651 3. A cancer center's participation in Tier 3 may not extend
652 beyond July 1, 2021 ~~shall be limited to 6 years.~~

653 4. A cancer center that qualifies as a designated Tier 3
654 center under the criteria provided in subparagraph 1. by July 1,
655 2014, is authorized to pursue NCI designation as a cancer center
656 or a comprehensive cancer center until July 1, 2021 ~~for 6 years~~
657 ~~after qualification.~~

658 Section 24. The amendments to s. 381.915(4), Florida
659 Statutes, by this act expire July 1, 2021, and the text of that
660 subsection shall revert to that in existence on June 30, 2020,
661 except that any amendments to such text enacted other than by
662 this act shall be preserved and continue to operate to the
663 extent that such amendments are not dependent upon the portions
664 of text which expire pursuant to this section.

665 Section 25. In order to implement Specific Appropriations
666 536, 537, 542, and 545 of the 2020-2021 General Appropriations
667 Act, subsection (17) of section 893.055, Florida Statutes, is
668 amended to read:

669 893.055 Prescription drug monitoring program.—

670 (17) For the 2020-2021 ~~2019-2020~~ fiscal year only, neither
671 the Attorney General nor the department may use funds received
672 as part of a settlement agreement to administer the prescription
673 drug monitoring program. This subsection expires July 1, 2021
674 ~~2020~~.

675 Section 26. In order to implement Specific Appropriation
676 208 of the 2020-2021 General Appropriations Act, subsections (2)
677 and (10) of section 409.911, Florida Statutes, are amended to
678 read:



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679 409.911 Disproportionate share program.—Subject to specific
680 allocations established within the General Appropriations Act
681 and any limitations established pursuant to chapter 216, the
682 agency shall distribute, pursuant to this section, moneys to
683 hospitals providing a disproportionate share of Medicaid or
684 charity care services by making quarterly Medicaid payments as
685 required. Notwithstanding the provisions of s. 409.915, counties
686 are exempt from contributing toward the cost of this special
687 reimbursement for hospitals serving a disproportionate share of
688 low-income patients.

689 (2) The Agency for Health Care Administration shall use the
690 following actual audited data to determine the Medicaid days and
691 charity care to be used in calculating the disproportionate
692 share payment:

693 (a) The average of the 2012, 2013, and 2014 ~~2011, 2012, and~~
694 ~~2013~~ audited disproportionate share data to determine each
695 hospital's Medicaid days and charity care for the 2020-2021
696 ~~2019-2020~~ state fiscal year.

697 (b) If the Agency for Health Care Administration does not
698 have the prescribed 3 years of audited disproportionate share
699 data as noted in paragraph (a) for a hospital, the agency shall
700 use the average of the years of the audited disproportionate
701 share data as noted in paragraph (a) which is available.

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

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



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708 contrary, for the 2020-2021 ~~2019-2020~~ state fiscal year, the
709 agency shall distribute moneys to hospitals providing a
710 disproportionate share of Medicaid or charity care services as
711 provided in the 2020-2021 ~~2019-2020~~ General Appropriations Act.
712 This subsection expires July 1, 2021 ~~2020~~.

713 Section 27. In order to implement Specific Appropriation
714 208 of the 2020-2021 General Appropriations Act, subsection (3)
715 of section 409.9113, Florida Statutes, is amended to read:

716 409.9113 Disproportionate share program for teaching
717 hospitals.—In addition to the payments made under s. 409.911,
718 the agency shall make disproportionate share payments to
719 teaching hospitals, as defined in s. 408.07, for their increased
720 costs associated with medical education programs and for
721 tertiary health care services provided to the indigent. This
722 system of payments must conform to federal requirements and
723 distribute funds in each fiscal year for which an appropriation
724 is made by making quarterly Medicaid payments. Notwithstanding
725 s. 409.915, counties are exempt from contributing toward the
726 cost of this special reimbursement for hospitals serving a
727 disproportionate share of low-income patients. The agency shall
728 distribute the moneys provided in the General Appropriations Act
729 to statutorily defined teaching hospitals and family practice
730 teaching hospitals, as defined in s. 395.805, pursuant to this
731 section. The funds provided for statutorily defined teaching
732 hospitals shall be distributed as provided in the General
733 Appropriations Act. The funds provided for family practice
734 teaching hospitals shall be distributed equally among family
735 practice teaching hospitals.

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



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737 contrary, for the 2020-2021 ~~2019-2020~~ state fiscal year, the
738 agency shall make disproportionate share payments to teaching
739 hospitals, as defined in s. 408.07, as provided in the 2020-2021
740 ~~2019-2020~~ General Appropriations Act. This subsection expires
741 July 1, 2021 ~~2020~~.

742 Section 28. In order to implement Specific Appropriation
743 208 of the 2020-2021 General Appropriations Act, subsection (4)
744 of section 409.9119, Florida Statutes, is amended to read:

745 409.9119 Disproportionate share program for specialty
746 hospitals for children.—In addition to the payments made under
747 s. 409.911, the Agency for Health Care Administration shall
748 develop and implement a system under which disproportionate
749 share payments are made to those hospitals that are separately
750 licensed by the state as specialty hospitals for children, have
751 a federal Centers for Medicare and Medicaid Services
752 certification number in the 3300-3399 range, have Medicaid days
753 that exceed 55 percent of their total days and Medicare days
754 that are less than 5 percent of their total days, and were
755 licensed on January 1, 2013, as specialty hospitals for
756 children. This system of payments must conform to federal
757 requirements and must distribute funds in each fiscal year for
758 which an appropriation is made by making quarterly Medicaid
759 payments. Notwithstanding s. 409.915, counties are exempt from
760 contributing toward the cost of this special reimbursement for
761 hospitals that serve a disproportionate share of low-income
762 patients. The agency may make disproportionate share payments to
763 specialty hospitals for children as provided for in the General
764 Appropriations Act.

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



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766 contrary, for the 2020-2021 ~~2019-2020~~ state fiscal year, for
767 hospitals achieving full compliance under subsection (3), the
768 agency shall make disproportionate share payments to specialty
769 hospitals for children as provided in the 2020-2021 ~~2019-2020~~
770 General Appropriations Act. This subsection expires July 1, 2021
771 ~~2020~~.

772 Section 29. In order to implement Specific Appropriations
773 201 through 228 of the 2020-2021 General Appropriations Act, and
774 notwithstanding ss. 216.181 and 216.292, Florida Statutes, the
775 Agency for Health Care Administration may submit a budget
776 amendment, subject to the notice, review, and objection
777 procedures of s. 216.177, Florida Statutes, to realign funding
778 within the Medicaid program appropriation categories to address
779 projected surpluses and deficits within the program and to
780 maximize the use of state trust funds. A single budget amendment
781 shall be submitted in the last quarter of the 2020-2021 fiscal
782 year only. This section expires July 1, 2021.

783 Section 30. In order to implement Specific Appropriation
784 406 of the 2020-2021 General Appropriations Act, and subject to
785 federal approval of the application to be a site for the Program
786 of All-Inclusive Care for the Elderly, the Agency for Health
787 Care Administration shall contract with one private health care
788 organization, the sole member of which is a private, not-for-
789 profit corporation that owns and manages health care
790 organizations that provide comprehensive long-term care
791 services, including nursing home, assisted living, independent
792 housing, home care, adult day care, and care management. This
793 organization shall provide these services to frail and elderly
794 persons who reside in Escambia, Okaloosa, and Santa Rosa



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795 Counties. The organization is exempt from the requirements of
796 chapter 641, Florida Statutes. The agency, in consultation with
797 the Department of Elderly Affairs and subject to an
798 appropriation, shall approve up to 200 initial enrollees in the
799 Program of All-Inclusive Care for the Elderly established by
800 this organization to serve elderly persons who reside in
801 Escambia, Okaloosa, and Santa Rosa Counties. This section
802 expires July 1, 2021.

803 Section 31. In order to implement Specific Appropriations
804 181 through 186 and 526 of the 2020-2021 General Appropriations
805 Act, and notwithstanding ss. 216.181 and 216.292, Florida
806 Statutes, the Agency for Health Care Administration and the
807 Department of Health may each submit a budget amendment, subject
808 to the notice, review, and objection procedures of s. 216.177,
809 Florida Statutes, to realign funding within the Florida Kidcare
810 program appropriation categories, or to increase budget
811 authority in the Children's Medical Services Network category,
812 to address projected surpluses and deficits within the program
813 or to maximize the use of state trust funds. A single budget
814 amendment must be submitted by each agency in the last quarter
815 of the 2020-2021 fiscal year only. This section expires July 1,
816 2021.

817 Section 32. In order to implement Specific Appropriations
818 468 through 470, 475, and 482 of the 2020-2021 General
819 Appropriations Act, subsection (17) of section 381.986, Florida
820 Statutes, is amended to read:

821 381.986 Medical use of marijuana.—

822 (17) Rules adopted pursuant to this section before July 1,
823 2021 ~~2020~~, are not subject to ss. 120.54(3)(b) and 120.541.



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824 Notwithstanding paragraph (8)(e), a medical marijuana treatment
825 center may use a laboratory that has not been certified by the
826 department under s. 381.988 until such time as at least one
827 laboratory holds the required certification pursuant to s.
828 381.988, but in no event later than July 1, 2021 ~~2020~~. This
829 subsection expires July 1, 2021 ~~2020~~.

830 Section 33. In order to implement Specific Appropriations
831 468 through 470, 475, and 482 of the 2020-2021 General
832 Appropriations Act, subsection (11) of section 381.988, Florida
833 Statutes, is amended to read:

834 381.988 Medical marijuana testing laboratories; marijuana
835 tests conducted by a certified laboratory.—

836 (11) Rules adopted under subsection (9) before July 1, 2021
837 ~~2020~~, are not subject to ss. 120.54(3)(b) and 120.541. This
838 subsection expires July 1, 2021 ~~2020~~.

839 Section 34. Effective July 1, 2020, upon the expiration and
840 reversion of the amendments made to subsection (1) of section 14
841 of chapter 2017-232, Laws of Florida, pursuant to section 42 of
842 chapter 2019-116, Laws of Florida, and in order to implement
843 Specific Appropriations 468 through 470, 475, and 482 of the
844 2020-2021 General Appropriations Act, subsection (1) of section
845 14 of chapter 2017-232, Laws of Florida, is amended to read:

846 Section 14. Department of Health; authority to adopt rules;
847 cause of action.—

848 (1) EMERGENCY RULEMAKING.—

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



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853 under this section is held to be unconstitutional or an invalid
854 exercise of delegated legislative authority, and becomes void,
855 the department or the applicable boards may adopt an emergency
856 rule pursuant to this section to replace the rule that has
857 become void. If the emergency rule adopted to replace the void
858 emergency rule is also held to be unconstitutional or an invalid
859 exercise of delegated legislative authority and becomes void,
860 the department and the applicable boards must follow the
861 nonemergency rulemaking procedures of the Administrative
862 Procedures Act to replace the rule that has become void.

863 (b) For emergency rules adopted under this section, the
864 department and the applicable boards need not make the findings
865 required by s. 120.54(4)(a), Florida Statutes. Emergency rules
866 adopted under this section are exempt from ss. 120.54(3)(b) and
867 120.541, Florida Statutes. The department and the applicable
868 boards shall meet the procedural requirements in s. 120.54(4)(a)
869 ~~s. 120.54(a)~~, Florida Statutes, if the department or the
870 applicable boards have, before July 1, 2019 ~~the effective date~~
871 ~~of this act~~, held any public workshops or hearings on the
872 subject matter of the emergency rules adopted under this
873 subsection. Challenges to emergency rules adopted under this
874 subsection are subject to the time schedules provided in s.
875 120.56(5), Florida Statutes.

876 (c) Emergency rules adopted under this section are exempt
877 from s. 120.54(4)(c), Florida Statutes, and shall remain in
878 effect until replaced by rules adopted under the nonemergency
879 rulemaking procedures of the Administrative Procedures Act.
880 Rules adopted under the nonemergency rulemaking procedures of
881 the Administrative Procedures Act to replace emergency rules



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882 adopted under this section are exempt from ss. 120.54(3)(b) and
883 120.541, Florida Statutes. By July 1, 2021 ~~January 1, 2018~~, the
884 department and the applicable boards shall initiate nonemergency
885 rulemaking pursuant to the Administrative Procedures Act to
886 replace all emergency rules adopted under this section by
887 publishing a notice of rule development in the Florida
888 Administrative Register. Except as provided in paragraph (a),
889 after July 1, 2021 ~~January 1, 2018~~, the department and
890 applicable boards may not adopt rules pursuant to the emergency
891 rulemaking procedures provided in this section.

892 Section 35. The amendment to s. 14(1) of chapter 2017-232,
893 Laws of Florida, by this act expires July 1, 2021, and the text
894 of that subsection shall revert to that in existence on June 30,
895 2019, except that any amendments to such text enacted other than
896 by this act shall be preserved and continue to operate to the
897 extent that such amendments are not dependent upon the portions
898 of text which expire pursuant to this section.

899 Section 36. In order to implement Specific Appropriation
900 195 of the 2020-2021 General Appropriations Act, and
901 notwithstanding s. 409.902(3)-(8), Florida Statutes:

902 (1) The Agency for Health Care Administration shall replace
903 the Medicaid Enterprise System (MES), which includes the Florida
904 Medicaid Management Information System (FMMIS), enrollment
905 broker system, third-party liability functionality, pharmacy
906 benefits management, fraud and abuse case tracking, prior
907 authorization, home health electronic visit verification, and
908 the Health Quality Assurance licensure system, with an
909 integrated enterprise system consisting of a new integration
910 platform, data warehouse, and modules for Provider Management,



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911 Case Management, and Recipient Enrollment and Management. The
912 new system, the Florida Health Care Connection (FX) system, must
913 provide better integration with subsystems supporting Florida's
914 Medicaid program; uniformity, consistency, and improved access
915 to data; and compatibility with the Centers for Medicare and
916 Medicaid Services' Medicaid Information Technology Architecture
917 (MITA) as the system matures and expands its functionality.

918 (2) For purposes of replacing MES, the Agency for Health
919 Care Administration shall:

920 (a) Comply with and not exceed the Centers for Medicare and
921 Medicaid Services funding authorizations for the FX system.

922 (b) Ensure compliance and uniformity with published MITA
923 framework and guidelines.

924 (c) Ensure that all business requirements and technical
925 specifications have been provided to the state's health and
926 human services agencies for their review and input, and are
927 approved by the executive steering committee established in
928 paragraph (e), before the agency contracts for implementation or
929 system development of new modules for the FX system.

930 (d) Ensure the new FX system is compatible with and will
931 seamlessly integrate financial and fiscal information into the
932 state's new planning, accounting, and ledger management system,
933 PALM.

934 (e) Implement a project governance structure that includes
935 an executive steering committee composed of:

936 1. The Secretary of Health Care Administration, or the
937 executive sponsor of the project.

938 2. A representative of the Division of Health Quality
939 Assurance of the Agency for Health Care Administration,



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- 940 appointed by the Secretary of Health Care Administration.
- 941 3. A representative of the Florida Center for Health
- 942 Information and Transparency of the Agency for Health Care
- 943 Administration, appointed by the Secretary of Health Care
- 944 Administration.
- 945 4. A representative of the Division of Information
- 946 Technology of the Agency for Health Care Administration,
- 947 appointed by the Secretary of Health Care Administration.
- 948 5. A representative of the Division of Operations of the
- 949 Agency for Health Care Administration, appointed by the
- 950 Secretary of Health Care Administration.
- 951 6. Two employees from the Division of Medicaid of the
- 952 Agency for Health Care Administration, appointed by the
- 953 Secretary of Health Care Administration.
- 954 7. The Assistant Secretary for Child Welfare of the
- 955 Department of Children and Families, or his or her designee.
- 956 8. The Assistant Secretary for Economic Self-Sufficiency of
- 957 the Department of Children and Families, or his or her designee.
- 958 9. The Deputy Secretary for Children's Medical Services of
- 959 the Department of Health, or his or her designee.
- 960 10. A representative of the Agency for Persons with
- 961 Disabilities who has experience with the preparation and
- 962 submission of waivers to the Centers for Medicare and Medicaid
- 963 Services, appointed by the director of the Agency for Persons
- 964 with Disabilities.
- 965 11. A representative for the Department of Elderly Affairs
- 966 who has experience with the Medicaid Program within that
- 967 department, appointed by the Secretary of Elderly Affairs.
- 968 12. A representative for the Department of Corrections who



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969 has experience Medicaid reporting within that department,
970 appointed by the Secretary of Corrections.

971 13. A representative for the Medicaid Fraud Control Unit
972 within the Office of the Attorney General, appointed by the
973 Attorney General.

974 14. A representative of the Department of Financial
975 Services who has experience with the state's financial processes
976 including development of the PALM system, appointed by the Chief
977 Financial Officer.

978 (3) The Secretary of Health Care Administration or the
979 executive sponsor of the project shall serve as chair of the
980 executive steering committee, and the committee shall take
981 action by a vote of at least 10 affirmative votes with the chair
982 voting on the prevailing side. A quorum of the executive
983 steering committee consists of at least 11 members.

984 (4) The executive steering committee has the overall
985 responsibility for ensuring that the project to replace MES
986 meets its primary business objectives and shall:

987 (a) Identify and recommend to the Executive Office of the
988 Governor, the President of the Senate, and the Speaker of the
989 House of Representatives any statutory changes needed to
990 standardize the data collection and reporting for the state's
991 Medicaid program.

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

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

997 (d) Approve all major project deliverables.



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998 (e) Approve all solicitation-related documents associated
999 with the replacement of MES.

1000 (5) This section expires July 1, 2021.

1001 Section 37. In order to implement Specific Appropriations
1002 330, 332, 361, and 362 of the 2020-2021 General Appropriations
1003 Act, and notwithstanding ss. 216.181 and 216.292, Florida
1004 Statutes, the Department of Children and Families may submit a
1005 budget amendment, subject to the notice, review, and objection
1006 procedures of s. 216.177, Florida Statutes, to realign funding
1007 within the department based on the implementation of the
1008 Guardianship Assistance Program, between and among the specific
1009 appropriations for guardianship assistance payments, foster care
1010 Level 1 room and board payments, relative caregiver payments,
1011 and nonrelative caregiver payments. This section expires July 1,
1012 2021.

1013 Section 38. In order to implement Specific Appropriations
1014 330 and 332 of the 2020-2021 General Appropriations Act, the
1015 Department of Children and Families shall establish a formula to
1016 distribute the recurring sums of \$10,597,824 from the General
1017 Revenue Fund and \$11,922,238 from the Federal Grants Trust Fund
1018 for actual and direct costs to implement the Guardianship
1019 Assistance Program, including Level 1 foster care board
1020 payments, licensing staff for community-based care lead
1021 agencies, and guardianship assistance payments. This section
1022 expires July 1, 2021.

1023 Section 39. In order to implement Specific Appropriations
1024 554 through 560 and 562 of the 2020-2021 General Appropriations
1025 Act, subsection (3) of section 296.37, Florida Statutes, is
1026 amended to read:



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1027 296.37 Residents; contribution to support.-
1028 (3) Notwithstanding subsection (1), each resident of the
1029 home who receives a pension, compensation, or gratuity from the
1030 United States Government, or income from any other source, of
1031 more than \$130 per month shall contribute to his or her
1032 maintenance and support while a resident of the home in
1033 accordance with a payment schedule determined by the
1034 administrator and approved by the director. The total amount of
1035 such contributions shall be to the fullest extent possible, but,
1036 in no case, shall exceed the actual cost of operating and
1037 maintaining the home. This subsection expires July 1, 2021 ~~2020~~.

1038 Section 40. In order to implement Specific Appropriations
1039 353 and 354 of the 2020-2021 General Appropriations Act, and
1040 notwithstanding ss. 216.181 and 216.292, Florida Statutes, the
1041 Department of Children and Families may submit a budget
1042 amendment, subject to the notice, review, and objection
1043 procedures of s. 216.177, Florida Statutes, to increase budget
1044 authority for the Supplemental Nutrition Assistance Program if
1045 additional federal revenue specific to the program becomes
1046 available for the program in the 2020-2021 fiscal year. This
1047 section expires July 1, 2021.

1048 Section 41. In order to implement Specific Appropriations
1049 312 through 315, 319, 320, 323, 328, 330, and 332 of the 2020-
1050 2021 General Appropriations Act, and notwithstanding ss. 216.181
1051 and 216.292, Florida Statutes, the Department of Children and
1052 Families may submit a budget amendment, subject to the notice,
1053 review, and objection procedures of s. 216.177, Florida
1054 Statutes, to realign funding within the Family Safety Program to
1055 maximize the use of Title IV-E and other federal funds. This



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1056 section expires July 1, 2021.

1057 Section 42. In order to implement Specific Appropriations
1058 582 through 673 and 685 through 720 of the 2020-2021 General
1059 Appropriations Act, subsection (4) of section 216.262, Florida
1060 Statutes, is amended to read:

1061 216.262 Authorized positions.—

1062 (4) Notwithstanding the provisions of this chapter relating
1063 to increasing the number of authorized positions, and for the
1064 2020-2021 ~~2019-2020~~ fiscal year only, if the actual inmate
1065 population of the Department of Corrections exceeds the inmate
1066 population projections of the December 17, 2019 ~~February 22,~~
1067 ~~2019~~, Criminal Justice Estimating Conference by 1 percent for 2
1068 consecutive months or 2 percent for any month, the Executive
1069 Office of the Governor, with the approval of the Legislative
1070 Budget Commission, shall immediately notify the Criminal Justice
1071 Estimating Conference, which shall convene as soon as possible
1072 to revise the estimates. The Department of Corrections may then
1073 submit a budget amendment requesting the establishment of
1074 positions in excess of the number authorized by the Legislature
1075 and additional appropriations from unallocated general revenue
1076 sufficient to provide for essential staff, fixed capital
1077 improvements, and other resources to provide classification,
1078 security, food services, health services, and other variable
1079 expenses within the institutions to accommodate the estimated
1080 increase in the inmate population. All actions taken pursuant to
1081 this subsection are subject to review and approval by the
1082 Legislative Budget Commission. This subsection expires July 1,
1083 2021 ~~2020~~.

1084 Section 43. In order to implement Specific Appropriation



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1085 707 of the 2020-2021 General Appropriations Act, and upon the
1086 expiration and reversion of the amendments made by section 52 of
1087 chapter 2019-116, Laws of Florida, paragraph (b) of subsection
1088 (8) of section 1011.80, Florida Statutes, is amended to read:

1089 1011.80 Funds for operation of workforce education
1090 programs.—

1091 (8)

1092 (b) State funds provided for the operation of postsecondary
1093 workforce programs may not be expended for the education of
1094 state or federal inmates, except to the extent that such funds
1095 are specifically appropriated for such purpose in the 2020-2021
1096 General Appropriations Act with more than 24 months of time
1097 remaining to serve on their sentences or federal inmates.

1098 Section 44. The amendment made to s. 1011.80(8)(b), Florida
1099 Statutes, by this act expires July 1, 2021, and the text of that
1100 paragraph shall revert to that in existence on July 1, 2019, but
1101 not including any amendments made by this act or chapters 2019-
1102 116 and 2018-10, Laws of Florida, and any amendments to such
1103 text enacted other than by this act shall be preserved and
1104 continue to operate to the extent that such amendments are not
1105 dependent upon the portions of text which expire pursuant to
1106 this section.

1107 Section 45. In order to implement Specific Appropriations
1108 3187 through 3253 of the 2020-2021 General Appropriations Act,
1109 subsection (2) of section 215.18, Florida Statutes, is amended
1110 to read:

1111 215.18 Transfers between funds; limitation.—

1112 (2) The Chief Justice of the Supreme Court may receive one
1113 or more trust fund loans to ensure that the state court system



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1114 has funds sufficient to meet its appropriations in the 2020-2021
1115 ~~2019-2020~~ General Appropriations Act. If the Chief Justice
1116 accesses the loan, he or she must notify the Governor and the
1117 chairs of the legislative appropriations committees in writing.
1118 The loan must come from other funds in the State Treasury which
1119 are for the time being or otherwise in excess of the amounts
1120 necessary to meet the just requirements of such last-mentioned
1121 funds. The Governor shall order the transfer of funds within 5
1122 days after the written notification from the Chief Justice. If
1123 the Governor does not order the transfer, the Chief Financial
1124 Officer shall transfer the requested funds. The loan of funds
1125 from which any money is temporarily transferred must be repaid
1126 by the end of the 2020-2021 ~~2019-2020~~ fiscal year. This
1127 subsection expires July 1, 2021 ~~2020~~.

1128 Section 46. (1) In order to implement Specific
1129 Appropriations 1120 through 1131 of the 2020-2021 General
1130 Appropriations Act, the Department of Juvenile Justice is
1131 required to review county juvenile detention payments to ensure
1132 that counties fulfill their financial responsibilities required
1133 in s. 985.6865, Florida Statutes. If the Department of Juvenile
1134 Justice determines that a county has not met its obligations,
1135 the department shall direct the Department of Revenue to deduct
1136 the amount owed to the Department of Juvenile Justice from the
1137 funds provided to the county under s. 218.23, Florida Statutes.
1138 The Department of Revenue shall transfer the funds withheld to
1139 the Shared County/State Juvenile Detention Trust Fund.

1140 (2) As an assurance to holders of bonds issued by counties
1141 before July 1, 2020, for which distributions made pursuant to s.
1142 218.23, Florida Statutes, are pledged, or bonds issued to refund



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1143 such bonds which mature no later than the bonds they refunded
1144 and which result in a reduction of debt service payable in each
1145 fiscal year, the amount available for distribution to a county
1146 shall remain as provided by law and continue to be subject to
1147 any lien or claim on behalf of the bondholders. The Department
1148 of Revenue must ensure, based on information provided by an
1149 affected county, that any reduction in amounts distributed
1150 pursuant to subsection (1) does not reduce the amount of
1151 distribution to a county below the amount necessary for the
1152 timely payment of principal and interest when due on the bonds
1153 and the amount necessary to comply with any covenant under the
1154 bond resolution or other documents relating to the issuance of
1155 the bonds. If a reduction to a county's monthly distribution
1156 must be decreased in order to comply with this section, the
1157 Department of Revenue must notify the Department of Juvenile
1158 Justice of the amount of the decrease, and the Department of
1159 Juvenile Justice must send a bill for payment of such amount to
1160 the affected county.

1161 (3) This section expires July 1, 2021.

1162 Section 47. In order to implement Specific Appropriations
1163 731 through 752, 916 through 1062, and 1083 through 1119 of the
1164 2020-2021 General Appropriations Act, and notwithstanding the
1165 expiration date in section 57 of chapter 2019-116, Laws of
1166 Florida, present subsection (11) of section 27.40, Florida
1167 Statutes, is renumbered as subsection (12), a new subsection
1168 (11) is added to that section, and subsection (1), paragraph (a)
1169 of subsection (2), paragraph (a) of subsection (3), and
1170 subsections (5), (6), and (7) of that section are reenacted, to
1171 read:



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1172 27.40 Court-appointed counsel; circuit registries; minimum
1173 requirements; appointment by court.—

1174 (1) Counsel shall be appointed to represent any individual
1175 in a criminal or civil proceeding entitled to court-appointed
1176 counsel under the Federal or State Constitution or as authorized
1177 by general law. The court shall appoint a public defender to
1178 represent indigent persons as authorized in s. 27.51. The office
1179 of criminal conflict and civil regional counsel shall be
1180 appointed to represent persons in those cases in which provision
1181 is made for court-appointed counsel, but only after the public
1182 defender has certified to the court in writing that the public
1183 defender is unable to provide representation due to a conflict
1184 of interest or is not authorized to provide representation. The
1185 public defender shall report, in the aggregate, the specific
1186 basis of all conflicts of interest certified to the court. On a
1187 quarterly basis, the public defender shall submit this
1188 information to the Justice Administrative Commission.

1189 (2) (a) Private counsel shall be appointed to represent
1190 persons in those cases in which provision is made for court-
1191 appointed counsel but only after the office of criminal conflict
1192 and civil regional counsel has been appointed and has certified
1193 to the court in writing that the criminal conflict and civil
1194 regional counsel is unable to provide representation due to a
1195 conflict of interest. The criminal conflict and civil regional
1196 counsel shall report, in the aggregate, the specific basis of
1197 all conflicts of interest certified to the court. On a quarterly
1198 basis, the criminal conflict and civil regional counsel shall
1199 submit this information to the Justice Administrative
1200 Commission.



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1201 (3) In using a registry:

1202 (a) The chief judge of the circuit shall compile a list of
1203 attorneys in private practice, by county and by category of
1204 cases, and provide the list to the clerk of court in each
1205 county. The chief judge of the circuit may restrict the number
1206 of attorneys on the general registry list. To be included on a
1207 registry, an attorney must certify that he or she:

1208 1. Meets any minimum requirements established by the chief
1209 judge and by general law for court appointment;

1210 2. Is available to represent indigent defendants in cases
1211 requiring court appointment of private counsel; and

1212 3. Is willing to abide by the terms of the contract for
1213 services, s. 27.5304, and this section.

1214
1215 To be included on a registry, an attorney must enter into a
1216 contract for services with the Justice Administrative
1217 Commission. Failure to comply with the terms of the contract for
1218 services may result in termination of the contract and removal
1219 from the registry. Each attorney on the registry is responsible
1220 for notifying the clerk of the court and the Justice
1221 Administrative Commission of any change in his or her status.
1222 Failure to comply with this requirement is cause for termination
1223 of the contract for services and removal from the registry until
1224 the requirement is fulfilled.

1225 (5) The Justice Administrative Commission shall approve
1226 uniform contract forms for use in procuring the services of
1227 private court-appointed counsel and uniform procedures and forms
1228 for use by a court-appointed attorney in support of billing for
1229 attorney's fees, costs, and related expenses to demonstrate the



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1230 attorney's completion of specified duties. Such uniform
1231 contracts and forms for use in billing must be consistent with
1232 s. 27.5304, s. 216.311, and the General Appropriations Act and
1233 must contain the following statement: "The State of Florida's
1234 performance and obligation to pay under this contract is
1235 contingent upon an annual appropriation by the Legislature."

1236 (6) After court appointment, the attorney must immediately
1237 file a notice of appearance with the court indicating acceptance
1238 of the appointment to represent the defendant and of the terms
1239 of the uniform contract as specified in subsection (5).

1240 (7) (a) A private attorney appointed by the court from the
1241 registry to represent a client is entitled to payment as
1242 provided in s. 27.5304 so long as the requirements of subsection
1243 (1) and paragraph (2) (a) are met. An attorney appointed by the
1244 court who is not on the registry list may be compensated under
1245 s. 27.5304 only if the court finds in the order of appointment
1246 that there were no registry attorneys available for
1247 representation for that case and only if the requirements of
1248 subsection (1) and paragraph (2) (a) are met.

1249 (b)1. The flat fee established in s. 27.5304 and the
1250 General Appropriations Act shall be presumed by the court to be
1251 sufficient compensation. The attorney shall maintain appropriate
1252 documentation, including contemporaneous and detailed hourly
1253 accounting of time spent representing the client. If the
1254 attorney fails to maintain such contemporaneous and detailed
1255 hourly records, the attorney waives the right to seek
1256 compensation in excess of the flat fee established in s. 27.5304
1257 and the General Appropriations Act. These records and documents
1258 are subject to review by the Justice Administrative Commission



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1259 and audit by the Auditor General, subject to the attorney-client
1260 privilege and work-product privilege. The attorney shall
1261 maintain the records and documents in a manner that enables the
1262 attorney to redact any information subject to a privilege in
1263 order to facilitate the commission's review of the records and
1264 documents and not to impede such review. The attorney may redact
1265 information from the records and documents only to the extent
1266 necessary to comply with the privilege. The Justice
1267 Administrative Commission shall review such records and shall
1268 contemporaneously document such review before authorizing
1269 payment to an attorney. Objections by or on behalf of the
1270 Justice Administrative Commission to records or documents or to
1271 claims for payment by the attorney shall be presumed correct by
1272 the court unless the court determines, in writing, that
1273 competent and substantial evidence exists to justify overcoming
1274 the presumption.

1275 2. If an attorney fails, refuses, or declines to permit the
1276 commission or the Auditor General to review documentation for a
1277 case as provided in this paragraph, the attorney waives the
1278 right to seek, and the commission may not pay, compensation in
1279 excess of the flat fee established in s. 27.5304 and the General
1280 Appropriations Act for that case.

1281 3. A finding by the commission that an attorney has waived
1282 the right to seek compensation in excess of the flat fee
1283 established in s. 27.5304 and the General Appropriations Act, as
1284 provided in this paragraph, shall be presumed to be correct,
1285 unless the court determines, in writing, that competent and
1286 substantial evidence exists to justify overcoming the
1287 presumption.



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1288 (11) (a) The Cross-Jurisdictional Death Penalty Pilot
1289 Program is established within the Office of Criminal Conflict
1290 and Civil Regional Counsel of the Second Appellate District.

1291 (b) If the public defender for the Fifth Judicial Circuit
1292 or the Ninth Judicial Circuit is unable to provide
1293 representation to an indigent defendant charged with a crime
1294 under s. 782.04(1) or s. 790.161(4) to which the provisions of
1295 s. 921.141 apply due to a conflict of interest and the Criminal
1296 Conflict and Civil Regional Counsel of the Fifth Appellate
1297 District is also unable to provide representation for an
1298 indigent defendant due to a conflict of interest, the Criminal
1299 Conflict and Civil Regional Counsel of the Second Appellate
1300 District shall be appointed. If the Criminal Conflict and Civil
1301 Regional Counsel of the Second Appellate District is unable to
1302 provide representation to an indigent defendant due to a
1303 conflict of interest, private counsel shall be appointed as
1304 provided pursuant to this chapter.

1305 (c) The Office of Criminal Conflict and Civil Regional
1306 Counsel of the Second Appellate District shall provide a report
1307 on the implementation of the Cross-Jurisdictional Death Penalty
1308 Pilot Program to the Governor and the chairs of the
1309 appropriations committees of the Senate and House of
1310 Representatives no later than 30 days after the end of each
1311 calendar quarter. The reports must include the number of cases
1312 retained, the number of cases conflicted, the estimated cost
1313 savings of the program, and any recommendations to improve the
1314 program. The Justice Administrative Commission shall provide
1315 data to assist with the program.

1316 (d) This subsection expires June 30, 2021. Notwithstanding



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1317 the expiration of this subsection, appointments made pursuant to
1318 this section before June 30, 2021, shall continue until
1319 completion of the case.

1320 Section 48. In order to implement Specific Appropriations
1321 731 through 752, 916 through 1062, and 1083 through 1119 of the
1322 2020-2021 General Appropriations Act, and notwithstanding the
1323 expiration date in section 59 of chapter 2019-116, Laws of
1324 Florida, subsections (1), (3), (7), and (11), and paragraphs (a)
1325 through (e) of subsection (12) of section 27.5304, Florida
1326 Statutes, are reenacted, and subsection (13) of that section is
1327 amended, to read:

1328 27.5304 Private court-appointed counsel; compensation;
1329 notice.—

1330 (1) Private court-appointed counsel appointed in the manner
1331 prescribed in s. 27.40(1) and (2)(a) shall be compensated by the
1332 Justice Administrative Commission only as provided in this
1333 section and the General Appropriations Act. The flat fees
1334 prescribed in this section are limitations on compensation. The
1335 specific flat fee amounts for compensation shall be established
1336 annually in the General Appropriations Act. The attorney also
1337 shall be reimbursed for reasonable and necessary expenses in
1338 accordance with s. 29.007. If the attorney is representing a
1339 defendant charged with more than one offense in the same case,
1340 the attorney shall be compensated at the rate provided for the
1341 most serious offense for which he or she represented the
1342 defendant. This section does not allow stacking of the fee
1343 limits established by this section.

1344 (3) The court retains primary authority and responsibility
1345 for determining the reasonableness of all billings for attorney



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1346 fees, costs, and related expenses, subject to statutory
1347 limitations and the requirements of s. 27.40(7). Private court-
1348 appointed counsel is entitled to compensation upon final
1349 disposition of a case.

1350 (7) Counsel eligible to receive compensation from the state
1351 for representation pursuant to court appointment made in
1352 accordance with the requirements of s. 27.40(1) and (2) (a) in a
1353 proceeding under chapter 384, chapter 390, chapter 392, chapter
1354 393, chapter 394, chapter 397, chapter 415, chapter 743, chapter
1355 744, or chapter 984 shall receive compensation not to exceed the
1356 limits prescribed in the General Appropriations Act. Any such
1357 compensation must be determined as provided in s. 27.40(7).

1358 (11) It is the intent of the Legislature that the flat fees
1359 prescribed under this section and the General Appropriations Act
1360 comprise the full and complete compensation for private court-
1361 appointed counsel. It is further the intent of the Legislature
1362 that the fees in this section are prescribed for the purpose of
1363 providing counsel with notice of the limit on the amount of
1364 compensation for representation in particular proceedings and
1365 the sole procedure and requirements for obtaining payment for
1366 the same.

1367 (a) If court-appointed counsel moves to withdraw prior to
1368 the full performance of his or her duties through the completion
1369 of the case, the court shall presume that the attorney is not
1370 entitled to the payment of the full flat fee established under
1371 this section and the General Appropriations Act.

1372 (b) If court-appointed counsel is allowed to withdraw from
1373 representation prior to the full performance of his or her
1374 duties through the completion of the case and the court appoints



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1375 a subsequent attorney, the total compensation for the initial
1376 and any and all subsequent attorneys may not exceed the flat fee
1377 established under this section and the General Appropriations
1378 Act, except as provided in subsection (12).

1379

1380 This subsection constitutes notice to any subsequently appointed
1381 attorney that he or she will not be compensated the full flat
1382 fee.

1383 (12) The Legislature recognizes that on rare occasions an
1384 attorney may receive a case that requires extraordinary and
1385 unusual effort.

1386 (a) If counsel seeks compensation that exceeds the limits
1387 prescribed by law, he or she must file a motion with the chief
1388 judge for an order approving payment of attorney fees in excess
1389 of these limits.

1390 1. Before filing the motion, the counsel shall deliver a
1391 copy of the intended billing, together with supporting
1392 affidavits and all other necessary documentation, to the Justice
1393 Administrative Commission.

1394 2. The Justice Administrative Commission shall review the
1395 billings, affidavit, and documentation for completeness and
1396 compliance with contractual and statutory requirements and shall
1397 contemporaneously document such review before authorizing
1398 payment to an attorney. If the Justice Administrative Commission
1399 objects to any portion of the proposed billing, the objection
1400 and supporting reasons must be communicated in writing to the
1401 private court-appointed counsel. The counsel may thereafter file
1402 his or her motion, which must specify whether the commission
1403 objects to any portion of the billing or the sufficiency of



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1404 documentation, and shall attach the commission's letter stating
1405 its objection.

1406 (b) Following receipt of the motion to exceed the fee
1407 limits, the chief judge or a single designee shall hold an
1408 evidentiary hearing. The chief judge may select only one judge
1409 per circuit to hear and determine motions pursuant to this
1410 subsection, except multicounty circuits and the eleventh circuit
1411 may have up to two designees.

1412 1. At the hearing, the attorney seeking compensation must
1413 prove by competent and substantial evidence that the case
1414 required extraordinary and unusual efforts. The chief judge or
1415 single designee shall consider criteria such as the number of
1416 witnesses, the complexity of the factual and legal issues, and
1417 the length of trial. The fact that a trial was conducted in a
1418 case does not, by itself, constitute competent substantial
1419 evidence of an extraordinary and unusual effort. In a criminal
1420 case, relief under this section may not be granted if the number
1421 of work hours does not exceed 75 or the number of the state's
1422 witnesses deposed does not exceed 20.

1423 2. Objections by or on behalf of the Justice Administrative
1424 Commission to records or documents or to claims for payment by
1425 the attorney shall be presumed correct by the court unless the
1426 court determines, in writing, that competent and substantial
1427 evidence exists to justify overcoming the presumption. The chief
1428 judge or single designee shall enter a written order detailing
1429 his or her findings and identifying the extraordinary nature of
1430 the time and efforts of the attorney in the case which warrant
1431 exceeding the flat fee established by this section and the
1432 General Appropriations Act.



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1433 (c) A copy of the motion and attachments shall be served on
1434 the Justice Administrative Commission at least 20 business days
1435 before the date of a hearing. The Justice Administrative
1436 Commission has standing to appear before the court, and may
1437 appear in person or telephonically, including at the hearing
1438 under paragraph (b), to contest any motion for an order
1439 approving payment of attorney fees, costs, or related expenses
1440 and may participate in a hearing on the motion by use of
1441 telephonic or other communication equipment. The Justice
1442 Administrative Commission may contract with other public or
1443 private entities or individuals to appear before the court for
1444 the purpose of contesting any motion for an order approving
1445 payment of attorney fees, costs, or related expenses. The fact
1446 that the Justice Administrative Commission has not objected to
1447 any portion of the billing or to the sufficiency of the
1448 documentation is not binding on the court.

1449 (d) If the chief judge or a single designee finds that
1450 counsel has proved by competent and substantial evidence that
1451 the case required extraordinary and unusual efforts, the chief
1452 judge or single designee shall order the compensation to be paid
1453 to the attorney at a percentage above the flat fee rate,
1454 depending on the extent of the unusual and extraordinary effort
1455 required. The percentage must be only the rate necessary to
1456 ensure that the fees paid are not confiscatory under common law.
1457 The percentage may not exceed 200 percent of the established
1458 flat fee, absent a specific finding that 200 percent of the flat
1459 fee in the case would be confiscatory. If the chief judge or
1460 single designee determines that 200 percent of the flat fee
1461 would be confiscatory, he or she shall order the amount of



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1462 compensation using an hourly rate not to exceed \$75 per hour for
1463 a noncapital case and \$100 per hour for a capital case. However,
1464 the compensation calculated by using the hourly rate shall be
1465 only that amount necessary to ensure that the total fees paid
1466 are not confiscatory, subject to the requirements of s.
1467 27.40(7).

1468 (e) Any order granting relief under this subsection must be
1469 attached to the final request for a payment submitted to the
1470 Justice Administrative Commission and must satisfy the
1471 requirements of subparagraph (b)2.

1472 (13) Notwithstanding the limitation set forth in subsection
1473 (5) and for the 2020-2021 ~~2019-2020~~ fiscal year only, the
1474 compensation for representation in a criminal proceeding may not
1475 exceed the following:

1476 (a) For misdemeanors and juveniles represented at the trial
1477 level: \$1,000.

1478 (b) For noncapital, nonlife felonies represented at the
1479 trial level: \$15,000.

1480 (c) For life felonies represented at the trial level:
1481 \$15,000.

1482 (d) For capital cases represented at the trial level:
1483 \$25,000. For purposes of this paragraph, a "capital case" is any
1484 offense for which the potential sentence is death and the state
1485 has not waived seeking the death penalty.

1486 (e) For representation on appeal: \$9,000.

1487 (f) This subsection expires July 1, 2021 ~~2020~~.

1488 Section 49. The amendments to s. 27.40(1), (2)(a), (3)(a),
1489 (5), (6), and (7), Florida Statutes, and 27.5304(1), (3), (7),
1490 (11), and (12)(a)-(e), Florida Statutes, as carried forward from



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1491 chapter 2019-116, Laws of Florida, by this act, expire July 1,
1492 2021, and the text of those subsections and paragraphs, as
1493 applicable, shall revert to that in existence on June 30, 2019,
1494 except that any amendments to such text enacted other than by
1495 this act shall be preserved and continue to operate to the
1496 extent that such amendments are not dependent upon the portions
1497 of text which expire pursuant to this section.

1498 Section 50. In order to implement Specific Appropriation
1499 736 of the 2020-2021 General Appropriations Act, and
1500 notwithstanding s. 28.35, Florida Statutes, the clerks of the
1501 circuit court are responsible for any costs of compensation to
1502 jurors, for meals or lodging provided to jurors, and for jury-
1503 related personnel costs that exceed the funding provided in the
1504 General Appropriations Act for these purposes. This section
1505 expires July 1, 2021.

1506 Section 51. In order to implement Specific Appropriations
1507 916 through 1062 of the 2020-2021 General Appropriations Act,
1508 and notwithstanding the expiration date in section 63 of chapter
1509 2019-116, Laws of Florida, paragraph (c) of subsection (19) of
1510 section 318.18, Florida Statutes, is reenacted to read:

1511 318.18 Amount of penalties.—The penalties required for a
1512 noncriminal disposition pursuant to s. 318.14 or a criminal
1513 offense listed in s. 318.17 are as follows:

1514 (19) In addition to any penalties imposed, an Article V
1515 assessment of \$10 must be paid for all noncriminal moving and
1516 nonmoving violations under chapters 316, 320, and 322. The
1517 assessment is not revenue for purposes of s. 28.36 and may not
1518 be used in establishing the budget of the clerk of the court
1519 under that section or s. 28.35. Of the funds collected under



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1520 this subsection:

1521 (c) The sum of \$1.67 shall be deposited in the Indigent
1522 Criminal Defense Trust Fund for use by the public defenders.

1523 Section 52. In order to implement Specific Appropriations
1524 916 through 1062 of the 2020-2021 General Appropriations Act,
1525 and notwithstanding the expiration date in section 63 of chapter
1526 2019-116, Laws of Florida, paragraph (b) of subsection (12) of
1527 section 817.568, Florida Statutes, is reenacted to read:

1528 817.568 Criminal use of personal identification
1529 information.—

1530 (12) In addition to any sanction imposed when a person
1531 pleads guilty or nolo contendere to, or is found guilty of,
1532 regardless of adjudication, a violation of this section, the
1533 court shall impose a surcharge of \$1,001.

1534 (b) The sum of \$250 of the surcharge shall be deposited
1535 into the State Attorneys Revenue Trust Fund for the purpose of
1536 funding prosecutions of offenses relating to the criminal use of
1537 personal identification information. The sum of \$250 of the
1538 surcharge shall be deposited into the Indigent Criminal Defense
1539 Trust Fund for the purposes of indigent criminal defense related
1540 to the criminal use of personal identification information.

1541 Section 53. The text of ss. 318.18(19)(c) and
1542 817.568(12)(b), Florida Statutes, as carried forward from
1543 chapter 2018-10, Laws of Florida, by this act, expires July 1,
1544 2021, and the text of those paragraphs shall revert to that in
1545 existence on June 30, 2018, except that any amendments to such
1546 text enacted other than by this act shall be preserved and
1547 continue to operate to the extent that such amendments are not
1548 dependent upon the portions of text which expire pursuant to



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1549 this section.

1550 Section 54. In order to implement appropriations used to
1551 pay existing lease contracts for private lease space in excess
1552 of 2,000 square feet in the 2020-2021 General Appropriations
1553 Act, the Department of Management Services, with the cooperation
1554 of the agencies having the existing lease contracts for office
1555 or storage space, shall use tenant broker services to
1556 renegotiate or reprocure all private lease agreements for office
1557 or storage space expiring between July 1, 2021, and June 30,
1558 2023, in order to reduce costs in future years. The department
1559 shall incorporate this initiative into its 2020 master leasing
1560 report required under s. 255.249(7), Florida Statutes, and may
1561 use tenant broker services to explore the possibilities of
1562 colocating office or storage space, to review the space needs of
1563 each agency, and to review the length and terms of potential
1564 renewals or renegotiations. The department shall provide a
1565 report to the Executive Office of the Governor, the President of
1566 the Senate, and the Speaker of the House of Representatives by
1567 November 1, 2020, which lists each lease contract for private
1568 office or storage space, the status of renegotiations, and the
1569 savings achieved. This section expires July 1, 2021.

1570 Section 55. In order to implement appropriations authorized
1571 in the 2020-2021 General Appropriations Act for data center
1572 services, and notwithstanding s. 216.292(2)(a), Florida
1573 Statutes, an agency may not transfer funds from a data
1574 processing category to a category other than another data
1575 processing category. This section expires July 1, 2021.

1576 Section 56. In order to implement the appropriation of
1577 funds in the appropriation category "Data Processing Assessment-



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1578 Department of Management Services” in the 2020-2021 General
1579 Appropriations Act, and pursuant to the notice, review, and
1580 objection procedures of s. 216.177, Florida Statutes, the
1581 Executive Office of the Governor may transfer funds appropriated
1582 in that category between departments in order to align the
1583 budget authority granted based on the estimated billing cycle
1584 and methodology used by the Department of Management Services
1585 for data processing services provided. This section expires July
1586 1, 2021.

1587 Section 57. In order to implement the appropriation of
1588 funds in the appropriation category “Special Categories-Risk
1589 Management Insurance” in the 2020-2021 General Appropriations
1590 Act, and pursuant to the notice, review, and objection
1591 procedures of s. 216.177, Florida Statutes, the Executive Office
1592 of the Governor may transfer funds appropriated in that category
1593 between departments in order to align the budget authority
1594 granted with the premiums paid by each department for risk
1595 management insurance. This section expires July 1, 2021.

1596 Section 58. In order to implement the appropriation of
1597 funds in the appropriation category “Special Categories-Transfer
1598 to Department of Management Services-Human Resources Services
1599 Purchased per Statewide Contract” in the 2020-2021 General
1600 Appropriations Act, and pursuant to the notice, review, and
1601 objection procedures of s. 216.177, Florida Statutes, the
1602 Executive Office of the Governor may transfer funds appropriated
1603 in that category between departments in order to align the
1604 budget authority granted with the assessments that must be paid
1605 by each agency to the Department of Management Services for
1606 human resource management services. This section expires July 1,



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1607 2021.
1608 Section 59. In order to implement Specific Appropriations
1609 2388 through 2391 of the 2020-2021 General Appropriations Act:
1610 (1) The Department of Financial Services shall replace the
1611 four main components of the Florida Accounting Information
1612 Resource Subsystem (FLAIR), which include central FLAIR,
1613 departmental FLAIR, payroll, and information warehouse, and
1614 shall replace the cash management and accounting management
1615 components of the Cash Management Subsystem (CMS) with an
1616 integrated enterprise system that allows the state to organize,
1617 define, and standardize its financial management business
1618 processes and that complies with ss. 215.90-215.96, Florida
1619 Statutes. The department may not include in the replacement of
1620 FLAIR and CMS:
1621 (a) Functionality that duplicates any of the other
1622 information subsystems of the Florida Financial Management
1623 Information System; or
1624 (b) Agency business processes related to any of the
1625 functions included in the Personnel Information System, the
1626 Purchasing Subsystem, or the Legislative Appropriations
1627 System/Planning and Budgeting Subsystem.
1628 (2) For purposes of replacing FLAIR and CMS, the Department
1629 of Financial Services shall:
1630 (a) Take into consideration the cost and implementation
1631 data identified for Option 3 as recommended in the March 31,
1632 2014, Florida Department of Financial Services FLAIR Study,
1633 version 031.
1634 (b) Ensure that all business requirements and technical
1635 specifications have been provided to all state agencies for



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1636 their review and input and approved by the executive steering
1637 committee established in paragraph (c).

1638 (c) Implement a project governance structure that includes
1639 an executive steering committee composed of:

1640 1. The Chief Financial Officer or the executive sponsor of
1641 the project.

1642 2. A representative of the Division of Treasury of the
1643 Department of Financial Services, appointed by the Chief
1644 Financial Officer.

1645 3. A representative of the Division of Information Systems
1646 of the Department of Financial Services, appointed by the Chief
1647 Financial Officer.

1648 4. Four employees from the Division of Accounting and
1649 Auditing of the Department of Financial Services, appointed by
1650 the Chief Financial Officer. Each employee must have experience
1651 relating to at least one of the four main components that
1652 comprise FLAIR.

1653 5. Two employees from the Executive Office of the Governor,
1654 appointed by the Governor. One employee must have experience
1655 relating to the Legislative Appropriations System/Planning and
1656 Budgeting Subsystem.

1657 6. One employee from the Department of Revenue, appointed
1658 by the executive director, who has experience relating to the
1659 department's SUNTAX system.

1660 7. Two employees from the Department of Management
1661 Services, appointed by the Secretary of Management Services. One
1662 employee must have experience relating to the department's
1663 personnel information subsystem, and one employee must have
1664 experience relating to the department's purchasing subsystem.



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1665 8. Three state agency administrative services directors,
1666 appointed by the Governor. One director must represent a
1667 regulatory and licensing state agency, and one director must
1668 represent a healthcare-related state agency.

1669 (3) The Chief Financial Officer or the executive sponsor of
1670 the project shall serve as chair of the executive steering
1671 committee, and the committee shall take action by a vote of at
1672 least eight affirmative votes with the Chief Financial Officer
1673 or the executive sponsor of the project voting on the prevailing
1674 side. A quorum of the executive steering committee consists of
1675 at least 10 members.

1676 (4) The executive steering committee has the overall
1677 responsibility for ensuring that the project to replace FLAIR
1678 and CMS meets its primary business objectives and shall:

1679 (a) Identify and recommend to the Executive Office of the
1680 Governor, the President of the Senate, and the Speaker of the
1681 House of Representatives any statutory changes needed to
1682 implement the replacement subsystem that will standardize, to
1683 the fullest extent possible, the state's financial management
1684 business processes.

1685 (b) Review and approve any changes to the project's scope,
1686 schedule, and budget which do not conflict with the requirements
1687 of subsection (1).

1688 (c) Ensure that adequate resources are provided throughout
1689 all phases of the project.

1690 (d) Approve all major project deliverables.

1691 (e) Approve all solicitation-related documents associated
1692 with the replacement of FLAIR and CMS.

1693 (5) This section expires July 1, 2021.



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1694 Section 60. In order to implement Specific Appropriation
1695 1633 of the 2020-2021 General Appropriations Act, paragraph (d)
1696 of subsection (11) of section 216.181, Florida Statutes, is
1697 amended to read:

1698 216.181 Approved budgets for operations and fixed capital
1699 outlay.—

1700 (11)

1701 (d) Notwithstanding paragraph (b) and paragraph (2)(b), and
1702 for the 2020-2021 ~~2019-2020~~ fiscal year only, the Legislative
1703 Budget Commission may increase the amounts appropriated to the
1704 Fish and Wildlife Conservation Commission or the Department of
1705 Environmental Protection for fixed capital outlay projects,
1706 including additional fixed capital outlay projects, using funds
1707 provided to the state from the Gulf Environmental Benefit Fund
1708 administered by the National Fish and Wildlife Foundation; funds
1709 provided to the state from the Gulf Coast Restoration Trust Fund
1710 related to the Resources and Ecosystems Sustainability, Tourist
1711 Opportunities, and Revived Economies of the Gulf Coast Act of
1712 2012 (RESTORE Act); or funds provided by the British Petroleum
1713 Corporation (BP) for natural resource damage assessment
1714 restoration projects. Concurrent with submission of an amendment
1715 to the Legislative Budget Commission pursuant to this paragraph,
1716 any project that carries a continuing commitment for future
1717 appropriations by the Legislature must be specifically
1718 identified, together with the projected amount of the future
1719 commitment associated with the project and the fiscal years in
1720 which the commitment is expected to commence. This paragraph
1721 expires July 1, 2021 ~~2020~~.

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1723 The provisions of this subsection are subject to the notice and
1724 objection procedures set forth in s. 216.177.

1725 Section 61. In order to implement specific appropriations
1726 from the land acquisition trust funds within the Department of
1727 Agriculture and Consumer Services, the Department of
1728 Environmental Protection, the Department of State, and the Fish
1729 and Wildlife Conservation Commission, which are contained in the
1730 2020-2021 General Appropriations Act, subsection (3) of section
1731 215.18, Florida Statutes, is amended to read:

1732 215.18 Transfers between funds; limitation.—

1733 (3) Notwithstanding subsection (1) and only with respect to
1734 a land acquisition trust fund in the Department of Agriculture
1735 and Consumer Services, the Department of Environmental
1736 Protection, the Department of State, or the Fish and Wildlife
1737 Conservation Commission, whenever there is a deficiency in a
1738 land acquisition trust fund which would render that trust fund
1739 temporarily insufficient to meet its just requirements,
1740 including the timely payment of appropriations from that trust
1741 fund, and other trust funds in the State Treasury have moneys
1742 that are for the time being or otherwise in excess of the
1743 amounts necessary to meet the just requirements, including
1744 appropriated obligations, of those other trust funds, the
1745 Governor may order a temporary transfer of moneys from one or
1746 more of the other trust funds to a land acquisition trust fund
1747 in the Department of Agriculture and Consumer Services, the
1748 Department of Environmental Protection, the Department of State,
1749 or the Fish and Wildlife Conservation Commission. Any action
1750 proposed pursuant to this subsection is subject to the notice,
1751 review, and objection procedures of s. 216.177, and the Governor



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1752 shall provide notice of such action at least 7 days before the
1753 effective date of the transfer of trust funds, except that
1754 during July 2020 ~~2019~~, notice of such action shall be provided
1755 at least 3 days before the effective date of a transfer unless
1756 such 3-day notice is waived by the chair and vice-chair of the
1757 Legislative Budget Commission. Any transfer of trust funds to a
1758 land acquisition trust fund in the Department of Agriculture and
1759 Consumer Services, the Department of Environmental Protection,
1760 the Department of State, or the Fish and Wildlife Conservation
1761 Commission must be repaid to the trust funds from which the
1762 moneys were loaned by the end of the 2020-2021 ~~2019-2020~~ fiscal
1763 year. The Legislature has determined that the repayment of the
1764 other trust fund moneys temporarily loaned to a land acquisition
1765 trust fund in the Department of Agriculture and Consumer
1766 Services, the Department of Environmental Protection, the
1767 Department of State, or the Fish and Wildlife Conservation
1768 Commission pursuant to this subsection is an allowable use of
1769 the moneys in a land acquisition trust fund because the moneys
1770 from other trust funds temporarily loaned to a land acquisition
1771 trust fund shall be expended solely and exclusively in
1772 accordance with s. 28, Art. X of the State Constitution. This
1773 subsection expires July 1, 2021 ~~2020~~.

1774 Section 62. (1) In order to implement specific
1775 appropriations from the land acquisition trust funds within the
1776 Department of Agriculture and Consumer Services, the Department
1777 of Environmental Protection, the Department of State, and the
1778 Fish and Wildlife Conservation Commission, which are contained
1779 in the 2020-2021 General Appropriations Act, the Department of
1780 Environmental Protection shall transfer revenues from the Land



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1781 Acquisition Trust Fund within the department to the land
1782 acquisition trust funds within the Department of Agriculture and
1783 Consumer Services, the Department of State, and the Fish and
1784 Wildlife Conservation Commission, as provided in this section.
1785 As used in this section, the term "department" means the
1786 Department of Environmental Protection.

1787 (2) After subtracting any required debt service payments,
1788 the proportionate share of revenues to be transferred to each
1789 land acquisition trust fund shall be calculated by dividing the
1790 appropriations from each of the land acquisition trust funds for
1791 the fiscal year by the total appropriations from the Land
1792 Acquisition Trust Fund within the department and the land
1793 acquisition trust funds within the Department of Agriculture and
1794 Consumer Services, the Department of State, and the Fish and
1795 Wildlife Conservation Commission for the fiscal year. The
1796 department shall transfer the proportionate share of the
1797 revenues in the Land Acquisition Trust Fund within the
1798 department on a monthly basis to the appropriate land
1799 acquisition trust funds within the Department of Agriculture and
1800 Consumer Services, the Department of State, and the Fish and
1801 Wildlife Conservation Commission and shall retain its
1802 proportionate share of the revenues in the Land Acquisition
1803 Trust Fund within the department. Total distributions to a land
1804 acquisition trust fund within the Department of Agriculture and
1805 Consumer Services, the Department of State, and the Fish and
1806 Wildlife Conservation Commission may not exceed the total
1807 appropriations from such trust fund for the fiscal year.

1808 (3) In addition, the department shall transfer from the
1809 Land Acquisition Trust Fund to land acquisition trust funds



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1810 within the Department of Agriculture and Consumer Services, the
1811 Department of State, and the Fish and Wildlife Conservation
1812 Commission amounts equal to the difference between the amounts
1813 appropriated in chapter 2019-115, Laws of Florida, to the
1814 department's Land Acquisition Trust Fund and the other land
1815 acquisition trust funds, and the amounts actually transferred
1816 between those trust funds during the 2019-2020 fiscal year.

1817 (4) The department may advance funds from the beginning
1818 unobligated fund balance in the Land Acquisition Trust Fund to
1819 the Land Acquisition Trust Fund within the Fish and Wildlife
1820 Conservation Commission needed for cash flow purposes based on a
1821 detailed expenditure plan. The department shall prorate amounts
1822 transferred quarterly to the Fish and Wildlife Conservation
1823 Commission to recoup the amount of funds advanced by June 30,
1824 2021.

1825 (5) This section expires July 1, 2021.

1826 Section 63. In order to implement Specific Appropriation
1827 1763 of the 2020-2021 General Appropriations Act, paragraph (e)
1828 of subsection (11) of section 216.181, Florida Statutes, is
1829 amended to read:

1830 216.181 Approved budgets for operations and fixed capital
1831 outlay.—

1832 (11)

1833 (e) Notwithstanding paragraph (b) and paragraph (2)(b), and
1834 for the 2020-2021 ~~2019-2020~~ fiscal year only, the Legislative
1835 Budget Commission may increase the amounts appropriated to the
1836 Department of Environmental Protection for fixed capital outlay
1837 projects using funds provided to the state from the
1838 environmental mitigation trust administered by a trustee



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1839 designated by the United States District Court for the Northern
1840 District of California for eligible mitigation actions and
1841 mitigation action expenditures described in the partial consent
1842 decree entered into between the United States of America and
1843 Volkswagen relating to violations of the Clean Air Act.
1844 Concurrent with submission of an amendment to the Legislative
1845 Budget Commission pursuant to this paragraph, any project that
1846 carries a continuing commitment for future appropriations by the
1847 Legislature must be specifically identified, together with the
1848 projected amount of the future commitment associated with the
1849 project and the fiscal years in which the commitment is expected
1850 to commence. This paragraph expires July 1, 2021 ~~2020~~.

1851
1852 The provisions of this subsection are subject to the notice and
1853 objection procedures set forth in s. 216.177.

1854 Section 64. In order to implement Specific Appropriations
1855 1443 through 1452 of the 2020-2021 General Appropriations Act,
1856 subsection (4) of section 570.441, Florida Statutes, is amended
1857 to read:

1858 570.441 Pest Control Trust Fund.—

1859 (4) In addition to the uses authorized under subsection
1860 (2), moneys collected or received by the department under
1861 chapter 482 may be used to carry out the provisions of s.
1862 570.44. This subsection expires June 30, 2021 ~~2020~~.

1863 Section 65. In order to implement Specific Appropriation
1864 1380 of the 2020-2021 General Appropriations Act, and
1865 notwithstanding the expiration date in section 91 of chapter
1866 2019-116, Laws of Florida, paragraph (a) of subsection (1) of
1867 section 570.93, Florida Statutes, is reenacted to read:



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1868 570.93 Department of Agriculture and Consumer Services;
1869 agricultural water conservation and agricultural water supply
1870 planning.—

1871 (1) The department shall establish an agricultural water
1872 conservation program that includes the following:

1873 (a) A cost-share program, coordinated with the United
1874 States Department of Agriculture and other federal, state,
1875 regional, and local agencies when appropriate, for irrigation
1876 system retrofit and application of mobile irrigation laboratory
1877 evaluations, and for water conservation and water quality
1878 improvement pursuant to s. 403.067(7)(c).

1879 Section 66. The amendment to s. 570.93(1)(a), Florida
1880 Statutes, as carried forward from chapter 2019-116, Laws of
1881 Florida, by this act, expires July 1, 2021, and the text of that
1882 paragraph shall revert to that in existence on June 30, 2019,
1883 except that any amendments to such text enacted other than by
1884 this act shall be preserved and continue to operate to the
1885 extent that such amendments are not dependent upon the portions
1886 of text which expire pursuant to this section.

1887 Section 67. In order to implement Specific Appropriation
1888 1728 of the 2020-2021 General Appropriations Act, paragraph (m)
1889 of subsection (3) of section 259.105, Florida Statutes, is
1890 amended to read:

1891 259.105 The Florida Forever Act.—

1892 (3) Less the costs of issuing and the costs of funding
1893 reserve accounts and other costs associated with bonds, the
1894 proceeds of cash payments or bonds issued pursuant to this
1895 section shall be deposited into the Florida Forever Trust Fund
1896 created by s. 259.1051. The proceeds shall be distributed by the



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1897 Department of Environmental Protection in the following manner:
1898 (m) Notwithstanding paragraphs (a)-(j) and for the 2020-
1899 2021 ~~2019-2020~~ fiscal year, the amount of \$6 ~~\$33~~ million to only
1900 ~~the Division of State Lands within~~ the Department of
1901 Environmental Protection for grants pursuant to s. 375.075 ~~the~~
1902 ~~Board of Trustees Florida Forever Priority List land acquisition~~
1903 ~~projects~~. This paragraph expires July 1, 2021 ~~2020~~.
1904 Section 68. In order to implement appropriations from the
1905 Land Acquisition Trust Fund within the Department of
1906 Environmental Protection, paragraph (b) of subsection (3) of
1907 section 375.041, Florida Statutes, is amended to read:
1908 375.041 Land Acquisition Trust Fund.—
1909 (3) Funds distributed into the Land Acquisition Trust Fund
1910 pursuant to s. 201.15 shall be applied:
1911 (b) Of the funds remaining after the payments required
1912 under paragraph (a), but before funds may be appropriated,
1913 pledged, or dedicated for other uses:
1914 1. A minimum of the lesser of 25 percent or \$200 million
1915 shall be appropriated annually for Everglades projects that
1916 implement the Comprehensive Everglades Restoration Plan as set
1917 forth in s. 373.470, including the Central Everglades Planning
1918 Project subject to Congressional authorization; the Long-Term
1919 Plan as defined in s. 373.4592(2); and the Northern Everglades
1920 and Estuaries Protection Program as set forth in s. 373.4595.
1921 From these funds, \$32 million shall be distributed each fiscal
1922 year through the 2023-2024 fiscal year to the South Florida
1923 Water Management District for the Long-Term Plan as defined in
1924 s. 373.4592(2). After deducting the \$32 million distributed
1925 under this subparagraph, from the funds remaining, a minimum of



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1926 the lesser of 76.5 percent or \$100 million shall be appropriated
1927 each fiscal year through the 2025-2026 fiscal year for the
1928 planning, design, engineering, and construction of the
1929 Comprehensive Everglades Restoration Plan as set forth in s.
1930 373.470, including the Central Everglades Planning Project, the
1931 Everglades Agricultural Area Storage Reservoir Project, the Lake
1932 Okeechobee Watershed Project, the C-43 West Basin Storage
1933 Reservoir Project, the Indian River Lagoon-South Project, the
1934 Western Everglades Restoration Project, and the Picayune Strand
1935 Restoration Project. The Department of Environmental Protection
1936 and the South Florida Water Management District shall give
1937 preference to those Everglades restoration projects that reduce
1938 harmful discharges of water from Lake Okeechobee to the St.
1939 Lucie or Caloosahatchee estuaries in a timely manner. For the
1940 purpose of performing the calculation provided in this
1941 subparagraph, the amount of debt service paid pursuant to
1942 paragraph (a) for bonds issued after July 1, 2016, for the
1943 purposes set forth under paragraph (b) shall be added to the
1944 amount remaining after the payments required under paragraph
1945 (a). The amount of the distribution calculated shall then be
1946 reduced by an amount equal to the debt service paid pursuant to
1947 paragraph (a) on bonds issued after July 1, 2016, for the
1948 purposes set forth under this subparagraph.

1949 2. A minimum of the lesser of 7.6 percent or \$50 million
1950 shall be appropriated annually for spring restoration,
1951 protection, and management projects. For the purpose of
1952 performing the calculation provided in this subparagraph, the
1953 amount of debt service paid pursuant to paragraph (a) for bonds
1954 issued after July 1, 2016, for the purposes set forth under



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1955 paragraph (b) shall be added to the amount remaining after the
1956 payments required under paragraph (a). The amount of the
1957 distribution calculated shall then be reduced by an amount equal
1958 to the debt service paid pursuant to paragraph (a) on bonds
1959 issued after July 1, 2016, for the purposes set forth under this
1960 subparagraph.

1961 3. The sum of \$5 million shall be appropriated annually
1962 each fiscal year through the 2025-2026 fiscal year to the St.
1963 Johns River Water Management District for projects dedicated to
1964 the restoration of Lake Apopka. This distribution shall be
1965 reduced by an amount equal to the debt service paid pursuant to
1966 paragraph (a) on bonds issued after July 1, 2016, for the
1967 purposes set forth in this subparagraph.

1968 4. The sum of \$64 million is appropriated and shall be
1969 transferred to the Everglades Trust Fund for the 2018-2019
1970 fiscal year, and each fiscal year thereafter, for the EAA
1971 reservoir project pursuant to s. 373.4598. Any funds remaining
1972 in any fiscal year shall be made available only for Phase II of
1973 the C-51 reservoir project or projects identified in
1974 subparagraph 1. and must be used in accordance with laws
1975 relating to such projects. Any funds made available for such
1976 purposes in a fiscal year are in addition to the amount
1977 appropriated under subparagraph 1. This distribution shall be
1978 reduced by an amount equal to the debt service paid pursuant to
1979 paragraph (a) on bonds issued after July 1, 2017, for the
1980 purposes set forth in this subparagraph.

1981 5. Notwithstanding subparagraph 3., for the 2020-2021 ~~2019-~~
1982 ~~2020~~ fiscal year, funds shall be appropriated as provided in the
1983 General Appropriations Act. This subparagraph expires July 1,



1984 2021 ~~2020~~.

1985 Section 69. In order to implement Specific Appropriation
1986 2659 of the 2020-2021 General Appropriations Act, paragraph (b)
1987 of subsection (3) and subsection (5) of section 321.04, Florida
1988 Statutes, are amended to read:

1989 321.04 Personnel of the highway patrol; rank
1990 classifications; probationary status of new patrol officers;
1991 subsistence; special assignments.—

1992 (3)

1993 (b) For the 2020-2021 ~~2019-2020~~ fiscal year only, upon the
1994 request of the Governor, the Department of Highway Safety and
1995 Motor Vehicles shall assign one or more patrol officers to the
1996 office of the Lieutenant Governor for security services. This
1997 paragraph expires July 1, 2021 ~~2020~~.

1998 (5) For the 2020-2021 ~~2019-2020~~ fiscal year only, the
1999 assignment of a patrol officer by the department shall include a
2000 Cabinet member specified in s. 4, Art. IV of the State
2001 Constitution if deemed appropriate by the department or in
2002 response to a threat and upon written request of such Cabinet
2003 member. This subsection expires July 1, 2021 ~~2020~~.

2004 Section 70. In order to implement Specific Appropriation
2005 2282 of the 2020-2021 General Appropriations Act, subsection (3)
2006 of section 420.9079, Florida Statutes, is amended to read:

2007 420.9079 Local Government Housing Trust Fund.—

2008 (3) For the 2020-2021 ~~2019-2020~~ fiscal year, funds may be
2009 used as provided in the General Appropriations Act. This
2010 subsection expires July 1, 2021 ~~2020~~.

2011 Section 71. In order to implement Specific Appropriation
2012 2281 of the 2020-2021 General Appropriations Act, subsection (2)



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2013 of section 420.0005, Florida Statutes, is amended to read:
2014 420.0005 State Housing Trust Fund; State Housing Fund.—
2015 (2) For the 2020-2021 ~~2019-2020~~ fiscal year, funds may be
2016 used as provided in the General Appropriations Act. This
2017 subsection expires July 1, 2021 ~~2020~~.

2018 Section 72. In order to implement Specific Appropriation
2019 2294 of the 2020-2021 General Appropriations Act, subsection
2020 (14) of section 288.1226, Florida Statutes, is amended to read:
2021 288.1226 Florida Tourism Industry Marketing Corporation;
2022 use of property; board of directors; duties; audit.—
2023 (14) REPEAL.—This section is repealed July 1, 2021 ~~2020~~,
2024 unless reviewed and saved from repeal by the Legislature.

2025 Section 73. In order to implement Specific Appropriation
2026 2294 of the 2020-2021 General Appropriations Act, subsection (6)
2027 of section 288.923, Florida Statutes, is amended to read:
2028 288.923 Division of Tourism Marketing; definitions;
2029 responsibilities.—
2030 (6) This section is repealed July 1, 2021 ~~2020~~, unless
2031 reviewed and saved from repeal by the Legislature.

2032 Section 74. In order to implement Specific Appropriation
2033 1915 of the 2020-2021 General Appropriations Act, paragraph (g)
2034 of subsection (8) of section 338.2278, Florida Statutes, is
2035 amended to read:
2036 338.2278 Multi-use Corridors of Regional Economic
2037 Significance Program.—
2038 (8) The amounts identified in subsection (7) by fiscal year
2039 shall be allocated as follows:
2040 (g)1. Except as provided in subparagraph 2., in each fiscal
2041 year in which funding provided under this subsection for the



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2042 Small County Road Assistance Program, the Small County Outreach
2043 Program, the Transportation Disadvantaged Trust Fund, or the
2044 workforce development program is not committed by the end of
2045 each fiscal year, such uncommitted funds shall be used by the
2046 department to fund Multi-use Corridors of Regional Economic
2047 Significance Program projects. As provided in s. 339.135(7), the
2048 adopted work program may be amended to transfer funds between
2049 appropriations categories or to increase an appropriation
2050 category to implement this paragraph.

2051 2. For the 2020-2021 fiscal year, funding provided under
2052 this subsection for the Transportation Disadvantaged Trust Fund
2053 under paragraph (a) which is uncommitted at the end of the 2019-
2054 2020 fiscal year may be used as provided in the General
2055 Appropriations Act. This subparagraph expires July 1, 2021.

2056 Section 75. In order to implement Specific Appropriations
2057 1916 through 1929, 1929F through 1929J, 1944 through 1951, 1953
2058 through 1962, and 1999A through 2011 of the 2020-2021 General
2059 Appropriations Act, paragraphs (g) and (h) of subsection (7) of
2060 section 339.135, Florida Statutes, are amended to read:

2061 339.135 Work program; legislative budget request;
2062 definitions; preparation, adoption, execution, and amendment.—

2063 (7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

2064 (g)1. Any work program amendment which also requires the
2065 transfer of fixed capital outlay appropriations between
2066 categories within the department or the increase of an
2067 appropriation category is subject to the approval of the
2068 Legislative Budget Commission.

2069 2. If a meeting of the Legislative Budget Commission cannot
2070 be held within 30 days after the department submits an amendment



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2071 to the Legislative Budget Commission, the chair and vice chair
2072 of the Legislative Budget Commission may authorize such
2073 amendment to be approved pursuant to s. 216.177. This
2074 subparagraph expires July 1, 2021 ~~2020~~.

2075 (h)1. Any work program amendment that also adds a new
2076 project, or phase thereof, to the adopted work program in excess
2077 of \$3 million is subject to approval by the Legislative Budget
2078 Commission. Any work program amendment submitted under this
2079 paragraph must include, as supplemental information, a list of
2080 projects, or phases thereof, in the current 5-year adopted work
2081 program which are eligible for the funds within the
2082 appropriation category being used for the proposed amendment.
2083 The department shall provide a narrative with the rationale for
2084 not advancing an existing project, or phase thereof, in lieu of
2085 the proposed amendment.

2086 2. If a meeting of the Legislative Budget Commission cannot
2087 be held within 30 days after the department submits an amendment
2088 to the commission, the chair and vice chair of the commission
2089 may authorize such amendment to be approved pursuant to s.
2090 216.177. This subparagraph expires July 1, 2021.

2091 Section 76. In order to implement Specific Appropriation
2092 2599 of the 2020-2021 General Appropriations Act, paragraph (d)
2093 of subsection (4) of section 112.061, Florida Statutes, is
2094 amended to read:

2095 112.061 Per diem and travel expenses of public officers,
2096 employees, and authorized persons; statewide travel management
2097 system.—

2098 (4) OFFICIAL HEADQUARTERS.—The official headquarters of an
2099 officer or employee assigned to an office shall be the city or



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2100 town in which the office is located except that:

2101 (d) A Lieutenant Governor who permanently resides outside
2102 of Leon County, may, if he or she so requests, have an
2103 appropriate facility in his or her county designated as his or
2104 her official headquarters for purposes of this section. This
2105 official headquarters may only serve as the Lieutenant
2106 Governor's personal office. The Lieutenant Governor may not use
2107 state funds to lease space in any facility for his or her
2108 official headquarters.

2109 1. A Lieutenant Governor for whom an official headquarters
2110 is established in his or her county of residence pursuant to
2111 this paragraph is eligible for subsistence at a rate to be
2112 established by the Governor for each day or partial day that the
2113 Lieutenant Governor is at the State Capitol to conduct official
2114 state business. In addition to the subsistence allowance, a
2115 Lieutenant Governor is eligible for reimbursement for
2116 transportation expenses as provided in subsection (7) for travel
2117 between the Lieutenant Governor's official headquarters and the
2118 State Capitol to conduct state business.

2119 2. Payment of subsistence and reimbursement for
2120 transportation between a Lieutenant Governor's official
2121 headquarters and the State Capitol shall be made to the extent
2122 appropriated funds are available, as determined by the Governor.

2123 3. This paragraph expires July 1, 2021 ~~2020~~.

2124 Section 77. In order to implement the salaries and
2125 benefits, expenses, other personal services, contracted
2126 services, and operating capital outlay categories of the 2020-
2127 2021 General Appropriations Act, paragraph (a) of subsection (2)
2128 of section 216.292, Florida Statutes, is amended to read:



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2129 216.292 Appropriations nontransferable; exceptions.—
2130 (2) The following transfers are authorized to be made by
2131 the head of each department or the Chief Justice of the Supreme
2132 Court whenever it is deemed necessary by reason of changed
2133 conditions:
2134 (a) The transfer of appropriations funded from identical
2135 funding sources, except appropriations for fixed capital outlay,
2136 and the transfer of amounts included within the total original
2137 approved budget and plans of releases of appropriations as
2138 furnished pursuant to ss. 216.181 and 216.192, as follows:
2139 1. Between categories of appropriations within a budget
2140 entity, if no category of appropriation is increased or
2141 decreased by more than 5 percent of the original approved budget
2142 or \$250,000, whichever is greater, by all action taken under
2143 this subsection.
2144 2. Between budget entities within identical categories of
2145 appropriations, if no category of appropriation is increased or
2146 decreased by more than 5 percent of the original approved budget
2147 or \$250,000, whichever is greater, by all action taken under
2148 this subsection.
2149 3. Any agency exceeding salary rate established pursuant to
2150 s. 216.181(8) on June 30th of any fiscal year shall not be
2151 authorized to make transfers pursuant to subparagraphs 1. and 2.
2152 in the subsequent fiscal year.
2153 4. Notice of proposed transfers under subparagraphs 1. and
2154 2. shall be provided to the Executive Office of the Governor and
2155 the chairs of the legislative appropriations committees at least
2156 3 days prior to agency implementation in order to provide an
2157 opportunity for review. The review shall be limited to ensuring



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2158 that the transfer is in compliance with the requirements of this
2159 paragraph.

2160 5. For the 2020-2021 ~~2019-2020~~ fiscal year, the review
2161 shall ensure that transfers proposed pursuant to this paragraph
2162 comply with this chapter, maximize the use of available and
2163 appropriate trust funds, and are not contrary to legislative
2164 policy and intent. This subparagraph expires July 1, 2021 ~~2020~~.

2165 Section 78. In order to implement section 8 of the 2020-
2166 2021 General Appropriations Act, notwithstanding s.
2167 110.123(3)(f) and (j), Florida Statutes, the Department of
2168 Management Services shall maintain and offer the same PPO and
2169 HMO health plan alternatives to the participants of the state
2170 group health insurance program during the 2020-2021 fiscal year
2171 which were in effect for the 2019-2020 fiscal year. This section
2172 expires July 1, 2021.

2173 Section 79. In order to implement the appropriation of
2174 funds in the special categories, contracted services, and
2175 expenses categories of the 2020-2021 General Appropriations Act,
2176 a state agency may not initiate a competitive solicitation for a
2177 product or service if the completion of such competitive
2178 solicitation would:

2179 (1) Require a change in law; or

2180 (2) Require a change to the agency's budget other than a
2181 transfer authorized in s. 216.292(2) or (3), Florida Statutes,
2182 unless the initiation of such competitive solicitation is
2183 specifically authorized in law, in the General Appropriations
2184 Act, or by the Legislative Budget Commission.

2185
2186 This section does not apply to a competitive solicitation for



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2187 which the agency head certifies that a valid emergency exists.
2188 This section expires July 1, 2021.

2189 Section 80. In order to implement appropriations for
2190 salaries and benefits in the 2020-2021 General Appropriations
2191 Act, subsection (6) of section 112.24, Florida Statutes, is
2192 amended to read:

2193 112.24 Intergovernmental interchange of public employees.-
2194 To encourage economical and effective utilization of public
2195 employees in this state, the temporary assignment of employees
2196 among agencies of government, both state and local, and
2197 including school districts and public institutions of higher
2198 education is authorized under terms and conditions set forth in
2199 this section. State agencies, municipalities, and political
2200 subdivisions are authorized to enter into employee interchange
2201 agreements with other state agencies, the Federal Government,
2202 another state, a municipality, or a political subdivision
2203 including a school district, or with a public institution of
2204 higher education. State agencies are also authorized to enter
2205 into employee interchange agreements with private institutions
2206 of higher education and other nonprofit organizations under the
2207 terms and conditions provided in this section. In addition, the
2208 Governor or the Governor and Cabinet may enter into employee
2209 interchange agreements with a state agency, the Federal
2210 Government, another state, a municipality, or a political
2211 subdivision including a school district, or with a public
2212 institution of higher learning to fill, subject to the
2213 requirements of chapter 20, appointive offices which are within
2214 the executive branch of government and which are filled by
2215 appointment by the Governor or the Governor and Cabinet. Under



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2216 no circumstances shall employee interchange agreements be
2217 utilized for the purpose of assigning individuals to participate
2218 in political campaigns. Duties and responsibilities of
2219 interchange employees shall be limited to the mission and goals
2220 of the agencies of government.

2221 (6) For the 2020-2021 ~~2019-2020~~ fiscal year only, the
2222 assignment of an employee of a state agency as provided in this
2223 section may be made if recommended by the Governor or Chief
2224 Justice, as appropriate, and approved by the chairs of the
2225 legislative appropriations committees. Such actions shall be
2226 deemed approved if neither chair provides written notice of
2227 objection within 14 days after receiving notice of the action
2228 pursuant to s. 216.177. This subsection expires July 1, 2021
2229 ~~2020~~.

2230 Section 81. In order to implement Specific Appropriations
2231 2727 and 2728 of the 2020-2021 General Appropriations Act, and
2232 notwithstanding s. 11.13(1), Florida Statutes, the authorized
2233 salaries for members of the Legislature for the 2020-2021 fiscal
2234 year shall be set at the same level in effect on July 1, 2010.
2235 This section expires July 1, 2021.

2236 Section 82. In order to implement the transfer of funds
2237 from the General Revenue Fund from trust funds for the 2020-2021
2238 General Appropriations Act, and notwithstanding the expiration
2239 date in section 110 of chapter 2019-116, Laws of Florida,
2240 paragraph (b) of subsection (2) of section 215.32, Florida
2241 Statutes, is reenacted to read:

2242 215.32 State funds; segregation.—

2243 (2) The source and use of each of these funds shall be as
2244 follows:



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2245 (b)1. The trust funds shall consist of moneys received by
2246 the state which under law or under trust agreement are
2247 segregated for a purpose authorized by law. The state agency or
2248 branch of state government receiving or collecting such moneys
2249 is responsible for their proper expenditure as provided by law.
2250 Upon the request of the state agency or branch of state
2251 government responsible for the administration of the trust fund,
2252 the Chief Financial Officer may establish accounts within the
2253 trust fund at a level considered necessary for proper
2254 accountability. Once an account is established, the Chief
2255 Financial Officer may authorize payment from that account only
2256 upon determining that there is sufficient cash and releases at
2257 the level of the account.

2258 2. In addition to other trust funds created by law, to the
2259 extent possible, each agency shall use the following trust funds
2260 as described in this subparagraph for day-to-day operations:

2261 a. Operations or operating trust fund, for use as a
2262 depository for funds to be used for program operations funded by
2263 program revenues, with the exception of administrative
2264 activities when the operations or operating trust fund is a
2265 proprietary fund.

2266 b. Operations and maintenance trust fund, for use as a
2267 depository for client services funded by third-party payors.

2268 c. Administrative trust fund, for use as a depository for
2269 funds to be used for management activities that are departmental
2270 in nature and funded by indirect cost earnings and assessments
2271 against trust funds. Proprietary funds are excluded from the
2272 requirement of using an administrative trust fund.

2273 d. Grants and donations trust fund, for use as a depository



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2274 for funds to be used for allowable grant or donor agreement
2275 activities funded by restricted contractual revenue from private
2276 and public nonfederal sources.

2277 e. Agency working capital trust fund, for use as a
2278 depository for funds to be used pursuant to s. 216.272.

2279 f. Clearing funds trust fund, for use as a depository for
2280 funds to account for collections pending distribution to lawful
2281 recipients.

2282 g. Federal grant trust fund, for use as a depository for
2283 funds to be used for allowable grant activities funded by
2284 restricted program revenues from federal sources.

2285

2286 To the extent possible, each agency must adjust its internal
2287 accounting to use existing trust funds consistent with the
2288 requirements of this subparagraph. If an agency does not have
2289 trust funds listed in this subparagraph and cannot make such
2290 adjustment, the agency must recommend the creation of the
2291 necessary trust funds to the Legislature no later than the next
2292 scheduled review of the agency's trust funds pursuant to s.
2293 215.3206.

2294 3. All such moneys are hereby appropriated to be expended
2295 in accordance with the law or trust agreement under which they
2296 were received, subject always to the provisions of chapter 216
2297 relating to the appropriation of funds and to the applicable
2298 laws relating to the deposit or expenditure of moneys in the
2299 State Treasury.

2300 4.a. Notwithstanding any provision of law restricting the
2301 use of trust funds to specific purposes, unappropriated cash
2302 balances from selected trust funds may be authorized by the



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2303 Legislature for transfer to the Budget Stabilization Fund and
2304 General Revenue Fund in the General Appropriations Act.

2305 b. This subparagraph does not apply to trust funds required
2306 by federal programs or mandates; trust funds established for
2307 bond covenants, indentures, or resolutions whose revenues are
2308 legally pledged by the state or public body to meet debt service
2309 or other financial requirements of any debt obligations of the
2310 state or any public body; the Division of Licensing Trust Fund
2311 in the Department of Agriculture and Consumer Services; the
2312 State Transportation Trust Fund; the trust fund containing the
2313 net annual proceeds from the Florida Education Lotteries; the
2314 Florida Retirement System Trust Fund; trust funds under the
2315 management of the State Board of Education or the Board of
2316 Governors of the State University System, where such trust funds
2317 are for auxiliary enterprises, self-insurance, and contracts,
2318 grants, and donations, as those terms are defined by general
2319 law; trust funds that serve as clearing funds or accounts for
2320 the Chief Financial Officer or state agencies; trust funds that
2321 account for assets held by the state in a trustee capacity as an
2322 agent or fiduciary for individuals, private organizations, or
2323 other governmental units; and other trust funds authorized by
2324 the State Constitution.

2325 Section 83. The text of s. 215.32(2)(b), Florida Statutes,
2326 as carried forward from chapter 2011-47, Laws of Florida, by
2327 this act, expires July 1, 2021, and the text of that paragraph
2328 shall revert to that in existence on June 30, 2011, except that
2329 any amendments to such text enacted other than by this act shall
2330 be preserved and continue to operate to the extent that such
2331 amendments are not dependent upon the portions of text which



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2332 expire pursuant to this section.

2333 Section 84. In order to implement appropriations in the
2334 2020-2021 General Appropriations Act for state employee travel,
2335 the funds appropriated to each state agency which may be used
2336 for travel by state employees are limited during the 2020-2021
2337 fiscal year to travel for activities that are critical to each
2338 state agency's mission. Funds may not be used for travel by
2339 state employees to foreign countries, other states, conferences,
2340 staff training activities, or other administrative functions
2341 unless the agency head has approved, in writing, that such
2342 activities are critical to the agency's mission. The agency head
2343 shall consider using teleconferencing and other forms of
2344 electronic communication to meet the needs of the proposed
2345 activity before approving mission-critical travel. This section
2346 does not apply to travel for law enforcement purposes, military
2347 purposes, emergency management activities, or public health
2348 activities. This section expires July 1, 2021.

2349 Section 85. In order to implement appropriations in the
2350 2020-2021 General Appropriations Act for state employee travel
2351 and notwithstanding s. 112.061, Florida Statutes, costs for
2352 lodging associated with a meeting, conference, or convention
2353 organized or sponsored in whole or in part by a state agency or
2354 the judicial branch may not exceed \$225 per day. An employee may
2355 expend his or her own funds for any lodging expenses in excess
2356 of \$225 per day. For purposes of this section, a meeting does
2357 not include travel activities for conducting an audit,
2358 examination, inspection, or investigation or travel activities
2359 related to a litigation or emergency response. This section
2360 expires July 1, 2021.



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2361 Section 86. In order to implement the appropriation of
2362 funds in the special categories, contracted services, and
2363 expenses categories of the 2020-2021 General Appropriations Act,
2364 a state agency may not enter into a contract containing a
2365 nondisclosure clause that prohibits the contractor from
2366 disclosing information relevant to the performance of the
2367 contract to members or staff of the Senate or the House of
2368 Representatives. This section expires July 1, 2021.

2369 Section 87. Any section of this act which implements a
2370 specific appropriation or specifically identified proviso
2371 language in the 2020-2021 General Appropriations Act is void if
2372 the specific appropriation or specifically identified proviso
2373 language is vetoed. Any section of this act which implements
2374 more than one specific appropriation or more than one portion of
2375 specifically identified proviso language in the 2020-2021
2376 General Appropriations Act is void if all the specific
2377 appropriations or portions of specifically identified proviso
2378 language are vetoed.

2379 Section 88. If any other act passed during the 2020 Regular
2380 Session of the Legislature contains a provision that is
2381 substantively the same as a provision in this act, but that
2382 removes or is otherwise not subject to the future repeal applied
2383 to such provision by this act, the Legislature intends that the
2384 provision in the other act takes precedence and continues to
2385 operate, notwithstanding the future repeal provided by this act.

2386 Section 89. If any provision of this act or its application
2387 to any person or circumstance is held invalid, the invalidity
2388 does not affect other provisions or applications of the act
2389 which can be given effect without the invalid provision or



2390 application, and to this end the provisions of this act are
2391 severable.

2392 Section 90. Except as otherwise expressly provided in this
2393 act and except for this section, which shall take effect upon
2394 this act becoming a law, this act shall take effect July 1,
2395 2020; or, if this act fails to become a law until after that
2396 date, it shall take effect upon becoming a law and shall operate
2397 retroactively to July 1, 2020.

2398
2399 ===== T I T L E A M E N D M E N T =====

2400 And the title is amended as follows:

2401 Delete everything before the enacting clause
2402 and insert:

2403 A bill to be entitled
2404 An act implementing the 2020-2021 General
2405 Appropriations Act; providing legislative intent;
2406 incorporating by reference certain calculations of the
2407 Florida Education Finance Program; providing that
2408 funds for instructional materials must be released and
2409 expended as required in specified proviso language;
2410 amending s. 1011.62, F.S.; conforming a provision
2411 regarding the virtual education contribution to
2412 reflect the Teacher Salary Increase Allocation;
2413 extending for 1 fiscal year provisions governing the
2414 funding compression allocation; suspending the Florida
2415 Best and Brightest Teacher and Principal Allocation
2416 for the 2020-2021 fiscal year; creating the Teacher
2417 Salary Increase Allocation; specifying the purpose of
2418 the allocation; prescribing the manner in which funds



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2419 under the allocation may be provided and used;
2420 providing for the expiration and reversion of
2421 specified statutory text; amending ss. 1012.731 and
2422 1012.732, F.S.; suspending the Florida Best and
2423 Brightest Teacher Program and the Florida Best and
2424 Brightest Principal Program for the 2020-2021 fiscal
2425 year; amending s. 1013.62, F.S.; specifying the source
2426 of charter school capital outlay funding; providing
2427 for the expiration and reversion of specified
2428 statutory text; reenacting s. 1001.26(1), F.S.,
2429 relating to the public broadcasting program system;
2430 extending for 1 fiscal year authorization for the
2431 Department of Education to provide certain
2432 appropriated funds to public colleges and universities
2433 for public broadcasting; providing for the expiration
2434 and reversion of specified statutory text; creating s.
2435 1004.6499, F.S.; establishing the Florida Institute of
2436 Politics at the Florida State University; providing
2437 the purpose and goals of the institute; incorporating
2438 by reference certain calculations for the Medicaid
2439 Disproportionate Share Hospital and Hospital
2440 Reimbursement programs; authorizing the Agency for
2441 Health Care Administration, in consultation with the
2442 Department of Health, to submit a budget amendment to
2443 realign funding for a component of the Children's
2444 Medical Services program to reflect actual enrollment
2445 changes; specifying requirements for such realignment;
2446 authorizing the agency to request nonoperating budget
2447 authority for transferring certain federal funds to



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2448 the Department of Health; reenacting s. 409.908(23),
2449 F.S., relating to the reimbursement of Medicaid
2450 providers; extending for 1 fiscal year provisions
2451 regarding reimbursement rates; providing for the
2452 expiration and reversion of specified statutory text;
2453 reenacting s. 409.908(26), F.S., relating to the
2454 reimbursement of Medicaid providers; extending for 1
2455 fiscal year a provision regarding the receipt of funds
2456 to be used for Low Income Pool Program payments;
2457 providing for the expiration and reversion of
2458 specified statutory text; amending s. 409.904, F.S.;
2459 extending for 1 fiscal year a provision requiring the
2460 Agency for Health Care Administration to make payments
2461 to Medicaid-covered services; requiring the Agency for
2462 Health Care Administration, in consultation with the
2463 Department of Children and Families and certain other
2464 entities, to submit a report to the Governor and the
2465 Legislature by a specified date; specifying
2466 requirements for the report; reenacting s.
2467 624.91(5)(b), F.S., relating to the Florida Healthy
2468 Kids Corporation; extending for 1 fiscal year a
2469 provision requiring the corporation to validate the
2470 medical loss ratio and calculate a refund amount for
2471 insurers and providers of health care services who
2472 meet certain criteria; providing for the expiration
2473 and reversion of specified statutory text; amending s.
2474 381.915, F.S.; revising limitations regarding a cancer
2475 center's participation under Tier 3 of the Florida
2476 Consortium of National Cancer Institute Centers



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2477 Program and authorization for centers to pursue
2478 certain designations by the institute; providing for
2479 the expiration and reversion of specified statutory
2480 text; amending s. 893.055, F.S.; extending for 1
2481 fiscal year a provision prohibiting the Attorney
2482 General and the Department of Health from using
2483 certain settlement agreement funds to administer the
2484 prescription drug monitoring program; amending s.
2485 409.911, F.S.; updating the average of audited
2486 disproportionate share data for purposes of
2487 calculating disproportionate share payments; extending
2488 for 1 fiscal year the requirement that the Agency for
2489 Health Care Administration distribute moneys to
2490 hospitals that provide a disproportionate share of
2491 Medicaid or charity care services, as provided in the
2492 General Appropriations Act; amending s. 409.9113,
2493 F.S.; extending for 1 fiscal year the requirement that
2494 the Agency for Health Care Administration make
2495 disproportionate share payments to teaching hospitals
2496 as provided in the General Appropriations Act;
2497 amending s. 409.9119, F.S.; extending for 1 fiscal
2498 year the requirement that the Agency for Health Care
2499 Administration make disproportionate share payments to
2500 certain specialty hospitals for children; authorizing
2501 the Agency for Health Care Administration to submit a
2502 budget amendment to realign Medicaid funding for
2503 specified purposes, subject to certain limitations;
2504 requiring the Agency for Health Care Administration to
2505 contract with an organization for the provision of



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2506 elder care services in specified counties if certain
2507 conditions are met; specifying requirements for the
2508 program; authorizing the Agency for Health Care
2509 Administration and the Department of Health to each
2510 submit a budget amendment to realign funding within
2511 the Florida Kidcare program appropriation categories
2512 or increase budget authority for certain purposes;
2513 specifying the timeframe within which any such budget
2514 amendment must be submitted; amending s. 381.986,
2515 F.S.; exempting rules pertaining to the medical use of
2516 marijuana from certain rulemaking requirements;
2517 amending s. 381.988, F.S.; exempting rules pertaining
2518 to medical marijuana testing laboratories from certain
2519 rulemaking requirements; amending s. 14(1), chapter
2520 2017-232, Laws of Florida; exempting certain rules
2521 pertaining to medical marijuana adopted to replace
2522 emergency rules from specified rulemaking
2523 requirements; providing for the expiration and
2524 reversion of specified law; requiring the Agency for
2525 Health Care Administration to replace the Medicaid
2526 Enterprise System; specifying requirements for the
2527 replacement system; requiring the agency to take
2528 specified action; providing for the establishment of
2529 an executive steering committee to oversee
2530 implementation of the replacement system; providing
2531 for membership, meeting requirements, duties, and
2532 responsibilities of the steering committee;
2533 authorizing the Department of Children and Families to
2534 submit a budget amendment to realign funding for



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2535 implementation of the Guardianship Assistance Program;
2536 requiring the Department of Children and Families to
2537 establish a formula for the distribution of funds to
2538 implement the Guardianship Assistance Program;
2539 amending s. 296.37, F.S.; extending for 1 fiscal year
2540 a provision specifying the monthly contribution to
2541 residents of a state veterans' nursing home;
2542 authorizing the Department of Children and Families to
2543 submit a budget amendment to increase budget authority
2544 for the Supplemental Nutrition Assistance Program if
2545 certain conditions are met; authorizing the Department
2546 of Children and Families to submit a budget amendment
2547 to realign funding within the Family Safety Program
2548 for specified purposes; amending s. 216.262, F.S.;
2549 extending for 1 fiscal year the authority of the
2550 Department of Corrections to submit a budget amendment
2551 for additional positions and appropriations under
2552 certain circumstances; amending s. 1011.80, F.S.;
2553 specifying the manner by which state funds for
2554 postsecondary workforce programs may be used for
2555 inmate education; providing for the expiration and
2556 reversion of specified statutory text; amending s.
2557 215.18, F.S.; extending for 1 fiscal year the
2558 authority and related repayment requirements for
2559 temporary trust fund loans to the state court system
2560 which are sufficient to meet the system's
2561 appropriation; requiring the Department of Juvenile
2562 Justice to review county juvenile detention payments
2563 to determine whether a county has met specified



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2564 financial responsibilities; requiring amounts owed by
2565 the county for such financial responsibilities to be
2566 deducted from certain county funds; requiring the
2567 Department of Revenue to transfer withheld funds to a
2568 specified trust fund; requiring the Department of
2569 Revenue to ensure that such reductions in amounts
2570 distributed do not reduce distributions below amounts
2571 necessary for certain payments due on bonds and to
2572 comply with bond covenants; requiring the Department
2573 of Revenue to notify the Department of Juvenile
2574 Justice if bond payment requirements mandate a
2575 reduction in deductions for amounts owed by a county;
2576 reenacting and amending s. 27.40, F.S., relating to
2577 court-appointed counsel; extending for 1 fiscal year
2578 provisions governing the appointment of court-
2579 appointed counsel; establishing the Cross-
2580 Jurisdictional Death Penalty Pilot Program within the
2581 Office of Criminal Conflict and Civil Regional Counsel
2582 of the Second Appellate District; specifying the
2583 manner of appointing counsel to indigent defendants
2584 who meet specified criteria; providing reporting
2585 requirements regarding the pilot program; specifying
2586 that repeal of the act does not terminate appointments
2587 of counsel made under the pilot program; reenacting
2588 and amending s. 27.5304, F.S., relating to private
2589 court-appointed counsel; extending for 1 fiscal year
2590 limitations on compensation for representation in
2591 criminal proceedings; providing for the expiration and
2592 reversion of specified statutory text; specifying that



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2593 clerks of the circuit court are responsible for
2594 certain costs related to juries which exceed a certain
2595 funding level; reenacting s. 318.18(19)(c), F.S.,
2596 relating to penalty amounts for traffic infractions;
2597 extending for 1 fiscal year the redirection of
2598 revenues from the Public Defenders Revenue Trust Fund
2599 to the Indigent Criminal Defense Trust Fund;
2600 reenacting s. 817.568(12)(b), F.S., relating to the
2601 criminal use of personal identification information;
2602 extending for 1 fiscal year the redirection of
2603 revenues from the Public Defenders Revenue Trust Fund
2604 to the Indigent Criminal Defense Trust Fund; providing
2605 for the expiration and reversion of specified
2606 statutory text; requiring the Department of Management
2607 Services to use tenant broker services to renegotiate
2608 or reprocure certain private lease agreements for
2609 office or storage space; requiring the Department of
2610 Management Services to provide a report to the
2611 Governor and Legislature by a specified date;
2612 prohibiting an agency from transferring funds from a
2613 data processing category to another category that is
2614 not a data processing category; authorizing the
2615 Executive Office of the Governor to transfer funds
2616 appropriated for data processing assessment between
2617 departments for a specified purpose; authorizing the
2618 Executive Office of the Governor to transfer funds
2619 between departments for purposes of aligning amounts
2620 paid for risk management insurance and for human
2621 resources services; requiring the Department of



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2622 Financial Services to replace specified components of
2623 the Florida Accounting Information Resource Subsystem
2624 (FLAIR) and the Cash Management Subsystem (CMS);
2625 specifying certain actions to be taken by the
2626 Department of Financial Services regarding FLAIR and
2627 CMS replacement; providing for the composition of an
2628 executive steering committee to oversee FLAIR and CMS
2629 replacement; prescribing duties and responsibilities
2630 of the executive steering committee; amending s.
2631 216.181, F.S.; extending for 1 fiscal year the
2632 authority for the Legislative Budget Commission to
2633 increase amounts appropriated to the Fish and Wildlife
2634 Conservation Commission or the Department of
2635 Environmental Protection for certain fixed capital
2636 outlay projects from specified sources; amending s.
2637 215.18, F.S.; extending for 1 fiscal year the
2638 authority of the Governor, if there is a specified
2639 temporary deficiency in a land acquisition trust fund
2640 in the Department of Agriculture and Consumer
2641 Services, the Department of Environmental Protection,
2642 the Department of State, or the Fish and Wildlife
2643 Conservation Commission, to transfer funds from other
2644 trust funds in the State Treasury as a temporary loan
2645 to such trust fund; providing a deadline for the
2646 repayment of a temporary loan; requiring the
2647 Department of Environmental Protection to transfer
2648 designated proportions of the revenues deposited in
2649 the Land Acquisition Trust Fund within the department
2650 to land acquisition trust funds in the Department of



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2651 Agriculture and Consumer Services, the Department of
2652 State, and the Fish and Wildlife Conservation
2653 Commission according to specified parameters and
2654 calculations; defining the term "department";
2655 requiring the Department of Environmental Protection
2656 to retain a proportionate share of revenues;
2657 specifying a limit on distributions; requiring the
2658 Department of Environmental Protection to make
2659 transfers to land acquisition trust funds; specifying
2660 the method of determining transfer amounts;
2661 authorizing the Department of Environmental Protection
2662 to advance funds from its land acquisition trust fund
2663 to the Fish and Wildlife Conservation Commission's
2664 land acquisition trust fund for specified purposes;
2665 requiring the Department of Environmental Protection
2666 to prorate amounts transferred to the Fish and
2667 Wildlife Conservation Commission; amending s. 216.181,
2668 F.S.; extending for 1 fiscal year authorization for
2669 the Legislative Budget Commission to increase amounts
2670 appropriated to the Department of Environmental
2671 Protection for fixed capital outlay projects using
2672 specified funds; amending s. 570.441, F.S.; extending
2673 for 1 fiscal year a provision authorizing the
2674 Department of Agriculture and Consumer Services to use
2675 certain funds for purposes related to the Division of
2676 Agricultural Environmental Services; reenacting s.
2677 570.93(1)(a), F.S., relating to the agricultural water
2678 conservation program of the Department of Agriculture
2679 and Consumer Services; extending for 1 fiscal year



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2680 provisions governing the cost-share program; providing
2681 for the expiration and reversion of specified
2682 statutory text; amending s. 259.105, F.S.; providing
2683 for the distribution of proceeds from the Florida
2684 Forever Trust Fund for the 2020-2021 fiscal year;
2685 amending s. 375.041, F.S.; specifying that certain
2686 funds for projects dedicated to restoring Lake Apopka
2687 shall be appropriated as provided in the General
2688 Appropriations Act; amending s. 321.04, F.S.;
2689 extending for 1 fiscal year a provision requiring the
2690 Department of Highway Safety and Motor Vehicles to
2691 assign one or more patrol officers to the office of
2692 Lieutenant Governor for security purposes, upon
2693 request of the Governor; extending for 1 fiscal year
2694 the requirement that the Department of Highway Safety
2695 and Motor Vehicles assign a patrol officer to a
2696 Cabinet member under certain circumstances; amending
2697 s. 420.9079, F.S.; authorizing funds in the Local
2698 Government Housing Trust Fund to be used as provided
2699 in the General Appropriations Act; amending s.
2700 420.0005, F.S.; authorizing certain funds related to
2701 state housing to be used as provided in the General
2702 Appropriations Act; amending s. 288.1226, F.S.;
2703 extending the scheduled repeal of the Florida Tourism
2704 Industry Marketing Corporation direct-support
2705 organization; amending s. 288.923, F.S.; extending the
2706 scheduled repeal of the Division of Tourism Marketing
2707 of Enterprise Florida, Inc.; amending s. 338.2278,
2708 F.S.; authorizing certain uncommitted funding for the



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2709 Transportation Disadvantaged Trust Fund to be used as
2710 provided in the General Appropriations Act; amending
2711 s. 339.135, F.S.; extending for 1 fiscal year
2712 authorization for the chair and vice chair of the
2713 Legislative Budget Commission to approve the
2714 Department of Transportation's budget amendment under
2715 specified circumstances; authorizing the chair and
2716 vice chair of the commission to approve certain budget
2717 amendments of the Department of Transportation if
2718 certain conditions are met; amending s. 112.061, F.S.;
2719 extending for 1 fiscal year authorization for the
2720 Lieutenant Governor to designate an alternative
2721 official headquarters, subject to certain limitations;
2722 amending s. 216.292, F.S.; extending for 1 fiscal year
2723 a provision prescribing requirements for the review of
2724 certain transfers of appropriations; requiring the
2725 Department of Management Services to maintain and
2726 offer the same health insurance options for
2727 participants of the state group health insurance
2728 program for the 2020-2021 fiscal year as for the
2729 preceding fiscal year; prohibiting a state agency from
2730 initiating a competitive solicitation for a product or
2731 service under certain circumstances; providing an
2732 exception; amending s. 112.24, F.S.; extending for 1
2733 fiscal year the authorization, subject to specified
2734 requirements, for the assignment of an employee of a
2735 state agency under an employee interchange agreement;
2736 providing that the annual salaries of the members of
2737 the Legislature be maintained at a specified level;



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2738 reenacting s. 215.32(2)(b), F.S., relating to the
2739 source and use of certain trust funds; providing for
2740 the future expiration and reversion of statutory text;
2741 limiting the use of travel funds to activities that
2742 are critical to an agency's mission; providing
2743 exceptions; placing a monetary cap on lodging expenses
2744 for state employee travel to certain meetings
2745 organized or sponsored by a state agency or the
2746 judicial branch; authorizing employees to expend their
2747 own funds for lodging expenses in excess of the
2748 monetary caps; prohibiting state agencies from
2749 entering into contracts containing certain
2750 nondisclosure agreements; providing conditions under
2751 which the veto of certain appropriations or proviso
2752 language in the General Appropriations Act voids
2753 language that implements such appropriations;
2754 providing for the continued operation of certain
2755 provisions notwithstanding a future repeal or
2756 expiration provided by the act; providing
2757 severability; providing effective dates.