

THE FLORIDA LEGISLATURE



Kathleen Passidomo
President of the Senate



Paul Renner
*Speaker of the House of
Representatives*

March 5, 2024

The Honorable Paul Renner
Speaker, House of Representatives

The Honorable Kathleen Passidomo
President of the Senate

Dear Mr. Speaker and Madam President:

Your Conference Committee on the disagreeing votes of the two houses on HB 5003, same being:

An act relating to implementing the 2024-2025 General Appropriations Act.

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 869818.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

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Conferees on the part of the Senate

SUMMARY OF CONFERENCE COMMITTEE ACTION

The Conference Committee Amendment for HB 5003, relating to implementing the Fiscal Year 2024-2025 General Appropriations Act, provides the following substantive modifications for the 2024-2025 fiscal year:

Section 1 provides legislative intent that the implementing and administering provisions of this act apply to the General Appropriations Act (GAA) for Fiscal Year 2024-2025.

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

Section 3 incorporates the School Readiness Program Reimbursement work papers by reference for the purpose of displaying the rates used in making appropriations for the school readiness program allocation.

Section 4 amends s. 1004.6495(10), F.S., to require the State Board of Education to, by August 1, 2024, establish a state Classification of Instructional Program code for the Florida Postsecondary Comprehensive Transition Program.

Section 5 authorizes the Agency for Health Care Administration (AHCA) to submit a budget amendment to realign funding between the AHCA and the Department of Health (DOH) for the Children's Medical Services (CMS) Network for the implementation of the Statewide Medicaid Managed Care program, to reflect actual enrollment changes due to the transition from fee-for-service into the capitated CMS Network.

Section 6 authorizes AHCA to submit a budget amendment to realign funding priorities within the Medicaid program appropriation categories to address any projected surpluses and deficits for Fiscal Year 2024-2025.

Section 7 authorizes AHCA to submit a budget amendment to realign funding within the Medicaid program appropriation categories to address projected surpluses and deficits within the program for the 2023-2024 fiscal year. The realignment shall not provide funds to increase managed care rates beyond amounts adopted at the January 8, 2024 Social Services Estimating Conference.

Section 8 authorizes the AHCA to submit a budget amendment to realign funding within the Florida KidCare program appropriation categories, or to increase budget authority in the Children's Medical Services Network category, to address projected surpluses and deficits within the program or to maximize the use of state trust funds. A single budget amendment must be submitted in the last quarter of Fiscal Year 2024-2025.

Section 9 amends s. 381.986(17), F.S., to provide that the Department of Health (DOH) is not required to prepare a statement of estimated regulatory costs when adopting rules relating to

medical marijuana testing laboratories, and any such rules adopted prior to July 1, 2025, are exempt from the legislative ratification provision of ss. 120.54(3)(b) and 120.541, F.S. Medical marijuana treatment centers are authorized to use a laboratory that has not been certified by the department until rules relating to medical marijuana testing laboratories are adopted by the department, but no later than July 1, 2025.

Section 10 amends s. 14(1), ch. 2017-232, L.O.F., to provide limited emergency rulemaking authority to the DOH and applicable boards to adopt emergency rules to implement the Medical Use of Marijuana Act (2017). The department and applicable boards are not required to prepare a statement of estimated regulatory costs when promulgating rules to replace emergency rules, and any such rules are exempt from the legislative ratification provision of ss. 120.54(3)(b) and 120.541, F.S., until July 1, 2025.

Section 11 provides that the amendments to s. 14(1), ch. 2017-232, L.O.F., expire on July 1, 2025, and the text of that provision reverts back to that in existence on June 30, 2019.

Section 12 authorizes the AHCA to submit budget amendments to implement the federally approved Directed Payment Program for hospitals statewide, the Indirect Medical Education Program, and a nursing workforce expansion and education program.

Section 13 authorizes the AHCA to submit budget amendments to implement the federally approved Directed Payment Program and fee-for-service supplemental payments for cancer hospitals that meet certain federal criteria.

Section 14 authorizes the AHCA to submit a budget amendment, including specified information, to implement the Low Income Pool Program.

Section 15 authorizes the AHCA to submit a budget amendment to implement fee-for-service supplemental payments and a directed payment program for physicians and subordinate licensed health care practitioners employed by or under contract with a Florida medical or dental school or a public hospital.

Section 16 authorizes the AHCA to submit a budget amendment requesting budget authority for emergency medical transportation services.

Section 17 authorizes the AHCA to submit a budget amendment requesting additional spending authority to implement the Disproportionate Share Hospital Program.

Section 18 allows the Department of Children and Families (DCF) to submit a budget amendment to realign funding within DCF based on the implementation of the Guardianship Assistance Program, including between guardianship assistance payments, foster care Level 1 board payments, and relative and nonrelative caregiver payments for current caseload.

Section 19 authorizes the DCF, DOH and AHCA to submit budget amendments to increase budget authority as necessary to meet caseload requirements for Refugee Programs administered by the federal Office of Refugee Resettlement. Requires the DCF to submit quarterly reports on caseload and expenditures.

Section 20 authorizes the DCF to submit budget amendments to increase budget authority to support the following federal grants: the Supplemental Nutrition Assistance Grant Program, the Summer Electronic Benefit Transfer, the American Rescue Plan Grant, the State Opioid Response Grant, the Substance Use Prevention and Treatment Block Grant, and the Mental Health Block Grant.

Section 21 authorizes the DOH to submit a budget amendment to increase budget authority for the Supplemental Nutrition Program for Women, Infants and Children (WIC) and the Child Care Food Program if additional federal revenues become available.

Section 22 authorizes the DOH to submit a budget amendment to increase budget authority for the HIV/AIDS Prevention and Treatment Program if additional federal revenues become available.

Section 23 authorizes the DOH to submit a budget amendment to increase budget authority for DOH if additional federal revenues specific to COVID-19 become available.

Section 24 authorizes the balance of any appropriation from the General Revenue Fund for the Pediatric Rare Disease Research Grant, which is not disbursed but which is obligated pursuant to contract or committed to be expended by June 30 of the fiscal year in which the funds are appropriated may be carried forward for up to 5 years after the effective date of the original appropriation.

Section 25 requires the AHCA to replace the current Florida Medicaid Management Information System and provides requirements of the system. This section also establishes the executive steering committee (ESC) membership, duties and the process for the ESC meetings and decisions. Provides requirements for deliverables-based fixed price contracts.

Section 26 requires the AHCA, in consultation with the DOH, Agency for Persons with Disabilities (APD), DCF, and the Department of Corrections (DOC), to competitively procure a contract with a vendor to negotiate prices for prescription drugs, including insulin and epinephrine, for all participating agencies. The contract must require that the vendor be compensated on a contingency basis paid from a portion of the savings achieved through the negotiation and purchase of prescription drugs.

Section 27 authorizes the APD to submit budget amendments to transfer funding from salaries and benefits to contractual services in order to support additional staff augmentation at the Developmental Disability Centers.

Section 28 authorizes the AHCA to submit budget amendments as needed, notwithstanding ss. 216.181 and 216.292, F.S., to increase budget authority to implement the home and community-based services Medicaid waiver program of the Agency for Persons with Disabilities.

Section 29 authorizes the Florida Department of Veterans' Affairs (DVA) to submit a budget amendment to the Legislative Budget Commission if DVA projects that additional direct care staff are needed to meet its established staffing ratio.

Section 30 amends s. 409.915(1), F.S., to provide that the term "state Medicaid expenditures" does not include funds specially assessed by any local governmental entity and used as the nonfederal share for the hospital Directed Payment Program after July 1, 2021.

Section 31 amends s. 394.9082, F.S., to authorize a managing entity to carry forward funds from the State Opioid Settlement Trust Fund and provides that such funds are exempt from the 8 percent carry forward cap established pursuant to that section.

Section 32 authorizes the Department of Elder Affairs (DOEA) to submit a budget amendment to increase budget authority for the U.S. Department of Agriculture's Adult Care Food Program if additional federal revenues will be expended in the 2024-2025 fiscal year.

Section 33 authorizes the AHCA to execute Letters of Agreement for Fiscal Year 2023-2024 by June 1, 2024, to support the state share of payments for the Directed Payment Program for hospitals in Statewide Medicaid Managed Care Region 5.

Section 34 authorizes the Department of Veterans Affairs (DVA) to submit budget amendments pursuant to chapter 216 Florida Statutes, subject to federal approval, requesting additional spending authority to support the development and construction of a new State Veterans Nursing Home and Adult Day Health Care Center in Collier County.

Section 35 amends s. 409.912(6), F.S., to allow the fiscal agent contract for the Florida Health Care Connection (FX) to be extended through December 31, 2027.

Section 36 provides that the amendment to s. 409.912(6), expire on July 1, 2025, and the text of that section reverts back to that in existence on June 30, 2024.

Section 37 amends s. 216.262(4), F.S., to allow the Executive Office of the Governor (EOG) to request additional positions and appropriations from unallocated general revenue during Fiscal Year 2024-2025 for the Department of Corrections (DOC) if the actual inmate population of the DOC exceeds certain Criminal Justice Estimating Conference forecasts. Subject to Legislative Budget Commission (LBC) review and approval, the additional positions and appropriations may be used for essential staff, fixed capital improvements, and other resources to provide classification, security, food services, health services, and other variable expenses within the institutions to accommodate the estimated increase in the inmate population.

Section 38 amends s. 215.18(2), F.S., to provide the Chief Justice of the Supreme Court the authority to request a trust fund loan.

Section 39 requires the Department of Juvenile Justice (DJJ) to review county juvenile detention payments to ensure that counties are fulfilling their financial responsibilities. If the department determines that a county has not met its obligations, Department of Revenue must deduct the amount owed to the DJJ from shared revenue funds provided to the county under s. 218.23, F.S.

Section 40 reenacts s. 27.40(1), (2)(a), (3)(a), and (5)-(7), F.S., to continue to require written certification of conflict by the public defender or regional conflict counsel before a court may appoint private conflict counsel.

Section 41 provides that the amendments to s. 27.40(1), (2)(a), (3)(a), (5)-(7), F.S., expire July 1, 2025, and the text of that section reverts to that in existence on June 30, 2019.

Section 42 amends s. 27.5304, F.S., to authorize the fee for compensation for representation in criminal proceedings for misdemeanors and juveniles represented at the trial level to increase from \$1,000 to \$2,000.

Section 43 provides that the amendments to s. 27.5304(1), (3), (6), (7), (11), and (12)(a)-(e), F.S., expire July 1, 2025, and the text of that section reverts to that in existence on June 30, 2019.

Section 44 amends s. 934.50(7)(f), F.S., notwithstanding subsection (7), to create the drone replacement program within the Department of Law Enforcement; and authorize the department to provide any drones turned in to the Florida Center for Cybersecurity for analysis.

Section 45 requires the Department of Management Services (DMS) and state agencies to utilize a tenant broker to renegotiate private lease agreements that expire between July 1, 2025, and June 30, 2027, and are in excess of 2,000 square feet, and to submit a report by November 1, 2024.

Section 46 provides that, notwithstanding s. 216.292(2)(a), F.S., which authorizes transfers of up to five percent of approved budget between categories, agencies may not transfer funds from a data center appropriation category to a category other than a data center appropriation category.

Section 47 authorizes the EOG to transfer funds in the appropriation category “Special Categories-Risk Management Insurance” between departments in order to align the budget authority granted with the premiums paid by each department for risk management insurance.

Section 48 authorizes the EOG to transfer funds in the appropriation category “Special Categories - Transfer to the DMS - Human Resources Services Purchased per Statewide Contract” between departments, in order to align the budget authority granted with the assessments that must be paid by each agency to the DMS for human resources management services.

Section 49 authorizes the DMS to use five percent of facility disposition funds from the Architects Incidental Trust Fund to offset relocation expenses associated with the disposition of state office buildings.

Section 50 authorizes the DMS, notwithstanding s. 253.025(4), F.S., to acquire additional state-owned office buildings or property for inclusion in the Florida Facilities Pool.

Section 51 defines the components of the Florida Accounting Information Resource subsystem (FLAIR) and Cash Management System (CMS) included in the Department of Financial Services Planning Accounting and Ledger Management (PALM) system. This section also provides the executive steering committee membership and the procedures for executive steering committee meetings and decisions.

Section 52 reenacts and amends s. 282.709(3), F.S., to carry forward the DMS's authority to execute a 15-year contract with the SLERs operator.

Section 53 provides that the text of s. 282.709(3), F.S., expires July 1, 2025, and the text of that section reverts to that in existence on June 1, 2021.

Section 54 authorizes state agencies and other eligible users of the SLERS network to utilize the DMS state SLERS contract for the purchase of equipment and services.

Section 55 authorizes a reduction of the MyFloridaMarketPlace (MFMP) transaction fee from one percent to .70 percent for Fiscal Year 2024-2025.

Section 56 amends s. 24.105(9)(i), F.S., to require the commission for lottery ticket sales to be set at 6 percent of the purchase price of each ticket sold or issued as a prize by a retailer.

Section 57 provides that the text of s. 24.105(9)(i), F.S., expires July 1, 2025, and the text of that section reverts to that in existence on June 30, 2023.

Section 58 authorizes the Citizens Property Insurance Corporation to contract with the Division of Administrative Hearings to conduct proceedings to resolve disputes regarding its claims determinations.

Section 59 amends s. 110.116, F.S., to specify that, in order to maintain continuity of operations and to ensure the successful completion of the PALM System, DMS must enter into a 3-year contract extension, pursuant to s. 287.057(11), F.S., with an option to renew for an additional year, with the entity operating the People First System. People First cannot be updated until after successfully connecting payroll to PALM.

Section 60 authorizes the Executive Office of the Governor to submit a budget amendment to transfer funds appropriated in the "Northwest Regional Data Center" category between

departments in order to align the budget authority granted based on the estimated costs for data processing services for the 2024-2025 fiscal year.

Section 61 provides that auxiliary assessments charged to state agencies related to contract management services provided to Northwest Regional Data Center shall not exceed three percent.

Section 62 creates s. 284.51, F.S., directing the Division of Risk Management at DFS to select a provider to establish a statewide pilot program to make electroencephalogram combined transcranial magnetic stimulation (eTMS) available for veterans, first responders, and immediate family members thereof with certain medical conditions.

Section 63 amends s. 215.18(3), F.S., to authorize loans to land acquisition trust funds within several agencies.

Section 64 provides that, in order to implement specific appropriations from the land acquisition trust funds within the Department of Agriculture and Consumer Services (DACCS), the DEP, the Fish and Wildlife Conservation Commission (FWC), and the Department of State (DOS), the DEP will transfer a proportionate share of revenues in the Land Acquisition Trust Fund (LATF) within the DEP on a monthly basis, after subtracting required debt service payments, to each agency and retain a proportionate share within the Land Acquisition Trust Fund within the DEP. Total distributions to a land acquisition trust fund within the other agencies may not exceed the total appropriations for the fiscal year. The section further provides that DEP may advance funds from the beginning unobligated fund balance in the Land Acquisition Trust Fund to LATF within the FWC for cash flow purposes.

Section 65 amends s. 376.3071(15)(g), F.S., to revise the requirements for the usage of the trust fund for ethanol or biodiesel damage.

Section 66 provides that the amendment to s. 376.3071(15)(g), F.S., expires July 1, 2025, and the text of that section reverts to that in existence on July 1, 2020.

Section 67 amends s. 259.105(3), F.S., to notwithstanding the Florida Forever statutory distribution and authorize the use of funds from the trust fund as provided in the GAA.

Section 68 provides that, notwithstanding ch. 287, F.S., the Department of Citrus is authorized to enter into agreements to expedite the increased production of citrus trees that show tolerance or resistance to citrus greening.

Section 69 creates the Local Government Water Supply Grant Pilot Program within the DEP to provide funds to local governments for water supply infrastructure, including distribution and transmission facilities.

Section 70 amends s. 380.5105, F.S., to add a capital outlay grant program to the Stan Mayfield Working Waterfronts Program. The grant program is created within DEP to provide funding to assist commercial fishermen and seafood houses in maintaining their operations.

Section 71 provides that the amendments to s. 380.5105, F.S., expire July 1, 2025, and the text of that section reverts to that in existence on June 30, 2024.

Section 72 amends section 10 of ch. 2022-272, Laws of Florida, to extend and expand the Hurricane Restoration Reimbursement Grant Program.

Section 73 provides that notwithstanding s. 823.11(4)(c), F.S., the FWC is authorized to use funds appropriated for the derelict vessel removal program for grants to local governments or to remove, store, destroy, and dispose of, or to pay private contractors to remove, store, destroy, and dispose of, derelict vessels or vessels declared a public nuisance pursuant to s. 327.73(1)(aa), F.S.

Section 74 provides that a county or municipal government may not amend or adopt an ordinance that restricts or prohibits the operation of a leaf blower that is powered by an internal combustion engine or motor.

Section 75 amends s. 403.0673, F.S., to require a minimum of \$25 million to be dedicated for priority projects to improve water quality in the Indian River Lagoon in the Water Quality Grant Program.

Section 76 provides that, notwithstanding ch. 287, F.S., the Department of Agriculture and Consumer Services is authorized to enter into agreements to advance technologies leading to the creation of a genetically engineered self-limiting strain of an Asian citrus Psyllid for population suppression.

Section 77 amends s. 321.04(3)(b) and (5), F.S., to provide that for Fiscal Year 2024-2025, the Department of Highway Safety and Motor Vehicles may assign a patrol officer to a Cabinet member if the department deems such assignment appropriate or if requested by such Cabinet member in response to a threat. Additionally, the Governor may request the department to assign one or more highway patrol officers to the Lieutenant Governor for security services.

Section 78 amends s. 288.80125(3), F.S., to allow funds to be used for the Rebuild Florida Revolving Loan Fund Program to provide assistance to businesses impacted by Hurricane Michael as provided in the GAA.

Section 79 amends s. 288.8013(3), F.S., to no longer require the interest earned on the Triumph funds to be transferred back into the Triumph Gulf Coast Trust Fund, no other deposits are made into this trust fund. Funds may be used for administrative costs including costs in excess of the statutory cap.

Section 80 provides that the amendment to s. 288.8013(3), F.S., expires July 1, 2025, and the text of that section reverts to that in existence on June 30, 2023.

Section 81 amends s. 339.135(7)(h), F.S., to authorize the chair and vice chair of the Legislative Budget Commission (LBC) to approve, pursuant to s. 216.177, F.S., a Department of Transportation (DOT) work program amendment that adds a new project, or a phase of a new project, in excess of \$3 million, if the LBC does not meet or consider, within 30 days of submittal, the amendment by the DOT.

Section 82 creates s. 250.245, F.S., to establish the Florida National Guard Joint Enlistment Enhancement Program (JEEP) within the Department of Military Affairs to provide bonuses to certain guardsmen in an effort to bolster recruitment efforts and increase the force structure of the Florida National Guard.

Section 83 amends s. 288.0655(6), F.S., to authorize rural Florida Panhandle counties to participate in the Rural Infrastructure Fund grant program as authorized in the GAA.

Section 84 authorizes the Division of Emergency Management to submit budget amendments to increase budget authority for projected expenditures due to federal reimbursements from federally declared disasters.

Section 85 amends s. 282.201, F.S., to authorize the Division of Emergency Management to be exempt from the use of the state data center.

Section 86 amends s. 320.08053, F.S., to provide that, notwithstanding s. 320.08053, F.S., the Department of Highway Safety and Motor Vehicles to extend the presale period by an additional 12 months for the Florida State Beekeepers Association.

Section 87 amends s. 112.061(4)(d), F.S., to permit a lieutenant governor who resides outside of Leon County to designate an official headquarters in his or her county as his or her official headquarters for purposes of s. 112.061, F.S. A lieutenant governor for whom an official headquarters in his or her county of residence may be paid travel and subsistence expenses when travelling between their official headquarters and the State Capitol to conduct state business.

Section 88 requires the DMS to assess an administrative health insurance assessment to each state agency equal to the employer's cost of individual employee health care coverage for each vacant position within such agency eligible for coverage through the Division of State Group Insurance.

Section 89 provides that, notwithstanding s. 11.13, F.S., salaries of legislators must be maintained at the same level as July 1, 2010.

Section 90 reenacts s. 215.32(2)(b), F.S., in order to implement the transfer of moneys to the General Revenue Fund from trust funds in the General Appropriations Act.

Section 91 provides that the amendment to s. 215.32(2)(b), F.S., expires July 1, 2025, and the text of that section reverts to that in existence on June 30, 2011.

Section 92 provides that funds appropriated for travel by state employees be limited to travel for activities that are critical to each state agency's mission. The section prohibits funds from being used to travel to foreign countries, other states, conferences, staff training, or other administrative functions unless the agency head approves in writing. The agency head is required to consider the use of teleconferencing and electronic communication to meet needs of the activity before approving travel.

Section 93 provides that, notwithstanding s. 112.061, F.S., costs for lodging associated with a meeting, conference, or convention organized or sponsored in whole or in part by a state agency or the judicial branch may not exceed \$225 per day. An employee may expend his or her own funds for any lodging expenses in excess of \$225.

Section 94 authorizes the LBC to increase amounts appropriated to state agencies for new fixed capital outlay projects using general revenue funds.

Section 95 amends s. 216.292, F.S., to require transfers to comply with ch. 216, F.S., maximize the use of available and appropriate funds, and not be contrary to legislative policy and intent.

Section 96 provides that, notwithstanding ch. 287, F.S., state agencies are authorized to purchase vehicles from non-State Term Contract vendors provided certain conditions are met.

Section 97 provides that, notwithstanding s. 255.25(3)(a), F.S., the Department of Management Services, the Executive Office of the Governor, the Commissioner of Agriculture, the Chief Financial Officer, and the Attorney General are authorized to enter into a lease as a lessee not to exceed 24 months for the use of space in a privately owned building, even if such space is 5,000 square feet or more, without having to advertise or receive competitive solicitations.

Section 98 requires the DEP to purchase lands within certain land areas; requires DEP in order to reduce land management costs to provide a lease back option to the sellers under certain circumstances.

Section 99 authorizes the EOG to submit a budget amendment to realign funding within and between agencies in appropriation categories specifically authorized for the implementation of the state's award from the federal Coronavirus State Fiscal Recovery Fund (Public Law Number 117-2).

Section 100 amends s. 216.181(8)(b), F.S., to require salary rate to be controlled at the budget entity level for FDOC and DHSMV.

Section 101 amends s. 339.08, F.S., to authorize the Department of Transportation to expend funds from the Discretionary Sales Surtax Clearing Trust Fund and as provided in the GAA.

Section 102 requires the Department of Revenue to retain interest earnings associated with funds held in the Discretionary Sales Surtax Clearing Trust Fund related to the Hillsborough County surtax for the purpose of implementing the temporary suspension of surtaxes.

Section 103 authorizes the Department of Transportation, notwithstanding section 215 of ch. 2023-239, Laws of Florida, to retain interest earned on funds appropriated to implement the Moving Florida Forward Plan.

Section 104 creates s. 11.52, F.S., to require state agencies to provide information about the status of implementation of recently enacted legislation.

Section 105 requires state agencies and the judicial branch to review all statutorily required reports and prepare a list of the reports that the agency would recommend to modify or repeal.

Section 106 amends s. 216.013, F.S., to provide that state executive agencies and the judicial branch are not required to develop or post a long-range program plan by September 30, 2024, for the 2025-2026 fiscal year, except in circumstances outlined in any updated written instructions prepared by the Executive Office of the Governor in consultation with the chairs of the legislative appropriations committees.

Section 107 amends s. 216.023, F.S., to require each state agency and the judicial branch, as part of their legislative budget request, to include an inventory of all ongoing technology-related projects that have a cumulative estimated or realized cost of more than \$1 million. The inventory must include specified information.

Section 108 requires the Florida Turnpike Enterprise to establish a toll relief program.

Section 109 specifies that no section shall take effect if the appropriations and proviso to which it relates are vetoed.

Section 110 provides that if any other act passed during the 2024 Regular Session contains a provision that is substantively the same as a provision in this act, but removes or otherwise is not subject to the future repeal applied by this act, the intent is for the other provision to take precedence and continue to operate.

Section 111 provides for severability.

Section 112 provides for a general effective date of July 1, 2024 (except as otherwise provided).