



Appropriations Conference Chairs

Statewide and Outstanding Issues

SENATE OFFER 1

Implementing Bill

**Wednesday, April 28, 2021
412 Knott Building**

Implementing Bill - Fiscal Year 2021-2022 (Statewide/Outstanding Issues)

Senate Offer #1

Line	SB 2502 Bill Section	HB 5003 Bill Section	Description	Senate Offer #1
1			Education	
2	2	2	FEFP. incorporates the Florida Education Finance Program (FEFP) work papers by reference for the purpose of displaying the calculations used by the Legislature	Identical
3	3	3	INSTRUCTIONAL MATERIALS. Provides that funds provided for instructional materials shall be released and expended as required in the GAA.	Identical
4	N/A	4	CHARTER SCHOOL CAPITAL OUTLAY. amends s. 1013.62(1), F.S., relating to charter school capital outlay funding, to provide that charter school capital outlay funding for Fiscal Year 2021-22 will consist of state funds appropriated by the Legislature in the GAA. <u>This change does not remove the requirement that districts must share local millage revenues beginning in Fiscal Year 2022-2023.</u>	House Modified
5	N/A	5	STATUTORY REVERSIONS. Provides that the amendments to s. 1013.62(1), F.S., expire July 1, 2022, and the text of those sections reverts to that in existence on June 30, 2020.	House
6	4	N/A	FEFP. Amends s. 1011.62-(8), (17), F.S., to suspend the Decline-in-Full-Time Equivalent Students allocation; and modify the Funding Compression and Hold Harmless allocation in how a school district with a decrease in its district cost differential compared to the prior year is included.	Senate Modified
7	5	N/A	PUBLIC BROADCASTING. Reenacts s. 1001.26(1), F.S., to allow public colleges or universities that are not part of the public broadcasting program system to qualify to receive state funds.	Senate
8	6	N/A	STATUTORY REVERSIONS. Provides that the amendments to s. 1001.26(1), F.S., expire July 1, 2022, and the text of those sections reverts to that in existence on June 30, 2018.	Senate
9	7	N/A	FLORIDA POSTSECONDARY COMPREHENSIVE TRANSITION PROGRAM FUNDING. Amends s. 1004.6495, F.S., to authorize FPCTP grants as provided in the GAA.	House No Language
10	8	N/A	INTERCOLLEGIATE ATHLETE COMPENSATION AND RIGHTS. Amends ch. 2020-28, L.O.F., to move the effective date of the 2020 legislation from July 1, 2021, to July 1, 2022.	House No Language
11	9	N/A	FLORIDA ACADEMIC LIBRARY SERVICES COOPERATIVE. Creates the Florida Postsecondary Academic Library Network.	House No Language
12	10	N/A	PLANNING AND CONSTRUCTION OF FLORIDA COLLEGE SYSTEM INSTITUTION FACILITIES; PROPERTY ACQUISITION. Provides that prior approval is not necessary for a FCS to acquire or construct a facility. Requires specified information to be reported to the Legislature.	House No Language
13			Health & Human Services	
14	11	6	HOSPITAL REIMBURSEMENT PROGRAM. Provides the calculations for the Hospital Reimbursement program for the 2021-2022 fiscal year, which is contained in the document titled " <u>Hospital Reimbursement Program</u> , Fiscal Year 2021-2022", are incorporated by reference for the purpose of displaying the calculations used by the Legislature.	Senate Modified
15	12	7	STATEWIDE MEDICAID MANAGED CARE REALIGNMENT-AHCA/DOH. 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.	Identical
16	N/A	8	PRESCRIPTION DRUG MONITORING. prohibits the use of any settlement agreement funds for the program	Senate No Language

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17	N/A	9-11	DISPROPORTIONATE SHARE HOSPITAL PROGRAM. amends the audited date language to the three most recent years of data available and requires AHCA to distribute moneys to hospitals providing a disproportionate share of Medicaid or charity care services as provided in the GAA; teaching hospitals and specialty hospitals for children.	Senate No Language
18	13	12	AHCA BUDGET AMENDMENTS FOR MEDICAID. Authorizes the AHCA to submit a budget amendment to realign funding priorities within the Medicaid program appropriation categories to address any projected surpluses and deficits.	Identical
19	14	13	BUDGET AMENDMENTS FOR FLORIDA KIDCARE. Authorizes the AHCA and the DOH to each 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 by each agency in the last quarter of the 2021-2022 fiscal year only.	Identical
20	15	14	DEPARTMENT OF HEALTH RULE ADOPTION. Amends s. 381.986(17), F.S., to provide that the 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, 2022, are exempt from the legislative ratification provision of s. 120.541(3), 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, 2022.	Identical
21	16	15	DEPARTMENT OF HEALTH RULE ADOPTION. Amends s. 381.988(11), F.S., to provide that the 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, 2022, are exempt from the legislative ratification provision of s. 120.541(3), F.S.	Identical
22	17	16	DEPARTMENT OF HEALTH RULE ADOPTION. Amends s. 14(1) of Chapter 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 s. 120.541(3), F.S., until July 1, 2022.	Identical
23	18	17	STATUTORY REVERSIONS. Provides that the amendments to s. 14(1) of Chapter 2017-232, L.O.F., expire on July 1, 2022, and the text of that provision reverts back to that in existence on June 30, 2019.	Identical
24	N/A	18	AHCA DIRECTED PAYMENT PROGRAM Authorizes the agency to establish a directed payment program for hospitals providing inpatient and outpatient care to Medicaid Managed Care enrollees. Allows for submission of a budget amendment.	House
25	19	19	DCF BUDGET AMENDMENTS. Allows the Department of Children and Families (DCF) to submit a budget amendment to realign funding within appropriations between the Guardianship Assistance Program, the Non-relative Caregiver Program and the Temporary Cash Assistance Program, as necessary, to meet caseload demand.	Identical
26	N/A	20	DCF BUDGET AMENDMENTS. Allows the Department of Children and Families (DCF) to submit a budget amendment to realign funding within the Family Safety Program to maximize the use of Title IV-E and other federal funds.	House

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27	20	N/A	DOH BUDGET AMENDMENT - HIV/AIDS PREVENTION AND TREATMENT. Authorizes DOH to submit a budget amendment to increase budget authority for the HIV/AIDS Prevention and Treatment Program if additional federal revenues become available.	Senate
28	21	21	FLORIDA MEDICAID MANAGEMENT INFORMATION SYSTEM. Requires AHCA to replace the current Florida Medicaid Management Information System and provides requirements of the system. This section also <u>revises the executive steering committee (ESC)</u> membership, duties and the process for ESC meetings and decisions.	Senate Modified
29	N/A	N/A	GRANTS AND DONATIONS TRUST FUND. Effective upon becoming a law, amends s. 409.916, F.S., to allow for funds in the Grants and Donations Trust Fund to be used for purposes specified in the General Appropriations Act.	Senate New Language
31			STATEWIDE ISSUES	
32	57	55	LIEUTENANT GOVERNOR HEADQUARTERS. 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 headquarter 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.	Identical
33	58	N/A	BUDGET TRANSFERS. Amends s. 216.292(2)(a), F.S., to remove language limiting scope of legislative review of "5 percent" budget transfers. Legislature would be able to object that the proposed action exceeds delegated authority or is contrary to legislative policy and intent. Requires that transfers maximize use of available and appropriate trust funds.	House No Language
34	59	56	STATE GROUP HEALTH INSURANCE PROGRAM. Requires the Department of Management Services to maintain and offer during Fiscal Year 2021-2022 the standard and high deductible PPO and HMO plans which were in effect during Fiscal Year 2020-2021.	Identical
35	60	57	COMPETITIVE SOLICITATIONS. Provides that no state agency may initiate a competitive solicitation for a product or service if the completion of such competitive solicitation would require a change in law or require a change to the agency's budget other than a transfer authorized in s. 216.292(2) or (3), F.S., unless the initiation of such competitive solicitation is specifically authorized in law or in the General Appropriations Act or by the Legislative Budget Commission.	Identical
36	61	N/A	EMPLOYEE ASSIGNMENTS. Amends s. 112.24(6), F.S. to provide that the reassignment of an employee of a state agency may be made if recommended by the Governor or Chief Justice, as appropriate, and approved by the chairs of the Senate and House budget committees. Such actions shall be deemed approved if neither chair provides written notice of objection within 14 days after the chair's receiving notice of the action pursuant to s. 216.177, F.S. This requirement applies to state employee reassignments regardless of which agency (sending or receiving) is responsible for pay and benefits of assigned employee.	House No Language

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37	62	58	LEGISLATOR'S SALARIES. Notwithstanding s. 11.13, F.S., maintains salaries of legislators at the same level as July 1, 2010.	Identical
38	63	59	TF SWEEPS TO GR. 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.	Identical
39	64	60	STATUTORY REVERSIONS. Provides that the amendment to s. 215.32(2)(b), F.S., expires July 1, 2022, and the text of that section reverts to that in existence on June 30, 2011.	Identical
40	65	61	STATE EMPLOYEE TRAVEL. 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.	Identical
41	66	62	STATE EMPLOYEE LODGING. 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 \$175.	Identical
42	67	63	NONDISCLOSURE AGREEMENTS. Prohibits a state agency from entering into a contract containing a nondisclosure agreement that prohibits a contractor from disclosing information relevant to the performance of the contract to members or staff of the Senate or House.	Identical
43	68	64	STATE CONTRACTS FOR SERVICES - INSPECTION OF RECORDS. Reenacts and amends s. 216.1366, F.S., to require all new state contracts and amended contracts entered on or after July 1, 2021, to authorize public agencies to inspect: a) financial records and documents directly related to the performance of the contract or public expenditures; and b) programmatic records and documents of the contractor which the public agency determines are necessary to monitor performance of the contract or ensure the contract terms are being met. Contractors are required to provide the requested records and documents within 10 business days after the request by the public agency.	Identical
44	N/A	65	FIXED CAPITAL OUTLAY. authorizes the Legislative Budget Commission to increase amounts appropriated to state agencies for fixed capital outlay projects using <u>general revenue funds</u> provided the projects are for deferred maintenance needs in state, <u>college, or university</u> facilities.	House Modified Language

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45	69	66	FY 2020-21 HOLDBACK/REVERSIONS incorporates by reference the Legislative working papers titled "Fiscal Year 2020-2021 Immediate Reversions" filed for the purpose of displaying the calculations used by the Legislature	Identical
46	70	N/A	MINIMUM WAGE INCREASE. authorizes agencies to issue budget amendments to request salary increases to address pay plan compression issues as a result of raising the minimum wage to \$13/hr; <u>and authorizes retired Florida Commission on Offender Review commissioners to receive \$13/hr.</u>	Senate Modified Language
47	N/A	N/A	STATEWIDE LAW ENFORCEMENT RADIO SYSTEM. amends s. 382.709, F.S., to require the Department of Management Services to execute a 15-year contract with the current system operator. The contract must include: 1. The purchase of radios; 2. The upgrade to the Project 25 communications standard; 3. Increased system capacity and enhanced coverage for system users; 4. Operations, maintenance, and support at a fixed annual rate; 5. The conveyance of communications towers to the department; and 6. The assignment of communications tower leases to the department.	Senate New Language
48	N/A	N/A	OFFICE OF PUBLIC COUNSEL. amends s. 350.0614, F.S., to provide that the operating budget as approved jointly by the President and the Speaker from moneys appropriated to the Public Counsel by the Legislature constitutes the allocation under which the Public Counsel will manage the duties of his or her office; and require the Public Counsel to submit annual budget amendments to the Legislature in the format, detail, and schedule determined by the President and the Speaker.	Senate New Language
49	N/A	N/A	STATE TRANSPORTATION TRUST FUND. provides funds appropriated to the State Transportation Trust Fund from the General Revenue Fund shall be used on State Highway System projects and grants to Florida ports as provided in the General Appropriations Act. The department is not required to deplete the resources transferred from the General Revenue Fund for the fiscal year as required in s. 339.135(3)(b) and the funds may not be used in calculating the required quarterly cash balance of the trust fund as required in s. 339.135(6)(b). The department shall track and account for such appropriated funds as a separate funding source for eligible projects on the State Highway System and grants to Florida ports.	Senate New Language
50	N/A	N/A	PINEY POINT. provides that in order to expedite the closure of the Piney Point facility located in Manatee County, the Department of Environmental Protection is exempt from the competitive procurement requirements of s. 287.057, Florida Statutes, for any procurement of commodities or contractual services in support of the site closure or to address environmental impacts associated with the system failure.	Senate New Language
51	N/A	N/A	PRIVATELY OPERATED INSTITUTIONS. authorizes funds to be provided for the provision of the Continuum of Care program at the Graceville Correctional Facility.	Senate New Language

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52	N/A	N/A	GOVERNOR'S MEDAL OF FREEDOM. creates s. 14.25, F.S., to authorize the Governor to award the "Governor's Medal of Freedom" to any person who has made an especially meritorious contribution to the State of Florida or other significant public or private endeavors.	Senate New Language
53	71	67	VETOED ITEMS. Specifies that no section shall take effect if the appropriations and proviso to which it relates are vetoed.	Identical
54	72	68	PRECEDENCE OF SUBSTANTIVE LAW. Provides that if any other act passed during the 2021 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.	Identical
55	73	69	SEVERABILITY CLAUSE.	Identical
56	74	70	EFFECTIVE DATES. Provides for a general effective date of July 1, 2021 (except as otherwise provided).	Identical